
CLOVIS UNIFIED SCHOOL DISTRICT

COMMUNITY RELATIONS WILLIAMS UNIFORM COMPLAINT PROCEDURES

A. TYPES OF COMPLAINTS

The procedures outlined in this administrative regulation provide a process for filing, investigating, and resolving a complaint subject to Board Policy No. 1312.4 – Williams Uniform Complaint Procedures. (Education Code 35186, 5 CCR 4682)

B. COMPLIANCE OFFICERS/RESPONSIBLE DISTRICT OFFICER

Complaints shall be filed in accordance with the provisions in D.1 below. The principal shall provide a copy of the complaint to the Responsible District Officer identified below for maintenance of records regarding complaints received pursuant to this procedure. The principal may seek the assistance of the Responsible District Officer in identifying which District official is appropriate to investigate and/or resolve each complaint. The Responsible District Officer shall maintain a record of each complaint and subsequent related actions.

Associate Superintendent of Administrative Services
Clovis Unified School District
1450 Herndon Avenue
Clovis, CA 93611-0599
559-327-9000

C. NOTICES AND COMPLAINT FORM

Exhibit No. 1312.4(2) sets forth the Williams Uniform Complaint Form and is available to be used to file complaints under this administrative regulation. A complainant is not required to use the Williams Uniform Complaint Form. (Education Code 35186, 5 CCR 4680)

The Superintendent or designee shall post in each classroom of each District school a notice that complies with Education Code section 35186 and 5 CCR section 4622. The notice is set forth in Exhibit No. 1312.4(1) - Notice to Parents/Guardians, Students, and Teachers K-12 Complaint Rights. Such notice shall be included in the District's Student and Parent Rights and Responsibilities Handbook (Handbook). The Handbook is available on the District's website at www.cusd.com.

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D. COMPLAINT PROCEDURES

All complaints and responses are public records. (Education Code 35186, 5 CCR 4680, 4686)

1. Filing the Complaint

- a. Any individual, public agency, or organization may file a written complaint under this administrative regulation. A complaint may be filed anonymously. (Education Code 35186) A complainant who identifies himself or herself shall receive a response sent to the mailing address provided if he or she indicates that a response is requested. (Education Code 35186, 5 CCR 4680)
- b. If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or disabilities, District staff shall help the complainant to file the complaint.
- c. The complaint should state the date of the complaint and a detailed statement of the circumstances constituting the alleged deficiency, and the requested remedy. A complainant may add as much text to explain the complaint as he or she wishes. (Education Code 35186)
- d. The complaint shall be filed with the principal or designee of the school where the complaint arises. (Education Code 35186, 5 CCR 4680) A complaint about problems beyond the authority of the principal shall be forwarded in a timely manner, but not to exceed 10 working days, to the appropriate District official for resolution. (Education Code 35186, 5 CCR 4680)
- e. A complaint that more than one student does not have sufficient textbooks or instructional materials as the result of an act by the Board, or the Board's failure to act to remedy the deficiency, may be filed with the Superintendent of Public Instruction directly in lieu of being filed with the District. (Education Code 35186) Any such complaint shall present evidence that supports the basis for the direct filing. (Education Code 35186)

2. Informal Resolution

a. Before Filing of Formal Complaint

Students, parents, and other individuals are encouraged to bring their concerns to the attention of the principal or designee so that they may be addressed. Nothing in Board Policy No. 1312.4 and this administrative regulation prohibits the principal or designee from resolving concerns prior to the filing of a formal complaint. (5 CCR 4631) The principal or designee may address concerns and allegations and attempt to resolve them before a formal complaint is filed.

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b. After Filing of Formal Complaint.

When a complaint is received, the principal or designee shall determine if an informal resolution is appropriate and attempt to resolve the complaint informally within the 45 working days in which to provide a response to the complainant (Education Code 35186, 5 CCR 4685), unless the complainant and the District agree to extend the 45-day period. Participation in informal resolution is voluntary and a complainant may withdraw his/her participation in informal resolution.

If the complainant does not wish to participate in informal resolution, the District does not seek to resolve the complaint through informal resolution, or an informal resolution is unsuccessful, the District will proceed to conduct the investigation and issue a response in accordance with the procedures in Section D.3. below.

3. Investigation and Response

The principal or designee of the Superintendent, as applicable, shall make all reasonable efforts to investigate any problem within his/her authority. (Education Code 35186, 5 CCR 4685) If the complainant has identified himself/ herself, the investigation shall provide an opportunity for the complainant or the complainant's representative, or both, to present information relevant to the complaint.

The principal or Superintendent's designee shall remedy a valid complaint within a reasonable time period but not to exceed 30 working days from the date the complaint was received. (Education Code 35186, 5 CCR 4685) The principal, or where applicable, the Superintendent or designee, shall report to the complainant the resolution of the complaint within 45 working days of the initial filing to the mailing address provided if the complainant identifies himself/herself and requested a response. (Education Code 35186, 5 CCR 4685) If the principal makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 35186, 5 CCR 4685)

If 15 percent or more of the students enrolled in a District school providing instruction in kindergarten, or any of grades 1 to 12, inclusive, speak a single primary language other than English and Education Code section 48985 is applicable, the response, if requested by the complainant, and report shall be written in English and the primary language in which the complaint was filed. (Education Code 35186)

4. Appeal

A complainant who is not satisfied with the resolution of a complaint by the principal or Superintendent or designee has the right to describe the complaint to the Board during public comment at a regularly scheduled meeting of the Board. (Education Code 35186, 5 CCR 4686)

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If the complaint involves a condition of a facility that poses an emergency or urgent threat, a complainant who is not satisfied with the resolution proffered by the principal or the Superintendent or designee has the right to file an appeal to the Superintendent of Public Instruction within 15 calendar days of receiving the District’s response. (Education Code 35186, 5 CCR 4687) The complaint shall comply with the appeal requirements specified in 5 CCR section 4621. (5 CCR 4687)

5. Reports

On a quarterly basis, the Superintendent or designee shall report to the Board at a regularly scheduled public board meeting and to the Fresno County Superintendent of Schools, a summarized data on the nature and resolution of all complaints. (Education Code 35186, 5 CCR 4686) The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. (Education Code 35186, 5 CCR 4686)

6. Flow Chart for Williams Uniform Complaint Procedures

LEVEL	PRESENTS COMPLAINT TO	TYPE OF PROCESS	NUMBER OF DAYS TO FILE	NUMBER OF DAYS TO RESPOND
INFORMAL	Principal or designee	Informal discussion and resolution	NA	45 working days
FORMAL	Principal or designee ¹	In writing	NA	45 working days
APPEAL	Board	Verbal	At a regularly scheduled meeting	NA
APPEAL REGARDING CONDITION OF FACILITIES ²	Superintendent of Public Instruction	In writing	Within 15 calendar days of Board response	NA

1. If the complaint is beyond the principal’s authority, he/she shall forward it to the appropriate District official within 10 working days from the date the complaint was received.
2. If the complaint is regarding the condition of a facility that poses an emergency or urgent threat and the complainant is not satisfied with the resolution proffered by the principal or the Superintendent or designee, he/she may file an appeal in accordance with the provisions in D.4 above.

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Adopted: 12/15/2004

Reviewed: 06/15/2010

Amended: 05/23/2007, 01/23/2008, 02/26/2008, 01/14/2009, 10/14/2009, 01/15/2014,
06/28/2017, 05/20/2021 (AR 9211 renumbered as AR 1312.4), 09/12/2024

Doc# 41641-5 (09/2024, 10/01/2023)