

COMPLAINTS ABOUT DISCRIMINATION, DISCRIMINATORY HARASSMENT, AND SEXUAL HARASSMENT

What is discrimination?

Discrimination is unfair or unlawful treatment of a person or group because they are part of a defined group, known as a protected class. Discrimination may include treating a person differently or denying someone access to a program, service, or activity because they are part of a protected class, or failing to accommodate a person's disability.

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, state, or local laws. Protected classes under Washington state law include sex, race, color, religion, creed, national origin, disability, sexual orientation, gender expression, gender identity, veteran or military status, and the use of a trained dog guide or service animal.

How do I file a complaint about discrimination?

If you believe that you or your child has experienced unlawful discrimination or discriminatory harassment at school based on any protected class, you have the right to file a formal complaint. For a full copy of the school district's nondiscrimination procedure, visit wvsd.org or contact the school district at **509-924-2150**.

Before filing a complaint, you may wish to discuss your concerns with your child's principal or with the school district's Section 504 Coordinator, Title IX Officer, or Civil Rights Compliance Coordinator. This is often the fastest way to revolve your concerns.

- Section 504 Coordinator: Dan Andrews, 509-922-5478
- Title IX Officer: Paula Jeffries, 509-924-2150
- Civil Rights Compliance Coordinator: Douglas Matson, 509-924-2150

Step 1: Complaint to the School District

In most cases, complaints must be filed within one year from the date of the event that is the subject matter of the complaint. A complaint must be in writing, describe what happened, and state why you believe it is discrimination. It is also helpful to include what actions you would like the district to take to resolve your complaint.

Complaints may be submitted by mail, fax, e-mail, or hand delivery to any district or school administrator or the district's Compliance Coordinator.

When the school district receives your written complaint, the Compliance Coordinator will give you a copy of the district's discrimination complaint procedure. The Compliance Coordinator will then make sure that the school district conducts a prompt and thorough investigation. You may also agree to resolve your complaint in lieu of an investigation.

The school district must respond to you in writing within 30 calendar days after receiving your complaint, unless you agree on a different date. If exceptional circumstances related to the complaint require an extension of the time limit, the school district will notify you in writing about the reasons for the extension and the anticipated response date.

When the school district responds to your complaint, it must include:

1. A summary of the results of the investigation;

2. Whether or not the school district has failed to comply with civil rights requirements related to the complaint;
3. Notice of your right to appeal, including where and to whom the appeal must be filed; and
4. Any corrective measures determined necessary to correct any noncompliance.

Step 2: Appeal to the School District

If you disagree with the school district's decision, you may appeal to the school district's board of directors. You must file a notice of appeal in writing to the secretary of the school board within 10 calendar days after you received the school district's response to your complaint.

The school board will schedule a hearing within 20 calendar days after they received your appeal, unless you agree on a different timeline. At the hearing, you may bring witnesses or other information related to your appeal.

The school board will send you a written decision within 30 calendar days after the district received your notice of appeal. The school board's decision will include information about how to file a complaint with OSPI.

Step 3: Complaint to OSPI

If you do not agree with the school district's appeal decision, you may file a complaint with the Office of Superintendent of Public Instruction (OSPI). A complaint must be filed with OSPI within **20 calendar days** after you received the district's appeal decision. You may send your complaint to OSPI by e-mail, mail, fax, or hand-delivery:

E-mail: Equity@k12.wa.us

Fax: (360) 664-2967

Mail: OSPI Equity and Civil Rights Office, PO Box 47200, Olympia, WA 98504-7200

SEXUAL HARASSMENT

Students and staff are protected against sexual harassment by anyone in any school program or activity, including on the school campus, on the school bus, or off-campus, such as a school-sponsored field trip.

Sexual harassment is unwelcome behavior or communication that is sexual in nature when:

- ◆ A student or employee is led to believe that he or she must submit to unwelcome sexual conduct or communications in order to gain something in return, such as a grade, a promotion, a place on a sports team, or any educational or employment decision, or
- ◆ The conduct substantially interferes with a student's educational performance, or creates an intimidating or hostile educational or employment environment.

Examples of Sexual Harassment:

- Pressuring a person for sexual favors
- Unwelcome touching of a sexual nature
- Writing graffiti of a sexual nature
- Distributing sexually explicit texts, e-mails, or pictures
- Making sexual jokes, rumors, or suggestive remarks
- Physical violence, including rape and sexual assault

How do I report sexual harassment?

You can report sexual harassment to any school staff member or to the district's Title IX Officer: **Paula Jeffries, 509-924-2150**.

For a copy of your district's Sexual Harassment policy and procedure, contact your child's school or district office. Information is available on our website at wvsd.org and click on link: Our District – School Board for Policies and Procedures.