Community Relations

BP 1312.3(a)

Uniform Complaint Procedures

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The district shall investigate and seek to resolve any complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, harassment, intimidation, or bullying in accordance with the uniform complaint procedures.

The district shall use the uniform complaint procedures to resolve any complaint alleging unlawful discrimination, harassment, intimidation, or bullying in district programs and activities based on actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics.

Uniform complaint procedures shall also be used to address any complaint alleging the district's failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities, the requirements for the development and adoption of a school safety plan, and state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs.

The Board prohibits any form of retaliation against any complainant in the complaint process. Participation in the complaint process shall not in any way affect the status, grades, or work assignments of the complainant.

The Board encourages the early, informal resolution of complaints at the site level whenever possible.

The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with the uniform complaint procedures, whenever all parties to a complaint agree to try resolving the problem through mediation, the Superintendent or designee shall initiate that process. The Superintendent or designee shall ensure that the results are consistent with state and federal laws and regulations.

In investigating complaints, the confidentiality of the parties involved and the integrity of the process shall be protected. As appropriate for any complaint alleging discrimination, harassment, intimidation, or bullying, the Superintendent or designee may keep the identity of a complainant confidential to the extent that the investigation of the complaint is not obstructed.

The District's Williams uniform complaint procedures, AR 1312.4, shall be used to investigate
and resolve any complaint related to the following:

1. Sufficiency of textbooks or instructional materials

2. Emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff

3. Teacher vacancies and misassignments

4. Deficiency in the district's provision of instruction and/or services to any student who, by the completion of grade 12, has not passed one or both parts of the high school exit examination

Note: 5 CCR 4611 details complaint issues that are not subject to the uniform complaint procedures. Such issues include, but are not limited to, allegations of child abuse, health and safety complaints regarding a child development program, allegations of fraud, and employment discrimination complaints.

Legal Reference:

EDUCATION CODE
200-262.4 Prohibition of discrimination
8200-8498 Child care and development programs
8500-8538 Adult basic education
18100-18203 School libraries
32289 School safety plan, uniform complaint procedures
35186 Williams uniform complaint procedures
37254 Intensive instruction and services for students who have not passed exit exam
41500-41513 Categorical education block grants
48985 Notices in language other than English
49010-49013 Student fees
49060-49079 Student records
49490-49590 Child nutrition programs
52060-52077 Local Control and Accountability
52160-52178 Bilingual education programs
52300-52490 Career technical education
52500-52616.24 Adult schools
52800-52870 School-based program coordination
54000-54028 Economic impact aid programs
54100-54145 Miller-Unruh Basic Reading Act
54400-54425 Compensatory education programs
Uniform Complaint Procedures  

54440-54445 Migrant education  
54460-54529 Compensatory education programs  
56000-56867 Special education programs  
59000-59300 Special schools and centers  
64000-64001 Consolidated application process  

GOVERNMENT CODE  
11135 Nondiscrimination in programs or activities funded by state  
12900-12996 Fair Employment and Housing Act  

PENAL CODE  
422.55 Hate crime; definition  
422.6 Interference with constitutional right or privilege  

CODE OF REGULATIONS, TITLE 5  
3080 Application of section  
4600-4687 Uniform complaint procedures  
4900-4965 Nondiscrimination in elementary and secondary education programs  

UNITED STATES CODE, TITLE 20  
6301-6577 Title I basic programs  
6601-6777 Title II preparing and recruiting high quality teachers and principals  
6801-6871 Title III language instruction for limited English proficient and immigrant students  
7101-7184 Safe and Drug-Free Schools and Communities Act  
7201-7283g Title V promoting informed parental choice and innovative programs  
7301-7372 Title V rural and low-income school programs  

Management Resources:  

WEB SITES  
CSBA: http://www.csba.org  
California Department of Education: http://www.cde.ca.gov  
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr  

Policy Approved: 9/24/14  
PLEASANTON UNIFIED SCHOOL DISTRICT  
Pleasanton, California
Community Relations

Uniform Complaint Procedures

Except as the Governing Board may otherwise specifically provide in other Board policies, the uniform complaint procedures shall be used only to investigate and resolve complaints alleging violations of federal or state laws or regulations governing specific educational programs, the prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities, and unlawful discrimination, harassment, intimidation, or bullying, as specified in accompanying Board policy.

