

## Administrative Rule 517 – Student Discrimination Complaint Procedure

### Informal complaint:

The complaining party is encouraged to first discuss their complaint with the Sparta Area School District employee toward whom the complaint is directed and his/her immediate supervisor.

### To file a formal complaint:

A student or his/her parent/guardian, who feels that they are the victim of illegal discrimination, shall file a complaint in writing with the Superintendent during the school year in which the alleged discrimination occurs.

Discrimination complaints relating to programs specifically governed by federal law or regulation (e.g. EDGAR complaints) shall be referred to the State Superintendent of Public Instruction.

The Superintendent shall have fifteen working days after receipt of the written complaint to investigate and respond orally to the complaint. A written response shall be given within ten working days after the oral response.

If the Superintendent finds the complaint to be true, the reply shall state what actions will be taken to correct the situation. The correction shall be made within thirty days. If the correction will require more than thirty days, the Department of Public Instruction will be notified and technical assistance requested.

If the alleged discrimination involves the actions of the superintendent, the complaint may be filed directly with the President or Clerk of the School Board.

If the Superintendent finds no grounds for the complaint, the written response will include current information as to the procedure to be followed in appealing the decision to the Board of Education. The School Board shall have fifteen working days following the receipt of written notice of appeal to respond in writing with their decision.

If the Board of Education finds the complaint to be true, the reply shall state what actions will be taken to correct the situation. The correction shall be made within thirty days. If the correction will require more than thirty days, the Department of Public Instruction will be notified and technical assistance requested.

If the Board of Education also concludes that there are no grounds for the complaint, the School Board's response shall include information as to the procedure for appeal to the State Superintendent.

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.

#### 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 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 decisionmaking 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.