

## **NONDISCRIMINATION POLICY GRIEVANCE PROCEDURE**

Explorer West Middle School ("School") prohibits race, color, national origin, sex, sexual orientation, gender identity and expression, and disability discrimination in all School education programs and activities.

This grievance procedure outlines the process to be employed if a student, parent or guardian, or employee, alleges a violation of the Nondiscrimination policy. For allegations of sexual harassment or assault of a student, please proceed under the Sexual Discrimination Policy and Grievance Procedure.

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**DEFINITIONS.** For purposes of this procedure, the following definitions apply:

**Complainant** shall mean the person alleged to be the victim of the discriminatory conduct.

**Formal Complaint** shall mean a written charge alleging specific acts, conditions or circumstances, which are in violation of the Nondiscrimination Policy. This may or may not be submitted through the Nondiscrimination Policy Complaint Form.

**Grievance** shall mean a complaint which has been made alleging discrimination against a complainant (a student, an employee, or a parent or guardian) of the Nondiscrimination Policy.

**Remedies** shall mean the individualized services that are developed on finding a violation that designed to restore equal educational access, protect safety, or deter discrimination. Examples include disciplinary sanctions, suspension or dismissal, and training.

**Respondent** shall mean the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

**REQUIRED REPORTING FOR EMPLOYEES.** Any employee who receives a report of or witnesses conduct in violation of the Nondiscrimination Policy is obligated to inform the Civil Rights Compliance Coordinator as soon as possible.

**NONDISCRIMINATION POLICY GRIEVANCE FORM.** Complainants and persons reporting violations of the Nondiscrimination Policy may choose to complete and submit the Nondiscrimination Policy Grievance Form. Completion and submission of the form is not mandatory, but is offered for ease of reporting alleged violations of the Nondiscrimination Policy. The form may be obtained from the Civil Rights Coordinator, the Front Office, or by download through the School website.

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GRIEVANCE PROCEDURE. The primary purpose of this procedure is to secure a prompt and equitable solution to a justifiable grievance. To this end, specific steps shall be taken following receipt of a grievance alleging discrimination:

Informal process for resolution. On receipt of a grievance alleging discrimination, the Civil Rights Coordinator shall initiate contact with the Complainant and request an informal meeting to understand and potentially resolve their concerns. The Civil Rights Compliance Coordinator shall also provide the Complainant with a copy of this Grievance Procedure and the Grievance Form. Resolution actions may include offering a mediated meeting with the Respondent alleged to be directly responsible for the violation and/or with the immediate supervisor of the person who is related to the complaint. Engaging in the informal resolution process is solely at the option of the Complainant.

Level One. If unable to resolve the grievance informally, the Complainant may submit a formal (written) complaint to the Civil Rights Compliance Officer. The formal complaint must be signed by the complainant and set forth the specific acts, conditions, or circumstances alleged to be in violation, and may be submitted using School's Nondiscrimination Complaint Form, although not mandatory. The Civil Rights Compliance Coordinator shall investigate the allegations set forth within thirty (30) calendar days of the filing of the formal complaint, or designate a person to conduct the investigation in accordance with this procedure. At the conclusion of the investigation, the Civil Rights Compliance Coordinator shall provide the Head of School with a full written report of the formal complaint and the results of the investigation. Within ten (10) calendar days following receipt of the written report, the Head of School shall advise the Complainant and Respondent of the results of the investigation in a Findings Letter. Specifically, the Head of School shall state that the School either: A. Denies the allegations contained in the formal complaint received by the School; or B. Admits the allegations and Identifies remedies to restore equal educational access, protect safety, or deter discrimination. Any remedies shall be instituted as expeditiously as possible, but in no event later than thirty (30) calendar days following the Head of School's Findings Letter. The Findings Letter shall also include a copy of this procedure and state the timeline and process for appeal.

Level Two. If a Complainant disagrees with the Findings of the Head of School in resolving a formal complaint, the Complainant may appeal to the School Board by filing a written notice of appeal with the Head of School or Board President by the 10th calendar day following: A. The date of the Head of School's Finding's Letter, or B. The expiration of the 30-calendar day response period stated in Level One, if no modification was made, 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. Complainant shall be allowed to present such witnesses and testimony as the Board deems relevant and material. The Board shall render a written decision by the 10th calendar day following the termination of the hearing and shall provide a copy to the

Complainant. Appeal is limited to the Head of School's Findings only, and is only available to the Complainant.

WRITTEN COMMUNICATION. Any written communication required herein may be delivered by mail, email, or in-person.

TIMELINES. All timelines under this grievance procedure may be modified by School if reasonably necessary given circumstances. If the timeline is modified, notice of the delay and a new completion date must be delivered to the Complainant and Respondent.

RETALIATION. Retaliation is expressly prohibited and no person shall be retaliated against for making a report or for participating in an investigation. Retaliation does not include imposing disciplinary action when a person is found to have knowingly reported a false allegation. Complaints alleging retaliation for filing a nondiscrimination complaint may be filed under this policy and will be separately investigated under this Grievance Procedure.

QUESTIONS? Any questions concerning the application of this procedure or generally should be directed to the Civil Rights Coordinator at 10015 28th Ave SW, Seattle, WA 98146, (206) 935-0495, dawnf@explorer-west.org.