



Tiffany Hansen, SW Teacher Kindergarten	Resignation
Genevieve Inungaray, YHS Teacher Special Education	Resignation
Deanna Lopez, YHS Para SPED Program SITE	Resignation
Debra Pridemore, YHS CTE Para Instructional	<i>Retirement</i>
Kimberly Schley, PR Para Instructional	<i>Retirement</i>
Georgia Skewis, SW Teacher Special Education	Resignation
Lisa Todisco, YHS Teacher CTE	Resignation
Laurie Trottier, YHS Para SPED LRC	Deceased
Kelli Upton, Bus Assistant	Resignation
Chelsea Watson, YMS OP II ASB/Athletics	Resignation
Kalene Williams, OSS Behavior Support Assistant	Resignation
4. <u>Staffing Changes</u>	
Kennedy Davis, OP III Food Service OYO to Continuing	
Ashley Ellis, OP II Athletics YHS to OP IV CTE YHS	
Rhondalee Maher, FS to RMS SPED Para 1:1	
Debra Miles, YHS OP III Counseling to OP V Principal	
Catherine Mullins, YHS OP III Assistant Principals OYO to Continuing	
Shala Keen-Salter, Mail Courier OYO to Continuing	
Emileigh Wilhelme, MP to MK SPED Para 1:1	
Mayeli Zamudio, YHS OP II Receptionist OYO to Continuing	

**A****B. Policy Revisions**Second Reading – For Approval

5010 Nondiscrimination and Affirmative Action

5010 Procedure

3210 Nondiscrimination

3210 Procedure

**I****4. Board Comments****I****5. Superintendent's Report****A****6. Adjourn**

**Next Board Meeting:** May 22, 2025 – 5:00 p.m. – Regular Board Meeting  
*Location: District Office*

Individuals with disabilities who may need a modification to participate in a meeting should contact the Superintendent's Office no later than three days before a meeting so that arrangements for the modification can be made.

**A= Action****I= Information****D= Discussion**



# Personnel Action for Board Approval

Doyla Buckingham  
Director of Human Resources

**DATE OF BOARD MEETING:** May 8, 2025

## NEW HIRES:

<u>First Name</u>	<u>Last Name</u>	<u>Location</u>	<u>Title</u>	<u>Date</u>	<u>Comments</u>
Amanda	Stumpf	Southwort Elem	Tchr-LRC	9/3/2025	

## LEAVES OF ABSENCE:

<u>First Name</u>	<u>Last Name</u>	<u>Location</u>	<u>Title</u>	<u>Date</u>	<u>Comments</u>
Justin	McNeil	Yelm MS	Tchr-English Lang Arts	9/3/2025	.40 FTE LOA

## RESIGNATIONS/RETIREMENTS/TERMINATIONS:

<u>First Name</u>	<u>Last Name</u>	<u>Location</u>	<u>Title</u>	<u>Date</u>	<u>Comments</u>
Rebecca	Cook	Southworth	Tchr-Special Education	6/30/2025	Resignation
Timothy	DeShazer	OSS	ESA-School Psychologist	6/30/2025	Resignation
Christina	Folk	Ft. Stevens	Para-SPED Program PreK CLC	6/16/2025	Resignation
Michele	Gill	Southworth	OP II - Attendance	6/16/2025	Resignation
Tiffany	Hansen	Southworth	Tchr-Kindergarten	6/30/2025	Resignation
Genevieve	Inungaray	Yelm HS	Tchr-Special Education	6/30/2025	Resignation
Deanna	Lopez	Yelm HS	Para-SPED Program SITE	5/2/2025	Resignation
Debra	Pridemore	CTE-Yelm HS	Para-Instructional	8/31/2025	Retirement
Kimberly	Schley	Prairie	Para-Instructional	8/31/2025	Retirement
Georgia	Skewis	Southworth	Tchr-Special Education	6/30/2025	Resignation
Lisa	Todisco	Yelm HS	Tchr-CTE	6/2/2027	Resignation
Laurie	Trottier	Yelm HS	Para-SPED LRC	3/28/2025	Deceased
Kelli	Upton	Transportation	Bus Assistant	4/21/2025	Resignation
Chelsea	Watson	Yelm MS	OP II-ASB/Athletics	8/25/2025	Resignation
Kalene	Williams	OSS	Behavior Support Assistant	4/18/2025	Resignation

