

## **Nondiscrimination**

Students, and/or parents, staff or other individuals acting on behalf of students of the district are eligible to participate in this complaint procedure. This complaint procedure is designed to assure that the resolution of real or alleged violations shall be directed toward a just solution that is satisfactory to the complainant, the administration and the board of directors. This grievance procedure shall apply to the general conditions of the nondiscrimination policy (3210) and more particularly to the policies dealing with guidance and counseling (2140), and curriculum development and instructional materials (Policy No. 2020). As used in this procedure,

”Grievance” shall mean a complaint which has been filed by a complainant (a student, an employee, a parent or guardian) relating to alleged violations of any anti-discrimination law including Title IX regulations and Washington Administrative Code (WAC) 392-190 or Section 504 of the Rehabilitation Act of 1973, or Title VII of the Civil Rights Act of 1964.

A complaint shall mean a charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. A respondent shall mean 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 shall be taken:

### Level One

Prior to the filing of a written complaint, the complainant or affirmative action officer may request a meeting with the respondent alleged to be directly responsible for the violation and/or with the immediate supervisor who is related to the complaint. These persons shall make reasonable efforts to meet with any student, or student representative, and the Title IX officer to discuss the issues that the student, or student representative, may wish to bring to their attention. Such a meeting shall 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 Title IX officer.

### Level Two

The complaint must be signed by the complaining party and set forth the specific acts, conditions, or circumstances alleged to be in violation. The officer shall investigate the allegations set forth within thirty (30) calendar days of the filing of the charge. The officer shall provide the superintendent with a full written report of the complaint and the results of the investigation. The superintendent shall respond in writing to the complainant as expeditiously as possible, but in no event later than thirty (30) calendar days following receipt of the written complaint. The superintendent shall state that the district either:

- A. denies the allegations contained in the written complaint received by the district; or
- B. shall implement reasonable measures to eliminate any such act, condition or circumstance.

Such corrective measures deemed necessary shall 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.

Level Three

If a complainant remains aggrieved as a result of the action or inaction of the superintendent in resolving a complaint, the complainant may appeal to the board of the district by filing a written notice of appeal with the secretary of the board by the tenth (10th) 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 Two, whichever occurs first.

The board shall schedule a hearing to commence by the twentieth (20th) calendar day following the filing of the written notice of appeal. Both parties shall 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 (10th) calendar day following the termination of the hearing and shall provide a copy to the complainant.

Level Four

In the event a complainant remains aggrieved with the decision of the board, the complainant may appeal the decision to any federal or state agency empowered with the authority to resolve such complaint.

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, shall be retained in the office of the Title IX compliance officer for a period designated by the Local Government Common Records Retention Schedule.

**Date: 06.06.11**