

10.5. WILLIAMS COMPLAINT PROCEDURES FORM

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 mis-assignment. 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

COMPLAINANT CONTACT INFORMATION

Name

Address

City, State, Zip Code

Phone

Email

LOCATION OF THE PROBLEM THAT IS THE SUBJECT OF THE COMPLAINT

School

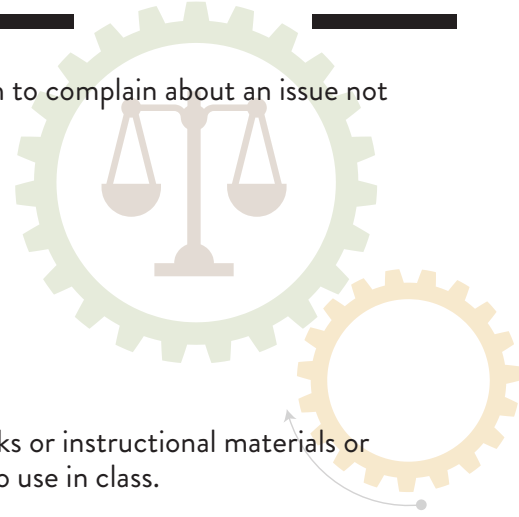
Course/Title/Grade Level/Teacher Name

Name of Location

Date Problem Was Observed

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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.

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

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.

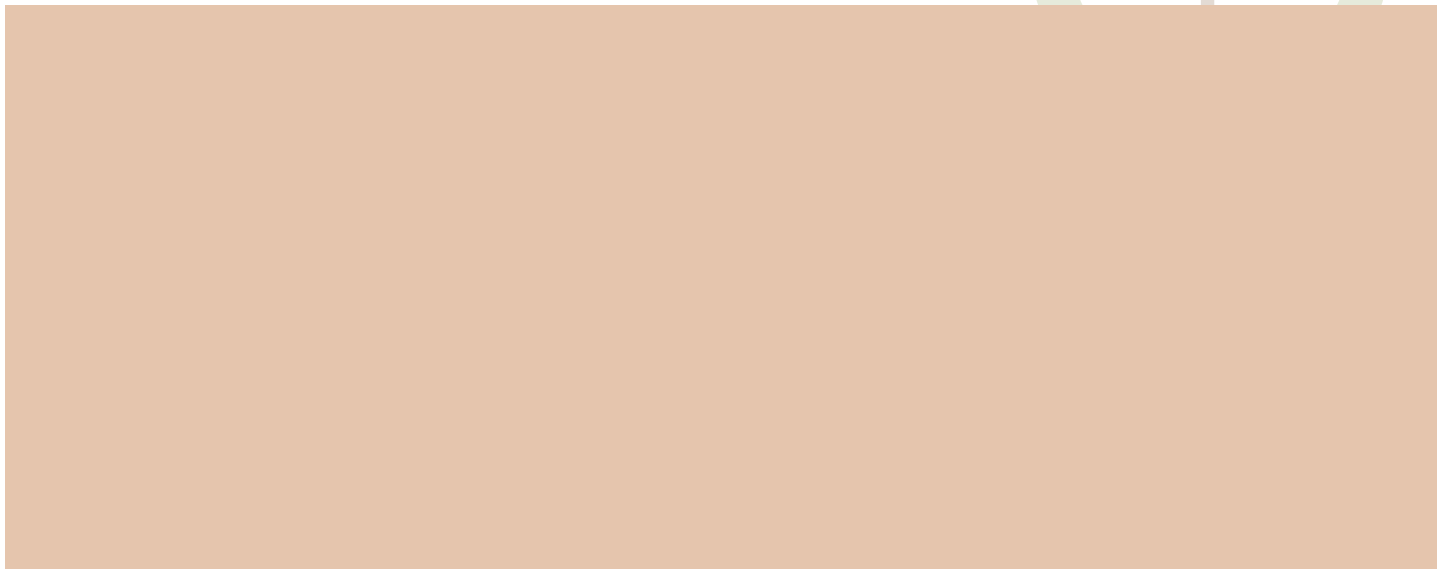
Facility conditions: (Education Code 35186, 35292.5; 5 CCR 4683)

- 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 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.

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DETAILS OF YOUR COMPLAINT

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.



I CERTIFY THAT THE INFORMATION I AM PROVIDING IS TRUE AND CORRECT.

COMPLAINANT'S SIGNATURE:

DATE:

SUPPORTING DOCUMENTS ATTACHED: Yes No

Complainants are advised that while the District will make an effort to protect their privacy and confidentiality, investigation of the complaint may require disclosure of certain information for 'those in the need to know.' By filing a complaint, the complainant authorizes the District to investigate and make disclosures as may be reasonably necessary to the investigation and resolution of the complaint. Complaints will be reviewed in a timely manner. You will receive an 'Acknowledgment Letter' and 'Closure Letter' by email and U.S. mail.

Note: Retaliation for filing a complaint is prohibited. If any participant in the complaint process experiences retaliation as a result of having participated in the process, please notify the site principal and/or the Title IX Compliance Office.

PLEASE SUBMIT THIS SIGNED COMPLAINT FORM TO:

**District Civil Rights & Compliance Office
Berkeley Unified School District
2020 Bonar Street, Room 117, Berkeley, CA 94702
Email: complaints@berkeley.net
Phone: (510) 486-9338**