

SCHOOL DISTRICT OF SHOREWOOD

411 Guideline(1)

EQUAL EDUCATIONAL OPPORTUNITIES COMPLAINT PROCEDURES

The School District of Shorewood does not discriminate against students on the basis of sex, race, religion, national origin (including limited English proficiency), ancestry, creed, color, pregnancy, marital or parental status, sexual orientation, transgender status (including gender expression, gender identity and gender nonconformity), or physical, mental, emotional or learning disability in its educational programs or activities. The District also prohibits harassment of students on any of these bases.

The District encourages informal resolution of student discrimination complaints, including harassment complaints, at the building level. However, if any person believes that the District, including but not limited to any employee of the District and/or any other person authorized to act on behalf of the District, has failed to follow state or federal anti-discrimination laws or regulations, or has otherwise unlawfully discriminated against a student on any of the bases listed above, he/she may submit a written complaint to the following address:

Executive Director of Curriculum, Instruction and
Pupil Services
Shorewood School District
1701 East Capitol Drive
Shorewood, WI 53211
(414) 963-6903

Formal Complaint Procedure

1. A written statement of the complaint shall be prepared and signed by the complainant, parent/guardian or his/her authorized representative. This complaint shall be submitted to the Executive Director of Curriculum, Instruction and Pupil Services, who shall send to the complainant a written acknowledgment of receipt of the complaint within ~~45~~ 5 days.

The District will investigate harassment, discrimination and bullying complaints promptly, thoroughly, and

impartially. The Executive Director of Curriculum, Instruction and Pupil Services **will conduct the investigation or appoint an investigative team or independent consultant to do so. The Executive Director of Curriculum, Instruction and Pupil Services will prepare a written report regarding the investigation, including a description of the District's conclusions and any action taken, within 40 days after the District receives the complaint.** ~~shall investigate the complaint and shall issue a written determination regarding the merits of the complaint within 90 days.~~

- 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 outlined in the District's special education handbook.
- b. Discrimination complaints relating to programs specifically governed by federal law or regulation (e.g., Education Department General Administrative Regulations - "EDGAR" complaints) shall be referred directly to the state superintendent of public instruction.

~~2. The Executive Director of Curriculum, Instruction and Pupil Services, upon receiving such a written complaint, shall immediately undertake an investigation of the alleged violation. The Executive Director of Curriculum, Instruction and Pupil Services shall interview all persons as he/she deems necessary and appropriate for purposes of making a determination as to the merits of the complaint. The Executive Director of Curriculum, Instruction and Pupil Services shall decide the merits of the case, determine the action to be taken, if any, and report in writing the findings and the resolution of the case to the complainant.~~

3. **If either party is not satisfied with the results of the investigation report or the Executive Director of Curriculum, Instruction and Pupil Services, he or she may appeal the decision to the Superintendent. To appeal the decision, a party must submit a written appeal to the Superintendent within 10 days after the District sends the investigation report to the parties. The Superintendent will hold a private conference with the**

parties within 30 days after the Superintendent receives the written appeal. In response to the appeal, the Superintendent will send a written decision to the parties and the Executive Director of Curriculum, Instruction and Pupil Services within 10 days after the private conference.

~~If the complainant wishes to appeal the decision of the Executive Director of Curriculum, Instruction and Pupil Services, he/she may submit a signed statement of appeal to the Superintendent. The Superintendent shall review the discrimination complaint and the merits of the complaint, make a decision regarding the complaint, and report his/her decision in writing to the complainant and to the Executive Director of Curriculum, Instruction and Pupil Services. The decision of the Superintendent shall include a notice to the complainant of his/her right to appeal the determination to the State Superintendent of Public Instruction.~~

4. If a complainant wishes to appeal the decision of the Superintendent, he/she has the right to appeal the decision to the State Superintendent within 30 days of the Superintendent's decision. In addition, the complainant may appeal directly to the State Superintendent if the District has not provided written acknowledgment within ~~45~~ **30** days of receipt of the complaint or made a determination within 90 days of receipt of the written complaint. Appeals should be addressed to:

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

At any time (students, volunteers, employees) may also file a complaint with the US Department of Education's Office for Civil Rights at the following address:

Office for Civil Rights-Chicago Office
500 W Madison Street
Suite 1475
Chicago, IL 60661
312-730-1560

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 and any other personal information necessary.
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.

APPROVED: July 27, 1987

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June 14, 2011
April 8, 2014
May 20, 2014