

Lagunitas School District
San Geronimo, California

1000 Community Relations

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Lagunitas School District

San Geronimo, California

BOARD POLICY 1001

UNIFORM COMPLAINT PROCEDURES CONCERNING SCHOOL AND DISTRICT PROGRAMS

The Board of Trustees recognizes that the district is responsible for complying with applicable state and federal laws and regulations governing educational programs and shall investigate complaints alleging failure to comply with applicable state and federal laws and regulations and/or alleging discrimination.

The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination based on actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, mental or physical disability, or age in any program or activity that receives or benefits from state financial assistance. Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in, consolidated categorical aid programs, migrant education, child care and development programs, child nutrition programs, special education programs, and federal school safety planning requirements.

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

The Board acknowledges and respects every individual's right to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts. This includes keeping the identity of the complainant confidential except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee on a case-by-case basis.

The Board prohibits retaliation in any form for participating in complaint procedures, including but not limited to the filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

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

Legal References:

EDUCATION CODE

200-262.3 Prohibition of discrimination
8200-8498 Child care and development programs
8500-8538 Adult basic education
18100-18172 School libraries
32289 School safety plan, uniform complaint procedure
35186 Alternative uniform complaint procedure
48985 Notices in language other than English
49060-49079 Student records
49490-49590 Child nutrition programs
52160-52178 Bilingual education programs
52300-52499.6 Vocational education
52500-52616.24 Adult schools
52800-52870 School-based coordinated programs
54000-54041 Economic impact aid programs
54100-54145 Miller-Unruh Basic Reading Act
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56885 Special education programs
59000-59300 Special schools and centers
62000-62005.5 Evaluation and sunseting of programs
64000-64001 Consolidated application process

CODE OF REGULATIONS, TITLE 5

3080 Application of section
4600-4671 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

PENAL CODE

422.6 Interference with constitutional right or privilege

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, including
7114 Local educational program, safety plans
7201-7283g Title V Promoting Informed Parental Choice and Innovative Programs
7301- 7372 Title VI Rural and Low-Income School Programs

Management Resources:

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/offices/OCR>

BOARD ADOPTION/REVISION: September 6, 2007
October 18, 2011

Lagunitas School District San Geronimo, California

ADMINISTRATION REGULATION 1001

UNIFORM COMPLAINT PROCEDURES CONCERNING SCHOOL AND DISTRICT PROGRAMS

Compliance Officers

The Board of Trustees designates the following compliance officer(s) to receive and investigate complaints and to ensure district compliance with law:

Lawrence H. Enos, Superintendent PO Box 308, San Geronimo, CA 94963
Phone: (415) 488-4118 x 255.

The Superintendent or designee shall ensure that employees designated to 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.

Notifications

The Superintendent or designee shall meet the notification requirements of 5 CCR 4622, including the annual dissemination of district complaint procedures and information about available appeals, civil law remedies and conditions under which a complaint may be taken directly to the California Department of Education. The Superintendent or designee shall ensure that complainants understand that they may pursue other remedies, including actions before civil courts or other public agencies.

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

Procedures

The following procedures shall be used to address all complaints which allege that the district has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4632.

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 alleged noncompliance by the district.

Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint must be initiated no later than six months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination. (5 CCR 4630)

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 illiteracy or other disabilities, district staff shall help him/her to file the complaint. (5 CCR 4600)

Step 2: Mediation

Within three days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a discrimination complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (5 CCR 4631)

Step 3: Investigation of Complaint

The compliance officer is encouraged to hold an investigative meeting within five days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative and the district's representatives shall also have an opportunity to present information relevant to the complaint. Parties to the dispute may discuss the complaint and question each other or each other's witnesses. (5 CCR 4631)

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her 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 allegations. (5 CCR 4631)

The district's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction in the investigation, may result in a finding based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complaint. (5 CCR 4631)

Step 4: Response

Within 30 days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step #5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 days of the district's initially receiving the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

Step 5: Final Written Decision

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

The report of the district's decision shall be written in English and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary language, the district shall arrange a meeting at which a community member will interpret it for the complainant.

This report shall include:

1. The findings of fact based on the evidence gathered and disposition of the complaint.
2. The conclusion of law including corrective actions, if any. (5 CCR 4631)
3. The rationale for the above disposition. (5 CCR 4631)
4. Notice of the complainant's right to appeal the decision within 15 days to the California Department of Education, and procedures to be followed for initiating such an appeal. (5 CCR 4631, 4652)
5. For discrimination complaints, notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies. (5 CCR 4631; Education Code 262.3)
6. A detailed statement of all specific issues that were brought up during the investigation and the extent to which these issues were resolved.

