

INTERNAL COMPLAINT PROCEDURES

The purpose of the "Internal Complaint Review Policy" is to afford all employees of the School the opportunity to seek internal resolution of their work-related concerns. All employees have free access to the CEO or Board of Directors to express their work-related concerns. Please use the Internal Complaints Policy Form following this Policy to file complaints. A copy of this Policy and Complaint Form are also available in the main office of each MPS school.

Specific complaints of unlawful harassment are addressed under the School's "TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION, AND BULLYING POLICY."

a) Internal Complaints:

(Complaints by Employees Against Employees)

This section of the policy is for use when an MPS employee raises a complaint or concern about a co-worker.

If reasonably possible, internal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with your immediate supervisor. However, in the event an informal resolution may not be achieved or is not appropriate, the following steps will be followed by the Principal (or the CEO (or designee) for MPSCO employees):

- The complainant will bring the matter to the attention of the Principal (or the CEO (or designee) for MPSCO employees) as soon as possible after attempts to resolve the complaint with the immediate supervisor have failed or if not appropriate; and
- The complainant will reduce his or her complaint to writing, indicating all known and relevant facts. The Principal (or the CEO for MPSCO employees) (or designee) will then investigate the facts and provide a solution or explanation;
- If the complaint is about the Principal, the complainant may file his or her complaint in a signed writing to the CEO (or designee.) The CEO (or designee) will then investigate the facts and provide a solution or explanation;
- If the complaint is about the CEO, the complainant may file his or her complaint in a signed writing to the President of the Board of Directors of the School, who will then confer with the Board and may conduct a fact-finding or authorize a third party investigator on behalf of the Board. The Board President or investigator will report his or her findings to the Board for review and action, if necessary.

This policy cannot guarantee that every problem will be resolved to the employee's satisfaction. However, the School values each employee's ability to express concerns and the need for resolution without fear of adverse consequence to employment.

b) Policy for Complaints Against Employees:

(Complaints by Third Parties Against Employees)

This section of the policy is for use when a non-employee raises a complaint or concern about a School employee.

If complaints cannot be resolved informally, complainants may file a written complaint with the office of the Principal or the CEO (if the complaint concerns the Principal) or the Board President (if the complaint concerns the CEO) as soon as possible after the events that give rise to the complainant's concerns. The written complaint should set forth in detail the factual basis for the complaint.

In processing the complaint, the Principal (or the CEO (or the Board President)) (or designee) shall abide by the following process:

- The Principal (or the CEO) (or designee) shall use his or her best efforts to ascertain the facts relating to the complaint. Where applicable, the Principal (or the CEO) (or designee) shall talk with the parties identified in the complaint or persons with knowledge of the particulars of the complaint to ascertain the facts relating to the complaint.
- In the event that the Principal (or the CEO) (or designee) finds that a complaint against an employee is valid, the Principal (or the CEO) (or designee) may take appropriate disciplinary action against the employee. As appropriate, the Principal (or the CEO) (or designee) may also simply counsel/reprimand employees as to their conduct without initiating formal disciplinary measures.
- The Principal's (or the CEO's) (or designee's) decision relating to the complaint shall be final unless it is appealed to the Board of Directors of the School. The decision of the Board of Directors shall be final.

General Requirements:

- Confidentiality: All complainants will be notified that information obtained from the complainants and thereafter gathered will be maintained in a manner as confidential as possible, but in some circumstances absolute confidentiality cannot be assured.
- Non-Retaliation: All complainants will be advised that they will be protected against retaliation as a result of the filing of any complaints or participation in any complaint process. Resolution: The Board (if a complaint is about the CEO) or the CEO (if a complaint is about the Principal or MPSCO employees) or the Principal or designee will investigate complaints appropriately under the circumstances and pursuant to the applicable procedures, and if necessary, take appropriate remedial measures to ensure effective resolution of any complaint.

INTERNAL COMPLAINT PROCEDURES FORM

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

Name of Person(s) you have a complaint against: _____

List any witnesses that were present: _____

Where did the incident(s) occur?

Please describe the circumstances, events, or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

I hereby authorize MPS to disclose the information I have provided as it finds necessary in pursuing its investigation. I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief. I further understand providing false information in this regard could result in disciplinary action up to and including termination.

_____ Date: _____

Signature of Complainant

Print Name

To be completed by MPS:

Received by: _____ Date: _____

TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION, AND BULLYING POLICY

MPS believes all students have the right to a safe and civil learning environment. Discrimination, sexual harassment, harassment, intimidation, and bullying are all disruptive behaviors which interfere with students' ability to learn, and negatively affect student engagement, diminish school safety, and contribute to a hostile school environment. As such, MPS prohibits any acts of discrimination, sexual harassment, harassment, intimidation, and bullying altogether. This policy is inclusive of instances that occur on any area of the school campus, at school-sponsored events and activities, regardless of location, through school-owned technology, and through other electronic means.

