

TITLE: Complaint Procedures Regarding State Preschool Health and Safety Issues

NUMBER: BUL-101702.1

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POLICY: This Bulletin establishes the District's policy to respond to complaints regarding State Preschool Health and Safety Issues, per updated California Department of Education regulations issued May 8, 2020.

MAJOR CHANGES: This bulletin replaces BUL-101702 of the same name. It updates the names of District offices and contact information in the Assistance section to reflect the current organizational structure. No substantive changes have been made to the policy content

BACKGROUND: On July 1, 2020, the California Department of Education issued updated regulations regarding matters within the Uniform Complaint Procedures (UCP). The regulations noted that while complaints regarding state preschool health and safety issues in Local Education Agencies exempt from licensing are not under the jurisdiction of UCP generally, they are addressed in and governed by sections 4690 through 4694 of Title 5, *California Code of Regulations (CCR)*.

GUIDELINES: The following guidelines apply.

I. State Preschool Programs Meeting Conditions Under Health and Safety Code, Division 2, Chapter 3.4, Article 1, Section 1596.7925 Are Required to Have All of the Following:

- Outdoor shade that is safe and in good repair.
- Drinking water that is accessible and readily available throughout the day.
- Safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children.

ROUTING
All Employees
All Schools

- Restroom facilities that are only available for preschoolers and kindergartners.
- Visual supervision of children at all times.
- Indoor and outdoor space that is properly contained or fenced and provides sufficient space for the number of children using the space at any given time. Playground equipment must be safe, in good repair, and age appropriate.
- The State Department of Education may adopt emergency regulations pursuant to Government Code Section 11346.1 of the *Government Code* to satisfy the requirements of this section. The adoption of emergency regulations shall be deemed an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare.
- A violation of regulations adopted pursuant to subdivision (a) or (b) of the code shall not be subject to *Health and Safety Code*, Section 1596.890.

II. Notice Posting Requirement

- A. Notice to Parents, Guardians, Pupils, Teachers, and Other Stakeholders – Important Information About Your Complaint Rights – State Preschool Health and Safety (Attachment A) must be posted in each classroom visible to staff, pupils, parents, and other stakeholders. The schools in the table below meet this requirement. More information is available at the Early Childhood Education Division website:
<https://achieve.lausd.net/Page/15421>.

Fund Center	Region	Type	School
1206201	S	CSPP	61ST STREET EL (TITLE 22 EXEMPT)
1753001	E	CSPP	LAFAYETTE PARK PC CSPP (TITLE 22 EXEMPT)
1206401	E	CSPP	LATONA EL CSPP (TITLE 22 EXEMPT) CLASSROOM 2
1209301	N	CSPP	SATICOY EL CSPP (TITLE 22 EXEMPT)
1749501	E	CSPP	VERNON CITY EL CSPP (TITLE 22 EXEMPT)
1217401	N	CSPP	HART ST EL CSPP (TITLE 22 EXEMPT)
1207601	S	CSPP	JONES PC CSPP (TITLE 22 EXEMPT)
1207401	W	CSPP	DORRIS PLACE CSPP (TITLE 22 EXEMPT)

- B. State Preschool Health and Safety Issues Complaint Procedures Form pursuant to Section 1596.7925, in English and Spanish, (Attachments B and C) can be obtained in school main offices; on the Office of Student Civil Rights website <https://achieve.lausd.net/Page/3655>; or by calling (213) 241-7682.

III. Complaint Procedures

A. Complaint Filing

1. Complaints may be filed anonymously, and the complainant need not use the State Preschool Health and Safety Issues Form to file a complaint. If a complainant is unable to put the complaint in writing, due to conditions such as disability or illiteracy, the District shall assist the complainant in filing the complaint.
2. Completed complaint forms shall be filed with the principal of the state preschool or his/her designee in which the complaint arises. Completed complaint forms may also be submitted to the applicable Region. The State Preschool

Health and Safety Issues Form includes additional information concerning where and how to file the complaint.