If an employee is disciplined as a result of the complaint, this report shall simply state that effective action was taken and that the employee was informed of district expectations. The report shall not give any further information as to the nature of the disciplinary action.

Appeals to the California Department of Education

If dissatisfied with the district's decision, the complainant may appeal in writing to the California Department of Education within 15 days of receiving the district's decision. For good cause, the Superintendent of Public Instruction may grant an extension for filing appeals. (5 CCR 4652)

When appealing to the California Department of Education, the complainant must specify the reason(s) for appealing the district's decision and must include a copy of the locally filed complaint and the district's decision. (5 CCR 4633)

The California Department of Education may directly intervene in the complaint without waiting for action by the district when one of the conditions listed in 5 CCR 4650 exists. In addition, the California Department of Education may also intervene in those cases where the district has not taken action within 60 calendar days of the date the complaint was filed with the district.

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 discrimination complaints, however, a complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if 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.

BOARD ADOPTION/REVISION: September 6, 2007
October 18, 2011

Lagunitas School District San Geronimo, California

BOARD POLICY 1002

WILLIAMS CLASSROOM NOTICE POLICY

WILLIAMS CLASSROOM NOTICE COMPLAINT RIGHTS - WILLIAMS UNIFORM COMPLAINTS PROCEDURE POLICY

Parents/Guardians, Pupils, and Teachers:

Education Code 35186 requires that the following notice be posted in your child's classroom:

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each pupil, including English learners, must have a textbook or instructional material, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair. Good repair means that the facility is maintained in a manner that insures that it is clean, safe and functional as determined by the Office of Public School Construction.
3. There should be no teacher vacancies or misassignments as defined in Education Code 35186(h)(1) and (2).

Misassignment means the placement of a certified employee in a teacher 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.

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 designed certificated employee has not been assigned at the beginning of a semester for an entire semester.

4. To file a complaint regarding the above matters, complaint forms can be obtained at the school office, or you may also download a copy at the California Department of Education website: <http://www.cde.ca.gov/eo/ce/wc/index/asp>

Uniform Complaint Procedure Form

Williams Uniform Complaint Procedures

Education Code Section 35186 created a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, and teacher vacancy or misassignment. The complaint and response are public documents as provided by statute. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the following contact information.

Response requested: Yes No

Name: _____

Address: _____

Phone Number: Day: _____ Evening: _____

Issue of complaint (please check all that apply):

1. Textbooks and Instructional Materials

- A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state-adopted or district-adopted textbooks or other required instructional materials to use in class.
- A pupil does not have access to textbooks or instructional materials to use at home or after school.
- Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Facility Conditions

- A condition poses an urgent or emergency threat to the health or safety of students or staff, including: 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, structural damage creating a hazardous or uninhabitable condition, and any other emergency conditions the school district determines appropriate.

- A school restroom has not been maintained or cleaned regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.
- The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes.

3. Teacher Vacancy or Misassignment

- Teacher vacancy - A semester begins and a teacher vacancy exists. (A teacher vacancy is 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 a semester for an entire semester.)
- Teacher misassignment - 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.
- Teacher misassignment - A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

Date of Problem: _____

Location of Problem (School Name, Address, and Room Number or Location):

Name of Course or Grade Level: _____

Teacher's Name: _____

Please describe the issue of the complaint in detail. You may attach additional pages and include as much information as necessary to fully describe the situation. For Complaints regarding facilities conditions, please describe the emergency or urgent facility condition and how that condition poses a threat to the health or safety of students or staff.

Please file this complaint at the following location:

Lawrence H. Enos
Superintendent
Lagunitas School District
PO Box 308
San Geronimo, CA 94963

LAGUNITAS SCHOOL DISTRICT
ANNUAL NOTICE
UNIFORM COMPLAINT PROCEDURES

The Superintendent or designee shall annually provide written notification of the district's uniform complaint procedures (UCP) to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives and other interested parties (s CCR 4622). The superintendent or designee shall make available copies of the district's uniform complaint procedures free of charge (5 CCR 4622).

The district is primarily responsible for compliance with state and federal laws and regulations.

Complaints alleging failure to comply with state and federal laws and regulations or alleging discrimination should be filed with:

Larry Enos, Superintendent

The district shall investigate and seek to resolve complaints at the local level using policies and procedures adopted by the local board as the Uniform Complaint Procedures. These procedures shall be used when addressing complaints alleging unlawful discrimination based on actual or perceived sex, sexual orientation, ethnic group identification, race, ancestry, national origin, religion, age; gender, color or physical or mental disability, or failure to comply with state and/or federal laws in consolidated categorical aid programs, Indian education, migrant education, child care development programs, child nutrition programs and special education programs.

Any individual, public agency, or organization may file a written complaint of alleged noncompliance by the district (5 CCR 4630). Complainant shall be protected from retaliation and the identity of a complainant alleging discrimination shall remain confidential as appropriate.