As used in this policy, discrimination, sexual harassment, harassment, intimidation, and bullying are described as the intentional conduct, including verbal, physical, written communication or cyber-bullying, including cyber sexual bullying, based on the actual or perceived characteristics of disability, pregnancy, gender, gender identity, gender expression, nationality, ancestry, race or ethnicity, immigration status, religion, religious affiliation, sexual orientation, childbirth or related medical conditions, marital status, age, or association with a person or group with one or more of these actual or perceived characteristics or any other basis protected by federal, state, local law, ordinance or regulation. In addition, bullying encompasses any conduct described in the definitions set forth in this Policy. Hereafter, such actions are referred to as "misconduct prohibited by this Policy."

To the extent possible, MPS will make reasonable efforts to prevent students from being discriminated against, harassed, intimidated, and/or bullied, and will take action to investigate, respond, address and report on such behaviors in a timely manner. MPS school staff that witness acts of misconduct prohibited by this Policy will take immediate steps to intervene when safe to do so.

Moreover, MPS will not condone or tolerate misconduct prohibited by this Policy by any employee, independent contractor or other person with which MPS does business, or any other individual, student, or volunteer. This policy applies to all employee, student, or volunteer actions and relationships, regardless of position or gender. MPS will promptly and thoroughly investigate any complaint of such misconduct prohibited by this Policy and take appropriate corrective action, if warranted.

Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator ("Coordinator"):

Chief Executive Officer
Magnolia Public Schools
250 E. 1st St., Ste. 1500
Los Angeles, CA 90012
Phone: (213) 628-3634

Definitions

Prohibited Unlawful Harassment

- Verbal conduct such as epithets, derogatory jokes or comments or slurs
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work or school because of sex, race or any other protected basis
- Retaliation for reporting or threatening to report harassment
- Deferential or preferential treatment based on any of the protected classes above

Prohibited Unlawful Harassment under Title IX

Title IX (20 U.S.C. § 1681 *et. seq*; 34 C.F.R. § 106.1 *et. seq*) and California state law prohibit harassment on the basis of sex. In accordance with these existing laws, discrimination on the basis of sex in education institutions is prohibited. All persons, regardless of sex, are afforded equal rights and opportunities and freedom from unlawful discrimination in education programs or activities conducted by MPS.

MPS is committed to provide a workplace and educational environment free of sexual harassment and considers such harassment to be a major offense, which may result in disciplinary action.

Sexual harassment consists of sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when: (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual; (c) the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment; and/or (d) submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

It is also unlawful to retaliate in any way against an individual who has articulated a good faith concern about sexual harassment against him/her or against another individual.

Sexual harassment may include, but is not limited to:

- Physical assaults of a sexual nature, such as:
 - Rape, sexual battery, molestation or attempts to commit these assaults and

- Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, grabbing, brushing against another's body, or poking another's body
- Unwanted sexual advances, propositions or other sexual comments, such as:
 - Sexually oriented gestures, notices, remarks, jokes, or comments about a person's sexuality or sexual experience
 - Preferential treatment or promises of preferential treatment to an individual for submitting to sexual conduct, including soliciting or attempting to solicit any individual to engage in sexual activity for compensation or reward or deferential treatment for rejecting sexual conduct
 - Subjecting or threats of subjecting an employee or student to unwelcome sexual attention or conduct or intentionally making the student's or employee's performance more difficult because of the employee's or the student's sex
- Sexual or discriminatory displays or publications anywhere in the workplace or educational environment, such as:
 - Displaying pictures, cartoons, posters, calendars, graffiti, objections, promotional materials, reading materials, or other materials that are sexually suggestive, sexually demeaning or pornographic or bringing or possessing any such material to read, display or view at work or the educational environment
 - Reading publicly or otherwise publicizing in the work or educational environment materials that are in any way sexually revealing, sexually suggestive, sexually demeaning or pornographic, and
 - Displaying signs or other materials purporting to segregate an individual by sex in an area of the workplace or educational environment (other

than restrooms or similar rooms)

The illustrations of harassment and sexual harassment above are not to be construed as an all-inclusive list of prohibited acts under this Policy.

Prohibited Bullying

Bullying is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act. Bullying includes one or more acts committed by a student group or group of students that may constitute as sexual harassment, hate violence, or creates an intimidating and/or hostile educational environment, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing a reasonable pupil* or pupils in fear of harm to that pupil's or those pupils' person or property.
2. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
3. Causing a reasonable pupil to experience a substantial interference with his or her academic performance.
4. Causing a reasonable pupil to experience a substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by MPS.

* "Reasonable pupil" is defined as a pupil, including, but not limited to, an exceptional needs pupil, who exercises care, skill and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

Cyberbullying is an electronic act that includes the transmission of harassing communication, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Electronic act means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

1. A message, text, sound, video, or image.
2. A post on a social network Internet Web site including, but not limited to:
 - a. Posting to or creating a burn page. A "burn page" means an Internet Web site created for the purpose of having one or

- more of the effects as listed in the definition of "bullying," above.
- b. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in the definition of "bullying," above. "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
 - c. Creating a false profile for the purpose of having one or more of the effects listed in the definition of "bullying," above. "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
3. An act of "Cyber sexual bullying" including, but not limited to:
 - a. The dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in definition of "bullying," above. A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
 - b. "Cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
 4. Notwithstanding the definitions of "bullying" and "electronic act" above, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

Reporting

All staff are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of misconduct prohibited by this Policy, to intervene as soon as it is

safe to do so, call for assistance, and report such incidents. The Board requires staff to follow the procedures in this policy for reporting alleged acts of misconduct prohibited by this Policy.

