

**Darnall Charter School**  
**Board Policy**  
**#1001**  
**Uniform Complaint Procedures**

These Uniform Complaint Procedures (“UCP”) contain rules and instructions about UCP complaints regarding any alleged violation of federal or state laws or regulations governing certain educational programs and activities offered by Darnall Charter School. Darnall Charter School developed this UCP in accordance with Title 5, California Code of Regulations, §§ 4600-4687. Darnall Charter School has primary responsibility to ensure its compliance with applicable state and federal laws and regulations, and will investigate and seek to resolve UCP complaints in accordance with this UCP.

**UCP Complaints**

Not all complaints fall under the scope of the UCP. Complaints arising from the employment relationship are separately addressed by Darnall Charter School’s employment policies. Many concerns, including classroom assignments, grades, graduation requirements, hiring and evaluation of staff, homework policies and practices, student advancement and retention, student discipline, student records, the Brown Act, and other general education requirements, are not UCP complaints. Additionally, special education compliance complaints are specifically excluded from the UCP and must be filed through separate procedures under federal regulations CFR §§ 300.151-153. Darnall Charter School, however, may use these complaint procedures to address complaints not covered by the UCP in its sole discretion. Only allegations within the subject matters falling within the UCP can be appealed to the CDE. A UCP complaint is a written and signed statement alleging a violation of federal or state laws or regulations, which may include: complaints regarding certain programs and activities (list below); complaints alleging the charging of pupil fees for participation in an educational activity; complaints regarding non-compliance with the requirements of Darnall Charter School’s Local Control and Accountability Plans (“LCAP”); or an allegation of unlawful discrimination, harassment, intimidation, or bullying in certain programs or activities.

**Complaints Regarding Programs and Activities**

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

- Accommodations for pregnant and parenting pupils.
- Adult Education.
- After School Education and Safety.
- Agricultural Career Technical Education.
- Career Technical and Technical Education and Training.
- Childcare and Development Programs.
- Education and Graduation requirements, and records transfers of Pupils in Foster Care, Homeless Pupils, former Juvenile Court Pupils, and Pupils of Military Families.

- Regional Occupational Centers and Programs.
- Reasonable Accommodation to a Lactating Pupil.
- Schoolsite Council.
- School Plan for Student Achievement.
- School Safety Plans.
- Pupil Fees, which includes a purchase that a pupil is required to make to obtain materials, supplies, equipment or clothes associated with an educational activity.
- LCAP and/or Every Student Succeeds Act.
- Migrant Education.
- Physical Education Instructional Minutes.
- State Preschool Health and Safety Issues in LEAs Exempt from Licensing State Preschools.
- Consolidated Categorical Aid Programs.
- Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) resources (Education Code sections 200 and 220).
- School or athletic team names, mascots, or nicknames(Education Code section 221.3)
- Statutes relating to juvenile court schools.
- Statutes relating to migratory students.
- Complaints that the governing body of the School has not complied with Education Code sections 47606.5 (annual update to goals and actions) or 47607.3 (pupil subgroup outcomes).
- Complaints of Discrimination, Harassment, Intimidation and/or Bullying of any protected group as identified in Education Code §§ 200 and 220 and Government Code § 11135, including actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, immigration status, citizenship status, race or ethnicity (including traits associated with race such as hair texture and protective hairstyles including braids, locs and twists), religion, sex, sexual orientation, parental, family, marital status, neurodiversity or perceived neurodiversity, or association with a person or a group with one or more of these actual or perceived characteristics as applies to all acts related to school activity or school attendance under the jurisdiction of the Executive Director of Darnall Charter School.
- Any other state or federal educational program the State Superintendent of Public Instruction or the California Department of Education or designee deems appropriate.
- Refusal of the governing body of a charter school to approve or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction or any other book or resource in a school library that includes a study of the role of any individual or group consistent with the requirements of Education Code section 51240.5 and 60040.

### **The UCP Annual Notice**

Darnall Charter School provides notice of this UCP on an annual basis. The notice addresses all students, employees, parents or guardians, school advisory committee members, appropriate

private school officials or representatives (if applicable), and other interested parties. The notice includes information regarding allegations about discrimination, harassment, intimidation, or bullying. It lists all federal and state programs within the scope of the UCP. It lists the position at Darnall Charter School who is responsible for and knowledgeable about processing UCP complaints. Darnall Charter School's annual UCP notice is in English. If 15% or more of students enrolled at Darnall Charter School speak a single primary language other than English, the annual notice will be provided in that language as well pursuant to Education Code § 48985.

