COMMUNITY RELATIONS UNIFORM COMPLAINT PROCEDURES

Except as the Board may otherwise specifically provide in other District policies, the uniform complaint procedures (UCP) set forth in this administrative regulation shall be used to investigate and resolve only the complaints specified in Board Policy No. 1312.3.

A. COMPLIANCE OFFICER/RESPONSIBLE DISTRICT OFFICER

The Board designates the following Responsible District Officer as the compliance officer assigned to receive and coordinate the District's response to uniform complaints and to ensure District compliance with law:

Associate Superintendent of School Leadership Clovis Unified School District 1450 Herndon Avenue Clovis, CA 93611-0599 (559) 327-9000

Complaints of health and safety deficiencies in license-exempt preschool programs shall be filed with the Director of Child Development. See Part E of this administrative regulation.

The Superintendent or designee shall ensure that the Responsible District Officer is trained and knowledgeable about the laws and/or programs that he/she is assigned to investigate. Training shall cover current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. The Responsible District Officer may have access to legal counsel as determined by the Superintendent or designee.

In no instance shall the Responsible District Officer be assigned to a complaint in which he/she has a bias or conflict of interest that would prohibit the fair investigation or resolution of the complaint. Any complaint against the Responsible District Officer or that raises a concern about the Responsible District Officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee, who shall determine how the complaint will be investigated.

The Responsible District Officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the Responsible District Officer or the administrator shall consult with the Superintendent or designee or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the Responsible District Officer determines that they are no longer necessary or until the District issues its final written decision, whichever occurs first.

B. NOTIFICATIONS

The District shall comply with the notification requirements of Education Code section 33315 and sections 4622 and 4691 of Title 5 of the California Code of Regulations. Such notification to pupils, employees, parent/guardians of students, the District advisory committee, school advisory councils, and other interested parties shall be included in the Student and Parent Rights and Responsibilities Handbook made available to each District pupil upon registration in the District and at the beginning of each school year. The Student and Parent Rights and Responsibilities Handbook is also available on the District's web site at www.cusd.com. Notification to appropriate private school officials or representatives shall be given at the annual consultation meeting between the District and private school officials.

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code section 221.61 shall be posted on the District web site and may be provided through District-supported social media, if available.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have meaningful access to the relevant information provided in the District's policy, administrative regulation, forms, and notices concerning the UCP.

If 15 percent (15%) or more of students enrolled in a particular District school speak a single primary language other than English, the District's policy, administrative regulation, forms, and notices concerning the UCP shall be translated into that language in accordance with Education Code sections 234.1 and 48985. In all other instances, even if Education Code section 48985 does not apply, the District shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

C. DEFINITIONS

- 1. <u>Complaint</u>: A complaint is a written and signed statement alleging a violation of federal or state laws or regulations, which may include an allegation of unlawful discrimination, harassment, intimidation, or bullying. A signature may be handwritten, typed (including in an email), or electronically generated. (5 CCR 4600)
- 2. <u>Complainant</u>: A complainant means any person, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging violation of federal or state laws or regulations, including allegations of unlawful discrimination, harassment, intimidation, or bullying in programs and activities funded directly by the State or receiving any financial assistance from the State. (5 CCR 4600)

3. <u>Appeal</u>: An appeal is a written and signed request by a complainant to the California Department of Education (CDE) seeking review of an investigation report that was issued by the District in response to a properly filed complaint. A signature may be handwritten, typed (including in an email), or electronically generated. (5 CCR 4600)

D. COMPLAINT PROCEDURES

1. Filing of the Complaint

The complaint shall be filed with the District in accordance with the District's complaint procedures described in this administrative regulation. (5 CCR 4630) Complaints of health and safety deficiencies in license-exempt preschool programs have different complaint procedures and timelines; please see Part E of this administrative regulation.