The district's uniform complaint procedures policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning uniform complaint procedures shall be translated into that language. (Education Code 234.1, 48985)

Compliance Officers

The following compliance officer(s) shall receive and investigate complaints and shall ensure district compliance with law:

Assistant Superintendent, Human Resources
4665 Bernal Avenue
Pleasanton, CA
925-462-5500

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

Notifications

The Superintendent or designee shall annually provide written notification of the district's uniform complaint procedures to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 49013; 5 CCR 4622)

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints

2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies.

4. Include statements that:
   a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
   b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
   c. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying.
   d. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 calendar days of receiving the district's decision.
   e. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.
   f. Copies of the district's uniform complaint procedures are available free of charge.

Procedures

All complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

Step 1: Filing of Complaint

Any individual, public agency, or organization may file a written complaint of the district's alleged noncompliance with federal or state laws or regulations governing educational programs. (5 CCR 4630)

A complaint concerning unlawful discrimination, harassment, intimidation, or bullying may be
Uniform Complaint Procedures

filed only by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation, or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation, or bullying occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying. However, upon written request by the complainant, the Superintendent or designee may extend the filing period for up to 90 calendar days. (5 CCR 4630)

A complaint alleging noncompliance with the law regarding the prohibition against requiring students to pay student fees, deposits, and charges may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. (Education Code 49013)

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Step 2: Investigation of Complaint

After receiving the complaint, the compliance officer shall provide the complainant and/or his/her representative an opportunity to present the complaint and any evidence, or information leading to evidence, to support the allegations in the complaint. The compliance officer also shall collect all documents and interview all witnesses with information pertinent to the complaint.

A complainant's refusal to provide the district's 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 the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

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. Failure or refusal of the district to cooperate in 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. (5 CCR 4631)

Step 3: Response

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step #4 below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)
Step 4: Final Written Decision

The district's decision shall be in writing and sent to the complainant. (5 CCR 4631)

The district's decision shall be written in English and, when required by Education Code 48985, in the complainant's primary language.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered
2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition
5. Corrective actions, if any are warranted
6. Notice of the complainant's right to appeal the district's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal

In addition, any decision concerning a discrimination, harassment, intimidation, or bullying complaint based on state law shall include a notice that the complainant must wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. (Education Code 262.3)

If investigation of a complaint results in discipline to a student or an employee, the decision shall simply state that effective action was taken and that the student or employee was informed of district expectations. The report shall not give any further information as to the nature of the disciplinary action.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges is found to have merit, the district shall provide a remedy to all affected students and parents/guardians, which, where applicable, shall include reasonable efforts to ensure full reimbursement to them. (Education Code 49013)

Appeals to the California Department of Education

If dissatisfied with the district's decision, the complainant may appeal in writing to the CDE. (Education Code 49013; 5 CCR 4632)

The complainant shall file his/her appeal within 15 calendar days of receiving the district's decision and the appeal shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)
Uniform Complaint Procedures

Upon notification by the CDE that the complainant has appealed the district's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. 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
5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by the CDE

The CDE may directly intervene in a complaint without waiting for action by the district when one of the conditions listed in 5 CCR 4650 exists, including when the district has not taken action within 60 calendar days of the date the complaint was filed with the district. (5 CCR 4650)

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the district's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

For complaints alleging discrimination, harassment, intimidation, and bullying based on state law, a complainant shall wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies, provided the district has appropriately and in a timely manner apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief and to discrimination complaints based on federal law. (Education Code 262.3)
Pleasanton Unified School District
Flow Chart For Uniform Complaints
Exhibit to Board Policy and Administrative Regulation 1312.3

(Note: Complaints addressed under this procedure are written statements alleging any of the following: discrimination, harassment, intimidation and/or bullying or a violation of a federal or state law or regulation, including noncompliance with laws relating to pupil fees.)

