

Superintendent Policy 1312.4: Williams Uniform Complaint Procedures

Status: ADOPTED

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The Napa County Board of Education recognizes its role to support the Napa County Superintendent of Schools to ensure that the educational programs of the Napa County Office of Education (NCOE) are implemented in accordance with law and to establish procedures for resolving complaints that may arise from the implementation of such programs.

Any complainant who is not satisfied with the resolution of the principal/program administrator or the County Superintendent or designee regarding a complaint shall have the right to describe the complaint to the County Board, at its regularly scheduled meeting, if the complaint is related to any of the following subjects and alleges that any of the stated conditions has occurred: (Education Code 35186; 5 CCR 4686)

1. Textbooks and instructional materials,

- a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or County Superintendent- 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. At the beginning of the year, a single designated certificated employee has not been assigned to teach a class for an entire year or, if the position is for a one- semester course, a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (5 CCR 4600)

Beginning of the year or semester means the first day that 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)

- b. A certificated employee is placed in a teaching or services position for which he/she does not hold a legally recognized certificate or credential or a certificated employee is placed in a teaching or services position that he/she is not otherwise authorized by statute to hold, including, but not limited to:
 - i. When 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.
 - ii. When a teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facilities

A condition at any facility owned or occupied by the NCOE poses an emergency or urgent threat to the health or safety of NCOE 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)

When a complaint alleges a facility condition described in item #3 above, a complainant who is not satisfied with the resolution proffered by the County Superintendent or designee may file an appeal to the Superintendent of Public Instruction (SPI) within 15 days of receiving the county office's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 35186; 5 CCR 4687)

Any request to describe a complaint to the County Board shall be submitted to the County Superintendent in writing, and in time to allow for the posting of the County Board meeting notice in accordance with law.

Reports

The County Superintendent or designee shall report summarized data on the nature and resolution of all complaints against the NCOE to the County Board 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 County Board meeting. Each November, the County Superintendent shall report to the County Board on the state of NCOE schools and county districts' schools that are ranked in deciles 1 to 3. (Education Code 1240; 5 CCR 4686)

Notices

A notice containing the components specified in Education Code 35186 shall be posted in each classroom in each NCOE school/program. (Education Code 35186)
