

How to Handle Complaints of Discrimination in the Adna School District

The Adna School District strives to have fair and equal treatment of all persons, including employees, students, parents and patrons of the Adna School District. This document is for setting for the procedures for making a complaint by parents, employees, and others in the district regarding discrimination.

What is Discrimination?

Discrimination is the unfair or unequal treatment of a person or a group because they are part of a defined group, known as a *protected class*. Discrimination can occur when a person is treated differently, or denied access to programs, services or activities because they are part of a protected class. Discrimination can also occur when a school or a school district fails to accommodate a student or employee's disability.

Harassment (based on protected class) and sexual harassment can be forms of discrimination when it creates a hostile environment.

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 and state laws. Protected classes defined by Washington State Law include:

- Sex
- Race/Color
- Creed/Religion
- National Origin
- Disability or the use of a trained dog guide or service animal
- Sexual orientation, including gender expression or identity
- Honorable discharged veteran or military status

What should I do if I believe my child or I am being discriminated against?

You should report your concerns to your child's teacher or to the building principal immediately. This will allow the school to respond to the situation as soon as possible. If you cannot meet with the teacher or principal, you may contact your school district's main office (360-748-0362). Each school district has someone responsible for responding to complaints about discrimination. In Adna School District, this is the Superintendent, James L. Forrest.

If the problem cannot be resolved with a meeting, you have the right to file a complaint with the Adna School District. You can file a formal complaint by writing a letter to the Superintendent that describes what happened and why you think it is discrimination. It is helpful to include what you want the district to do to resolve the complaint.

What will the District and the Superintendent do?

Below you will find the process used by the district to address complaints of discrimination. It shows to first address the concern with the Adna Superintendent. If it is not resolved with the Superintendent, then you have the right to appeal to the School Board. If it is not resolved with the School Board, you have the right to appeal the Board's decision to the Office of Superintendent of Public Instruction (OSPI).

Nondiscrimination

Students, and/or parents, staff or other individuals acting on behalf of students of the district are eligible to participate in this complaint procedure. This complaint procedure is designed to assure that the resolution of real or alleged violations are directed toward a just solution that is satisfactory to the complainant, the administration and the board of directors. This grievance procedure will apply to the general conditions of the nondiscrimination policy (Policy No. 3210) and more particularly to policies dealing with guidance and counseling (Policy No. 2140), co-curricular program (Policy No. 2150), service animals in schools (Policy No. 2030) and curriculum development and instructional materials (Policy No. 2020). As used in this procedure:

“Grievance” shall mean a complaint which has been filed by a complainant (a student, an employee, a parent or guardian) relating to alleged violations of any state or federal anti-discrimination laws.

A complaint shall mean a charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. A respondent shall mean the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

The primary purpose of this procedure is to secure an equitable solution to a justifiable complaint. To this end, specific steps shall be taken:

Process for Resolution

Anyone with an allegation of discrimination may request an informal meeting with the compliance officer or designated employee to resolve their concerns. Such a meeting will be at the option of the complainant. If unable to resolve the issue at this meeting, the complainant may submit a written complaint to the compliance officer.

Level One

A complaint must be written, signed by the complainant and set forth the specific acts, conditions or circumstances alleged to be in violation. Upon receipt of a complaint, the compliance officer shall investigate the allegations set forth within 30 calendar days.

The school district and complainant may agree to resolve the complaint in lieu of an investigation. 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 30 calendar days following receipt of the written complaint. The response of the superintendent will include notice of the complainant’s right to appeal to the school board, and will identify where and to whom the appeal must be filed.

The superintendent’s written response shall state that the district either:

- A. Denies the allegations contained in the written complaint received by the district; or
- B. Shall implement reasonable corrective measures to eliminate any such act, condition or circumstance within the school district.

Such corrective measures deemed necessary shall be instituted as expeditiously as possible, but in no event later than 30 calendar days following the superintendent's mailing of a written response to the complaining party unless otherwise agreed to by the complainant.

Level Two

If a complainant disagrees with the superintendent’s written decision or if the superintendent fails to respond, the complainant may appeal to the district board of directors by filing a written notice of appeal with the secretary of the board by the tenth calendar day following:

- A. The date upon which the complainant received the superintendent's response, or
- B. The expiration of the 30-calendar day response period stated in Level One, whichever occurs first.

The board shall schedule a hearing to commence by the 20th calendar day following the filing of the written notice of appeal, unless otherwise agreed to by the complainant and the superintendent or for good cause. Both parties shall be allowed to present such witnesses and testimony as the board deems relevant and material. The board will render a written decision by the tenth calendar day following the termination of the hearing and will provide a copy to the complainant, unless otherwise agreed to by the complainant and the superintendent or for just cause. The response of the board will include notice of the complainant's right to appeal to the Superintendent of Public Instruction and will identify where and to whom the appeal must be filed.

Level Three - Appeal to the Superintendent of Public Instruction

If a complainant disagrees 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.

- A. A notice of appeal must be received by the Superintendent of Public Instruction on or before the 20th 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 director's decision which is appealed; and
 - 2. The relief requested by the complainant.

Other

If the complainant remains aggrieved they may seek resolution with federal or state agencies empowered with the authority to resolve such complaint.

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 compliance officer for a period of six years.

Resources.

- 1. District Contact
James L. Forrest, Superintendent
Adna School District No. 226
PO Box 118
Adna, WA 98522
360-748-0362

2. 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 of Civil Rights
U.S. Department of Education
915 Second Avenue, Room 3310
Seattle, WA 98174
206.607.1600