<table>
<thead>
<tr>
<th>LEVEL</th>
<th>PRESENTS COMPLAINT TO</th>
<th>TYPE OF COMPLAINT</th>
<th>NUMBER OF CALENDAR DAYS TO FILE</th>
<th>NUMBER OF CALENDAR DAYS FOR RESPONSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>INFORMAL</td>
<td>SITE ADMINISTRATOR/ DEPARTMENT SUPERVISOR</td>
<td>INFORMAL DISCUSSION</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>FORMAL</td>
<td>ASSISTANT SUPT.</td>
<td>FORMAL, IN WRITING</td>
<td>WITHIN SIX (6) MONTHS</td>
<td>WRITTEN RESPONSE REQUIRED WITHIN SIXTY (60) DAYS OF FILING OF COMPLAINT</td>
</tr>
<tr>
<td>N/A</td>
<td>CALIFORNIA DEPARTMENT OF EDUCATION</td>
<td>APPEAL IN WRITING</td>
<td>WITHIN FIFTEEN (15) DAYS OF RECEIPT OF DISTRICT'S WRITTEN DECISION</td>
<td></td>
</tr>
</tbody>
</table>
Pleasanton Unified School District  
Summary Chart of Complaint Policies

<table>
<thead>
<tr>
<th>COMPLAINT PROCEDURES</th>
<th>APPLICABLE BOARD POLICY</th>
<th>NOTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>COMPLAINTS CONCERNING DISTRICT EMPLOYEES</td>
<td>1312.1</td>
<td>This form is for use by anyone who wishes to file a complaint concerning a district employee. <a href="https://AR1312.1.complaintform">https://AR1312.1.complaintform</a> <a href="https://AR1312.1.complaintappealform">https://AR1312.1.complaintappealform</a></td>
</tr>
<tr>
<td>COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS</td>
<td>1312.2</td>
<td>This policy is for use only by district employees, district residents, or parents/guardians of children enrolled in a district school to challenge the content or use of an instructional material. Any complaint concerning the sufficiency/availability of textbooks/instructional materials must be resolved using Williams uniform complaint procedures (BP/AR 1312.4) <a href="https://AR1312.2.requestform">https://AR1312.2.requestform</a></td>
</tr>
<tr>
<td>UNIFORM COMPLAINT PROCEDURES</td>
<td>1312.3</td>
<td>Complaints addressed under this procedure are written statements by anyone alleging any of the following: discrimination, harassment, intimidation and/or bullying or a violation of a federal or state law or regulation, including noncompliance with laws relating to pupil fees.</td>
</tr>
<tr>
<td>WILLIAMS UNIFORM COMPLAINT PROCEDURES</td>
<td>1312.4</td>
<td>This form is for use by anyone who wishes to file a complaint related to any of the following: Complaints related to sufficiency of instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, teacher vacancy or misassignment, and/or intensive instructional services not being provided to pupils who have not passed one or both parts of the high school exit examination at the end of grade 12 are handled under this procedure. <a href="https://AR1312.4.complaintform">https://AR1312.4.complaintform</a></td>
</tr>
</tbody>
</table>

Any complaint of child abuse or neglect alleged against a district employee shall be reported to the appropriate local agencies in accordance with law.

Appendix  
Version: 9/23/14  
PLEASANTON UNIFIED SCHOOL DISTRICT  
Pleasanton, California
Please complete the following form if there is a complaint involving Program Non-compliance/Discrimination or Discrimination against any protected group as listed in Board Policy 1312.3. Submit this complaint form to the District Office, Assistant Superintendent of Human Resources, 4665 Bernal Avenue, Pleasanton, CA 94566. The telephone number is (925) 426-4348, FAX (925) 462-2869.

To: Assistant Superintendent, Human Resources
Pleasanton Unified School District
4665 Bernal Avenue
Pleasanton, CA 94566

From: __________________________________________
Name(s)
___________________________________________
Address
___________________________________________
Phone

Name of school, program, office, or name of employee(s) and job location against whom charge or complaint was directed:
__________________________________________________________________________________________________________________________________________________________

(A Copy of the written complaint against an employee will be provided to the employee, except for sexual harassment and discrimination complaints.)