Any employee or student who believes they have been subject to misconduct prohibited by this Policy or has witnessed such prohibited misconduct is encouraged to immediately report such misconduct to the Coordinator:

Chief Executive Officer
Magnolia Public Schools
250 E. 1st St., Ste. 1500
Los Angeles, CA 90012
Phone: (213) 628-3634

Complaints regarding such misconduct may also be made to the U.S. Department of Education, Office for Civil Rights.

While submission of a written report is not required, the reporting party is encouraged to submit a written report to the Coordinator. Oral reports shall also be considered official reports. Reports may be made anonymously, but formal disciplinary action cannot be based solely on an anonymous report.

Students are expected to report all incidents of misconduct prohibited by this Policy or other verbal, or physical abuses. Any student who feels she/he is a target of such behavior should immediately contact a teacher, counselor, the Principal, Coordinator, a staff person or a family member so that she/he can get assistance in resolving the issue in a manner that is consistent with this Policy.

MPS acknowledges and respects every individual's right to privacy. All reports shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This includes keeping the identity of the reporter confidential, as appropriate, except to the extent necessary to carry out the investigation and/or to resolve the issue, as determined by the Coordinator or administrative designee on a case-by-case basis.

MPS prohibits any form of retaliation against any reporter in the reporting process, including but not limited to a reporter's filing of a complaint or the reporting of instances of misconduct prohibited by this Policy. Such participation shall not in any way affect the status, grades, or work assignments of the reporter.

All supervisors of staff will receive sexual harassment training within six (6) months of their assumption of a supervisory position and will receive further training once every two (2) years thereafter. All staff will receive sexual harassment training and/or instruction concerning sexual harassment as required by law.

Investigation

Upon receipt of a report of misconduct prohibited by this Policy from a student, staff member, parent, volunteer, visitor or affiliate of MPS, the Coordinator or administrative designee will promptly initiate an

investigation. In most cases, a thorough investigation will take no more than seven (7) school days. If the Coordinator, or administrative designee determines that an investigation will take longer than seven (7) school days, he or she will inform the complainant and any other relevant parties and provide an approximate date when the investigation will be complete.

At the conclusion of the investigation, the Coordinator or administrative designee will meet with the complainant and, to the extent possible with respect to confidentiality laws, provide the complainant with information about the investigation, including any actions necessary to resolve the incident/situation. However, in no case may the Coordinator or administrative designee reveal confidential information related to other students or employees, including the type and extent of discipline issued against such students or employees.

All records related to any investigation of complaints under this Policy are maintained in a secure location.

Consequences

Students or employees who engage in misconduct prohibited by this Policy will be subject to disciplinary action.

Uniform Complaint Procedures

When harassment or bullying is based upon one of the protected characteristics set forth in this Policy, a complainant may also fill out a Uniform Complaint Procedures (“UCP”) complaint form at any time during the process, consistent with the procedures laid out in this Handbook.

Right of Appeal

Should the reporting individual find the Coordinator’s resolution unsatisfactory, he/she may follow the Dispute Resolution Process found in this Student/Family Handbook.

TITLE IX, HARASSMENT, INTIMIDATION, DISCRIMINATION, AND BULLYING COMPLAINT FORM

Your Name: _____ Date: _____

Date of Alleged Incident(s): _____

Name of Person(s) you have a complaint against: _____

List any witnesses that were present: _____

Where did the incident(s) occur? _____

Please describe the events or conduct that are the basis of your complaint by providing as much factual detail as possible (i.e. specific statements; what, if any, physical contact was involved; any verbal statements; what did you do to avoid the situation, etc.) (Attach additional pages, if needed):

I hereby authorize MPS to disclose the information I have provided as it finds necessary in pursuing its investigation. I hereby certify that the information I have provided in this complaint is true and correct and complete to the best of my knowledge and belief. I further understand providing false information in this regard could result in disciplinary action up to and including termination.

Date: _____

Signature of Complainant

Print Name

To be completed by MPS:

Received by: _____ Date: _____

Follow up Meeting with Complainant held on: _____

UNIFORM COMPLAINT PROCEDURES (UCP) POLICIES AND PROCEDURES

a. Uniform Complaint Procedures (UCP)

This document contains rules and instructions about the filing, investigation and resolution of a Uniform Complaint Procedures (UCP) complaint regarding an alleged violation by Magnolia Public Schools (MPS) of federal or state laws or regulations governing educational programs, including non-compliance with laws relating to pupil fees and our Local Control and Accountability Plan (LCAP).

This document presents information about how we process UCP complaints concerning particular programs or activities that are subject to the UCP.

