

Community Relations

Complaints Concerning Staff or Programs: Nondiscrimination

To ensure fairness and consistency, the following grievance procedure is to be used when a parent/community member raises allegations of discrimination in violation of Title IX of the Education Amendments of 1972 and/or Washington Administrative Code (WAC 392-190). No parent/community member will be adversely affected in any way because such person utilized these procedures.

A “complaint” shall mean a charge alleging specific acts, conditions or circumstances, which are in violation of Title IX or its implementing regulations or Washington Administrative Code (WAC 392-190).

The primary purpose of this procedure is to secure an equitable solution to a justifiable complaint; to this end, the following steps shall be taken.

Most complaints can be resolved by informal discussions between the community members and the staff member. It is imperative that throughout the complaint process all parties act in a civil and respectful manner. Complaints should be warranted and presented in a productive manner that is neither disruptive, intimidating, nor offensive. In instances where the supervising administrator perceives that interactions between parties is inappropriate, offensive, intimidating or disruptive, he/she may direct that communications and interactions be facilitated directly by him/her or designee until the matter is resolved.

Informal Review Procedures

When a parent/community member has an issue with a staff member, he/she will discuss the issue with the staff member within sixty (60) days of the circumstances which gave rise to the problem. The parent/community member may also ask the district Title IX officer to participate in the discussion. It is intended that the informal discussion will resolve the issue. If the parent/community member feels the staff member cannot be approached directly, the person/community member may contact the Title IX officer directly to discuss the issue. If discussion with the Title IX officer or staff member does not resolve the issue, the parent/community member may proceed to the formal review procedures.

Level One – Formal Review

- A. The complainant is encouraged to complete district form No. 4312F.3 (Title IX Discrimination Inquiry Form) and submit it to the Title IX Officer (Executive Director of Human Services) within one year of the occurrence that is the subject matter of the complaint.
- B. The complaint form should be signed by the complainant and must set forth the specific acts, conditions or circumstances alleged to be in violation. The Title IX officer will conduct

a prompt and thorough investigation into the allegations and provide the Superintendent with a full written report of the complaint and the results of the investigation. The Superintendent will respond to the complainant, in writing, as expeditiously as possible, but in no event later than thirty (30) calendar days following receipt of the written complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension. If an extension is needed, the school district will notify the complainant in writing of the reasons for the extension and the anticipated response date.

The Superintendent's response, will include:

- A. A summary of the results of the investigation;
- B. Whether the district has failed to comply with Title IX or its implementing regulations or WAC 392.190;
- C. Notice of the complainant's right to appeal to the Board of Directors, including where and to whom the appeal must be filed;
- D. If the district failed to comply with Title IX or its implementing regulations or WAC 392-190, the corrective measures deemed necessary to correct the noncompliance.

Such corrective measures deemed necessary will be instituted as expeditiously as possible, but in no event later than thirty (30) calendar days following the Superintendent's mailing of a written response to the complaining party, unless otherwise agreed to by the complainant.

Level Two – Appeal to Board of Directors

If a complainant remains aggrieved as a result of the action or inaction of the Superintendent in resolving a complaint, the complainant may file a written notice of appeal with the Board of Directors by the tenth calendar day following:

- A. The date upon which the complainant received the Superintendent's response, or
- B. The expiration of the thirty (30) calendar day response period stated in Level One, whichever occurs first.

The board will schedule a hearing to commence by the twentieth calendar day following the filing of the written notice of appeal, unless otherwise agreed to by the complainant. Both parties will be allowed to present such witnesses and testimony as the board deems relevant and material. The board shall render a written decision by the tenth calendar day following the termination of the hearing, unless otherwise agreed to by the complainant, and will provide a copy to all parties involved. The board's decision will include notice of the complainant's right to file a complaint with the Office of the Superintendent of Public Instruction.

Level Three – Appeal to the Office of the Superintendent of Public Instruction

If the complainant is not satisfied with the board's decision, the complainant may appeal the board's decision to the Office of the Superintendent of Public Instruction (OSPI).

- A. A notice of appeal must be received by OSPI within (20) twenty calendar days following the date upon which the complainant received written notice of the board's decision, unless OSPI grants an extension for good cause.
- B. A notice of appeal must be in writing in the form required by the Office of the Superintendent of Public Instruction and must set forth:
 - 1. A description of the specific acts, conditions, or circumstances alleged to violate WAC 392-190 and the facts on which the complaint is based;
 - 2. The name and contact information, including address, of the complainant;
 - 3. The name and address of the school district;
 - 4. A copy of the school district's complaint and appeal decisions;
 - 5. A proposed resolution of the complaint or relief requested and;
 - 6. If the allegations regard a specific student, the complaint must also include the name and address of the student and name and address of the student's school and school district.

Preservation of Records

The files containing copies of all correspondence relative to each complaint communicated to the district and the disposition, including any corrective measures instituted by the district, will be retained in the office of the district Title IX compliance officer for a period of five (5) years, or as otherwise required by law.

Cross Reference: Policy 3210 - Nondiscrimination

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