

**Student Discrimination and Harassment  
Equal Educational Opportunities**

**5102.00**

The School District of Monticello is committed and dedicated to the task of providing the best education possible for every child in the district for as long as the student can benefit from attendance and the student's conduct is compatible with the welfare of the entire student body.

The right of a 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 abridged or impaired because of a student's age, sex, race, religion, color, disability, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation, or physical, mental, emotional, or learning disability or any other legally protected classification.

Children of homeless individuals and unaccompanied homeless youth (youth not in the physical custody of a parent/guardian) residing in the District shall have equal access to the same free, appropriate public education, including comparable services, as provided to other children and youth who reside in the District. Homeless children and youth shall not be required to attend a separate school or program for homeless children and shall not be stigmatized by school personnel.

Students who have been identified as having a handicap or disability, under Section 504 or the American with Disabilities Act, shall be provided reasonable accommodations in educational services or programs. Students may be considered handicapped or disabled under this policy even if they are not covered by the district's Special Education policies and procedures.

The District shall provide for the reasonable accommodation of a student's sincerely held religious beliefs with regard to examinations and other academic requirements. Requests for accommodations shall be made in writing and approved by the building principal. Accommodations may include, but not necessarily be limited to, exclusion from participation in an activity, alternative assignments, and release time from school to participate in religious activities and opportunities to make up work missed due to religious observances. Any accommodations granted under this policy shall be provided to students without prejudicial effect.

In keeping with the requirements of state law, the School District of Monticello shall strive to remove any vestige of discrimination in admission to any school, class, program, or activity; standards and rules of behavior, including student harassment; disciplinary actions, including suspensions and expulsions; acceptance and administration of gifts, bequests, scholarships, and other aids, benefits, or services to students from private agencies, organizations, or persons; instructional and library materials used in the district; methods, practices, and materials used for testing, evaluating, and counseling students; location and use of facilities; opportunity for participation in athletic programs or other co-curricular activities; and in school-sponsored food service programs.

## **Harassment**

Harassment is a form of discrimination and shall not be tolerated in the District. It is the responsibility of administrators, staff members and all students to ensure that student discrimination or harassment do not occur.

For purposes of this policy, “Discrimination” means any action or practice including bias, stereotyping or student harassment to a person or group of persons and differentiates or distinguishes among person or which limits or denies a person or group of persons opportunities, privileges, roles or rewards based on any personal characteristic described above.

“Harassment” means behavior toward or between students based on any personal characteristic described above which substantially interferes with a student’s school performance or creates an intimidating , hostile or offensive environment. Harassment can arise from a broad range of physical or verbal behavior that can include, but not be limited to: physical or mental abuse, racial insults, ethnic or religious slurs, unwelcome sexual advances or touching, sexual comments or jokes, sexually explicit derogatory statements or discriminating remarks that are offensive or objectionable to the recipient or which cause the recipient discomfort or which interfere with the recipient’s academic performance.

Any person who believes that a student has been the subject of prohibited discrimination or harassment shall report the matter in accordance with established complaint procedures. All reports regarding student discrimination or harassment shall be taken seriously, treated fairly and promptly and thoroughly investigated. The District shall take all appropriate and necessary action to eliminate student discrimination and harassment, up to and including discipline of the offenders. There shall be no retaliation against any person who files a complaint under this policy. Employees who fail to respond to discrimination or harassment complaints or to act on knowledge of violation of this policy will likewise be subject to disciplinary action, up to and including termination. In addition, employees who engage in behaviors found to be discrimination or harassment will be subject to disciplinary action up to and including termination.

Any questions or concerns regarding this policy may be referred to the District Administrator or to the District’s designated Equity Coordinator/Director of Pupil Services. Complaints shall be processed in accordance with established procedures.

Notice of this policy and its accompanying complaint procedures shall be published at the beginning of each school year in the district’s official newspaper and posted in the school district. In addition, a student nondiscrimination statement shall be included on student and staff handbooks, course selection handbooks, and other published materials distributed to the public describing school activities and opportunities.

Copies of the complaint procedures shall be included in staff and student handbooks.

Legal References: WI Statutes- Section 115.28, 118.13;  
PI 9 and PI 41, Wisconsin Administrative Code  
Title IX - Educational 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 Educational Improvement Act of 2004  
McKinney-Vento Homeless Assistance Act

Cross References: 5102.01, Student Discrimination and Harassment\_Complaint Procedure  
5102.02, Student Discrimination and Harassment Complaint Form

Approved: August 12, 1987

Revised: December 13, 2006  
June 10, 2015