A UCP complaint is a written and signed statement by a complainant alleging a violation of federal or state laws or regulations, which may include an allegation of unlawful discrimination, harassment, intimidation, bullying or charging pupil fees for participation in an educational activity or non-compliance with the requirements of our LCAP.

A complainant is any individual, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging violation of federal or state laws or regulations, including allegations of unlawful discrimination, harassment, intimidation, bullying and non-compliance with laws relating to pupil fees or non-compliance with the requirements of our LCAP.

If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, we shall assist the complainant in the filing of the complaint.

b. The Responsibilities of MPS

We shall have the primary responsibility to ensure compliance with applicable state and federal laws and regulations.

We shall investigate and seek to resolve, in accordance with our UCP process, any complaints alleging failure to comply with applicable state and federal laws and regulations including, but not limited to, allegations of discrimination, harassment, intimidation, or bullying or noncompliance with laws relating to all programs and activities implemented by MPS that are subject to the UCP.

MPS developed the UCP process with policies and procedures adopted by our governing board.

According to state and federal codes and regulations, the programs and activities subject to the UCP are:

- Adult Education
- After School Education and Safety
- Agricultural Career Technical Education
- American Indian Education Centers and Early Childhood Education Program Assessments
- Bilingual Education
- California Peer Assistance and Review Programs for Teachers
- Career Technical and Technical Education; Career Technical; Technical Training (State)
- Career Technical Education (Federal)
- Child Care and Development
- Child Nutrition
- Compensatory Education
- Consolidated Categorical Aid
- Course Periods without Educational Content
- Economic Impact Aid
- Education Of Pupils In Foster Care, Pupils Who Are Homeless, Former Juvenile Court Pupils Now Enrolled In A School District, and Pupils Of Military Families
- Every Student Succeeds Act / No Child Left Behind (Titles I–VII)
- Local Control and Accountability Plans (LCAP)
- Migrant Education
- Physical Education Instructional Minutes
- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School Safety Plans
- Special Education
- State Preschool
- Tobacco-Use Prevention Education

The following complaints shall be referred to other agencies for appropriate resolution and are not subject to our UCP process set forth in this document unless these procedures are made applicable by separate interagency agreements:

- Allegations of child abuse shall be referred to County Department of Social Services (DSS), Protective Services Division or appropriate law enforcement agency.
- Health and safety complaints regarding a Child Development Program shall be referred to Department of Social Services for licensed facilities, and to the appropriate Child Development regional administrator for licensing-exempt facilities.
- Employment discrimination, harassment, intimidation or bullying complaints shall be sent to the State Department of Fair Employment and Housing (DFEH).

- Allegations of fraud shall be referred to the Legal, Audits and Compliance Branch in the California Department of Education (CDE).

c. Pupil Fees

A pupil fee is a fee, deposit, or other charge imposed on pupils, or a pupil's parents or guardians, in violation of state codes and constitutional provisions which require educational activities to be provided free of charge to all pupils without regard to their families' ability or willingness to pay fees or request special waivers. Educational activities are those offered by a school, school district, charter school, or county office of education that constitute a fundamental part of education, including, but not limited to, curricular and extracurricular activities.

A pupil fee includes, but is not limited to, all of the following:

- A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory or is for credit.
- A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
- A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

d. The Local Control Accountability Plan

The LCAP is an important component of the Local Control Funding Formula (LCFF), the revised school finance system that overhauled how California funds its K-12 schools. Under the LCFF we are required to prepare an LCAP, which describes how we intend to meet annual goals for our pupils, with specific activities to address state and local priorities identified pursuant to California Education Code (EC) Section 52060(d).

e. The UCP Annual Notice

We ensure annual dissemination of a written notice of our complaint procedures to all students, employees, parents or guardians of its students, school advisory committee members, and other interested parties that includes information regarding allegations about discrimination, harassment, intimidation, or bullying.

Our UCP Annual Notice shall also include information regarding the requirements of EC Section 49010 through 49013 relating to pupil

fees and information regarding the requirements of EC Section 52075 relating to the LCAP.

Our UCP Annual Notice shall be in English and in the primary language, pursuant to section 48985 of the Education Code, or mode of communication of the recipient of the notice.

f. UCP Complaint Investigation

The position responsible to receive and investigate UCP complaints and ensure our compliance in our agency is:

Chief Executive Officer
Magnolia Public Schools
250 E. 1st St., Ste. 1500
Los Angeles, CA 90012
Phone: (213) 628-3634

The position responsible to receive and investigate UCP complaints and ensure our compliance in our agency is knowledgeable about the laws and programs assigned to investigate.

MPS will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in EC Section 200 and 220 and Government Code (GC) Section 11135, including any actual or perceived characteristics as set forth in Penal Code (PC) Section 422.55 or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity we conduct, which is funded directly by, or that receives or benefits from any state financial assistance.

Unlawful discrimination, harassment, intimidation or bullying complaints shall be filed no later than six months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

All complainants are protected from retaliation.

