

STUDENTS

Nondiscrimination

Students, and/or parents, volunteers, 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 nondiscrimination policy (#3210) and more particularly to policies dealing with guidance and counseling (#2140), co-curricular program (#2150), curriculum development and instructional materials (#2020), and course offerings (#2100). 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, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, Title VI of the Civil Rights Act of 1964, or RCW 49.60.

“Complaint” shall mean a written charge alleging specific acts, conditions, or circumstances, which are in violation of an applicable anti-discrimination law or regulation as they relate to a student(s).

“Respondent” shall mean the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

“Complainant” is the student or student representative bringing 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 Title IX/equal opportunity officer may request a meeting with the respondent and/or his or her immediate supervisor. 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 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 30 calendar days following receipt of the written complaint. The superintendent shall state that the District either:

1. Denies the allegations contained in the written complaint received by the District, or
2. 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 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 10th calendar day following:

1. The date upon which the complainant received the superintendent's response, or
2. The expiration of the 30-calendar day response period stated in Level Two, whichever occurs first.

The board shall schedule a hearing to commence by the 20th calendar day following the filing of the written notice of appeal. The complainant and respondent 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 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 its disposition, including any corrective measures instituted by the District, shall be retained in the office of the Title IX/equal opportunity compliance officer for such period as required by law.

Revised: May 23, 2001

Revised: August 11, 2010