

**Administrative Regulation**

**STUDENTS**

**Nondiscrimination/Harassment**

**Procedures for Complaints Relative to Nondiscrimination/Harassment**

1. Complaints shall be filed within 180 days after the incident of alleged discrimination. A responsible officer may extend this time limit.
2. All complaints shall be accepted, preferably in writing. Staff members receiving an oral complaint shall put that complaint into writing.
3. Preferably, complaints will be addressed to the Berryessa Union School District, 1376 Piedmont Road, San Jose, California, 95132, but may be addressed to the U.S. Office of Civil Rights, Department of Health, Education and Welfare, 1275 Market Street, 13th Floor, San Francisco, California, 94103. Section 504 (Discrimination on the Basis of Handicap) designee is the Coordinator of Student Support Services.

The following departments may be contacted for information:

Education Services – Coordinator of Student Support

4. An investigation shall be made of all complaints and shall include:
  - a. Completion of investigation and report of investigation within two weeks of receipt of the written complaint.
  - b. The investigation shall always include an interview with the complainant unless the complainant is anonymous or lives too far away for the investigator to visit.
  - c. The report of investigation shall be in writing and shall be reviewed by the appropriate designee and the Superintendent of Schools.
  - d. A written report of the findings and action to be taken shall be conveyed to the complainant within four weeks of receipt of the complaint.
  - e. The report of investigation and report of findings and action taken shall be maintained on file in the Berryessa Union School District for three years.
5. Students (anyone receiving services or legally eligible to receive services from the Berryessa Union School District, and/or parents or guardians acting on behalf of a student) may appeal any district decision that proposes or refuses to start, or to change, their identification, assessment or educational placement; they may further challenge the appropriateness with procedural safeguards mandated by Section 504 of the Rehabilitation Act of 1973 and Public Law 94-142 (copies of Procedures for Impartial Due Process Hearing are available at the Education Services Department).

Legal References: Board Policy 4020

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