

A. INTRODUCTION

This procedure is limited to those complaints which allege discrimination (exclusive of a contested grade received in a class)* on the basis of race, religion, creed, color, gender, sexual orientation, national origin, age, disability, or status as a disabled veteran or Vietnam era veteran. Also covered by this procedure are formal complaints of any form of sexual harassment or disputes related to requests for reasonable accommodation. Following the internal complaint procedure does not preclude complainants from pursuing other forums available for resolution.

This procedure is available to any person who at the time of the acts in complaint was an enrolled student and/or employee of Shoreline Community College. This procedure may be taken in cases in which the accused is an employee, student or visitor/vendor on campus. No one bringing forward a complaint, or taking a position involving a sexual harassment complaint, or participating in any manner in the processing of a complaint, shall be in any way penalized for participation in this complaint procedure. All complaints shall be kept as confidential as is reasonably possible, subject to the requirements of public records law. The College is not responsible for the confidentiality maintained by the parties involved and cannot guarantee confidentiality to any participant.

This procedure may be undertaken by a complainant in a number of ways, utilizing either the informal or formal complaint procedure, or a combination of those procedures. Specifically, the alternatives for lodging a complaint may include:

1. A complainant may initiate an informal verbal complaint for the purpose of seeking informal resolution, or to solely report the complaint for the record without pursuing other action.
2. A complainant may initiate an informal complaint, and at any time may choose to proceed with a formal written complaint.
3. A complainant may file a formal written complaint, and is not required to have initiated an informal complaint first in order to do so.

* A student whose complaint is linked to the assignment of grades shall follow the procedural guidelines of Policy 5035, Student Grievance Procedures--Academic Evaluation, unless otherwise authorized by the President of the College after consultation with the Human Rights Officer and the Vice President for Student Services.

B. COLLEGE OFFICIAL FOR ASSISTANCE

A student or employee of Shoreline Community College may initiate the complaint procedure by providing his/her complaint to the College's Human Rights Officer or any administrative unit head at the complainant's discretion. Any college official receiving a complaint shall refer the complainant to the Human Rights Officer.

The college official(s) chosen to administer complaints will have training in addressing cultural diversity and discrimination issues; and, for addressing sexual harassment complaints, will have training in sexual harassment issues.

C. INFORMAL VERBAL COMPLAINT PROCEDURE

At his/her discretion, the complainant verbally reports concern to the Human Rights Officer.

Step 1 The complaint is reviewed.

Step 2 The complainant is given a copy of the human rights procedural guidelines which are discussed and clarified at that time.

Step 3 Options are discussed, which may include one or more of the following:

- complainant meets with the other party(ies) involved in an attempt to bring resolution;
- complainant meets with other parties involved, together with the Human Rights Officer, in an attempt to bring resolution;
- complainant requests that the Human Rights Officer meet with the other party(ies) involved in an attempt to bring resolution;
- complainant reports the complaint without pursuing further action at this time.

Resolution may occur at this level. Neither the College President nor any other college official is involved in the informal process.

D. FORMAL COMPLAINT PROCEDURE

Part I Submitting the Written Complaint:

Upon notification of a written formal complaint from any college official, and after consultation with them, the College President shall assign in writing the college official who shall be responsible for administering the complaint under this procedure. This assignment shall be the extent of the College President's involvement in the complaint procedure at this time. Should the necessity for reassignment arise, the College President's involvement shall again be limited only to the assignment of the complaint to another designated college official.

The complainant shall submit a written complaint to the college official assigned above, containing specific details as to any allegations, including dates, places, specific behavior and complainant responses as well as the signature of the complainant. The complaint should also include the names of witnesses, written documentation, and should include any and all remedies sought. This college official shall inform the accused party(ies) of the allegations and shall provide the accused party(ies) with copies of the complaint. The accused is also given a copy of the Human Rights Procedural Guidelines, which are discussed and clarified at this time. The accused party(ies) shall submit a signed, written response within 14 calendar days to this college official, who will forward a copy to the complainant.

Part II Formal Investigation:

Step 1 The complainant shall request a meeting with the college official assigned per Part I above. At this meeting the complainant shall be given a copy of the complaint procedure if he/she does not already have one. The purpose of this meeting is to discuss and review the complaint and the options available to the complainant through the complaint procedure.

Step 2 The college official may request that the complainant meet the other party(ies) involved in an effort to resolve the concern, if in the official's judgment an informal approach has not been attempted or exhausted. If the college official finds that time is of the essence, or that other remedies are inappropriate due to any circumstances, Step 3 of these procedures will be invoked. At the request of the complainant or accused, a reasonable attempt will be made to temporarily separate the parties involved in their work place or classroom environment until the investigation is completed.

