# West Delaware
# County Community School District

# Affirmative Action Plan

# 2016-2017

**Administrative Statement**
West Delaware County Community School District has been, and will continue to be deeply committed to the principles of equal opportunity and affirmative action to attain a workforce representative of student and community diversity in race, national origin, gender and disability.

All employees at West Delaware play a vital role in promoting equal employment opportunities and diversity in the work place. In the 2016-17 school year we will target recruitment efforts to boost applicants in underrepresented categories, review application and interview materials to ensure non-discrimination, and provide equal employment opportunity, affirmative action and intergroup relations training or employees who hire and supervise.

It is the policy of the West Delaware County Community School District not to discriminate on the basis of race, color, national origin, gender, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. These employment practices include but are not limited to: placement, compensation, benefits, transfers, layoffs, return from layoffs and district-sponsored programs and activities.

This plan is designed to meet the requirements of Iowa Code chapter 19B.11 and Iowa Administrative Code chapter 95.

All district staff was invited to provide input either in writing or in person at a meeting held on December 5, 2016.

This plan was approved by the West Delaware County Community School District Board of Directors on December 12, 2016.

Dr. Kristen Rickey, Superintendent

**Identification of Coordinator**
The employee responsible for coordinating the development and implementation of the equal employment opportunity and affirmative action plan is the Superintendent of Schools. Inquiries or grievances related to the West Delaware County Community School District's Equal Employment Opportunity/Affirmative Action policies or plan may be directed to Mike Morrison, Assistant High School Principal/Activities Director, West Delaware County Community School District, 701 New Street, Manchester, Iowa 52057, 563-927-3515, mikemorrison@w-delaware.k12.ia.us; or to the Director of the Iowa Civil

Rights Commission, to the Director of the Region VII Office of the United States Equal Opportunity Commission, or the Region VII Office of Civil Rights within the United States Education Department. In addition, inquiries may also be directed to the Director, Iowa Department of Education, Grimes State Office Building, Des Moines, IA 50319-0146, 515-281-5294.

**Administrators**

Chart 1 shows the gender and the racial/ethnic composition of the District's administrative staff. There is a balance of male and female administrative staff. Nonwhite racial and ethnic groups are underrepresented in this category.

Chart 1: Gender and Ethnic composition of administrative staff

| | ***Nonwhite*** | ***Male*** | ***Female*** | ***Total*** |
|---|---|---|---|---|
| Superintendent | 0 | 0 | 1 | 1 |
| Principals | 0 | 3 | 1 | 4 |
| Assistant Principal/Activities Director | 0 | 1 | 0 | 1 |
| Directors | 0 | 1 | 2 | 3 |
| | | | | |
| **Total** | 0 | 5 | 4 | 9 |
| **Percentage** | 0 | 56% | 44% | 100% |

**Teachers and Other Professional Staff**

Chart 2 shows the gender and the racial/ethnic composition of the District's teaching and other professional staff. Males are underrepresented in the following categories: elementary teachers, middle school teachers, special education teachers, counselors and media specialists. There is a balance of males and females in the categories of high school teachers and TAG teachers. Nonwhite racial and ethnic groups are underrepresented in all categories of teachers and other professional staff.

Chart 2: Gender and Racial/Ethnic composition of teachers and other professional staff.

| | ***Nonwhite*** | ***Male*** | ***Female*** | ***Total*** |
|---|---|---|---|---|
| Elementary Teachers (PS-4) | 0 | 3 | 31 | 34 |
| Middle School Teachers (5-8) | 0 | 6 | 20 | 26 |
| High School Teachers (9-12) | 0 | 14 | 18 | 32 |
| Special Education Teachers (K-12) | 0 | 2 | 14 | 16 |
| Counselors (K-12) | 0 | 0 | 4 | 4 |
| Media Specialists (K-12) | 0 | 0 | 2 | 2 |
| School Nurse (K-12) | 0 | 0 | 1 | 1 |
| TAG (K-12) | 0 | 1 | 1 | 2 |
| Instructional Coaches | 0 | 1 | 3 | 4 |
| | | | | |
| **Total** | 0 | 27 | 94 | 121 |
| **Percentage** | 0 | 22% | 78% | 100% |

## Support Staff

Chart 3 shows the distribution of support staff over position categories according to gender and race/ethnicity. Males and females each dominate job categories traditionally gender-bound. Specifically, males are underrepresented in the categories of teacher associates, food service workers, and secretary. Females are underrepresented in the category mechanic and driver. Nonwhite racial and ethnic groups are underrepresented in all categories of support staff.

