Big Foot Area Schools Association

Section J: Students

Code: JB

Complaint Procedure: JB-R

Fontana/Sharon/Walworth Code 411-R

**EQUAL EDUCATIONAL OPPORTUNITIES**

A. Overview

In order to comply with Section 118.13 of the Wisconsin Statutes, the Big Foot Area Schools: Big Foot Union High School, Fontana Elementary School, Reek Elementary School, Sharon Community School, and the Walworth Elementary School establish the following policy and complaint procedure pertaining to student discrimination:

This policy also prohibits discrimination under related federal statutes, including Title VI of the Civil Rights Act of 1964 (race, color and national origin), Title IX of the Educational Amendments of 1972 (sex), Section 504 of the Rehabilitation Act of 1973 (handicap), and American with Disabilities Act of 1990 (disability).

B. Policy

The Big Foot Area Schools are committed to the task of providing the best education possible for every child in the districts. The right of a student to be admitted to school and to participate fully in curricular, extra curricular, student services, recreational or other programs or activities shall not be abridged or impaired because of a student's sex, race,color,handicap,national origin,ancestry, creed, pregnancy, marital or parental status, sexual orientation, religion, physical, mental, emotional or learning disability.

JB-R. Student Discrimination Complaint Procedures

If any person believes that the Big Foot Area School's personnel have failed to follow the law and rules of s. 118.13, Wis. Stats., or in some way discriminated against pupils on the basis of sex, race, color, national origin, handicap,religion,ancestry,creed,pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability, he/she may bring or send a complaint to the District Administrator of that respective Big Foot Area school.

Federal discrimination complaints may be filed with the Office for Civil Rights, Chicago Office, U.S. Department of Education, 111 North Canal Street, Suite 1053, Chicago, Illinois 60606-7204.

Step 1: Any student, parent, or resident 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 District Administrator.

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.

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.

Step 2: The District Administrator, upon receiving such a written complaint, shall immediately undertake an investigation of the suspected infraction. The District Administrator will review the facts comprising the alleged discrimination with appropriate building personnel, determine the action to be taken, if any, and report in writing the receipt of the complaint within 45 days.

Step 3: If the complainant is dissatisfied with the decision of the District Administrator, he/she may appeal the decision in writing to the School Board. 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 in writing within 90 days of receipt of the initial complaint, unless the parties agree to an extension of time. Copies of the written decision shall be mailed or delivered to the complainant and the District Administrator.

Step 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. The complainant must file this appeal within 30 days of the Board’s decision. Appeals should be addressed to: State Superintendent, Wisconsin Department of Public Instruction, 125 South Webster Street, PO Box 7841, Madison, Wisconsin 53707.

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 and 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.

Policy Adoption Date: June 18, 1992

Policy Revision Date: April 23, 2001

Legal References: Wis. Stats. 118.13

Wis. Administrative Code PI 9

Wis. Administrative Code PI 41

Title IX, Education Amendments of 1972

Section 504, Rehabilitation Act of 1973

American with Disabilities Act of 1990

Individual with Disabilities Education Act

Title VI, Civil Rights Act of 1964