3. All received State Preschool Health and Safety Issues Forms or written complaints, including those beyond the authority of the school principal, shall be forwarded promptly, but not to exceed ten (10) working days, to the District's designated office for receipt of such complaints, the Office of Student Civil Rights by fax (213) 241-3312, email at EquityCompliance@lausd.net, or school mail to Beaudry – 18th Floor.
4. Complainants may also submit a written complaint or completed State Preschool Health and Safety Issues Form by mail, fax, or email directly as follows to the District office designated for receipt of such:

Los Angeles Unified School District
Office of Student Civil Rights
333 S. Beaudry Avenue – 18th Floor
Los Angeles, CA 90017
Telephone: (213) 241-7682 ; Fax: (213) 241-3312
Email: EquityCompliance@lausd.net

5. The complaint form includes a check box indicating whether a response to the complaint is requested. To receive a response, the complainant's contact information and mailing address must be completed, and a check-off mark must be indicated on the form or mention made of the request for a response in the written complaint submitted. If §48985 of the Education Code is applicable, the response, if requested, and report shall be written in English and the primary language in which the complaint was filed.

B. Complaint Response

1. Schools, Regions or other offices in receipt of a completed State Preschool Health and Safety Issues Form are to

promptly forward the complaint by fax (213) 241-3312, email EquityCompliance@lausd.net or school mail to Office of Student Civil Rights, Beaudry – 18th Floor.

2. The principal or designee of the superintendent shall make all reasonable efforts to investigate any problem within his/her authority and remedy a valid complaint within a reasonable time period not to exceed 30 working days from receipt of the complaint. Investigations shall begin within 10 days of the receipt of the complaint. Complaint resolution information must be provided in writing to the Office of Student Civil Rights and Region or designee within 30 working days from receipt of the complaint.
3. A complaint regarding issues beyond the authority of the principal shall be forwarded in a timely manner, but not to exceed 10 working days, to the Office of Student Civil Rights, the District's office designated for receipt of such. Upon receipt, the Office of Student Civil Rights will promptly forward the complaint to the appropriate school district official for resolution.
4. Within 45 working days of the initial filing of the complaint, the Office of Student Civil Rights will work on behalf of the District and mail a response, with the resolution, to the following:
 - a. Complainant, if contact information provided and a check-off mark indicated on the complaint form, or a response request was made in the written complaint
 - b. Principal
 - c. Region Superintendent, Administrator of Operations or Director/Division of Authority
 - d. Division Contact Personnel (Facilities)
 - e. Preschool program's assigned consultant at the California Department of Education
5. If no response information was provided or requested by the complainant, a resolution of the complaint will be forwarded to the principal, Region Superintendent, Administrator of Operations or Director/Division of Authority, the Division contact personnel, and the preschool program's assigned consultant at the California Department of Education.

IV. Appeal Process

- A. Complainants shall comply with the appeal requirements of *CCR*, Title 5, § 4632.
- B. Complainants unsatisfied with the resolution shall have the right to describe the complaint to the Board of Education at a regularly scheduled meeting. To obtain information regarding Board meeting schedules, please contact the Board Secretariat at (213) 241-7002.
- C. Complainants not satisfied with the resolution involving emergency or urgent school facilities conditions can file an appeal within 30 days of the date of the written report to:

State Superintendent of Public Instruction
California Department of Education
1430 N Street
Sacramento, CA 95814-5901

The complainant and Superintendent of Public Instruction or designee shall comply with appeal requirements of section 4632.

V. Complaints Data Reporting

- A. The Office of Student Civil Rights Director reports summarize data regarding relevant UCP Complaints quarterly to the Board of Education at regularly scheduled Board meetings and to the County Superintendent of Education. State preschool health and safety issues complaints will be similarly reported.
- B. The report shall include the number of complaints by the general subject area with the number of resolved and unresolved complaints. Reports, complaints, and written responses are available as public records.

VI. Complaint Tracking System

Complaint Tracking System (Attachment D) is provided to show the process used to handle each complaint received.

