

STUDENT DISCRIMINATION COMPLAINT PROCEDURES

Policy 411.05

Waterloo School District

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Complaints of discrimination, including harassment, on the basis of sex, race, religion, color, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, physical, mental, emotional or learning disability, or any other legally-protected status or classification may be filed with the Waterloo School District's Compliance Officer at:

Michele Armentrout
813 N. Monroe Street
Waterloo, WI 53594
(920) 478-3633 x. 1024
armentroutm@waterloo.k12.wi.us

The complaint procedure instructions (Procedure 112.1) can be found at https://waterloo.k12.wi.us/district/board_of_education/policies or can be obtained from the Compliance Officer.

Any person may file a complaint alleging that they have experienced discrimination in any of the District's educational programs or activities. Complaints must be filed in good faith and may be filed against another student, a District employee or against third parties. The District will consider, and the complaining party may request, interim measures that could be taken before the outcome of the investigation (e.g., safety planning or other steps needed to protect the alleged victim and to ensure equal access to the District's educational programs and activities).

Informal Resolution of the Complaint

The District encourages the informal resolution of student discrimination complaints or concerns. Anyone who believes that he/she has a valid basis for filing a complaint is encouraged to discuss their concerns with the building principal, who shall investigate the complaint and reply to the complainant in writing within 5 school days; however, complainants are not required to use the informal complaint resolution process. If the building principal's reply is not acceptable to the complainant he/she may initiate formal procedures according to the steps listed below.

Formal Complaint Procedures

Step 1: A written statement of the complaint shall be prepared by the complainant, signed and presented to Compliance Officer. The Compliance Officer shall investigate the complaint and, consistent with student records laws, issue a written determination to the complaint and any other appropriate parties indicating whether or not the complaint allegation was substantiated and include such other information as may be appropriate under the circumstances. This written determination shall be made within ten school days and shall be issued to the complainant and to accused party. In instances where the Compliance Officer finds that discrimination or harassment has occurred, the District will take steps to prevent recurrence of the harassment and to correct the discriminatory effects on the complainant and others, as appropriate.

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Step 2: Both the complainant and the accused have the right to appeal the Compliance Officer's decision. Within 10 school days He/she may submit a signed statement of appeal to the District Administrator. The District Administrator will meet with all parties and make a determination. The District Administrator's determination shall be issued in writing to both parties within 10 school days of its receipt.

Step 3: Both the complainant and the accused have the right to appeal the District Administrator's decision. Either party may submit an appeal to the School Board within 10 School days of the District Administrator's decision. The School Board shall meet with the complainant and the accused and their representatives/parents at the next regular Board meeting or within 15 school days of the receipt of such appeal, whichever is sooner. A copy of the Board's disposition of the appeal shall be sent by the Board Clerk to each concerned party within 10 school days of this meeting. The decision of the Board shall include a notice to the parties of their right to appeal the Board's decision to the State Superintendent of Public Instruction.

Step 4: If the complainant has followed the District's formal complaint process but is not satisfied he/she may file an appeal with the Department of Public Instruction. Both parties may file an appeal and must be filed within 30 days of the date of the District's final action on the complaint. The Department of Public Instruction may not consider an appeal unless the complainant has gone through steps 1-3 and the Board has issued a final decision.

An appeal to the Department of Public Instruction should be in writing and signed, and should include the following information: the reason for the appeal; the facts that make you believe discrimination occurred; and the relief or outcome you are requesting if you are successful in your appeal. It is a good idea to include a copy of the school district's final decision or letter to you. Appeals shall be sent to:

Wisconsin Dept. of Public Instruction
Equal Educational Opportunity Office
P.O. Box 7841
Madison, WI 53707

Complaints of discrimination, including harassment, based on sex, race, color, national origin, age or disability may also be filed with:

U.S. Department of Education, Office for Civil Rights
230 S. Dearborn Street, 37th Floor
Chicago, IL 60604
(312) 730-1560 or OCR.Chicago@ed.gov

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COMPLAINT PROCEDURE – SPECIAL EDUCATION

Discrimination complaints relating to the identification, evaluation, educational placement or the provision of free appropriate public education of a student with a disability shall be processed in accordance with the procedures outlined in the District's Special Education Handbook.

MAINTENANCE OF COMPLAINT RECORDS

Records shall be kept of all formal and informal complaint 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 names of the respondent.
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.

Adoption Date: October 2019