
Health and Safety Complaints in License Exempt Preschools

Policy 2-208

Scope:

This policy applies to complaints regarding health and safety issues pursuant to Health and Safety Code § 1596.7925 in California state preschool programs that are exempt from licensing pursuant to Health and Safety Code § 1596.792(o).

The Board hereby adopts the Complaint Procedures set forth in 5 C.C.R. § 4680-4687 and Education Code § 8212. The District will comply with such regulations and all other applicable law.

Purpose

The District is committed to ensuring the health and safety of all of its students and staff. This policy and accompanying administrative regulation provide a complaint process for complaints regarding health and safety issues pursuant to Health and Safety Code § 1596.7925 in California state preschool programs that are exempt from licensing pursuant to Health and Safety Code § 1596.792(o).

Administrative Regulations

Filing a Complaint

Complainants may use the attached form for filing the complaint; however, use of the complaint form is not required. A complaint must be filed with the preschool program administrator or designee. A complaint may be filed anonymously. A complainant who identifies themselves is entitled to a response if they request it.

Any complaint about issues beyond the authority of the preschool program administrator will be forwarded to the appropriate District official in a timely manner, not exceeding ten (10) working days.

Notice

As part of the District's annual notification pursuant to 5 C.C.R. § 4622, the District will clearly indicate which of its California State preschool programs are operating as exempt and which of its California State preschool programs are operating pursuant to title 22 licensing requirements.

Notice shall be posted in each California state preschool program classroom operating as exempt notifying parents/guardians, students, and teacher of the following:

1. The health and safety requirements under title 5 of the California Code of Regulations that apply to California state preschool programs pursuant to Health and Safety Code § 596.7925.
2. The location at which to obtain a form to file a complaint.

Investigation and Resolution

The preschool program administrator or designee shall make all reasonable efforts to investigate any problem within that person's authority.

The investigation shall begin within ten (10) days of receipt of the complaint.

The preschool program administrator or designee shall remedy a valid complaint within a reasonable time period, not to exceed thirty (30) working days from the date the complaint was received. The preschool program administrator or designee shall report to the complainant the

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resolution of the complaint within forty-five (45) working days of the initial filing. If the preschool program administrator makes this report, they will also report the same information in the same timeframe to the designee of the District. At the time the preschool program administrator or designee provides the report of the resolution to the complainant, they shall also provide a copy of the report to the preschool program's assigned field consultant at the Department.

The response and report will be provided in English and if Section 48985 is applicable, the primary language in which the complaint was filed.

All complaints and responses are public records.

Appeals

A complainant who is not satisfied with the resolution provided by the preschool program administrator or designee has the right to describe the complaint to the Board at a regularly scheduled hearing.

A complainant who is not satisfied with the resolution offered by the preschool program administrator or the designee has the right to file an appeal to the State Superintendent within thirty (3) days of the date of the written report. The complainant must comply with the appeal required of 5 C.C.R. § 4632. Failure to file a local appeal does not preclude the filing of a state appeal.

Reports

The District shall report summarized data on the nature and resolution of all complaints on a quarterly basis to the Board. The summaries shall be publicly reported on a quarterly basis at a regularly scheduled meeting of the Board. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. The complaints and written responses shall be available as public records. Additionally, the District shall report the same summarized data on a quarterly basis to the county superintendent of schools.

Health and Safety in License Exempt Preschools Complaint Form

Pursuant to Education Code § 8212 and 5 C.C.R. §§ 4690-4694 complaints related to health and safety issues under Health and Safety Code § 1596.7925 regarding California state preschool programs that are exempt from licensing pursuant to Health and Safety Code § 1596.792(o) can be filed with the District. Complaints can be filed anonymously, however, if you would like a response to your complaint you must provide your contact information. Complaints and responses under this statute are public documents.

Complaints shall be filed with the site preschool program administrator.

Name: _____

Mailing Address:_____

Email: _____

Phone Number: _____

Would you like a response? ☐ Yes ☐ No

Identify the school site: _____

Please describe in detail the nature of your complaint. You may attach additional pages as needed to describe the situation or issue fully.

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