All complaints shall be filed in writing and signed by the complainant. Please see Exhibit No. 1312.3(1), Uniform Complaint Procedures: Complaint Form, which may but is not required to be used. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, District staff shall assist in the filing of the complaint. (5 CCR 4600)

The written complaint should state the name of the complainant, the date of the complaint, the names of any witnesses, a detailed statement of the circumstances constituting the alleged violation or discrimination, and the requested remedy or resolution.

The complaint shall be presented to the Responsible District Officer designated above who shall maintain a log of complaints received, providing each with a code number and a date stamp. The Responsible District Officer shall maintain a record of subsequent related actions, including all information required for compliance with Title 5 of the California Code of Regulations sections 4631 and 4633.

Complaints also shall be filed in accordance with the following rules, as applicable:

- a. All complaints which allege that the District has violated federal or state laws or regulations governing the programs specified in Board Policy No. 1312.3 may be filed by any individual, public agency, or organization. (5 CCR 4630) The complaint shall be filed with the Responsible District Officer.
- b. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. (Education Code 49013, 52075; 5 CCR 4630) A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. (5 CCR 4630)

c. A UCP complaint shall be filed no later than one year from the date the alleged violation occurred, except that a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) shall be filed no later than six months from the date that the alleged unlawful discrimination occurred or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination.

The time for filing a complaint alleging unlawful discrimination may be extended for up to 90 days following the expiration of the six-month time period by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.

For complaints related to the Local Control and Accountability Plan (LCAP), the date of the alleged violation is the date when the county superintendent of schools approves the LCAP that was adopted by the Board. (5 CCR 4630)

The one-year timeline by which complaints shall be filed shall not apply to complaints regarding the educational rights of foster youth as specified in Education Code sections 49069.5(e), 51225.1(a)-(k), and 51225.2(b)-(e). (5 CCR 4630.5)

- d. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by: (1) a person who alleges having personally suffered unlawful discrimination, (2) a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or (3) a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (5 CCR 4630)
- e. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the Responsible District Officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

2. Notice/Begin Investigation

The Responsible District Officer, other designated employee, or outside investigator(s) shall begin an investigation into the complaint by doing the following:

- a. If the complaint is oral, advise the complainant to put the complaint in writing, and provide the complainant with assistance in writing the complaint, if necessary.
- b. Meet with the complainant, if necessary, to obtain clarification of the complainant's written complaint.

- a. Provide the complainant with a copy of Board Policy No. 1312.3, this administrative regulation, Exhibit No. 1312.3(1) and, if applicable, Exhibits No. 1312.3(2) and (3) and explain that the District has 60 days within which to conduct an investigation and provide the complainant with a written investigation report unless the complainant agrees in writing to an extension. If appropriate, explore the possibility of an early resolution (see 3 below).
- c. Provide the complainant and/or representative notice of the opportunity to present the Responsible District Officer with any evidence, or information leading to evidence to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.
- d. Inform the alleged offender of the nature of the complaint.
- f. Advise the complainant and alleged offender that the complaint and the investigation, including written reports and other written statements, will be handled as confidentially as possible, consistent with a thorough investigation and appropriate disposition of the matter and current state and federal confidentiality and disclosure laws.

3. Early Resolution

When a complaint is received, the District may attempt to resolve the complaint informally within the 60 calendar days in which the District must conduct an investigation and provide a written investigation report to the complainant. The early resolution process is as follows:

- a. The Responsible District Officer may delegate to the site administrator or other District employees the responsibility of contacting the complainant and attempting to resolve the complaint informally by exploring a range of options and coming to a resolution.
- a. If the District and complainant are able to resolve the complaint fully, the resolution shall be documented in writing and communicated to the complainant.
- b. If the District does not seek to resolve the complaint informally or if early resolution efforts are unsuccessful, the District will proceed to conduct the investigation and develop an investigation report within 60 calendar days of receipt of the complaint, unless the District and complainant agree in writing to an extension.

