



# Centinela Valley Union High School District

## Human Resources Division

14901 Inglewood Avenue, Lawndale, CA 90260

(310) 263-3200; (310) 973-7983 fax

www.centinela.k12.ca.us

## COMPLAINT CONCERNING DISCRIMINATION IN EMPLOYMENT

*After reading the attached Board Policy and Administrative Regulation, please complete this form and submit to the Assistant Superintendent, Human Resources Division.*

Name of Complainant: \_\_\_\_\_

Home Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

If you are an employee, state your current job title:

\_\_\_\_\_

If you are a job applicant, state the job for which you are applying:

\_\_\_\_\_

Name(s) of the person(s) against whom the complaint is being made:

\_\_\_\_\_

\_\_\_\_\_

Provide a brief but specific summary of the complaint and the facts surrounding it. Include the date(s), place(s), witness(es), and any evidence of the alleged act(s). Please attach additional pages if necessary.

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What resolution or corrective action(s) are you requesting?

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Date complaint submitted: \_\_\_\_\_

Signature of complainant: \_\_\_\_\_

*(To be completed by the recipient of this complaint form.)*

Complaint Received By: _____
Job Title: _____
Signature: _____
Date: _____ Time: _____
<b>PLEASE SCAN TO THE ASSISTANT SUPERINTENDENT, HUMAN RESOURCES DIVISION WITHIN ONE WORK DAY OF RECEIVING THIS COMPLAINT.</b>

## **Board Policy 4030 Nondiscrimination in Employment**

The Governing Board prohibits discrimination against and/or harassment of district employees and job applicants at any district site or activity on the basis of actual or perceived race, religion, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran status, gender, sex, or sexual orientation.

Prohibited discrimination or harassment consists of unwelcome conduct, whether verbal, physical, or visual, based on any of the prohibited categories of discrimination listed above that it is so severe and pervasive that it adversely affects an individual's employment opportunities or has the purpose or effect of unreasonably interfering with his/her work performance or creating an intimidating, hostile, or offensive work environment.

The Board also prohibits retaliation against any district employee or job applicant who complains, testifies, assists, or in any way participates in the district's complaint procedures instituted pursuant to this policy.

Any district employee who engages or participates in prohibited discrimination or harassment, or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior, shall be in violation of this policy and shall be subject to disciplinary action, up to and including dismissal.

The Board designates the following position(s) as Coordinator(s) for Nondiscrimination in Employment:

**Dr. Stephen Nellman**  
Assistant Superintendent  
Human Resources Division  
(310) 263-3210  
[nellmans@centinela.k12.ca.us](mailto:nellmans@centinela.k12.ca.us)

Any employee or job applicant who believes that he/she has been or is being discriminated against or harassed in violation of district policy or regulation should immediately contact his/her supervisor, the Assistant Superintendent/Human Resources, or the Superintendent who shall advise the employee or applicant about the district's procedures for filing, investigating, and resolving any such complaints. Complaints regarding employment discrimination or harassment shall immediately be investigated in accordance with AR 4031 - Complaints Concerning Discrimination in Employment.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to his/her supervisor, the Assistant Superintendent/Human Resources, or Superintendent as soon

as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

### Training and Notifications

The Superintendent or designee shall provide training to employees about how to recognize harassment and discrimination, how to respond appropriately, and components of the district's policies and regulations regarding discrimination.

The Superintendent or designee shall regularly publicize, within the district and in the community, the district's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin, or application form that is used in employee recruitment.

The district's policy shall be posted in all schools and offices including staff lounges and student government meeting rooms.

## **Administrative Regulation 4031 Complaints Concerning Discrimination in Employment**

### Complaint Procedure

Any complaint by an employee or job applicant alleging discrimination or harassment shall be addressed in accordance with the following procedures:

1. Notice and Receipt of Complaint: Any employee or job applicant (the "complainant") who believes he/she has been subjected to prohibited discrimination or harassment shall promptly inform his/her supervisor, the Assistant Superintendent/Human Resources, or the Superintendent.

The complainant may file a written complaint in accordance with this procedure, or if he/she is an employee, may first attempt to resolve the situation informally with his/her supervisor.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the Assistant Superintendent/Human Resources, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, other evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

2. Investigation Process: The Assistant Superintendent/Human Resources shall initiate an impartial investigation of an allegation of discrimination or harassment within five school days of receiving notice of the behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

The Assistant Superintendent/Human Resources shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The Assistant Superintendent/Human Resources shall inform the complainant that the allegations will be kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

If the Assistant Superintendent/Human Resources determines that a detailed fact-finding investigation is necessary, he/she shall begin the investigation immediately. As part of this investigation, the Assistant Superintendent/Human Resources should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

When necessary to carry out his/her investigation or to protect employee or student safety, the Assistant Superintendent/Human Resources may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The Assistant Superintendent/Human Resources also shall determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed to ensure that further incidents do not occur. The Assistant Superintendent/Human Resources shall ensure that such interim measures do not constitute retaliation.

3. Written Report on Findings and Corrective Action: No more than 30 days after receiving the complaint, the Assistant Superintendent/Human Resources shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the Assistant Superintendent/Human Resources shall notify the complainant and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report also shall include any corrective action(s) that have been or will be taken to address the behavior, correct the effect on the complainant, and ensure that retaliation or further discrimination or harassment does not occur.

The report shall be presented to the complainant, the person accused, and the Superintendent or designee.

4. Appeal to the Governing Board: The complainant or the person accused may appeal any findings to the Board within 10 working days of receiving the written report of the Coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 working days.

#### Other Remedies

In addition to filing a discrimination or harassment complaint with the district, a person may also file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. To file a valid complaint with DFEH, within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960
2. To file a valid complaint directly with EEOC, within 180 days of the alleged discriminatory act(s)
3. To file a valid complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier