

STUDENTS

Nondiscrimination

This complaint procedure is adopted in accordance with [Chapter 392-190 WAC](#).

Complainant

Anyone may file a complaint against the district alleging that it has violated anti-discrimination laws. The person filing the complaint is referred to as the “complainant.”

Informal Complaint

A complainant may bring an informal (i.e., oral) complaint to the district. If that occurs, the building principal/designee will schedule a meeting to discuss the informal complaint and how to resolve the complainant’s concerns. Using this informal process does not limit the complainant’s right to file a formal complaint. Further, as part of this informal process, the building principal/designee will notify the complainant in writing about their right to file a formal complaint. The notice will be in a language the complainant can understand, which may require language assistance in accordance with [Title VI of the Civil Rights Act of 1964](#) for complainants with limited English proficiency.

Receiving a Formal Complaint

Any district or school administrator who receives a formal complaint will promptly notify the district’s Title IX/Civil Rights Compliance Officer, assistant superintendent of human resources/designee. Once the district’s Title IX/Civil Rights Compliance Officer, assistant superintendent of human resources/designee receives a complaint, they will do the following:

1. Provide the complainant with a copy of [Policy 3210](#) and this procedure in a language they can understand, which may require language assistance in accordance with [Title VI of the Civil Rights Act of 1964](#) for complainants with limited English proficiency.
2. Ensure that the district conducts a prompt and thorough investigation into the allegations in the complaint.

The Title IX/Civil Rights Compliance Officer is:

Shawn Bryant

Everett School District No. 2

3900 Broadway

P.O. Box 2098

Everett, WA 98201

sbryant@everettsd.org

Phone: 425-385-4117

The assistant superintendent of human resources is:

Chad Golden

Everett School District No. 2

3900 Broadway

P.O. Box 2098

Everett, WA 98201

cgolden@everettsd.org

Phone: 425-385-4100

In lieu of investigating, the district and the complainant may agree to resolve the complaint. If the complaint is resolved, no further action is necessary.

Formal Complaint

A formal complaint must be in writing and describe the specific acts, conditions, or circumstances alleged to violate anti-discrimination laws.

A complaint must be filed with the Title IX/Civil Rights Compliance Officer or assistant superintendent of human resources within one (1) year from the date of the occurrence giving rise to the complaint. The deadline will not be imposed if the complainant was prevented from filing a complaint because (1) the district specifically misrepresented that it had resolved the problem forming the basis of the complaint, or (2) the district withheld information it was required to provide under [Chapter 392-190 WAC](#).

A complaint may be filed by mail, fax, email, or hand delivery to any district or school administrator or to the compliance officer.

Written Response to a Formal Complaint

After completing the investigation, the Title IX/Civil Rights Compliance Officer or the assistant superintendent of human resources/designee will provide the superintendent/designee with a full written report of the complaint and the investigation results, unless the matter is resolved to the satisfaction of the complainant without an investigation or prior to the submission of a written report.

The superintendent/designee will issue a written response to the complainant within thirty (30) calendar days after the district receives the written formal complaint. The thirty-day timeline can be extended if agreed to by the complainant or if exceptional circumstances related to the complaint require an extension. If an extension is needed, the district will notify the complainant in writing of the reasons for the extension and the anticipated response date. The notice will be in a language the complainant can understand, which may require language assistance in accordance with [Title VI of the Civil Rights Act of 1964](#) for complainants with limited English proficiency.

The written response must include a summary of the results of the investigation; a finding as to whether the district failed to comply with anti-discrimination laws; notice to the complainant of their right to appeal, including where and to whom the appeal must be filed; and, if the district failed to comply with anti-discrimination laws, the corrective measure deemed necessary to correct the noncompliance. Any corrective measures must be instituted as expeditiously as possible but no later than thirty (30) calendar days after the written response is issued unless otherwise agreed to by the complainant. The written response will be in a language the complainant can understand, which may require language assistance in accordance with [Title VI of the Civil Rights Act of 1964](#) for complainants with limited English proficiency.

The district will send a copy of the written response to the Office of the Superintendent of Public Instruction (OSPI) when it sends the response to the complainant.

Appeal to a Hearing Officer

If a complainant disagrees with the superintendent's/designee's written response, they may appeal to a hearing officer designated by the superintendent to hear the appeal. The appeal must be in writing and filed with the superintendent within ten (10) calendar days of receiving the written response. The hearing officer shall not have been involved in the initial complaint or investigation.