Chart 3: Gender and Racial/Ethnic composition of support staff.

| | ***Nonwhite*** | ***Male*** | ***Female*** | ***Total*** |
|---|---|---|---|---|
| Teacher Associates | 1 | 0 | 47 | 47 |
| Food Service | 0 | 0 | 16 | 16 |
| Custodian/Housekeeper/Maintenance | 0 | 8 | 6 | 14 |
| Bus/Van Driver | 1 | 14 | 4 | 18 |
| Payroll/Accounts Payable | 0 | 0 | 2 | 2 |
| Secretary | 0 | 0 | 9 | 9 |
| Mechanic | 0 | 2 | 0 | 2 |
| Technology Technician | 0 | 1 | 0 | 1 |
| Volunteer Coordinator | 0 | 0 | 1 | 1 |
| Auditorium Coordinator | 0 | 0 | 1 | 1 |
| | | | | |
| **Total** | 2 | 25 | 86 | 111 |
| **Percentage** | .01% | 23% | 77% | 100% |

## Coaches and Sponsors

Chart 4 shows the distribution of coaches and sponsors over position categories according to gender and race/ethnicity. Males are underrepresented in the category of high school sponsor. Females are underrepresented in the categories of high school and middle school coach. When taken as a whole, there is gender balance among coaches and sponsors in the district. Nonwhite racial and ethnic groups are underrepresented in all categories of support staff.

Chart 4: Gender and Racial/Ethnic composition of coaches and sponsors

| | ***Nonwhite*** | ***Male*** | ***Female*** | ***Total*** |
|---|---|---|---|---|
| High School Coaches | 0 | 25 | 9 | 34 |
| High School Sponsors | 0 | 2 | 16 | 18 |
| Middle School Coaches | 0 | 11 | 6 | 17 |
| Middle School Sponsors | 0 | 2 | 2 | 4 |
| Drivers Ed Coordinator/Instructor | 0 | 1 | 0 | 1 |
| | | | | |
| **Total** | 0 | 41 | 33 | 74 |
| **Percentage** | 0% | 55% | 45% | 100% |

**Employees with Disabilities**
Iowa Administrative Code 95.5(3) directs that for the “purpose of confidentiality, disability data may be based on total agency figures, rather than those of major job categories.” Of the district’s 242 total employees, no employee has a known disability.

**Qualitative Analysis**
The district has had a stable workforce, with little to no turnover in most employment categories. Annually the district hires approximately 10 percent for vacant K-12 teaching positions. Over 69 percent of the district’s teaching staff has been employed by the district for five or more years.

A qualitative analysis of the district’s employment and personnel policies and practices reveal no intended or unintended bias toward or against a candidate for employment based on race, creed, color, religion, gender, age, national origin, social-economic status, marital status, sexual orientation, gender identity, or disability. In employment categories where vacancies have occurred, the data indicates the district has been successful in hiring men and women in positions traditionally held by one gender. However, the data reveals that the district has been unsuccessful in hiring employees of diverse racial and ethnic backgrounds in any job category.

The district’s recruitment efforts consist of posting vacancy notices in the local newspapers, on the district’s website and social media, and on Teach Iowa. Periodically, when mid-year vacancies occur, targeted recruiting efforts have occurred to college and university education placement offices.

The district will need to learn how to target its recruitment efforts to boost applicants in underrepresented categories. It will need to review its application and interview materials to ensure nondiscrimination. Finally, it will need to provide more equal employment opportunity, affirmative action, and intergroup relations trainings for employees who hire and supervise.

