



EDMONDS SCHOOL DISTRICT NO. 15
Human Resources Division

September 2007	EQUAL EMPLOYMENT OPPORTUNITY AND EQUAL ACCESS	VI-C
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EMPLOYEE / APPLICANT COMPLAINT PROCEDURE

These procedures have been developed for the resolution of equal employment opportunity and equal access complaints against the Edmonds School District, its employees, or its contract service vendors. To ensure fairness and consistency, they are to be used to address complaints covered by state and federal equal employment opportunity laws, the Americans with Disabilities Act (ADA), and/or the District's Affirmative Action Plan. No person shall be retaliated against because of the utilization of these procedures.

A Title IX/Affirmative Action Officer, or designee, shall investigate all noncompliance allegations of discrimination and lack of access. Complaints covered by special education laws shall be processed under special education procedures.

PROCEDURE

LEVEL I: INFORMAL RESOLUTION

With regard to ADA matters, a distinction is made between a request for accommodation and a Complaint. A request for accommodation should be submitted to the appropriate authority as noted in the District's ADA Self-Evaluation. If this Self-Evaluation is unavailable, contact Human Resources (7023) 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 below. A Complaint is to be filed only in the event there is an allegation of noncompliance after a request for accommodation has been made.

LEVEL II: FORMAL COMPLAINT

- A. Complaints shall:
1. be in writing;
 2. be signed by the complainant; and
 3. set forth specific acts, conditions or circumstances alleged to be in violation of the district's obligations in regard to discrimination, accessibility, and/or failure to make accommodation.
- B. Upon receipt of a complaint, the Affirmative Action Officer, or designee, shall investigate the allegations set forth and shall coordinate reasonable procedures to affect a prompt resolution of the complaint.
- 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, the Affirmative Action Officer will provide 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.
- 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 complainant remains aggrieved following a written response from the Superintendent, that complainant may appeal to the School District Board of Directors by filing a written notice of appeal with the Secretary of the School Board on or before the tenth day following the date upon which the complainant 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 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 deems relevant and material.
 - 2. The Board of Directors shall render a written decision on or before the tenth 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 complainant charging sex discrimination in violation of RCW 28A.640 or WAC 392-190 remains aggrieved with the decision of the Board of Directors, the complainant may appeal the Board's decision to the Office of Superintendent of Public Instruction (OSPI).

- A. A written notice of appeal must be received by OSPI on or before the tenth day following the date upon which the complainant 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, and
 - 2. the suggested recommendations for resolution or remediation of the alleged grievance set forth in the original statement of complaint.