

MENOMINEE INDIAN SCHOOL DISTRICT

411-Rule

STUDENT DISCRIMINATION COMPLAINT PROCEDURE

If any person believes that the Menominee Indian School District or any part of the school organization has inadequately applied the principles and/or regulations of Title VI, Title IX, Section 504 or Americans with Disabilities Act or in some way discriminates on the basis of sex, race, religion, national origin, ancestry, creed, pregnancy, parental or marital status, sexual orientation, physical, learning, mental or emotional disability, he/she may bring forward a complaint to the Title IX, Section 504 or equal opportunity coordinator at his/her office in the Menominee Indian School District, P.O. Box 1330, Keshena, WI, or contact him/her by phone at 715/799-3824.

Informal Procedure

The person who believes he/she has a valid basis for complaint shall discuss the concern with the local Title IX, Section 504 or equal opportunity coordinator, who shall in turn investigate the complaint and reply to the complainant in writing within 45 days of receipt of the written complaint, and a determination of the complaint must be made within 90 days of receipt of the written complaint unless the parties agree to an extension of time - PI 9.04 of the Wisconsin Administrative Code. If this reply is not acceptable to the complainant, he/she may initiate formal procedures according to the steps listed.

Formal Grievance Procedures

STEP 1: A written statement of the complaint shall be prepared by the complainant and signed. This complaint shall be presented to the local Title IX, Section 504 or equal opportunity coordinator within five school/business days of receipt of the written reply to the informal complaint. The coordinator shall further investigate the matters of the complaint and reply in writing to the complainant within 10 school/business days.

STEP 2: If the complainant wishes to appeal the decision of the local Title IX, Section 504 or equal opportunity coordinator, he/she may submit a signed statement of appeal to the District Administrator within five school/business days after receipt of the local coordinator's response to the complaint. The District Administrator shall meet with all parties involved, formulate a conclusion, and respond in writing to the complaint within 10 school/business days.

STEP 3: If the complainant remains unsatisfied, he/she may appeal through a signed, written statement to the Board of Education within five school/business days of his/her receipt of the District Administrator's response to Step 2. In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives at the next regular Board meeting or within 15 school/business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent by the Board Clerk to each concerned party within 10 school/business days of this meeting.

STEP 4: Complainants shall be informed of their right to appeal a negative determination to the Department of Public Instruction (Equal Educational Opportunity Office, PO Box 7841, Madison WI 53707) within 30 days of receiving the Board's written determination, and of the procedures for doing so.

A complaint or appeal may also be made on some of the above bases (Title IX, Title VI, Section 504, Americans with Disabilities Act) to the Office of Civil Rights, U.S. Department of Education, 300 South Wacker Drive, 8th Floor, Chicago, Illinois 60606.

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 in the District's special education handbook.

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.

Dissemination of Discrimination Complaint Procedures

The adopted student discrimination complaint procedures shall be disseminated to students, parents/guardians, employees and others to inform them about the proper process of making 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 guidance offices, and course offering booklets/curriculum guides.

Maintenance of Complaint Records

The coordinators (Title IX, Section 504, equal opportunity) shall keep records of all formal and informal complaints for the purpose of documenting compliance and past practices. The record shall include information on all levels of the complaint and any appeals. The records should include:

1. The name of the complaint or 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.

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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.

APPROVED: September 1987

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 August 22, 2005