An unlawful discrimination complaint must be filed not later than six (6) months from the date the alleged discrimination occurs, or six (6) months from the date the complainant first obtains knowledge of the facts of the alleged discrimination.

The complainant has a right to appeal the district's decision to the California Department of Education (CDE) by filing a written appeal within fifteen (15) days of receiving the district's decision. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.

APPEALS TO THE CALIFORNIA DEPARTMENT OF EDUCATION

You may appeal the district's decision to the CDE by filing a written appeal with the CDE within fifteen (15) days after receiving the district decision. The appeal must:

1. Specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law is misapplied.
2. Include a copy of the original complaint and a copy of the district's decision.

CIVIL LAW REMEDIES

Civil Law remedies may be available under state or federal discrimination laws, if applicable. You may pursue available civil law remedies outside of the district's complaint procedures. You 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.

WILLIAMS UNIFORM COMPLAINT PROCEDURES

5 CCR 4621 has long required every school district to adopt uniform complaint procedures for the resolution of complaints regarding discrimination or failure to comply with state or federal law in certain categorical programs. As added and amended by SB 550 (Ch. 900, Statutes of 2004) and AB 2727 (Ch. 903, Statutes of 2004), Education Code 35186 mandates that the district establish policies and procedures regarding deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, and teacher vacancy or misassignment. Education Code 35186 requires that the district adopt policies and post notices by January 1, 2005. See the accompanying exhibits for notice and complaint form.

Education Code 35186, as added, requires a district to use the uniform complaint procedure, with modifications, to identify and resolve complaints regarding those issues listed above. However, Education Code 35186 sets forth different timelines for investigation and resolution of complaints than the timelines specified under the long-standing uniform complaint procedures required by 5 CCR 4600-4671. Therefore, the following regulation creates a "supplemental" uniform complaint procedure to investigate complaints filed pursuant to Education Code 35186. It is recommended that districts use this procedure only for those complaints specified in Education Code 35186 and that existing complaint procedures continue to be used for all other issues.

For procedures related to complaints about employees, other than vacancy or assignment, see Board Policy P-01 - Parent/Guardian Complaints Concerning Employees (1985). For complaints concerning the adoption and selection of specific instructional materials, see Board Policy S-09 - Uniform Complaint Policy for State and Federally Funded Programs. For regular uniform complaints, see Board Policy P-10 -Uniform Complaint Procedures.

PROCEDURES

TYPES OF COMPLAINTS

The district office shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred:

(Education Code 35186)

1. 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 instructional materials to use at home or after school in order to complete required homework assignments.
 - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
2. Teacher vacancy or misassignment

Vacancy

- a. A semester begins and a certificated teacher is not assigned to teach the class.

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 a semester for an entire semester. (Education Code 33126)

Misassignment

- 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.

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)

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 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; 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/program manager or designee. The principal or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee within 10 working days. (Education Code 35186)

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 his/her 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. At the same time, the principal or designee shall report the same information to the Superintendent or designee. (Education Code 35186)

If a complainant is not satisfied with the resolution of the complaint, he/she may describe the complaint to the Governing Board at a regularly scheduled hearing. (Education Code 36186)

For complaints concerning a facility condition that poses an emergency or urgent threat to the health or safety of students as described in item #3a above, a complainant who is not satisfied with the resolution proffered by the principal, Superintendent, or designee may file an appeal to the Superintendent of Public Instruction. (Education Code 35186)

PUBLIC RECORDS

Complaints and written responses shall be public records. (Education Code 35186)

QUARTERLY REPORTS

The Superintendent or designee shall report summarized data on the nature and resolution of all complaints on a quarterly basis to the Board. 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)

FORMS AND NOTICES

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)

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 References:

EDUCATION CODE

1240 County superintendent of schools, duties

17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account

33126 School Accountability Report Card

35186 Alternative uniform complaint procedure

60119 Hearing on sufficiency of instructional materials

CODE OF REGULATIONS, TITLE 5

4600-4671 Uniform complaint procedures

BOARD ADOPTION/REVISION: February 8, 2005
October 18, 2011

NOTICE TO PARENTS/GUARDIANS:

COMPLAINANT RIGHTS

As amended by AB 2727 (Ch. 903, Statutes of 2004), Education Code 35186 requires that the following notice be posted in each classroom in each school in the district by January 1, 2005.

Parents/Guardians:

Education Code 35186 requires that the following notice be posted in your child's classroom:

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each student, including English learners, must have a textbook or instructional materials, or both, to use in class and to take home to complete required homework assignments.
2. School facilities must be clean, safe, and maintained in good repair. Good repair means that the facility is maintained in a manner that insures that it is clean, safe and functional as determined by the Office of Public School Construction.
3. To file a complaint regarding the above matters, complaint forms can be obtained at the principal/program manager's office, county office, or can be downloaded from the county office's or California Department of Education's website.

COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURE

Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? Yes No

Name: _____

Address: _____

Phone Number: Day: _____ Evening: _____

Issue(s) of the complaint: Please check all that apply:

1. Textbooks and instructional materials:

- A student lacks textbooks or instructional materials to use in class.
- A student does not have access to instructional materials to use at home or after school to complete homework assignments.
- Textbooks or instructional materials are in poor or unusable condition, have missing pages or are unreadable due to damage.

2. Teacher vacancy or misassignment:

- A semester begins and a certificated teacher is not assigned to teach the class.
- A teacher lacks credentials or training to teach English learners or is assigned to teach a class with more than 20% English learners in the class.
- A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facility conditions:

- A condition exists that poses an emergency urgent or threat to the health or safety of students or staff as defined in AR 1312.4.

Please describe the issue of your complaint in detail, including the date of the problem and specific location where the problem occurred (school, room number). You may attach additional pages if necessary to fully describe the situation: _____

Please file this complaint with the person specified below at the following location:

Principal
Lagunitas School District
PO Box 308
San Geronimo, CA 94963

Lagunitas School District San Geronimo, California

ADMINISTRATION REGULATION 1002

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; 5CCR 4681, 4682)

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.
 - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
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.

(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 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 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 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; 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 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)

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 4685)

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 facility condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3 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 (SP1) 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 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 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. Complaint forms will be available at each school; however, complainants may submit a written complaint without using the form. (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)

BOARD ADOPTION/REVISION: September 6, 2007
October 18, 2011

**Lagunitas School District
San Geronimo, California**

BOARD POLICY 1003

ACCESS TO DISTRICT PUBLIC RECORDS

Upon written request, any person may receive a copy of any identifiable public record. Upon receipt of such request, which reasonably identifies the documents, an exact copy shall be provided unless it is impracticable to do so. (Government Code 6256)

Copies shall be furnished at the cost of twenty-five cents (.25) per page. Payment must be made in advance of release of the requested documents.

Computer data shall be provided in a form determined by the Superintendent or designee.

Within ten (10) days of receiving any written request for a copy of records, the Superintendent or designee shall determine whether the District will be able to comply with the request and shall immediately inform the person making the request of his/her determination and the reasons for it. (Government Code 6256)

The ten (10) day limit may be extended for up to ten additional working days in unusual circumstances and with proper notice as specified in Government Code section 6256.1.

Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 6256.2)

BOARD ADOPTION/REVISION: June 26, 2001
October 18, 2011

Lagunitas School District

San Geronimo, California

BOARD POLICY 1004

COMPLAINTS CONCERNING DISTRICT EMPLOYEES

The policy of the Lagunitas School District is to secure, at the lowest possible administrative level, equitable solutions to the problems which may from time to time arise. Members of the school community are encouraged to offer constructive criticism and to bring concerns directly to employees of the District.

It is anticipated that the vast majority of complaints can be resolved through open, direct communication between an individual with a complaint and the employee who is the subject of that complaint. Consequently, it is the policy of the Board of Trustees that, except in the case of alleged violations of the law, the first step taken by a member of the school community with a complaint against a District employee should be to discuss the complaint informally with the employee concerned.

Individual Board members do not have the authority to resolve complaints.

The District shall not dismiss, change the assignment of, or refuse to reemploy an employee solely on the basis of allegations in a complaint from a parent/guardian, student or community member. However, if the alleged facts are substantiated, the District may take appropriate actions.

Parents/guardians and students shall not be negatively affected by a complaint.

Public Charges

Any complaint which cannot be resolved informally through direct communication between an individual with a complaint and the employee who is the subject of the complaint shall be governed by the District's Public Charge procedure. (See Collective Bargaining Agreements)

Board of Trustees Hearing

The Board of Trustees may be requested to hold a hearing on the complaint under two circumstances: if the Public Charge procedure has been followed and either the District employee or the individual bringing the complaint is dissatisfied with its outcome, or in the case of an alleged violation of the law. The Board of Trustees may or may not hear any such complaint at its discretion.

If the Board of Trustees chooses to hold a hearing on a complaint against a District employee, it may be informally conducted by the Board or by a hearing officer appointed by the Board of Trustees at its sole discretion. If a hearing is convened by the Board of

Trustees, both the District employee and the individual bringing the complaint are entitled to bring a representative of their choice. Any such hearing shall be confidential unless the District employee specifically requests that the hearing be open to the public.

BOARD ADOPTION/REVISION: February 11, 2003
October 18, 2011