

# Winterset Affirmative Action Plan

2023-2025

EEO/AA



# Winterset Community School District Affirmative Action Compliance Program

## **School Board Members:**

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Julie Knobloch, Vice President  
Malcolm Cortner, Director  
Kirk Macumber, Director  
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## **Administrative Team:**

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Corey St. John, Director of Teaching and Learning  
Kendra Alexander, Coordinator of Student Services  
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Chad Sussex, Assistant High School Principal  
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Doug Hinrichs, Elementary Principal  
Katie Enos, Assistant Elementary Principal

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Corey St. John, Director of Teaching and Learning

## **Section 504 Coordinator/Americans with Disabilities Compliance Officer:**

Kendra Alexander, Coordinator of Student Services

## **Educational Equity Officer:**

Corey St. John, Director of Teaching and Learning

## **District Level 1 Investigators:**

Nicole Anderson  
Brittany Salton  
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## Introduction

The Winterset 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 Winterset Community School District complaint procedure in its entirety is located on the district website in the Board of Directors policy manual. Procedures for staff, parents, students, and community members are referred to in Board policies. Copies of the Affirmative Action Plan may be obtained at the Administration Office and on the District's website: [www.winterset.k12.ia.us](http://www.winterset.k12.ia.us)

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## EQUAL EDUCATIONAL OPPORTUNITY

It is the policy of the Winterset Community School District does not discriminate on the basis of race, color, national origin, creed, religion, sex, sexual orientation, gender identity, disability, age (for employment), socioeconomic status (for programs) and marital 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 Equity Coordinator, 303 Wambold Dr., Winterset, IA, (515) 462-2718. 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.

Legal Reference: 20 U.S.C. 1221 et seq. 20 U.S.C. 1681 et seq.  
20 U.S.C. 1701 et seq.  
29 U.S.C. 206 et seq.  
29 U.S.C. 794 42 U.S.C. 2000d and 2000c 42 U.S.C. 12101 et seq.  
34 C.F.R. Pt. 100 34 C.F.R. Pt. 104

Iowa Code 216.6; 216.9; 256.11; 280.3 281 I.A.C. 12.

## GRIEVANCE PROCEDURE

It is the policy of the Winterset Community School District not to discriminate on the basis of race, color, national origin, sex, 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 Equity Coordinator, 303 Wambold Dr., Winterset, IA (515) 462-2718.

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. 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 5 working 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 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 5 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.

**ANNUAL NOTICE OF NONDISCRIMINATION**

The Winterset Community School district offers career and technical programs in the following areas of study: Agriculture, Business, Industrial Technology, Family & Consumer Science and Marketing.

It is the policy of the Winterset Community School District not to discriminate on the basis of race, color, national origin, sex, 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 Equity Coordinator, 303 Wambold Dr., Winterset, IA, (515) 462-2718.

**CONTINUOUS NOTICE OF NONDISCRIMINATION**

It is the policy of the Winterset Community School District not to discriminate on the basis of race, color, national origin, sex, 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 Equity Coordinator, 303 Wambold Dr., Winterset, IA, (515) 462- 2718.

**SECTION 504 STUDENT AND PARENTAL RIGHTS**

The Winterset Community School District does not discriminate in its educational programs and activities on the basis of a student's disability. It has been determined that your child has a qualifying disability for which accommodations may need to be made to meet his or her individual needs as adequately as the needs of other students. As a parent, you have the right to the following:

Participation of your child in school district programs and activities, including extracurricular programs and activities, to the maximum extent appropriate, free of discrimination based upon the student's disability and at the same level as students without disabilities;  
 Receipt of free educational services to the extent they are provided students without disabilities;  
 Receipt of information about your child and your child's educational programs and activities in your native language;  
 Notice of identification of your child as having a qualifying disability for which accommodations may need to be made and notice prior to evaluation and placement of your child and right to periodically request a re-evaluation of your child;  
 Inspect and review your child's educational records including a right to copy those records or a reasonable fee; you also have a right to ask the school district to amend your child's educational records if you feel the information in the records is misleading or inaccurate; should the school district refuse to amend the records, you have a right to a hearing and to place an explanatory letter in your child's file explaining why you feel the records are misleading or inaccurate;

Hearing before an impartial hearing officer if you disagree with your child's evaluation or placement; you have a right to counsel at the hearing and have the decision of the impartial hearing officer reviewed.

