

If any person believes that the Eau Claire Area School District or any part of the school organization has failed to follow the law and rules of §118.13, Wis. Stats., the Americans with Disabilities Act, Title IX, Title VI, or Section 504 or in some way discriminates against students on the basis of sex, race, religion, color, national origin, ancestry, creed, pregnancy, marital or parental status, physical, mental, emotional or learning disability, or sexual orientation, gender identity or gender expression, he/she can bring or send a complaint to Dr. Kaying Xiong, Director of Student Services, 500 Main Street, Eau Claire, WI 54701. Dr. Xiong can be contacted at 715-852-3036.

Complaints relating to the identification, evaluation, placement or provision of a free appropriate education of a child with a disability shall be resolved by procedures authorized in state and federal law. Also, complaints under federal law commonly referred to as EDGAR complaints (i.e., that the state or a subgrantee is violating a federal statute or regulation that applies to a program) shall be referred directly to the State Superintendent of Schools.

Other complaints will follow the steps identified below:

Step 1 A written statement of the complaint shall be prepared by the complainant and signed. This complaint shall be presented to the building administrator (principal). The building administrator shall forward a copy of the complaint to the appropriate administrator. For complaints related to school personnel, Kay Marks, Executive Director of Human Resources, should be contacted. For complaints related to the identification/placement/other issues of a special education student, Robyn Criego, Director of Special Education, should be contacted. The building administrator shall also send a written acknowledgment of receipt of the complaint to the complainant within 15 working days.

Step 2 The appropriate administrator as identified in Step 1, along with the building administrator and other staff where appropriate, shall be responsible for the investigation of all formal complaints. Following the completion of the investigation, a written report shall be prepared. Unless the parties agree to an extension of time, the findings from the investigation shall be delivered, in writing, to the complainant within 45 days of the receipt of the complaint.

Step 3 If a complainant wishes to appeal a determination by the Executive Director of Human Resources or the Director of Special Education, he/she may appeal, in writing, to the Board of Education within 30 days of receipt of the written findings. Within 15 days, the Board shall send a written acknowledgment of receipt of the appeal to the complainant. The Board shall consider all appeals and render a written decision within 45 days of receipt of the appeal.

Step 4 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 within 30 days of the Board's decision. In addition, the complainant may appeal directly to the State Superintendent if the Board has not provided written acknowledgment within 15 days of receipt of the complaint or made a determination within 45 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, WI 53707.

Step 5 Discrimination complaints on some of the above bases may also be filed with the federal government at the Office for Civil Rights, U.S. Department of Education, 111 North Canal Street, Room 1053, Chicago, Illinois 60606.

Adopted: July 1987/Revised: April 2014, August 2016