**2016-2017 Qualitative Goals/Actions/Timelines**

1. Target recruitment efforts to boost applicants in underrepresented categories.
2. Review application and interview materials to ensure nondiscrimination.
3. Provide equal employment opportunity, affirmative action, and intergroup relations training for employees who hire and supervise.

| Goals | Actions | Timeline |
|---|---|---|
| 1. Target recruitment efforts | a. Participate in job fairs | As available |
| | b. Recruit via personal contact at employment offices/job placement offices/career counseling center | Continually |
| 2. Review application and interview materials | a. Collect and review principals' and supervisors' application and interview materials | Collected after each hiring process; analyzed on a yearly basis |
| 3. Provide training for employees who hire and supervise | a. Gather information on available training from DE, AEA, other school districts, community/county groups | June 2017 |
| | b. Conduct training for supervisors | August 2017 |

**Goals**

The district will aspire to the following numerical goals when hiring for the 2016-2018 biennium for those employment vacancies for which an internal transfer does not occur. The categories identified are those in which one gender is underrepresented in the current employment pool, or in those categories that typically hire on an annual basis.

| | ***Nonwhite*** | ***Male*** |
|---|---|---|
| Elementary Teachers (PS-4) | 1 | 1 |
| Middle School Teachers (5-8) | 1 | 1 |
| **Total** | 2 | 2 |

| | ***Nonwhite*** | ***Male*** |
|---|---|---|
| Teacher Associates | 1 | 1 |
| Food Service | 1 | 1 |
| Custodian/Housekeeper/Maintenance | 1 | No goal |
| Bus/Van Driver | 1 | No goal |

AFFIRMATIVE ACTION PLAN

WEST DELAWARE COUNTY COMMUNITY SCHOOL DISTRICT

I. Policy Statements by Board of Directors

A. Board Policy Code No. 102.02, Equal Education Opportunity

B. Board Policy Code No. 400.01, Equal Opportunity Employment/Affirmative Action

C. Board Policy Code No. 500, Objectives for Equal Educational Opportunities for Students

D. Board Policy Code No. 400, Statement of Guiding Principles for All Personnel

E. Board Policy Code No. 107, Anti-Harassment/Bullying/Hazing Policy

F. Board Policy Code 102.01, Notice of Non-Discrimination

WEST DELAWARE COUNTY COMMUNITY SCHOOL DISTRICT

**Equal Educational Opportunity** **Code No. 102.02**

It is the policy of the West Delaware County Community School District not to discriminate on the basis of race, color, national origin, gender, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. Policy 102.01 outlines the grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact Mike Morrison, West Delaware High School, 605 New Street, Manchester, Iowa 52057, 563-927-3515, extension 302, mikemorrison@w-delaware.k12.ia.us.

The board requires all persons, agencies, vendors, contractors and other persons and organizations doing business with or performing services for the school district to subscribe to all applicable federal and state laws, executive orders, rules and regulations pertaining to contract compliance and equal opportunity.

Date adopted: November 9, 2015
Date reviewed: January 9, 2017
Date revised: December 12, 2016

Cross reference: Board Policy 102.01

WEST DELAWARE COUNTY COMMUNITY SCHOOL DISTRICT

**Equal Opportunity Employment/Affirmative Action** Code No. 400.01

The West Delaware County Community School District will provide equal opportunity to employees and applicants for employment in accordance with applicable equal employment opportunity and affirmative action laws, directives and regulations of federal, state and local governing bodies. Opportunity to all employees and applicants for employment includes hiring, placement, promotion, transfer or demotion, recruitment, advertising or solicitation for employment, treatment during employment, rates of pay or other forms of compensation, and layoff or termination. The school district will take affirmative action in major job categories where women, men, minorities and persons with disabilities are underrepresented. Employees will support and comply with the district's established equal employment opportunity and affirmative action policies. Employees will be given notice of this policy annually.

The board will appoint an affirmative action coordinator. The affirmative action coordinator will have the responsibility for drafting the affirmative action plan. The affirmative action plan will be reviewed by the board at least every two years.

Individuals who file an application with the school district will be given consideration for employment if they meet or exceed the qualifications set by the board, administration, and Iowa Department of Education for the position for which they apply. In employing individuals, the board will consider the qualifications, credentials, and records of the applicants without regard to race, color, creed, gender, national origin, religion, age, sexual orientation, gender identity, marital status, or disability. In keeping with the law, the board will consider the veteran status of applicants.

