

Book	POLICY MANUAL
Section	400 STUDENTS
Title	Equality of Educational Opportunity/Pupil Non-Discrimination/Harassment
Code	411 AR
Status	Active
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STEPS IN THE COMPLAINT PROCEDURE RELATED TO EQUALITY OF EDUCATIONAL OPPORTUNITY/DISCRIMINATION

The West Bend School District is firmly committed to an educational environment that is free of discrimination and harassment in any form. The West Bend School District staff shall make every effort to provide equal opportunities for students to participate in school-sponsored activities and/or programs. No student will on the basis of sex, race, color, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability or handicap, be denied admission to any school in this District or be denied participation in, be denied the benefits of, or be discriminated against in any curricular, extracurricular, pupil services, recreational, or other program Wis. Stat. 118.13(1). Any student, parent, guardian, or other citizen who believes a student has been subjected to discrimination shall file a complaint following the outlined procedure.

Step 1

Any student, employee, parent, guardian, or other citizen who has a complaint of student discrimination as outlined above and prohibited by state and federal statutes, including Title VI of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and Wis. Stat. §118.13 shall promptly discuss the complaint with his or her principal. If the complaint involves the principal, the student, employee, parent, guardian or citizen shall discuss it with the Administrator of Pupil Services.

Step 2

If the individual complaint originator is not satisfied with the disposition made at Step 1, a written complaint shall be submitted to the same principal or Administrator of Pupil Services with whom the complaint was initially discussed, within five (5) school days. The complaint should describe the facts of the situation in as much detail as possible. All parties involved in allegations of discrimination shall be notified of such allegations. The principal or Administrator of Pupil Services shall deliver a written answer to the complaint originator, and the other parties involved in a prompt and timely manner.

Step 3

If the complaint originator is not satisfied with the disposition made at Step 2, a written complaint shall be submitted to the Superintendent of Schools/designee within five (5) school days after receipt of the written answer provided in Step 2. The Superintendent/designee shall arrange a meeting to discuss the complaint within a prompt and timely manner. The meeting will be conducted with the complaint originator and a disinterested third party who may be the Superintendent/designee. All parties involved in allegations of discrimination shall be notified in writing of the date and procedure for hearing the complaint. The meeting procedure will provide for the orderly presentation of evidence related to all points of view involved in the allegations of discrimination. The Superintendent/designee shall give a written answer to the complaint originator in a prompt and timely after the meeting date.

Step 4

If the complaint originator is not satisfied with the disposition made at Step 3, the complaint originator shall file a written complaint, by certified mail, return receipt requested, to the Clerk of the Board of Education within five (5) school days after the receipt of the written answer provided in Step 3. The Board shall consider the complaint at the soonest appropriate meeting at which time the complaint originator shall have the right to present his or her position to the Board.

The Board shall advise the complaint originator in writing by certified mail, return receipt requested, of the action taken with regard to the complaint in a prompt and timely manner. The written response shall include the action(s) decided upon by the Board ranging from the denial of the complaint to the possible initiation of corrective and/or remedial measures taken on the discrimination identified through the complaint procedure.

Timeline

The District shall provide a written acknowledgement within 45 days of receipt of written complaint at Step 2 and a determination of the complaint within 90 days of receipt of the complaint unless the parties agree to an extension of time.

Step 5

Should the originator of the complaint be dissatisfied with the Board's decision, s/he may within thirty (30) days appeal the decision in writing to the State Superintendent of Public Instruction, Equal Educational Opportunity Office, P.O. Box 7841, Madison, WI 53707.

OTHER EQUAL EDUCATIONAL OPPORTUNITIES DISCRIMINATION COMPLAINT PROCEDURES

Complaint Procedure – Special Education

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 by Department of Public Instruction and Individuals with Disabilities Education Act.

Complaint Procedure – Federal Programs

Discrimination complaints relating to programs specifically governed by federal law or regulation shall be referred directly to the:
State Superintendent of Public Instruction
P.O. Box 7841
Madison, WI 53707-7841
608-266-1771

or

Office of Civil Rights/Chicago
US Department of Education
Citigroup Center
500 W. Madison St.
Suite 1475
Chicago, IL 60661
312-730-1560

Dissemination of Discrimination Complaint Procedures

The adopted discrimination grievance procedures shall be available to students, parents, employees, and others to inform them about the proper process of making a complaint. The information shall be published in student/parent/staff handbooks, news articles before the start of school and other appropriate times, Board policies posted in staff lounges and counseling offices, and course offering booklets/curriculum guides.