It is the policy of the Winterset Community School District not to discriminate on the basis of race, color, national origin, sex, 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 504 Coordinator, 303 Wambold Dr., Winterset, IA (515) 462-2718.



**COMPLAINT FORM**  
(Discrimination, Anti-Bullying, and Anti-Harassment)

Date of complaint: \_\_\_\_\_

Name of Complainant: \_\_\_\_\_

Are you filling out this form for yourself or someone else (please identify the individual if you are submitting on behalf of someone else): \_\_\_\_\_

Who or what entity do you believe discriminated against, harassed, or bullied you (or someone else)? \_\_\_\_\_

Date and place of alleged incident(s): \_\_\_\_\_

Names of any witnesses (if any): \_\_\_\_\_

Nature of discrimination, harassment, or bullying alleged (check all that apply):

<input type="checkbox"/>	Age	<input type="checkbox"/>	Physical Attribute	<input type="checkbox"/>	Sex
<input type="checkbox"/>	Disability	<input type="checkbox"/>	Physical/Mental Ability	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Socio-economic Background
<input type="checkbox"/>	Gender Identity	<input type="checkbox"/>	Political Party Preference	<input type="checkbox"/>	Other – Please Specify:
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>	Race/Color		
<input type="checkbox"/>	National Origin/Ethnic Background/Ancestry	<input type="checkbox"/>	Religion/Creed		

In the space below, please describe what happened and why you believe that you or someone else has been discriminated against, harassed, or bullied. Please be as specific as possible and attach additional pages if necessary.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

WITNESS DISCLOSURE FORM

Name of Witness: \_\_\_\_\_

Date of interview: \_\_\_\_\_

Date of initial complaint: \_\_\_\_\_

Name of Complainant (include whether the Complainant is a student or employee): \_\_\_\_\_

Date and place of alleged incident(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Nature of discrimination, harassment, or bullying alleged (check all that apply):

<input type="checkbox"/>	Age	<input type="checkbox"/>	Physical Attribute	<input type="checkbox"/>	Sex
<input type="checkbox"/>	Disability	<input type="checkbox"/>	Physical/Mental Ability	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Socio-economic Background
<input type="checkbox"/>	Gender Identity	<input type="checkbox"/>	Political Party Preference	<input type="checkbox"/>	Other – Please Specify:
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>	Race/Color		
<input type="checkbox"/>	National Origin/Ethnic Background/Ancestry	<input type="checkbox"/>	Religion/Creed		

Description of incident witnessed:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Additional information: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

DISPOSITION OF COMPLAINT FORM

Date: \_\_\_\_\_

Date of initial complaint: \_\_\_\_\_

Name of Complainant (include whether the Complainant is a student or employee): \_\_\_\_\_

Date and place of alleged incident(s): \_\_\_\_\_

Name of Respondent (include whether the Respondent is a student or employee): \_\_\_\_\_

Nature of discrimination, harassment, or bullying alleged (check all that apply):

<input type="checkbox"/>	Age	<input type="checkbox"/>	Physical Attribute	<input type="checkbox"/>	Sex
<input type="checkbox"/>	Disability	<input type="checkbox"/>	Physical/Mental Ability	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Socio-economic Background
<input type="checkbox"/>	Gender Identity	<input type="checkbox"/>	Political Party Preference	<input type="checkbox"/>	Other – Please Specify:
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>	Race/Color	<input type="checkbox"/>	
<input type="checkbox"/>	National Origin/Ethnic Background/Ancestry	<input type="checkbox"/>	Religion/Creed	<input type="checkbox"/>	

Summary of Investigation:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## ANTI-BULLYING/HARASSMENT POLICY

The Winterset 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 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.

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.