## STAFFING CHANGES:

<u>First Name</u>	<u>Last Name</u>	<u>From</u>	<u>To</u>	<u>Date</u>	<u>Comments</u>
Kennedy	Davis	OP III-Food Service	OP III-Food Service	9/1/2025	OYO to Continuing
Ashley	Ellis	OP II-Athletics	OP IV-CTE	9/1/2025	Yelm HS
Rhondalee	Maher	FTS SpEd Para 1:1	RMS SpEd Para 1:1	4/17/2025	
Debra	Miles	OP III-Counseling	OP V-Principal	9/1/2025	Yelm HS
Catherine	Mullins	OP III-Asst Principal	OP III-Asst Principals	9/1/2025	OYO to Continuing
Shala	Keen-Salter	Mail Courier	Mail Courier	9/1/2025	OYO to Continuing
Emleigh	Wilhelme	MP SpEd Para 1:1	MCK-SpEd Para 1:1	4/14/2025	
Mayeli	Zamudio	OP II-Receptionist	OP II-Receptionist	9/1/2025	OYO to Continuing



## Personnel Action for Board Approval

Doyle Buckingham

Director of Human Resources

### REQUESTS FOR WAIVERS FOR TEACHING OUT OF ENDORSEMENT:

<u>First Name</u>	<u>Last Name</u>	<u>Location</u>	<u>Out of Endorsement Subject</u>	<u>Date</u>	<u>Comments</u>
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## **Nondiscrimination**

The district is committed to complying with anti-discrimination laws.

### **Definition**

“Protected status” is short for the phrase “sex, race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability.”

### **Nondiscrimination Statement**

The district will adopt a nondiscrimination statement that must include the following:

1. Notice that the district may not discriminate in any programs or activities based on sex, race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal.
2. The name or title, office address, and telephone number of the employee designated as the compliance officer under this policy, the Section 504 Coordinator, and the Title IX Coordinator.
3. Notice that the district provides equal access to the Boy Scouts of America and any other youth group listed in Title 36 of the United States Code as a patriotic society.

The district will include this statement in written announcements, notices, recruitment materials, employment application forms, and other publications made available to all students, parents, or employees.

The district may combine the statement described above with the notice described in Policy 3205.

### **Model Student Handbook Language**

The district will adopt the model student handbook language described in RCW 28A.300.286 and include the language in any student, parent, employee, and volunteer handbook it or its schools publish and on its and its schools’ websites.

### **Discriminatory Harassment**

Students have a right to be free from discriminatory harassment. The district violates that right if the following conditions are met:

1. The alleged conduct is based on a student’s protected status.
2. The alleged conduct creates a hostile environment. A hostile environment is created if the alleged conduct is sufficiently severe, persistent, or pervasive that it limits or denies a student’s ability to participate in or benefit from the district’s course offerings, including any educational program or activity. A hostile environment could impact a student’s life in many ways. Physical illness, anxiety about going to school, or a decline in grades or attendance could signal a hostile environment.
3. After receiving notice of the alleged conduct, the district fails to take prompt and appropriate action to investigate it or fails to take prompt and effective steps reasonably calculated to end the harassment, eliminate the hostile environment, prevent its recurrence, and remedy its effects as

appropriate. The district has notice of discriminatory harassment if a reasonable employee knew or, in the exercise of reasonable care, should have known about the harassment. Employees may have notice of discriminatory harassment if they receive an oral report from a student, parent, or other individual; receive a written complaint; witness harassing conduct; or become aware of harassment by members of the community or the media.

Harassing conduct may include verbal acts and name-calling, graphic and written statements, or other conduct that may be physically threatening, harmful, or humiliating.

