

ADMINISTRATIVE PROCEDURES OF THE MILWAUKEE PUBLIC SCHOOLS

ADMINISTRATIVE PROCEDURE 8.01 STUDENT NONDISCRIMINATION, COMPLAINTS AND APPEALS

(1) COMPLAINT PROCEDURES

Any complaint regarding the possible violation, interpretation, or application of the district's student nondiscrimination policy shall be processed in accordance with the following procedures:

(a) Receiving and Recording the Complaint

Step 1

If any person believes that Milwaukee Public Schools or any school district official or employee has engaged in discrimination that is prohibited by section 118.13, Wis. Stats., he/she may bring or send a written complaint to the designated district employee:

Milwaukee Public Schools
Central Services Building, Room 133
5225 West Vliet Street
P.O. Box 2181
Milwaukee, WI 53208-2181

Step 2

The designated employee, upon receiving such a written complaint, shall immediately record the receipt of the written complaint. Within 45 days after receiving the written complaint, the designated employee shall provide the complainant with written acknowledgment of the receipt of the written complaint, including the date the complaint was received.

(b) Investigating and Resolving the Complaint

1. Upon receipt of a complaint, the designated employee shall convene a committee consisting of the superintendent, or his/her designee; the senior director, Office of Student Services, or his/her designee; and the chief school administration officer, Office of School Administration, or his/her designee. This committee shall be responsible for coordinating an investigation of the allegation and shall investigate the circumstances of the alleged discrimination; review with the building principal, or other appropriate persons, the facts surrounding the alleged discrimination; determine whether or not a violation has occurred; and determine the action to be taken, if any.

2. The designated employee will report in writing the committee's findings and resolution of the case to the complainant and to the superintendent. The written determination shall be provided to complainant within 90 days of receipt of the written complaint, unless the complainant and designated employee have agreed otherwise in writing.

3. The written determination issued by the committee shall include notice of the complainant's right to appeal the determination to the state superintendent and the procedures for making the appeal.

(2) APPEAL PROCESS

Step 1

If a complainant wishes to appeal the determination of the committee, he/she has the right to appeal the decision to the State Superintendent within 30 days of the committee's decision. If the school district or its employees have failed to comply with the provisions of PI 9.04(2), the complainant may appeal directly to the State Superintendent. Any appeal should be addressed to:

State Superintendent
Department of Public Instruction
125 South Webster Street
P.O. Box 7841
Madison, WI 53707

Step 2

Appeals under 20 U.S.C., sec. 1415, and Chapter 115, Wis. Stats., 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 Chapter 115, subchapter V, Wis. Stats. Complaints under 20 USC, 1231e-3, and 34 CFR, secs. 76.780-76.782, that the state or a sub-grantee is violating a federal statute or regulation that applies to a program shall be referred directly to the state superintendent.

Step 3

Discrimination complaints on some of the above bases may also be filed with the federal government at:

U.S. Department of Education
500 W. Madison Street, Suite 1475
Chicago, IL 60661
Telephone: 312-730-1560
FAX: 312-730-1576

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Previous Coding: Admin. Policy JB, prior to May 1995; Admin. Policy 10.01, May 1995-August 1996
Cross Ref.: Admin. Policy 8.01 Student Nondiscrimination