Upon receipt of an appeal, the hearing officer must provide a written appeal decision to the complainant within thirty (30) calendar days of receiving the appeal, unless the complainant agrees otherwise.

The appeal decision must include notice of the complainant's right to file a complaint with OSPI under [WAC 392-190-075](#). The appeal decision of the hearing officer will be provided in a language the complainant can understand, which may require language assistance in accordance with [Title VI of the Civil Rights Act of 1964](#) for complainants with limited-English proficiency.

The decision of the hearing officer will include notice of the complainant's right to file a complaint with OSPI under [WAC 392-190-075](#). The district will send a copy of the appeal decision to OSPI.

Complaint to OSPI

If a complainant disagrees with the appeal decision of the hearing officer, or if the district fails to comply with this procedure, the complainant may file a complaint with OSPI under [WAC 392-190-075](#).

A complaint must be received by OSPI within twenty (20) calendar days after the complainant received the hearing officer's written appeal decision, unless OSPI grants an extension for good cause.

Complaints may be submitted by mail, fax, email, or hand delivery.

A complaint must be in writing and include the following:

1. A description of the specific acts, conditions or circumstances alleged to violate applicable anti-discrimination laws;
2. The complainant's name and contact information, including address;
3. The name and address of the district subject to the complaint;
4. A copy of the district's written response and appeal decision, if any; and
5. A proposed resolution of the complaint or relief requested.

If the allegations regard a specific student, the complaint must also include the student's name and address and the name of the school and school district the student attends. If the student is homeless, the complaint should include contact information.

Upon receipt of a complaint, OSPI may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the superintendent or board.

Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with [Chapter 392-190 WAC](#) or OSPI's guidelines, and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.

All corrective actions must be completed within the timelines established by OSPI in the written decision unless OSPI grants an extension. If timely compliance is not achieved, OSPI may take action, including but not limited to, referring the district to appropriate state or federal agencies empowered to order compliance.

A complaint may be resolved at any time when, before the completion of the investigation, the district voluntarily agrees to resolve the complaint. OSPI may provide technical assistance and dispute resolution methods to resolve a complaint.

Administrative Hearing

The complainant or the district may appeal OSPI's written decision by filing a written notice of appeal with OSPI within thirty (30) calendar days of receiving the written decision. OSPI will conduct a formal administrative hearing in accordance with the Administrative Procedure Act, [Chapter 34.05 RCW](#).

NOTE: The complaint procedure outlined above does not prohibit the processing of a complaint in an informal manner and without investigation if the complainant so desires.

Mediation of Complaints

The district may offer mediation, at its own expense, to resolve a complaint at any time during the complaint procedure. The purpose of mediation is to offer the complainant and the district an opportunity to resolve disputes and reach an acceptable agreement concerning the complaint using an impartial mediator. The parties may agree to extend the complaint procedure deadlines to pursue mediation.

Mediation is voluntary and requires the mutual agreement of the district and the complainant and may be terminated by either party at any time. It cannot be used to deny or delay a complainant's right to utilize the complaint procedure.

The mediator must be impartial, may not be an employee of the district or any agency providing education or related services to a student who is involved in the mediation, and must not have a personal or professional conflict of interest. A person is not disqualified as a mediator solely because the district pays them to serve as a mediator.

If the parties resolve a dispute through mediation, they may execute a legally binding agreement that describes the resolution, states that all discussions that occurred during mediation will remain confidential and may not be used as evidence in any subsequent complaint, due process hearing, or civil proceeding, and is signed by the complainant and the district's representative.

Recordkeeping

The office of the Title IX/Civil Rights Compliance Officer will maintain documentation for each complaint received (e.g., the complaint, notices, the investigation report, the written response, the appeal decision, documentation of corrective measures, etc.) for six (6) years.

Cross reference: [Board Policy 3210](#) Nondiscrimination

Adopted: September 1981
Revised: March 20, 1995
Updated: September 30, 1998
Revised: May 2001
Revised: November 2001
Revised: January 2003
Updated: December 2004
Updated: November 2006
Updated: October 2008
Revised: June 2011
Updated: December 2011
Updated: December 2013
Revised: April 2014
Revised: June 2015
Revised: October 2016
Updated: September 2019
Updated: January 2020
Updated: July 2020
Updated: July 2021
Revised: October 2021
Updated: July 2023
Updated: July 2024
Revised: March 2025
Updated: July 2025