

**Regulation 1312.4: Williams Uniform Complaint Procedures**

**Status:** ADOPTED

**Original Adopted Date:** 11/17/2008 | **Last Revised Date:** 06/14/2014

### 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: (Education Code 35186; 5 CCR 4681, 4682)

#### 1. Textbooks and instructional materials

- a. A pupil, 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 pupil does not have access to textbooks or instructional materials to use at home or after school.
- 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)

#### 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 percent English learner pupils in the class.

(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)

- 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. (Education Code 35186; 5 CCR 4682)

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. (5 CCR 4600)

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. (Education Code 35186; 5 CCR 4600)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

#### 3. Facilities

A condition poses an emergency or urgent threat to the health or safety of pupils 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 pupils 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 line stoppage; major pest or vermin infestation; broken windows or 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 pupils or staff; or structural damage creating a hazardous or uninhabitable condition. (Education Code 17592.72)

### Filing of 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 school shall have a complaint form available for Williams complaints. The complainant need not use the Williams Complaint Form to file a complaint. The principal or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or his/her designee in a timely manner, but not to exceed 10 working days. (Education Code 35186; 5 CCR 4680)

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. (Education Code 35186)

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 made to the mailing address of the complainant as indicated on the complaint form. If Section 48985 of the Education Code is applicable, the response, if requested, and report shall be written in English and the primary language in which the complaint was filed. At the same time, the principal or designee shall report the same information to the Superintendent or his/her designee. (Education Code 35186; 5 CCR 4680)

If a complainant is not satisfied with the resolution of a complaint, he/she has the right to describe the complaint to the Board of Trustees at a regularly scheduled meeting. (Education Code 35186; 5 CCR 4686)

For any complaint concerning a facility condition that poses an emergency or urgent threat to the health or safety of pupils or staff as described in item #3 above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or his/her designee may file an appeal to the Superintendent of Public Instruction (SPI) within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 35186; 5 CCR 4687)

All complaints and written responses shall be public records. (Education Code 35186; 5 CCR 4686)

(cf. 1340 - Access to District Records)

#### Reports

The Superintendent or his/her 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. (Education Code 35186; 5 CCR 4686)

#### Forms and Notices

The Superintendent or his/her 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. (Education Code 35186)

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

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State References

5 CCR 4600-4670

#### Description

Uniform complaint procedures

5 CCR 4600-4687

Uniform complaint procedures and Williams complaints

5 CCR 4690-4694

Health and safety complaints in license-exempt preschool programs

Ed. Code 1240

County superintendent of schools; duties - <https://simbli.eboardsolutions.com/SU/zxiNblNKXQ1Z3w2H1beZIA==>

Ed. Code 17592.72

Urgent or emergency repairs; School Facility Emergency Repair Account - <https://simbli.eboardsolutions.com/SU/IGu9humHDThZTnK3slsh9zFVw==>

