

POLICY: 511. NONDISCRIMINATION

The Arrowhead School District shall not discriminate in admission to any school, class, program, or activity, school-sponsored food service programs, standards and rules of behavior, including pupil harassment, disciplinary actions, including suspensions and expulsions, acceptance and administration of gifts, bequests, scholarships and other aids, benefits and services to pupils from private agencies, organizations, or persons, or facilities usage on the basis of sex, race, religion, national origin (including Limited English Proficiency), ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability. Discrimination complaints shall be processed in accordance with established procedures.

All staffing, hiring, promotion, and discipline of Arrowhead School District employees, including professional staff, support staff, and administrative staff, shall be done in compliance with the non-discriminatory objectives and purposes as set forth in this section, subject to reasonable non-discriminatory rules and restrictions as may be determined by the Arrowhead Administration and/or approved or directed by the Arrowhead Board of Education.

All use of school facilities by community groups shall be done in compliance with the non-discriminatory objectives and purposes as set forth in this section, subject to reasonable non-discriminatory rules and restrictions as may be determined by the Arrowhead Administration and/or approved or directed by the Arrowhead Board of Education.

The Arrowhead School District shall not discriminate in the methods, practices, and materials used for testing, evaluating, and counseling students on the basis of sex, race, religion, national origin (including Limited English Proficiency), ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional, or learning disability. Discrimination complaints shall be processed in accordance with established procedures.

POLICY: 513. FAIR EMPLOYMENT POLICY

EMPLOYEE DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURES

This procedure is solely intended to cover complaints filed under Board Policy 513. Other complaints shall be covered by Policy Series 500 or the terms of the employee handbook.

An employee, former employee or applicant for employment who believes that any part of the Arrowhead Union High school organization has violated any law prohibiting discrimination or harassment based on a legally protected status in the workplace (including provisions prohibiting employer retaliation in connection with such laws) or that there has been a violation of the District's equal opportunity employment or harassment/bullying policy may bring forward a complaint as outlined below:

Informal Procedure

Anyone who believes he/she has a valid basis for a complaint may discuss the concern with the appropriate administrator prior to initiating a formal complaint. For purposes of this procedure, the "appropriate administrator" is defined as the following:

1. The building principal, director of student services, or district business administrator; or
2. If the complaint is against or involves the building principal or is against an individual to whom the principal reports, including a member of the School Board, the district administrator or district business administrator; or
3. If the complaint is against the district administrator, the complaint should be filed with the district business administrator.

If the complaint is submitted to the building principal, district administrator, or other administrator as identified above, that individual shall serve as, or designate, a complaint manager. The complaint manager shall be responsible for coordinating the processing of the complaint, including any attempt to mediate a possible resolution to the complaint, any investigation that may be necessary, and all communications with the individual(s) who submitted the complaint.

If the complaint is against the district administrator or a Board member and is submitted to the [insert the position title of another district-level administrator], that individual shall forward the complaint to the Board president, who shall hire outside legal counsel. Legal counsel shall determine, in consultation with the complaining party and the Board president, whether it is in the District's best interests to attempt to mediate a resolution to the complaint or to process the informal complaint under the steps of the formal complaint procedure, as identified below.

If the reply that the complainant receives is not acceptable to him/her, or if, for any reason, the individual does not feel comfortable attempting to resolve the matter informally as described in this section of the procedure, the individual may initiate the formal complaint procedure according to the steps listed below.

Formal Complaint Procedure

Step 1: The complainant shall submit a signed complaint to the district administrator or district business administrator, who shall serve as or designate the complaint manager. Except as provided in the following paragraph, the district administrator shall have responsibility to decide the merits of the case at Step 1, determine what actions will be taken (if any), and report in writing the resolution of the complaint to the complainant(s).

If the allegation is against the district administrator, the complainant shall submit the Step 1 complaint either directly to the Board president or to the district business administrator, who shall forward the complaint to the Board president. The Board president shall engage outside legal counsel as the complaint manager, who shall recommend either of the following to the Board president following an investigation into the matters raised by the complaint: (1) that the complaint lacks merit and that the Board president may communicate that conclusion and resolution to the complaining party; or (2) the complaint may have merit and/or that some degree of responsive or remedial action may be appropriate, and that legal counsel advises consultation with the full Board regarding such possible resolution. In conjunction with legal counsel, the Board president shall report in writing the resolution of the case to the complainant.