4. Investigation of Complaint

The Responsible District Officer shall conduct or cause to be conducted an investigation of the complaint or designate appropriate individuals for that purpose. The investigation of complaints may be assigned to other staff or to outside persons or organizations. As necessary, additional District staff or legal counsel may conduct or support the investigation. An outside investigator or investigators may, subject to the Superintendent or designee authorization, be

engaged depending on the nature and scope of the allegations. The term "investigator" includes neutral fact finders or other professionals knowledgeable about the law/programs that he/she is assigned to investigate.

An investigation of a discrimination, harassment, intimidation, or bullying complaint shall be conducted in a manner that protects confidentiality of the parties and maintains the integrity of the process. (5 CCR 4630) When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when not the complainant, requests confidentiality, the Responsible District Officer shall inform the complainant or victim that the request may limit the District's ability to investigate the conduct or to take other necessary action. When honoring a request for confidentiality, the District shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

In conducting the investigation, the investigator shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The investigator shall individually interview all available witnesses with information pertinent to the complaint and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the investigator shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the investigator shall interview the alleged victim(s), any alleged offender(s), and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional District staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the District's investigator(s) with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegations. (5 CCR 4631) Likewise, a party responding to the complaint, if any, who refuses to provide the investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant.

In accordance with law, the District shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. (5 CCR 4631) The District's refusal to provide the District's investigator(s) with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation

may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

When determining whether the alleged discriminatory conduct constitutes a violation, the investigator should consider the totality of the circumstances.

5. <u>Timeline for Investigation Report and Decision Relating to Complaint</u>

Unless an early resolution has been reached pursuant to 3 above or there is an extension by written agreement with the complainant, the Responsible District Officer shall prepare and send to the complainant a written investigation report within 60 calendar days of the District's receipt of the complaint. (5 CCR 4631)

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the respondent to a complaint alleging unlawful discrimination shall be informed of any extension of the timeline agreed to by the complainant. The respondent also shall be sent the investigation report at the same time it is provided to the complainant.

6. <u>Investigation Report</u>

The District's investigation report shall include at least the following: (5 CCR 4631)

- a. The findings of fact based on the evidence gathered.
- b. For each allegation, a conclusion providing a clear determination of whether the District complies with the relevant law.
- c. Corrective action(s), if any, whenever the District finds merit in the complaint. If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the District shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. For complaints alleging noncompliance with the laws regarding student fees, the District shall attempt in good faith by engaging in reasonable efforts to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (5 CCR 4600; Education Code 49013, 51222, 51223, 52075)
- d. Notice of the complainant's right to appeal the District's investigation report to CDE, except when the District has used its UCP to address a complaint that is not specified in 5 CCR 4610.
- e. The procedures to be followed for initiating an appeal to CDE.

The investigation report may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

The District's investigation report shall be provided in English. If the complaint involves a limited English-proficient student or parent/guardian and the student involved is enrolled in a school at which 15 percent or more of the students speak a single primary language other than English, the District also shall provide the investigation report in the complainant's primary language as required by Education Code section 48985. In all other instances, even if Education Code section 48985 does not apply, the District shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency, which may require translation of the investigation report.

7. Corrective Actions

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person and the Responsible District Officer shall adopt any appropriate corrective action permitted by law.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the District shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the District shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

8. <u>Procedures for Appealing District's Investigation Report</u>

Any complainant who is dissatisfied with the District's investigation report on a complaint regarding any specified federal or state educational program subject to the UCP may file an appeal in writing with CDE within 30 calendar days of receiving the District's investigation report. (5 CCR 4632)

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the District's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including as least one of the following: (5 CCR 4632)

- a. The District failed to follow its complaint procedures.
- b. Relative to the allegations of the complaint, the District's investigation report lacks material findings of fact necessary to reach a conclusion of law.

- c. The material findings of fact in the District's investigation report are not supported by substantial evidence.
- d. The legal conclusion in the District's investigation report is inconsistent with the law.
- e. In a case in which the District found noncompliance, the corrective actions fail to provide a proper remedy.

