

---

---

## CLOVIS UNIFIED SCHOOL DISTRICT

### SCHOOL COMMUNITY RELATIONS

#### *Community Relations*

#### UNIFORM COMPLAINT PROCEDURES REGARDING AREAS INCLUDED IN THE WILLIAMS SETTLEMENT

**PURPOSE:** To establish a uniform complaint procedure to resolve complaints specified in Education Code 35186 regarding the Williams Settlement.

The Board recognizes that the District has primary responsibility for insuring that it complies with state and federal laws and regulations governing educational programs. Persons responsible for conducting investigations shall be knowledgeable about the matters that they are assigned to investigate. The District shall follow this complaint procedure to identify and resolve deficiencies in three primary areas: textbooks and instructional materials, the condition of a facility that poses an emergency or urgent threat to the health and safety of students or staff, and teacher vacancy and misassignment.

This complaint procedure does not apply to the following types of complaints:

1. Complaints regarding the appropriateness of learning resources or other instructional materials (see Board Policy No. 3306, Reconsideration of Learning Resources)
2. Employee complaints alleging sexual harassment (see: Board Policy/Administrative Regulation No. 6301, Sexual Harassment)
3. Pupil complaints alleging sexual harassment (see: Board Policy/Administrative Regulation No. 2111, Sexual Harassment)
4. Complaints by the public regarding personnel or practices of the District (see: Board Policy/Administrative Regulation No. 9207, Formal Complaints Regarding District Personnel and Practices)
5. Complaints alleging District violation of certain state and federal programs and unlawful discrimination (see: Board Policy/Administrative Regulation No. 9208, Uniform Complaint Procedures Regarding Programs/Discrimination)

The Board prohibits retaliation in any form for the filing of a complaint or for participation in complaint procedures. Such participation shall not in any way affect the status, grades, or work assignments of the complainant.

The Board acknowledges and respects pupil and employee rights to privacy. Complaints shall be investigated in a manner that protects these rights. The identity of any complainant shall be kept confidential as appropriate and permitted by law; however, complaints and responses shall be considered public records.

The Superintendent or designee shall ensure that employees designated to receive and investigate complaints are knowledgeable about the laws and programs for which they are responsible.

Such employees may have access to legal counsel as determined by the Superintendent or designee.

#### Responsibilities of Complainant

The Complainant:

## CLOVIS UNIFIED SCHOOL DISTRICT

1. Shall receive a copy of the Uniform Complaint Procedures without charge.
2. Shall file the complaint in writing with the principal of the school or his or her designee and follow the steps in the Uniform Complaint Procedures Administrative Regulation 9211.
3. If dissatisfied with the resolution of the school Principal or Superintendent's designee, may describe the complaint to the Governing Board during public comment at a regularly scheduled meeting of the Board.
4. If dissatisfied with the resolution proffered by the school Principal or Superintendent's designee, and if the complaint involves a condition of a facility that poses an emergency or urgent threat as defined in Education Code section 17592.72(c)(1), has the right to file an appeal to the Superintendent of Public Instruction within fifteen calendar days of receiving the report, who shall provide a written report to the State Board of Education describing the basis for the complaint and, as appropriate, a proposed remedy for the issue described in the complaint.

### Responsibilities of the District

#### The District:

1. Shall designate a staff member to be responsible for complaint resolution.
2. Shall develop complaint procedures consistent with California Code of Regulations, Title 5, sections 4600-4687.
3. Shall inform parents and the public at least annually of approved Uniform Complaint Procedures, including the opportunity to appeal the District's decision or to seek civil law remedies, including, but not limited to, injunctions, restraining orders, or other court orders which may be available to complainant. The District shall make this information available by publication in its informational materials, including the Student and Parent Rights and Responsibilities Handbook given to each pupil upon registration in the District and at the beginning of each year. This information can also be found at [www.cusd.com](http://www.cusd.com).
4. Shall resolve a complaint with respect to alleged deficiencies related to instructional materials, the condition of a facility that poses an emergency or urgent threat to the health and safety of students or staff, and teacher vacancies and misassignments.
5. Shall report summarized data on the nature and resolution of all complaints to the Governing 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. The complaints and responses shall be available as public records.

*Education Code sections 17592.72, 33126, 35186, 35292.5,  
37254, 48985, and 60119  
Code of Regulations Title 5 3080, 4600-4687*

*Adopted: 12/15/04    Revised: 6/28/17  
Revised: 05/23/07  
Revised: 01/23/08  
Reviewed: 10/14/09  
Revised: 01/15/14*