

**Equal Employment
Opportunity/Affirmative
Action Program**

**Lone Tree Community School District
Lone Tree, Iowa
August, 2013**

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Lone Tree Community School District Equal Employment Opportunity/Affirmative Action Program

Lone Tree Community School District has developed an equal employment opportunity/affirmative action program to reflect its moral, ethical, and legal commitment to equity in employment activities and in educational services. The district's EEO/AA plan serves as an assurance to students, employees, and to the larger community of Lone Tree Community School District's efforts to comply with local, state, and federal regulations requiring equal employment opportunity, equal educational opportunity, and affirmative action. It is designed to support affirmative action practices that advance the representation and utilization of protected class members. It is not intended to be an end product, but rather an indication of an ongoing process toward accomplishing objectives and resolving conflict related to employment and educational equity within the school district.

Lone Tree Community School District Equal Employment Opportunity/Affirmative Action

Lone Tree Community School District declares and affirms to its students, employees, and to the public that it does not discriminate on the basis of sex, race, age, color, creed, national origin, religion, marital status, sexual orientation, gender identity, physical appearance, personality traits and/or disability in its education programs, activities, admission procedures, or employment practices. The Lone Tree Community School District affirms its commitment to comply with all applicable federal and state laws, regulations, and orders.

To assure that equal opportunity and non-discriminatory behavior is afforded to all students, employees, and applicants. Lone Tree Community School District recognizes the need for and the implementation of, an Equal Employment Opportunity/Affirmative Action plan.

Legal Reference: (Code of Iowa)

Title VI, Title VII, Civil Rights Act of 1964 (as amended by the EEO Act, 1972); Executive Order 11246 as amended by Exec. Order 11375. Equal Pay Act, 1963; Age Discrimination in Employment Act, 1967 (as amended); Title IX of the Educational Amendments of 1972, Section 503, 504 of the Rehabilitation Act of 1973 (as amended); Section 402 of the Vietnam Veterans Readjustment Assistance Act. Americans with Disabilities Act of 1990. Civil Rights Act of 1991, Chapter Iowa State Code. Executive Order 15. Chapter 69 of the Cedar Rapids Municipal Code (ordinance).

Date of –

Adoption: November 15, 2007

Administration of the Program

The Superintendent, principals, teachers and all other employees are charged with the responsibility for supporting and complying with equal opportunity/affirmative action principles.

Responsibility of the Superintendent

The Superintendent has ultimate responsibility for the administration of the EEO/AA program. The support for a commitment to equal opportunity in all facets of the district lies within the Office of the Superintendent. Under the direction of the Superintendent, staff members assume specific responsibilities for maintaining procedures in compliance with all relevant federal and state equal opportunity/affirmative action legislation.

The Superintendent is also responsible for insuring compliance with legal mandates for equal employment opportunity/affirmative action that are applicable to the district personnel. Such responsibilities include the review and revision of employment practices and procedures to comply with current employment legislation and with the policies of the Board of Education. The Superintendent maintains a system which monitors all recruitment, selection, and placement procedures to insure that non-discriminatory practices are being exercised. The Superintendent gives fair and impartial consideration to all requests and recommendations for employment to be processed through that office.

Responsibility of Administrative and Supervisory Personnel

All members of the administrative and supervisory staff will be familiar with equal employment opportunity/affirmative action guidelines, policies, and procedures as they affect employment activities within their departments/buildings. They exercise their supervisory responsibility to insure that persons under their direction are treated in an equitable manner, without regard to sex, race, age, color, creed, national origin, religion, marital status, sexual orientation, gender identity or disability. Administrative and supervisory staff members assist with the district's EEO/AAA program throughout the recruitment and selection process, and in any other employment actions or recommendations involving district personnel. It is also the responsibility of administrative and supervisory staff to keep the EEO/AA Officer informed of any complaints or incidents of a discriminatory nature of which they become aware.

