

Administrative Regulation

Uniform Complaint Procedure – Instructional Materials, Emergency or Urgent Facilities Conditions, and Teacher Vacancy or MisassignmentTypes of Complaints

The district shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred at any district school:

A. Textbooks and Instructional Materials

1. 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.
2. A pupil does not have access to instructional materials to use at home or after school.
3. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.

B. Teacher Vacancy or Misassignment

1. A semester begins and a teacher vacancy exists.
2. 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.
3. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

“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.

“Beginning of the year or semester” means the first day classes necessary to serve all the pupils enrolled are established with a single

designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day pupils attend classes for that 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.

C. Facilities

1. A condition poses an emergency or urgent threat to the health or safety of pupils or staff.

“Emergency or urgent threat” means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including, but not limited to, 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.

2. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.

“Clean or maintained school restroom” means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.

“Open restroom” means, except as necessary for pupil safety or to make repairs, the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when pupils are in classes.

Complaint Procedures

A. Filing of Complaint

1. A complaint alleging any condition(s) specified in items A-C above may be filed with the principal or the school designee using form #9701.62 which is available in the school office. The principal or the school designee shall forward a complaint governing problems beyond their authority to the district designee, who is the Executive Director of K-12 Educational Services, within 10 working days.
2. A complaint alleging any deficiencies specified in item D above may be filed at the district office or at a school site and shall be immediately forwarded to the Executive Director of K-12 Educational Services.

B. Complaint Investigation

The principal or the district designee shall make all reasonable efforts to investigate any problem within their authority. The principal or the district designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received.

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that a response to the complaint is requested, the principal or the district designee shall report the resolution of the complaint to the complainant within 45 working days of the initial filing of the complaint. The response shall be made to the mailing address of the complainant as indicated on the complaint form. When the principal or the school designee makes the report, the report shall be provided in the same timeframe to the district designee.

This report shall contain the findings and disposition of the complaint, including corrective actions if any, the rationale for such disposition, and notice of the complainant's right to appeal.

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed.

C. Appeals

If a complainant is dissatisfied with the resolution of the complaint, the complainant may describe the complaint to the Board of Education at a regularly scheduled hearing. The superintendent or the designee will investigate and respond to the complainant's appeal to the Board.

For complaints concerning a facility condition that poses an “emergency or urgent threat to the health or safety of pupils” as described in section C(1) above, a complainant who is dissatisfied with the resolution offered by the principal, superintendent, or the designee may file an appeal to the State Superintendent of Public Instruction within 15 days of receiving the district’s response. The complainant shall comply with the appeal requirements of 5 CCR 4632.

All complaints and written responses shall be public records.

Reporting Requirements

The superintendent or the designee shall report summarized data on the nature and resolution of all complaints on a quarterly basis at a regularly scheduled meeting of the Board of Education and to the Orange County Superintendent of Schools. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board meeting.

The superintendent or the designee shall ensure that the district’s complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as desired. However, complainants need not use the district’s complaint form in order to file a complaint.

A notice shall be posted in each classroom in each district school containing the components specified in Education Code 35186.

Ref: EC Sections 35186
CCR, Title 5, Sections 4600-4671
Approved: March 1, 2005
Revised: August 16, 2005
Revised: March 12, 2007
Revised: August 19, 2008
Revised: February 3, 2009
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GARDEN GROVE UNIFIED SCHOOL DISTRICT

FORMAL COMPLAINT FORM
(Administrative Regulation 3119.2)

Instructional Materials, Emergency or Urgent Facilities Conditions, and Teacher Vacancy or Misassignment

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

Your Name: _____

Home Address: _____

Telephone Number: Day _____ Evening _____

Issue(s) of the complaint: (Please check all that apply)

1. Textbooks and Instructional Materials: *(The complaint may contain more than one allegation deficiency or deficiencies in the instructional material.)*

- A pupil, including an English learner, lacks 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 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 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:

- 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 lacks credentials or training to teach English learners or is assigned to teach a class with more than 20% English learners in the class.
- A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

(over)

3. Facility Conditions:

- A condition 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, 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.

Please describe the issue of your complaint in detail, including the date of the problem and specific location where the problem occurred (include school/site with address and room number or location; teacher name with course or grade-level). You may attach additional pages if necessary to fully describe the situation.

Your Signature: _____ Date: _____

Please file this complaint with the school principal.

For Completion by the School

Date Received by the School: _____

Resolution of complaint to be addressed by (check one):

- School Principal or Designee District Designee Forward

copy of completed form to K-12 Educational Services.