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|--------------------------|---|
| Ed. Code 200-262.4       | Prohibition of discrimination -<br><a href="https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAbNL6kKkgxQ==</a>  |
| Ed. Code 234.1           | Student protections relating to discrimination, harassment, intimidation, and bullying -<br><a href="https://simbli.eboardsolutions.com/SU/MRwslWU5kFXIT0iSjZCnkA==">https://simbli.eboardsolutions.com/SU/MRwslWU5kFXIT0iSjZCnkA==</a> |
| Ed. Code 33126           | School accountability report card -<br><a href="https://simbli.eboardsolutions.com/SU/tJs6YslshubwfWjC0ICzCplus6BA==">https://simbli.eboardsolutions.com/SU/tJs6YslshubwfWjC0ICzCplus6BA==</a>  |
| Ed. Code 35186           | Williams uniform complaint procedures -<br><a href="https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnhA==">https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnhA==</a>  |
| Ed. Code 35292.5-35292.6 | Restrooms; maintenance and cleanliness -<br><a href="https://simbli.eboardsolutions.com/SU/x70F3bNKbY1cKTjvdslishoC4A==">https://simbli.eboardsolutions.com/SU/x70F3bNKbY1cKTjvdslishoC4A==</a>   |
| Ed. Code 48907           | Exercise of free expression; time, place and manner rules and regulations -<br><a href="https://simbli.eboardsolutions.com/SU/KDSjnurLBlr2KdV5numJiQ==">https://simbli.eboardsolutions.com/SU/KDSjnurLBlr2KdV5numJiQ==</a>              |
| Ed. Code 48950           | Speech and other communication -<br><a href="https://simbli.eboardsolutions.com/SU/Q5itwgUPloTFejGslshDadJ4g==">https://simbli.eboardsolutions.com/SU/Q5itwgUPloTFejGslshDadJ4g==</a>   |
| Ed. Code 48985           | Notices to parents in language other than English -<br><a href="https://simbli.eboardsolutions.com/SU/LHS9yg0UBYa76W1AygydnA==">https://simbli.eboardsolutions.com/SU/LHS9yg0UBYa76W1AygydnA==</a>                                      |
| Ed. Code 51501           | Nondiscriminatory subject matter -<br><a href="https://simbli.eboardsolutions.com/SU/txGfKL89VkvcW7IFg8Emtw==">https://simbli.eboardsolutions.com/SU/txGfKL89VkvcW7IFg8Emtw==</a>   |
| Ed. Code 60010           | Instructional materials; definition -<br><a href="https://simbli.eboardsolutions.com/SU/GjXRejOBcJgfje5LOpBxYg==">https://simbli.eboardsolutions.com/SU/GjXRejOBcJgfje5LOpBxYg==</a>  |
| Ed. Code 60040-60052     | Requirements for instructional materials -<br><a href="https://simbli.eboardsolutions.com/SU/vqD4yC2hSBZ9a219bpluseiDA==">https://simbli.eboardsolutions.com/SU/vqD4yC2hSBZ9a219bpluseiDA==</a>   |
| Ed. Code 60119           | Hearing on sufficiency of instructional materials -<br><a href="https://simbli.eboardsolutions.com/SU/wgpZKRQ3ptU4Chh5FQUMmw==">https://simbli.eboardsolutions.com/SU/wgpZKRQ3ptU4Chh5FQUMmw==</a>                                      |
| Ed. Code 60150           | Penalty for insufficiency of textbooks and instructional materials -<br><a href="https://simbli.eboardsolutions.com/SU/LANplusEILU46oVV1EgNFUoWw==">https://simbli.eboardsolutions.com/SU/LANplusEILU46oVV1EgNFUoWw==</a>               |

**Federal References**

20 USC 6314

**Description**

Title I schoolwide program

**Management Resources References**

Website

**Description**

California County Superintendents Educational Services Association -  
<https://simbli.eboardsolutions.com/SU/8dKABfP8Kgmplus2tMzeNqdQ==>

Website

CSBA District and County Office of Education Legal Services -  
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsLshXk6R5akQ==>

Website

State Allocation Board, Office of Public School Construction -  
<https://simbli.eboardsolutions.com/SU/UxUcDGuszWNedr16Dp8wuQ==>

Website

Department of Justice -  
<https://simbli.eboardsolutions.com/SU/kYMplusPKVwKTngiVfOT4AD8Q==>

Website

U.S. Department of Education, Office for Civil Rights -  
<https://simbli.eboardsolutions.com/SU/xmCPrTcoZle111WmbX10Vg==>

Website

CSBA -  
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

Website

California Department of Education -  
<https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==>

**Cross References**

0410

**Description**

Nondiscrimination In District Programs And Activities -  
<https://simbli.eboardsolutions.com/SU/d3Q2PSvFTpdfv9xbKGuh3A==>

