

Memorandum

To: ISD School Board
Steve Rasmussen, Superintendent

CC: Cabinet

From: Kathy Miyauchi, Executive Director of Personnel Services

Date: 10/10/2011

Re: EL-2 Update

At the April 27, 2011 School Board, EL-2: Treatment of People was noted as in compliance with two exceptions. I have noted the exceptions below, with an explanation of the current status of the issues.

EL-2: Treatment of People

.. the Superintendent may not

- 1. Permit any form of illegal discrimination.*

INTERPRETATION

I interpret illegal discrimination as acts or omissions by school authorities that create unequal access to District resources on the basis of race, creed, ethnicity, color, national origin, sex, sexual orientation, or any other class or condition protected by law. Thus, the District must:

- make District opportunities available to all students on a fair basis without regard to the factors or conditions referenced above;
- fairly consider all qualified applicants for employment, assignment, promotion and retention without regard to the factors or conditions referenced above;
- publicize the District's commitment to nondiscrimination and procedures for addressing perceived discrimination within the school district;
- have ready procedures for determining and taking corrective action in the event that discrimination should occur within the district.

EVIDENCE

- OSPI conducted an on-site Civil Rights Compliance review of the High School CTE programs and support services in 2009. The District continues to work with OSPI regarding the non-compliant areas of Accessibility of Facilities, specifically, the

question of accessibility of the SHS orchestra pit. The District was found in compliance in all other areas.

On July 15, 2011, OCR indicated that there is no effective approach to remedy the physical construction of the stage area to build in accessibility to the orchestra pit. Therefore the District will provide a written plan to grant meaningful access to the orchestra facilities should a request be made.

- From May 26, 2010 – April 27, 2011 there have been two Office of Civil Rights (OCR) complaints: in one complaint, OCR found the District had fully complied with Title IX; the second OCR complaint, the District is awaiting OCR's findings. There is also an Equal Employment Opportunity Commission (EEOC) complaint that is still pending resolution.

On August 30, 2011, OCR notified the District that the second Title IX complaint was investigated and the District was found in full compliance with Title IX. The EEOC complaint has been withdrawn.