



## **The Preuss School UC San Diego Universal Complaint Procedure**

The Preuss School UC San Diego recognizes that the school is responsible for complying with applicable state and federal laws and regulations governing educational programs. To ensure compliance, the school shall investigate complaints alleging failure to comply with such laws and seek to resolve those complaints in accordance with the school's universal complaint procedures and in accordance with university policies.

The goal of the Universal Complaint Procedure (UCP) is to ensure the implementation of a single process for all relevant programs and to conduct high quality programs that are effectively managed and operated within legal parameters. This notification is presented annually to students, employees, parents or guardians, district/school advisory committees and interested parties.

The UCP will apply to state and federal laws associated with consolidated categorical programs, career technical and technical education/training, and special education programs. This procedure also applies to complaints alleging unlawful employment discrimination against any protected group as identified under CA Government Code 11135, including actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race, ancestry, 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, or any other category protected by law.

The Preuss School UC San Diego encourages the early, informal resolution of complaints whenever possible, and acknowledges and respects every individual's right to privacy. Investigations are conducted in a manner that protects against retaliation, protects the confidentiality of the parties concerned, and protects the facts and integrity of the process involved (<https://policy.ucop.edu/doc/1100563/WPP>).

The School Principal/Superintendent or designee will monitor compliance with provisions outlined in the school's Universal Complaint Procedure process and ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Such employees may have access to legal counsel if necessary.

**Filing a Complaint:** Any person who has experienced or is aware of a situation that is believed to be sexually and/or otherwise unlawfully harassing or represents a violation of law as identified above, can report the situation immediately to **Veendah McCunney, HR Coordinator, Preuss Building F, 858/822-2133**. Employees who believe they have been the victim of any employment discrimination should follow the complaint procedures identified in the employee handbook. If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, the School will assist the complainant in filing the complaint.

If the employee or student/family is not comfortable contacting **the HR Specialist** or if that individual is not available, the employee or student should contact **Michael S. Diaz, Director, Office for the Prevention of Harassment and Discrimination, (858) 534-8298**, who has been designated to handle inquiries regarding the non-discrimination policies and other complaints identified.

**Anonymous Complaints:** Any employee or student who believes that there has been a violation of state or federal law as articulated above, or an improper imposition of student fees, should make a written complaint to the **HR Specialist**. Students making a complaint of improper fees or complaints that the School has failed to comply with Education Code sections 47606.5 or 47607.3, may make the complaint anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the applicable Education Codes. While the School will investigate complaints, it would not be possible to respond to an anonymous complainant.

**6 Month Limit on Certain Complaints:** Complaints relating to discrimination (other than employment discrimination) must be filed within six months of the alleged discrimination or when the complainant first obtained knowledge of the alleged discrimination, unless an extension has been obtained from the **Superintendent** or their designee. Such extension by the **Superintendent** or their designee shall be made in writing. The period for filing may be extended by the **Superintendent** or their designee for good cause for a period not to exceed 90 days following the expiration of the six-month time period. The **Superintendent** shall respond immediately upon a receipt for extension.

**Investigation of Complaints:** If the complaint alleges wrongdoing involving discrimination (other than employment discrimination) or claims of failure to comply with applicable state or federal laws or regulations, the HR Specialist will complete an investigation and submit to the complainant a written decision regarding the complaint within 60 days of receipt of the complaint. During the investigation, the complainant, their representative or both, will have the opportunity to present the complaint and evidence or information leading to evidence to support the allegations of the complaint. The 60-day timeframe may be extended by the written consent of the complainant.

Refusal by the complainant to provide the investigator, at any level of the investigation, 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 lack of evidence to support the allegations.

Complaints will be handled as discreetly as possible, consistent with the need to investigate effectively and promptly resolve the matter.

**The HR Specialist** will be knowledgeable of the laws/programs that they are assigned to investigate. If the complaint alleges employment discrimination, the complaint will be forwarded to the Office for Prevention of Harassment and Discrimination for assessment and investigation pursuant to applicable University of California policies and procedures.

**Appeals:** Any complainant(s) may appeal a decision to the State Superintendent of Public Instruction by filing a written appeal with the Superintendent within 15 days of receiving the school's decision. The complainant shall specify the reason(s) for appealing the school's decision. The appeal shall include a copy of the complaint and a copy of the school's decision.

**Direct State Intervention:** A complaint may be filed directly with the California Department of Education, without first exhausting the school's Universal Complaint Procedure, if one or more of certain conditions exist (Title 5 California Code of Regulations Section 4650). For additional general information on Universal complaint procedures, contact the Categorical Programs Complaints Management Unit, California Department of Education, School and District Accountability Division, 1430 N Street, Sacramento, CA 95814-5901; telephone (916) 319-0929, or visit our Web site at <http://www.cde.ca.gov/re/cp/uc>.

## The Preuss School UC San Diego Universal Complaint Form

The Preuss School UC San Diego recognizes that the school has primary responsibility for ensuring that it complies with state and federal laws and regulations governing educational programs. This Universal Complaint Form has been developed to address, investigate, and seek to resolve complaints in a timely manner.

Please provide the information requested on this form and return to Veendah McCunney, HR Coordinator, The Preuss School UCSD, 9500 Gilman Dr. MC-0536, La Jolla, CA 92093-0536, or email to [mmccunney@ucsd.edu](mailto:mmccunney@ucsd.edu).

I am (please check all that apply):

- A Preuss student
- A Preuss parent/guardian
- A Preuss employee
- Community member
- Other, please specify:

Name of Complainant:	
Date:	
Home Address:	
Phone Number/s:	
Name of school or office, or name of employee & job location, against whom charge or complaint is directed:	
*Statement of complaint: <i>(attach additional sheet/s if necessary)</i>	
When did the event occur? Date(s):	
Has the charge/complaint been discussed with the principal, or employee, or their supervisor?	
To whom have you spoken:	

When? Date(s)	
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What was the result of the discussion?	
Complainant's statement of pertinent facts: (if available, include specific provision of law and/or policy or regulations) <i>(attach additional sheet/s if necessary)</i>	
Supporting Evidence and Remedies Sought: <i>(attach additional sheet/s if necessary)</i>	

I (we) understand that The Preuss School UC San Diego HR Specialist may request from me (us) further information about this matter, and if such information is available to me (us), I (we) shall present it upon request.

I (we) certify under penalty of perjury that the foregoing is true and correct.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at San Diego, California.

Signatures: \_\_\_\_\_  
 \_\_\_\_\_

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*All parties involved in the allegations shall be notified when this complaint form is filed. The investigation of this statement of complaint will be conducted in a manner that protects confidentiality of the parties and facts.*

*Within 60 business days of receiving this Universal Complaint Form, the HR Specialist will contact the complainant addressing the investigation and decision (if one made).*