|               |  |
|---------------|--|
| 0410-E PDF(1) | Nondiscrimination In District Programs And Activities -<br><a href="https://simbli.eboardsolutions.com/SU/wbV8WtgwD5uHUHntC4iliA==">https://simbli.eboardsolutions.com/SU/wbV8WtgwD5uHUHntC4iliA==</a>                               |
| 1100          | Communication With The Public -<br><a href="https://simbli.eboardsolutions.com/SU/y73J6plusN2Anr5837dqscnXg==">https://simbli.eboardsolutions.com/SU/y73J6plusN2Anr5837dqscnXg==</a>   |
| 1100-E PDF(1) | Communication With The Public - California Code Of Regulations, Title 2 -<br><a href="https://simbli.eboardsolutions.com/SU/yslshNi1BVplusNIQiywqCw6L03Q==">https://simbli.eboardsolutions.com/SU/yslshNi1BVplusNIQiywqCw6L03Q==</a> |
| 1250          | Visitors/Outsiders -<br><a href="https://simbli.eboardsolutions.com/SU/9AuslshAFb1IJ9HK3lamyxCg==">https://simbli.eboardsolutions.com/SU/9AuslshAFb1IJ9HK3lamyxCg==</a>  |
| 1250          | Visitors/Outsiders -<br><a href="https://simbli.eboardsolutions.com/SU/2Kerblk3fjoXHgPl1na4YA==">https://simbli.eboardsolutions.com/SU/2Kerblk3fjoXHgPl1na4YA==</a>  |
| 1312.2        | Complaints Concerning Instructional Materials -<br><a href="https://simbli.eboardsolutions.com/SU/byMbMslshslshuc7WEuawslshLBabPg==">https://simbli.eboardsolutions.com/SU/byMbMslshslshuc7WEuawslshLBabPg==</a>                     |
| 1312.3        | Uniform Complaint Procedures -<br><a href="https://simbli.eboardsolutions.com/SU/ZXV1jyEftTsTaiTpDn93swA==">https://simbli.eboardsolutions.com/SU/ZXV1jyEftTsTaiTpDn93swA==</a>  |
| 1312.3        | Uniform Complaint Procedures -<br><a href="https://simbli.eboardsolutions.com/SU/noJqx4nQ7kLbWka5AHhXig==">https://simbli.eboardsolutions.com/SU/noJqx4nQ7kLbWka5AHhXig==</a>  |
| 1340          | Access To District Records -<br><a href="https://simbli.eboardsolutions.com/SU/IR2oqOjZqUPYHi5x5h1YRg==">https://simbli.eboardsolutions.com/SU/IR2oqOjZqUPYHi5x5h1YRg==</a>  |
| 1340          | Access To District Records -<br><a href="https://simbli.eboardsolutions.com/SU/Qrh9pnQT6eC58E5GuN0YiQ==">https://simbli.eboardsolutions.com/SU/Qrh9pnQT6eC58E5GuN0YiQ==</a>  |
| 3270          | Sale And Disposal Of Books, Equipment And Supplies -<br><a href="https://simbli.eboardsolutions.com/SU/COmNTEI3XgKasXK45F0cLw==">https://simbli.eboardsolutions.com/SU/COmNTEI3XgKasXK45F0cLw==</a>                                  |
| 3270          | Sale And Disposal Of Books, Equipment And Supplies -<br><a href="https://simbli.eboardsolutions.com/SU/plusqRnoemLDCd2KUP1pytruw==">https://simbli.eboardsolutions.com/SU/plusqRnoemLDCd2KUP1pytruw==</a>                            |
