

UNIFORM COMPLAINT PROCEDURES (UCP)

This document contains guidelines and instructions about how to file, investigate and resolve a Uniform Complaint Procedures (UCP) complaint regarding an alleged violation by N.E.W. Academy Schools (*N.E.W. Academy Canoga Park/N.E.W. Academy of Science and Arts*) of federal or state laws or regulations governing educational programs, including allegations of unlawful discrimination, harassment, intimidation, bullying and non-compliance with laws relating to pupil fees and our Local Control and Accountability Plan (LCAP).

This document presents information about how N.E.W. Academy Schools processes UCP complaints concerning particular programs or activities for which we receive state or federal funding. 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 noncompliance with the requirements of our Local Control and Accountability Plan (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 noncompliance 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.

N.E.W. Academy Schools will investigate all allegations of unlawful discrimination, harassment, intimidation, or bullying against any protected group as identified in Education Code §200 and 220 and Government Code §11135, including any actual or perceived characteristics set forth in Penal Code §422.55, to include actual or perceived sex, sexual orientation, gender, gender identity, gender expression, race or ethnicity, ethnic group identification, ancestry, nationality, national origin, religion, color, mental or physical disability, age, 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 conducted by N.E.W. Academy Schools, which is directly funded by, or that receives benefits from any state financial assistance.

Programs and activities that are implemented by N.E.W. Academy Schools and subject to the UCP in which N.E.W. Academy Schools receives state or federal funding are:

- After School Education and Safety
- Bilingual Education
- Child Nutrition
- Discrimination, Harassment, Intimidation, and Bullying
- Every Student Succeeds Act
- Foster and Homeless Youth
- Local Control Funding Formula and Local Control Accountability Plans
- No Child Left Behind Act (2001)
- School Safety Plans
- Special 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:

1. Allegations of employment/work, employee-to-employee and/or student to employee discrimination, harassment, intimidation, and/or bullying may be referred to the N.E.W. Academy Schools Home Office.
2. Allegations of child abuse shall be referred to County Dept. of Social Services (CDSS), Protective Services Division or appropriate law enforcement agency.
3. Allegations of fraud shall be referred to the Legal, Audits and Compliance Branch in the California Department of Education (CDE).
4. Employment discrimination, harassment, intimidation or bullying complaints shall be sent to the California Dept. of Fair Employment and Housing (DFEH).
5. Health and safety complaints regarding a Child Development Program shall be referred to CDSS for licensed facilities, and to the appropriate Child Development regional administrator for licensing-exempt facilities.
6. Bullying complaints not based on protected classes may be referred to the school's Title IX/Bullying Complaint Manager, Principal/Designee, or Administrator of Operations in the Schools.
7. Complaints involving classroom assignments, common core, grades, graduation requirements, hiring and evaluation of staff, homework policies and practices, provision of core curricula subjects, public meeting laws (Brown Act), student advancement and retention, student discipline, students' records, and other general education requirements may be referred to the school principal.

Dissemination and Notification

N.E.W. Academy Schools shall ensure annual dissemination of the written notice of the complaint procedures to students, employees, parents or guardians of its students, school and advisory committee members, appropriate school officials or representatives, and other interested parties that includes information regarding unlawful pupil fees and LCAP requirements.

N.E.W. Academy Schools' UCP Annual Notice shall also include information regarding the requirements of Education Code sections 49010 through 49013 relating to pupil fees and information regarding the requirements of Education Code section 52075 relating to the LCAP.

N.E.W. Academy Schools' 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.

Confidentiality and Non-Retaliation

Complaints shall be handled in a confidential manner to respect the privacy of all parties to the fullest extent possible. Every effort shall be made to limit the distribution of information to those persons with a need to know within the confines of N.E.W. Academy Schools' reporting procedures and investigative process.



N.E.W. Academy Canoga Park & N.E.W. Academy Science and Arts Elementary Charter Schools



N.E.W. Academy Schools prohibits retaliation in any form for filing of a complaint or an appeal, reporting instances of noncompliance, discrimination, harassment, intimidation, and/or bullying, or for participation in the complaint-filing or investigation process. These confidentiality and non-retaliation requirements extend to all parties involved.