Accordingly, school employees, volunteers, and students shall not engage in bullying or harassing behavior while on school property, while on school-owned or school-operated vehicles, while attending or participating in school-sponsored or sanctioned activities, and while away from school grounds if the conduct materially interferes with the orderly operation of the educational environment or is likely to do so.

Complaints may be filed with the superintendent or superintendent's designee pursuant to the regulation accompanying this policy. The superintendent is responsible for implementation of this policy and all accompanying procedures. Complaints will be investigated within a reasonable time frame. Within 24 hours of receiving a report that a student may have been the victim of conduct that constitutes bullying and/or harassment, the district will notify the parent or guardian of the student.

If as a result of viewing surveillance system data or based on a report from a school district employee, the district determines that a student has suffered bullying or harassment by another student enrolled in the district, a parent or guardian of the student may enroll the student in another attendance center within the district that offers classes at the student's grade level, subject to the requirements and limitations established in Iowa law related to this topic.

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 regulation, 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.

### **Retaliation Prohibited**

Individuals who knowingly file false bullying or harassment complaints and any person who gives false statements in an investigation may be subject to discipline by appropriate measures.

Any student found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion. Any school employee found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including, termination of employment. Any school volunteer found to have violated or retaliated in violation of this policy shall be subject to measures up to, and including, removal from service and exclusion from school grounds.

### **Definitions**

For the purposes of this policy, the defined words shall have the following meaning:

- "Electronic" means any communication involving the transmission of information by wire, radio, optic cable, electromagnetic, or other similar means. "Electronic" includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, and electronic text messaging. "Harassment" and "bullying" shall 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, 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:

1. Places the student in reasonable fear of harm to the student's person or property.
  2. Has a substantial detrimental effect on the student's physical or mental health.
  3. Has the effect of substantially interfering with the individual's academic or career performance. 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.
- "Trait or characteristic of the student" includes but is not limited to age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status.
  - "Volunteer" means an individual who has regular, significant contact with students.

### Publication of Policy

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 on the school or school district's web site
- (other) \_\_\_\_\_

NOTE: This is a mandatory policy. School districts are required to collect and report data regarding instances of bullying and harassment as required by law.

NOTE: Some conduct that falls under a school's anti-bullying/anti-harassment policy also may trigger responsibilities under one or more of the federal and state antidiscrimination laws. By limiting the response to a specific application of its anti-bullying/anti-harassment disciplinary policy and the accompanying procedures, a school may fail to properly consider whether the alleged conduct also results in discriminatory bullying and/or harassment.

Legal References:     20 U.S.C. §§ 1221-1234i  
                               29 U.S.C. § 794  
                               42 U.S.C. §§ 2000d-2000d-7  
                               42 U.S.C. §§ 12001 *et seq.*  
                               Iowa Code §§ 216.9; 280.3; 28  
                               281 I.A.C. 12.3(6)  
                               Morse v. Frederick, 551 U.S. 393 (2007)

## ANTI-BULLYING/HARASSMENT POLICY-INVESTIGATION PROCEDURES

The Winterset 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.

### Definitions

For the purposes of this policy, the defined words shall have the following meaning:

- “Electronic” means any communication involving the transmission of information by wire, radio, optic cable, electromagnetic, or other similar means. “Electronic” includes but is not limited to communication via electronic mail, internet-based communications, pager service, cell phones, and electronic text messaging.
- “Harassment” and “bullying” shall 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, 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 substantial detrimental effect on the student’s physical or mental health.
  - Has the effect of substantially interfering with a student’s academic performance.
  - 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.
- “Trait or characteristic of the student” includes but is not limited to age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status.
- “Volunteer” means an individual who has regular, significant contact with students.

### Filing a Complaint

An individual who believes that the individual has been harassed or bullied may file a complaint with the superintendent or superintendent’s designee. The complaint form is available on the district website. If the complainant is a school employee, after filing the complaint with the superintendent or superintendent’s designee, the employee may separately notify the parent or guardian of the student alleged to have been harassed or bullied.

An alternate investigator will be designated in the event it is claimed that the superintendent or superintendent’s designee committed the alleged bullying or harassment or some other conflict of interest exists. Complaints shall be filed within 30 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.