When the district receives notice of potential discriminatory harassment, it will take prompt and appropriate action to investigate and, as applicable, take prompt and effective steps reasonably calculated to end the harassment, eliminate the hostile environment, prevent its recurrence, and remedy its effects. Examples of the steps the district might take include imposing discipline, separating individuals, developing a safety plan, offering counseling, and providing additional training and instruction. These steps will not penalize the student who was harassed.

### **Complaint Procedure**

The district will adopt a complaint procedure in accordance with chapter 392-190 WAC.

Annually, the district will publish a notice of the complaint procedure in a way that is reasonably calculated to inform all students, parents, and employees of it. The district will provide the notice in a language each parent can understand, which may require language assistance in accordance with Title VI of the Civil Rights Act of 1964 for those with limited English proficiency.

The district will not adopt any policy, procedure, or practice that would limit a person's right to file a complaint under the complaint procedure.

### **Compliance Officer**

The superintendent will designate an employee who is responsible for monitoring and coordinating the district's compliance with chapter 392-190 WAC and the guidelines the Office of the Superintendent of Public Instruction has adopted under WAC 392-190-005.

The compliance officer is responsible for ensuring that all complaints filed under the complaint procedure are promptly investigated and resolved.

### **Training**

The district will train all administrators, certificated personnel, and classroom personnel regarding their responsibilities under this policy and chapter 392-190 WAC. The training will aim to raise awareness of and eliminate bias based on sex, race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, the presence of any sensory, mental or physical disability, or the use of a trained dog guide or service animal.

### **Retaliation Prohibited**

The district will not intimidate, threaten, coerce, or discriminate against any individual who seeks to secure their rights under this policy or chapter 392-190 WAC or because the individual has filed a complaint under the complaint procedure. Further, the district will not tolerate someone else retaliating against another because they sought to secure their rights under this policy or chapter 392-190 WAC or because they have filed a complaint under the complaint procedure.

Any person who retaliates will be subject to appropriate discipline.

Cross References:	2020 - Course Design, Selection and Adoption of Instructional Materials
	2030 - Service Animals in Schools
	2140 - Guidance and Counseling
	2150 - Co-Curricular Program
	2151 - Interscholastic Activities
	3205 - Sexual Harassment of Students Prohibited
	3206 - Pregnant and Parenting Students

3207 - Prohibition of Harassment, Intimidation, and Bullying of Students  
3211 - Gender-Inclusive Schools  
4217 - Effective Communication  
4260 - Use of School Facilities

Legal References:

RCW 28A.300.286 Discrimination, harassment, intimidation, and bullying  
Policies and complaint procedures  
Posting of model student handbook language  
Chapter 392-190 WAC Equal Educational Opportunity  
Unlawful Discrimination Prohibited  
Chapter 28A.640 RCW Sexual equality  
Chapter 28A.642 RCW Discrimination prohibition  
Chapter 49.60 RCW Discrimination Human rights commission  
WAC 392-190-020 Training  
Staff responsibilities  
Bias awareness  
20 U.S.C. 7905 Boy Scouts of American Equal Access Act  
42 U.S.C. 12101-12213 Americans with Disabilities Act  
20 U.S.C. 1681-1688 Title IX of the Education Amendments of 1972  
42 U.S.C. 2000d, et seq. Title VI of the Civil Rights Act of 1964  
34 CFR Part 100 Nondiscrimination Under Programs Receiving Federal Assistance Through the Department of Education Effectuation of Title VI of the Civil Rights Act of 1964  
34 CFR 104 Nondiscrimination on the basis of handicap in programs or activities receiving federal financial assistance  
34 CFR Part 106 Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance

Management Resources:

2016 - March Issue  
2014 - December Issue  
2013 - April Issue  
2012 - December Issue  
2011 - June Issue  
Policy News, August 2007 Washington's Law Against Discrimination

Last Revised: **December 22, 2024**

Classification: **Essential**

Prior Revised Dates: **12.06; 08.07; 02.11; 06.11; 12.12; 04.13; 12.13; 12.14; 01.15; 03/01/2016**



## **Nondiscrimination and Affirmative Action**

### **Definition**

“Protected status” is short for the phrase “age, sex, race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, marital status, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability.”