The following is responsible for receiving and investigating complaints and ensuring our compliance:

Name or title: Patricia Gould, Principal
Unit or office: N.E.W. Academy Canoga Park
Address: 21425 Cohasset St., Canoga Park, CA 91303
Phone: 818 710-2640 E-mail address: pgould@nacpdolphins.org

Name or title: Dr. Eric Todd, Principal
Unit or office: N.E.W. Academy Science and Arts
Address: 379 S. Loma Dr., Los Angeles, CA 90017
Phone: (213) 413-9183 Email address: todd@newnasa.org

The above, responsible for compliance and investigations, is knowledgeable about the laws and programs assigned to investigate. This individual is considered the representative of N.E.W. Academy Schools for purposes of receiving and coordinating responses to complaints and correspondence related to this policy. N.E.W. Academy Schools submitted our UCP policies and procedures to our governing board for approval and adoption.

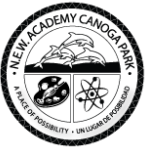
Filing a complaint

Any individual, public agency or organization may file a written complaint, alleging a matter which, if true, would constitute a violation by N.E.W. Academy Schools of federal or state laws or regulations governing the programs and activities as well as allegations of discrimination, harassment, intimidation, and/or bullying identified in the Uniform Complaint Procedures.

Any parent/guardian/individual/organization has the right to file a written complaint of discrimination, harassment, intimidation, and/or bullying within six months from the date the alleged incident occurred or the complainant first obtained knowledge/facts of the alleged incident. A complaint may be filed anonymously if it provides evidence or information leading to evidence to support an allegation of noncompliance. Complainants making a verbal complaint shall be referred to an administrator/designee who will assist any person with a disability or unable to prepare a written complaint. The Complainant may use the N.E.W. Academy Schools Uniform Complaint Procedures Form, or a signed letter outlining the allegation of violations, as long as the letter contains any relevant information that would have been included in the form.

Except for Williams complaints regarding instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of pupils or staff, and teacher vacancies or mis-assignments any individual, public agency or organization may file a N.E.W. Academy Schools Uniform Complaint Form with N.E.W. Academy Schools' representative named above.

A pupil fees complaint may be filed with the principal of the N.E.W. Academy Schools campus in question. If N.E.W. Academy Schools finds merit in a pupil fees, LCAP, and/or a Course Period without Educational Content complaint, N.E.W. Academy Schools shall provide a remedy. In the case of a Course Period without Educational Content complaint, the remedy will go to the affected pupil. In LCAP and pupil fee complaints, the remedy shall go to all



affected pupils, parents and guardians, which in the case of pupil fees, also includes reasonable efforts by N.E.W. Academy Schools to ensure full reimbursement to all affected pupils, parents and guardians subject to procedures established through regulations adopted by the state board.

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

Pupil fees complaints shall be filed no later than one year from the date the alleged violation occurred.

N.E.W. Academy Schools will attempt in good faith by engaging 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.

N.E.W. Academy Schools shall include an opportunity for the complainant, or the complainant's representative, or both, to present the complaint(s) and evidence or information leading to evidence to support the allegations of noncompliance with state and federal laws and/or regulations.

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

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

After a Complaint is filed

N.E.W. Academy Schools will acknowledge receipt of the complaint and review it to determine whether it meets the criteria for filing under the procedures or falls within the exceptions listed in the Uniform Complaint Procedures section of this policy.

The investigator will determine whether, in the estimation of N.E.W. Academy Schools mediation may be a productive alternative resolution. The mediation process may be terminated at any time and may proceed directly to an investigation. Mediation may not extend the timeline for investigation and resolution of the complaint unless the complainant agrees, in writing, to the extension.

The investigator will determine whether a discrimination, harassment, intimidation, and/or bullying complaint has been filed within six months from the date the alleged incident occurred or the date the complainant first obtained knowledge of the facts of the alleged incident. Confidentiality of complaints alleging discrimination, harassment, intimidation, and/or bullying will be observed to the maximum extent possible.

If a discrimination, harassment, intimidation, and/or bullying complaint has not been filed in a timely manner, the complaint will be denied. N.E.W. Academy Schools will notify the complainant of the right to appeal.

Refer the complaint for investigation to the appropriate N.E.W. Academy Schools department.

N.E.W. Academy Schools will ensure that, within 60 days of receipt of the written complaint, the complaint has been resolved and/or investigated and that a written report of findings is issued to the complainant.

