



PROCEDURE FOR RESOLUTION OF DISCRIMINATION/HARASSMENT COMPLAINTS

It is the policy of the Madison Metropolitan School District not to discriminate in its educational programs, related activities and employment practices. If you believe that you have been discriminated against, you may make a claim that your rights have been denied. You can obtain a copy of the internal complaint procedure and receive assistance in filing a complaint by contacting the Title IX Investigator.

The District has one Non-Discrimination policy for students (4620) and one for employees/visitors (8012).

The Title IX Investigator is Eric Kestin and his office is located at the District's Administration Building, 545 West Dayton Street, Room 100F, Madison, WI 53703-1995. Telephone number: 608/663-1530. E-mail: emkestin@madison.k12.wi.us

NON-DISCRIMINATION/HARASSMENT POLICY

Policy Prohibiting Discrimination

1. With respect to employment and personnel operations, the Madison Metropolitan School District (MMSD) does not discriminate based on sex, pregnancy/childbirth, race, religion/creed, color, national origin, ancestry, age (over 40), disability, marital status, arrest record, conviction record, military service membership, homelessness, sexual orientation, gender identity, gender expression, genetic identity, or retaliation. Employees shall function in a harassment-free work atmosphere and enjoy working conditions free from physical, verbal or psychological harassment. (Title VII; s. 111.36, Wis. Stat.; Mad. Ord. 39.03)
2. With respect to educational programs, no person shall be denied admission to any MMSD school, or be denied participation in, be denied the benefits of or be discriminated against in any curricular, extracurricular, student services, recreational or other programs or activities because of the person's sex, race, color, age, national origin, ancestry, religion, creed, pregnancy, marital status, parental status, homelessness, sexual orientation, gender identity, gender expression or disability including their physical, mental, emotional, or learning disability and/or retaliation (s. 118.13, Wis. Stat., Mad. Ord. 39.03). 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 Education Amendments of 1972 (sex), Section 504 of the Rehabilitation Act of 1973 (handicap), the American with Disabilities Act (ADA) 1990, and the ADA Amendments Act of 2008.
3. District policy protects volunteers, family members and visitors from discrimination and harassment regarding a person's sex, race, religion, creed, color, national origin, ancestry, age (over 18), disability, marital status, arrest record, conviction record, less than honorable discharge, physical appearance, homelessness, sexual orientation, gender identity, gender expression, political beliefs, student status, or retaliation
4. Board Policy 4620 (2) expressly prohibits discrimination against students. This includes, but is not limited to, the following areas:
 - a. Admission or enrollment into any school, class, course, program or activity;
 - b. Interactions in the classroom, counseling, as well as with other support staff;
 - c. Standards and rules of behavior, including student harassment;
 - d. Disciplinary actions, including suspensions and expulsions;

- e. Acceptance and administration of gifts, bequests, scholarships and other forms of recognition, such as aids, benefits, or services to students from private agencies, organizations or persons;
- f. Instructional and library media materials selection policy;
- g. Methods, practices, materials, attitudes, and interpretations used for testing, assessment, evaluating, and counseling students;
- h. Facilities;
- i. Opportunity for participation in athletic programs or activities;
- j. School-sponsored food service programs; and/or
- k. Graduation requirements.

Harassment Policy

The Board considers all forms of harassment to be unacceptable because it undermines productivity in the work and academic environments; degrades; intimidates; isolates; and discriminates against individuals in the work and academic environments; and creates an unreasonable interference with an individual's work or a student's performance in school including their performance in curricular and extracurricular activities.

Harassment is defined as: unwanted, deliberate or repeated unsolicited comments (oral or written), gestures, graphic material, physical contacts, verbal/nonverbal or physical conduct directed to an individual because of his/her membership in a protected class.

To ensure that all employees and students work and study in an environment free of all forms of harassment, the Board expressly prohibits harassment and will take the necessary steps to prevent such harassment from occurring. Any employee or student who engages in harassment will be subject to discipline by the appropriate authorities.

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Who Can File a Complaint

Any employee, applicant for employment, student, parent or resident of the District may file a complaint.

Prior to filing a formal complaint, the Title IX Investigator may meet with you to a) explain the policy and procedures related to this type of complaint, and (b) offer an opportunity to informally resolve the situation.

Filing of Complaint

The complainant shall sign a written complaint and file it with the Title IX Investigator (a) within 300 days after the alleged act(s) occurred or (b) within 300 days of the last occurrence of an ongoing situation.

The complaint is considered filed on the date it is received in the Title IX Investigator's office, or postmarked if mailed.

All complaints should include, to the best of the complainant's ability, specific information regarding the discriminatory or harassing action(s) or inaction(s), the basis (e.g. age, race, sexual orientation, etc.) for the action(s) or inaction(s), the alleged offender(s), and any witnesses

You will receive a written acknowledgement of the complaint being received within fifteen calendar days.

Following an impartial, independent investigation, the Superintendent or Superintendent's designee will communicate the findings in writing to the person who filed the complaint. Either party to the complaint has the right to appeal these findings.

OTHER AGENCIES

Persons who feel that they are victims of discrimination/harassment may also file a complaint with other agencies which may include, but are not limited to, the Department of Workforce Development – Equal Rights

Division, Office for Civil Rights (OCR), Madison Department of Civil Rights, State Superintendent of Public Instruction (DPI) or the Equal Employment Opportunity Commission (EEOC).