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Washington Office of Superintendent of  
**PUBLIC INSTRUCTION**  
Chris Reykdal, Superintendent

October 3, 2024

Action Required  
Due date: October 18, 2024  
December 6, 2024  
 Informational

## BULLETIN NO. 065-24 LEGAL AFFAIRS

**TO:** Educational Service District Superintendents  
School District Superintendents  
Charter School Directors  
Tribal Compact School Directors  
School District Business Managers  
School District Civil Rights Coordinators

**FROM:** Chris Reykdal, Superintendent of Public Instruction

**RE:** 2024–25 Statewide Civil Rights Review

**CONTACT:** Sarah Albertson, Managing Attorney, Equity and Civil Rights  
360-725-6162, [sarah.albertson@k12.wa.us](mailto:sarah.albertson@k12.wa.us)

## PURPOSE/BACKGROUND

In May 2024, the Legislature passed a proviso, [ESSB 5950 Sec. 501\(4\)\(vv\)](#), which requires OSPI to complete a one-time review of every Washington local educational agency (LEA) related to compliance with state and federal nondiscrimination laws. This Statewide Civil Rights Review (Review) must be completed during the 2024–25 school year. After the monitoring is completed, OSPI must submit a report to the legislature that includes a summary of the review findings.

This bulletin provides an overview of the Review monitoring scope and logistics, which will be similar to but separate from other existing civil rights monitoring like Program Review and Support. Additionally, this bulletin outlines important steps LEAs need to take to prepare for the Review, including designating a primary point of contact.

## THE STATEWIDE CIVIL RIGHTS REVIEW

Given the short timeframe for the Review, it is OSPI's intent that the process be as straightforward as possible. To that end, OSPI is has limited the scope of the monitoring to include foundational nondiscrimination requirements that focus on students' rights and ensuring school personnel have the information they need to respond promptly and appropriately to concerns of discrimination. Moreover, OSPI has designed the Review to require less school district staff time and less collection of evidence compared to other civil rights monitoring. Finally, OSPI has technical assistance and model resources prepared to assist LEAs in meeting requirements, and Educational Service Districts (ESDs) will be available to provide additional technical assistance and support.

### Scope of the Review

The Review will address four key areas of foundational nondiscrimination requirements that state and federal law mandates for all LEAs:

1. Policies and procedures for nondiscrimination, sex-based discrimination, and gender-inclusive schools.
2. Handbook and website notices to students, parents, employees, and volunteers about discrimination, sexual harassment, complaint processes, and gender-inclusive schools.
3. Staff training on responsibilities under state nondiscrimination law and eliminating bias.
4. Designated coordinators and their training, including coordinators for civil rights, Title IX, Section 504, and gender-inclusive schools.

Each key area is outlined as a separate item on the **Statewide Civil Rights Review Checklist**, which is attached to this Bulletin. The checklist also details what information LEAs must submit to OSPI and provides context for the legal requirements.

LEAs should be aware this is not a comprehensive review of all nondiscrimination requirements in state and federal law. Please contact OSPI's Equity and Civil Rights Office or visit our website for additional information on other nondiscrimination and civil rights requirements.

### General Logistics and Timelines

OSPI plans for all reviews to be conducted as desk reviews<sup>1</sup> with LEAs submitting information to OSPI through an online tool. The Review has been designed to be similar to other monitoring and review processes, but as stated above, it will be more streamlined.<sup>2</sup>

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<sup>1</sup> While no on-site visits are currently planned, the proviso allows for the Review to include on-site visits where OSPI deems additional follow-up may be necessary.

<sup>2</sup> As required in the proviso, the Review is also aligned to the compliance monitoring process established in [chapter 392-190 WAC](#).

The Statewide Civil Rights Review will include the following phases:

1. **Pre-Review Collection of Information:** LEAs should review the checklist and collect responsive information. OSPI encourages LEAs to collect responsive information as soon as possible before the Review to ensure they can correct any issues before submitting information to OSPI. Doing so will result in a quicker Review and minimize the likelihood for corrective action.
2. **Submission to OSPI:** In early November 2024, each LEA's primary point of contact (see below) will receive access to an online review tool to submit information to OSPI. The due date for submitting this information to OSPI is December 6, 2024.
3. **OSPI Determinations and Corrective Actions:** OSPI will review the LEA's submission and will respond to the LEA with a determination letter via email outlining any noncompliant items and necessary corrective actions. OSPI anticipates it will respond to all LEAs between December 2024–March 2025.
4. **LEA Follow-up:** Upon receipt of OSPI's determination letter, the LEA will have 30 calendar days to respond with additional or corrected information. OSPI will continue to work with the LEA on any outstanding corrective actions until the review ends on June 30, 2025. Any items or corrective actions that are not completed by that date will be reported as incomplete in OSPI's report to the legislature.

