

Cov Tsavxwm yuav tsum paub meej hais tias, lub district ua tus saib xyuas “responsible” rau txojkev sibfoob kom mus rawsli nomtswv kevcai “state & federal law” thiab mus rawsli kevcai saib xyuas kev kawm ntawv. Lub district yuav tsum taug txojcai kom mus raws nraim li kev foob “uniform complaint procedures” uas yog “base on ethnic group identification” kev xaxajnam “religion”, hnub nyoog “age”, pojniam txiv neej “gender”, nqaij tawv “color”, cwjpw “physical or mental disability”, lossis lwm yam koomhaum ua tau kev pab los ntawv nomtswv. Lub district yuav tsum mus rawsli kevcai “follow uniform complaint procedures when addressing complaints” ua yog tus neeg foob ntawd tsis ua rawsli txojcai ua yog “state or federal law” ua nyob rau adult basic education, consolidated categorical aid programs, migrant education, vocational education, child care thiab development programs, child nutrition programs thiab special education programs.

(cf. 0410- Nondiscrimination in District Programs and Activities)

(cf. 0420.1-School-Based Coordinated Program)

(cf. 0420.2-School Improvement Program)

(cf. 0430-Comprehensive Local Plan for Special Education)

(cf. 3553-Free and Reduced Price Meals)

(cf. 5148-Child Care and Development)

(cf. 6171-Title I Programs)

(cf. 6174-Education for English Language Learners)

(cf. 6175-Migrant Education Program)

(cf. 6178-Vocational Education)

Cov tsavxwm xav kom kev foob luag lossis kev tsis txaus siab rau luag yuav tsum ua kom sai li sai tau nyob rau qhov chaw ntawm nej “site level”.

Thaum lawv tau txais daim ntawv foob “written complaint”, public agency or organization, uniform complaint procedures shall be initiated” yuav tau pib xwj. Tus Thawj Tsavxwm thiab tus Kavxwm yuav tau saib “distribute” tagrho cov kev foob kom mus zoo.

Cov Tsavxwm yuav tsum paub hais tias, tus “neutral mediator” yuav tsis tuaj leejtwg tog li, ua nws yuav tsum kho kom ob tog haum, hlaw li txojkev cai muaj teebmeem. Rawsli cov kevcai uniform complaint procedures, cov koomhaum lossis cov neeg foob luag yuav tau sibkho “mediation”, ua ntej tso, tus Thawj Tsavxwm lossis tus Kavxwm mam li los mus piav txog kev sibkho “initiate a mediation” ua ntej yuav muaj kev xwj ntxiv mus. Tus Thawj Tsavxwm lossis tus Kavxwm yuav tsum xyuas kom mus rawsli nomtswv kevcai lijchoj.

Cov Tsavxwm yuav tsum paub thiab hwm menyuum kawm ntawv thiab tus neeg ua haujlwm “rights to privacy”. Kev sibfoob no yuav tsum xwj mus rau qhov chaw kom lwm tus tsis txhob paub “confidentiality of the parties”. Yog yuav tsum tsis txhob qhia tus neeg foob ntawd npe tawm, tsuas yog thaum muaj kev xwj es thiaj li hais npe tawm xwb, uas yog tso cai los ntawm Thawj Tsavxwm lossis tus Kavxwm xwb.

(cf. 4119.23/4219.23/4319.23-Unauthorized Release of Confidential/Privileged Information)

(cf. 5125-Student Records)

(cf. 9011-Disclosure of Confidential/Privileged Information)

Cov Tsavxwm yuav txwv tsis pub muaj kev ntxubntxaug lossis kev ntaus luag “retaliation” rau ib tus neeg twg li, uas hais txog kev sibfoob no. Tej kev sibfoob no yuav tsis pub kom muaj teebmeem rau tus neeg foob lossis koomhaum twg li, los mus rau yus tus kheej “status”, grade or work assignments rau tus neeg foob.