AUTHORITY: This is a policy of the Superintendent of Schools. The following legal standards are applied:

California Education Code §§35186, 48985

California Health and Safety Code § 1596.792, 1596.7925

Title V, California Code of Regulations §§ 4632, 4690-4694

Government Code § 11346

ATTACHMENTS: Attachment A (English/Spanish) - Notice to Parents, Guardians, Pupils, Teachers, and Other Stakeholders - Important Information About Your Complaint Rights - State
Preschool Health and Safety Issues Poster
Attachment B (English) - State Preschool Health and Safety Issues Procedures Complaint Form pursuant to Section 596.7925
Attachment C (Spanish) - State Preschool Health and Safety Issues Procedures Complaint Form pursuant to Section 1596.7925
Attachment D - State Preschool Health and Safety Issues Complaint Tracking System

ASSISTANCE: For assistance or additional information, please call:

Early Childhood Education Division, (213) 241-0415

Binh Nguyen, Director, Office of Student Civil Rights, (213) 241-7682

Additional Uniform Complaint Procedures are addressed in District policy,
BUL-5159, Uniform Complaint Procedures (UCP).



NOTICE TO PARENTS, GUARDIANS, PUPILS, TEACHERS AND OTHER STAKEHOLDERS

IMPORTANT INFORMATION ABOUT YOUR COMPLAINT RIGHTS

STATE PRESCHOOL HEALTH AND SAFETY ISSUES

You are hereby notified that state preschool programs meeting conditions under Health and Safety Code, Division 2, Chapter 3.4, Article 1, Section 1596.7925 are required to have all of the following:

- Outdoor shade that is safe and in good repair.
- Drinking water that is accessible and readily available throughout the day.
- Safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children.
- Restroom facilities that are only available for preschoolers and kindergartners.
- Visual supervision of children at all times.
- Indoor and outdoor space that is properly contained or fenced and provides sufficient space for the number of children using the space at any given time. Playground equipment must be safe, in good repair, and age appropriate.
- The State Department of Education may adopt emergency regulations pursuant to Section 11346.1 of the Government Code to satisfy the requirements of this section. The adoption of emergency regulations shall be deemed an emergency and necessary for the immediate preservation of the public peace, health, safety, or general welfare.

A complaint form may be obtained at the school's main office, district office, or downloaded from the District's website at <https://www.lausd.org/oscr>.



AVISO PARA LOS PADRES, TUTORES, ALUMNOS, MAESTROS Y OTROS PARTES INTERESADAS

INFORMACIÓN IMPORTANTE SOBRE SUS DERECHAS DE QUEJA ESTATALES DE SEGURIDAD Y SALUD PREESCOLAR

Por la presente se le notifica que los programas preescolares estatales que cumplen con las condiciones del Código de Salud y Seguridad, División 2, Capítulo 3.4, Artículo 1, Sección 1596.7925 deben tener todo lo siguiente:

- Sombra exterior segura y en buen estado.
- Agua potable accesible y disponible durante todo el día.
- Instalaciones sanitarias seguras y con un inodoro y lavamanos por cada 15 niños.
- Instalaciones sanitarias que sean solo disponibles para niños en edad preescolar y kinder.
- Supervisión visual de los niños en todo momento.
- Espacio interior y exterior que está adecuadamente contenido o cercado y proporciona suficiente espacio para la cantidad de niños que usan el espacio en un momento dado. El equipo del patio de recreo debe ser seguro, estar en buen estado y apropiado para la edad.
- El Departamento de Educación del Estado puede adoptar regulaciones de emergencia de conformidad con la Sección 11346.1 del Código de Gobierno para satisfacer los requisitos de esta sección. La adopción de reglamentos de emergencia se considerará una emergencia y necesaria para la preservación inmediata de la paz, la salud, la seguridad o el bienestar general públicos.

Para obtener un formulario para presentar una queja en la oficina principal de la escuela, la oficina del Distrito o descargarlo del sitio web del Distrito <https://www.lausd.org/oscr>.