After the monitoring is completed, OSPI must submit a report to the legislature that includes a summary of the Review findings, any corrective actions taken by OSPI and LEAs, and LEA responses to issues of noncompliance that were found during the Review.

Because of the Review, civil rights items will not be included in Program Review and Support monitoring this year. Additionally, OSPI will not be requesting LEAs submit the annual Equity Assurance Report (iGrants Form Package 447).

## Preparing for the Review

### 1. Complete a survey to designate a primary point of contact for the Review.

OSPI's primary point of contact for this Review will be the LEA's civil rights coordinator.<sup>3</sup> As the primary point of contact, the civil rights coordinator will receive communications from OSPI regarding the Review, including instructions for accessing the Review tool, a checklist and technical assistance guides, and determination reports.

To ensure OSPI has the correct contact for the review, please submit the survey below to verify your LEA's current civil rights coordinator's name and contact information. If

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<sup>3</sup> Each LEA has a designated civil rights coordinator who is responsible for monitoring and coordinating the LEA's compliance with state nondiscrimination laws. See [RCW 28A.642.090](#) and OSPI's [Compliance Coordinator](#) webpage for more information.

necessary, an LEA may identify a designee for the civil rights coordinator who will instead serve as OSPI's primary point of contact for the review.

**Link to Survey: [LEA Point of Contact Survey](#). Please respond by October 18, 2024.**

## **2. Review Statewide Civil Rights Review Checklist and technical assistance guides to ensure the LEA's implementation of nondiscrimination requirements is up to date.**

LEAs should review the Statewide Civil Rights Review Checklist and begin collecting information. Additionally, OSPI will be publishing technical assistance guides that include support resources like tips for implementation, frequently asked questions, and model or sample resources, which will assist LEAs in implementing the requirements addressed in the Review. OSPI will share these resources with the LEA's primary point of contact once they are available in October 2024.

LEAs should be aware that recent changes in state and federal law affect certain items in the Review. OSPI recognizes that some LEAs may still be in the process of implementing these updates, and we are available to provide technical assistance to support these updates throughout the Review process. OSPI recommends LEAs take note of the following recent updates:

- New Title IX rules regarding sex-based discrimination went into effect on August 1, 2024, requiring LEAs to update their sexual harassment policies and procedures.<sup>4</sup> For more information, see OSPI's Bulletin [B046-24: Guidance on the New Title IX Rules and Responding to Sex-Based Discrimination in Washington K-12 Schools \(7/3/2024\)](#).
- New handbook and website notice requirements went into effect at the beginning of this school year, requiring LEAs to use OSPI's model handbook language to notify the school community about nondiscrimination, sexual harassment, gender inclusive schools, and complaint procedures. For more information, see OSPI's Bulletin [B018-24: New Requirements for Annual Notices Regarding Discrimination, Harassment, Intimidation, and Bullying \(4/5/2024\)](#).

ESDs, as well as OSPI's Equity and Civil Rights Office, will be available to provide additional technical assistance and support throughout the Review.

## **3. Watch for tool link in early November 2024**

Once the online tool is ready to launch, OSPI will email the LEA's primary point of contact a link and additional instructions for submitting the LEA's information.

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<sup>4</sup> Some individual schools may be involved in ongoing litigation regarding the new Title IX rules (*Kansas v. U.S. Dept of Ed., et al*). OSPI recommends LEAs with schools that are enjoined from implementing the new Title IX rules consult with their legal counsel on their responsibilities under state and federal law.

**4. Submit the LEA's information in the tool by December 6, 2024.**

The due date for submitting this information to OSPI is **December 6, 2024**.

## **INFORMATION AND ASSISTANCE**

For questions regarding this bulletin, please contact Sarah Albertson, Managing Attorney, Equity and Civil Rights, at 360-725-6162 or email [sarah.albertson@k12.wa.us](mailto:sarah.albertson@k12.wa.us). The OSPI TTY number is 360-664-3631.

This bulletin is also available on the [Bulletins](#) page of the OSPI website.

Tennille Jeffries-Simmons  
Chief of Staff

Matt Schultz  
Chief Legal and Civil Rights Officer  
Office of Legal Affairs

Sarah Albertson  
Managing Attorney  
Equity and Civil Rights Office

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Attachment: 2024–25 Statewide Civil Rights Review Checklist

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