Prior to a final offer of employment for any position, the school district will perform criminal, child abuse and sexual abuse background checks as detailed in Policy 400.05. The district may determine on a case-by-case basis that, based on the duties, some positions within the district will require more thorough background checks. Based upon the results of the background checks, the school district will determine whether final offer will be extended. If the candidate is a teacher who has received an initial license from the BOEE since October 2000, then the requirement for a background check may be waived.

Advertisements and notices for vacancies within the district will contain the following statement: "The West Delaware County Community School District is an EEO/AA employer". The statement will also appear on application forms.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, will be directed to the Affirmative Action Coordinator by writing to the Affirmative Action Coordinator, West Delaware County Community School District, 701 New Street, Manchester, Iowa 52057; or by telephoning 563-927-3515.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Director of the Region VII office of Civil Rights, U.S. Department of Education, 310 W. Wisconsin Ave., Ste. 800, Milwaukee, Wisconsin, 53203-2292, (414)291-1111 or the Iowa Civil Rights Commission, 400 E. 14th Street, Des Moines, Iowa, 50319-1004, (515)281-4121 or 1-800-457-4416, http://www.state.ia.us/government/crc/index.html. This inquiry or complaint to the federal office may be done instead of, or in addition to, an inquiry or complaint at the local level.

Further information and copies of the procedures for filing a complaint are available in the school district's central administrative office and the administrative office in each attendance center.

Date adopted: September 15, 1986
Date reviewed: May 17, 2010; September 13, 2010; November 15, 2011; August 12, 2013; November 14, 2016; January 9, 2017
Date revised: August 16, 2004; November 13, 2006, April 12, 2010; August 11, 2010; July 15, 2013; October 10, 2016; December 12, 2016

Legal Ref.: 29 U.S.C. §§ 621-634 (2004)
42 U.S.C. §§ 2000e et seq. (2004)
42 U.S.C. §§ 12101 et seq. (2004)
Iowa Code §§ 19B; 20; 35C; 73; 216; 279.8; 692.2; 692.2A; 692.2C(5); 235A.15; 235A.6e(9) (2007)
281 I.A.C 12.4; 95
28 I.A.C. 14.1
Iowa Code 279.69

Cross Ref: 400.05 Employee Background Checks

WEST DELAWARE COUNTY COMMUNITY SCHOOL DISTRICT

**Objectives for Equal Educational Opportunities for Students** Code No. 500

This series of the board policy manual is devoted to the board's goals and objectives for assisting the students of the school district in obtaining an education. Each student shall have an opportunity to obtain an education in compliance with the policies in this series.

It is the goal of the board to develop a healthy social, intellectual, emotional, and physical self-concept in the students attending school within the school district. Each student attending school will have the opportunity to use it and its educational program and services as a means for self-improvement and individual growth. In so doing, the students are expected to conduct themselves in a manner that assures each student the same opportunities.

The board supports the delivery of the educational program and services to students free of discrimination on the basis of marital status, race, color, creed, socio-economic status, gender, national origin, religion, sexual orientation, gender identity or disability. This concept of equal educational opportunity serves as a guide for the board and school district personnel in making decisions relating to school district facilities, employment of personnel, selection of educational materials, equipment, curriculum, and regulations affecting students.

Board policies, rules and regulations affect students while they are on school district property or on property within the jurisdiction of the school district; while on school owned and/or operated school or chartered vehicles; while attending or engaged in school activities; and while away from school grounds if misconduct will directly affect the good order, efficient management and welfare of the school district.

In the delivery of the educational program, students will treat school district personnel with respect and students will receive the same in return. School district personnel have the best interests of the students in mind and will assist them in school-related or personal matters if they are able to do so. Students should feel free to discuss problems, whether school-related or personal, with the guidance counselor or other school district personnel.

This section of the board policy refers to the term "parents" in many of the policies. The term parents for purposes of this policy manual will mean the legal parents, the legal guardian or custodian of a student and students who have reached the age of majority or are otherwise considered an adult by law.

Inquiries regarding compliance with equal educational opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination are directed to the Affirmative Action Coordinator by writing to the Affirmative Action Coordinator, West Delaware County Community School District, 701 New Street, Manchester, Iowa 52057; or by telephoning 563-927-3515.

