

**STUDENT NONDISCRIMINATION**

The Appleton Area School District does not discriminate against students on the basis of sex, race, color, religion, age, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, gender identity, gender expression or physical, cognitive, emotional or learning disability in its education programs or activities.

**Cross References:** Nondiscrimination on the Basis of Disability 112.1  
Programs for Students 342.1 with Disabilities  
Student Nondiscrimination Complaint Procedure, 411.2-Rule

**Legal References:** Wisconsin State Statutes § 118.13  
Wisconsin State Statutes, Subchapter V, § 115  
PI 9, Wisconsin Administrative Code  
Titles II, VI and VIII, Civil Rights Act of 1964  
Title IX, Education Amendments of 1972  
Section 504, Rehabilitation, Act of 1973  
Americans with Disabilities, Act of 1990  
Individuals with Disabilities Education Act  
Civil Rights Act of 1991

**Adoption Date: January 26, 1993**

**Amended Date: June 23, 2014**

**STUDENT NONDISCRIMINATION  
COMPLAINT PROCEDURE**

**Procedures**

**Student Nondiscrimination Complaint Procedures**

The District encourages informal resolution of complaints under this policy. If any person believes that the Appleton Area School District or any part of the school organization has failed to follow the law and rules of s. 118.13, Wis. Stats., and PI 9, Wis. Admin. Code, or in some way discriminates against pupils on the basis listed above or under Section 504, Title II, VI or IX, he/she may bring or send a complaint to the following address:

*Polly Vanden Boogaard, Director of Pupil Services  
Appleton Area School District  
122 E. College Avenue, Suite 1A  
P.O. Box 2019  
Appleton, WI 54911  
(920-832-6114)*

[Director of Pupil Services serves as Coordinator  
for Section 504, Title II, VI, IX Complaints]

- Step 1** A written statement of the complaint shall be prepared by the complainant and signed. The written complaint triggers the complaint process. This complaint shall be presented to the Assistant Superintendent/Student Services. The District shall send written acknowledgment of receipt of the complaint within 45 days.
- Step 2** A written determination of the complaint shall be made by the Board within 90 days of receipt of the complaint unless the parties agree to an extension of time.
- a) Appeals under 20 USC s. 1415 and ch. 115. Wisconsin State Statutes, relating to the identification, evaluation, educational placement, or the provision of a free appropriate public education of a child with an exceptional educational need shall be resolved through the procedures authorized by ch. 115, subch. V, Wisconsin State Statutes, and
  - b) 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 subgrantee is violating a Federal statute or regulation that applies to a program shall be referred directly to the State Superintendent.
- Step 3** 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 45 days of receipt of the complaint or made a determination within 90 days of receipt of the written complaint. Appeals should be addressed to: State Superintendent, Wisconsin Department of Public Instruction, 125 S. Webster Street, P.O. Box 7841, Madison, WI 53707-7841.

Discrimination complaints may also be filed with the federal government at the Office for Civil Rights, U.S. Department of Education, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, IL 60661-4544. Email: [OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov).

**Adoption Date: January 26, 1993**

**Amended Date: June 23, 2014**