



## UNIFORM COMPLAINT PROCEDURE (ANNUAL NOTICE)

MWA has the primary responsibility to insure compliance with applicable state and federal laws and regulations and has established procedures to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs, including the charging of unlawful student fees, non-compliance with the Local Control Funding Formula ("LCFF"), and non-compliance with reasonable accommodations for lactating students.

MWA shall investigate and seek to resolve complaints using policies and procedures known as the Uniform Complaint Procedure ("UCP") adopted by our local board. Unlawful discrimination, harassment, intimidation, or bullying complaints may be based on actual or perceived characteristics of age, ancestry, color, ethnic group identification, gender expression, gender identity, gender, genetic information, physical disability, mental disability, medical condition, disability, nationality, national origin, immigration status, race or ethnicity, religion, marital status, sex, sexual orientation, or on a person's association with a person or group with one or more of these actual or perceived characteristics, in any MWA program or activity that receives or benefits from state financial assistance.

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in:

- Adult Education
- Consolidated Categorical Aid Programs
- Migrant Education
- Student Fees
- Career Technical and Technical Education and Training Programs
- Child Care and Developmental Programs
- Child Nutrition Programs
- Foster and Homeless Youth Services
- Every Student Succeeds Act / No Child Left Behind Act Programs
- Special Education Programs
- Safety Planning Requirements
- Pregnant, Parenting or Lactating students
- Local Control Funding Formula/Local Control and Accountability Plan
- Juvenile Court School students
- Students from Military Families
- Migratory students

A complaint of noncompliance with laws relating to student fees may be filed pursuant to the local UCP. A student enrolled in a public school shall not be required to pay a student fee for participation in an educational activity. A student fee includes, but is not limited to, all of the following:

- A fee charged to a student as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
- A security deposit, or other payment, that a student is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
- A purchase that a student is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.
- A student fee complaint shall not be filed later than one year from the date the alleged violation occurred.

### **MAKING WAVES ACADEMY**

4123 Lakeside Drive

Richmond, CA 94806

510.262.1511

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Complaints of noncompliance with laws relating to student fees may be filed with the Compliance Officer or the Director of MWA. A complaint regarding student fees may be filed anonymously if the complaint provides evidence or information to support an allegation of noncompliance with laws relating to student fees.

Complaints other than complaints relating to student fees must be filed in writing with the following compliance officer:

**Elizabeth Martinez, Chief of Staff and Acting Director of Human Resources**  
**compliance@mwacademy.org**  
**4123 Lakeside Drive**  
**Richmond, CA 94806**  
**(510) 262-1511**

Complaints alleging discrimination, harassment, intimidation, or bullying, must be filed within six months from the date the alleged discrimination, harassment, intimidation, or bullying, occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying, unless the time for filing is extended by the compliance officer or their designee in writing.

Complaints will be investigated and a written decision or report will be sent to the complainant within 60 days from the receipt of the complaint. This 60-day time period may be extended by written agreement of the complainant. The compliance officer responsible for investigating the complaint shall conduct and complete the investigation in accordance with California regulations and in accordance with MWA's procedures.

The complainant has a right to appeal MWA's decision to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving the decision. The appeal must include a copy of the complaint filed with MWA and a copy of MWA's decision.

Civil law remedies may be available under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable. In appropriate cases, an appeal may be filed pursuant to Education Code Section 262.3. A complainant may pursue available civil law remedies outside of MWA's complaint procedures. 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.

A copy of the UCP policy and complaint procedures is available free of charge in the Front Offices. For further information on any part of the complaint procedures, including filing a complaint or requesting a copy of the complaint procedures, please contact the front office or the compliance officer listed above. The UCP Form is included at the end of this handbook.