Each complaint shall be resolved and a written report of investigative findings issued within 60 days of receipt of the written complaint unless the complainant agrees in writing to an extension of time. Mediation may not result in an extension of the investigation timeline unless the complainant agrees, in writing, to the extension.



N.E.W. Academy Canoga Park & N.E.W. Academy Science and Arts Elementary Charter Schools



Except for Williams site complaints, all complaints will be directed to the N.E.W. Academy Schools Home Support Office.

N.E.W. Academy Schools will have sixty (60)-days from the receipt of the complaint to request additional information from the complainant as necessary, conduct the investigation, and prepare the written report of findings.

N.E.W. Academy Schools will provide an opportunity for the complainant and/or complainant's representative and N.E.W. ACADEMY SCHOOLS's representative to present information relevant to the complaint during the mediation or investigative process. Refusal by the complainant to provide the investigator with evidence related to the complaint allegations, or to otherwise fail or refuse to cooperate in the investigation or engage in obstruction of the investigation may result in dismissal of the complaint because of lack of evidence to support the allegations.

N.E.W. Academy Schools may obtain statements from individuals/witnesses who can provide relevant information concerning the alleged violation. N.E.W. Academy Schools will review documents that may provide information relevant to the allegation.

N.E.W. Academy Schools will prepare a written report (in English and in the language of the complainant) of the investigative findings which contains the following elements:

- Findings of fact based on the evidence gathered,
- Conclusion of law,
- Disposition of the complaint
- Rationale for such disposition
- Corrective actions, if any are warranted
- Notice of complainant's right to appeal the our agency decision to the California Department of Education (CDE)

The findings will state that N.E.W. Academy Schools will not tolerate retaliation against the complainant or witnesses participating in the investigation. The findings will include notice of the complainant's right to appeal the decision to the California Department of Education.

Appeals

Appeals of decisions must be filed in writing within 15 days to the California Department of Education.

The complainant shall specify reasons for appealing and include a copy of N.E.W. ACADEMY SCHOOLS's decision.

Appeals of N.E.W. Academy Schools' decisions/findings regarding discrimination, harassment, intimidation, and/or bullying allegations, as well as findings regarding provision of accommodations to lactating students, may be appealed to CDE's Education Equity UCP Appeals Office by filing a written appeal within 15 days of receipt of N.E.W. ACADEMY SCHOOLS's decision.

1. The written appeal should specify reasons for appealing the decision and include a copy of the school's decision.
2. The appeal may be sent to:

California Department of Education
Education Equity UCP Appeals Office
1430 N Street
Sacramento, CA 95814

Appeals of N.E.W. Academy Schools' decisions/findings regarding educational programs listed in the Uniform Complaint Procedures including foster/homeless youth services, pupil fees, elementary physical education



N.E.W. Academy Canoga Park & N.E.W. Academy Science and Arts Elementary Charter Schools



instructional minutes, and enrollment in courses without educational content and previously completed/graded courses sufficient for satisfying requirements/prerequisites for postsecondary education and receipt of a diploma, may be appealed to CDE’s Categorical Programs Complaints Management Office by filing a signed written appeal within 15 days of receipt of N.E.W. ACADEMY SCHOOLS’s decision.

1. The written appeal should specify reasons for appealing the decision and include a copy of school’s decision.
2. The appeal may be sent to:

California Department of Education
Categorical Programs Complaints Management Office
1430 N Street
Sacramento, CA 95814

Appeals of N.E.W. Academy Schools’ decisions/findings regarding special education compliance may be filed with CDE’s Special Education Division by sending a written appeal within 15 days of receipt of the school’s decision.

1. The written appeal should specify reasons for appealing the decision and include a copy of the school’s decision.
2. The appeal may be sent to:

California Department of Education
Procedural Safeguards Referral Service
1430 N Street
Sacramento, CA 95814

Appeals of N.E.W. Academy Schools’ decisions/findings regarding legal requirements pertaining to LCAP may be filed with the CDE by sending a written appeal within 15 days of receipt of the school’s decision.

1. The written appeal should specify reasons for appealing the decision and include a copy of the school’s decision.
2. The appeal may be sent to:

California Department of Education
Local Agency Systems Support Office
1430 N Street
Sacramento, CA 95814