

# ADMINISTRATIVE POLICIES OF THE MILWAUKEE PUBLIC SCHOOLS

## ADMINISTRATIVE POLICY 8.01

### STUDENT NONDISCRIMINATION, COMPLAINTS AND APPEALS

#### **(1) GENERAL PRINCIPLES AND POLICY**

(a) The Milwaukee Public Schools is committed and dedicated to the task of providing the best education possible for every child in the district for as long as the student can benefit from attendance and the student's conduct is compatible with the welfare of the entire student body.

(b) It is the policy of the Milwaukee Public Schools that no person may be denied admission to any public school in this district or be denied participation in, or the benefits of, or be discriminated against in, any curricular, extracurricular, student service, recreational, or other program or activity because of that person's sex, race, color, national origin, ancestry, creed, religion, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability or handicap, as required by section 118.13, Wis. Stats., and Chapter PI 9, Wisconsin Administrative Code.

(c) This policy prohibits discrimination in the following areas:

1. admission to any school, class, program, or activity, except that the district may operate single-gender schools and/or provide single-gender classes in accordance with sections 118.13(1) and 120.13(37m), Wis. Stats.;
2. standards and rules of behavior, including student harassment;
3. disciplinary measures, suspensions, or expulsions;
4. acceptance of gifts, scholarships, aid, benefits, services to students;
5. instructional, library, or media materials;
6. selection, testing, evaluation, and counseling of students;
7. facilities;
8. opportunities for participation in athletic programs or activities; and
9. school-sponsored food-service programs.

(d) This policy also prohibits discrimination as defined by Title IX of the Education Amendments of 1972 (sex), Title VI of the Civil Rights Act of 1964 (race, color, and national origin), and section 504 of the Rehabilitation Act of 1973 (disability).

(e) "Student harassment" refers to a range of inappropriate behaviors directed toward students, including, but not limited to, name calling, bullying, physical attacks, and intimidation. Student harassment means behavior towards students based, in whole or in part, on sex; race; religion; national origin; ancestry; creed; pregnancy; marital or parental status; sexual orientation; or physical, mental, emotional, or learning disability or handicap, which substantially interferes with the student's school performance or creates an intimidating, hostile, or offensive school environment. The district regards student harassment as a form of discrimination, and such behavior will be subject to discipline.

(f) The suburban school districts participating in the Chapter 220 settlement agreement are required to establish their own student nondiscrimination policies under section 118.13, Wis. Stats., and PI 9, Wisconsin Administrative Code.

#### **(2) DESIGNATED EMPLOYEE**

(a) The superintendent shall designate individuals to be responsible for handling complaints concerning discrimination. The name, title, and contact information of each of these individuals, as well as a description of the specific type of complaint handled by each, shall be published annually in the student handbook as well as any in other location where the district is required to publish its notice of nondiscrimination.

(b) It shall be the responsibility of the designated employees to examine existing policies and develop new policies, where needed, to ensure that the Milwaukee Public Schools does not engage in discrimination prohibited by federal and state law. The designated employee shall:

1. receive and record complaints filed under section 118.13, Wis. Stats., and PI 9, Wisconsin Administrative Code;
2. investigate the complaints and determine whether or not the student nondiscrimination policy has been violated;
3. ensure that an evaluation of the district's compliance with section 118.13, Wis. Stats., is completed every five years, in accordance with PI 9.06, Wisconsin Administrative Code, and shall submit form PI-1197 to the Department of Public Instruction annually; and
4. obtain copies of suburban districts' policies adopted under section 118.13 and PI 9 and will be available to act as a liaison in the event a discrimination complaint is filed and requires assistance in its resolution.

### (3) COMPLAINT PROCEDURES

(a) The district encourages informal resolution of complaints under this policy. If informal resolution is not achieved, administrative procedures exist to address allegations of violations of the student nondiscrimination policy in the Milwaukee Public Schools.

(b) Discrimination complaints regarding the possible violation, interpretation, or application of the district's student nondiscrimination policy shall be processed in accordance with the procedures set forth in Administrative Procedure 8.01, Student Nondiscrimination. Action will be taken to ensure compliance with the district's policy on student nondiscrimination.

### (4) MONITORING AND EVALUATION

The Administration shall evaluate the status of nondiscrimination and equality of educational opportunity in the school district at least once every five years, on a schedule established by the state superintendent. A report on the evaluation shall be filed, pursuant to Chapter PI 9 of the Wisconsin Administrative Code. A copy of the report shall be provided to the Board.

<b>History:</b>	Revised 3-29-95; 8-28-03, 11-28-05, 8-28-08, 5-31-18
<b>Previous Coding:</b>	Admin. Policy JB, prior to May 1995; Admin. Policy 10.01, May 1995-August 1996 Coding
<b>Legal Ref.:</b>	Chapter PI 9, Wisconsin Adm. Code Wis. Stat. 118.13 Title IX of the Education Amendments of 1972 Title VI of the Civil Rights Act of 1964 Section 504 of the Rehabilitation Act of 1973
<b>Cross Ref.</b>	Admin. Proc. 8.01 Student Nondiscrimination