### Investigation

The school district will promptly and reasonably investigate allegations of bullying or harassment. The superintendent or the superintendent’s designee (hereinafter “Investigator”) will be responsible for handling all complaints alleging bullying or harassment.

*The investigation may include, but is not limited to the following:*

- *Interviews with the Complainant and the individual named in the complaint ("Respondent")*
- *A request for the Complainant to provide a written statement regarding the nature of the complaint;*
- *A request for the Respondent to provide a written statement;*
- *Interviews with witnesses identified during the course of the investigation;*
- *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 as defined in Board policy. Upon completion of the investigation, the Investigator shall issue a report with respect to the findings and provide a copy of the report to the appropriate building principal or Superintendent if the investigation involved the building principal.

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. Similarly, evidence uncovered in the investigation shall be kept confidential to the extent reasonably possible.

The administration may:

- Organizing training programs for students, school employees, and volunteers regarding how to recognize bullying and harassing behavior and what to do if this behavior is witnessed; and
- Developing a process for evaluating the effectiveness of this policy in reducing bullying and harassing behavior.

### **Decision**

The investigator, building principal or superintendent, depending on the individuals involved, shall inform the Complainant and the accused about the outcome of the investigation. If, after an investigation, a student is found to be in violation of the policy, the student shall be disciplined by appropriate measures, which may include suspension and 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.

Individuals who knowingly file false bullying and/or harassment complaints and any person who gives false statements in an investigation may 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.

ANTI-BULLYING/HARASSMENT COMPLAINT FORM

Name of complainant: \_\_\_\_\_

Position of Complainant: \_\_\_\_\_

Name of student or employee target: \_\_\_\_\_

Date of complaint: \_\_\_\_\_

Name of alleged harasser or bully: \_\_\_\_\_

Date & place of incident or incidents: \_\_\_\_\_

Nature of Discrimination or Harassment Alleged (Check all that apply)

<input type="checkbox"/>	Age	<input type="checkbox"/>	Physical Attribute	<input type="checkbox"/>	Sex
<input type="checkbox"/>	Disability	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Race/Color	<input type="checkbox"/>	Socio-economic Background/Status
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>	Religion/Creed	<input type="checkbox"/>	Other – Please Specify:
<input type="checkbox"/>	Gender Identity	<input type="checkbox"/>	Gender Identity	<input type="checkbox"/>	
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>	National Origin/Ethnic Background/Ancestry	<input type="checkbox"/>		<input type="checkbox"/>	

Description of misconduct: \_\_\_\_\_

Name of witnesses (if any): \_\_\_\_\_

Evidence of harassment or bullying, i.e., letters, photos, etc. (attach evidence if possible)

Any other information: \_\_\_\_\_

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



ANTI-BULLYING/HARASSMENT WITNESS DISCLOSURE FORM

Name of witness: \_\_\_\_\_

Position of witness: \_\_\_\_\_

Date of testimony, interview: \_\_\_\_\_

Description of incident witnessed: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Any other information: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

DISPOSITION OF ANTI-BULLYING/HARASSMENT COMPLAINT FORM

Name of complainant: \_\_\_\_\_

Name of student or employee target: \_\_\_\_\_

Grade and building of student or employee: \_\_\_\_\_

Name and position or grade of alleged perpetrator /respondent: \_\_\_\_\_

Date of initial complaint: \_\_\_\_\_

Nature of discrimination or harassment alleged (Check all that apply)

<input type="checkbox"/>	Age	<input type="checkbox"/>	Physical Attribute	<input type="checkbox"/>	Sex
<input type="checkbox"/>	Disability	<input type="checkbox"/>	Political Belief	<input type="checkbox"/>	Sexual Orientation
<input type="checkbox"/>	Familial Status	<input type="checkbox"/>	Race/Color	<input type="checkbox"/>	Socio-economic Background/Status
<input type="checkbox"/>	Marital Status	<input type="checkbox"/>	Religion/Creed	<input type="checkbox"/>	Other – Please Specify:
<input type="checkbox"/>	National Origin/Ethnic Background/Ancestry	<input type="checkbox"/>	Gender Identity		

Summary of investigation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## EQUAL EMPLOYMENT OPPORTUNITY

The Winterset 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 as recommended by the superintendent.

