

**MODESTO CITY SCHOOLS COMPLAINT FORM:  
WILLIAMS UNIFORM COMPLAINT PROCEDURES**

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, teacher vacancy or misassignment, 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

Contact Information:

Name: (optional) \_\_\_\_\_

Mailing Address: (optional) \_\_\_\_\_

Phone Number: Day: (optional) \_\_\_\_\_ Evening: (optional) \_\_\_\_\_

E-mail address, if any: (optional) \_\_\_\_\_

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

School Name/Address \_\_\_\_\_

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

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

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

**Issue of complaint (please check all that apply):**

**1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)**

- A pupil, 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 pupil 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 pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

**2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4681)**

- A semester begins and a 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 school 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: (Education Code 35186, 35292.5; 5 CCR 4683)**

- A condition exists that poses an emergency or urgent threat to the health or safety of pupils or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line 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, and any other emergency condition the school district determines appropriate.
- 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 the completion of grade 12.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully 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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Please file this complaint at the following location: **in person or by mailing to the school office.**

\_\_\_\_\_  
(principal or title of designee of the Superintendent)

\_\_\_\_\_  
(address)

As a complainant, you can expect a resolution to the complaint within 30 working days of submission to the school office. If you have requested a response to the complaint, you will receive it within 45 days of initial filing. If you are unsatisfied with the resolution to the complaint, you may bring the matter to the attention of the Modesto City Schools Board of Education. If you remain unsatisfied with the resolution to a complaint regarding an emergency Facilities condition that represents an urgent threat to the health and safety you may further file an appeal with the State of California Superintendent of Public Instruction.

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