

# UW Extension

Equal Opportunity Policy No: EO 006

---

**Subject:** Discrimination Against Students (Clientele/Applicants),  
Wisconsin Act 186,  
sections 36.12 & 38.23

**Date Effective:** April 25, 1990  
**Executive Council Approval:** October 26, 1992  
**Chancellor Approval:** (signature on original copy)

## **PURPOSE**

It is the intent of UWEX to insure that all eligible students, clients, applicants, or participants be admitted to or allowed to participate in any programs, activities or courses offered or sponsored by or under the auspices of any Extension division, in any Extension owned, leased or operated facility, free of illegal or prohibited discrimination as defined by state, federal or local laws, ordinances or regulations.

## **POLICY**

It is the policy of UW-Extension that no eligible student, client or participant shall be denied admission to or participation in any of the benefits, programs or courses offered or sponsored by UW-Extension, nor be denied admission to any facility owned or operated by UW-Extension or any of its divisions or units because of that person's race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital or parental status.

Notice of the provisions of this act shall be published at least annually in all newspapers and newsletters published by any Extension division, distributed to employees through payroll inserts, prominently posted on bulletin boards in common areas in all Extension leased, owned or operated buildings and facilities. Notices shall be published quarterly in statewide newspapers and broadcasted by public service announcements on both radio and television. Notices also shall be published in catalogues, brochures, pamphlets or any other materials used to market, advertise or otherwise provide information or notice about the availability of Extension sponsored programs, courses or activities.

## **APPLICABLE STANDARDS FOR DETERMINING DISCRIMINATION**

In determining whether or not discrimination has occurred in violation of Wisconsin Act 186, UW-Extension through the **Office of Equal Opportunity and Diversity Programs** shall apply standards set forth in state and federal statutes, regulations and case law relevant to the basis of the discrimination alleged, including but not limited to such legal materials and precedents as Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act, as amended, Section 101.223, Wis. Stats., s. 36.12 (3)(a), Wis. Stats., the United States Constitution, the Wisconsin Constitution, and related regulations and case law.

In any case where there is a question as to whether the action or conduct in question violates s. 36.12, Wisconsin Statutes, and UW-Extension legal counsel will be consulted.

## **COMPLAINT PROCEDURES**

### **Deadline for Filing Complaints**

Complaints alleging violations of this s. 36.12, Wisconsin Statutes, must be filed with the Office of Equal Opportunity and Diversity Programs within **300 days of the alleged violation**.

### **Procedures**

1. The Office of Equal Opportunity and Diversity Programs shall be responsible for:
  - a. Reviewing each complaint;
  - b. Providing procedural advice and counsel to the complainant, and referring the complainant to any more relevant complaint or grievance process, if appropriate. For example, complaints alleging sex discrimination may be referred for processing under grievance procedures for Title IX.
  - c. Conducting investigations of complaints, where no other complaint or grievance mechanism applies to the subject matter of the complaint.
2. Where the Office of Equal Opportunity and Diversity Programs refers a complaint for processing to another grievance procedure, further action on the matter shall be taken in accordance with the requirements of the other procedure, provided however, that the requirements of paragraphs 5 and 6 below shall apply to all procedures applicable to complaints under s. 36.12.

3. Where the Office of Equal Opportunity Programs determines after investigation that no discrimination in violation of s. 36.12 has occurred, the complaint shall be dismissed, and the complainant and all complaining parties shall be so advised.
4. Where the Office of Equal Opportunity and Diversity Programs determines after investigation that discrimination in violation of s. 36.12 is likely to have occurred, the Office of Affirmative Action and Equal Opportunity Programs may:
  - a. Attempt to resolve the matter through mediation among the parties involved;
  - b. Recommend remedial action to eliminate the discrimination to the appropriate administrators; or
  - c. Refer the matter to the appropriate administrators for review and consideration of possible disciplinary action, where misconduct by faculty or staff appears to be involved. If it appears that misconduct on the part of clientele, a program participant or student is involved, appropriate corrective action may be considered. (For example, prohibiting/barring attendance by offending party(ies), removal from the program, facility, cancellation of registration or membership, etc. **Under such circumstances any and all fees paid by the offending party(ies) and collected by UW-Extension shall be forfeited.**)
5. The Office of Equal Opportunity and Diversity Programs, or any other office processing a s. 36.12 complaint, shall complete its processing of the complaint within **90 days of receipt**. This deadline may be extended due to extenuating circumstance upon the mutual written agreement/consent of the parties.
  - a. In the event a complaint is dismissed under paragraph 3 above, the complainant **may appeal to the Chancellor** of UW-Extension **within 10 days of the dismissal**.
  - b. In the event any attempt at mediation under paragraph 4.a. above or otherwise fails, or a recommended remedial action under paragraph 4.b. is rejected, the **complainant may appeal to the Chancellor within 10 days of the action**.
  - c. In the event the matter is referred under paragraph 4.c. above, the time limitations and procedures applicable to employee discipline shall apply.
6. In all matters involving an alleged violation of s. 36.12. the Chancellor's decision shall be final, **except** that the Board of Regents may, consistent with the Bylaws of the Board of Regents of the University of Wisconsin System, conduct a review of record.

## **NOTIFICATION AND REPORTING**

- 1.** The Office of Equal Opportunity and Diversity Programs in conjunction with the Public Information Offices of each division shall notify students/clientele annually of the existence of s. 36.12 and what it prohibits. This notice shall also identify the Office of Equal Opportunity and Diversity Programs as the institutional office where students may file complaints under s. 36.12.
  
- 2.** The Office of Equal Opportunity and Diversity Programs shall also provide to the Board of Regents the information from the University of Wisconsin-Extension required to meet the reporting requirement of s. 36.12.

## **FORMS USED:**

- UW-Extension Discrimination Complaint Reporting Form
- Appeal Form
- Intake Form
- Public Notice of Non-Discrimination
- Copy of 1989 WISCONSIN ACT 186