

**UNIFORM COMPLAINT PROCEDURES FOR INSTRUCTIONAL MATERIALS, SCHOOL FACILITIES, TEACHER CERTIFICATION, AND CALIFORNIA HIGH SCHOOL EXIT EXAMINATION – STATE STANDARDS**

**NOTICE TO PARENTS/GUARDIANS, PUPILS AND TEACHERS:**

**IMPORTANT INFORMATION ABOUT YOUR COMPLAINT RIGHTS**

Williams *Uniform Complaint Process, Education Code Section 35186(f)*

Valenzuela *Uniform Complaint Process, Education Code Section 37254*

Education Code Section 35186 and Section 37254 require that the following notice be posted in each classroom:

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each student, including English learners, must have a textbook or instructional material, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair. Good repair means that the facility is maintained in a manner that assures that it is clean, safe and functional as determined by the Office of Public School Construction.
3. There should be no teacher vacancies or misassignments as defined in Education Code 35186(h)(1) and (2). There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

*Teacher 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.

*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.

4. Pupils, including English learners, who have not passed one or both parts of the California High School Exit Examination (CAHSEE) by the end of grade 12 are to be provided the opportunity to receive intensive instruction and services for up to two consecutive academic years after the completion of grade 12, until they pass both parts of the CAHSEE, whichever comes first.

English learners who have not passed one or both parts of the CAHSEE by the end of grade 12 are entitled to receive services to improve English proficiency as needed to pass those parts of the CAHSEE not yet passed for two consecutive academic years after the completion of grade 12 or until they pass they pass both parts of the CAHSEE, whichever comes first.

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(continued)

Pupils who have not passed one or both parts of the CAHSEE by the end of grade 12 have a right to file a complaint regarding intensive instruction and services under the Uniform Complaint Procedures if he or she was not provided the opportunity to receive intensive instruction and services for up to two consecutive academic years after the completion of grade 12 or until they pass they pass both parts of the CAHSEE, whichever comes first.

To file a complaint regarding the above matters, complaint forms can be obtained at one of the following locations:

- ◆ the Principal's Office
- ◆ <http://www.mcoe.us/policies>

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**COMPLAINT FORM**

Education Code 35186 and Section 37254 create a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean and safe manner or in good repair, teacher vacancy or missassignment, or the lack of opportunity to receive intensive instruction and services to pupils who did not pass one or both parts of the high school exit examination by the end of grade 12. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested?     Yes     No

Name: \_\_\_\_\_

Address \_\_\_\_\_

Phone Number:    Day: \_\_\_\_\_    Evening: \_\_\_\_\_

Email address, if any \_\_\_\_\_

Location of the problem that is the subject of this complaint:

School/location: \_\_\_\_\_

Course title/grade and teacher name: \_\_\_\_\_

Room number/name of room/location of facility: \_\_\_\_\_

Date problem was observed: \_\_\_\_\_

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please use the appropriate district complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply: A complaint may contain more than one allegation.)

1. Textbooks and instructional materials: (Education Code 352186; 5 CCR 4681)
  - A student, including an English learner, lacks standards-aligned textbooks or instructional materials or state-adopted or district-adopted textbooks or other required instructional materials to use in class.
  - A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.
  - Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
  - A student was provided photocopies sheets from a portion of a textbooks or instructional materials to address a shortage of textbooks or instructional materials.

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**COMPLAINT FORM** (continued)

2. Teacher vacancy or misassignment: (Education Code 352186; 5 CCR 4681)
- A semester begins and a certificated teacher vacancy exists. A *teacher vacancy* is 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.
  - A teacher lacking credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
  - A teacher is assigned to teach a class for which the teacher lacks subject matter competency.
3. Facility conditions:
- A condition exists that poses an emergency or urgent threat to the health or safety of students or staff including 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 pupils or staff; or structural damage creating a hazardous or uninhabitable condition.
  - A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.
  - The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when closing of the restroom is necessary for pupil safety or to make repairs.
4. High school exit exam intensive instruction and services: (Education Code 35186)
- Pupils who have not passed the high school exit exam by the end of grade 12 were not provided the opportunity to receive intensive instruction and services pursuant to Education Code 37254(d)(4) and (5) after completion of grade 12.

Please describe the issue of your complaint in detail below. You may attach additional pages and include as much text as necessary to describe the situation:—For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of pupils or staff.

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**COMPLAINT FORM** (continued)

Please file this complaint with the principal of the school or:

Superintendent's Office  
Mendocino County Office of Education  
2240 Old River Road  
Ukiah, CA 95482

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**MENDOCINO COUNTY BOARD OF EDUCATION**

Adopted: February 14, 2005  
Revised: March 10, 2008