### **Nondiscrimination**

The district is committed to an educational and working environment free from discrimination and harassment based on a person’s protected status.

The district will not deny any person the benefit of, or subject any person to discrimination in employment, recruitment, promotion, advancement, consideration, or selection in connection with employment based on their protected status.

The district will make all employment decisions in a non-discriminatory manner and will not limit, segregate, or classify any person in a way that could adversely affect their employment opportunities or status based on their protected status.

The district will not enter into any contractual or other relationship that directly or indirectly results in the discrimination of any person in connection with employment based on their protected status.

The district will not grant preferential treatment to applications for employment based on an applicant's enrollment at any education institution or entity that only predominantly admits students based on sex, race, color, or national origin if the giving of such preferences has the effect of discriminating based on sex, race, color, or national origin.

### **Equal Employment Opportunity**

The district will provide equal employment opportunity and treatment for all applicants and staff in recruitment, hiring, retention, assignment, transfer, promotion, and training.

### **Examples of Employment Discrimination**

Employment discrimination may include the following:

1. Unfair treatment based on an employee’s protected status, including unfair or separate treatment in pay scale, assignment of duties, opportunities for advancement, conditions of employment, hiring practices, leaves of absence, hours of employment, and assignment of instructional and non-instructional duties.
2. Harassment based on an employee’s protected status by supervisors, co-workers, or others in the workplace that is so severe or persistent that it creates a hostile environment.
3. Denial of a reasonable workplace accommodation that an employee needs because of religious beliefs or a disability.
4. Retaliation because an employee complained about employment discrimination or assisted with an employment discrimination investigation or lawsuit.

5. Making employment or placement decisions based on stereotypes or assumptions about one's protected status.
6. Discriminating against individuals married to or otherwise associated with people of a certain group.
7. Prohibiting an employee from using the restroom consistent with his or her gender identity.

These are examples of employment discrimination and are not an exhaustive list.

### **Discriminatory Harassment**

The district prohibits discriminatory harassment in the workplace. Discriminatory harassment is unwelcome or offensive conduct directed toward a person based on their protected status that is sufficiently severe or pervasive to create an environment that a reasonable person would consider intimidating, hostile, or offensive. Petty slights, annoyances, or isolated incidents, unless extremely serious, will not rise to the level of discriminatory harassment.

Harassing conduct may include, but is not limited to, offensive jokes, slurs, epithets, name-calling, physical assaults, threats, intimidation, ridicule, mockery, insults, put-downs, offensive objects or pictures, and interference with work performance.

When the district becomes aware of potential discriminatory harassment, it will promptly investigate the conduct and, as appropriate, take reasonable steps to prevent and promptly correct the harassing conduct.

### **Employment of Persons with Disabilities**

To fulfill its commitment of nondiscrimination to those with disabilities, the following conditions will prevail:

1. The district will not discriminate against a qualified individual based on their disability, nor will the district limit, segregate, or classify any applicants for employment or any staff member in any way that adversely affects their opportunities or status because of their disability. This prohibition applies to all aspects of employment from recruitment to promotions and includes fringe benefits and other elements of compensation.
2. The district will reasonably accommodate the known physical or mental limitations of an otherwise qualified disabled applicant or staff member unless it is clear that an accommodation would impose an undue hardship.

Reasonable accommodations may include making facilities used by staff readily accessible and usable by persons with disabilities; job restructuring; part-time or modified work schedules; acquisition or modification of equipment or devices; the provision of readers or interpreters; and other similar actions.

An undue hardship means an accommodation would be unduly costly, extensive, substantial or disruptive or would fundamentally alter the nature or operation of the district. In determining whether an accommodation would impose an undue hardship on the district, the district may consider, among other things, the cost of the accommodation, the district's size, the district's financial resources, and the nature and structure of its operations.

3. The district will not use any employment tests or criteria that screen out persons with disabilities unless the test or criteria is clearly and specifically job-related, and the district will not use such tests or criteria if alternative tests or criteria that do not screen out persons with disabilities are available.
4. While the district may not make pre-employment inquiries as to whether an applicant has a disability or as to the nature and severity of any such disability, it may inquire into an applicant's ability to perform job-related functions.

