



Staff Nondiscrimination Policy

The San Diego Cooperative Charter School (SDCCS) is committed to equal opportunity for all students and all staff.

It is school policy that no one shall be treated differently, separately, or have any action directly affecting him or her taken on the basis of race, religion, national origin, marital status, sex, sexual orientation, gender identity, or disability where a person is otherwise qualified or could be with reasonable accommodation.

The immediate remedy for any act of discrimination shall be to end it, treat the individual equally, and, as much as practically possible, to eradicate any effects of discrimination. Discipline should be imposed where appropriate.

This extends to all employees and to all aspects of the employment relationship, including the hiring of new employees and the training, transfer, promotion, compensation, and benefits of existing employees. This policy prohibits discrimination consists of any adverse employment action, including termination or denial of promotion, job assignment, or training, based on any of the prohibited categories of discrimination listed above. Harassment consists of any unwelcome verbal, physical, or visual conduct that is based on any of the prohibited categories of discrimination listed above and that is so severe and pervasive that it adversely affects an individual's employment opportunities, has the purpose or effect of unreasonably interfering with the individual's work performance, or creates an intimidating, hostile, or offensive work environment. The Board also prohibits retaliation against any employee or job applicant who complains, testifies, assists, or in any way participates in the SDCCS's complaint procedures instituted pursuant to this policy. Any employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal. For any concerns or complaints regarding discrimination, harassment, intimidation, or bullying please contact the Executive Director of San Diego Cooperative Charter School.

COMPLAINT INVESTIGATION

The staff member, position, or unit responsible to receive and investigate UCP complaints and ensure our compliance in our agency is knowledgeable about the laws and programs assigned to investigate. San Diego Cooperative Charter School will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in

ED section 200 and 220 and Government Code (GC) Section 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. We advise complainants of the right to pursue civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws.

UCP COMPLAINT RESOLUTION

If San Diego Cooperative Charter School 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 and pupils in military families, and Physical Education Instructional Minutes, we shall provide a remedy. The remedy shall go to the affected pupil in the case of complaints regarding

- Course Periods without Educational Content,
- Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in our school 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 Executive Director 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 The O'Farrell Charter Schools 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. UCP Complaint Appeal Process 4 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.

Any employee or job applicant who believes that he/she has been or is being discriminated against or harassed in violation of district policy should, as appropriate, immediately contact his/her supervisor, the Principal or the Executive Director who shall advise the employee or applicant about the district's procedures for filing, investigating, and resolving any such complaint. School personnel will take immediate steps to intervene, when safe to do so, when he or she witness an act of discrimination, harassment, intimidation, or bullying.

- SDCCS will protect complainants and witnesses under these policies from further harassment and will work to ensure they do not experience retaliation in any aspect of their employment due to their participation, filing of a complaint or reporting sexual harassment.
- SDCCS investigates complaints promptly and provides a written report of the investigation and decision as soon as practicable.
- SDCCS will handle the investigation in as confidential a manner as possible consistent with a full, fair, and proper investigation.

Complaints regarding discrimination or harassment shall immediately be investigated in accordance with the Uniform Complaint Procedures. Any supervisory or management employee

who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Superintendent as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

TRAINING AND NOTIFICATIONS

SDCCS shall provide training to employees about how to recognize harassment and discrimination, how to respond appropriately, and components of the school's policies and regulations regarding discrimination. The district's policy shall be posted in the office, teacher meeting rooms and posted on our website.

