

GRIEVANCE PROCEDURES
Title IX, Chapter 28A.85 RCW & WAC 392-190

I. Definitions

A. Grievance

A “grievance” shall mean a complaint which has been made by a district employee, student, or by a student’s parent or guardian on his/her behalf dealing with: Title IX Educational Amendments of 1972 and Washington Administrative Code....prohibiting discrimination in education on the basis of sex, race, color, creed, or national origin.

B. Limitations

The grievance procedure is not applicable to situations for which such appeal and adjudication procedures are provided in state law under which the Board is without authority to act. This complaint procedure shall not prohibit the processing of grievances by an employee bargaining representative and/or a member of a bargaining unit pursuant to grievance procedures established at the district level by a local bargaining agreement.

C. Complainant

A district employee, student, or a student’s parent or guardian on his/her behalf, believing they have been aggrieved, shall file a signed, written complaint using Form 4007 F with the District’s Equity Officer, setting forth specific facts, conditions, or circumstances alleged to be in violation of the aforementioned laws.

D. Complaint Form

All formal complaints must be submitted on Form Number 4007 F.

II. Purpose

The primary purpose of this procedure is to secure at the earliest possible time, an equitable and prompt resolution of complaint, if the claim is justifiable.

A. Time Line

In order for the grievance to be considered it must be filed at Step 1 within twenty (20) calendar days of the occurrence of the act or condition causing the alleged grievance; the twenty (20) calendar days shall be measured from the time the grievant became aware of the act or condition or after an informal hearing.

III. Informal Procedure

When an alleged violation of equity has occurred, an attempt shall be made to resolve any grievance in informal, verbal discussion between the grievant and the person alleged to have committed the grievance. If such an attempt fails to resolve the grievance, the grievant may invoke formal grievance procedures.

IV. Formal Procedure

A. Step 1 – Superintendent

The complaint must be signed by the complaining party and set forth the specific acts, conditions, or circumstances alleged to be in violation. The Equity 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 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, conditions, or circumstances.

B. Step 2 – Appeal to the Board of Directors

If a complainant remains aggrieved as a result of the action or inaction of the Superintendent, an appeal may be made by filing a written notice of appeal with the Secretary of the Board by the tenth calendar day following the date upon which the complainant received the Superintendent's response or the expiration of the thirty (30) calendar day response period stated in Step 1, whichever comes first. The Board shall schedule a hearing to commence by the twentieth 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 calendar day following the termination of the hearing and shall provide a copy to all parties involved.

C. Step 3 – Appeal to the Superintendent of Public Instruction

In the event a complainant charging discrimination remains aggrieved with the decision of the Board of Directors in connection with any matter which, if established, would constitute a violation, the complainant may appeal the Board's decision to the Superintendent of Public Instruction.

1. A notice of appeal must be received by the Superintendent of Public Instruction on or before the tenth calendar day following the date upon which the complainant received written notice of the Board of Directors' decision.
2. A notice of appeal must be in writing in the form required by the Superintendent of Public Instruction and must set forth:
 - a. A coincide statement of the original complaint and the portions of the Board of Directors' decision which is appealed.
 - b. the suggested recommendations for resolutions or remediation of the alleged complaint set forth in the original statement of complaint.

D. 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 Equity Officer for a period of five years.