

Title IX

Title IX is the federal law which states that, “no person in the United States shall on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.”

Title IX forbids sex discrimination in all district services and academic programs. Title IX also forbids discrimination because of sex in employment and recruit consideration or selection, whether full time or part time, under any education program or activity operated by an institution receiving or benefitting from federal financial assistance.

Title IX protects all students and staff from sexual harassment from anyone in any school program or activity, including on the school campus, on school transportation, or off-campus during a school-sponsored activity. Sexual harassment is defined as any unwelcome behavior or communication that is sexual in nature when:

- A school district employee conditioning the provision of an aid, benefit, or service of the district on an individual’s participation in unwelcome sexual conduct
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district’s education program or activity
- Sexual assault, dating violence, domestic violence, or stalking as each of those terms is defined in federal statute

Responsibilities of Title IX Coordinator (Director of Pupil Services)

The Title IX coordinator is obligated to promptly take the following steps:

- 1) Contact the complainant to discuss the availability of supportive measures
- 2) Consider the complainants wishes with respect to supportive measures
- 3) Inform the complainant of the availability of supportive measures with or without filing of formal complaint
- 4) Explain to the complainant the process for filing a formal complaint

Title IX Roles

Complaint Investigator:

- The investigator is the District’s Title IX coordinator (Director of Pupil Services)
- Investigates the complaint

Decision-maker:

- The decision-maker is the District staff person who hears the evidence gathered through the investigation and makes the decision about the complaint

- The decision-maker cannot be the same person as the complaint investigator

Appeal Decision-maker

- Appeals to the decision made by the decision-maker will be heard by Amery Board of Education President
- This person cannot be the same person as the complaint investigator or the decision-maker

Please note: There may be emergency cases where a student or staff person need to be removed from a program or activity. Staff in these instances would be placed on non-disciplinary administrative leave.

Grievance Policies and Procedures

If you believe that you or your child have experienced discrimination, discriminatory harassment, or sexual harassment in the school environment, you have the right to file a complaint. You can report discrimination and discriminatory harassment to any school staff member, any building principal or supervisor, or to School District of Amery administration.

Before filing a formal complaint, you can seek an informal resolution by discussing your concerns with your child's principal or with district administration. You may also file a formal complaint through the procedures listed below.

Step One: Write Your Complaint

In most cases, complaints must be filed within one year from the date of the incident or conduct that is the subject of the complaint. A complaint must be in writing. Be sure to describe the conduct or incident. Explain why you believe discrimination, discriminatory harassment, or sexual harassment has taken place. Send your written complaint – by mail or hand delivery – to the School District of Amery Title IX Coordinator (Director of Pupil Services office).

Step Two: Investigation of Claim

Once the Title IX Coordinator receives your written complaint, they will give you a copy of the complaint procedures and make sure a prompt and thorough investigation is completed. The complaint will be conducted in cooperation with District staff if the harasser is an employee. The investigation may include an interview with the accused party or parties, interviews with witnesses, if any, and an examination of any relevant documents or artifacts. The Title IX Coordinator will respond to you in writing within 30 school days. If your complaint involves exceptional circumstances that demand a lengthier investigation, the Title IX Coordinator will notify you in writing to explain why more time is needed.

Step Three: District Response

In its written response, the decision-maker (District Administrator) will include a summary of the results of the investigation, notification that you can appeal this determination, and any corrective measures the District has taken. If you disagree with the decision of the district administrator, you may appeal the District Board of Education. You must file a notice of appeal in writing with any member of the Amery Board of Education within 10 school days of receiving the district response. The board member who received the appeal will share it with all other board members.

The District Board of Education will schedule an appeal meeting within 20 school days after receipt of your appeal. The Board of Education will send you a written decision within 30 school days after the appeal meeting. If your appeal involves exceptional circumstances more time may be allotted for an investigation and decision.

Step Four: Appeal of Board Decision

If the complainant wishes to appeal a negative determination by the Board of Education, he/she has the right to appeal the decision to the State Superintendent of Public Instruction within 30 days of the Board's decision. In addition, the complainant may file an appeal directly to the State Superintendent of Public Instruction if the Board has not provided written acknowledgement within 45 days of receipt of the written complaint. Appeals should be addressed to:

State Superintendent of Public Instruction
Wisconsin Department of Public Instruction
125 South Webster Street
PO Box 7841
Madison, WI 53707-7841

Step Five: Office of Civil Rights

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

Office of Civil Rights
U.S. Department of Education
300 South Wacker Drive
Chicago, IL 60606

Complaints that the District is violating a federal statute or regulation that applies to a federal program shall be referred directly to the State Superintendent of Public Instruction.

- Retaliation against any individual for filing a charge of discrimination, participating in an investigation, or opposing discriminatory practices is prohibited.
- District's must allow both parties (the complainant and the respondent) an appeal from a determination regarding responsibility and from a District's dismissal of a formal complaint or any allegations therein.

Please note: Only formal, written complaints trigger the obligation to use the formal Title IX investigation and grievance process.

Contact Information for Title IX Roles

Title IX Coordinator	Director of Pupil Services School District of Amery 543 Minneapolis Avenue Amery, Wisconsin 54001 (715) 268-9771 ext. 370
Decision-Maker	District Administrator School District of Amery 543 Minneapolis Avenue Amery, WI 54001 (715) 268-9771 ext. 237
Appeals Decision-Maker	Board of Education President School District of Amery 543 Minneapolis Avenue Amery, WI 54001 (715) 268-9771 ext. 272

CROSS REF: 522.3 Staff Misconduct
 522.4 Staff Code of Ethics
 527 Employee Grievances

APPROVED: August 25, 2020