### **Nondiscrimination for Military Service**

The district will not discriminate against any person who is a member of, applies to be a member of, or performs, has performed, applies to perform, or has an obligation to perform service in a uniformed service, on the basis of their participation in a uniformed service. This includes initial employment, retention in employment, promotion, or any benefit of employment. The district will also not discriminate against any person who has participated in the enforcement of these rights under state or federal law.



RCW 49.60.180 Unfair practices of employers  
RCW 49.60.400 Discrimination, preferential treatment prohibited  
RCW 73.16 Employment and Reemployment  
WAC 392-190 Equal Education Opportunity ☐☐☐ Unlawful Discrimination Prohibited  
WAC 392-190-0592 Public school employment ☐☐☐ Affirmative action program  
42 USC ☐☐☐2000e1 ☐☐☐ 2000e10 Title VII of the Civil Rights Act of 1964  
20 USC ☐☐☐1681 - 1688 Title IX Educational Amendments of 1972  
42 USC 12101 ☐☐☐ 12213 Americans with Disabilities Act  
8 USC ☐☐1324 (IRCA) Immigration Reform and Control Act of 1986  
38 USC ☐☐☐ 4301-4333 Uniformed Services Employment and Reemployment Rights Act  
29 USC☐☐ 794 Vocational Rehabilitation Act of 1973  
34 CFR ☐☐ 104 Nondiscrimination on the basis of handicap in Programs or activities receiving federal financial assistance  
38 USC ☐☐4212 Vietnam Era Veterans Readjustment Assistance Act of 1974 (VEVRAA)  
WAC 392-190-0591 Public school employment and contract practices☐☐☐Nondiscrimination

Management Resources: 2018 - May Policy Issue  
2017 - April Issue  
2014 - December Issue  
2013 - June Issue  
2011 - June Issue  
2011 - February Issue  
Policy News, August 2007 Washington☐☐☐s Law Against Discrimination  
Policy News, June 2001 State Updates Military Leave Rights

Last Revised: **December 22, 2024**

Classification: **Encouraged**

Prior Revised Dates: **12.00; 06.01; 08.07; 02.11; 06.11; 06.13; 12.14; 04.17; 05/01/2018; 07/24/2023**



## **Procedure - Nondiscrimination**

This complaint procedure is adopted in accordance with chapter 392-190 WAC.

### **Complainant**

Anyone may file a complaint against the district alleging that it has violated anti-discrimination laws. The person filing the complaint is referred to as the "complainant."

### **Formal Complaint**

A formal complaint must be in writing and describe the specific acts, conditions, or circumstances alleged to violate anti-discrimination laws.

A complaint must be filed within one year of the occurrence giving rise to the complaint. The deadline will not be imposed if the complainant was prevented from filing a complaint because (1) the district specifically misrepresented that it had resolved the problem forming the basis of the complaint or (2) the district withheld information it was required to provide under chapter 392-190 WAC.

A complaint may be filed by mail, fax, email, or hand delivery to any district or school administrator or to the compliance officer.

### **Informal Complaint**

A complainant may bring an informal (i.e., oral) complaint to the district. If that occurs, the compliance officer or their designee will schedule a meeting to discuss the informal complaint and how to resolve the complainant's concerns. Using this informal process does not limit the complainant's right to file a formal complaint. Further, as part of this informal process, the district will notify the complainant in writing about their right to file a formal complaint. The notice will be in a language the complainant can understand, which may require language assistance in accordance with Title VI of the Civil Rights Act of 1964 for complainants with limited English proficiency.

### **Receiving a Formal Complaint**

Any district or school administrator who receives a formal complaint will promptly notify the compliance officer. Once the compliance officer receives a complaint, they will do the following:

1. Provide the complainant with a copy of Policy 3210 and this procedure in a language they can understand, which may require language assistance in accordance with Title VI of the Civil Rights Act of 1964 for complainants with limited English proficiency.
2. Ensure that the district conducts a prompt and thorough investigation into the allegations in the complaint.

