



CHAPTER 9:

Administrative Complaint Procedures

A. What is a complaint under the Uniform Complaint Procedures?

A complaint under the Uniform Complaint Procedures (UCP) is a written and signed statement by an individual, public agency, or organization saying that there is a violation of federal or state laws that control an educational program.

B. What are some examples of the kinds of complaints that can be filed under the Uniform Complaint Procedures?

Some examples include:

- Discrimination, harassment, intimidation, and/or bullying
- unauthorized charging of students fees for educational activities
- noncompliance with physical education instructional minutes at specified grade levels
- noncompliance with education provisions for foster youth and pupils who are homeless
- provision of courses without educational content and previously completed/graded courses sufficient for satisfying requirements/prerequisites for post-secondary education and receipt of a diploma, except under specified conditions
- failure to comply with Every Student Succeeds Act
- failure to comply with legal requirements relating to the Local Control and Accountability Plan (LCAP)

C. How do I file a UCP complaint and how is it processed?

Schools must provide information to parents, school and district advisory committees, as well as other interested parties about their policies and procedures for filing a complaint and about the opportunity to appeal the school district's decision to the California Department of Education (CDE).

Usually a UCP complaint form can be found on the school district's website and can be submitted directly to the Superintendent. If you are unable to locate the district form, you can submit your complaint in the form of a letter. **See Appendix for Sample UCP Complaint form for LCAP violations.**

After you submit your complaint, the school district must:

- Give you an opportunity to provide information and/or evidence important to the complaint if needed
- Resolve the problem and complete a written report within 60 calendar days of receiving your complaint unless extended by written agreement of the complainant (the person who submitted the complaint)
- Must advise the complainant of the right to appeal the school district's decision to the CDE within 15 calendar days of receiving the decision

The school district is also responsible for:

- Ensuring compliance with federal and state laws and regulations
- Designating a staff member to be responsible for receiving, investigating and resolving complaints and makes sure the staff member is knowledgeable about the laws/programs he or she is assigned
- Protecting complainants from retaliation

D. What is a Williams Complaint?

A Williams Complaint is another type of administrative complaint that may be use to report concerns about:

- bad instructional materials
- unsafe or poor school conditions, buildings, or other facilities
- if there are not enough teachers

These complaints may be filed anonymously and schools must have a complaint form available for these types of complaints. A District may have its own Williams complaint form, but they must accept any Williams Complaint even if the form provided by the District is not used as long as the complaint is submitted in writing. You can submit your complaint to your school district and it must be resolved by the school principal or by the district superintendent or his or her designee.

See Appendix for Sample Williams Complaint from the California Department of Education.

E. What if I am not satisfied with the school district's response?

If you are not satisfied with the how school district responds, consider voicing your concerns to the governing board of the school district at a board meeting. Board meetings are usually monthly, during the evenings and school districts usually have the meeting time and date information posted on their websites, or you may call your school district office to ask for this information.

If your complaint involves unsafe conditions of school facilities/buildings that pose an emergency or urgent threat and you are not satisfied with the school/district's response, you have the right to file an appeal to the Superintendent of Public Instruction at the California Department of Education within 15 calendar

days of receiving the school district's decision to your *Williams Complaint*.

If your complaint is a UCP complaint, you have 15 calendar days to appeal the school district's decision to the California Department of Education if you are dissatisfied with the district's response. ■