We advise complainants of the right to pursue civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws.

g. UCP Complaint Resolution

If MPS finds merit in a complaint regarding Pupil Fees, Local Control and Accountability Plans (LCAP), Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in our school district and pupils in military families, Reasonable Accommodations to a Lactating Pupil, Course Periods without Educational Content (grades nine through twelve), and Physical Education

Instructional Minutes (grades one through eight), we shall provide a remedy.

The remedy shall go to the affected pupil in the case of complaints regarding

- Course Periods without Educational Content,
- Reasonable Accommodations to a Lactating Pupil, and/or
- Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in our school district and pupils of military families.

The remedy shall go to all affected pupils and parents/guardians in the case of complaints regarding

- Pupil Fees,
- Physical Education Instructional Minutes and/or
- Local Control and Accountability Plans.

A pupil fees complaint may be filed with the principal of a school or our CEO or his or her designee.

A pupil fees complaint and/or an LCAP complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

A pupil fees complaint shall be filed no later than one year from the date the alleged violation occurred.

We ensure an attempt shall be made in good faith to engage in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid a pupil fee within one year prior to the filing of the complaint.

We will provide an opportunity for complainants and/or representatives to present evidence or information.

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

Refusal by MPS to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

The complaint will be investigated and a written report with a Decision will be issued to the complainant by us within 60 days from the date of the receipt of the complaint, unless the

complainant agrees in writing to an extension of time.

This report will contain the following elements:

- i. The findings of fact based on the evidence gathered.
- ii. Conclusion of law.
- iii. Disposition of the complaint.
- iv. The rationale for such a disposition.
- v. Corrective actions, if any are warranted.
- vi. Notice of the complainant's right to appeal our Decision to the CDE.
- vii. Procedures to be followed for initiating an appeal to CDE.

An appeal is a request made in writing to a level higher than the original reviewing level by an aggrieved party requesting reconsideration or a reinvestigation of the lower adjudicating body's decision.

A complainant may appeal our Decision of a UCP complaint regarding all specified federal and state educational programs subject to the UCP.

h. UCP Complaint Appeal Process

To appeal a UCP complaint Decision the complainant must file a written appeal within 15 days of receiving the Decision to CDE. This appeal to the CDE must fully explain the basis for the appeal, stating how the facts of our Decision are incorrect and/or the law is misapplied.

In addition, the appeal shall be sent to CDE with:

1. A copy of the original locally filed complaint; and
2. A copy of our Decision of this original locally filed complaint.

The appeal should be sent to:

California Department of Education
1430 N Street
Sacramento, CA 95814

UNIFORM COMPLAINT PROCEDURES FORM

Last Name: _____ First Name/MI: _____

Student Name (if applicable): _____ Grade: _____ Date of Birth: _____

Street Address/Apt. #: _____

City: _____ State: _____ Zip Code: _____

Home Phone: _____ Cell Phone: _____ Work Phone: _____

(if applicable) Location/School/Office of Alleged Violation: _____

Note: It is not required to use this form to file a UCP complaint. If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, we shall assist the complainant in the filing of the complaint.

For noncompliance allegation(s), check the program or activity referred to in your complaint, if applicable:

- | | | |
|--|--|---|
| <input type="checkbox"/> Adult Education | <input type="checkbox"/> After School Education & Safety | <input type="checkbox"/> Agricultural Career Technical Education |
| <input type="checkbox"/> American Indian Education Centers and Early Childhood Education Program Assessments | <input type="checkbox"/> Bilingual Education | <input type="checkbox"/> California Peer Assistance & Review Programs for Teachers |
| <input type="checkbox"/> Career Technical & Technical Education and Career Technical; Technical Training (State) | <input type="checkbox"/> Career Technical Education (Federal) | <input type="checkbox"/> Child Nutrition |
| <input type="checkbox"/> Compensatory Education | <input type="checkbox"/> Child Care & Development | <input type="checkbox"/> Course Periods without Educational Content |
| <input type="checkbox"/> Every Student Succeeds Act/No Child Left Behind (Titles I-VII) | <input type="checkbox"/> Consolidated Categorical Aid | <input type="checkbox"/> Education of Pupils in Foster Care, Pupils who Are Homeless, former Juvenile Court Pupils now Enrolled in the District & Children of Military Families |
| <input type="checkbox"/> Migrant Education | <input type="checkbox"/> Economic Impact Aid | <input type="checkbox"/> School Safety Plans |
| <input type="checkbox"/> Pupil Fees | <input type="checkbox"/> Local Control & Accountability Plans (LCAP) | <input type="checkbox"/> Tobacco-Use Prevention Education |
| <input type="checkbox"/> Reasonable Accommodations to a Lactating Pupil | <input type="checkbox"/> Physical Education Instructional Minutes | |
| <input type="checkbox"/> Special Education | <input type="checkbox"/> Regional Occupational Centers and Programs | |
| | <input type="checkbox"/> State Preschool | |

For allegation(s) of unlawful discrimination, harassment, intimidation or bullying, please check the basis of the unlawful discrimination, harassment, intimidation or bullying described in your complaint, if applicable:

- | | | |
|---|--|--|
| <input type="checkbox"/> Age | <input type="checkbox"/> Genetic Information | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> Immigration Status | <input type="checkbox"/> Sex (Actual or Perceived) |
| <input type="checkbox"/> Color | <input type="checkbox"/> Marital Status | <input type="checkbox"/> Sexual Orientation (Actual or Perceived) |
| <input type="checkbox"/> Disability (Mental or Physical) | <input type="checkbox"/> Medical Condition | <input type="checkbox"/> Based on association with a person or group with one or more of these actual or perceived characteristics |
| <input type="checkbox"/> Ethnic Group Identification | <input type="checkbox"/> National Origin | |
| <input type="checkbox"/> Gender / Gender Expression / Gender Identity | <input type="checkbox"/> Race or Ethnicity | |

For bullying complaints not based on protected groups and other complaints not listed on this form, contact your school's Title IX, Harassment, Intimidation, Discrimination and Bullying Coordinator ("Coordinator.")

UNIFORM COMPLAINT PROCEDURES (UCP)

ANNUAL NOTICE

Magnolia Public Schools (MPS) annually notifies its students, employees, parents or guardians of its students, school advisory committees, and other interested parties of the Uniform Complaint Procedures (UCP) process.

MPS is primarily responsible for compliance with federal and state laws and regulations, including those related to unlawful discrimination, harassment, intimidation or bullying against any protected group, and all programs and activities that are subject to the UCP.

Programs and Activities subject to the UCP:

- Adult Education
- After School Education and Safety
- Agricultural Career Technical Education
- American Indian Education Centers and Early Childhood Education Program Assessments
- Bilingual Education
- California Peer Assistance and Review Programs for Teachers
- Career Technical and Technical Education; Career Technical; Technical Training (State)
- Career Technical Education (Federal)
- Child Care and Development
- Child Nutrition
- Compensatory Education
- Consolidated Categorical Aid
- Course Periods without Educational Content
- Economic Impact Aid
- Education Of Pupils In Foster Care, Pupils Who Are Homeless, Former Juvenile Court Pupils Now Enrolled In A School District, and Pupils Of Military Families
- Every Student Succeeds Act / No Child Left Behind (Titles I–VII)
- Local Control and Accountability Plans (LCAP)
- Migrant Education
- Physical Education Instructional Minutes
- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School Safety Plans
- Special Education
- State Preschool
- Tobacco-Use Prevention Education

Pupil Fees

A pupil fee includes, but is not limited to, all of the following:

- A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
- A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book,

class apparatus, musical instrument, clothes, or other materials or equipment.

- A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

A pupil fees complaint may be filed with the principal of a school or our CEO or his or her designee. A pupil fees and/or an LCAP complaint may be filed anonymously, however, the complainant must provide evidence or information leading to evidence to support the complaint.

A pupil enrolled in MPS shall not be required to pay a pupil fee for participation in an educational activity.

A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred.

Additional Information

We shall post a standardized notice of the educational rights of pupils in foster care, pupils who are homeless, former juvenile court pupils now enrolled in a school district, and pupils in military families as specified in Education Code Sections 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2. This notice shall include complaint process information, as applicable.

Contact Information

The position responsible to receive and investigate UCP complaints and ensure our compliance in our agency is:

Chief Executive Officer
Magnolia Public Schools
250 E. 1st St., Ste. 1500
Los Angeles, CA 90012
Phone: (213) 628-3634

Complaints will be investigated and a written report with a Decision will be sent to the complainant within sixty (60) days from the receipt of the complaint. This time period may be extended by written agreement of the complainant. The person responsible for investigating the complaint shall conduct and complete the investigation in accordance with our UCP policies and procedures.

The complainant has a right to appeal our Decision of complaints regarding specific programs and activities subject to the UCP, pupil fees and the LCAP to CDE by filing a written appeal within 15 days of receiving our Decision. The appeal must be accompanied by a copy of the originally-filed complaint and a copy of our Decision.

We advise any complainant of civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

Copies of our Uniform Complaint Procedures process shall be available free of charge.

Magnolia Science Academy-1, 2, 3, and 5 are authorized by the Los Angeles County Board of Education.

Los Angeles County Office of Education (LACOE)
Charter School Office (CSO) Contact:

- Los Angeles County Office of Education
Charter School Office
9300 Imperial Highway
Downey, CA 90242
Office Phone Line: (562) 922-8806
Comments & Concerns Line: (562) 922-8807
Office Fax: (562) 922-8805
Website: www.lacoe.edu

Magnolia Science Academy-4, 6, 7, and Bell are authorized by the Los Angeles Unified School District (LAUSD) Board of Education.

LAUSD Charter Schools Division (CSD) Contact:

- Los Angeles Unified School District
Charter Schools Division
333 S. Beaudry Ave. 20th Floor
Los Angeles, CA 90017
Main Office: (213) 241-0399
Fax: (213) 241-2054
Website: www.lausd.net

Magnolia Science Academy-San Diego is authorized by the San Diego Unified School District (SDUSD) Board of Education.

SDUSD Office of Charter Schools (OCS) Contact:

- San Diego Unified School District
Office of Charter Schools
4100 Normal Street, Annex 15
San Diego, CA 92103
Main Office: (619) 725-7107
Website: www.sandiegounified.org

Magnolia Science Academy-Santa Ana is authorized by the State Board of Education (SBE).