Responsibility of the EEO/AA Officer

The district Superintendent serves as the EEO/AA Officer and is responsible for the review, continued development, and coordination of the EEO/AA Program. The EEO/AA Officer provides assistance to administrative and supervisory personnel in the continuous effort to afford equal opportunity to all segments of Lone Tree School. The EEO/AA Officer assists in the identification of problem areas and monitors steps to alleviate inequitable conditions and situations as they might arise. The EEO/AA Officer serves as a liaison with external civil rights agencies and processes internal discrimination complaints in

an effort to resolve them at the local EEO/AA program level. The EEO/AA Officer is involved in recruitment, selection, and other personnel activities to insure equitable treatment of all applicants and employees.

Officer: Michael Reeves, Superintendent
Lone Tree Community Schools
303 South Devoe Street
Lone Tree, Iowa 52755
319-629-4212

School Improvement Advisory Committee

The Superintendent (or designee) will provide an annual review of the district's EEO/AA Plan. Community input, through the Community Leadership Team, will be sought in the periodic review, development and coordination of the EEO/AA Program. Results from this periodic review of the district's EEO/AA Plan, recommendations, additions and/or revisions will be presented to the Lone Tree Community School District Board of Directors.

Program Goals and Activities

- Provide updated EEO/AA information to supervisory and administrative personnel
- Review all negotiated agreements and revise as needed
- Review discrimination/sexual harassment policies and procedures with new employees.
- Perform all recordkeeping functions such as job applicant data, and current work force data.
- Provide EEO/AA information to all administration and their search committee.

Discrimination and Sexual Harassment Complaint Process

All Lone Tree Community School employees and students who feel they have been denied equal opportunity on the basis of sex, race, age, creed, national origin, religion, marital status, sexual orientation, gender identity or disability may seek remedy through an internal complaint process. This process also pertains to those who feel they have been the subjects of sexual harassment. The district assures that full cooperation will be provided to any individual filing a complaint with no threat of penalty or reprisal to the complainant. If the complaint involves alleged discriminatory or harassing behavior by the EEO/AA Officer, the district's activities' director, *Tom Squiers*, should be contacted in lieu of the EEO/AA Officer wherever referenced in the following procedures.

Informal Inquiry

Individuals are encouraged to make informal inquiry to their immediate supervisor, teacher, or counselor, as soon as possible following the date of occurrence of the event giving rise to the complaint communication. The staff member contacted will report the incident to the building administrator for purposes of documentation and advice regarding the necessary steps of the complaint process. Every effort should be made to resolve the conflict at this time. If this is not possible, the individual will be referred to the EEO/AA Officer.

Informal Complaint Process

The EEO/AA Officer should be contacted immediately following the event giving rise to an alleged discrimination or harassment complaint or at the time the complainant becomes aware of such an event or situation. If a resolution has not been reached or is not possible through the informal process the following steps may be taken.

- **Step One** – The Lone Tree Community School requires that aggrieved persons who believe they have been the subject of sexual harassment or discriminated against because of gender, race, age, creed, color, national origin, religion, marital status, sexual orientation, gender identity, physical appearance, personality, and/or disability submit a written complaint to the EEO/AA Officer within thirty (30) calendar days of the occurrence of the event or situation. The written complaint should contain the date of the occurrence, location, party or parties involved, names of witnesses, the facts and/or rationale of the complaint, and the category (age, sex, disability, etc.).
- **Step Two** – The EEO/AA Officer will conduct an investigation based upon the complaint. The investigation will be conducted per the following process:
 - a. Meet with the person against whom the complaint is made and provide them with complete information of the complaint. The alleged perpetrator will have the opportunity to respond to the complaint at that time or may respond within the next five days.