Step 3 The college official shall:

- a. begin an investigation to be completed within 30 calendar days, excluding the days that instruction is not in session pending no extenuating circumstances, and in addition to the investigation, may proceed with the following:

- b. provide, at the request of either party, a hearing. The hearing shall be adjudicated by the Human Rights Advisory Council. This council shall be comprised of one administrator, one faculty member, and one classified staff member. In the case of a student complaint, a student representative shall be appointed to this advisory council. All council members shall have training in cultural diversity, discrimination, sexual harassment issues, and academic freedom issues. Council members shall serve a three year term with a staggered rotation in which one member will be replaced each year. The Human Rights Advisory Council shall elect a chairperson who shall preside over the hearing. The Human Rights Officer shall present evidence from his/her investigation. The Human Rights Advisory Council shall, at its discretion, allow all parties to submit any oral and written information and witnesses on the issue(s), and shall at its discretion, allow all parties to ask questions of each other and any witnesses in an effort to determine the facts. This is the only opportunity for either party to request a hearing. Council members are to maintain the confidentiality of all parties involved in a complaint, the complaint procedure, as well as the council's recommendation.

Each party shall be allowed to bring an individual of his/her choice to the proceedings. This may include family members, acquaintances, legal representatives, legal counsel, labor relations representatives, student representatives or individuals who have been specifically designated as advocates, and provided training in issues of sexual harassment and discrimination. Upon written agreement by all parties, including the Human Rights Advisory Council administering the complaint, the hearing will be recorded. The Human Rights Officer may provide recommendations to Human Rights Advisory Council.

- c. If the complaint is not resolved by mediation, and if either of the parties decide not to participate in the hearing, then the college official shall, after an investigation, submit a written report, including the complaint, any responses, findings and any other information the college official deems relevant.

Step 4 After reviewing all evidence presented from the investigation and/or hearing, the Human Rights Advisory council shall, within 30 calendar days:

- a. submit written conclusions and recommendations which the Human Rights Advisory Council deems appropriate from the information presented. The complainant and the accused are to receive a copy of the recommendations and shall be given 14 calendar days to submit a written statement in rebuttal to any of the findings to the Human Rights Advisory Council. The Human Rights Officer will also receive a copy of the Human Rights Advisory Council recommendations;

- b. remand the complaint to the Human Rights Officer or chosen college official for more investigation, with the result that the college official will submit additional information, on which the Human Rights Advisory Council will make recommendations;
- c. submit conclusions and recommendations from a and b above to the College President, or in the case of a student grievance, to the Vice President for Student Services. If consensus is not reached by the Human Rights Advisory Council, a majority and minority report of recommendations will be submitted.

Step 5 Within fourteen calendar days, based upon the recommendations of the Human Rights Advisory council, the President of the College or Vice President for Student Services will take corrective action if necessary. The President of the College or Vice President for Student Services shall provide all parties with copies of the final decision.

If an accused student disagrees with the decision of the Vice President for Student Services and the appropriateness of any corrective measures, that individual may contest those measures through the applicable sections of the Regulations Governing Student Discipline under Policy 5030.

If an accused faculty member disagrees with the decision of the President of the College and the appropriateness of any corrective measures, that individual may contest those measures through applicable sections of the most current negotiated faculty agreement. Disciplinary action taken by the President of the College shall be limited to procedures regarding Corrective Action as described in the most current negotiated faculty agreement.

If an accused classified employee disagrees with the decision of the College President and the appropriateness of any corrective measures, that individual may contest those measures through applicable sections of the most current State of Washington, Department of Personnel -- Higher Education Unit regulations.

An administrative/exempt employee who disagrees with the decision and any corrective actions issued by the President, based on the findings and recommendations of the Human Rights Advisory Council, may submit a written appeal for reconsideration. Such appeal must be submitted in writing within 10 calendar days of the issuance of the President's decision. Any modification or change in the President's decision will be re-issued to the administrative/exempt employee and the other party(ies) within 7 days of receipt by the President.

EXTERNAL COMPLAINT PROCEDURES

External complaint procedures concerning human rights violations for students and employees of Shoreline Community College:

Inquiries or complaints may be made to the Equal Employment Opportunity Commission* (federal agency), the Human Rights Commission** (state agency), or the U.S. Department of Education Office for Civil Rights*** (federal agency), or any other agency with the jurisdiction to hear such complaints.

Approved by:	
College Cabinet.....	11/14/89
Revised.....	11/30/93
Revised.....	04/05/94
Revised.....	01/30/96
Board of Trustees.....	04/15/94
Revised.....	06/21/96

* Equal Employment Opportunity Commission
 Seattle District Office
 909 First Avenue, Suite 400
 Seattle, WA 98104-1061
 Phone: 206-220-6883

** Human Rights Commission
 Melbourne Tower, 9th Floor
 1511 Third Avenue, Suite 921
 Seattle, WA 98101-1626
 Phone: 206-464-6500

*** U.S. Department of Education
 Office for Civil Rights
 915 Second Avenue, Room 3310
 Seattle, WA 98174-1099
 Phone: 206-220-7900

The above agencies have deadlines for reporting incidents of sexual harassment. Complaints must be reported within 6 months or 180 days from the most recent incident.