

What Do Districts Need to Do?

- ✓ Designate an employee to ensure compliance.
- ✓ Include a nondiscrimination statement in all district publications that the district disseminates on an annual or periodic basis to all students, parents, employees, and volunteers.



Sample Nondiscrimination Statement:

_____ School District does not discriminate in any programs or activities on the basis of sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression or identity, disability, or the use of a trained dog guide or service animal and provides equal access to the Boy Scouts and other designated youth groups. The following employee(s) has been designated to handle questions and complaints of alleged discrimination: [Name] [Address] [Phone].

- ✓ Inform students, parents, employees, and volunteers of the district's complaint procedures (student and staff handbooks, posters, brochures, etc.).
- ✓ Routinely review complaints to be sure they are resolved promptly and effectively.
- ✓ Submit an annual Equity Assurance Report to OSPI through iGrants package 447.

Discrimination Complaint and Appeal Procedures

Complaint to
Superintendent

WAC 392-190-065

Anyone can file a complaint

Complaints are submitted to the district's designated employee. Complaints must describe what happened and why it is discrimination. The complaint must be written and signed.

Investigation

Upon receipt of the complaint, the designated employee will investigate the allegations, and provide the school district superintendent with a written report of the complaint and the results of the investigation. The district and the complainant may agree to resolve the complaint in lieu of an investigation.

Superintendent's response

The Superintendent will respond to the complainant in writing within **30 calendar days** after receiving the complaint. The response will either deny the allegations in the complaint, or describe the reasonable actions the district will take to resolve the complaint. The letter must include instructions how to appeal to Superintendent's response to the school board.* Any corrective measures must be taken within **30 calendar days** after the Superintendent's written response.

***Sample language:** If you are not satisfied with the Superintendent's response to your complaint of unlawful discrimination, you may appeal to the school district's board of directors. A written appeal must be filed with the secretary of the school board, [Name] at [Address], by the 10th calendar day after you receive this letter. These procedures are pursuant to Washington Administrative Code 392-190-065, 392-190-070, 392-190-075 and [School District] Policy # [_____].

30

Calendar
days

Appeal to School Board

WAC 392-190-070

Written appeal
 The complainant may file an appeal with the school board within **10 calendar days** after it receives the school district superintendent's written response.

Hearing
 The school board will schedule a hearing within **20 calendar days** after it receives the appeal. The school board and the complainant may also agree on a different date. The complainant and the school district superintendent may present witnesses and other information that is related to the appeal.

Decision
 The board must make a decision and provide a written copy of its decision to all parties involved within **10 calendar days** after the hearing. The decision must include how to appeal to the Office of Superintendent of Public Instruction (OSPI).*

***Sample language:** If you are not satisfied with the school board's response to your complaint of unlawful discrimination, you may appeal to the Office of Superintendent of Public Instruction (OSPI). A written appeal must be mailed or hand-delivered to OSPI's Administrative Resource Services at P.O. Box 47200; Olympia, WA 98504-7200 by the 20th calendar day after you receive this school board decision. These procedures are pursuant to Washington Administrative Code 392-190-065, 392-190-070, 392-190-075 and [School District] Policy # [_____].

10

20

10
Calendar days

Appeal to OSPI

WAC 392-190-075

Written appeal
 The complainant may file a written appeal to OSPI. A written appeal must be **received** by OSPI within **20 calendar days** after the complainant receives the school board's decision.

Hearing
 OSPI will schedule a hearing with an Administrative Law Judge through the Washington State Office of Administrative Hearings.

20
Calendar days