A copy of this policy and the annual notice shall be posted on the School's website and made available free of charge upon request. The School will also disseminate the notice to school advisory committees, including the School Site Council, English Learner Advisory Committee, and other interested parties.

### **Designation of Responsible Employee**

The Darnall Charter School associate director is the employee responsible for receiving, investigating and responding to UCP complaints (the "Responsive Employee"):

Associate Director, Brian Rainey  
6020 Hughes Street  
San Diego, CA 92115  
(619) 582-1822 x3001  
brainey@darnallcharter.org

In no instance will the Responsible Employee be assigned to investigate a complaint in which he or she has a bias that would prohibit him or her from fairly investigating or responding to the complaint. Any complaint against the Responsible Employee or that raises a concern about the Responsible Employee's ability to investigate the complaint fairly and without bias should be referred to Darnall Charter School's Executive Director or other appropriate school official, who will determine how the complaint will be investigated.

Darnall Charter School will ensure that the Responsible Employee (or designee) investigating the complaint is knowledgeable about the laws and programs at issue in the complaints. Darnall Charter School may consult with legal counsel as appropriate.

### **Confidentiality And Non-Retaliation**

Darnall Charter School will ensure that complainants are protected from retaliation and that the identity of a complainant alleging discrimination, harassment, intimidation or bullying remains confidential as appropriate. Prohibited retaliation includes, but is not limited to, demotion, suspension, reduction in pay, failure to hire or consider for hire, adverse changes in working conditions, denial of employment benefits, or negative references. Protected activities include seeking advice about filing a complaint, filing or assisting with a complaint, opposing practices reasonably believed to be discriminatory, or participating in an investigation or proceeding.

## **Complaint Procedures**

### *Step 1: Filing a UCP Complaint*

- A UCP complaint must be filed according to the procedures set forth herein. Any individual, including a person's duly authorized representative or an interested third party, public agency, or organization, may file a UCP complaint. However, a complaint filed on behalf of a student may only be filed by that student or that student's duly authorized representative.
- A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed by a person who alleges that he or she personally suffered unlawful discrimination, harassment, intimidation, or bullying, or by a person who believes that an individual or any specific class of individuals has been subjected to the same.
- A UCP complaint must be written and signed. If a complainant is unable to put his/her complaint in writing due to a disability or illiteracy, Darnall Charter School will assist the complainant in the filing of the complaint.
- A signature on a UCP complaint may be handwritten, typed (including in an email), or electronically-generated.
- Complaints related to pupil fees and/or LCAPs may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.
- Complainants are encouraged, but not required, to use the appropriate complaint form(s), attached.
- Complaints shall be filed with the Responsible Employee at the address provided herein. A pupil fees complaint may also be filed with Darnall Charter School's Executive Director.
- The Responsible Employee will maintain a log of complaints and subsequent related actions to the extent required by oversight agencies.
- Upon receipt of a complaint, the Responsible Employee (or designee) will evaluate the complaint to determine whether it is subject to this UCP and will notify the complainant within five (5) workdays if the complaint is outside the jurisdiction of this UCP.
- The Responsible Employee (or designee) may also determine if interim measures are necessary pending the result of an investigation.
  - If interim measures are determined to be necessary, the Responsible Employee (or designee) will consult with the Executive Director or designee, prior to implementing any such measures.
  - The interim measures shall remain in place until the Responsible Employee (or designee) determines that they are no longer necessary or until Darnall Charter School issues its final written Investigation Report, whichever occurs first.
- Complaints regarding pupil fees and/or the Local Control and Accountability Plan (LCAP) may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

- A Uniform Complaint Procedures Complaint Form is available free of charge from the Responsible Employee upon request.

*Timing of Complaints and Investigation:* A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be filed no later than six (6) months from the date when the alleged unlawful discrimination, harassment, intimidation or bullying occurred or the complainant first obtained knowledge of it. The time for filing may be extended by the Responsible Employee (or designee) for good cause upon written request from the complainant. Such extension shall be in writing and may not exceed ninety (90) days following the expiration of the six-month period. All other complaints shall be filed no later than one (1) year from the date the alleged violation occurred. For complaints regarding LCAP, the date of the alleged violation is the date when Darnall Charter School's governing board approves the LCAP or annual update. Unless a UCP complaint is resolved through mediation as set forth below, Darnall Charter School will investigate the UCP complaint and issue a written Investigation Report to the complainant within 60 calendar days from the date of receipt of the complaint, unless the complainant agrees in writing to an extension of time.

