

THE FOUNDATION FOR HISPANIC EDUCATION  
UNIFORM COMPLAINT PROCEDURE (UCP)

This form may be completed and submitted when a person or organization believes The Foundation for Hispanic Education has violated a federal or state law regulation governing one of the following: 1) Consolidated Aide Programs, 2) Migrant Education, 3) Child Nutrition, 4) Special Education, 8) Title VII. A complaint can be submitted in any form, this form is one such option.

For Williams Settlement Procedures: Sufficiency of Materials, Emergency or Urgent Facilities Issues, or Teacher Vacancies and Misassignment Issues, Use Separate Williams Complaint Form.

Date:

TO: Principal/Director

or The Foundation for Hispanic Education  
C/O Compliance Designee (CEO)  
14271 Story Road

Address

San Jose, California, 95127

City/State/Zip

FROM:

Name:

Address:

Telephone:

Program Addressed in complaint:

COMPLAINT:

Please describe in your own the nature of the complaint including all names, dates, and places relevant to understanding your concerns. (You can include additional pages if necessary).

I certify that the information above is true and accurate to the best of my knowledge.

Signature of Originator

Signature of Originator

Signature of Originator

Signature of Originator

THE FOUNDATION FOR HISPANIC EDUCATION  
Uniform Complaint Procedures (UCP) Submission

An individual, public agency, or organization may file a written complaint of alleged noncompliance by LCPA, LVLA, or RCLA. Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint must be initiated no later than six months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination (Title 5, California Code of REgulations, Section 4630).

1. Submit this form in person or by email to the school Office of the Principal/Director.
2. Submit this form in person or by mail to:  
Uniform Complaint Administrator, TFHE Compliance Designee (CEO)  
14271 Story Road  
San Jose, CA. 95127

Complaints can be filed in any form this particular form does not have to be submitted to file a complaint.

3. Retain a copy for your own files.

#### MEDIATION

Within six days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation.

#### INVESTIGATION

The compliance officer is encouraged to investigate within ten days of receiving the complaint or an unsuccessful attempt at mediation.

#### RESPONSE

The School's response shall be in writing and sent to the complainant (Title 5, California Code of Regulations, SEction 4631).

#### APPEAL

You may appeal the School Site decision directly to the CEO or designee of the Foundation for Hispanic Education within 60 calendar days from the receipt of the School's decision. The CEO or designee decision shall be considered final. However, the Board may decide to hear an appeal if the complaint provides sufficient information to establish a factual base the complaint was not resolved within the parameters of law, policy , or procedure. If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 days of initial review of the complaint or within the time period that has been specified in a written agreement with the complainant (Title 5, California Code of Regulations, Section 4631).

Enclosed are direct contacts that provide further assistance:

- |  |                          |
|--|--------------------------|
| * Executive Offices TFHE                   | (408) 585-5022           |
| * Main School Offices                      |                          |
| Latino College Preparatory                 | (408) 471-4680 ext 2216  |
| Luis Valdez Leadership Academy             | (408) 384-4015           |
| Roberto Cruz Leadership Academy            | (408) 471- 4680 ext 4002 |
| * East Side Union High School District     | (408) 347-5177           |
| Administrator for Charter School Oversight |                          |

## TITLE IX

1. Title IX Coordinator -
  - a. Latino College Preparatory Academy Director
  - b. Luis Valdez Leadership Academy Director
  - c. Roberto Cruz Leadership Academy Director
  
2. Name and contact information of the Title IX Coordinator for that public school, private school, school district, county office of education, or charter school, which shall include the Title IX coordinator's phone number and email address:
  - a. Latino College Preparatory Academy: Jesus Rios, (408)471-4680, [Jrios@tfhe.org](mailto:Jrios@tfhe.org)
  - b. Luis Valdez Leadership Academy: Jeffery Camarillo, (408)384-4015, [Jcamarillo@sjlvla.org](mailto:Jcamarillo@sjlvla.org)
  - c. Roberto Cruz Leadership Academy: Yesenia Marquez, (408)471-4680 Ex. 4001, [Ymarquez@sjrcla.org](mailto:Ymarquez@sjrcla.org)
  
3. The rights of a pupil and the public and the responsibilities of the public school, private school, school district, county office of education, or charter school, which shall include the Title IX, which shall include, but shall not be limited to, Internet Web links to information about those rights and responsibilities located on the internet Web sites of the department's Office of Equal Opportunity and the United States Department of Education Office of Civil Rights, and the list of rights and the list of rights, and the list of rights specified in section 221.8.
  - a. Office for Equal Opportunity - <https://www.eeoc.gov/federal/whatothersdo.cfm>
  - b. United States Department of Education Office Civil Rights - <https://www2.ed.gov/about/offices/list/ocr/docs/title-ix-rights-201104.pdf>
  - c. Rights specified in Section 221.8 - [http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=EDC&sectionNum=221.8](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=221.8)
  
4. A description of how to file a complaint under Title IX, which shall include all of the following:
  - a. Explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred, and how a complaint may be filled beyond the statute of limitations:
    - i. The grievance procedures may include voluntary informal methods (e.g., mediation) for resolving some types of sexual harassment complaints. However, the complainant must be notified of the right to end the informal process at any time and begin the formal stage of the complaint process. In cases involving allegations of sexual assault, mediation is not appropriate (Source: <https://www2.ed.gov/about/offices/list/ocr/docs/title-ix-rights-201104.html>)
  
  - b. An explanation of how the complaint will be investigated and how the complaint may further pursue the complaint, including, but not limited to, internet web links to this information on the United States Department of Education Office for Civil Rights' Internet Web site:

- i. Know Your Rights: Title IX Prohibits Sexual Harassment and Sexual Violence Where You Go To School -  
<https://www2.ed.gov/about/offices/list/ocr/docs/title-ix-rights-201104.html>
- ii. Title IX and Discrimination -  
<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>
- iii. Link to Complaint Forms -  
<https://www2.ed.gov/about/offices/list/ocr/docs/howto.html>
- iv. Contact Information of U.S. Department of Education Office for Civil Rights -  
U.S Department Office of Civil Rights  
Lyndon Baines Johnson Department of Education Bldg  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Telephone: 800-421-3481  
FAX: 202-453-6012; TDD: 800-877-8339  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)

5. On or before April 1, 2017, and annually thereafter, the superintendent shall send a letter through electronic means to all public schools, private schools that receive federal funds and are subject to the requirements of Title IX, school districts, county office of education, and charter schools informing them of the requirement specified in subdivision (a) and of their responsibilities under title IX.

- i. Tom Torlakson, State Superintendent of Public Instruction -  
<http://www.cde.ca.gov/re/di/eo/sb1375notification.asp>

6. A public school that does not maintain an internet web site may comply with subdivision (a) by posting the information specified in paragraphs (1) to (3), inclusive, of subdivision (a) on the internet web site of its school district or office of education.

- i. LCPA - <http://www.sjlcpa.org/apps/pages/governance>
- ii. LVLA - <http://www.sjlvla.org/apps/pages/governance>
- iii. RCLA - <http://www.sjrcla.org/apps/pages/governance>