



L.E. Scarr Resource Center

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April 25, 2022

**EMAIL DELIVERED
RECEIPT ACKNOWLEDGED:**

Administration
Washington Asians for Equity

Admin/WA Asians for Equity Date

RE: Formal Nondiscrimination/Affirmative Action Investigation Findings

Dear Washington Asians for Equality Administration,

The Lake Washington School District (“District”) takes great pride in not discriminating in any programs or activities based on race; color; creed; religion; sex; age; national origin; ethnicity; marital status; sexual orientation, including gender expression or identity; honorably discharged veteran or military status; the presence of any sensory, mental, or physical disability; or the use of a trained guide dog or service animal by a person with a disability.

Background:

On March 23, 2022, Director of Elementary Education, Sue Anne Sullivan, provided you a response to the Public Complaint (“Complaint”), [BoardDocs® Policy: 4220P Procedure Complaints Concerning Staff or Programs](#), you submitted to the Lake Washington School District (“District”) dated February 27, 2022.

On March 31, 2022, you filed a formal discrimination complaint against the Lake Washington School District. I am responding to your formal complaint directly as the District Civil Rights Compliance Coordinator.

In your complaint, you allege that the District violated [RCW 49.60.400: Discrimination, preferential treatment prohibited. \(wa.gov\)](#) as a result of what took place at Blackwell Elementary School surrounding the incident of teaching Chinese culture and tradition during the Chinese New Year.

It is important to note that the District has [BoardDocs® Policy: 5010P Procedure Nondiscrimination and Affirmative Action](#). This procedural policy includes many national and state legal references, one of which is RCW 49.60.400. Therefore, I will assume for the purposes of this response that you initiated a Formal Complaint that alleges that the District violated Policy 5010-Nondiscrimination and Affirmative Action.

As set forth in District Policy 5010P – Procedure Nondiscrimination and Affirmative Action, anyone may file a complaint against the District alleging that the District has violated anti-discrimination laws. This complaint procedure is designed to assure that the resolution of real or alleged violations are directed toward a just solution that is satisfactory to the complainant, district administration, and the Board of Directors. Complaint means a written, signed charge alleging specific acts, conditions, or circumstances, which are in violation of the anti-discrimination laws.

Please be informed that due process requirements may require that the District release all of the information regarding this complaint to the accused, thus your identity may not remain confidential.

Based upon your formal complaint, the District subsequently opened an investigation. Unfortunately, due to the nature of the allegations and the findings, the District was unable to effect a prompt resolution of the complaint.

Findings:

Each of the incidents described in the formal complaint were investigated, reviewed, and analyzed by the District.

Overall the behaviors alleged in your complaint do not rise to the level of unfair or prejudicial treatment based on race, color, national origin, and ethnicity, nor are they a violation of the District's Nondiscrimination/Affirmative Action Policy 5010P.

Specifically, you allege that the District "Withheld information in an attempt to cover up discrimination against Chinese Culture and the Chinese American Community." There is no evidence to support this allegation. The District does not believe there is any evidence of discrimination against the Chinese Culture or the Chinese American Community as a result of the activities surrounding the February 1, 2021 events at Blackwell Elementary School. Furthermore, the District records are subject to the Washington Public Records Act, Collective Bargaining Agreements, and general employee/student privacy laws. Therefore, the District is legally prohibited, in many aspects, from simply disclosing information and public record to local community members upon request.

Additionally, community members are free to request District records pursuant to the Public Records Act and District process and procedure. If you or anyone in your organization would like to request District records, please see [Public Records Request - Lake Washington School District \(lwsd.org\)](#).

You also specifically allege that "Chinese culture was singled out and targeted, and the Chinese American community was made an example of." The District does not believe the events surrounding the February 1, 2022 incident had the purpose or intent to discriminate against the Chinese community. Therefore, I find no evidence of a violation of District policy [BoardDocs® Policy: 5010 Nondiscrimination and Affirmative Action](#).

Finally, in your formal complaint you list several demands. These demands are not a proper remedy under District Policy 5010. Therefore, the District is not able to address or grant these demands under the policy.

The District is committed to supporting educational spaces that are nurturing and promote inclusivity. Our fervent hope for is that all students within the District experience support and success in the District. Additionally, the District is working to develop clear guidelines for our practices and expectations regarding situations of "cultural appreciation" versus "cultural appropriation: and will seek community input on these topics in the future before finalizing the practices and expectations moving forward.

If you remain aggrieved by the results of the District's investigation, you may appeal to the Superintendent's office by filing a written notice of appeal with the Superintendent's office on or before ten (10) calendar days following the date upon which you received this written response. Please see [Level Two-Appeal to School District in Policy 5010P Nondiscrimination and Affirmative Action Procedure](#)).

Please do not hesitate to contact me directly if you have any questions or concerns about the contents of this letter.

Sincerely,

Richard Patterson

Richard R. Patterson, Ph.D.
Director, Human Resources
Certificated Employees and Labor Relations
Civil Rights Compliance Coordinator

cc: Dr. Jon Holman, Superintendent, Lake Washington School District
Dr. Joy Ross, Associate Superintendent, Human Resources