9701.62*

- Approved: March 1, 2005
- Revised: August 16, 2005
- Revised: October 3, 2006
- Revised: March 12, 2007
- Revised: January 14, 2008
- Revised: February 3, 2009
- Revised: May 2, 2017

DISTRITO ESCOLAR UNIFICADO DE GARDEN GROVE

SOLICITUD FORMAL DE QUEJA
(Reglamento Administrativo 3119.2)

Materiales de instrucción, condiciones de las instalaciones para servicios públicos de emergencia o de urgencia, vacante de maestro o asignación inapropiada

Las quejas se pueden hacer anónimamente. Sin embargo, si desea recibir una respuesta a su queja, debe proporcionar la información a continuación.

¿Desea una respuesta? D Sí D No

Escuela o lugar donde ocurrió la queja: _____

Su nombre: _____

Domicilio: _____

Número de teléfono: Día _____ Noche _____

Tema(s) de la queja: (Por favor marque todo lo que aplica)

1. Libros de texto y materiales de instrucción: *(La queja puede contener más de una alegación de deficiencia o deficiencias en los materiales de instrucción.)*

- D Al alumno, incluyendo un alumno que está aprendiendo inglés, le faltan libros de texto y materiales de instrucción u otros libros de texto utilizados por el estado o distrito u otros materiales de instrucción requeridos para usar en la clase.
- D El alumno no tiene acceso a materiales de instrucción para usar en casa o después de clases.
- D Los libros de texto o materiales de instrucción están en malas condiciones, faltan hojas o no se pueden leer debido a los daños.
- D Al alumno se le proporcionaron hojas fotocopiadas solamente de una porción de un libro de texto o materiales de instrucción para solucionar la falta de libros de texto o materiales de instrucción.

2. Vacante de maestro o asignación inapropiada:

- D El semestre empieza y existe una vacante de maestro. Una vacante de maestro es una posición en la cual un empleado certificado designado no ha sido asignado a principios del año escolar por todo un año o, si la posición es para un curso de un semestre, una posición a la cual un empleado certificado designado no ha sido asignado a principios del semestre por todo el semestre.
- D El maestro no tiene credenciales o entrenamiento para enseñarles a los Estudiantes de inglés o es asignado para enseñar una clase con más de un 20% de Estudiantes de inglés en la clase.
- D Un maestro está asignado para enseñar una clase en la que no tiene capacidad para enseñar dicha materia.

(vea al dorso)

3. Condiciones de las instalaciones:

- D Existe una condición que representa un riesgo de emergencia o amenaza urgente para la salud o seguridad del alumno o para el personal escolar, incluyendo: escapes de gas; sistemas que no funcionan de calefacción, ventilación, rociadores en caso de incendio, aire acondicionado; fallas eléctricas; obstrucción en las alcantarillas; plaga de sabandijas o insectos dañinos; ventanas rotas, puertas exteriores o rejas que no se pueden cerrar con candado y que son un riesgo de seguridad; eliminación de materiales dañinos que previamente no habían sido descubiertos y representan una amenaza inmediata a los estudiantes o personal; o daños en la estructura que causan condiciones peligrosas o inhabitables.
- D Un sanitario escolar no ha sido limpiado o mantenido regularmente, no está funcionando en su totalidad, o no ha sido surtido todo el tiempo con papel higiénico, jabón y toallas de papel o un secador de manos que funcione.
- D La escuela no ha mantenido todos los sanitarios abiertos durante las horas de clases cuando los alumnos no están en las clases y no ha mantenido suficientes sanitarios abiertos durante las horas de clases. Esto no aplica cuando sea necesario cerrar los sanitarios para la seguridad de los alumnos o para hacer reparaciones.

Por favor describa la razón de su queja en detalle, incluyendo la fecha del problema y el lugar específico donde ocurrió el problema (incluya el nombre de la escuela, dirección y el número del salón de clases o lugar; nombre del maestro y nivel de grado). Puede incluir hojas adicionales si es necesario para describir la situación completamente.

Su firma: _____ Fecha: _____

Por favor entregue este formulario de queja al director escolar.

For Completion by the School

Date Received by the School: _____

Resolution of complaint to be addressed by (check one):

- School Principal or Designee District Designee

Forward copy of completed form to K-12 Educational Services.