| 3514          | Environmental Safety -<br><a href="https://simbli.eboardsolutions.com/SU/hEbvitDht0dz0vtCE0MdbQ==">https://simbli.eboardsolutions.com/SU/hEbvitDht0dz0vtCE0MdbQ==</a>  |
| 3514          | Environmental Safety -<br><a href="https://simbli.eboardsolutions.com/SU/8bY9sK9Rxxkg6M04t5lv3Q==">https://simbli.eboardsolutions.com/SU/8bY9sK9Rxxkg6M04t5lv3Q==</a>  |
| 3514.2        | Integrated Pest Management -<br><a href="https://simbli.eboardsolutions.com/SU/H4jMDaFGOVUqBY39As7EQA==">https://simbli.eboardsolutions.com/SU/H4jMDaFGOVUqBY39As7EQA==</a>  |
| 3550          | Food Service/Child Nutrition Program -<br><a href="https://simbli.eboardsolutions.com/SU/fgKsH19q7Xm0pPcSislshslshshbg==">https://simbli.eboardsolutions.com/SU/fgKsH19q7Xm0pPcSislshslshshbg==</a>                                  |
| 3550          | Food Service/Child Nutrition Program -<br><a href="https://simbli.eboardsolutions.com/SU/Q72Fb1LgxBzplustYGgYfGGbA==">https://simbli.eboardsolutions.com/SU/Q72Fb1LgxBzplustYGgYfGGbA==</a>  |
| 4112.2        | Certification -<br><a href="https://simbli.eboardsolutions.com/SU/dHLOir80kIX4DxeTr9enpg==">https://simbli.eboardsolutions.com/SU/dHLOir80kIX4DxeTr9enpg==</a>   |
| 4112.2        | Certification -<br><a href="https://simbli.eboardsolutions.com/SU/KB09h4T6plusXslshHqxJV24nFug==">https://simbli.eboardsolutions.com/SU/KB09h4T6plusXslshHqxJV24nFug==</a>   |
| 4112.22       | Staff Teaching English Learners -<br><a href="https://simbli.eboardsolutions.com/SU/caEOheEKokKZeFsi7AuTxw==">https://simbli.eboardsolutions.com/SU/caEOheEKokKZeFsi7AuTxw==</a>   |
| 4113          | Assignment -<br><a href="https://simbli.eboardsolutions.com/SU/7aPWNY2HqVKRoml98iiYgQ==">https://simbli.eboardsolutions.com/SU/7aPWNY2HqVKRoml98iiYgQ==</a>  |
| 4113          | Assignment -<br><a href="https://simbli.eboardsolutions.com/SU/9YDuRNSslsh4vtCk2LiXTNplusRA==">https://simbli.eboardsolutions.com/SU/9YDuRNSslsh4vtCk2LiXTNplusRA==</a>  |
| 4144          | Complaints -<br><a href="https://simbli.eboardsolutions.com/SU/plusLvvtntnngX31CZaSU7Ehw==">https://simbli.eboardsolutions.com/SU/plusLvvtntnngX31CZaSU7Ehw==</a>  |
| 4144          | Complaints -<br><a href="https://simbli.eboardsolutions.com/SU/1BA4pzNOA2X7A8DW9X8cslshQ==">https://simbli.eboardsolutions.com/SU/1BA4pzNOA2X7A8DW9X8cslshQ==</a>  |
| 4244          | Complaints -<br><a href="https://simbli.eboardsolutions.com/SU/uE6tAVIhOc8ctovHQg8Zbw==">https://simbli.eboardsolutions.com/SU/uE6tAVIhOc8ctovHQg8Zbw==</a>  |

