

NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS:

K-12 COMPLAINT RIGHTS

Parents/Guardians, Students, and Teachers:

Pursuant to Education Code 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials

That means each student, including an English learner, must have a textbook or instructional materials, or both, to use in class and to take home.

2. School facilities must be clean, safe, and maintained in good repair

This includes the identification and resolution of emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff.

3. There should be no teacher vacancies or misassignments

There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

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.

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 a semester for an entire semester.

If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the county office of education's (COE) Williams uniform complaint procedures as required by law. A complaint form may be obtained at the school office or COE office, or downloaded from the school or COE website. You may also download a copy of the California Department of Education (CDE) complaint form from CDE's website when available. However, a complaint need not be filed using either the COE's complaint form or the complaint form from CDE.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4632	Appeal of LEA decision; grounds
5 CCR 4680-4687	Williams uniform complaint procedures
5 CCR 4690-4694	Health and safety complaints in license-exempt preschool programs

Ed. Code 1240	<u>County superintendent of schools, duties</u>
Ed. Code 17592.72	Urgent or emergency repairs, School Facility Emergency Repair Account
Ed. Code 1980-1984	Establishment of county community school
Ed. Code 200-270	Prohibition of discrimination
Ed. Code 33126	School accountability report card
Ed. Code 35145.5	Agenda; public participation and regulations
Ed. Code 35186	Williams uniform complaint procedure
Ed. Code 35292.5-35292.6	Restrooms; maintenance and cleanliness
Ed. Code 48660-48666	Establishment of community day school
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations
Ed. Code 48950	Speech and other communication
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 51501	Nondiscriminatory subject matter
Ed. Code 60010	Instructional materials; definition
Ed. Code 60040-60052	Requirements for instructional materials
Ed. Code 60119	Hearing on sufficiency of instructional materials
Ed. Code 60150	Penalty for insufficiency of textbooks and instructional materials
Federal	Description
20 USC 6314	Title I schoolwide program
Management Resources	Description
CA Office of the Attorney General Publication	<u>Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books, Legal Alert, January 2024</u>
CSBA Publication	<u>Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities, Governance Brief, February 2024</u>
CSBA Publication	<u>Instructional Materials Adoptions: Local governing board responsibilities, Fact Sheet, February 2024</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>U.S. Department of Education, Office for Civil Rights</u>
Website	<u>Department of Justice</u>
Website	<u>CSBA</u>
Website	<u>California Department of Education</u>

Cross References

Code	Description
0410	<u>Nondiscrimination In County Office Programs And Activities</u>

1312.3	<u>Uniform Complaint Procedures</u>
1312.3-E(1)	<u>Uniform Complaint Procedures</u>
1312.3-E(2)	<u>Uniform Complaint Procedures</u>
1312.3-E(3)	<u>Uniform Complaint Procedures</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
9012	<u>Board Member Electronic Communications</u>

Adopted: February 9, 2023

Revised: November 12, 2024