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, national origin, creed, religion, sex, sexual orientation, gender, identity, disability, age, socio economic status, and marital status. In keeping with the law, the Board will consider the veteran status of applicants.

Prior to a final offer of employment for any teaching position the school district will perform the background checks required by law. The district may determine on a case-by-case basis that, based on the duties, other positions within the district will also require background checks. Based upon the results of the background checks, the school district will determine whether an offer will be extended. If the candidate is a teacher who has an initial license from the BOEE, then the requirement for a background check is waived.

Advertisements and notices for vacancies within the district will contain the following statement: "The Winterset 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, Winterset Community School District, PO Box 30, Winterset, Iowa 50273; or by telephoning (515) 462-2718.

### EQUAL EMPLOYMENT OPPORTUNITY

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.

Legal Reference: 29 U.S.C. §§ 621-634  
 42 U.S.C. §§ 12101 et seq.  
 Iowa Code §§ 19B; 20; 35C; 73; 216; 279.8;  
 81 I.A.C. 12.4; 95.  
 281 I.A.C. 14.1;

**Administrative Statement**

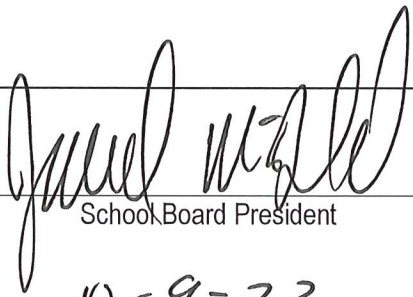

The Winterset Community School District has been, and will continue to be, an equal opportunity employer. This Affirmative Action Program has been adopted in an effort to increase the participation of women, minorities, and persons with disabilities in positions in which those groups are underrepresented. To help ensure full implementation of this policy, we will provide that:

Persons are recruited, hired and promoted for all jobs without regard to age, race, color, creed, religion, gender, gender identity, sexual orientation, marital status, national/ethnic origin, socio-economic status, genetic information or disability.

Other personnel actions such as compensation, benefits, transfers, layoffs, return from layoffs, and district sponsored programs and activities are administered without regard to age, race, color, creed, religion, gender, gender identity, sexual orientation, marital status, national/ethnic origin, socio-economic status, genetic information, or disability.

It is our policy to take affirmative action in the employment of qualified minorities, females/males, handicapped individuals and veterans as provided by Iowa Code Chapter 70. Reasonable accommodation will be provided whenever possible in our efforts to advance employment opportunities for handicapped individuals and disabled veterans.

The School Board and the administration are committed to equal opportunity and affirmative action. We expect all members of the staff to assist and support us in attaining these objectives of equal employment opportunity and affirmative action.

 _____ School Board President	 _____ Superintendent
10-9-23 _____ Date	10-9-23 _____ Date

## Legal Status and Compliance Requirements

State and federal laws prohibit discrimination in employment based on race, color, creed, religion, gender, gender identity, sexual orientation, marital status, national/ethnic origin, socio-economic status, genetic information or disability. Those laws apply to all aspects of the employer-employee relationship. Those laws are directed toward conduct which are those laws that regulate what may not be done.

Iowa law now requires each school district, area education agency and area school to "develop affirmative action standards." This program has been developed to meet the requirement of Iowa Code Section 19B11 (1989) and Department of Education rules in Iowa Administrative Code 281-Chapter 95.

"Affirmative Action" is defined as "action appropriate to overcome the effects of past or present practices, policies, or other barriers to equal employment opportunity." Thus, anti-discrimination law regulates what will not be done and affirmative action law specifies what will be done. The Iowa affirmative action law and rules apply to "recruitment, appointment, assignment, and advancement of personnel."

The term "underrepresentation" means having fewer members of a racial/ethnic group, women, men or persons with disabilities in a particular job category than would be reasonably expected based on their availability in the relevant labor market.

For purposes of affirmative action, the terms "disabled" and "person with a disability" mean "any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment or is regarded as having such impairment."

If the analysis that is required to be done by the school district identifies underrepresentation in a job category, objectives are required in an attempt to eradicate the underrepresentation. The objectives are not to be treated or understood as rigid and inflexible quotas that must be met, but as reasonable aspirations toward correcting imbalance in the workforce. Change can occur only when vacancies in job groups where underrepresentation exists, race, sex or disability will serve as selection criteria but will not be the sole criteria; such elements will serve as a "plus" factor for individuals from an underrepresented group who are equally qualified for the position to be filled.

## Legislative and Administrative Guidelines

In an effort to achieve Equal Employment Opportunity for all, the Winterset Community School District will be guided by the intent and mandate of relevant laws and regulations, including but not limited to the following:

- A. Civil Right Act of 1964 As Amended, 42 U.S.C. Section 200e et. Seq. Title VII, Section 703: It shall be unlawful employment practice for an employer
  - 1. To fail or refuse to hire or to discharge any individual, or otherwise discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, based on such individual's race, color, religion, sex or national origin;
  - 2. To limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin.
  - 3. It shall be an unlawful employment practice for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of his race, color, religion, sex, or national origin, or to classify or refer for employment any individual on the basis of his race, color, religion, sex, or national origin.
  
- B. Title IX Non-Discrimination in Federally Assisted Education Programs, 20 U.S.C. Section 1981
  - 1. Prohibits discrimination on the basis of sex against students in educational programs within educational agencies that receive federal funds.
  
- C. Fourteenth Amendment to the U.S. Constitution
  - 1. Section 1 declares that all persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the state wherein they reside and that no state shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law; nor deny persons within its jurisdiction the equal protection of the laws.
  
- D. The Vocational Rehabilitation Act of 1973, 29 U.S.C. Section 794 et, seq.
  - 1. Section 504. Prohibits discrimination based on handicap for both employment and the provision of services.
  
- E. Age Discrimination in Employment Act of 1967, 29 U.S.C. Section 621 et, seq.
  - 1. Seeks to prevent employment discrimination because of age against persons over the age of 40.
  
- F. The Equal Pay Act of 1963, 29 U.S.C. Section 206d
  - 1. The Equal Pay Act was the first federal law specifically aimed at correcting discrimination in employment. Basically, it mandates "Equal pay for equal work" regardless of sex. The law's three benchmarks for a job are skill, effort, and responsibility.
  
- G. Pregnancy Discrimination Act of 1978, 42 U.S.C. Section 2000e(k)
  - 1. The Pregnancy Discrimination Act of 1978 requires employers to provide the health and disability benefits to pregnant employees as would be provided to any other employee with a disability.
  
- H. Equal Employment Opportunity Commission (EEOC) Guidelines 29 CFR, paragraph 1608.1b (1985)
  - 1. The EEOC has issued guidelines that encourage employers to voluntarily undertake programs which, "Improve

Opportunities for minorities and women." The United States Supreme Court has generally deferred EEOC interpretation of Title VII and the guidelines, which support that agency's position.

I. Iowa Code Chapter 601A (1989)

1. The Iowa Civil Rights Act was adopted in 1965. The Act, as amended, prescribes the powers and duties of the Civil Rights Commission and the definitions of unfair practices related to employment, accommodations or services, housing education and credit. The Chapter contains the procedures for processing complaints of discrimination. Pursuant to the Act, it is unfair practice to discriminate in employment against any applicant for employment or any employee because of age, race, creed, color, national origin, religion or disability of such applicant or employee, unless based upon the nature of the occupation.

J. Iowa Code, Section 198.11 (1989)

1. This section of the Iowa Code requires equal employment opportunity and affirmative action in school districts, area education agencies, and community colleges. The State Board of Education adopted rules to implement Section 198.11, codified as Iowa Administrative Code 281-95 through 281-95.7. The rules require specific steps to accomplish the goals of affirmative action in the recruitment, appointment, assignment, and advancement of personnel.

K. Americans with Disabilities Act of 1990

1. Seeks to prevent employment discrimination because of age against persons over the age of 40.

## Affirmative Action Compliance Program

The Winterset Community School District has an established policy of Equal Employment Opportunity with respect to age, race, color, creed, religion, gender, gender identity, sexual orientation, marital status, national/ethnic origin, socio-economic status, genetic information or disability. The district has an established policy of taking affirmative action in recruitment, appointment, assignment, and advancement of women, minorities, and persons with disabilities. In order to effectively communicate and interpret the district's policies to all levels of the administration and all other employees, community and educational agencies, and the public in general, the following will be undertaken:

- A. Dissemination of Policy: Employees will be reminded annually of the district's written statement of policy through the student handbook, employee handbook, school calendar, and all employment applications.
- B. Employment advertisements will contain assurances of equal employment opportunity.
- C. All employment and recruiting sources where jobs are listed by the district will be reminded of our policy, both orally and in writing.
- D. All employees, including women, minority groups and employees with disabilities will receive compensation in accordance with the same standards. Opportunities for performing overtime work or otherwise earning increased compensation will be afforded to all qualified employees without discrimination based on age, race, color, creed, religion, gender, gender identity, sexual orientation, marital status, national/ethnic origin, socio-economic status, genetic information, or disability.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action shall be directed to the Winterset Community Schools appointed Affirmative Action/EEO Coordinator. This person can be reached by contacting the Winterset Community School's Administration Office (515) 462-2718.

Inquiries may also be directed, in writing, to the:

- o Office for Civil Rights, US Department of Health and Human Services, 601 East 12th Street, Room 353, Kansas City, MO 64106.
- o Iowa Civil Rights Commission, 400 East 14th Street, Des Moines, Iowa 50319-1004, (515) 281-4121 or 1-800-457-4416.

Such inquiry or complaint to the state or federal office may be done instead of, or in addition to, an inquiry or complaint at the local level.

The Affirmative Action plan will be reviewed and updated every two years.



# Quantitative Workforce Analysis

(as of September 2023)

	Hispanic or Latino		Male Staff						Female Staff						TOTALS
	M	F	W	B	A	H	I	2	W	B	A	H	I	2	
Administrators			2						1						3
Principals			3						1						4
Asst. Principals			1						1						2
Elementary Classroom Teachers			7						52						59
Secondary Classroom Teachers	1		22						31						54
Other Classroom Staff									3						3
Guidance									5						5
Other Professional Staff			1						5						5
Teacher Aides		2	5						59		1				67
Technicians			2												2
Clerical									11						11
Service			16						7						23
Laborers			5						1						6

W=White B=Black/African American

A=Asian

H=Native Hawaiian/Other Pacific Islander

I=American Indian/Alaskan Native

2=Two or More Races

# Quantitative Workforce Analysis

(as of September 2023)

Areas of underrepresentation were determined by the percentage of men, women, and minorities in the Winterset Community School District compared to percentage of men, women, and minority staff members.

Winterset Community School District

Staff		Females				Minorities			
		Representation		Goal	Y/N	Representation		Goal	Y/N
Job Group	Total	#	%	%	Under Representation	#	%	%	Under Representation
Administrators	3	1	33%		N	0	0	33%	Y
Principals	4	1	25%	50%	Y	0	0	25%	Y
Asst. Principals	2	1	50%	50%	N	0	0	50%	Y
Elementary Classroom Teachers	59	52	88%	60%	Y	0	0	40%	Y
Secondary Classroom Teachers	54	31	57%	50%	Y	0	0	50%	Y
Other Classroom Staff	3	3	100%	50%	N	0	0	25%	Y
Guidance	5	5	100%	50%	N	0	0	25%	Y
Other Professional Staff	6	5	83%	50%	N	0	0	25%	Y
Teacher Aides	67	59	88%	75%	N	3	4%	25%	Y
Technicians	2	0	0%	50%	Y	0	0	25%	Y
Clerical	11	11	100%	75%	N	0	0	25%	Y
Service	23	7	30%	50%	Y	0	0	25%	Y
Laborers	6	1	16%	50%	Y	0	0	25%	Y

