

## BOARD OPERATIONS

Series 100

Policy Title . . . NONDISCRIMINATION

Code No. 112

The Burlington Area School District, in accordance with Title IX of the Educational Amendments of 1972 and other Federal and State regulations, hereby declares that it is committed to the principle of equal education and employment opportunity.

### STUDENT:

The right of the student to be admitted to school and to participate fully in curricular, co-curricular, student services, recreational or other programs or activities shall not be unlawfully abridged or impaired because of a student's sex, sexual orientation, race, color, national origin, ancestry, religion, creed, pregnancy, marital or parental status, or any physical, mental, emotional or learning disability/handicap. Accordingly, the Board prohibits all forms of unlawful discrimination against students, regardless of the legally-protected classification or characteristic that serves as the basis for any prohibited discriminatory conduct, policy, or practice. Such discriminatory acts include, but are not necessarily limited to:

1. The denial of admission to any public school;
2. The denial of participation in, access to, or the benefits of any curricular, extracurricular, pupil services, recreational or other program or activity;
3. The discriminatory and inequitable provision of resources among comparable curricular or extracurricular programs;
4. Any action, policy, or practice, including segregation or student harassment, which is detrimental to a person or group of persons and differentiates or distinguishes among persons, or which limits or denies a person or group of persons opportunities, privileges, roles or rewards based, in whole or in part, on a legally-protected classification or characteristic.

This policy of nondiscrimination shall not be interpreted to prohibit the District from (1) providing special programs or services based on student need, including gifted and talented, special education, school-age parents, bilingual/bicultural, at-risk, and other special programs; or (2) placing a student in a school, program, class, or activity based on objective standards of individual need or performance.

## EMPLOYEE:

It is the policy of the Burlington Area School District to maintain policies, practices and a workplace environment that is free from all unlawful discrimination, harassment and retaliation. Under federal and state fair employment laws, members of protected classes are shielded from unlawful discrimination in employment, including the recruitment and hiring processes. Workplace harassment and discrimination, whether engaged in by employees, students, supervisors, or members of the public, will not be tolerated and will subject offenders to appropriate disciplinary action. Retaliatory acts taken against employees for reporting harassment or discrimination, or for participating in the investigation or processing of such a report or complaint (e.g., as a complainant, witness, etc.), will also not be tolerated and will subject the offender to disciplinary action, up to and including discharge from employment. In addition, no employee or District official shall attempt to restrain, interfere with, or coerce any other person in connection with such other person's attempts to enforce his/her legal rights or his/her rights or expectations under District Policy to be free from prohibited employment-related discrimination, harassment, and retaliation, including such other person's participation in the processing of any report, complaint, or investigation related to possible violations of such laws or policies.

Identification of Protected Classes: State and/or Federal law prohibit discrimination (which may include harassment) based on various protected classes including, but not limited to, age, disability, race, color, national origin, ancestry, creed, religion, sex, pregnancy, marital status, sexual orientation, arrest record, conviction record, genetic testing, membership in the national guard, state defense force or any other reserve component of the military forces, use or non-use of lawful products off the District's premises during non-working hours, and declining to attend a meeting or participate in any communication about religious or political matters. State and federal law further define the actions that do, or do not constitute unlawful discrimination, harassment or retaliation with respect to the various protected classes.

Any inquiries or complaints alleging non-compliance with Title IX of the Educational Amendments of 1972 or other Federal and State civil rights or nondiscrimination regulations shall be referred to the Title IX Coordinator which is the Assistant Superintendent, Burlington Area School District, 100 North Kane Street, Burlington, WI 53105, (262)763-0210.

Additional policies referencing Policy 112:

300; 346.1; 361.1; 361.2; 364; 370; 410; 411.1; 421; 443; 447.3; 447.31; 460; 460.1; 511.1

Adopted:  
November 12, 2007

Revised:  
July 9, 2012

Revised:  
August 12, 2013

Legal References: 118.13  
PI 9.03  
Title IX  
Title VI  
Section 504  
Americans with Disabilities Act

ADMINISTRATIVE REGULATIONS  
NONDISCRIMINATION

Code No. R-112

Grievance Procedures:

The Burlington Area School District is committed to the principle of nondiscrimination. In the event that an individual wishes to file a complaint regarding discrimination the following procedure must be followed. The district will follow due process standards and provide for the prompt and equitable resolution of complaints alleging any action prohibited by civil rights regulations.

1. Individual must complete the discrimination complaint form included in this policy or found on the district web site.
2. The form must be submitted to the Assistant Superintendent, Burlington Area School District, 100 North Kane Street, Burlington, WI 53105.
3. The Assistant Superintendent will contact the individual for additional information.
4. The Assistant Superintendent will investigate the claim.
5. The Assistant Superintendent will respond within 10 days to the complainant.
6. If the complainant is unhappy with the findings and actions, they may appeal to the Superintendent.
7. The Superintendent will further investigate and respond within 10 days to the individual.
8. If the individual is unhappy with the findings and actions of the Superintendent, they may appeal to the School Board.



# BURLINGTON AREA SCHOOL DISTRICT

## DISCRIMINATION COMPLAINT FORM

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_ (home) \_\_\_\_\_ (work)

Status of person filing complaint \_\_\_\_\_ Student \_\_\_\_\_ Employee \_\_\_\_\_ Parent \_\_\_\_\_ Other

Filing complaint alleging discrimination on the basis of

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Statement of complaint (include type of discrimination charged and the specific incident(s) in which it occurred)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of complainant \_\_\_\_\_

Date complaint filed \_\_\_\_\_

Signature of person receiving complaint \_\_\_\_\_

Date complaint received \_\_\_\_\_

Submit to: Complaint Officer/Assistant Superintendent  
Burlington Area School District,  
100 North Kane Street, Burlington, WI 53105