

Code: 411

## **PUPIL NONDISCRIMINATION**

The Edgerton School District (District) is committed to providing an equal educational opportunity for all students. The District will not discriminate against students on the basis of sex, race, color, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, gender identity or physical, mental, emotional, or learning disability in its educational programs or activities.

This policy also prohibits discrimination under related federal statutes including Title VI of the Civil Rights Act of 1964 (race, color and national origin), Title IX of the Educational Amendments of 1972 (sex/gender) and Section 504 of the Rehabilitation Act of 1973 (disability) and Americans with Disabilities Act (disability).

If any pupil or other person believes that the District or any part of the school organization has in some way discriminated against a pupil or pupils in a manner which violates this policy, he/she may bring or send a complaint to the Director of Pupil Services, Edgerton School District, 200 Elm High Drive, Edgerton, WI 53534. Phone: (608) 561-6091 according to the complaint procedure outlined below.

- Step 1: A written statement of the complaint shall be prepared and signed by the complainant. This complaint shall be presented to the Director of Pupil Services who will send written acknowledgment of receipt of the complaint within ten (10) business days.
- Step 2: A written determination of the complaint shall be made by the District within ninety (90) days of receipt of the complaint unless the parties agree in writing to an extension of time. The District's determination shall be in writing and shall include notice to the complainant of the complainant's right to appeal the determination to the State Superintendent within thirty (30) days of the date of the District's decision.
- Step 3: If a complainant wishes to appeal a determination by the District, he/she has the right to appeal under Wisconsin Statutes, sec. 118.13 and PI-9 to the State Superintendent within thirty (30) days of the District's decision. In addition, the complainant may appeal directly to the State Superintendent if the District has not provided written acknowledgement within forty-five (45) days of receipt of the complaint or made a determination within ninety (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 Phone: (800) 441-4563 E-mail: [dpistatesuperintendent@dpi.wi.gov](mailto:dpistatesuperintendent@dpi.wi.gov)

Appeals under 20 USC s 1415 and Wisconsin Statute Chapter 115 relating to the identification, evaluation, educational placement or the provision of a free appropriate public education of a child with a disability shall be resolved through the procedures authorized by Wisconsin Statute Chapter 115 subchapter V. Complaints under 20 USC, s

1231 e-3 and 34 CFR ss. 76.780-76.782, commonly referred to as EDGAR complaints, that the state or a sub-grantee is violating a federal statute or regulation that applies to a program shall be referred directly to the State Superintendent of Public Instruction, 125 South Webster Street, P.O. Box 7841, Madison, Wisconsin 53707-7841 Phone: (800) 441-4563 E-mail: [dpistatesuperintendent@dpi.wi.gov](mailto:dpistatesuperintendent@dpi.wi.gov)

Step 4: Discrimination complaints for some of the above bases may also be filed with the federal government at the Region V Office for Civil Rights, U.S. Department of Education; 500 West Madison Street, Suite 1475, Chicago, IL 60661-4544

It shall be the District Administrator's responsibility to examine existing policies and recommend they be revised or recommend new policies be written to ensure the District does not discriminate pursuant to federal and state laws. The Director of Pupil Services is the designated employee to receive complaints filed under § 118.13 Wisconsin Statutes, PI-o Wisconsin Administrative Code, Title IX of the Educational Amendments and Section 504 of the Rehabilitation Act of 1973. The Director of Pupil Services is the designated employee to coordinate Title IX and Section 504. He/she shall assure adoption of a complaint procedure to resolve complaints alleging violation of these laws, assure that an evaluation of the District's compliance with §118.13 Wisconsin Statutes is completed every five years under PI-9 Wisconsin Administrative Code and submit Wisconsin Department of Public Instruction (DPI) Form PI-1197 annually.

The District will not discriminate against any student or employee on the basis of sex, race, color, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, gender identity or physical, mental, emotional, or learning disability.

Legal References: 34 CFR § 100, Implementing Title VI of the Civil Rights Act of 1964  
34 CFR § 104, Implementing Section 504 of the Rehabilitation Act of 1973, 34 CFR § 106, Implementing Title IX of the Educational Amendments of 1972, 28 CFR § 35, Implementing Title II of the Americans with Disabilities Act of 1990, Wis. Stats. § 118.13 and PI-9 Wisconsin Administrative Code

Revised: 9/13/10, 4/25/16