**California Department of Education**

# How to Have a Successful Uniform Complaint Procedures (UCP) Review

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Local educational agencies (LEAs) such as school districts, direct-funded charter schools, and county offices that receive state and/or federal funding for certain categorical programs may be chosen for a Uniform Complaint Procedures (UCP) evaluation during a Federal Programs Monitoring (FPM) review.

The purpose of the UCP review by the California Department of Education (CDE) is to ensure that these LEAs (or agencies) are following program specifications as required by law. The CDE Categorical Programs Complaints Management (CPCM) Office provides a coordinated and transparent course of action for monitoring the UCP. LEAs are responsible for creating and maintaining the UCP process in their own agency that meets minimum program requirements. The CPCM Office organizes its consultants and analysts into a UCP monitoring team during the FPM to conduct UCP reviews of LEAs using the current UCP Instrument.

The information here is developed for agency coordinators and UCP program staff who work directly with the UCP in their LEAs. However, all LEAs are welcome to utilize the following suggestions for meeting UCP requirements.

## Where to Start

As soon as an LEA is notified that it will be receiving a UCP review during an on-site or online FPM review the agency coordinator and/or UCP program staff shall review their agency’s UCP documents. Of the six UCP items, the preparation of required UCP documents can take from five days to three months or longer.

To have a successful UCP review, LEAs are to start by carefully reviewing the most current UCP Instrument. The 2023–24 UCP Instrument contains all language and components of required elements according to *California Code of Regulations*, Title 5 (5 *CCR*), sections 4600–4694, with federal and state legal requirements organized into statutory core and supporting items. The 2023–24 UCP Instrument is located on the CDE 2023–24 Cycle B and D Program Instruments web page at <https://www.cde.ca.gov/ta/cr/progrinst202324.asp>. The UCP monitoring team uses the UCP Instrument to determine whether an LEA is meeting UCP requirements. The UCP Instrument is comprehensively developed with annual revisions in response to up-to-date legislative activity regarding federal or state law, regulations, and court cases that all pertain to the UCP.

With the UCP Instrument LEAs are to thoroughly examine their own UCP material and confirm that all updated language and components of required elements are contained in their agency’s UCP documents. The UCP Instrument is continually consulted throughout a UCP review. If, at any time during the preparation of required UCP documents LEA staff need more information, agency coordinators and UCP program staff shall go to the UCP Instrument for detailed information. Any language and/or components of required elements according to the most recent UCP Instrument that are missing will result in a finding of Incomplete for UCP.

## The Required UCP Documents

There are six UCP items in the UCP monitoring process with one to two required documents to upload, link, and certify in the California Department of Education Monitoring Tool (CMT).

The CMT is the Web-based tool that was developed by the CDE to facilitate the FPM reviews. For additional information regarding the use of CMT, please visit the CMT web page at <https://www.cde.ca.gov/ta/cr/cmt.asp>. Required UCP material is to be uploaded, linked, and certified in the UCP section of CMT before the Initial Evidence Deadline.

When uploading required UCP documents in CMT, please do not type the universal resource locator (URL) of the required document. The CPCM Office does not accept URLs as evidence. URLs are unstable and unreliable resources; we must have the actual document uploaded, linked, and certified in each of the UCP items.

The CPCM Office provides free of charge a sample for each of the required UCP documents discussed below on the UCP Monitoring web page at <https://www.cde.ca.gov/re/cp/uc/ucpmonitoring.asp>. The samples are for every LEA scheduled for either an on-site or online FPM review each year, but any school district, direct-funded charter school, and county office may utilize these free documents.

UCP 01: UCP Policies and Procedures

In the UCP 1 item there is one required document for LEAs with an on-site or online FPM review and one supplemental document for LEAs with an on-site or online FPM review.

The UCP Policies and Procedures is required and can be one or two documents that explain the UCP process in an agency regarding filing, investigation, and resolution of a UCP complaint.

Instructions: Study the UCP Instrument and revise UCP policies and procedures, if necessary. 5 *CCR* Section 4621 requires that LEAs submit their policies and procedures to the local governing board for adoption. After revision submit for adoption to the governing board. When documents are ultimately approved certify on CMT.

For a sample UCP Policies and Procedures document, please see the Sample Uniform Complaint Procedures (UCP) Policies and Procedures on the Uniform Complaint Procedures Monitoring web page at [https://www.cde.ca.gov/re/cp/uc/ucpmonitoring.asp](https://www.cde.ca.gov/re/cp/uc/ucpmonitoring.asp" \o "Uniform Complaint Procedures Monitoring) or the current FPM Box in CMT.

### UCP 02: UCP Annual Notice

In the UCP 2 item there are two required documents for LEAs with an on-site or online FPM review.