State Preschool Health & Safety Issues Complaint Form

ATTACHMENT B

DATE STAMP FOR OFFICE USE ONLY:

State law created a procedure for filing complaints concerning health and safety deficiencies in state preschool programs under certain conditions, including the option to file a complaint anonymously. However, if you wish to receive a response to your complaint, you must indicate below and provide the following contact information.

Response requested: ☐ Yes ☐ No

Name(Optional): _____		
Mailing Address (Optional): _____	City _____	Zip Code _____
Phone Number Home (Optional): _____	Cell Phone (Optional): _____	Work Phone (Optional): _____

Date of Problem: _____ School Name: _____ Principal: _____

Location of Problem (Room Number, Building, or Location): _____

Course or Grade Level: _____ Teacher Name: _____

Issue of complaint (please check all that apply):

Health and safety

- ☐ Outdoor shade that is not safe and in good repair
- ☐ Drinking water that is not accessible and readily available throughout the day
- ☐ Unsafe or unsanitary restroom facilities or less than one toilet and handwashing fixture for every 15 children
- ☐ Restroom facilities are not only available for preschoolers and kindergartners
- ☐ Children are not visually supervised at all times
- ☐ Indoor and outdoor space is not properly contained or fenced or does not provide sufficient space for the number of children using the space at any given time.
- ☐ Playground space is not safe, in good repair or age appropriate

Please describe the issue of your complaint in detail. You may attach additional pages if necessary to fully describe the situation: _____

Please file this complaint at the following location(s): Principal's Office and/or mail to the Office of Student Civil Rights, Los Angeles Unified School District, 333 S. Beaudry Avenue - 18th Floor, Los Angeles, CA 90017; EquityCompliance@lausd.net. The telephone number is (213) 241-7682, and the fax number is (213) 241-3312.



Formulario estatal de quejas sobre problemas de salud y seguridad preescolares

ATTACHMENT C

DATE STAMP FOR OFFICE USE ONLY:

La ley estatal creó un procedimiento para la presentación de quejas sobre deficiencias relacionadas con la salud y la seguridad en los programas preescolares estatales bajo ciertas condiciones. Estas quejas se pueden presentar de forma anónima. Sin embargo, si desea recibir una respuesta a su queja, debe indicarlo a continuación y proporcionar la siguiente información de contact.

Se solicita respuesta: ☐ Sí ☐ No

Nombre y apellido(Opcional): _____
Dirección postal (Opcional): _____ Ciudad: _____ Código Postal: _____
Número de teléfono de casa (Opcional): _____ Teléfono Celular (Opcional) _____ Teléfono del Trabajo (Opcional): _____

Fecha del problema: _____ Nombre de la Escuela: _____ Director: _____

Ubicación del problema (número del salon, edificio o ubicación): _____

Curso o nivel de grado: _____ Nombre del Maestro(a): _____

Materia de la queja (favor de marcar todos los que correspondan):

Salud y Seguridad

- ☐ Sombra al aire libre que no es segura y está en buen estado
- ☐ Agua potable que no está disponible y/o no está disponible durante todo el día
- ☐ Instalaciones sanitarias inseguras o insalubres y/o menos de un inodoro y lavamanos por cada 15 niños
- ☐ Los baños no solo están disponibles para niños en edad preescolar y kinder
- ☐ Los niños no son supervisados visualmente en todo momento
- ☐ El espacio interior y exterior no está adecuadamente contenido o cercado o no proporciona suficiente espacio para la cantidad de niños que usan el espacio en cualquier momento dado. El espacio del patio de juegos no es seguro, o no está en buen estado ni es apropiado para la edad

Por favor describa el problema de su queja en detalle. Puede incluir páginas adicionales si es necesario para completamente describir la situación.

Por favor de presentar esta queja en cualquier de las siguientes ubicaciones: Oficina del director y/o envíela por correo a la Oficina de Derechos Civiles Estudiantiles, Distrito Escolar Unificado de los Angeles, 333 South Beaudry Avenue – Piso 18, Los Angeles, CA 90017; EquityCompliance@lausd.net. El número de teléfono es (213) 241-7682 y el fax es (213) 241-3312.

Los Angeles Unified School District COMPLAINT TRACKING SYSTEM

