

**Options For Youth Public Charter School
Uniform Complaint Procedure Form
For *Education Code* Section 35186 Complaints**

Education Code (EC) Section 35186 created 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, and teacher vacancy or misassignment. EC Section 49013 expanded this procedure to a complaint regarding a “pupil fee” that is required for participation in an educational activity offered by a California public school, as defined in EC Section 49010. EC Sections 48853, 49069.5, 51225.1, and 51225.2 expanded this procedure to complaints concerning students in foster care or students who are homeless. EC Section 222 expanded this procedure to a complaint regarding reasonable accommodations for lactating students. EC Section 52334 expanded this procedure to complaints concerning adult education programs. EC Section 51228 expanded this procedure to complaints concerning classroom assignments. Complaints need not be filed using this form. The complaint and response are public documents as provided by statute. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the following contact information.

Response requested: Yes No

Name (Optional): _____

Mailing Address (Optional): _____

Phone Number Day (Optional): _____

Evening (Optional): _____

Issue of complaint (please check all that apply):

1. Textbooks and Instructional Materials

- A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state-adopted 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.

2. Facility Conditions

- A condition poses an urgent or emergency 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 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 pupil or staff, structural damage creating a hazardous or uninhabitable condition, and any other emergency conditions the school district determines appropriate.
- A school restroom has not been maintained or cleaned regularly, is not fully operational and 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.

3. Teacher Vacancy or Misassignment

- Teacher vacancy - 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 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.)

- Teacher misassignment - A teacher is assigned to teach a class for which the teacher lacks subject matter competency.
 - Teacher lacking credentials – A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20-percent English learner pupils in the class. This subparagraph does not relieve a school district from complying with state or federal law regarding teachers of English learners.
- 4. Fees Charged for Registration or Participation:**
- A fee was charged as a condition for registration for school or classes.
 - A fee was charged as a condition for participation in a class or extracurricular activity (whether or not the activity or class is compulsory, elective, or for course credit).
 - A fee was charged for supplies, materials, or equipment needed to participate in educational activities.
- 5. Security Deposits or Other Payments for Materials or Equipment:**
- A security deposit or other payment was required to obtain materials or equipment, including but not limited to, a lock, locker, book, class apparatus, musical instrument, uniform, etc.
- 6. Required Purchases for Educational Activities:**
- A purchase was required to obtain materials, supplies, equipment, or uniforms associated with an educational activity.
- 7. Miscellaneous/Other Fees or Charges:**
- The school is violating the requirements of Article 5.5 (commencing with Section 49010) of Ch. 6 of Part 27 of Div. 4 of Title 2 of the California Education Code, regarding the prohibition of pupil fees for participation in educational activities.
- 8. Students in Foster Care & Students who are Homeless:**
- The school is violating the requirements of Section 48853 of Ch. 5.5 of Part 27 of Div. 4 of Title 2 of the California Education Code, regarding placement of students in foster care or students who are homeless.
 - The school is violating the requirements of Section 48853.5 of Ch. 5.5 of Part 27 of Div. 4 of Title 2 of the California Education Code, regarding the designation of an education liaison for foster children.
 - The school is violating the requirements of Section 49069.5 of Article 4 of Ch. 6.5 of Part 27 of Div. 4 of Title 2 of the California Education Code, regarding the transfer between schools of students in foster care.
 - The school is violating the requirements of Section 51225.1 of Article 3 of Ch. 2 of Part 28 of Div. 4 of Title 2 of the California Education Code, regarding graduation requirements for students in foster care or students who are homeless.
 - The school is violating the requirements of Section 51225.2 of Article 3 of Ch. 2 of Part 28 of Div. 4 of Title 2 of the California Education Code, regarding acceptance of coursework satisfactorily completed by students in foster care or students who are homeless.
- 9. Reasonable Accommodations**
- The school is violating the requirements of Section 222 Article 4 of Ch. 2 of Part 1 of Div. 1 of Title 1 of the California Education Code, regarding providing reasonable accommodations for lactating students.
- 10. Adult Education Programs**
- The school is violating federal or state laws or regulations governing adult education programs established under Section 52501 of Article 1 of Ch. 10 of Part 28 of Div. 4 of Title 2 of the California Education Code.
- 11. Class Assignment**
- The school is violating California Education Code 51228.1 and 51228.2 that prohibits the assignment of a student to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions in California Education Code 51228.3.

Date of Problem: _____

Location of Problem (School or Center Name and Address):

Course or Grade Level and Teacher Name:

Please describe the issue of your complaint in as much detail as possible, including, if applicable, (1) the class or extracurricular activity involved; (2) the details regarding how the requirement to pay a fee, deposit, or need to purchase materials, supplies, equipment or a uniform was communicated (3) the item required for purchase; (4) the fee or deposit required; (5) the total cost, if any; and/or (6) any other relevant facts pertaining to your complaint. You may attach additional pages if necessary to fully describe the situation.

Please file or mail this complaint at the following location:

Attn: Charles Pak, Director of Instruction
Uniform Complaint Form
Options For Youth Public Charter Schools
320 N. Halstead Street, Suite 280
Pasadena, CA 91107

You may also file this complaint at your local learning center.