

Williams Uniform Complaint Procedures

Types of Complaints

The district shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred:

1. Textbooks and Instructional Materials

- a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class;
- b. A student does not have access to textbooks or instructional materials to use at home or after school; or
- c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
cf. 6161.1 - Selection and Evaluation of Instructional Materials
- d. A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Teacher Vacancy or Misassignment

- a. A semester begins and a teacher vacancy exists;
- b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20% English learner students in the class;
- c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

“Vacancy” means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester.

“Beginning of the year or semester” means the first day classes necessary to serve all the pupils enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day pupils attend classes for that semester.

“Misassignment” means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential, or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

cf. 4112.2 – Certification

cf. 4113 - Assignment

3. Facilities

- a. A condition poses an emergency or urgent threat to the health or safety of students or staff.

“Emergency” or “urgent threat” means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including but not limited to gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer stoppage; major pest or vermin infestation; broken windows or

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exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; or structural damage creating a hazardous or uninhabitable condition; or an other condition deemed appropriate.

- b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5

“Clean or maintained school restroom” means a school restroom has been cleaned or maintained regularly, is fully operational, and has been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.

“Open restroom” means the school has kept all restrooms open during school hours when pupils are not in session. This does not apply when the temporary closing of the restroom is necessary for pupil safety or to make repairs.

Filing of Complaint

The school shall have a complaint form available for such identified complaints. However, the complainant need not use the complaint form to file a complaint. A complaint alleging any condition(s) specified above shall be filed with the principal or designee at the school in which the complaint arises. The principal or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee in a timely manner, but no later than 10 working days.

The principal or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received.

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal or designee shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint.

If a response is requested, the response shall be written in English and the primary language in which the complaint was filed (*EC 48985*) and shall be delivered to the mailing address of the complainant as indicated on the complaint form. At the same time, the principal or designee shall report the same information to the Superintendent or designee.

If a complainant is not satisfied with the resolution of a complaint, he/she has the right to describe the complaint to the Governing Board at a regularly scheduled meeting.

For any complaint concerning a facility condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3 above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632.

All complaints and written responses shall be public records.
(*cf. 1340 - Access to District Records*)

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Reports

The Superintendent or designee shall report summarized data on the nature and resolution of all complaints to the Board and the County Superintendent of Schools on a quarterly basis. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board meeting.

Forms and Notices

The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the district’s complaint form in order to file a complaint. The Superintendent or designee shall ensure that the district’s complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes.

The Superintendent or designee shall ensure that a notice is posted in each classroom in each school containing the components specified in Education Code 35186.

Legal References:

EDUCATION CODE

- 1240 County superintendent of schools, duties
- 17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account
- 33126 School Accountability Report Card
- 35186 Williams uniform complaint procedure
- 60119 Hearing on sufficiency of instructional materials

CODE OF REGULATIONS, TITLE 5

- 4600-4671 Uniform complaint procedures, especially:
- 4680-4687 Williams complaints

WEB SITES

- CSBA: <http://www.csba.org>
- California Department of Education, Williams case: <http://www.cde.ca.gov/eo/ce/wc/index.asp>

Regulation
 Approved: February 13, 2008
 Revised: May 11, 2010
 Revised October 18, 2011
 September 4, 2012
 May 3, 2016

SAN LUIS COASTAL UNIFIED SCHOOL DISTRICT
 San Luis Obispo, California