CDE will not process an appeal if it is untimely, if it fails to include this information, or if it pertains to subject matter not encompassed by the UCP. If CDE determines that the appeal raises issues not contained in the complaint, CDE will refer those new issues back to the District for resolution as a new complaint. (5 CCR 4632)

Upon notification by CDE that the District's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification: (5 CCR 4633)

- b. A copy of the original complaint.
- c. A copy of the District's investigation report.
- d. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator.
- e. A report of any action taken to resolve the complaint.
- f. A copy of Board Policy No. 1312.3, this administrative regulation, Exhibit No. 1312.3(1) and, if applicable, Exhibits No. 1312.3(2) and (3).
- g. Other relevant information requested by CDE.

The District's failure to provide a timely and complete response may result in CDE ruling on the appeal without considering information from the District. (5 CCR 4633)

If notified by CDE that the District's investigation report failed to address allegation(s) raised by the complaint, the District shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report also shall inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

If CDE determines that the District's investigation report meets UCP requirements, the appeal shall be denied. (5 CCR 4633)

CDE must issue a written decision regarding the appeal within 60 days of CDE's receipt of the appeal unless: (1) extended by written agreement, (2) CDE documents exceptional circumstances and informs the appellant, (3) CDE receives notice that the matter has been resolved at the local level, or (4) CDE receives notice that the matter has been judicially decided. (5 CCR 4633)

Within 30 days of CDE's decision, either party may request reconsideration by the State Superintendent of Public Instruction (SSPI) or designee. The request for reconsideration shall specify and explain the reason(s) for contesting the findings of fact, conclusions of law, or corrective actions in CDE's decision. (5 CCR 4635) Within 60 days of receipt of the request for reconsideration, the SSPI or designee shall respond in writing to the parties. Pending the response, the CDE appeal decision remains in effect and enforceable, unless stayed by a court. (5 CCR 4635)

9. Complaints Filed Directly With CDE

If a complaint is erroneously filed with CDE without first being filed with and investigated by the District, CDE shall immediately forward the complaint to the District for processing in accordance with the District's UCP provisions unless extraordinary circumstances exist necessitating direct state intervention. (5 CCR 4640)

CDE may, at its discretion, directly intervene without waiting for the District investigation if one or more situations set forth under 5 CCR 4650 exist.

The complaint shall identify the basis for filing the complaint directly to CDE. The complainant must present CDE with evidence that supports the basis for the direct filing. (5 CCR 4650)

When CDE accepts a complaint requesting direct state intervention, CDE will immediately notify the complainant in writing of the determination. If the complaint is not accepted, it shall be referred to the District for local investigation or referred to another agency pursuant to section 4611. (5 CCR 4651)

E. <u>HEALTH AND SAFETY COMPLAINTS IN LICENSE - EXEMPT PRESCHOOL</u> PROGRAMS

Any complaint regarding health or safety issues in a license - exempt California State Preschool Program (CSPP) shall be addressed through the following procedures. (5 CCR 4690-4694)

In each license-exempt CSPP classroom, a notice shall be posted notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 of the California Code of Regulations that apply to CSPP programs pursuant to Health and Safety Code section 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. (Education Code 8235.5; 5 CCR 4691) Please see Exhibit No. 1312.3(2) - Notice to

Parents/Guardians, Students, and Teachers: Preschool Complaint Rights.

The District's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP is operating as exempt from licensing and which CSPP is operating pursuant to requirements under Title 22 of the Code of Regulations. (5 CCR 4691)

Any complaint regarding specified health or safety issues in a license - exempt CSPP shall be filed with the Director of Child Development and may be filed anonymously. Please see Exhibit No. 1312.3(3) - Preschool Complaint Form: Uniform Complaint Procedures.

