

COMPLAINTS ABOUT DISCRIMINATION, DISCRIMINATORY HARASSMENT, AND SEXUAL HARASSMENT

What is discrimination?

Discrimination is unfair or unlawful treatment of a person or group because they are part of a defined group, known as a protected class. Discrimination may include treating a person differently or denying someone access to a program, service, or activity because they are part of a protected class, or failing to accommodate a person's disability.

What is a protected class?

A protected class is a group of people who share common characteristics and are protected from discrimination and harassment by federal, state, or local laws. Protected classes under Washington state law include sex, race, color, religion, creed, national origin, disability, sexual orientation, gender expression, gender identity, veteran or military status, and the use of a trained dog guide or service animal.

How do I file a complaint about discrimination?

If you believe that you or your child has experienced unlawful discrimination or discriminatory harassment at school based on any protected class, you have the right to file a formal complaint. Follow the steps outlined below on filing a complaint or for a full copy of the school district's nondiscrimination procedures contact the school district at 509.446.2951.

Before filing a complaint, you may wish to discuss your concerns with your child's principal or with the school district's Section 504 Coordinator, Title IX Officer, or Civil Rights Compliance Coordinator. This is often the fastest way to resolve your concerns. Amada Burnett (Title IX) – 509.446.3505 or Nancy Lotze (Civil Rights Compliance) – 509.446.2951, or Jane Reed (504 Compliance Coordinator).

Step 1: Complaint to the School District

In most cases, complaints must be filed within one year from the date of the event that is the subject matter of the complaint. A complaint must be in writing, describe what happened, and state why you believe it is discrimination. It is also helpful to include what actions you would like the district to take to resolve your complaint.

Complaints may be submitted by mail, fax, e-mail, or hand delivery to a building principal, the superintendent, or the district's Compliance Coordinator.

When the school district receives your written complaint, the Compliance Coordinator will give you a copy of the district's discrimination complaint procedure. The Compliance Coordinator will then make sure that the school district conducts a prompt and thorough investigation. You may also agree to resolve your complaint in lieu of an investigation.

The school district must respond to you in writing within 30 calendar days after receiving your complaint, unless you agree on a different date. If exceptional circumstances related to the complaint require an extension of the time limit, the school district will notify you in writing about the reasons for the extension and the anticipated response date.

When the school district responds to your complaint, it must include:

1. A summary of the results of the investigation;

2. Whether or not the school district has failed to comply with civil rights requirements related to the complaint;
3. Notice of your right to appeal, including where and to whom the appeal must be filed; and
4. Any corrective measures determined necessary to correct any noncompliance.

Step 2: Appeal to the School District

If you disagree with the school district's decision, you may appeal to the school district's board of directors. You must file a notice of appeal in writing to the secretary of the school board within 10 calendar days after you received the school district's response to your complaint.

The school board will schedule a hearing within 20 calendar days after they received your appeal, unless you agree on a different timeline. At the hearing, you may bring witnesses or other information related to your appeal.

The school board will send you a written decision within 30 calendar days after the district received your notice of appeal. The school board's decision will include information about how to file a complaint with OSPI.

Step 3: Complaint to OSPI

If you do not agree with the school district's appeal decision, you may file a complaint with the Office of Superintendent of Public Instruction (OSPI). A complaint must be filed with OSPI within **20 calendar days** after you received the district's appeal decision. You may send your complaint to OSPI by e-mail, mail, fax, or hand-delivery:

E-mail: Equity@k12.wa.us

Fax: (360) 664-2967

Mail: OSPI Equity and Civil Rights Office, PO Box 47200, Olympia, WA 98504-7200

Complaints cannot be filed with OSPI unless they have already been raised with the school district and appealed, as outlined in Steps 1 and 2 above, or if the school district did not follow the correct complaint and appeal procedures.

For more information, visit www.k12.wa.us/Equity/Complaints.aspx, or contact OSPI's Equity and Civil Rights Office at (360) 725-6162/TTY: (360) 664-3631 or by e-mail at equity@k12.wa.us.