In lieu of investigating, the district and the complainant may agree to resolve the complaint. If the complaint is resolved, no further action is necessary.

### **Written Response to a Formal Complaint**

After completing the investigation, the compliance officer or their designee will give the superintendent a full written report of the complaint and the investigation results.

The superintendent or their designee will issue a written response to the complainant within thirty calendar days after the district receives the formal complaint. The thirty-day timeline can be extended if agreed to by the complainant or if exceptional circumstances related to the complaint require an extension. If an

extension is needed, the district will notify the complainant in writing of the reasons for the extension and the anticipated response date. The notice will be in a language the complainant can understand, which may require language assistance in accordance with Title VI of the Civil Rights Act of 1964 for complainants with limited English proficiency.

The written response must include a summary of the results of the investigation; a finding as to whether the district failed to comply with anti-discrimination laws; notice to the complainant of their right to appeal, including where and to whom the appeal must be filed; and, if the district failed to comply with anti-discrimination laws, the corrective measure deemed necessary to correct the noncompliance. Any corrective measures must be instituted as expeditiously as possible but no later than thirty calendar days after the written response is issued unless otherwise agreed to by the complainant. The written response will be in a language the complainant can understand, which may require language assistance in accordance with Title VI of the Civil Rights Act of 1964 for complainants with limited English proficiency.

The district will send a copy of the written response to the Office of the Superintendent of Public Instruction (OSPI) when it sends the response to the complainant.

### **Appeal to the Board**

If a complainant disagrees with the superintendent's written response, they may appeal to the board. The appeal must be in writing and filed with the superintendent within ten calendar days of receiving the written response.

The board must issue a written appeal decision within thirty calendar days of receiving the appeal unless the complainant agrees otherwise. The board may schedule a meeting to hear from the complainant and district representatives before issuing its decision. If it doesn't schedule a meeting, the board will consider the investigation report, the written response, and any documentation the complainant submits before making its decision.

The appeal decision must include notice of the complainant's right to file a complaint with OSPI under WAC 392-190-075. The district will send a copy of the appeal decision to OSPI.

The appeal decision will be in a language the complainant can understand, which may require language assistance in accordance with Title VI of the Civil Rights Act of 1964 for complainants with limited English proficiency.

### **Complaint to OSPI**

If a complainant disagrees with the board's decision, or if the district fails to comply with this procedure, the complainant may file a complaint with OSPI.

A complaint must be received by OSPI on or before the twentieth calendar day following the date upon which the complainant received the board's decision unless OSPI grants an extension for good cause.

Complaints may be submitted by mail, fax, email, or hand delivery.

A complaint must be in writing and include the following: (1) a description of the specific acts, conditions or circumstances alleged to violate applicable anti-discrimination laws; (2) the name and contact information, including address, of the complainant; (3) the name and address of the district subject to the complaint; (4) a copy of the district's written response and appeal decision, if any; and (5) a proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the student's name and address and the name of the school and school district the student attends. If the student is homeless, the complaint should include contact information.

Upon receipt of a complaint, OSPI may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the board.

Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with chapter 392-190 WAC or OSPI's guidelines and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.

All corrective actions must be completed within the timelines established by OSPI in the written decision unless OSPI grants an extension. If timely compliance is not achieved, OSPI may take action including but not limited to referring the district to appropriate state or federal agencies empowered to order compliance.

A complaint may be resolved at any time when, before the completion of the investigation, the district voluntarily agrees to resolve the complaint. OSPI may provide technical assistance and dispute resolution methods to resolve a complaint.

### **Administrative Hearing**

The complainant or the district may appeal OSPI's written decision by filing a written notice of appeal with OSPI within thirty calendar days of receiving the decision. OSPI will conduct a formal administrative hearing in accordance with the Administrative Procedures Act, chapter 34.05 RCW.

### **Mediation**

The district may offer mediation at any time during the complaint procedure. The purpose of mediation is to offer the complainant and the district an opportunity to resolve disputes and reach an acceptable agreement concerning the complaint using an impartial mediator. The parties may agree to extend the complaint procedure deadlines to pursue mediation.

Mediation is voluntary, requires the agreement of both parties, and may be terminated by either party at any time.