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| 4244             | Complaints -<br><a href="https://simbli.eboardsolutions.com/SU/QChplus9yh8CATTqHCslshZbGI7g==">https://simbli.eboardsolutions.com/SU/QChplus9yh8CATTqHCslshZbGI7g==</a>  |
| 4344             | Complaints -<br><a href="https://simbli.eboardsolutions.com/SU/09WXzYElpqPVnziFXvn97g==">https://simbli.eboardsolutions.com/SU/09WXzYElpqPVnziFXvn97g==</a>  |
| 4344             | Complaints -<br><a href="https://simbli.eboardsolutions.com/SU/DJRDN1kXDXYxrtWExRhHg==">https://simbli.eboardsolutions.com/SU/DJRDN1kXDXYxrtWExRhHg==</a>  |
| 5145.3           | Nondiscrimination/Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/6P13MpepPya6vLW5M6ktslshA==">https://simbli.eboardsolutions.com/SU/6P13MpepPya6vLW5M6ktslshA==</a>  |
| 5145.3           | Nondiscrimination/Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/rmypzHslshXoo2OBNVTbTV0ZQ==">https://simbli.eboardsolutions.com/SU/rmypzHslshXoo2OBNVTbTV0ZQ==</a>  |
| 6142.92          | Mathematics Instruction -<br><a href="https://simbli.eboardsolutions.com/SU/QBTplusuM7HgHYraWmsdve6EA==">https://simbli.eboardsolutions.com/SU/QBTplusuM7HgHYraWmsdve6EA==</a>   |
| 6143             | Courses Of Study -<br><a href="https://simbli.eboardsolutions.com/SU/BTZRRRWbx7Fexud6SQnuyk==">https://simbli.eboardsolutions.com/SU/BTZRRRWbx7Fexud6SQnuyk==</a>  |
| 6143             | Courses Of Study -<br><a href="https://simbli.eboardsolutions.com/SU/j8imFUifKbEc3vXwWKn6cw==">https://simbli.eboardsolutions.com/SU/j8imFUifKbEc3vXwWKn6cw==</a>  |
| 6161.1           | Selection And Evaluation Of Instructional Materials -<br><a href="https://simbli.eboardsolutions.com/SU/Rym2bkslshn7nuOtwtwYfmXA==">https://simbli.eboardsolutions.com/SU/Rym2bkslshn7nuOtwtwYfmXA==</a>                                   |
| 6161.1           | Selection And Evaluation Of Instructional Materials -<br><a href="https://simbli.eboardsolutions.com/SU/CicQpVETINiXySgGdWeHHQ==">https://simbli.eboardsolutions.com/SU/CicQpVETINiXySgGdWeHHQ==</a>                                       |
| 6161.1-E PDF(1)  | Selection And Evaluation Of Instructional Materials -<br><a href="https://simbli.eboardsolutions.com/SU/4O2RhO0AcjYRtdAuUeo3ig==">https://simbli.eboardsolutions.com/SU/4O2RhO0AcjYRtdAuUeo3ig==</a>                                       |
| 6161.11          | Supplementary Instructional Materials -<br><a href="https://simbli.eboardsolutions.com/SU/UL1xilksG7ViH7ZpU91ndQ==">https://simbli.eboardsolutions.com/SU/UL1xilksG7ViH7ZpU91ndQ==</a>   |
| 6161.11          | Supplementary Instructional Materials -<br><a href="https://simbli.eboardsolutions.com/SU/gwQbtq8JslshDkflshJFiKSJDuQ==">https://simbli.eboardsolutions.com/SU/gwQbtq8JslshDkflshJFiKSJDuQ==</a>   |
| 6161.11-E PDF(1) | Supplementary Instructional Materials - PLEASE SEE DISTRICT MATERIAL IN<br>DISTRIT OFFICE -<br><a href="https://simbli.eboardsolutions.com/SU/d5Jddbz0ODuNARK9repoRg==">https://simbli.eboardsolutions.com/SU/d5Jddbz0ODuNARK9repoRg==</a> |
| 6161.2           | Damaged Or Lost Instructional Materials -<br><a href="https://simbli.eboardsolutions.com/SU/bDYS6h2r5Dix3SckSBVo3w==">https://simbli.eboardsolutions.com/SU/bDYS6h2r5Dix3SckSBVo3w==</a>   |
| 6163.1           | Library Media Centers -<br><a href="https://simbli.eboardsolutions.com/SU/vmBoexOplkzkNsr1By9gpluws==">https://simbli.eboardsolutions.com/SU/vmBoexOplkzkNsr1By9gpluws==</a>   |
| 9000             | Role Of The Board -<br><a href="https://simbli.eboardsolutions.com/SU/cmK0RmcP9hwjKc7rplusNd6Lg==">https://simbli.eboardsolutions.com/SU/cmK0RmcP9hwjKc7rplusNd6Lg==</a>   |
| 9012             | Board Member Electronic Communications -<br><a href="https://simbli.eboardsolutions.com/SU/IUljhvXUaDplusdUI8srXTpg==">https://simbli.eboardsolutions.com/SU/IUljhvXUaDplusdUI8srXTpg==</a>  |
| 9200             | Limits Of Board Member Authority -<br><a href="https://simbli.eboardsolutions.com/SU/HmUGdLFhkjgZXHZrB0ZdA==">https://simbli.eboardsolutions.com/SU/HmUGdLFhkjgZXHZrB0ZdA==</a>  |
| 9322             | Agenda/Meeting Materials -<br><a href="https://simbli.eboardsolutions.com/SU/IOEFsbr4ETfctkQNplus2plusQ==">https://simbli.eboardsolutions.com/SU/IOEFsbr4ETfctkQNplus2plusQ==</a>  |