

Drake High School UNIFORMED COMPLAINT PROCEDURE AND WILLIAMS COMPLAINT PROCEDURE

Complaints

If a student or parent believes that he/she is not receiving the education to which the student is legally entitled; if the student feels that he or she is not being treated with courtesy and respect; or if the student or parent has a complaint regarding instructional material, the student/parent should first contact the person responsible. Often a concern can be reconciled at this level. Conflict resolution is a process which encourages good faith and an equitable mediation format. If this step brings no resolution, the student is legally entitled to use one of the following complaint procedures:

- Every effort should be made to resolve a complaint at the earliest possible stage. Parents/guardians are encouraged to attempt to orally resolve concerns with the staff member personally.
- If a complainant is unable or unwilling to resolve the complaint directly with the person involved, he/she may submit an oral or written complaint to the employee's immediate supervisor or the principal. If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so.
- When a written complaint is received, the employee shall be notified in accordance with collective bargaining agreements.
- The person responsible for investigating complaints will attempt to resolve the complaint to the satisfaction of the person(s) involved within 30 days.
- The complainant may appeal a decision by the principal or immediate supervisor to the superintendent or designee, who will attempt to resolve the complaint to the satisfaction of the person(s) involved within 30 days. The superintendent's or designee's decision should be considered and accepted as final. However, the complainant, employee or the superintendent or designee may ask to address the Board regarding the complaint. The Board may uphold the superintendent's decision without hearing the complaint, or the Board may ask all parties to a complaint to attend a Board meeting in order to present all available evidence and allow every opportunity for explaining and clarifying the issue. The decision of the Board shall be final.

In order to promote fair and constructive communication, there are procedures which govern the resolution of complaints against the use of any instructional materials, including textbooks, supplementary textbooks, library books, and other instructional material and equipment. A brief summary is provided below:

- Complaints must be presented in writing to the principal. The complaint must name the author, title and publisher, and identify the objection by

page and item number. If the complaint is against non-printed material, written information must state the precise nature of the objection. The complaint must be signed and identified so a proper reply will be possible.

- An individual student may be excused from using challenged materials after the parent/guardian has presented a written complaint. The teacher will assign alternate materials of equal merit.
- The principal shall notify the superintendent or designee who will determine whether the complaint should be considered on an individual basis or whether a review committee should be convened.
- The review committee shall determine the extent to which the challenged material supports the curriculum, the educational appropriateness of the material, and its suitability for the age level of the student.
- The review committee shall summarize its findings within 30 days and submit it to the superintendent or designee for final action. The superintendent or designee shall notify the complainant of his/her action no later than 60 days after the complaint was filed. The report of the review committee with the superintendent or designee's recommendation may be brought to the Board of Trustees for consideration and final decision.

The following Uniform Complaint procedures are used to address complaints which allege that the District has violated federal or state laws or regulations governing educational programs:

- An individual, public agency, or organization may file a written complaint of an alleged noncompliance by the District. The complaint must be in writing and contain a concise statement of the facts constituting the grounds for the complaint and the laws or regulations violated. The complaint must be signed and dated by the complainant.
- If the complainant is unable to put the complaint in writing due to conditions such as illiteracy or a disability, District staff shall help him/her to file the complaint.
- The complaint shall be presented to the superintendent or designee who will give it to the appropriate compliance officer.
- Within three working days, the compliance officer shall informally discuss the possibility of using mediation.
- If the mediation process does not resolve the problem, the compliance officer shall hold an investigative meeting at which the parties may discuss the complaint and question each other and each other's witnesses.
- Within 60 days from receipt of a complaint, the superintendent or designee shall complete the investigation and prepare a written decision and send it to the complainant.
- Any complainant may appeal a District decision to the California Superintendent of Public Instruction by filing a written appeal within 15 days of receiving the District decision.

Williams Uniform Complaint Procedures

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):

Textbooks and instructional materials

- A student does not have standards-aligned textbooks or instructional materials or state- or District-adopted textbooks or other required instructional materials to use in class.
- A student does not have access to textbooks or instructional materials to use at home or after school.
- Textbooks or instructional materials are photocopied or are in poor or unusable condition.

Teacher vacancy or mis-assignment:

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

Facilities

- A condition poses an emergency or urgent threat to the health or safety of students or staff.
- A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.

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 principal or designee shall forward a complaint about problems beyond his/her authority to the superintendent or 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; 5 CCR 4685).

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. If a complaint is not satisfied with the resolution of a complaint, he/she has the right to describe the complaint to the 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, a complainant may file an appeal to the Superintendent of Public Instruction (SPI) within 15 days of receiving the District's response.

All complaints and written responses shall be public records.