- b. After the response has been made, the EEO/AA Officer will conduct the investigation through interviews with others who may have witnessed the incident or had been in the vicinity where the alleged behavior occurred.
 - c. The EEO/AA Officer will provide a written summary/report to the complainant and alleged perpetrator within thirty (30) calendar days of receipt of the complaint. The summary will include a thorough and documented review of the circumstances under which the alleged discrimination or harassment occurred.
- **Step Three** – The EEO/AA Officer will make recommendations for resolution of the complaint. If a satisfactory resolution can be arrived at, the terms of the resolution will be documented in writing and made part of the complaint file. In the event the complaint is found to be valid and involves an individual’s behavior, that person will receive appropriate counseling or disciplinary action. Disciplinary action may include a warning, written warning, suspension, or termination.
 - **Step Four** – If a satisfactory resolution has not been arrived at, the complainant will have ten (10) calendar days to request, in writing, that the Curriculum Coordinator review and adjudicate the complaint. The Curriculum Coordinator will review the complaint and within (10) calendar days take appropriate action to resolve the matter.
 - **Step Five** – All aggrieved persons are encouraged to process complaints of alleged discrimination or harassment through the internal procedures established for this purpose. However, the complainant may seek remedy at any time from the Iowa Civil Rights Commission, the Federal Equal Employment Opportunity Commission, or other appropriate agencies. The complaint must be filed within 180 days of the alleged discrimination. The complainant may withdraw the complaint at any time and resolution reached at any step of the process.

Definition of Sexual Harassment

Faculty, staff, and students at Lone Tree Community School District have a right to be free from sexual harassment in the Lone Tree Community School environment. Lone Tree Community School does not condone actions and words that a reasonable person would regard as sexually harassing or coercive.

Definition

Sexual harassment encompasses any sexual attention, from either gender, that is unwanted, and is defined as unwelcome advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- Submission is made an express or implied term or condition of employment or status in a class, program or activity;
- Submission to or rejection of the behavior is used to make an employment or educational decision (such as hiring, promotion, or grading a course);
- The conduct has the purpose or effect of reasonably interfering with a person’s work or educational performance or creates an intimidating, hostile, or offensive environment for work or learning, including harassment in the College Community environment from an outside party, such as a vendor.

Sexual harassment may take many forms, for example:

- Physical assault;
- Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, or grades;
- Direct propositions of sexual nature;
- Comments of a sexual nature;
- Sexually explicit statements, questions, jokes, or anecdotes;
- Unnecessary touching, patting, hugging, or brushing against a person's body;
- Remarks of a sexual nature about a person's clothing, body, about sexual activity, or about previous sexual experience.

Students, faculty, and staff need to be concerned not only with the intent of their actions of this kind, but also the effects; while sexual harassment involves repeated, unwanted sexual attention, persons involved in isolated or inadvertent incidents demonstrate an insensitivity toward others. Repeated occurrences will be considered intentional violations of the policy.

Employment Activities

All Lone Tree Community School personnel who recruit, interview, select, and make recommendations for employment, and employment actions such as training, promotion, performance appraisal, reassignment, disciplinary action, or discharge are required to adhere to the policies of the Board of Education.

- **Recruitment** – Lone Tree Community School demonstrates its commitment to affirmative action by practicing recruitment techniques designed to encourage employment applications from under-represented groups and by providing equal opportunity for all members of the community.
- **Selection and Placement** – No employee, prospective employee, or student shall be discriminated against in the selection or placement process because of sex, race, age, creed, color, national origin, religion, marital status, sexual orientation, gender identity or disability (except when a bona fide occupational qualification is proven to exist). Employment decisions are based solely upon the qualifications of the individual applicant.
- **Transfer, Promotion, Reassignment** – employment actions involving transfer, promotion, and reassignment are based upon employee qualifications and the needs of the district, and in adherence to the policies established by the Board of Education. External and internal position openings are publicized throughout the district and all qualified employees are given the opportunity to make application for them.
- **Training and Development** - Employment related to job improvement or personal and professional growth. Employers are urged to participate in district sponsored training programs and other educational experiences.