9701.62* (Spanish)

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KHU HỌC CHÍNH GARDEN GROVE

MẪU KHIẾU NẠI CHÍNH THỨC

(Điều lệ Hành chánh 3119.2)

Tài liệu giáo khoa, Trường sở ở trong tình trạng khẩn cấp hay cần tu sửa cấp bách, Việc thiếu giáo viên hay bổ nhiệm giáo viên không đúng khả năng

Quý vị không cần cho biết danh tánh khi làm đơn khiếu nại. Tuy nhiên, nếu muốn chúng tôi hỏi đáp đơn khiếu nại, xin quý vị cung cấp những chi tiết sau đây. Có cần

chúng tôi hỏi đáp không? Có Không

Tên của quý vị: _____

Địa chỉ nhà: _____

Số điện thoại: Ban ngày _____ Buổi tối _____

Vấn đề khiếu nại: [Xin đánh dấu vào (những) ô thích hợp]

1. Sách và tài liệu giáo khoa: *(Có thể khiếu nại về một hay nhiều sự thiếu hụt về tài liệu giáo khoa.)*

- Ở trong lớp, học sinh, kể cả học sinh chưa thạo Anh ngữ, thiếu sách hay tài liệu giáo khoa đúng tiêu chuẩn, hoặc thiếu sách giáo khoa đã được tiểu bang hay học khu chuẩn thuận cho dùng, hoặc thiếu tài liệu giáo khoa cần thiết.
- Học sinh không có sẵn tài liệu giáo khoa để dùng ở nhà hay sau giờ học. Xin nhắc lại: không nhất thiết mỗi học sinh phải có hai bộ sách hay tài liệu giáo khoa để dùng.
- Sách hay tài liệu giáo khoa ở trong tình trạng rách nát hay không thể dùng được, bị mất trang, hay bị hư hỏng không thể đọc được.
- Chỉ phát cho học sinh bản sao của một phần sách hay tài liệu giáo khoa thay cho sách hay tài liệu giáo khoa bị thiếu.

2. Thiếu giáo viên hoặc Bổ nhiệm giáo viên không đúng khả năng:

- Học kỳ đã bắt đầu mà vẫn chưa có giáo viên thực thụ dạy lớp học. Thiếu giáo viên là khi chưa có giáo viên thực thụ để bổ nhiệm dạy trọn một năm ngay từ đầu năm học; hoặc đối với trường hợp dạy một môn học trong một học kỳ, là khi chưa có giáo viên thực thụ chuyên môn để bổ nhiệm dạy trọn một học kỳ ngay từ đầu.
- Bổ nhiệm giáo viên chưa có bằng hoặc chưa được huấn luyện chuyên dạy học sinh chưa thạo Anh ngữ để dạy một lớp mà số học sinh chưa thạo Anh ngữ chiếm trên 20%.
- Bổ nhiệm giáo viên thiếu khả năng chuyên môn.

(xem tiếp trang sau)

3. Tình trạng trường sở:

- Tình trạng khiến cho sức khỏe hay sự an toàn của học sinh hay nhân viên nhà trường bị đe dọa cấp bách, như trường hợp ga bị xì; trường hợp những hệ thống sưởi ấm, thông gió, vòi chữa lửa tự động hay máy điều hoà không khí không hoạt động; trường hợp mất điện; cống rãnh bị nghẹt nhiều chỗ; sâu bọ hay côn trùng đầy rẫy; cửa sổ hay cửa lớn hay cổng ra vào bị hư bể khiến không khoá lại được và không còn được an toàn; việc giải quyết những vật liệu nguy hiểm mới khám phá ra được gây nguy hiểm tức khắc cho học sinh và nhân viên nhà trường; hay trường hợp cấu trúc bị hư hỏng khiến trường sở ở trong tình trạng nguy hiểm hay không học được.
- Phòng vệ sinh ở trường không được quét dọn thường xuyên hoặc giữ gìn sạch sẽ, không sử dụng được, hoặc không có đầy đủ giấy vệ sinh, thiếu xà phòng rửa tay và giấy lau tay, hoặc máy sấy tay bị hỏng.
- Nhà trường không mở tất cả các phòng vệ sinh để học sinh sử dụng khi ở ngoài lớp học và không mở đủ phòng vệ sinh cho học sinh sử dụng trong giờ học; không kể trường hợp cần phải đóng phòng vệ sinh để sửa chữa hay để giữ an toàn cho học sinh.

Xin ghi chi tiết vấn đề mà quý vị khiếu nại, như ngày và địa điểm chính xác khi vấn đề xảy ra (tên trường cùng với địa chỉ và số phòng học hay địa điểm; tên giáo viên dạy môn học hay cấp lớp). Quý vị có thể dùng thêm giấy nếu cần phải kể rõ hết mọi sự kiện.

Chữ ký của quý vị: _____ Ngày: _____ Xin quý vị

nộp đơn khiếu nại này cho hiệu trưởng trường.

Phần dành riêng cho nhà trường

Date Received by the School: _____

Resolution of complaint to be addressed by (check one):

- School Principal or Designee District Designee Forward

copy of completed form to K-12 Educational Services.

9701.62* (Vietnamese) Approved:

March 1, 2005

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