

Thomas Edison Charter Academy

Board Policy

Uniform Complaint

Community Relations

The Board recognizes that TECA has the primary responsibility to ensure compliance with applicable laws and regulations governing educational programs. The Board encourages the early, informal resolution of complaints whenever possible and appropriate.

TECA's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, in TECA programs and activities against any person based on his/her actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics in any program or activity conducted by TECA, which is funded directly by, or that receives or benefits from any state financial assistance;
2. Any complaint alleging bullying in TECA programs and activities that is severe or pervasive physical or verbal conduct that places a student in reasonable fear of harm. Bullying includes cyber-bullying, intimidating, or bullying that is not based on a person's actual or perceived characteristic of, or association with, a protected class; (as listed above).
3. Any complaint alleging sexual harassment and/or other gender discrimination, in violation of Title IX of the Education Amendments of 1972, California Education Code section 220, or other applicable laws;
4. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy;

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is agreeable to all parties. One type of ADR is mediation, which shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

In filing and investigating complaints, the confidentiality of the parties involved shall be protected as required by law. As appropriate for any complaint alleging retaliation, unlawful discrimination, or bullying, the Superintendent or designee shall keep confidential the identity of the complainant and/or the subject of the complaint, if he/she is different from the complainant, as long as the integrity of the complaint process is maintained.

When an allegation that is not subject to the UCP is included in a UCP complaint, TECA shall refer the non-UCP allegation to the appropriate staff or agency and shall resolve the UCP-related allegation(s) through the TECA's UCP.

The Superintendent or designee shall provide training to TECA staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints. All such records shall be destroyed in accordance with applicable state law and TECA policy.

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.