California Department of Education (CDE) Charter Schools Division (CSD) Contact:

- California Department of Education
Charter Schools Division
1430 N Street, Suite 5401
Sacramento, CA 95814-5901
Phone: (916) 322-6029
Fax: (916) 322-1465
Email: charters@cde.ca.gov
Website: www.cde.ca.gov

INFORMAL COMPLAINT PROCEDURES

The ultimate purpose of this informal complaint procedure is to encourage the growth and development of MPS as a healthy community. Conflict is often a part of any development or growth process and may arise in any community. An effective process for resolving conflict is therefore both consistent with the vision and mission of MPS, and an essential component of the communication model that our School has adopted.

MPS recognizes that effective communication is paramount in effective conflict resolution and therefore strongly encourages communication strategies that include: Taking personal responsibility for one's own feelings and needs; communication that mutually acknowledges the needs and concerns of one another; and demonstrating honesty and integrity in every interaction.

LEVEL 1: Direct Resolution

If reasonably possible, informal complaints should be resolved at the lowest possible level, including attempts to discuss/resolve concerns with the person directly using conflict resolution skills without the intervention of a supervisor or other School administrator. It is the hope of MPS that most disputes can be resolved informally by direct and healthy communication between individuals. Such attempts at informal resolution should be documented in writing to assist the Principal (or CEO) and/or Board of Directors to participate effectively in the conflict's resolution.

Examples:

- Pedagogical issues pertaining to anything that occurs in the classroom, i.e., teaching, curriculum, classroom management, or teacher-student relationships, should be addressed directly with the class teacher. Teachers can be contacted by email, written note or via appointment.
- Complaints/concerns about employees or supervisors that do not involve complaints of discrimination or harassment or violations of law should be first addressed with the employee or supervisor directly.

If the person(s) involved are unable to resolve the conflict or complaint, the complainant should contact the immediate/appropriate supervisor in an effort to resolve the issue.

LEVEL 2: School Level Resolution

- At this step, the complainant should be prepared to give details about the complaint and steps taken to resolve it. The immediate/appropriate supervisor will acknowledge receipt of the complaint in three (3) working days, investigate the complaint, a process which normally involves a discussion with the complainant, gathering of

relevant facts and evidence, and respond to the complainant within ten (10) working days.

Examples:

- Pedagogical, academic or teacher related issues should be addressed with the Dean of Academics/Assistant Principal.
- Student behavior and discipline issues should be addressed with the Dean of Students/Assistant Principal.
- All other issues should be addressed with the Principal.

If the complainant is not satisfied with the response from the immediate/appropriate supervisor, e.g., Dean of Academics/Students or Assistant Principal or the complaint should be directly addressed with the Principal, the complainant should contact the Principal, who will respond within the same timeline. If the complainant is still dissatisfied, and wishes to take it further, the complainant, in writing, should bring the matter to the attention of the Chief Executive Officer (CEO) of MPS in an effort to resolve the issue.

LEVEL 3: MPS Home Office ("Home Office") Level Resolution

At this step, the complainant should fill out the attached "Informal Complaint Procedures Form" giving details about the complaint and steps taken to resolve it, and contact the CEO of MPS at:

Chief Executive Officer
Magnolia Public Schools
250 E. 1st St., Ste. 1500
Los Angeles, CA 90012
(213) 628-3634

The CEO (designee) will acknowledge receipt of the written complaint in five (5) working days, attempt to identify a resolution that is acceptable to both parties, within fifteen (15) working days of the receipt of the written complaint.

If the complainant is not satisfied with the response from the CEO (designee), and wishes to take it further, the complainant, in writing, should bring the matter to the attention of the MPS Board of Directors ("the Board.")

LEVEL 4: Board Level Resolution *

At this step, the complainant can file a written complaint with the Board through the Administrative Assistant at the MPS Home Office. (Same contact information as in Level 3) The complainant should update the Internal Complaint Procedures Form that was used in Level 3. The Administrative Assistant will acknowledge receipt of the written complaint in five (5) working days. The Board may consider the matter at its next regular Board meeting or at a special board meeting convened in order to meet the internal 60 day target within which MPS strives to answer the complaint. The Board may decide not to hear the complaint, in which case the CEO's decision will be

final. If the Board hears the complaint, the Administrative Assistant will send the Board's decision to the complainant within 60 days of the School's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. The decision of the Board shall be final.

* For MSA-San Diego, MSA-San Diego Governance Committee will work with the Principal and the Home Office in following the Informal Complaint Procedures to resolve internal complaints and conflicts before they escalate to the MPS Board level.