(cf. 1312.1 -Complaints Concerning District Employees)

(cf. 1312.2-Complaints Concerning Instructional Materials)

(cf. 4031-Complaints Concerning Discrimination in Employment)

(cf. 5141.4-Child Abuse Reporting Procedures)

Kev muaj cai pab cuam(Legal Reference):
KEV KAWM NTAUV LI CAI (EDUCATION CODE)
200-262.3-Prohibition of discrimination
8200-8498-Child care and development programs
8500-8538-Adult basic education
18100-18179-School libraries
35146-Closed sessions
35160-Authority of governing boards
44670.1-44671.5-School personnel staff development and resource centers
48985-Notices in language other than English
49060-49079-Student records
49490-49560-Child nutrition programs
515113-Personal beliefs
52000-52049.1-School improvement programs
52160-52178-Bilingual education programs
52300-52483-Vocational education
52500-52616.24-Adult schools
52800-52863-School-based coordinated programs
54000-54041-Economic impact aid programs
54100-54145-Miller-Unruh Basic Reading Act
54400-54425-Compensatory education programs
54440-54445-Migrant education
54460-54529-Compensatory education programs
56000-56885-Special education programs
59000-59300-Special schools and centers
64000-Consolidated application process
NOMTSWV LI CAI (GOVERNMENT CODE)
54957-54957.8-Closed sessions
CODE OF REGULATIONS, TITLE 5
3080-Application of section
4600-4671-Uniform Complaint Procedures
UNITED STATES CODES, TITLE 20
1221-1232g-General Education Provisions Act
1681-1688-Discrimination based on sex or blindness, Title IX
CODE OF FEDERAL REGULATIONS, TITLE 34
100.1-100.13-Nondiscrimination

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Cov Tsavxwm “Governing Board” tau tsim muaj cov kavxwm “compliance officers” los mus kuaj kev muaj teebmeem thiab kev ncaincees “ensure” nyob rau lub koomhaum “district” raws li txojcai:

District Superintendent
400 Grand Avenue, Oroville, CA 95965
(530) 538-2900 ext. 219

Tus Thawj Tsavxwm lossis Tus Ntsuamxyuas yuav tau saib kev ncaincees uas nyob rau hauv cov neeg ua haujlwm “employees” kom muaj kev ntsuamxyuas kev teebmeem “complaints” kom totaub txog, txojcai thiab cov haujlwm “programs” uas lawv ua ntawd. Cov neeg uas ua haujlwm muaj cai muaj kev pab “legal counsel” uas yog Thawj Tsavxwm lossis tus Ntsuamxyuas pom zoo rau lawv.
(cf. 9124-Attorney)

Kev Ceebtoom (Notifications)

Thawj Tsavxwm lossis Tus Ntsuamxyuas yuav tsum paub “shall meet” cov kevcai ntawm 5 CCR 4622, uas yog cov lus xaiv “dissemination” txhua xyoo nyob rau hauv lub koomhaum “district”, cov lus ceebtoom kevcai thiab teblus “information” uas yuav tuaj ntsib luag “appeals”, sawvdaws li kevcai ua kom zoo thiab nyob rau tus tibneeg ua yuav foob kom mus ncainraim rau California Department of Education. Thawj Tsavxwm lossis tus Ntsuamxyuas yuav tsum paub meej kom hais rau cov neeg foob luag kom totaub hais tias, lawv muaj cai nrhiav kev kho kom zoo lwm qhov chaw, xwsli action before civil courts lossis lwm lub public agencies.
(cf. 5145.6-Parental Notifications)

Cov lus ceebtoom lossis samfwm los saum no hais tias, tus neeg ua foob luag “complainants” mus nrhiav kev pab los ntawm cov agencies xwsli legal assistance agencies, local mediation centers lossis county office of education. Lub local resources uas yog:

Butte County Office of Education

Kev Taug Mus (Procedures)

Cov kev taug mus no hais rau cov neeg ua foob luag “complaints” kom paub hais tias, ua li lub district puas tau ua txhaum nomtswv kevcai “violated federal or state laws or regulations” lossis yog cov kevcai uas tswjfwv kev kawm ntawv. Cov kavxwm yuav tsum khaws cov ntaub ntawv ua cov neeg foob lossis tsis txaus siab, tuaj hais txog yam ua lawv tsis nyiam, cia kom zoo rawsli cov kevcai nyob rau 5 CCR 4632.