Inquiries regarding compliance with equal educational opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Director of the Region VII Office of Civil Rights, U.S. Department of Education, 8930 Ward Parkway, Suite 2037, Kansas City, MO 64114; (816)-268-0550 or Iowa Department of Education, Grimes State Office Building, Des Moines, IA 50319; (515)-281-5294. This inquiry or complaint to the federal or state office may be done instead of, or in addition to, an inquiry or complaint at the local level.

Further information and copies of the procedures for filing a complaint are available in the school district's central administrative office and the administrative office in each attendance center.

Date adopted:
Date reviewed: November 17, 1997; November 12, 2007; October 11, 2010; November 12, 2012; January 9, 2017
Date revised: September 13, 2010; October 8, 2012; December 12, 2016

WEST DELAWARE COUNTY COMMUNITY SCHOOL DISTRICT

**Statement of Guiding Principles for All Personnel** Code No. 400

To provide the best possible educational program, it is the goal of the Board to recruit and retain the highest caliber of certified, support, noncertified, and administrative staff available. The Board will appoint all personnel at its discretion, following the recommendation of the Superintendent, in accordance with Policies 401.02 – Recruitment of Certified Personnel and 407.02 Recruitment/Selection/Qualifications – Support Personnel.

All newly created employment positions will require the approval of the Board. Before a new position is created, the Superintendent will present a job description, including qualifications, responsibilities, supervision, and evaluation, to the Board.

The Board of Directors recognizes its duty to bargain collectively with any duly certified employee organization.

Date adopted: September 15, 1986
Date reviewed: July 14, 1997; November 15, 2011; November 14, 2016
Date revised: November 13, 2006; October 10, 2011**;** October 10, 2016

Legal Ref.: Iowa Code Section 20.16; 279.12
Iowa Administrative Code 670-3.4 (257); 670-12.25 (281);
670-35.42 (259)

WEST DELAWARE COUNTY COMMUNITY SCHOOL DISTRICT

**Anti-Harassment/Bullying/Hazing Policy** Code No. 107

The West Delaware County Community School District is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. Bullying and/or harassment of or by students, staff, and volunteers is against federal, state, and local policy and is not tolerated by the board. Bullying and/or harassing behavior can seriously disrupt the ability of school employees to maintain a safe and civil environment, and the ability of students to learn and succeed. Therefore, it is the policy of the state and the school district that school employees, volunteers, and students shall not engage in bullying or harassing behavior in school, on school property, or at any school function or school-sponsored activity, and while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the school or school district.

The board prohibits harassment, bullying, hazing, or any other victimization; of students or employees, based on any of the following actual or perceived traits or characteristics, including but not limited to, age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, language, gender, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status.

If, after an investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures, which may include suspension or expulsion. If after an investigation a school employee is found to be in violation of this policy, the employee shall be disciplined by appropriate measures which may include termination. If after an investigation a school volunteer is found to be in violation of this policy, the volunteer shall be subject to appropriate measures, which may include exclusion from school grounds. “Volunteer” means an individual who has regular, significant contact with students.

Harassment and bullying mean any electronic, written, verbal, or physical act or conduct toward a student based on the individual’s actual or perceived age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, language, gender, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status, and which creates an objectively hostile school environment that meets one or more of the following conditions:

- Places the student in reasonable fear of harm to the student’s person or property;
- Has a substantially detrimental effect on the student’s physical or mental health;
- Has the effect of substantially interfering with the student’s academic performance; or
- Has the effect of substantially interfering with the student’s ability to participate in or benefit from the services, activities, or privileges provided by a school.

“Electronic” means any communication involving the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. “Electronic” includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, electronic text messaging or similar technologies.

Harassment and bullying may include, but are not limited to, the following behaviors and circumstances:

- Repeated remarks of a demeaning nature
- Implied or explicit threats concerning one's grades, achievements, property, etc.
- Demeaning jokes, stories, or activities directed at the student
- Unreasonable interference with a student's performance

Sexual harassment of a student by an employee may include but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- Submission to the conduct is made either implicitly or explicitly a term or condition of the student's education or benefits;
- Submission to or rejection of the conduct is used as the basis for academic decisions affecting that student; or
- The conduct has the purpose or effect of substantially interfering with the student's academic performance by creating an intimidating, hostile, or offensive education environment.