The complainant has a right to appeal the Board's Decision to the California Department of Education (CDE). In that case, the complainant needs to fill out a "Uniform Complaint Procedure Form" - provided in this handbook – and file it within 15 days of receiving the Decision. The appeal must include a copy of the complaint filed with the School and a copy of the Board's Decision. The appeal should be sent to:

California Department of Education
1430 N Street
Sacramento, CA 95814

INFORMAL COMPLAINT PROCEDURES FORM

Last Name: _____ First Name/MI: _____

Student Name (if applicable): _____ Grade: _____ Date of Birth: _____

Street Address/Apt. #: _____

City: _____ State: _____ Zip Code: _____

Home Phone: _____ Cell Phone: _____ Work Phone: _____

1. Please give facts about the complaint. Provide details such as the names of those involved, dates, whether witnesses were present, etc., that may be helpful to the complaint investigator.

2. Have you discussed your complaint or brought your complaint to any MPS personnel? If you have, to whom did you take the complaint, and what was the result?

3. Please provide copies of any written documents that may be relevant or supportive of your complaint.

I have attached supporting documents. Yes No

Signature: _____ Date: _____

Mail complaint and any relevant documents to:

Chief Executive Officer
Magnolia Public Schools
250 E. 1st St., Ste. 1500
Los Angeles, CA 90012
(213) 628-3634

The following is information regarding your rights and responsibilities regarding filing a Title IX Complaint.

Title IX Coordinator Contact Information

All complaints should be sent to our Title IX Coordinator, who can be reached at:

Chief Executive Officer
Magnolia Public Schools
250 E. 1st St., Ste. 1500
Los Angeles, CA 90012
Phone: (213) 628-3634

Your Rights and Responsibilities Under Title IX

(a) You have the right to fair and equitable treatment and you shall not be discriminated against based on your sex.

(b) You have the right to be provided with an equitable opportunity to participate in all academic extracurricular activities and athletics offered by the MPS.

(c) You have the right to apply for athletic scholarships.

(d) You have the right to receive equitable treatment and benefits in the provision of all of the following:

- Equipment and supplies.
- Scheduling of games and practices.
- Transportation and daily allowances.
- Access to tutoring.
- Coaching.
- Locker rooms.
- Practice and competitive facilities.
- Medical and training facilities and services.
- Publicity.

(e) You have the right to have access to our Title IX Coordinator regarding gender equity laws. Please see above for this Coordinator's contact information.

(f) You have the right to file a confidential discrimination complaint with the United States Office for Civil Rights or California Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex. See below for more information regarding how to file a complaint.

(g) You have the right to pursue civil remedies if you have been discriminated against.

(h) You have the right to be protected against retaliation if you file a discrimination complaint.

(i) You can find out more information regarding your rights, MPS' responsibilities, and access information on gender equity laws from the following resources:

- California Interscholastic Federation:
<http://www.cifstate.org/governance/equity/index>
- California Department of Education, Office for Equal Opportunity:

<http://www.cde.ca.gov/re/di/eo/dutytoprotect.asp>

- United States Department of Education, Office for Civil Rights:
<https://www2.ed.gov/about/offices/list/ocr/fro-ntpage/pro-students/sex-pr.html>

How to File a Complaint Under Title IX

(a) You can find more information regarding how to file a complaint as follows:

- The United States Office for Civil Rights website:
<https://www2.ed.gov/about/offices/list/ocr/docs/howto.html?src=rt>.
- California Department of Education website:
<http://www.cde.ca.gov/re/di/eo/complaint.asp>
- MPS Uniform Complaint Procedures ("UCP") or Harassment, Intimidation, Discrimination, Bullying Policy. Please check your School's website or main office for a complete copy of these policies.

(b) A complaint regarding discrimination or harassment based on sex must ordinarily be filed with the U.S. Office for Civil Rights within 180 days of the last act of discrimination. If your complaint involves matters that occurred longer than this and you are requesting a waiver, you will be asked to show good cause why you did not file your complaint within the 180-day period. If you have questions about your situation, you can contact the California branch of the Office for Civil Rights at the address listed below. A complaint filed with MPS under our UCP alleging unlawful discrimination, harassment, intimidation or bullying must be initiated no later than six (6) months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred, or six (6) months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination, harassment, intimidation or bullying.

(c) The U.S. Office for Civil Rights has its own policies and procedures for investigating complaints. Please review the above link for more information about this process. A complaint filed with MPS under our UCP or Harassment/ Intimidation/ Discrimination/ Bullying policy will be investigated in compliance with those policies.

(d) There are a variety of ways to file your complaint. You can use the U.S. Office for Civil Rights electronic complaint form filed directly through their website; or mail, email, or send by facsimile your own letter or a completed copy of the Office for Civil Rights Discrimination Complaint Form.

- The electronic complaint form is available at <https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

- You can send a completed version of this form or your own letter via email, facsimile, or regular mail to the following addresses:

**San Francisco Office
Office for Civil Rights
U.S. Department of Education
50 United Nations Plaza
Mail Box 1200, Room 1545
San Francisco, CA 94102**

**Telephone: 415-486-5555
FAX: 415-486-5570; TDD: 800-877-8339
Email: ocr.sanfrancisco@ed.gov or
ocr@ed.gov**

To file a UCP or complaint under our Title IX/
Harassment/ Intimidation/ Discrimination/ Bullying
complaint directly with MPS, please follow procedures
set forth in those policies.