The mediator must be impartial, may not be an employee of the district or any agency providing education or related services to a student who is involved in the mediation, and must not have a personal or professional conflict of interest. A person is not disqualified as a mediator solely because the district pays them to serve as a mediator.

If the parties resolve a dispute through mediation, they may execute a legally binding agreement that describes the resolution, states that all discussions that occurred during mediation will remain confidential and may not be used as evidence in any subsequent complaint, due process hearing, or civil proceeding, and is signed by the complainant and the district's representative.

### **Recordkeeping**

The compliance officer's office will maintain documentation for each complaint received (e.g., the complaint, notices, the investigation report, the written response, the appeal decision, documentation of corrective measures, etc.) for six years.

Last Revised: **December 22, 2024**

Prior Revised Dates: **06.11; 12.14; 01/01/2015**



## **Procedure - Nondiscrimination and Affirmative Action**

This complaint procedure is adopted in accordance with chapter 392-190 WAC.

### **Complainant**

An employee may file a complaint against the district alleging that it has violated anti-discrimination laws. The person filing the complaint is referred to as the "complainant."

### **Formal Complaint**

A formal complaint must be in writing and describe the specific acts, conditions, or circumstances alleged to violate anti-discrimination laws.

A complaint must be filed within one year of the occurrence giving rise to the complaint. The deadline will not be imposed if the complainant was prevented from filing a complaint because (1) the district specifically misrepresented that it had resolved the problem forming the basis of the complaint or (2) the district withheld information it was required to provide under chapter 392-190 WAC.

A complaint may be filed by mail, fax, email, or hand delivery to any district or school administrator or to the compliance officer.

### **Informal Complaint**

A complainant may bring an informal (i.e., oral) complaint to the district. If that occurs, the compliance officer or their designee will schedule a meeting to discuss the informal complaint and how to resolve the complainant's concerns. Using this informal process does not limit the complainant's right to file a formal complaint. Further, as part of this informal process, the district will notify the complainant in writing about their right to file a formal complaint. The notice will be in a language the complainant can understand, which may require language assistance in accordance with Title VI of the Civil Rights Act of 1964 for complainants with limited English proficiency.

### **Receiving a Formal Complaint**

Any district or school administrator who receives a formal complaint will promptly notify the compliance officer. Once the compliance officer receives a complaint, they will do the following:

1. Provide the complainant with a copy of Policy 5010 and this procedure in a language they can understand, which may require language assistance in accordance with Title VI of the Civil Rights Act of 1964 for complainants with limited English proficiency.
2. Ensure that the district conducts a prompt and thorough investigation into the allegations in the complaint.

In lieu of investigating, the district and the complainant may agree to resolve the complaint. If the complaint is resolved, no further action is necessary.

### **Written Response to a Formal Complaint**

After completing the investigation, the compliance officer or their designee will give the superintendent a full written report of the complaint and the investigation results.

The superintendent or their designee will issue a written response to the complainant within thirty calendar days after the district receives the formal complaint. The thirty-day timeline can be extended if agreed to by the complainant or if exceptional circumstances related to the complaint require an extension. If an extension is needed, the district will notify the complainant in writing of the reasons for the extension and the anticipated response date. The notice will be in a language the complainant can understand, which may require language assistance in accordance with Title VI of the Civil Rights Act of 1964 for complainants with limited English proficiency.

The written response must include a summary of the results of the investigation; a finding as to whether the district failed to comply with anti-discrimination laws; notice to the complainant of their right to appeal, including where and to whom the appeal must be filed; and, if the district failed to comply with anti-discrimination laws, the corrective measure deemed necessary to correct the noncompliance. Any corrective measures must be instituted as expeditiously as possible but no later than thirty calendar days after the written response is issued unless otherwise agreed to by the complainant. The written response will be in a language the complainant can understand, which may require language assistance in accordance with Title VI of the Civil Rights Act of 1964 for complainants with limited English proficiency.

The district will send a copy of the written response to the Office of the Superintendent of Public Instruction (OSPI) when it sends the response to the complainant.

