



**EDMONDS SCHOOL DISTRICT NO. 15**  
**Human Resources Division**

September 2007	<b>PROCEDURES FOR RESOLVING EQUAL EMPLOYMENT OPPORTUNITY, EQUAL EDUCATIONAL OPPORTUNITY, AND EQUAL ACCESS GRIEVANCES (ADA &amp; 504)</b>	III-F
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These procedures have been developed for the resolution of equal employment opportunity, equal educational opportunity, and equal access grievances against the Edmonds School District, its employees, or its contract service vendors. To ensure fairness and consistency, they are to be used to address grievances covered by state and federal equal employment and educational opportunity laws, including the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973 (Section 504), and/or the District's Affirmative Action Plan. No person shall be adversely affected in any way because of the utilization of these procedures. A Title IX/Affirmative Action Officer, or designee, shall investigate all noncompliance allegations of discrimination. Grievances covered by special education laws shall be processed under special education procedures.

**PROCEDURE**

**LEVEL I: Informal Resolution**

With regard to ADA and Section 504 matters, a distinction is to be made between a request for accommodation and a grievance. A request for accommodation should be submitted to the appropriate authority (Asst. Superintendent, HR) as noted in the District's ADA Self-Evaluation and Remediation Plan. If the designated authority is unavailable, the District's Community Relations Manager may be contacted for assistance. The parties should cooperate to resolve any issues of accommodation through an informal dialogue prior to implementing the formal procedures outlined in Level II. A grievance is to be filed only in the event there is a complaint of noncompliance after a request for accommodation has been made.

**LEVEL II: Formal Resolution**

- A. Grievances shall:
  - 1. be in writing.
  - 2. be signed by the grievant.
  - 3. set forth specific acts, conditions or circumstances alleged to be in violation of the district's obligations in regard to discrimination, inaccessibility, and/or failure to make accommodation.
- B. Upon receipt of a grievance, the Affirmative Action Officer or designee shall investigate the allegations set forth and shall coordinate reasonable procedures to affect a prompt resolution of the grievance. The investigation should be thorough and impartial and afford the complainant an opportunity to present witnesses and other evidence.
- C. If a resolution is reached, the Affirmative Action Officer will write a formal memorandum of agreement, to be signed by all affected parties.
- D. Upon completion of the investigation, but not later than thirty (30) days after the filing of the complaint, the Affirmative Action Officer will provide complainant and the Superintendent with a full written report of the results of the investigation.

- E. In cases where no mutually agreed upon resolution is reached, the Superintendent will respond in writing to the grievant within seven (7) days of receipt of the investigative report.
- F. Corrective measures deemed necessary shall be instituted as expeditiously as possible.

**LEVEL III: Appeal to the Board of Directors**

- A. In the event a grievant remains aggrieved following a written response from the Superintendent, the grievant may appeal to the District's Board of Directors by filing a written notice of appeal with the Secretary of the School Board on or before the tenth (10th) calendar day following the date upon which the grievant received the Superintendent's written response.
- B. Upon receipt of the appeal, the Board of Directors shall schedule a hearing to commence on or before the twentieth (20th) calendar day following the filing of a written notice of appeal.
  - 1. Both parties shall be allowed to present such witnesses and testimony as the Board of Directors deem relevant and material.
  - 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.

**LEVEL IV: Appeal to the Superintendent of Public Instruction**

In the event a grievant charging sex discrimination in violation of RCW 28A.640 or WAC 392-190 remains aggrieved with the decision of the Board of Directors, the grievant may appeal the Board's decision to the Superintendent of Public Instruction (SPI).

- A. A written notice of appeal must be received by the SPI on or before the tenth (10th) day following the date upon which the grievant received written notice of the Board of Directors' decision.
- B. The written notice of appeal must set forth:
  - 1. A concise statement of the original grievance and the portions of the Board of Directors' decision being appealed;
  - 2. The suggested recommendations for resolution or remediation of the alleged grievance set forth in the original statement of complaint.