Tagnrho cov koomhaum uas koom rau cov “allegations” yuav tsum paub thaum uas muaj neeg foob luag, paub lub sijhawm uas kev foob tshwm tuaj lossis lub sijhawm uas muaj kev sibtham thiab kev txiavtxim mus li cas lawm.

Theem Thib 1: Fias Ntawv Tsis Txaus Siab (Filing of Complaint)

Ib tug neeg twg, ib lub koomhaum twg uas yuav xav foob luag lossis tsis txaus siab mus fias “file a written complaint” ntawv foob rau ntawm lub district.

Cov neeg foob lossis tsis txaus siab rau qhov, lawv uas tejam rau yus tsis nyiam, tus neeg ntawd xav hais tias yam uas lawv ua rau nws ntawd uas rau nws muaj kev nyuaj siab “personally suffered” lossis muaj tejam uas nws pom tsis zoo rau ib tug neeg twg, ib pawg neeg twg “subjected to unlawful discrimination”. Tus neeg tsis txaus siab ntawd, yuav tsum hais lossis fias cov ntawv foob ua ntej 6 lub hlis uas cov teebmeem tshwmsim tuaj, uas nws paub meej cov teebmeem ntawd lawm. (5 CCR 4630)

Tus neeg uas tsis txaus siab yuav tsum hais rau tus kavxwm. Tus kavxwm yuav tsum khaws cov ntaub ntawv, muab ib tug code number rau tus neeg foob ntawd thiab lub sijhawm “date stamp”.

Yog hais tias tus neeg uas tsis txaus siab ntawd tsis paub ntawv, lossis nws disabilities, lub district staff yuav tau pab nws fias cov ntawv foob rau nws. (5 CCR 4600)

Theem Thib 2: Kev Sibhaum Xeeb (Mediation)

Nyob rau 3 hnub uas lawv tau txais daim ntawv foob lawm, tus kavxwm yuav tau nrog tus neeg uas foob ntawd sibtham kom mus rau qhov zoo, kom sibhaum xeeb rau sawvdaws. Yog tus neeg uas foob luag ntawd pom zoo kev sibkho, kev sibhaum xeeb rau sawvdaws lawm. Tus kavxwm mam ua li nram qab no.

Ua ntej tus kavxwm yuav qhib kev sibkho lossis kev sibfoob kom sibhaum xeeb, tus kavxwm yuav tsum hais rau cov neeg tsis txaus siab lossis cov neeg foob thiab txhua txhua tus uas tuaj koom paub hais tias, qhov no yuav tsis pub hais tawm lossis tshwm rau sabnrauv “confidential information”.

Yog hais tias, kev sibkho kom sibhaum xeeb mus tsis zoo rawsli txojcai, tus kavxwm mam li xyuas lossis xwj ntxiv mus thiab.

Kej sibkho lossis kev sibhaum xeeb yuav tsis muaj tauj sijhawm nyob rau lub district's timelines hais txog kev xwj thiab sibkho, cooskuaj tus neeg tsis txaus siab lossis tus neeg foob ntawd sau ib daim ntawv mus thov ntxiv sijhawm rau nws kev sibkho. (5 CCR 463 1)

Theem Thib 3: Kev Xwj (Investigation of Complaint)

Tus kavxwm yuav tsum muaj ib lub rooj sijtham txog txojkev xwj, txog qhov uas muaj neeg foob lossis teebmeem ntawd, ua ntej 5 hnuv ua nws tau txais cov ntaub ntawv foob. Lub rooj sijtham ntawd yuav muaj sijhawm "provide an opportunity" rau tus neeg foob ntawd lossis tus neeg sawvcev tus neeg tsis txaus siab, tau tuaj mus piav rau lawv mloog.