# Numeric Goals

Winterset Community School District

<b>Job Group</b>	<b>Total</b>	<b>Females</b>	<b>Males</b>	<b>Minority</b>
Administrators	10	5	5	3
Principals	4	2	2	2
Assistant Principals	2	1	1	1
Elementary Classroom Teachers	59	40	19	5
Secondary Classroom Teachers	54	25	19	5
Other Classroom Staff	3	2	1	1
Guidance	5	3	2	1
Other Professional Staff	6	3	3	1
Teacher Aides	67	50	17	10
Technicians	2	1	1	1
Clerical	11	8	3	1
Service	23	10	13	3
Laborers	6	2	4	1

## Qualitative Strategies

Task	Responsibility	Target Date
Review all hiring materials, applications, and other personnel documentation	Superintendent	On-going Annually Spring each year
Review evaluation process, job descriptions, and evaluation instruments	Superintendent Administrative Team	On-going Annually Summer each year
Recruit minority employees in all employment areas	Superintendent Administrative Team	On-going
Advertise for all positions utilizing varied resources	Superintendent	On-going
Conduct stay interviews and/or exit interviews, as appropriate	Superintendent	On-going

### Monitoring

- Continue to maintain a record of staff employment and employee mobility;
- Analyze applicant pools;
- Maintain a record of exits;
- Develop a trend in resignations;
- Analyze data to determine what sources are beneficial to district for recruitment efforts;
- Analyze data to assist in recruitment efforts.

### Progress

Due to demographics in and around the geographical area, regarding recruitment of minorities, the district may continue to struggle; however, every opportunity will be utilized to continue efforts to increase diversity in our workforce.

## **Grievance Procedure**

Students, parents/guardians of students, employees, and applicants in the Winterset Community School District shall have the right to file a formal complaint alleging discrimination in programs and employment.

### **Level One – Principal or Immediate Supervisor**

Employees with a complaint of discrimination based upon their age, race, color, creed, religion, gender, gender identity, sexual orientation, marital status, national/ethnic origin, socio-economic status, genetic information or disability are encouraged to first discuss it with their principal or immediate supervisor with the goal of resolving the matter informally. A student, a parent/guardian of a student or an applicant for employment with a complaint of discrimination based upon their age, race, color, creed, religion, gender, gender identity, sexual orientation, marital status, national/ethnic origin, socio-economic status, genetic information or disability are encouraged to discuss it with the instructor, counselor, supervisor, building administrator, program administrator or personnel contact person directly involved.

### **Level Two – Equity Coordinator**

If the grievance is not resolved at level one and the grievant wishes to pursue the grievance, they may formalize it by filing a complaint in writing. The complaint shall state the nature of the grievance and the remedy requested. The filing of the formal/written complaint at level two must be within fifteen (15) working days from the date the event occurred or from the date the grievant could reasonably become aware. The grievant may request that a meeting concerning the complaint be held with the Educational Equity Coordinator. A minor student may be accompanied at that meeting by a parent or guardian. The Equity Coordinator shall investigate the complaint and attempt to resolve it. A written report from the Equity Coordinator regarding action taken will be sent to the involved parties within fifteen (15) working days after receipt of the complaint.

### **Level Three – Superintendent**

If the complaint is not resolved at level two, the grievant may appeal it to the superintendent by presenting a written appeal within ten (10) working days after the grievant receives the report from the equity coordinator. The grievant may request a meeting with the superintendent and/or his/her designee. The superintendent may request a meeting with the grievant to discuss the appeal. A decision will be rendered by the superintendent or his/her designee within ten (10) working days after the receipt of the written appeal.

This procedure in no way denies the right of the grievant to file formal complaints with the Iowa Civil Rights Commission, or the Iowa Department of Education for mediation or rectification of civil right grievances or to seek private counsel for complaints alleging discrimination. If in cases of a disability grievance, the issue is not resolved through the grievance process, students/parents/guardians have a right to a hearing with a third party outside of the school district to resolve the issue.

