

# How to Resolve Your Concerns or Grievances

The Tulare Joint Union High School District administration and governing board of trustees believes that the quality of the educational program can improve when the district listens to complaints, considers differences of opinion, and resolves disagreements through an established, objective process. The board encourages complainants to resolve problems early and informally whenever possible. If a problem remains unresolved, the individual should submit a formal complaint as early as possible in accordance with appropriate district procedures.

Campus administrative leadership has the authority to deal with concerns and grievances at the site level. If your first efforts to address a problem with your student's teacher, coach or counselor are unsuccessful, please contact the assistant principal's office at your respective campus. If the matter remains unresolved, please seek the school principal for assistance. It is expected that your concerns and/or that of your student will be treated fairly and every effort made to resolve any concerns.

The board recognizes that the district is responsible for complying with applicable state and federal laws and regulations governing educational programs. The district follows uniform complaint procedures when addressing complaints alleging unlawful discrimination based on age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability in any program or activity that receives or benefits from state financial assistance. Uniform complaint procedures are used when addressing complaints alleging failure to comply with state and/or federal laws in adult education, consolidated categorical aid programs, migrant education, vocational education, child care and development programs, child nutrition programs, special education programs, and federal school safety planning requirements.

## Uniform Complaint Procedures

Individuals, agencies, organizations, students and interested third parties have the right to file a complaint regarding the Tulare Joint Union High School District's alleged violation of federal and/or state law. This includes allegations of unlawful discrimination in any program or activity funded directly by the state or receiving federal or state financial assistance.

The Tulare Joint Union High School District governing board recognizes its responsibility for insuring that the district fully complies with applicable state and federal laws and regulations governing educational programs. The district shall investigate and seek to resolve complaints at the local level. The district shall follow the Uniform Complaint Procedures (UCP) when addressing complaints alleging unlawful discrimination or failure to comply with any state or federal law that governs the specified programs.

The following programs are covered in the Tulare Joint Union High School District [Uniform Complaint Procedures](#):

1. Adult Education
2. Career/Vocational Education
3. Child Care and Development
4. Child Nutrition Services
5. Consolidated Categorical Aid Programs
6. Migrant Education
7. Special Education
8. Allegations of unlawful discrimination on the basis of sex, sexual orientation, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability.

Copies of the district's complaint process are available at the superintendent's or principal's office.

Complaints must be filed in writing with the district superintendent and with the State Department of Education.

## **Uniform Complaint Procedures Regarding Areas Included in the Williams and Valenzuela Settlements**

In regards to instructional materials, facilities, teacher vacancies or mis-assignments, the district shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following (see lists below) has occurred: (Education Code 35186). Click [here](#) to download a copy of the district's [Williams Uniform Complaint Procedure form](#).

The California Department of Education (CDE) keeps a web page specific to the landmark Superior Court case that provides all students equal access to instructional materials, safe schools, and quality teachers. To read what is new in that regard, please click here [CDE and Williams Case](#).

The district shall investigate complaints alleging failure to comply with such laws and/or alleging discrimination and shall seek to resolve those complaints in accordance with the district's uniform complaint procedures.

### **Instructional materials**

- 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.
- A student does not have access to instructional materials to use at home or after school in order to complete required homework assignments.

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

### **Teacher vacancy or misassignment**

- 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)
- 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. 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)

### **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)

### **High school exit examination intensive instruction and services**

A student, including an English learner, who has not passed the exit exam by the end of grade 12 was not provided the opportunity to receive intensive instruction and services pursuant to Education Code 37254(d)(4) and (5) after completion of grade 12 for two consecutive academic years or until the student has passed both parts of the exam, whichever comes first. (Education Code 35186)