

ADMINISTRATIVE PROCEDURE

5010 P

Page 1 of 3

PERSONNEL

Equal Employment Opportunity/Nondiscrimination

The purpose of this procedure is to provide a fair and consistent way of investigating and reviewing employee complaints of non-compliance with equal employment opportunity or equal access laws. No employee's status with the district shall be adversely affected because of the employee's use of this procedure.

Informal Review

Prior to making a formal complaint, as outlined in Level One, an employee may complain informally to his or her supervisor, the Affirmative Action/Title IX Compliance Officer or the Human Resources Department about alleged noncompliance with equal employment opportunity or equal access laws. The Affirmative Action/Title IX Compliance Officer or designee will attempt to informally resolve the complaint and shall notify the complainant within thirty (30) calendar days of a proposed resolution.

Level One – Formal Complaint

If the employee or volunteer chooses not to follow the informal resolution process or is not satisfied with the proposed resolution, the employee or volunteer may make a formal complaint.

- A. Each formal complaint communicated to the district shall be:
 - (1) written;
 - (2) signed by the complainant;
 - (3) set forth specific acts, conditions, or circumstances alleged to be in violation of the district's policies or obligations with regard to discrimination; and
 - (4) be filed with the Affirmative Action/Title IX Compliance Officer as soon as possible, but no later than thirty (30) calendar days following the alleged discrimination.
- B. Upon receipt of a complaint by the district in the manner herein described, the Affirmative Action/Title IX Compliance Officer or designee shall investigate the allegations set forth and shall institute such other reasonable procedures to effect a prompt resolution of the complaint. Such investigation shall be completed within 30 calendar days from the date of receipt of the formal complaint.
- C. Upon completion of the investigation, the Affirmative Action/Title IX Compliance Officer or designee shall provide the district superintendent/designee with a full written

report of the complaint and results of the investigation, unless the matter is resolved to the satisfaction of the complaining party prior to the submission of a full written report.

- D. The district superintendent/designee shall respond in writing to the complainant as expeditiously as possible following submission of the full written report. The response of the superintendent/designee shall clearly state either:
- (1) that the district denies the allegations contained in the complaint; or
 - (2) the nature of such reasonable corrective measures deemed necessary to eliminate any such act, condition, or circumstance within the district.
- E. 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/designee's mailing of a written response to the complainant (WAC 392-190-065).

Level Two – Appeal to Board of Directors

- A. In the event a complainant remains aggrieved following a written response from the superintendent/designee, said complainant may appeal to the district Board of Directors by filing a written notice of appeal with the administrative assistant of the school board on or before the tenth (10th) calendar day following:
- (1) the date upon which the complainant received the superintendent's/designee's written response, or
 - (2) the expiration of the thirty (30) calendar day response period set forth in Level One, E above, whichever occurs first.
- B. An appeal to the Board of Directors shall require the Board of Directors to schedule a hearing to commence on or before the twentieth (20th) calendar day following the filing of the written notice of appeal:
- (1) Both parties shall be allowed to present such witnesses and testimony as the board deems relevant and material. The board hearing will be public unless a confidential hearing is requested by the complainant.
 - (2) The Board of Directors shall render a written decision on or before the tenth (10th) calendar day following the termination of the hearing and shall provide a copy to all parties involved. (WAC 392-190-070).

Level Three – Appeal to the Superintendent of Public Instruction

In the event a complainant charging sex discrimination in violation of Chapter 28A.640 RCW or Chapter 392-190 WAC remains aggrieved with the decision of the Board of Directors, the complainant may appeal the board's decision to the Superintendent of Public Instruction under WAC 392-190-075.

- A. A notice of appeal must be received by the Superintendent of Public Instruction on or before the twentieth (20th) calendar day following the date upon which the complainant received written notice of the Board of Directors' decision.

- B. A notice of appeal must be in writing in the form required by the Superintendent of Public Instruction and must set forth:
- (1) A concise statement of the original complaint and the portions of the Board of Directors' decision being appealed.
 - (2) The relief requested by the complainant/appellant.

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