The District can usually respond most effectively to a complaint when a complaint is filed shortly after the occurrence of the event(s) giving rise to the complaint. In general, formal complaints under this procedure should be filed within 300 calendar days of the occurrence of the alleged unlawful, discriminatory, harassing or retaliatory act(s), or within 300 days after the last occurrence of an ongoing condition. While there is no absolute deadline for the filing of a complaint under this procedure, it is important for complainants to be aware that gaps in time of even less than 300 days can make it more difficult to engage in fact-finding and/or may limit the remedies that are reasonably available from the District. The District, acting through the complaint manager, may determine that any complaint filed more than 300 days after the alleged act(s) occurred (or more than 300 days after the last occurrence of an ongoing condition) is not sufficiently timely to permit an investigation and/or possible remedy. A decision to dismiss a complaint because it is untimely may be appealed to the Board under Step 2, and the Board may either affirm the dismissal of the complaint for lack of a timely filing or remand the complaint for further processing.

Step 2: If the complainant is dissatisfied with the decision of the district administrator (or Board president or Board), he/she may appeal to the Board within twenty-one (21) calendar days of the date that the Step 1 written decision is provided to the complainant. Such appeal shall be delivered to the district administrator or (if the district administrator is the alleged perpetrator) to the Board president, District legal counsel, or district business administrator. The individual receiving notice of the appeal on behalf of the School District shall immediately forward the appeal to the Board president, who shall arrange a meeting at which the Board will consider the appeal. If the Board issued the decision that is being appealed, the Board shall treat the appeal as a request for reconsideration.

External Agency or Court Filing: If the complainant is not satisfied with the Board's decision, or in lieu of utilizing the internal complaint procedures established by this procedure, the complainant may pursue alternate actions available under state or federal laws (e.g., appeal to State Superintendent of Public Instruction (for teachers and administrative personnel), filing of complaint with the Equal Rights Division of the Department of Workforce Development, the U.S. Office for Civil Rights - Region V, and/or any court having proper jurisdiction). Any party with a complaint is solely responsible for determining the applicable outside agencies or courts with which a complaint may properly be filed and the applicable filing deadlines. Unless mandated by a state or federal law or regulation, pursuing an internal complaint under this procedure does not extend or toll the filing deadlines applicable to filing a complaint with an external agency or court. While it is not always necessary to pursue an internal complaint before filing a complaint with an external agency or court, all individuals are given notice that failure to follow an employer's internal procedures for giving notice of incidents and complaints can, in some cases, affect the individual's ability to seek remedies from an external agency or court.

The District's responses to discrimination complaints shall be made within any timelines established by law.

Maintenance of Complaint Records

Records should be kept for each complaint filed and, at a minimum, should include the following:

1. The name and address of the complainant and his/her title or status.
2. The date the complaint was filed.
3. The specific allegation made and any corrective action requested by the complainant.
4. The name and address of the respondents.
5. The levels of processing followed, and the resolution, date, and decision-making authority at each level.
6. A summary of facts and evidence presented by each party involved.
7. A determination of the facts, statement of the final resolution, and the nature and date(s) of any corrective or remedial action taken.

POLICY: 514. SEXUAL AND OTHER FORMS OF HARASSMENT

The superintendent of the Arrowhead Union High School District is designated as the Complaint Officer and is responsible for coordinating federal regulations, state statute, and District policy concerning harassment based on sex, race, religion, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, emotional or learning disability. Harassment complaints may be filed with the superintendent, the business manager, the building principals, or, in the case of student complaints, to a guidance counselor. Any person who believes he or she has been the victim of sexual or other harassment shall report the alleged acts immediately, and no later than 180 days after the alleged incident, to the person(s) designated by this policy. Complainants may be requested by the District to submit their complaint in writing using the report form available from the principal of each building or the superintendent, or other appropriate form.

Submission of a complaint or report of sexual or other harassment shall not affect the individual's future employment, work assignment, academic evaluation, or academic environment. If an individual believes that he or she has been retaliated against for bringing a complaint or providing information related to a complaint, the individual should report that to the District using the reporting procedure in this policy.

The School District shall respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible, consistent with the School District's legal obligations, and the necessity to investigate allegations of harassment and take disciplinary actions when the conduct has occurred.

