

## **MONONA GROVE SCHOOL DISTRICT**

### Board Rule 411

#### **DISCRIMINATION COMPLAINT PROCEDURES**

A complaint is any formal charge alleging that the Monona Grove School District or any part of the school organization has inadequately applied the principles and/or regulations of Title VI (race, color, national origin), Title IX (sex), Section 504 (handicap) or the Americans with Disabilities Act (disability) or in some way discriminates on the basis of sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability.

The district encourages informal resolution of complaints. If any person believes that the district or any part of the school organization has failed to follow state or federal law or in some way discriminates on the basis listed above, he/she is directed to use the following complaint procedures. The following procedures shall not be used to handle complaints alleging that the district has violated the Board's equal employment opportunities policy. Such complaints shall be handled in accordance with the district's employee discrimination complaint procedures.

- Level 1: The complainant shall discuss the complaint with the principal and/or Director of Instruction in order to resolve the complaint.
- Level 2: If the complainant is not satisfied with the disposition of the complaint in Level 1, the complaint shall be presented in writing to the Director of Instruction. A copy of the complaint shall be sent to the Superintendent and the principal or other appropriate school administrator. The Director of Instruction shall, within 10 calendar days, acknowledge receipt of a written complaint.
- Level 3: A meeting shall be held to discuss the complaint within 30 calendar days following the written acknowledgement of receipt of a written complaint. Those eligible to be present shall be the complainant, the complainant's advocate, the Director of Instruction, the appropriate principal, the district's advocate and other persons necessary to provide information relating to the complaint. The Director of Instruction shall provide the complainant with a written determination of the complaint within 30 calendar days after the meeting has taken place.
- Level 4: If the complainant is not satisfied with the disposition of the complaint in Level 3, a written appeal shall be submitted to the Superintendent by the complainant within 10 calendar days after the receipt of the answer in Level 3. A meeting shall be held within 10 calendar days at which the complainant, Superintendent and Director of Instruction shall be present. Either the complainant or the district may elect to be represented by legal counsel at this meeting. An attempt shall be made to resolve the complaint at this meeting. The Superintendent's answer shall be given to the complainant within 10 calendar days of this meeting.
- Level 5: If the complainant is not satisfied with the disposition of the complaint at Level 4, or if no decision has been rendered within 10 calendar days after the meeting with the Superintendent, the complainant may file the complaint in writing with the Board of Education.

Level 6: The Board of Education shall schedule a meeting within 20 calendar days of receipt of the complaint and have in attendance those persons needed to resolve the complaint. The Board of Education should provide the complainant with a written determination of the complaint within 30 calendar days after the meeting has taken place.

Level 7: 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 of Public Instruction within 30 calendar days of the Board's decision. The appeal should be addressed to:

State Superintendent of Public Instruction  
Wisconsin Department of Public Instruction  
125 South Webster St.  
PO Box 7841  
Madison, WI 53707-7841

The complainant may appeal directly to the State Superintendent of Public Instruction if the Director of Instruction has not provided written acknowledgement of receipt of the written complaint within 45 calendar days of receipt of the written complaint or if a determination is not made within 90 calendar days of receipt of the written complaint, unless the parties agree to an extension of time.

A complaint or appeal may also be made on some of the above bases (Title VI, Title IX, Section 504 or Americans with Disabilities Act) to the:

Office of Civil Rights  
US Department of Education  
300 South Wacker Dr.  
8<sup>th</sup> Floor  
Chicago, IL 60606

#### Grievance Procedure – Special Education

Discrimination complaints relating to the identification, evaluation, educational placement or the provision of free appropriate public education of a child with disabilities shall be processed in accordance with established appeal procedures outlined in the district's special education handbook. '

#### Grievance Procedure – Federal Programs

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.

LEGAL REFERENCES: Section 504  
Title IX  
Title VI

Wis. Stat. 118.13

BOARD APPROVAL: September 13, 2006