

DISCRIMINATION COMPLAINT PROCEDURE

If any person believes that the Pulaski Community School District or any part of the school organization has failed to follow the law and rules of S. 118.13, Wisconsin Statutes, or in some way discriminates against another person based on the traits of sex (including transgender status, change of sex, or gender identity), race, color, national origin, religion, creed, ancestry, marital or parental status, sexual orientation or physical, mental, emotional or learning disability, or any other characteristic protected by Federal or state civil rights laws, he/she may bring or send a written, signed complaint to the District Office at the following address:

143 West Green Bay Street
PO Box 36
Pulaski, Wisconsin 54162.

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

STEP 1 All written and signed complaints shall be presented to the Director of Student Services or staff member designated by the superintendent. Upon receiving such a written complaint, the District shall undertake an investigation of the suspected infraction. The Director of Student Services or designated employee will review with appropriate administration and other relevant individuals the facts comprising the alleged discrimination. The Director of Student Services (or assigned designee) shall decide the merits of the case, determine action to be taken, if any, and report in writing the findings and resolution for the case to the complainant.

- a. Appeals under 20 USC S. 1415 and Ch. 115, Wisconsin Statutes, relating to the identification, evaluation, educational placement, or the provision of a free appropriate public education of a child with an exceptional educational need shall be resolved through the procedures authorized by Ch. 115, Subch. V, Wisconsin Statutes and procedures outlined in the district special education handbook.
- b. Complaints under 20 USC S. 1231e-3 and 34 CFR SS. 76.780-76.782, commonly referred to as EDGAR complaints, that the state or a sub grantee is violating a federal statute or regulation that applies to a program shall be referred directly to the state superintendent.

STEP 2 If the complainant is dissatisfied with the decision of the Director of Student Services (or assigned designee), he/she may appeal the decision in writing to the Board of Education. The Board shall hear the appeal at its next regular meeting or a special meeting may be called for the purpose of hearing the appeal. The board shall make its decision and communicate it in writing after the hearing. Copies of the written decision shall be mailed or delivered to the complainant and the district office. A written determination of the complaint shall be made by the Board within 90 days of receipt of the complaint unless the parties agree to an extension of time.

STEP 3 If a complainant wishes to appeal the decision of the Board, he/she will be notified of their right to appeal the decision to the State Superintendent of Public Instruction and shall be provided the procedure for making an appeal. .. Appeals should be addressed to:

Wisconsin Department of Public Instruction
State Superintendent
125 South Webster Street
P. O. Box 7841
Madison, Wisconsin 53707.

Nothing in these procedures shall preclude individuals from filing a complaint directly with the Office of Civil Rights as authorized by federal law. Such complaints shall be made to:

Office for Civil Rights, Chicago Office
U.S. Department of Education
Citigroup Center
500 W. Madison St., Suite 1475
Chicago, IL 60661-7204
Telephone: 312-730-1560*
Fax: 312-730-1576
E-mail: OCR.Chicago@ed.gov

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 shall 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 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 made available to staff and students.

Legal References:

Federal Law

- Title VI, Civil Rights Act of 1964
- Title IX, Education Amendments of 1972
- 14th Amendment, U.S. Constitution
- Age Discrimination Act of 1967
- Section 504 of the Rehabilitation Act of 1973
- Individuals with Disabilities Education Act 2004

Wisconsin Statute Sections

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| • 106.01 | Discrimination in Education Prohibited |
| • 111.31 111.38 (Subchapter II) | Fair Employment |
| • 111.70 (subchapter IV) | Municipal Employment Relations |
| • 115 (subchapter V) | Education of Children with Disabilities |
| • 118.13 | Pupil Discrimination Prohibited |
| • 118.20 | Teacher Discrimination Prohibited |

Wisconsin Administrative Code

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| • PI 9 | Pupil Nondiscrimination |
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Policy References:

- AC Nondiscrimination
- ACA Public Notification of Nondiscrimination
- JBB Equal Educational Opportunities Title IXs and Section 504 Complaint Procedure
- GBA Equal Opportunity Employment
- IFC Multiculturalism
- IGBA Program for student with Disabilities
- IIAA Text Materials Selection
- IIAC Library Media Center Materials Selection Policy
- JB Equal Educational Opportunities
- JFA Student Due Process Rights
- JHCC Student Life-Threatening/Communicable Diseases Policy
- KLD Complaints Concerning Personnel, Procedures

Policy Adopted: July 28, 1987

Revised: November 17, 1993; November 30, 2016