

SCHOOL DISTRICT OF BAYFIELD

STUDENT DISCRIMINATION COMPLAINT PROCEDURES

If any person believes that the School District of Bayfield or any part of school organization has failed to follow laws and regulations, or in some way discriminates against students on the basis of sex, race, color, national origin, ancestry, creed, pregnancy, religion, marital or parental status, sexual orientation or physical, mental, emotional or learning disability or handicap, he/she may bring or send a complaint to the Office of the District Administrator, P.O. Box 5001, Bayfield, WI 54814.

Step 1: A written statement of the complaint shall be prepared by the complainant and signed. This complaint shall be presented to the Equity Coordinator. The Coordinator shall send written acknowledgment of receipt of the complaint within 45 days.

Step 2: The Equity Coordinator, upon receiving a written complaint, shall immediately undertake an investigation of the suspected infraction. The Coordinator shall review with other appropriate persons the facts comprising the alleged discrimination. He/she shall decide the merits of the case, determine the action to be taken, if any, and report the findings and the resolution of the case to the complainant in writing.

Complaints under 20 USC s. 14515 and ch. 115, Wis. Stats. relating to the identification, evaluation, educational placement or the provision of a free appropriate public education of a student with exceptional educational need shall be resolved through the procedures authorized by ch. 115, subch. V, Wis. Stats. 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 subgrantee is violating a federal statute or regulation that applies to a program shall be referred directly to the State Superintendent.

Step 3: If the complainant is dissatisfied with the decision of the Equity Coordinator, he/she may appeal the decision in writing to the District Administrator. The District Administrator shall meet with all parties involved, formulate a conclusion and respond in writing to the complainant.

Step 4: If the complainant is dissatisfied with the decision of the District Administrator, he/she may appeal the decision in writing to the Board of Education. The entire discrimination complaint/appeal process in the district should be completed within 90 days of receipt of the original written complaint unless the parties agree to an extension of time.

Step 5: If a complainant wishes to appeal a negative determination by the Board, he/she has the right to appeal the decision to the State Superintendent within 30 days of the Board's decision. In addition, the complainant may appeal directly to the State Superintendent if the district has not provided written acknowledgment within 45 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, Department of Public Instruction, 125 South Webster, P.O. Box 7841, Madison, Wisconsin 53707-7841.

Step 6: Discrimination complaints on some of the above bases may also be filed with the federal government at the Office of Civil Rights, U.S. Department of Education, 300 South Wacker Drive, 8th Floor, Chicago, Illinois 60606.

### Maintenance of Complaint Records

The maintenance of complaint records is recommended for the purpose of documenting compliance. Records should be kept for each complaint filed and, at a minimum, should include:

1. The name and address 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 and address 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 determination of the facts, statement of the final resolution, and the nature and date(s) of any corrective or remedial action taken.

CROSS REF.: 112.1-Rule, Title IX/Section 504 Complaint Procedure

APPROVED: June 10, 1991  
REVISED: October 12, 1992  
REVISED: November 9, 2009