### **Appeal to the Board**

If a complainant disagrees with the superintendent's written response, they may appeal to the board. The appeal must be in writing and filed with the superintendent within ten calendar days of receiving the written response.

The board must issue a written appeal decision within thirty calendar days of receiving the appeal unless the complainant agrees otherwise. The board may schedule a meeting to hear from the complainant and district representatives before issuing its decision. If it doesn't schedule a meeting, the board will consider the investigation report, the written response, and any documentation the complainant submits before making its decision.

The appeal decision must include notice of the complainant's right to file a complaint with OSPI under WAC 392-190-075. The district will send a copy of the appeal decision to OSPI.

The appeal decision will be in a language the complainant can understand, which may require language assistance in accordance with Title VI of the Civil Rights Act of 1964 for complainants with limited English proficiency.

### **Complaint to OSPI**

If a complainant disagrees with the board's decision, or if the district fails to comply with this procedure, the complainant may file a complaint with OSPI.

A complaint must be received by OSPI on or before the twentieth calendar day following the date upon which the complainant received the board's decision unless OSPI grants an extension for good cause.

Complaints may be submitted by mail, fax, email, or hand delivery.

A complaint must be in writing and include the following: (1) a description of the specific acts, conditions or circumstances alleged to violate applicable anti-discrimination laws; (2) the name and contact information, including address, of the complainant; (3) the name and address of the district subject to the complaint; (4) a copy of the district's written response and appeal decision, if any; and (5) a proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the student's name and address and the name of the school and school district the student attends. If the student is homeless, the complaint should include contact information.

Upon receipt of a complaint, OSPI may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the board.

Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with chapter 392-190 WAC or OSPI's guidelines and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance

issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.

All corrective actions must be completed within the timelines established by OSPI in the written decision unless OSPI grants an extension. If timely compliance is not achieved, OSPI may take action including but not limited to referring the district to appropriate state or federal agencies empowered to order compliance.

A complaint may be resolved at any time when, before the completion of the investigation, the district voluntarily agrees to resolve the complaint. OSPI may provide technical assistance and dispute resolution methods to resolve a complaint.

### **Administrative Hearing**

The complainant or the district may appeal OSPI's written decision by filing a written notice of appeal with OSPI within thirty calendar days of receiving the decision. OSPI will conduct a formal administrative hearing in accordance with the Administrative Procedures Act, chapter 34.05 RCW.

### **Mediation**

The district may offer mediation at any time during the complaint procedure. The purpose of mediation is to offer the complainant and the district an opportunity to resolve disputes and reach an acceptable agreement concerning the complaint using an impartial mediator. The parties may agree to extend the complaint procedure deadlines to pursue mediation.

Mediation is voluntary, requires the agreement of both parties, and may be terminated by either party at any time.

The mediator must be impartial, may not be an employee of the district, and must not have a personal or professional conflict of interest. A person is not disqualified as a mediator solely because the district pays them to serve as a mediator.

If the parties resolve a dispute through mediation, they may execute a legally binding agreement that describes the resolution, states that all discussions that occurred during mediation will remain confidential and may not be used as evidence in any subsequent complaint or civil proceeding, and is signed by the complainant and the district's representative.

### **Recordkeeping**

The compliance officer's office will maintain documentation for each complaint received (e.g., the complaint, notices, the investigation report, the written response, the appeal decision, documentation of corrective measures, etc.) for six years.

### **Resources**

District Contact  
*(Insert the name/title of the district contact)*

State Contacts  
Superintendent of Public Instruction  
Equity and Civil Rights Office  
P.O. Box 47200  
Olympia, WA 98504-7200  
360.725.6162

Washington State Human Rights Commission  
711 South Capitol Way, Suite 402  
P.O. Box 42490  
Olympia, WA 98504-2490  
360.753.6770

Office for Civil Rights  
U.S. Department of Education  
915 Second Avenue, Room 3310

Seattle, WA 98174  
206.607.1600

Last Revised: **December 22, 2024**

Prior Revised Dates: **12.00; 06.11; 12.14; 01.15; 05/01/2018; 07/24/2023**

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