Nature of Complaint:
__________________________________________________________________________________________________________________________________________________________

Please select the type of complaint you are presenting:

Discrimination, harassment, intimidation, and bullying on the basis of:

☐ Ethnic Group Identification
☐ Race or Ethnicity
☐ Nationality
☐ Age
☐ Religion
☐ Mental/Physical Disability
☐ Sexual Orientation
☐ Gender
☐ Sexual Harassment
☐ Gender Identity*
☐ Gender Expression**
☐ Genetic Information***
☐ Other:

Program Non-Compliance/Discrimination

☐ Adult Basic Education
☐ Program for English Learners
☐ Career Technical Ed.
Gender Identity is defined as a person’s identity, expression, or physical characteristics regardless of whether those characteristics are traditionally associated with one’s assigned biological sex at birth. Gender identity refers to the gender the individual experiences.

Gender Expression refers to the ways in which people externally communicate their gender identity to others through behavior, clothing, hairstyle, voice, and other forms of presentation.

Genetic Information includes information about an individual’s genetic tests and the genetic test of an individual’s family members, as well as information about the manifestation of a disease or disorder in an individual’s family members (i.e. family medical history).

**Gender Identity**

**Gender Expression**

**Genetic Information**

When did event(s) occur? Date(s): __________________________________________________________

Has charge or complaint been discussed with school principal, employee, or his/her supervisor?

☐ Yes

☐ No

To whom, if anyone, have you spoken? (Write name(s) in the spaced provided.)

Director: ___________________________ Date: __________________

Principal: __________________________ Date: __________________

Vice Principal: ______________________ Date: __________________

Counselor: __________________________ Date: __________________

Teacher: ____________________________ Date: __________________

Supervisor: __________________________ Date: __________________

Staff Member: _______________________ Date: __________________

Other: ______________________________ Date: __________________

If a discussion took place, what was the result of the discussion?

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________

If you desire a remedy or wish the District to take a particular course of action, please specify:

_____________________________________________________________________________________

_____________________________________________________________________________________

_____________________________________________________________________________________

I understand that the District will maintain this information confidential, to the extent provided by law; that I will be protected from retaliation for filing this complaint that the District may request further information about this matter and if such information is available, I agree to present it upon request.

I believe that the foregoing is true and correct: ______________________________________________

Signature: ___________________________ Date: __________________

**Gender Identity** is defined as a person’s identity, expression, or physical characteristics regardless of whether those characteristics are traditionally associated with one’s assigned biological sex at birth. Gender identity refers to the gender the individual experiences.

**Gender Expression** refers to the ways in which people externally communicate their gender identity to others through behavior, clothing, hairstyle, voice, and other forms of presentation.

**Genetic Information** includes information about an individual’s genetic tests and the genetic test of an individual’s family members, as well as information about the manifestation of a disease or disorder in an individual’s family members (i.e. family medical history).
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: (Education Code 35186; 5 CCR 4681, 4682, 4683)

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. This does not require two sets of textbooks or instructional materials for each student.
   c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
   d. A student 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 percent English learner students in the class.
   c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

Teacher 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 4600)

Beginning of the year or semester means the first day classes necessary to serve all the students 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 students 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)

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 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 students or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate. (Education Code 17592.72)

   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, or has been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers. (Education Code 35292.5)

   “Open restroom” means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for student safety or to make repairs. (Education Code 35292.5)

4. High school exit examination intensive instruction and services

A student, including an English learner, who has not passed the exit exam by the end of grade 12 was not provided the opportunity to receive intensive instruction and services pursuant to Education Code 37254(d)(4) and (5) after completion of grade 12 for two consecutive academic years or until the student has passed both parts of the exam, whichever comes first. (Education Code 35186)

Filing of Complaint

A complaint alleging any condition(s) specified in items #1-3 in the section entitled "Types of Complaints" 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)
A complaint alleging any deficiency specified in item #4 in the section entitled "Types of Complaints" above shall be filed with a district official designated by the Superintendent. Such complaints may be filed at the district office or school site and shall be immediately forwarded to the Superintendent or designee. (Education Code 35186)

Investigation and Response

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 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. At the same time, the principal or designee shall report the same information to the Superintendent or designee. (Education Code 35186; 5 CCR 4680, 4685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code 35186)

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. (Education Code 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3a in the section entitled "Types of Complaints" 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. (Education Code 35186; 5 CCR 4687)

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

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. (Education Code 35186; 5 CCR 4686)