The UCP Annual Notice is a written document with information about the UCP process addressing all LEA stakeholders such as employees, students (pupils), parents, school and district advisory committee members, private school officials, and other interested parties.

California *Education Code* (*EC*) Section 48985(a) states that if 15 percent or more of the pupils enrolled in grades K–12 speak a single primary language other than English all written material sent to parents or guardians shall be written in English and in the primary language.

Instructions: Study the UCP Instrument and revise the agency’s UCP Annual Notice, if necessary, and its language translations, if applicable. After revision distribute to employees, students (pupils), parents, advisory committee members, private school officials, and other interested parties. The UCP Annual Notice may be posted in a highly visible location on the district website. There is no Title 5 requirement for governing board approval for the UCP Annual Notice.

For a sample UCP Annual Notice, please see the Sample UCP Annual Notice on the Uniform Complaint Procedures Monitoring web page at [https://www.cde.ca.gov/re/cp/uc/ucpmonitoring.asp](https://www.cde.ca.gov/re/cp/uc/ucpmonitoring.asp" \o "Uniform Complaint Procedures Monitoring) or in the current FPM Box in CMT.

The Distribution of the UCP Annual Notice document confirms correct language and components of required elements according to the UCP Instrument and dissemination of the UCP Annual Notice in a tangible format to the agency’s employees, students (pupils), parents, advisory committee members, private school officials, and other interested parties.

Instructions: Print a blank *Distribution of the Uniform Complaint Procedures (UCP) Annual Notice*. Complete all information, ensure accuracy, and certify document on CMT. For a blank form go to the current FPM Box in CMT.

### UCP 03: Investigation of Complaints

This UCP section is for UCP-related issues only and is not meant for the certifying of Williams Complaint Quarterly Reports.

In UCP 3 for LEAs with an on-site FPM review only there are no documents to certify on CMT. The Regional Team Lead (RTL) will discuss with the agency coordinator and /or the UCP program staff during the review any UCP complaints that may have been processed to the first day of the Initial Evidence Deadline from 12 months before.

For LEAs with an online FPM review there are one to two required documents to upload, link and certify on CMT. If no UCP complaints were processed to the first day of the Initial Evidence Deadline from 12 months before the agency coordinator or the UCP program staff will certify on CMT the Self-certification for UCP 3. This document verifies that no UCP complaints were processed in the agency within the specific 12-month period.

For LEAs with an online FPM review that did have UCP complaints processed to the first day of the Initial Evidence Deadline from 12 months before the agency coordinator or UCP program staff will upload, link and certify on CMT their UCP Complaint Log. This log is a structured list of processed UCP complaints that the UCP reviewers will discuss with the agency coordinator and/or UCP program staff during the UCP review.

Instructions for the Self-certification for UCP 3: If no UCP complaints were processed in the LEA within the specific 12-month period print a blank Self-certification for UCP 3. Check Part A, have the superintendent (or authorized designee) print and sign name, complete the date, and certify document on CMT. For a blank form go to the current FPM Box in CMT.

Instructions for the UCP Complaint Log: Determine only UCP complaints processed 12 months before Initial Evidence Deadline and complete a UCP Complaint Log; sample UCP Complaint Log. If online review, link document and certify on CMT. If on-site review, present to RTL during the review. Additional steps are provided by the CDE at the appropriate time during the review. For a blank log go to the current FPM Box in CMT.

UCP 04: Williams Complaint Policies and Procedures

In the UCP 4 item there is one required document for LEAs with an on-site or online FPM review and one supplemental document for those with an on-site or online FPM review.

The Williams Complaint Policies and Procedures is a required document that explains the Williams Complaint process about filing, investigation and resolution regarding alleged deficiencies related to instructional materials, the condition of a facility that is not maintained in a clean or safe manner or in good repair, and teacher vacancy or misassignment according to 5 *CCR* sections 4600–4670.

Instructions: Study the UCP Instrument and revise the Williams Complaint policies and procedures, if necessary. 5 *CCR* Section 4621 requires that LEAs submit their policies and procedures to the local governing board for adoption. After revision submit for adoption to the governing board. When document is ultimately approved certify on CMT.

For a sample Williams Complaint Policies and Procedures document, please see the Sample Williams Complaint Policies and Procedures on the Uniform Complaint Procedures Monitoring web page at or in the current FPM Box in CMT.

### UCP 05: Williams Complaint Classroom Notice

In the UCP 5 item for all LEAs there is one required document for agencies with an on-site or online FPM review and one additional required document for agencies with an online FPM review, only.

For those with an on-site FPM review there is only one required UCP 5 document to certify on CMT, the Williams Complaint Classroom Notice. The RTL will choose three to five random rooms in which instruction takes place during the on-site review to observe the posting of the Williams Complaint Classroom Notice. The RTL will be looking for the exact document as the one certified in the UCP 5 section on CMT.

