

POLICY: JB-R
Adopted: November 27, 1995
Revised: January, 2002

STUDENT DISCRIMINATION-COMPLAINT PROCEDURE

If any person believes that the School District of Hartford Joint No. 1 or any part of the school organization has inadequately applied the principles and/or regulations of Title IX (sex) and Section 504 (handicap) or in some way discriminates on the basis of sex, race, color, national origin, handicap or disability (ADA), he/she may bring forward a complaint to the School District of Hartford Joint No. 1 office located at 675 E. Rossman Street, Hartford, WI 53027.

If any person believes that the School District of Hartford Joint No. 1 or any part of the school organization has failed to follow the law and rules of s. 118.13, Wis. Stats., or in some way discriminates against pupils on the basis of sex, race, color, national origin, ancestry, creed, religion, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional or learning disability, he/she may bring or send a complaint to the School District of Hartford Joint No. 1 office located 675 E. Rossman Street, Hartford, WI 53027.

INFORMAL PROCEDURE

The person who feels that he/she has a valid basis for a complaint shall discuss the concern with the Director of Pupil Services, who shall investigate the complaint and reply to the complainant in writing within ten (10) business days. If this reply is not acceptable to the complainant, he/she may initiate formal procedures according to the steps listed below.

FORMAL PROCEDURE

Any complaint regarding the interpretation or application of the District's student nondiscrimination policy shall be processed in accordance with the following complaint procedures:

1. Any student, parent or resident of the District complaining of discrimination on the basis of sex, race, religion, national origin, color, ancestry, creed, pregnancy, marital or parental status, sexual orientation, physical, mental, emotional or learning disability or handicap in school programs or activities shall report the complaint in writing to the Director of Pupil Services.
 - a. Discrimination complaints relating to the identification, evaluation, educational placement or the provision of free appropriate public education of a child with a disability shall be processed in accordance with established appeal procedures outlined in the District's special education handbook.
 - b. Discrimination complaints relating to programs specifically governed by Federal Law or regulation (e.g., EDGAR complaints) shall be referred directly to the State Superintendent of Public Instruction.

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2. The Director of Pupil Services, upon receiving such a written complaint, shall immediately undertake an investigation of the suspected infraction. The Director of Pupil Services will review with the building principal, or other appropriate persons, the facts comprising the alleged discrimination. The Director of Pupil Services shall decide the merits of the case, determine the action to be taken, if any, and report in writing the findings and the resolution of the case to the complainant within forty-five (45) business days.
3. If the complainant is dissatisfied with the decision of the Director of Pupil Services, he/she may appeal the decision in writing to the Board within ten (10) business days of the receipt of the decision. The Board shall hear the appeal at its next regular meeting, or *within 90 days of receipt* of the appeal. The Board shall make its decision in writing after the hearing. Copies of the written decision shall be mailed or delivered to the complainant and the Director of Pupil Services.
4. The complainant shall be notified of the right to appeal a negative determination by the Board to the State Superintendent of Public Instruction and the procedures for making the appeal.

MAINTENANCE OF COMPLAINT RECORDS

Records of all complaints shall be kept for the purpose of documenting compliance and past practices. The records shall include information on all levels of the complaint and any appeals. The records should include:

1. The name of the complainant and his/her title or status.
2. The date the complaint was filed.
3. The specific allegation made and any corrective action requested by the complainant.
4. The name(s) of the respondents.
5. The levels of processing followed, and the resolution, date and decision-making authority at each level.
6. A summary of facts and evidence presented by each party involved.
7. A statement of the final resolution and the nature and date(s) of any corrective or remedial action taken.

Copies of these complaint procedures shall be included in staff and student handbooks.

LEGAL REFERENCE: Section 118.13 Wis. Statutes
PI 9 of the Wisconsin Administrative Code
Title IX, Education Amendments of 1972
Title VI, Civil Rights act of 1964
Section 504, Rehabilitation Act of 1973
Americans with Disabilities Act of 1990
Individuals with Disabilities Education Act
Civil Rights Act of 1991

CROSS REFERENCE: Equal Educational Opportunities
Special Education Handbook