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. (Education Code 35186; 5 CCR 4680)

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. (Education Code 35186; 5 CCR 4680)

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. (Education Code 35186)

Legal Reference:

EDUCATION CODE

234.1 Prohibition of discrimination, harassment, intimidation, and bullying
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 procedures
35292.5 Restrooms, maintenance and cleanliness
48985 Notice to parents in language other than English
60119 Hearing on sufficiency of instructional materials

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures
4680-4687 Williams uniform complaint procedures

Management Resources:

WEB SITES

CSBA:  http://www.csba.org
California County Superintendents Educational Services Association:  http://www.ccsesa.org
California Department of Education, Williams case:  http://www.cde.ca.gov/eo/ce/wc
State Allocation Board, Office of Public School Construction:  http://www.opsc.dgs.ca.gov

Regulation Approved: 9/23/14  PLEASANTON UNIFIED SCHOOL DISTRICT
Pleasanton, California
Pleasanton Unified School District
Flow Chart For Uniform Complaint Process Regarding Areas Included in Williams Settlement
Exhibit to Administrative Regulation 1312.4

(NOTE: Complaints related to sufficiency of instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, teacher vacancy or misassignment, and/or intensive instructional services not being provided to pupils who have not passed one or both parts of the high school exit examination at the end of grade 12 are handled under this procedure.)

<table>
<thead>
<tr>
<th>LEVEL</th>
<th>PRESENTS COMPLAINT TO</th>
<th>TYPE OF COMPLAINT</th>
<th>NUMBER OF CALENDAR DAYS TO FILE</th>
<th>NUMBER OF CALENDAR DAYS TO RESPOND</th>
</tr>
</thead>
<tbody>
<tr>
<td>INFORMAL</td>
<td>PRINCIPAL</td>
<td>IN WRITING</td>
<td>N/A</td>
<td>45 WORKING DAYS</td>
</tr>
<tr>
<td>APPEAL</td>
<td>DISTRICT GOVERNING BOARD</td>
<td>VERBAL</td>
<td>AT A REGULARLY SCHEDULED BOARD MEETING</td>
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</tr>
<tr>
<td>APPEAL REGARDING CONDITION OF FACILITIES</td>
<td>SUPERINTENDENT OF PUBLIC INSTRUCTION</td>
<td>APPEAL IN WRITING</td>
<td>WITHIN FIFTEEN (15) CALENDAR DAYS OF GOVERNING BOARD RESPONSE</td>
<td>N/A</td>
</tr>
</tbody>
</table>
### Pleasanton Unified School District
#### Summary Chart of Complaint Policies

<table>
<thead>
<tr>
<th>COMPLAINT PROCEDURES</th>
<th>APPLICABLE BOARD POLICY</th>
<th>NOTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>COMPLAINTS CONCERNING DISTRICT EMPLOYEES</td>
<td>1312.1</td>
<td>This form is for use by anyone who wishes to file a complaint concerning a district employee.</td>
</tr>
<tr>
<td>COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS</td>
<td>1312.2</td>
<td>This policy is for use only by district employees, district residents, or parents/guardians of children enrolled in a district school to challenge the content or use of an instructional material. Any complaint concerning the sufficiency/availability of textbooks/instructional materials must be resolved using Williams Uniform Complaint procedures. (BP/AR 1312.4)</td>
</tr>
<tr>
<td>UNIFORM COMPLAINT PROCEDURES</td>
<td>1312.3</td>
<td>Complaints addressed under this procedure are written statements by anyone alleging any of the following: discrimination, harassment, intimidation and/or bullying or a violation of a federal or state law or regulation, including noncompliance with laws relating to pupil fees.</td>
</tr>
<tr>
<td>WILLIAMS UNIFORM COMPLAINT PROCEDURES</td>
<td>1312.4</td>
<td>This form is for use by anyone who wishes to file a complaint related to any of the following: Complaints related to sufficiency of instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, teacher vacancy or misassignment, and/or intensive instructional services not being provided to pupils who have not passed one or both parts of the high school exit examination at the end of grade 12 are handled under this procedure.</td>
</tr>
</tbody>
</table>

Any complaint of child abuse or neglect alleged against a district employee shall be reported to the appropriate local agencies in accordance with law.