- **Compensation, Benefits, and Working Conditions** – Lone Tree Community School complies with all relevant state and federal legislation concerning the administration of wage, salary, fringe benefits, working conditions, and other privileges associated with employment. Information regarding these conditions is continually compiled, updated, and reviewed and action taken to eliminate any inequities based upon an employee’s sex, race, age, creed, color, national origin, religion, marital status, sexual orientation, gender identity or disability.
- **Disciplinary Action, Termination, and Retrenchment** – In the event that disciplinary action, termination, or retrenchment become necessary, procedures for these actions do not differ on the basis of the employee’s sex, race, age, creed, color, national origin, religion, marital status, sexual orientation, gender identity or disability. Any such action or recommendation is reviewed by the EEO/AA Officer. Alternatives to such action are explored and given consideration. Termination or disciplinary action is not used as punishment or harassment against any employee who has filed a complaint of discrimination against the school district.

Americans with Disabilities Act of 1990

Policy Statement

Lone Tree Community School District does not discriminate against qualified individuals with disabilities. The district provides reasonable accommodation(s), as required by law, to otherwise qualified applicants, employees, and students with disabilities in all work settings, education programs, activities, services, and practices, including application procedures, the awarding of diplomas, discipline, and dismissal. Educational, employment, or promotion opportunities will not be denied to an employee or students because of the need to make reasonable accommodation(s) or modification(s) for the physical and mental impairment(s) of any individual.

Dissemination

- Procedure – This Equal Employment Opportunity/Affirmative Action Program document will be posted on www.lone-tree.k12.ia.us. It will also be distributed electronically each spring to administrators during the hiring season. The district EEO/AA policy statement will be included in all major publications.

Glossary

Equal Employment Opportunity/Affirmative Action Terms

Affirmative Action – The legal necessity to maintain a recruitment and employment program that will affect a change in staffing patterns; an attempt to eliminate employment discrimination based upon sex, race, age, creed, color, national origin, religion, or disability.

BFOQ (Bona Fide Occupational Qualification) – It may be lawful to make an employment decision based upon an otherwise prohibited criteria if that qualification (BFOQ) is reasonably necessary to the normal operation of that particular business.

Compliance - Adherence to applicable equal employment opportunity or affirmative action regulations, and establishing methods for carrying out their requirements.

Disability (Handicap) – (1) Having a physical or mental impairment that substantially limits one or more of major life activities; (2) Having a record of such impairment; or (3) Being regarded as having such an impairment. Discrimination is present if employment is denied an individual based on existence of the handicap where the handicap is unrelated to the individual's ability to perform in that particular occupation.

Discrimination – Illegal treatment of a person or group of persons based upon their sex, race, age, creed, color, national origin, religion, or disability; also failure to remedy the effects of past discrimination.

Equal Employment Opportunity – The legal necessity to maintain programs to insure fair and equitable treatment of all employees and applicants regardless of sex, race, age, creed, color, national origin, religion, marital status, or disability.

Good Faith Efforts – Those actions required by affirmative action legislation and those an employer adopts voluntarily to achieve compliance.

Job Classification – One or group of jobs having similar content, wage, or salary, and career opportunities.

Minority – Persons who have identified themselves as American Indian or Alaskan Native, Asian or Pacific Islander, Black, or Hispanic.

Promotion – Any personnel action resulting in movement to a position affording higher pay, greater rank, and/or providing greater skill or opportunity to attain such.

Protected Classes – Those individuals whose employment and educational rights are specially addressed in local, state, and federal legislation based upon their history of discrimination as a group (i.e. women, minorities, the elderly, and disabled).

Reasonable Accommodation – Alterations, adjustments, or changes in the job, the workplace, and/or term or condition of employment which will enable an otherwise qualified disabled individual to perform a particular job successfully.

Reassignment (Transfer) – A lateral move from one position to another without an accompanying salary increase.

Recruitment – An effort to inform and encourage qualified employees and potential employees of job vacancies within the district; an effort to encourage students and potential students into educational programs.

Resolution – An agreement or informal conciliation between an employer and employee (or student) who has filed a complaint of discrimination against said employer.

Retrenchment – A reduction in the number of employees because of changes in institutional purposes or economic conditions affecting the district, including the loss of specific program enrollment.

Termination – Discontinuation of employment for cause.

Underrepresentation/Underutilization – Employment of members of a sex, race, age, disabled, or ethnic group in a job classification at a rate below their availability in the work force (numerical disparity).

