



Wisconsin Department of Public Instruction
**DISCRIMINATION COMPLAINT FORM FOR
USDA CHILD NUTRITION PROGRAMS**
PI-6128 (Rev. 12-15)

INSTRUCTIONS: Submit a signed original to DPI and keep a copy for your file.

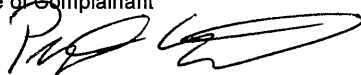
JESSICA SHARKUS, DIRECTOR
SCHOOL NUTRITION TEAM
WISCONSIN DEPARTMENT OF PUBLIC INSTRUCTION
PO BOX 7841
MADISON, WI 53707-7841
or email jessica.sharkus@dpi.wi.gov

This form is to assist in filing a Discrimination Complaint. You will be contacted by the department regarding your complaint. Use of this form is voluntary. Alternatively, you may report a complaint by contacting the School Nutrition Team by phone 608-267-9228, email dpifns@dpi.wi.gov, or by contacting the U.S. Department of Agriculture directly (see back of form, Section V).

FOR DPI USE	Date Received <i>Mo./Day/Yr.</i>	Date Forwarded to USDA <i>Mo./Day/Yr.</i>
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I. GENERAL INFORMATION		
Name of Complainant Freedom From Religion Foundation Attn: Patrick Elliott	Complainant's Daytime Phone <i>Area/No.</i> 6082568900	Complainant's Email patrick@ffrf.org
Address <i>Street, City, State, ZIP</i> PO Box 750 Madison, WI 53704		

Location of Incident <i>Name of facility and address</i> St. John's Lutheran School 515 5 th Street Baraboo, WI 53913

II. SIGNATURE	
Signature of Complainant ➤ 	Date Signed <i>Mo./Day/Yr.</i> 5/6/16

III. CONFLICT DESCRIPTION
Description of the incident, action, or method of administration that led the complainant to feel discriminated against. <i>Use additional sheets if necessary.</i> St. John's Lutheran School has implemented policies that discriminate against students on the basis of sexual orientation and gender identity. As these students are unable to attend the school, they are unable to participate in free and reduced price lunch programs. Attached please find a copy of a February 29, 2016 letter from Principal Craig Breikreutz. The letter informed parents about issues related to gender identity and sexual orientation and said that the school was requesting birth certificates for students to enroll. The letter states that the school cannot legally deny admittance to students who are "struggling with homosexuality or gender identification," but it makes clear that the school does not intend to allow these students to attend. The letter says that the school maintains the right to "dismiss students for these choices." Attached please also find a copy of the 2016-17 Parent Handbook, which states on page 15 that "scandalous conduct," which can lead to expulsion, includes "homosexuality."

Basis on Which the Complainant Feels Discrimination Exists			
☐ Race	☐ Age	☒ Gender Identity	☒ Sexual Orientation
☐ Color	☐ Disability	☐ Religion	☐ Income
☐ National Origin	☐ Sex	☐ Marital Status	

Person(s) Who May Have Knowledge of the Discriminatory Action <i>Names, titles, business addresses, and phone number(s)</i>			
1.	Principal Craig Breikreutz 515 5 th St. Baraboo WI, 53913 608-432-3878		
2.			
3.			
4.			

Date(s) during which the alleged discriminatory actions occurred, or if continuing, the duration of such actions			
Incident 1	Incident 2	Incident 3	Incident 4
Feb. 29, 2016	continuing		

IV. CONFLICT RESOLUTION RECOMMENDATION

The USDA recommends using an Alternative Dispute Resolution (ADR) program.

ADR definition: Use of a neutral third party (usually a person acting as a facilitator) to resolve informally a complaint of discrimination through use of various techniques such as fact finding, mediation, peer panels, facilitation, ombudsman support, or conciliation.

<http://www.fas.usda.gov/Admin/civilrights/conflictres.asp> for more information, or contact U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, DC 20250-9410, (866) 632-9992 (toll free), (202) 260-1026, (202) 401-0216 (TDD).

V. USDA NONDISCRIMINATION STATEMENT

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (state or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

This institution is an equal opportunity provider.

Last Modified: November 17, 2015

VI. DPI USE ONLY

Name of DPI Staff Documenting Complaint

Complaint Received Via

☐ Phone call ☐ Email ☐ Letter ☐ Fax ☐ PI-6128
☐ Other Specify:

Complainant Referred to USDA Discrimination Complaint Filing Website:
http://www.ascr.usda.gov/complaint_filing_cust.html

Complainant Sent a *USDA Program Discrimination Complaint Form*

☐ Yes date referred: _____ ☐ No

☐ Yes date sent: _____ ☐ No

Complainant Sent a *USDA Conflict Resolution Recommendation Statement*
(See Section IV)

Complainant told that this form will be forwarded to USDA, and if the Complainant prefers to file with the USDA directly, Complainant has 180 days from the date of incident.

☐ Yes date sent: _____ ☐ No

☐ Yes ☐ No

Resolution

All discrimination complaints to the Department of Public Instruction—School Nutrition Team will be directed to Jessica Sharkus, Director.

All verbal or written discrimination complaints must be forwarded to the Civil Rights Division of USDA Food Nutrition Services within three days of receiving a complaint.