In situations between students and school officials, faculty, staff, or volunteers who have direct contact with students, bullying and harassment may also include the following behaviors:

- Requiring that a student submit to bullying or harassment by another student, either explicitly or implicitly, as a term or condition of the targeted student's education or participation in school programs or activities; and/or
- Requiring submission to or rejection of such conduct as a basis for decisions affecting the student.

A school employee, volunteer, or student, or a student's parent or guardian who promptly, reasonably, and in good faith reports an incident of bullying or harassment, in compliance with the procedures in the policy adopted pursuant to this section, to the appropriate school official designated by the school district, shall be immune from civil or criminal liability relating to such report and to participation in any administrative or judicial proceeding resulting from or relating to the report.

School employees, volunteers and students shall not engage in reprisal, retaliation, or false accusation against a victim, witness, or an individual who has reliable information about an act of bullying or harassment.

Retaliation against any person, because the person has filed a bullying or harassment complaint or assisted or participated in a harassment investigation or proceeding, is also prohibited. Individuals who knowingly file false harassment complaints and any person who gives false statements in an investigation shall be subject to discipline by appropriate measures, as shall any person who is found to have retaliated against another in violation of this policy. Any student found to have retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion. Any school employee found to have retaliated in violation of this policy shall be subject to measures up to, and including, termination of employment. Any

school volunteer found to have retaliated in violation of this policy shall be subject to measures up to, and including exclusion from school grounds.

Complaints shall be filed within 10 days of the event giving rise to the complaint or from the date the Complainant could reasonably become aware of such occurrence. The Complainant will state the nature of the complaint and the remedy requested. The Complainant shall receive assistance as needed.

The school or school district will promptly and reasonably investigate allegations of bullying or harassment. The building principal, Level 1 investigators or designee will be responsible for handling all complaints by students alleging bullying or harassment. The superintendent, Level 1 investigators or designee will be responsible for handling all complaints by employees alleging harassment.

If the Complainant is under 18 years of age, the Investigator may notify his or her parent(s)/guardian(s) that they may attend investigatory meetings in which the Complainant is involved. The complaint and identity of the Complainant, Respondent, or witnesses will only be disclosed as reasonably necessary in connection with the investigation or as required by law or policy. The investigation may include, but is not limited to the following:

- A request for the Complainant to provide a written statement regarding the nature of the complaint;
- A request for the individual named in the complaint (hereafter "Respondent") to provide a written statement;
- A request for witnesses identified during the course of the investigation to provide a written statement; and
- Review and collection of documentation or information deemed relevant to the investigation.

The Investigator shall consider the totality of circumstances presented in determining whether conduct objectively constitutes bullying or harassment. Upon completion of the investigation, the Investigator shall issue a report with respect to the findings.

It also is the responsibility of the superintendent, in conjunction with the investigator and principals, to develop procedures regarding this policy. The superintendent also is responsible for organizing training programs for students, school officials, faculty, staff and volunteers who have direct contact with students. The training will include how to recognize harassment and what to do in case a student is harassed. It will also include proven effective harassment prevention strategies. The superintendent will also develop a process for evaluating the effectiveness of the policy in reducing bullying and harassment in the school district.

The board will annually publish this policy. The policy may be publicized by the following means:

- Inclusion in the student handbook
- Inclusion in the employee handbook
- Inclusion in the registration materials
- Inclusion on the school or school district's web site

And a copy shall be made upon request by any person at the central administration office at 701 New Street, Manchester, IA 52057.

| | |
|---|---|
| Date adopted: | October 9, 1995 |
| Date reviewed: | November 17, 1997; November 16, 2010; December 7, 2015; January 9, 2017 |
| Date revised: | May 8, 2006; May 14, 2007; August 13, 2007; October 11, 2010; November 9, 2015; December 12, 2016 |

Legal References:

20 U.S.C. §§ 1221-1234i.
29 U.S.C. § 794
42 U.S.C. §§ 2000d-2000d-7.
42 U.S.C. §§ 12101 2*et. seq.*
Iowa Code §§ 216.9; 280.28; 280.3.
281 I.A.C. 12.3(6)
*Morse v. Frederick,* 551 U.S. 393 (2007)

WEST DELAWARE COUNTY COMMUNITY SCHOOL DISTRICT

**Notice of Non-Discrimination** Code No. 102.01

GRIEVANCE PROCEDURE

It is the policy of the West Delaware County Community School District not to discriminate on the basis of race, color, national origin, gender, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy please contact Mike Morrison, Equity Coordinator, West Delaware High School, 605 New Street, Manchester, Iowa 52057; 563-927-3515, extension 302; mikemorrison@w-delaware.k12.ia.us.

