

STUDENTS

Nondiscrimination

Any student or parent may file a complaint via this procedure alleging violation of District Policy 3210 or applicable anti-discrimination laws concerning student(s). This complaint procedure is designed to assure that the resolution of real or alleged violations are directed towards a just solution that is satisfactory to the complainant, the administration and the Board of Directors. This grievance procedure will apply to the general conditions of nondiscrimination policy (No. 3210), applicable laws prohibiting discrimination, and more particularly to policies dealing with guidance and counseling (No. 2140), co-curricular program (No. 2150), service animals in schools (No. 2030) and instructional materials (No. 2020).

As used in this procedure, "Grievance" means a complaint which has been filed by a complainant relating to alleged violations of any state or federal anti-discrimination laws.

A "complaint" means a written charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. The time period for filing a complaint is one year from the date of the occurrence that is the subject matter of the complaint. However, a complaint filing deadline may not be imposed if the complainant was prevented from filing due to: 1) Specific misrepresentations by the District that it had resolved the problem forming the basis of the complaint; or 2) Withholding of information that the District was required to provide under WAC 392-190-065 or WAC 392-190-005. Complaints may be submitted by mail, fax, e-mail or hand delivery to any District administrator, school staff member or to the District compliance officer responsible for investigating discrimination complaints. Any District employee who receives a complaint that meets these criteria will promptly notify the compliance officer.

A respondent means the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

The primary purpose of this procedure is to secure an equitable solution to a justifiable complaint. To this end, specific steps will be taken. The District is prohibited by law from intimidating, threatening, coercing or discriminating against any individual for the purpose of interfering with their right to file a grievance under this policy and procedure and from retaliating against an individual for filing such a grievance.

A. Informal Review Procedures

Anyone with an allegation of discrimination may request an informal meeting with the compliance officer or designated employee to resolve their concerns. Such a meeting will be at the option of the complainant. If unable to resolve this issue at this meeting, the complainant may submit a written complaint to the compliance officer (using form 3210F1). During the course of the informal process, the District must notify the complainant of their right to file a formal complaint.

B. Level One – Formal Review

The complaint must set forth the specific acts, conditions or circumstances alleged to be in violation. Upon receipt of the complaint, the compliance office will provide the complainant a copy of this procedure. The compliance officer will investigate the allegations within thirty (30) calendar days of receiving the complaint.

The District and complainant may agree to resolve the complaint in lieu of an investigation. The compliance officer will provide the Superintendent with a full written report of the complaint and the results of the investigation. The Superintendent or designee will respond to the complainant with a written decision 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 of the time limit. In the event an extension is needed, the District will notify the complainant in writing of the reason for the extension and the anticipated response date at the time the District responds to the complainant. The District must send a copy of the response to the Office of the Superintendent of Public Instruction (OSPI).

The decision of the Superintendent or designee will include:

1. A summary of the results of the investigation;
2. Whether the District or a third person has failed to comply with anti-discrimination laws;
3. If non-compliance is found, corrective measures the District deems necessary to correct it; and
4. Notice of the complainant's right to appeal to the School Board and the necessary filing information.

The Superintendent's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964.

Any 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 the Board of Directors

If a complainant disagrees with the Superintendent's or designee's written decision the complainant may appeal the decision to the Board of Directors by filing a written notice of appeal with the secretary of the Board by the tenth (10) calendar day following the date upon which the complainant received the response.

The Board will schedule a hearing to commence by the twentieth (20) calendar day following the filing of the written notice of appeal, unless otherwise agreed to by the complainant and the Superintendent for good cause. Both parties will be allowed to present such witnesses and other information as the Board deems relevant and material. Unless otherwise agreed to by the complainant, the Board will render a written decision within thirty (30) calendar days

following the filing of the notice of the appeal and will provide the complainant with a copy of the decision. The decision of the Board will be provided in a language the complainant can understand, which may require language assistance form complaints with limited English proficiency in accordance with Title VI of the Civil Rights Act. The decision will include notice of the complainant's right to appeal to the Office of the Superintendent of Public Instruction (OSPI) and will identify where and to whom the appeal must be filed. The District will send a copy of the appeal decision to the Office of the Superintendent of Public Instruction.

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

If a complainant disagrees with the decision of the Board of Directors, or if the District fails to comply with this procedure, the complainant may file a complaint with the Superintendent of Public Instruction.

- A. A complaint must be received by the Office of the Superintendent of Public Instruction on or before the twentieth (20) day following the date upon which the complainant received written notice of the Board's decision, Unless the Superintendent of Public Instruction grants an extension for good cause. Complaints may be submitted by mail, fax, electronic mail, or hand delivery.
- B. A complaint must be in writing and include information required by OSPI.

C. Preservation of Records

The files containing copies of all records collected, including 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 six (6) years.

Revision Dates: June 24, 1992
 March 25, 1998
 February 12, 2014
 August 22, 2018