If it is determined that the complaint is beyond the authority of the Director of Child Development, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. (Education Code 8235.5; 5 CCR 4690)

The Director of Child Development shall make all reasonable efforts to investigate any problem within that person's authority. Investigation of a complaint regarding health or safety issues in a license - exempt CSPP shall begin within 10 calendar days of receipt of the complaint. (Education Code 8235.5; 5 CCR 4692)

The Director of Child Development shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the Director of Child Development shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant, to CDE's assigned field consultant, and to the Responsible District Officer. (Education Code 8235.5; 5 CCR 4692)

If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the District's investigation report shall be provided in English. If the complaint involves a limited English-proficient student or parent/guardian and the student involved is enrolled in a school at which 15 percent or more of the students speak a single primary language other than English, the District also shall provide the investigation report in the complainant's primary language as required by Education Code section 48985. In all other instances, even if Education Code section 48985 does not apply, the District shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency, which may require translation of the investigation report.

All complaints and responses are public records. (5 CCR 4690, 4693)

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled meeting and, within 30 days of the date of the written report, may file a written appeal of the District's decision to the SSPI in accordance with 5 CCR 4632. The complainant shall comply with the appeal requirements of 5 CCR 4632. (Education Code 8235.5; 5 CCR 4693, 4694) Failure to file a local appeal pursuant to 5 CCR 4693 does not preclude the filing of a state appeal pursuant to 5 CCR 4694. (Education

Code 8235.5; 5 CCR 4693, 4694)

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled board meeting and to the county superintendent of schools. The summaries shall be publicly reported on a quarterly basis at a regularly scheduled meeting of the Board. (5 CCR 4693)

F. CONFIDENTIALITY AND PROTECTION FROM RETALIATION

The District shall protect all complainants from retaliation. (5 CCR 4621) For allegations of retaliation based on the filing of a complaint, the District also shall follow the UCP. In investigating complaints, the confidentiality of the parties shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discrimination, harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant and/or the subject of the complaint, if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained. (5 CCR 4621)

G. RELATIONSHIP TO OTHER ENFORCEMENT MECHANISMS

The District's discrimination policies and procedures are intended to supplement, and not replace, any applicable state and federal laws and regulations. For example, a complainant who believes he or she has been discriminated or retaliated against for complaining about discrimination may file a complaint with the agencies referenced below. A complainant may request that other state and federal governmental agencies investigate complaints of discrimination by filing a complaint with CDE and the Office for Civil Rights.

California Department of Education 1430 N Street Sacramento, California 95814 (916) 319-0797

California Department of Fair Employment Equal Employment Opportunity Commission and Housing Fresno District Office 1320 East Shaw Avenue, Suite 150 Fresno, California 93710

(559) 445-5373

Office for Civil Rights 50 United Nations Place, Room 239 San Francisco, California 94102 (415) 556-4275

2300 Tulare Street, Suite 215 Fresno, California 93721 (559) 487-5793

Allegations of discrimination or harassment in employment may be addressed under applicable District policies and procedures as appropriate, including the right to file a complaint with the California Department of Fair Employment and Housing (DFEH). Employment discrimination complaints against the District shall be addressed by the District in accordance with the procedures

specified in Administrative Regulation No. 4030 – Nondiscrimination in Employment. Employment discrimination complaints received under Board Policy No. 1312.3 will be referred for processing under Administrative Regulation No. 4030 unless the person filing the complaint declines the referral in which case the complaint shall be sent to the DFEH consistent with 5 CCR 4611(c).

Adopted: 08/12/1992

Amended: 08/02/1995, 04/10/1996, 09/22/2009, 04/24/2002, 07/19/2006, 01/23/2008,

01/14/2009, 10/14/2009, 11/10/2010, 03/06/2012, 02/27/2013, 03/12/2014,

04/02/2014, 08/23/2017, 09/27/2017, 05/08/2018, 06/15/2021 (AR 9208 renumbered

as AR 1312.3)

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