

UNIFORM COMPLAINT PROCEDURES (UCP)  
Overview for School Site Staff

Complaints regarding instructional materials shall be based on the following:

1. A student, including an English learner, does not have access to textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
2. A student does not have access to instructional materials to use at home or after school to complete required homework assignments.
3. Textbooks or instructional materials are in poor or unusable conditions, have missing pages, or are unreadable due to damage.

Complaints regarding teacher vacancy or mis-assignment shall be based on the following:

1. A semester begins and a certificated teacher is not assigned to teach the class.
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 students in the class.
3. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.
4. Mis-assignment 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.

Complaints regarding facilities shall be based on the following:

1. A condition poses an emergency or urgent threat to the health or safety of student or staff. (Education Code 18592.72)

Emergency or urgent threats are structures or systems that are in a condition that pose 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 sewage stoppage;
- Major pest or vermin infestation;

- Broken windows or exterior doors or gates that will not lock and that pose a security risk;
- Hazardous materials previously undiscovered that pose an immediate threat to students or staff; or
- Structural damage creating a hazardous or uninhabitable condition

A complaint may also be made if classrooms are missing a UCP notification posting (each classroom must have one) or the requisite language, as follows:

Education Code 35186 requires 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 to complete required homework assignments (this does not imply that two copies of textbooks or instructional materials are required).
2. School facilities must be clean, safe, and maintained in good condition so as not to pose an emergency or urgent threat to the health and safety of students or staff. Examples of emergency or urgent threats are structures or systems that are in a condition that pose a threat to the health and safety of students or staff while at school, including but not limited to:
  - a) Gas leaks;
  - b) Nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems;
  - c) Electrical power failure;
  - d) Major sewage stoppage;
  - e) Major pest or vermin infestation;
  - f) Broken windows or exterior doors or gates that will not lock and that pose a security risk;
  - g) Hazardous materials previously undiscovered that pose an immediate threat to students or staff; and
  - h) Structural damage creating a hazardous or uninhabitable condition.