

LAWSUIT SETTLEMENTS UNIFORM COMPLAINT PROCEDURES (Williams/Valenzuela Settlements)

The County Superintendent will establish uniform complaint procedures for reporting deficiencies within MCOE's educational programs related to textbooks and 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. Districts and County Offices that receive California High School Exit Examination (CAHSEE) intensive intervention funds are authorized to use the same complaint procedures for deficiencies related to the provision of intensive instruction and services to students who have not passed one or both parts of the CAHSEE after the completion of grade 12. These procedures are designed to comply with the settlement of stipulations mandated by the Williams and Valenzuela Lawsuit Settlements.

Filing of Complaints

A complaint alleging any condition(s) specified above shall be filed with the Department Head, Principal or designee using the prescribed complaint form. The principal or designee shall forward a complaint about problems beyond his/her authority to the County Superintendent or designee in a timely manner, but not to exceed 10 working days. Where departmental remediation of a valid complaint is feasible, a complaint shall be resolved within 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form that he/she would like a response, such response must be completed within 45 working days of the initial filing of the complaint.

Complaints may be filed anonymously. Complaints and written responses shall be public records.

Appeals

If a complainant is not satisfied with the resolution of the complaint, he/she has the right to describe the complaint to the County Board of Education at the next regularly scheduled board meeting (as close to the 45 day timeline as possible). After hearing the complaint, the Monterey County Board of Education may recommend to the County Superintendent to take corrective action or the Monterey County Board of Education can confirm the decision of the County Superintendent. The Monterey County Board of Education needs to issue a written decision within 3 days of the hearing. The hearing will be conducted in open session.

For any complaints concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff, a complainant who is not satisfied with the resolution offered by the County Superintendent/designee or County Board may file an appeal to the Superintendent of Public Instruction within 15 day of receiving the county's response.

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Board Reports

The Superintendent shall report summarized data on the nature and resolution of all complaints to the Board. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board meeting.

MONTEREY COUNTY OFFICE OF EDUCATION

Legal References: Education Code Sections 17592.72, 35186, 60119,

California Code, Title 5, Sections 4600-4671

AB 347 (Ch. 526, Statutes of 2007)

5 CCR 4686, 4687

Adopted: 04/06/05

Reviewed: 03/19/08 (Amended to include Valenzuela mandates)

Revised: 07/23/08