Students, parents of students, employees, and applicants for employment in the school district have the right to file a formal complaint alleging discrimination. The district has policies and procedures in place to identify and investigate complaints alleging discrimination. If appropriate, the district will take steps to prevent the recurrence of discrimination and to correct its discriminatory effects on the Complainant and others.

A Complainant may attempt to resolve the problem informally by discussing the matter with a building principal or a direct supervisor. However, the Complainant has the right to end the informal process at any time and pursue the formal grievance procedures outlined below. Use of the informal or formal grievance procedure is not a prerequisite to the pursuit of other remedies. Please note that informal processes and procedures are not to be used in certain circumstances (e.g., sexual harassment and sexual assault).

Filing a Complaint

A Complainant who wishes to avail himself/herself of this grievance procedure may do so by filing a complaint with the equity coordinator(s). An alternate will be designated in the event it is claimed that the equity coordinator or superintendent committed the alleged discrimination or some other conflict of interest exists. Complaints shall be filed within 15 days of the event giving rise to the complaint or from the date the Complainant could reasonably become aware of such occurrence. The Complainant will state the nature of the complaint and the remedy requested. The equity coordinator(s) shall assist the Complainant as needed.

Investigation

Within 15 working days, the equity coordinator will begin the investigation of the complaint or appoint a qualified person to undertake the investigation (hereinafter “equity coordinator”). If the Complainant is under 18 years of age, the equity coordinator shall notify his or her parent(s)/guardian(s) that they may attend investigatory meetings in which the Complainant is involved. The complaint and identity of the Complainant, Respondent, or witnesses will only be disclosed as reasonably necessary in connection with the investigation or as required by law or policy. The investigation may include, but is not limited to the following:

- A request for the Complainant to provide a written statement regarding the nature of the complaint;
- A request for the individual named in the complaint to provide a written statement;
- A request for witnesses identified during the course of the investigation to provide a written statement;
- Interviews of the Complainant, Respondent, or witnesses;

- An opportunity to present witnesses or other relevant information; and
- Review and collection of documentation or information deemed relevant to the investigation.

Within 60 working days, the equity coordinator shall complete the investigation and issue a report with respect to the findings.

The equity coordinator shall notify the Complainant and Respondent of the decision within 5 working days of completing the written report. Notification shall be by U.S. mail, first class.

Decision and Appeal
The complaint is closed after the equity coordinator has issued the report, unless within 10 working days after receiving the decision, either party appeals the decision to the superintendent by making a written request detailing why he/she believes the decision should be reconsidered. The equity coordinator shall promptly forward all materials relative to the complaint and appeal to the superintendent. Within 30 working days, the superintendent shall affirm, reverse, amend the decision, or direct the equity coordinator to gather additional information. The superintendent shall notify the Complainant, Respondent, and the equity coordinator of the decision within 5 working days of the decision. Notification shall be by U.S. mail, first class.

The decision of the superintendent shall be final.

The decision of the superintendent in no way prejudices a party from seeking redress through state or federal agencies as provided by in law.

This policy and procedures are to be used for complaints of discrimination, in lieu of any other general complaint policies or procedures that may be available.

If any of the stated timeframes cannot be met by the district, the district will notify the parties and pursue completion as promptly as possible.

Retaliation against any person, because the person has filed a complaint or assisted or participated in an investigation, is prohibited. Persons found to have engaged in retaliation shall be subject to discipline by appropriate measures.

Date adopted:
Date reviewed: April 14, 1997; January 9, 2006, September 13, 2010
November 9, 2015; January 9, 2017
Date revised: August 16, 2004; July 9, 2007; August 11, 2010;
October 12, 2015; December 12, 2016