

SCHOOL DISTRICT OF WAUPACA

SERIES 100 BOARD OF EDUCATION

CODE: 114

GRIEVANCE PROCEDURES FOR ALLEGATIONS OF DISCRIMINATION, SEXUAL HARASSMENT, AND VIOLATIONS OF IMPROVING AMERICA'S SCHOOLS ACT (IASA)-FUNDED PROGRAMS

- 1) PREFACE - grievance procedures are established for students, employees, parents, applicants for employment and any individual or group having a grievance against the School District of Waupaca for alleged unlawful discrimination, sexual harassment, or violations of IASA-funded programs.

In an attempt to maintain confidentiality of grievances, records shall be produced and/or persons contacted only as may be necessary to process the grievance, except when such procedures maintaining confidentiality violate existing law.

The grievant shall have the right to bring a representative to any proceeding regarding the processing of a grievance and/or receive assistance from the District Administrator designee .

- 2) DEFINITION - A grievance is any complaint alleging that any staff member or student of the School District of Waupaca (or any official or employee acting on its behalf) has through policy, procedures, or practice acted in a way which is prohibited under Title VI, Title VII, Title IX, Section 504, and IASA.

- 3) PROCEDURES - All complaints shall be filed formally within sixty (60) days of the occurrence of the alleged Title VI, Title VII, Title IX, Section 504, or IASA violation. All complaints by students, employees, parents, applicants for employment and any group or individual regarding alleged discrimination in educational or employment policies and practices or barrier access or facilities shall adhere to the following procedures:

An earnest effort shall be made to settle any dispute between the complainant and the appropriate administrator prior to initiation of a formal grievance.

STEP 1

A grievance must be presented, in writing, to the appropriate administrator. A grievance initiated by students or parents shall be presented to the building administrator. Grievances initiated by employees shall

be presented to their immediate supervisor. Grievances initiated by job applicants, and those affected by barrier or facilities shall be presented to the Business Manager.

Either party may request a conference to discuss and/or clarify the grievance; however, such a conference shall not be mandatory unless requested. The administrator shall respond, in writing, to the grievant within five (5) working days following receipt of the written grievance.

STEP 2

If the grievant is not satisfied with the disposition of the grievance at Step 1, the grievant may present the grievance to the District Administrator within five (5) working days of the step 1 response, or within fifteen (15) days after the grievance was submitted. The District Administrator shall either meet with the grievant to discuss the matter or refer the matter to an appropriate designee determined by the District Administrator for action. (Designee would be an intermediate administrator selected to hear the grievance.) The District Administrator or designee shall provide a written response to the grievant within ten (10) working days of their receipt of the grievance.

STEP 3

If the grievant is not satisfied with the disposition of the grievance at Step 2, the grievant may present the grievance to the District Administrator within five (5) working days of the Step 2 response, or within fifteen (15) days after the grievance was submitted to the District Administrator. The District Administrator or his/her designee will confer with the grievant at a mutually agreeable time to review the grievance. The District Administrator or his/her designee shall provide a written response to the grievant within ten (10) working days of receipt of the grievance, or within five (5) working days of the conference.

STEP 4

If the grievant is not satisfied with the disposition of the grievance at Step 3, the Grievant may submit the grievance to the Board of Education within five (5) working days of the Step 3 response. The Board may elect to refer the grievance to an advisory group composed of potential Title VI, Title VII, Title IX, Section 504, and IASA grievants and administrators for investigation. The group will provide the Board with written recommendations which shall be advisory. The

Board of Education will provide a written response to the grievant within five (5) working days following the next regularly scheduled Board meeting at which the grievance is heard, but in no event shall the time for the response of the Board of Education exceed thirty-five (35) calendar days after the grievance has been submitted.

If the grievant remains unsatisfied following response from the Board of Education, the grievant may refer the matter to the Department of Industry, Labor and Human Relations, the Wisconsin Employment Relations Commission, Regional Director of the Office of Civil Rights, or the courts.

Additionally, a complainant maintains the right to appeal a negative determination by the Board of Education to the State Superintendent. The appeal process may be initiated by calling the Department of Public Instruction at 1-800-441-4563.

ADOPTED: 041492

REVISED: 121493, 111495, 071399

REVIEWED:

LEGAL REFERENCE: Title VI, Title VII, Title IX, Section 504,
PI 9.04(3)

CONTRACT REFERENCE:

CROSS REFERENCE:

The School District of Waupaca does not discriminate 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.