*Step 2: Mediation (Optional)*

- The Responsible Employee (or designee) and complainant may mutually agree to a mediation. Any school employee or member of Darnall Charter School's governing board who has not been involved with the allegations in the complaint may be assigned by the Responsible Employee (or designee) to serve as mediator. The mediator will arrange for both the complainant and Darnall Charter School to present relevant evidence. The Responsible Employee (or designee) will inform the complainant that the mediation process may be terminated at any time by either Darnall Charter School or the complainant, in which case the complaint will proceed directly to an investigation.
- If mediation resolves the complaint to the satisfaction of both parties, Darnall Charter School will implement any remedial measures and the complainant may choose to withdraw the complaint. If mediation does not resolve the complaint to the satisfaction of both parties or within the parameters of law, the Responsible Employee (or designee) shall proceed with his/her investigation of the complaint. The use of mediation does not extend Darnall Charter School's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

*Step 3: Investigation of Complaint*

In order to investigate the complaint, the Responsible Employee (or designee) shall have access to applicable Darnall Charter School records and/or information related to the complaint allegations. As part of his/her investigation, the Responsible Employee (or designee) will do all of the following, in any order:

- Provide an opportunity for the complainant or complainant's representative and Darnall Charter School's representative to present information relevant to the complaint or investigative process.

- Obtain statements from individuals/witnesses who can provide relevant information concerning the alleged violation.
- Review documents that may provide information relevant to the allegation.
- When necessary, seek clarification on specific complaint issues.

Refusal by the complainant or his/her representatives to provide the Responsible Employee (or designee) with documents or other evidence related to the allegations in the complaint, or failure or refusal to cooperate or obstruction of the investigation, may result in dismissal of complaint because of a lack of evidence to support the allegation. Refusal by Darnall Charter School to provide the Responsible Employee (or designee) with documents or other evidence related to the allegations in the complaint, or failure or refusal to cooperate or 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.

*Step 4: Executive Director Review*

The Executive Director has discretion to evaluate the complaint and/or the Responsible Employee's (or designee's) proposed decision before a final written decision is issued. If the Executive Director elects to do so, then based on all the evidence obtained during the investigation, the Executive Director may approve, modify or reject the Responsible Employee's (or designee's) proposed decision and issue a final decision that meets the requirements set forth herein. The Executive Director may also decide not to review the complaint, in which case the Responsible Employee's (or designee's) decision shall be final.

*Step 5: Final Written Decision (Investigation Report)*

The Responsible Employee (or designee) shall prepare and send to the complainant a written report of the investigation and final decision (the "Investigation Report") within sixty (60) calendar days of receipt of the complaint, unless the complainant agrees to extend this date. The Darnall Charter School's Investigation Report shall be written in English and, when required by law, in the complainant's primary language.

The Investigation Report shall include:

- The finding(s) of fact based on the evidence gathered.
- Conclusion providing a clear determination as to each allegation as to whether Darnall Charter School is in compliance with the relevant law.
- If Darnall Charter School finds merit in the complaint, the corrective actions required by law.
- Notice of the complainant's right to appeal Darnall Charter School's Investigation Report to the CDE, except when Darnall Charter School has used its UCP to address a non-UCP complaint.
- Procedures to be followed for initiating an appeal to the CDE.
- The reason for the decision.

In addition, any Investigation Report on a complaint of discrimination, harassment, intimidation or bullying based on state law shall include a notice that the complainant must wait until sixty (60) calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies.

An Investigation Report shall not include student information protected under the Family Educational Rights and Privacy Act (FERPA) or any private employee personnel information, including but not limited to the nature of the disciplinary action taken against a student or employee. If a student or employee is disciplined as a result of the complaint, the Investigation Report shall simply state that effective action was taken and that the student or employee was informed of Darnall Charter School's expectations. If Darnall Charter School finds merit in a complaint regarding pupil fees, physical education instructional minutes, or LCAP, the remedy will go to all affected pupils and parents/guardians. Darnall Charter School, in good faith, will engage in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid any unlawful pupil fee within one year prior to the filing of the complaint.

### **Appeal Process**

A complainant may appeal Darnall Charter School's Investigation Report by filing a written appeal within thirty (30) calendar days of the date of the Investigation Report to the California Department of Education ("CDE"). This appeal to the CDE must specify and explain the basis for the appeal, including at least one of the following:

- Darnall Charter School failed to follow its complaint procedures.
- Relative to the allegations of the complaint, the Investigation Report lacks material findings of fact necessary to reach a conclusion of law.
- The material findings of fact in the Investigation Report are not supported by substantial evidence.
- The legal conclusion in the Investigation Report is inconsistent with the law.
- In a case in which Darnall Charter School found noncompliance, the corrective actions fail to provide a proper remedy.
- If the CDE determines that the appeal raises issues not included in the locally filed complaint, the CDE will refer those new issues back to the School for resolution.

