

1989 Assembly Bill 218

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1989 WISCONSIN ACT 186

AN ACT to create 36.12 and 38.23 of the statutes, **relating to:** discrimination against students in the university of Wisconsin system and the vocational, technical and adult education system.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 36.12 of the statutes is created to read:

36.12 Student discrimination prohibited. (1) No student may be denied admission to, participation in or the benefits of, or be discriminated against in any service, program, course or facility of the system or its institutions or centers because of the student's race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status.

(2) (a) The board shall direct each institution and center to establish policies and procedures to protect students from discrimination under sub. (1). The policies and procedures shall do all of the following:

1. Provide criteria for determining whether sub. (1) has been violated.
2. Provide remedies and sanctions for violations of sub. (1).
3. Require a complainant to file a complaint with the institution or center within 300 days of the alleged violation of sub. (1).
4. Provide periods within which the complainant and the institution or center must act for each procedural step leading to the issuance of a final decision and for appeal of the final decision to the chancellor of the institution or dean of the center.

(b) The board shall establish policies and procedures for the appeal of the chancellor's or dean's decision to the board.

(3) By September 1, 1991, 1992, 1993, and 1994, the board shall submit a report to the chief clerk of each house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3). The report shall specify all of the following for the previous academic year:

(a) The number of complaints received at each institution and center alleging a violation of sub. (1) and the disposition of each such complaint.

(b) The number of requests for review received by the board and the disposition of each such request.

SECTION 2. 38.23 of the statutes is created to read:

38.23 Student discrimination prohibited. (1) No student may be denied admission to, participation in or the benefits of, or be discriminated against in any service, program, course or facility of the board or any district because of the student's race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status.

(2) (a) Each district board shall establish policies and procedures to protect students from discrimination under sub. (1). The policies and procedures shall do all of the following:

1. Provide criteria for determining whether sub. (1) has been violated.
2. Provide remedies and sanctions for violations of sub. (1).
3. Require a complainant to file a complaint with the district director within 300 days of the alleged violation of sub. (1).

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4. Provide periods within which the complainant and the district director must act for each procedural step leading to the issuance of a final decision and for appeal of the final decision to the district board.

(b) The policies and procedures established under par. (a) are subject to review and approval by the board.

(3) By September 1, 1991, 1992, 1993, and 1994, the board shall submit a report to the chief clerk of each

house of the legislature for distribution to the appropriate standing committees under s. 13.172 (3). The report shall specify the number of complaints received by each district board in the previous school year alleging a violation of sub. (1) and the disposition of each such complaint.

(4) Nothing in this section or s. 36.12 prevents institutions from segregating students in dormitories based on sex.
