

HORTONVILLE AREA SCHOOL DISTRICT

Title: Pupil Harassment

Date Adopted: 3/27/95

Policy No. 5054

Date Revised: 4/11/05

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Policy Statement:

“Schools need to be a safe place for all students.” The Hortonville Area School District intends to provide a wholesome and healthful learning environment to all students and community members. Health, safety and welfare are the utmost concern of the District. The District will not tolerate actions of individuals or groups that threaten or cause physical or mental harm. Building Administrators will review this policy annually with all 5th, 7th and 10th grade students.

The Hortonville Area School District does not discriminate against pupils on the basis of sex, race, color, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability or handicap in its education programs or activities.

Rationale: A safe environment is essential to the learning process.

Scope: All students, staff and community members.

Responsibility: District Administrator and all Building Administrators

Implementation:

1. Pupil harassment is defined as behavior that is directed toward a pupil or pupils that may be based on protected class status (sex, race, color, creed, national origin, ancestry, pregnancy, marital or parental status, religion, sexual orientation, physical, mental, emotional or learning disability) and that substantially interferes with a pupil’s school performance or creates an intimidating, hostile or offensive school environment.
2. Pupil harassment may occur in terms of undesirable physical, verbal and/or written action and is strictly prohibited in all forms.
3. Complaints of harassment may be submitted to the District Administrator or a Building Administrator. Resolution may occur through implementation of the “Student Discrimination Complaint Procedures” or:
 - ▶ informal discussions with students and/or staff
 - ▶ interviews with students, parents or staff
 - ▶ in-class discussions
 - ▶ referrals to outside agencies
 - ▶ suspension and/or expulsion
 - ▶ formal complaint procedures are attached to this policy with a “Discrimination Complaint Form”

Associated Information: Wisconsin State Statutes 11.32(13), 11.36 and 118.13
PI 9.03 Administrative Code
Title VII of the Civil Rights Act of 1964
Title IX of the Education Amendments of 1972

DISCRIMINATION COMPLAINT PROCEDURE

Any complaint regarding the interpretation or application of the District's student nondiscrimination policy shall be processed in accordance with the following grievance procedures:

1. Any student, parent or resident of the District complaining of discrimination on the basis of sex, race, religion, national origin, color, ancestry, creed pregnancy, marital or parental status, sexual orientation, physical, mental, emotional or learning disability or handicap in school programs or activities shall report the complaint in writing to the District Administrator.
 - a. Discrimination complaints relating to the identification, evaluation, educational placement or the provision of free appropriate public education of a child with exceptional educational needs shall be processed in accordance with established appeal procedures outlined in the District's special education handbook.
 - b. Discrimination complaints relating to programs specifically governed by federal law or regulation (e.g. EDGAR complaints) shall be referred directly to the State Superintendent of Public Instruction.
2. The District Administrator, upon receiving such a written complaint, shall immediately undertake an investigation of the suspected infraction. The District Administrator will review with the Building Principal, or other appropriate persons, the facts comprising the alleged nondiscrimination. Within fifteen (15) days after receiving the complaint, the District Administrator shall decide the merits of the case, determine the action to be taken, if any, and report in writing the findings and the resolution of the case to the grievant.
3. If the grievant is dissatisfied with the decision of the District Administrator, he/she may appeal the decision in writing to the Board. The Board shall hear the appeal at its next regular meeting, or a special meeting may be called for the purpose of hearing the appeal. The Board shall make its decision in writing within fifteen (15) days after the hearing. Copies of the written decision shall be mailed or delivered to the grievant and the District Administrator.
4. If the grievant is dissatisfied with the Board's decision, he/she may within thirty (30) days appeal the decision in writing to the State Superintendent of Public Instruction.

Nothing in these procedures shall preclude individuals from filing a complaint directly with the Office of Civil Rights as authorized by federal law. Such complaints shall be made to: Office of Civil Rights, U.S. Department of Education, 300 South Wacker Drive, 8th Floor, Chicago, Illinois, 60606.

Copies of this complaint procedure shall be included in staff and student handbooks.

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| Legal References: | Section 118.13 Wisconsin Statutes
PI9 and PI41 of the Wisconsin Administrative Code
Title IX, Education Amendments of 1972
Title VI, Civil Rights Act of 1964
Section 504 of the Rehabilitation Act of 1973
Americans with Disabilities Act of 1990
Individuals with Disabilities Education Act
Civil Rights Act of 1991 |
| Cross References: | Equal Educational Opportunities
Special Education Handbook |

HORTONVILLE AREA SCHOOL DISTRICT

District Administrator
246 N. Olk Street
P.O. Box 70
Hortonville, WI 54944-0070
PH: 920/779-7900 FAX: 920/779-7903

Discrimination Complaint Form (for local use)

Name

Date

Street Address

City

State

Zip

Telephone # Home

Telephone # School or Work Location

Status of Person Filing Complaint

Pupil

Employee

Parent

Other Specify

Filing complaint alleging discrimination on the basis of:

Corrective Action Requested:

Signature of Complainant

Date Signed

Signature of Person Receiving Complaint

Date Received

Submit all copies to District Administrator, or the immediate supervisor, or their respective secretaries. The person receiving the complaint will sign and date the complaint. One copy will be returned to the complainant, and one copy will be sent to the designated employee.

Distribution: 1st Copy – Complainant

2nd Copy – Designated Employee