The appeal must be sent to CDE with: (1) a copy of the locally filed complaint; and (2) a copy of Darnall Charter School's Investigation Report. Appeals of decisions should be sent to:

California Department of Education Education Equity UCP Appeals Office  
1430 N Street  
Sacramento, CA 95814  
916-319-8239

Additional contact information:

Accommodations for Pregnant and Parenting Pupils, Student Lactation Accommodations, and LGBTQ Resources, Education Equity UCP Office; 916-319-8239

Adult Education, Adult Education Office; 916-322-2175

After School Education and Safety, Expanded Learning Division; 916-319-0923

Agricultural Career Technical Education, Career and College Transition Division; 916-445-2652

Career Technical and Technical Education; Career Technical; Technical Training; and Career Technical Education and Regional Occupational Centers and Programs, Career Technical Education Leadership Office; 916-322-5050

Course Periods without Educational Content, Categorical Programs Complaints Management Office; 916-319-0929

Discrimination, Harassment, Intimidation, Bullying, Education Equity UCP Office; 916-319-8239

Independent Study, Juvenile Court and Community School Students; and Education of Pupils in Foster Care and Pupils who are Homeless, Educational Options Office; 916-323-2183

Interstate Compact on Educational Opportunity for Military Children, Career and College Transition Division; 916-319-0914

Every Student Succeeds Act / including Compensatory Education, Migrant Education, Categorical Programs Complaints Management Office; 916-319-0929

Local Control Accountability Plans (LCAPs): Local Agency Systems Support Office; 916-319-0809

Physical Education: Instructional Minutes, Professional Learning Support Division; 916-323-6440

Pupil Fees, Categorical Programs Complaints Management Office; 916-319-0929

School Plans for Student Achievement, Categorical Programs Complaints Management Office; 916-319-0929

Schoolsite Councils, Categorical Programs Complaints Management Office; 916-319-0929

State Preschool and Transitional Kindergarten, including Health and Safety Issues in LEAs  
Exempt from Community Care Licensing, Early Education Division; 916-322-6233

The CDE may directly intervene in the complaint without waiting for action by Darnall Charter School when one of the conditions listed in Title 5, California Code of Regulations, § 4650 exists, including cases in which Darnall Charter School has not taken action within sixty (60) days of the date the complaint was filed. A direct complaint to CDE must identify the basis for direct filing of the complaint, which must include evidence that supports such a basis.

### **Civil Law Remedies**

A complainant may pursue available civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

**Board Approval Date:** August 25, 2025

**Revised Date:** February 26, 2026

**Darnall Charter School**  
**Uniform Complaint Procedures (UCP) Complaint Form**  
**6020 Hughes Street, San Diego, CA 92115 • (619) 582-1822**

IMPORTANT: This form is for complaints regarding violations of federal or state laws governing educational programs and activities. Special education compliance complaints and child nutrition program complaints are NOT covered by this UCP and must be filed through separate procedures. All fields marked with \* are required.

COMPLAINANT INFORMATION	
Name of Complainant *	Relationship to Student/School *
Mailing Address *	Phone Number
Email Address	
STUDENT INFORMATION (if applicable)	
Student Name(s)	Grade Level(s)
COMPLAINT INFORMATION	
Subject Matter of Complaint *	
<p>Detailed Description of Alleged Violation *</p> <p>Please provide specific facts including who, what, when, where, and how. Attach additional pages if necessary.</p> <p>Describe the specific facts of your complaint, including:</p> <ul style="list-style-type: none"> <li>What law or regulation you believe was violated</li> <li>Who was involved (names, titles, positions)</li> <li>What happened (specific actions or incidents)</li> <li>When did it occur (dates and times)</li> <li>Where did it happen (specific locations)</li> </ul>	

What resolution are you seeking?	
<b>DETAILED COMPLAINT DESCRIPTION</b>	
List any witnesses to the alleged violation, including their contact information if available.	List any documents, photos, emails, or other evidence you are providing with this complaint. Note: Attach copies, not originals.
Describe any previous attempts to resolve this issue, including who you contacted and when.	Describe what you would like to see happen to resolve this complaint.
<b>SIGNATURE AND CERTIFICATION</b>	
I certify under penalty of perjury that the information contained in this complaint is true and correct to the best of my knowledge.	
Signature * _____ Date * _____	

Submit completed form to:

Associate Director Brian Rainey  
Darnall Charter School  
6020 Hughes Street  
San Diego, CA 92115  
Phone: (619) 582-1822  
Email: [brainey@darnallcharter.org](mailto:brainey@darnallcharter.org)