*EC* Section 48985(a) states that if 15 percent or more of the pupils enrolled in grades K–12 speak a single primary language other than English all written material sent to parents or guardians shall be written in English and in the primary language.

Instructions: Study the UCP Instrument and revise the agency’s Williams Complaint Classroom Notice, if necessary, and its language translations, if applicable. After revision post in every room in which instruction takes place in every school in the LEA. There is no Title 5 requirement for governing board approval for the Williams Complaint Classroom Notice.

For a sample Williams Complaint Classroom Notice, please see the Sample Williams Complaint Classroom Notice on the Uniform Complaint Procedures Monitoring web page at <https://www.cde.ca.gov/re/cp/uc/ucpmonitoring.asp> or in the current FPM Box in CMT.

For those with an online FPM review only there is an additional required document to complete the UCP 5 item requirement; the Self-certification for UCP 5. This particular document confirms correct language and components of required elements according to the UCP Instrument and the posting of the Williams Complaint Classroom Notice in every classroom in every school in the district according to 5 *CCR* Section 4684 and *EC* Section 35186(f).

Instructions: Print a blank Self-certification for UCP 5. Complete all information, have the superintendent (or authorized designee) sign name, fill in the date, and certify document on CMT.

UCP 06: Williams Complaint Form

In the UCP 6 item for all LEAs there is one required UCP 6 document for LEAs with an on-site or online FPM review.

The Williams Complaint Form is to be available to parents, guardians, pupils, and teachers if these stakeholders choose to file a Williams Complaint with the principal of the school where an alleged deficiency in instructional materials, unmaintained facility conditions, and teacher vacancy or misassignment occurred.

Instructions: Study the UCP Instrument and revise the agency’s Williams Complain form if necessary. Certify the document on CMT. There is no Title 5 requirement for governing board approval for the Williams Complaint form.

For a blank form go to the current FPM Box in CMT.

## Estimated Length of Time to Meet All UCP Language and Components of Required Elements

A total of five to six documents is necessary to certify on CMT for LEAs scheduled for an on-site review while a total of seven to eight documents is necessary for those scheduled for an online review. No more UCP documents are needed unless specifically requested by the UCP analyst or consultant.

All certified UCP documents on CMT are initially reviewed by the UCP analyst in the CPCM Office. If a certified UCP document does not contain language and components of required elements according to the UCP Instrument a finding of Incomplete will be entered in the CMT comments box and suggestions for correction will be presented.

The following explains the length of time an item may be corrected.

For the UCP 1 item, UCP Policies and Procedures, this document may take from one to three months for staff to correct language and components. It primarily depends on the particular LEA’s regulations for board approval.

For the UCP 2 item, UCP Annual Notice, this document may take from two to four weeks for staff to correct language and components. It primarily depends on the LEA’s funding for paper and postage and the length of time to distribute the revised document to all employees, students (pupils), parents, school and district advisory committee members, private school officials, and other interested parties.

For the UCP 3 item, Investigation of Complaints, it may take from one month to an undetermined length of time to correct. The Investigation Report(s) will have to be thoroughly reviewed by a CPCM consultant to resolve a finding for UCP 3.

For the UCP 4 item, Williams Complaint Policies and Procedures, this document may take from one to three months for staff to correct language and components. It primarily depends on the particular LEA’s regulations for board approval.

For the UCP 5 item, Williams Complaint Classroom Notice, it may take from two to three weeks for staff to correct the language and components. It primarily depends on the LEA’s funding for paper and the length of time to post the new document in all of the classrooms in all schools in the agency.

For the UCP 6 item, Williams Complaint Form, it may take from five to twenty-four hours for staff to correct the language and/or components. It primarily depends on the LEA’s funding for paper and the length of time to prepare, photocopy, and place in the location in which the Williams Complaint Classroom Notice states, i.e. the school office, district office, or downloaded from the school’s website.

## **In Conclusion**

If a UCP document does not contain all required language and components of required elements according to the most current UCP Instrument, the document must be revised AND processed before certifying on CMT by the Initial Evidence Deadline for the FPM review. Any required language and/or components that are missing will result in a finding of Incomplete.

The agency coordinator and/or UCP program staff of all LEAs scheduled for a UCP review are initially assisted by the CPCM Office UCP analyst. Once the actual review begins (both on-site and online) monitoring for UCP issues is transferred to the UCP consultant assigned to the region in which the LEA is located. The consultant makes all final decisions on every UCP issue during and after the review.

The CDE CPCM Office UCP monitoring team are available to help agency coordinators and UCP program staff at any time throughout the UCP monitoring review. For additional assistance, please contact the Categorical Programs Complaints Management Office at 916-319-0929.