Tus neeg tsis txaus siab thiab nws tus sawvcev los mus rau cov sawvcev koomhaum tagnrho "district representatives" yuav tsum muab sijhawm los mus piav txog lawv qhov teebmeem txog qhov foob uas tsis txaus siab ntawd. Ob tog muaj cai los mus piav thiab nug "questions" tog tov thiab tog tov no. Ob tog muaj cai muaj neeg ua timkhawv "witnesses". (5 CCR 463 1)

Theem Thib 4: Kev Hais (Response)

Nyob rau ntawm 60 hnuv uas tau foob luag lawm, tus kavxwm yuav tau npaj thiab teb cov ntawv foob rau tus neeg ua foob ntawd (hais ua nws cov lus xwb "in the complainants's primary language") hais txog district kev xwj thiab kev txiav txim, uas nyob rau them thib #5 hauv qab no. (5 CCR 463 1)

Cov tsavxwm mam li rov qab muab qhov kev sibtham tso rau lwmzaus kom tsis txhob dhau 60 hnuv, uas yog kev foob tuaj ntawd thiab tus neeg foob ntawd yuav tsum tau teb rau lawv thiab. Cov tsavxwm tsis tas yuav mloog cov lus foob, los yeej tau, yog hais tias tus kavxwm twb txiav txim siab lossis kho tag lawm "final decision".

Yog cov tsavxwm mloog tus neeg foob ntawd cov lus tsis txaus siab lawm, tus kavxwm yuav tsum tau xa cov tsavxwm kev txiav txim rau tus neeg foob ntawd tsis pub dhau 60 hnuv, uas yog suav txij hnuv uas district tau txais cov ntawv foob.

Cov ntawv xa-sov "report" yuav tsum muaj:

1. Tus neeg foob lossis tsis txaus siab tej lus tseeb thiab nws tus cwjpw, tej lus zoo, thiab lwm yam yog muaj, yuav tau qhia, including corrective actions. (5 CCR 463 1)
2. Lub ntsiab lus teebmeem foob ntawm tus neeg tsis txaus siab (5 CCR 463 1)
3. Tus neeg foob ntawd muaj cai thiab hais qhia, nws kev foob lawv rau California Department of Education ua tus txiavtxim nyob rau 15 hnuv (within 15 days) thiab kev taug qab mus rau ntawm luag kev sibtham "initiating such an appeal" (5 CCR 463 1)
4. Cov ntaub ntawv uas foob thiab ntaub ntawv xwj los mus rau txhua txhua yam los mus rau kev txiavtxim "resolved". Cov lus foob lossis tus tsis txaus siab yuav tsum sau cov lus foob ua lus Askiv "English" thiab yus cov lus ntawm tus neeg foob "primary language of the complainant".

Yog tus neeg, ua haujlwm "employee" raug rautxim yog vim kev nws ua tsis zoo rau tus neeg foob, daim ntawv tso xov yuav piav hais tias, lawv twb xyuas tus neeg ua haujlwm ntawd lawm thiab lub district yuav tau hais rau tus neeg ua haujlwm paub txog lawv kev uas lawv yuav qhia nws. Daim ntawv tso xov "report" yuav tsis piav ntau ntau yam rau tus neeg ua haujlwm paub.

Theem Thib 5: Yuav Tau Mus Ntsib "Appeals" rau California Department of Education

Yog tus neeg foob tsis nyiam li lub district txiavtxim, tus neeg foob yuav tau sau ib daim ntawv mus rau California Department of Education tsis pub dhau 15 hnuv uas yog district tau txiavtxim rau nws lawm. Yog koj cov lus foob zoo "good cause", Superintendent of Public Instruction yuav tau ntxiv "extension for filing appeals" sijhawm rau koj rov qab mus ntsib luag. (5 CCR 4652)

Thaum mus rau ntawm California Department of Education, tus neeg foob yuav tsum qhia nws qhov teebmeem meej meej rau lawv txog district kev txiavtxim "district's decision" rau koj, thiab yuav tsum luam ib daim copy txog kev txiavtxim uas district txiavtxim es koj tsis nyiam thiab qhia koj qhov teebmeem rau lawv.

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