

NOTICE OF NONDISCRIMINATION AND COMPLAINT PROCEDURES  
(INCLUDING TITLE II, TITLE VI, TITLE VII, AND TITLE IX, SECTION 504, AND ADA)

### **Nondiscrimination**

The Board of Education does not discriminate in the employment of professional staff on the basis of the Protected Classes of race, color, national origin, age (except as permitted by law), sex (including transgender status, change of sex, sexual orientation, or gender identity), pregnancy, creed or religion, genetic information, handicap or disability, marital status, citizenship status, veteran status, military service (as defined in 111.32, Wis. Stats.), national origin, ancestry, arrest record, conviction record, use or non-use of lawful products off the District's premises during non-working hours, declining to attend an employer-sponsored meeting or to participate in any communication with the employer about religious matters or political matters, or any other characteristic protected by law in its programs and activities, including employment opportunities.

### **Complaint Procedure**

If a person believes that s/he has been discriminated against or denied equal opportunity or access to the District's programs, activities or services, including employment opportunities, the person may utilize the following complaint procedures as a means of reaching, at the lowest possible administrative level, a prompt and equitable resolution of the matter.

The following individual(s) is/are designated as the District's Compliance Officer (hereinafter referred to as the "CO"):

**[NOTE: School Districts are advised to appoint both a male and a female CO in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs may also serve as the District's Section 504 Compliance Officer / ADA Coordinator and Title IX Coordinator. Additionally, by appointing two (2) COs, there should always be a CO available to investigate a claim of discrimination that pertains to the other CO.]**

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 (Name)

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 (Name)

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 (School)

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 (School)

\_\_\_\_\_  
 (School District Title)

\_\_\_\_\_  
 (School District Title)

\_\_\_\_\_  
 (Telephone Number)

\_\_\_\_\_  
 (Telephone Number)

\_\_\_\_\_  
 (Office Address)

\_\_\_\_\_  
 (Office Address)

\_\_\_\_\_  
 (E-mail Address)

\_\_\_\_\_  
 (E-mail Address)

The individual may also, at any time, contact the U.S. Department of Education, Office for Civil Rights, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, IL 60661, Telephone number :312-730-1560, Fax: 312-730-1576, TDD: 877-521-2172, E-mail: OCR.Chicago@ed.gov. You do not have to file a complaint with the District before filing a complaint with the Office for Civil Rights, and you may file complaints with both the District and the Office for Civil Rights if you wish to do so.

### **Internal Complaint Procedures**

Any employee who believes that s/he has been subjected to unlawful discrimination/retaliation may seek resolution of his/her complaint through the procedures described below.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights, the Wisconsin Equal Rights Division ("ERD") or the Equal Employment Opportunity Commission ("EEOC").

### **Complaint Procedures**

An individual who believes s/he has been subjected to unlawful discrimination/retaliation ("Complainant"), may file a complaint, either orally or in writing, with a principal, the CO, District Administrator, or other supervisory employee.

Complaints should include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, the discriminatory/retaliatory conduct; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant. If the Complainant is unwilling or unable to provide a written statement, the CO shall interview the Complainant and prepare a written summary of the oral interview, and ask the Complainant to verify the accuracy of the reported charge by signing the document.

Within two (2) business days of receiving the complaint, the CO will initiate an investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the individual alleged to have engaged in the discriminatory/retaliatory conduct ("Respondent"), that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 3122 – Non-Discrimination and Equal Employment Opportunity. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the CO will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. As part of the investigation, the CO will:

- A. interview the Complainant;
- B. interview the Respondent;
- C. interview any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consider any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO shall prepare and deliver a written report to the District Administrator that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful discrimination/retaliation.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO, the District Administrator will either issue a final decision regarding whether the charges have been substantiated or request further investigation. A copy of the District Administrator's final decision will be delivered to both the Complainant and the Respondent.

If the District Administrator requests additional investigation, the District Administrator must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the District Administrator must issue a final written decision as described above.

If the District Administrator determines the Complainant was subjected to unlawful discrimination/retaliation, s/he must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

**[OPTION #1]**

The decision of the District Administrator shall be final.

**OR**

**[OPTION #2]**

A Complainant or Respondent who is dissatisfied with the District Administrator's final decision may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the District Administrator's final decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. At the Board's discretion and as may be appropriate to the circumstances, the Board may meet separately with each of the concerned parties. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

The complainant may be represented, at his/her own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights, ERD or EEOC, or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

The CO will provide a copy of the District's complaint procedure to any person who files a complaint and will investigate all complaints in accordance with this procedure.

A copy of each of the Acts and the regulations on which this notice is based may be found in the CO's office.

**Prohibition Against Retaliation**

The Board will not retaliate against, coerce, intimidate, threaten, or interfere with any individual because the person opposed any act or practice made unlawful by any Federal civil rights law, or because that individual made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

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