The following steps should be taken in the course of handling any complaint about sexual or other harassment:

Step I: In the case of student complaints about harassment by other students, the District may first initiate an informal resolution process with a guidance counselor acting as a mediator. The guidance counselor shall meet separately with each individual involved in the complaint. If deemed appropriate by the guidance counselor, a group session between the parties involved in the complaint shall be held in an effort to resolve the complaint on an informal basis. The informal mediation shall involve parents whenever possible until resolution is achieved. This period is not to exceed thirty (30) days. When the guidance counselor resolves the complaint informally, no disciplinary action shall be taken. A confidential record of the proceedings to the extent authorized by statute in the informal procedure shall be maintained. At the informal stage, the hope is to sensitize those involved to the effects of such behavior and to be constructive. Should the mediation efforts described in this step fail to resolve the matter to complainant's satisfaction, complainant has the option of contacting the superintendent/principal to attempt further resolution under Step II.

Step II: The Complaint Officer or his/her designee shall acknowledge the complaint not later than 45 days after its receipt. The Complaint Officer or his/her designee shall thoroughly investigate the complaint, notify the person who has been accused of harassment, permit a response to the allegation, and, if appropriate, arrange a meeting to discuss the complaint with all concerned parties within a reasonable amount of time following the receipt of the complaint.

The results of the investigation of each complaint filed under these procedures shall be reported, in writing, to the complainant by the Complaint Officer or his/her designee within a reasonable amount of time after the receipt of the written complaint, but in no case later than 90 days from the date of the receipt of the written complaint, unless the

complainant agrees to an extension of time. Upon receipt of the report, the superintendent shall take such action as appropriate, based upon the results of the investigation. The complainant shall be advised of any action taken as a result of the complaint.

Step III: If the complainant is not satisfied with the answer, a complaint may be filed with the Board of Education within ten (10) working days after receipt of the Step II answer. The Board shall, within thirty (30) days, hold a private conference at which the complainant shall be given the opportunity to present the complaint. The Board shall give a written answer to the complainant within ten (10) days following completion of the conference. If the Board and complainant agree that, due to the complexity of a complaint or any other reasonable factor, it needs more time than set forth in this Step III to consider a complaint, more time shall be allotted for this process.

These procedures do not deny the right of any individual to pursue other avenues of recourse, which may include filing charges with the Wisconsin Equal Rights Division or the State Superintendent of Public Schools, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

Any School District action taken pursuant to this policy shall be consistent with the requirements of any applicable collective bargaining agreements, Wisconsin Statutes, and School District policies. The School District shall take such disciplinary action as deemed necessary and appropriate, including warning, suspension, expulsion, or immediate discharge to end the sexual or other harassment and/or prevent its reoccurrence.

Complainants may also contact:

United States Department of Education
Office for Civil Rights
Regional Office V
300 S. Wacker Drive
Chicago, IL 60606 (312) 353-2520

State Superintendent of Public Instruction
Department of Public Instruction
P.O. Box 7841
Madison, WI 53707-7841

POLICY: 516. BULLYING POLICY

Procedure for Reporting/Retaliation

All school staff members and school officials who observe or become aware of acts of bullying are required to report these acts to the building level administrators (associate principal, principal).

Any other person, including a student who is either a victim of the bullying or is aware of the bullying, or any other concerned individual is encouraged to report the conduct to the building level administrators.

Reports of bullying may be made verbally or in writing and may be made confidentially. All such reports, whether verbal or in writing, will be taken seriously and a clear account of the incident is to be documented.

The school official receiving a report of bullying shall immediately notify the School District employee assigned to investigate the report. The following School District employees have been identified as the investigator: principal and associate principals.

There shall be no retaliation against individuals making such reports. Individuals engaging in retaliatory behavior will be subject to disciplinary action.

Procedure for Investigating Reports of Bullying

The person assigned by the District to conduct an investigation of the bullying report shall, within a reasonable amount of time, interview the person(s) who are the victim(s) of the bullying and collect whatever other information is necessary to determine the facts and the seriousness of the report.

Parents and/or guardians of each pupil involved in the bullying shall be notified prior to the conclusion of the investigation. The District shall maintain the confidentiality of the report and any related pupil records to the extent required by law.

Sanctions and Supports

If it is determined that students participated in bullying behavior or retaliated against anyone due to the reporting of bullying behavior, the School District administration and School Board may take disciplinary action, including: suspension, expulsion and/or referral to law enforcement officials for possible legal action as appropriate. Student services staff will provide support for the identified victim(s).

POLICY: 522. COURSE SELECTION APPEALS

PLACEMENT AND APPEAL PROCESS

About the middle of May, placement decisions shall be communicated to parents via a letter sent by department chairs/coordinators.

If a student who applied for placement is denied placement, the parent shall be given the opportunity to contact the department chair/coordinator for further information regarding the placement decision.

If the parent is still dissatisfied with the school's decision, the department chair/coordinator shall forward the request to the building principal.

