

## **EQUAL OPPORTUNITY/AFFIRMATIVE ACTION**

### **Statement of Policy**

The Appleton Area School District does not discriminate on the basis of race, color, national origin, ancestry, marital status, pregnancy, parental status, age, sex, sexual orientation, gender identity, gender expression, arrest record, conviction, religion or physical disability, membership in the national guard, state defense force or any other reserve component of the military forces of the United States or Wisconsin, use or nonuse of a lawful product off school premises during nonworking hours, or any other reason prohibited by State or federal law. This practice applies to all terms and conditions of employment including, but not limited to, recruitment, appointment, training, layoff, promotion, discipline, leaves of absence, or termination. Exceptions to this policy may only be made in accordance with State and federal law.

All personnel responsible for hiring and promotion of employees and the development and implementation of programs and activities are charged to support this program, and shall provide leadership in carrying out its goals and objectives. Applications forms, hiring practices, and personnel administration shall be evaluated on a regular basis relative to equal opportunity employment.

The Appleton Area School District shall comply with State regulations and federal law and shall continue to work cooperatively with governmental and community organizations in ensuring equal employment and advancement opportunities. Complaints regarding the interpretation of this policy shall be referred to the administrative staff and processed in accordance with established procedures.

### **Dissemination of Policy**

1. The Appleton Area School District policy shall be posted in conspicuous places and the provisions of the Appleton Area School District policy regarding equal employment opportunities shall be clearly posted in accordance with federal laws and regulations.
2. The Appleton Area School District shall inform employment sources verbally and in writing of the Appleton Area School District policy to actively recruit and refer qualified candidates with protective status for all positions posted.
3. All job application forms will conspicuously state that the Appleton Area School District is an Equal Opportunity Employer.

### **Goals and Objectives**

The Appleton Area School District is in full accord with the fundamental principle that all persons are entitled to equal employment opportunities. The Affirmative Action Policy has, as its overall objective, the achievement and maintenance of an appropriate representation of various minority groups, persons with disabilities, and women at all levels of employment. The District will demonstrate sensitivity to the interests and needs of those who have historically been discriminated against.

**Recruitment**

The Appleton Area School District will comply with the following guidelines for recruitment to guarantee compliance with this policy:

1. The Appleton Area School District shall make every reasonable effort to recruit from all segments of the population to include persons with disabilities, minorities, and women and shall maintain the necessary records to evaluate the recruitment efforts in accordance with the intent of this policy.
2. Recruitment tools, applications, and employment questionnaires will not include requests for unneeded data or data that will identify persons according to age, race, color, creed, ethnicity, disability, marital status, sex, sexual orientation, national origin, arrest, or conviction record.
3. Advertising will include appropriate language to reflect the will and intent of the District to be an Equal Opportunity Employer.

**Cross References:** Employee Discrimination Complaint Procedure, 511-Rule  
Nondiscrimination on the Basis of Handicap/Disability 112.1

**Legal References:** Titles VI and VII of the Civil Rights Act of 1964, as amended by the  
Equal Opportunity Act of 1972  
Title IX Regulation Implementing Education Amendments of 1972  
Section 504, Rehabilitation Act of 1973  
Age Discrimination Act of 1975  
Immigration Reform and Control Act of 1986  
Americans with Disabilities Act of 1990  
Civil Rights Act of 1991  
Wisconsin State Statutes 111.31-111.395, 118.195 and 118.20

**Adoption Date: May 8, 1995**

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**EMPLOYEE DISCRIMINATION COMPLAINT PROCEDURE**

**Complaint Procedure**

Any person who believes that the School District or any part of the school organization has inadequately applied the principles and/or regulations of Title VI, Title VII, and Title IX, Section 504, or the Americans with Disabilities Act or has in some way violated the District's Equal Opportunity policy, may bring forward a complaint as outlined below:

- Step I** Any person who believes he/she has a valid basis for complaint shall attempt to resolve the complaint promptly by discussion with the building principal or, in the case of an employee, with his/her supervisor. The complaint should be in writing and describe inasmuch detail as possible the facts of the situation. The principal or supervisor shall keep a written record of the discussion, provide a copy to the complainant, and render a decision.
- Step II** If the complaint is not resolved in Step I, the complainant may file the complaint in writing with the Assistant Superintendent/Business and Personnel or designee. The Assistant Superintendent/Business and Personnel or designee, shall arrange a meeting to discuss the complaint. Subsequent meetings may be scheduled as agreed to by both parties. The Assistant Superintendent/Business and Personnel or designee, shall issue his/her decision, in writing, to the complainant after the final meeting regarding the complaint.
- Step III** If the complaint is not resolved in Step II, the complainant may file the complaint in writing with the Board Clerk. The Board shall consider the complaint at its next scheduled meeting at which time the complainant shall have the right to present his/her position to the Board. After the meeting, the Board shall advise the complainant in writing of the action taken with regard to the complaint.
- Step IV** If the complainant is not satisfied with the Board's decision, or in lieu of utilizing these complaint procedures, the complainant may pursue alternate actions available under State or federal laws (e.g. appeal to State Superintendent of Public Instruction (teachers), filing of complaint with Equal Rights Division of the Department of Workforce Development, the Office for Civil Rights-Region V, and/or the courts having proper jurisdiction).

Responses to discrimination complaints shall be within any timelines established by law.

**Maintenances of Complaint Records**

The maintenance of complaint records is recommended for the purpose of documenting compliance. Records should be kept for each complaint filed and, at a minimum, should include:

1. The name and address of the complainant and his/her title or status.
2. The date the complaint was filed.
3. The specific allegation made and any corrective action requested by the complainant.

## 511-Rule (cont.)

4. The name and address of the respondents.
5. The levels of processing followed, and the resolution, date, and decision-making authority at each level.
6. A summary of facts and evidence presented by each party involved.
7. A determination of the facts, statement of the final resolution, and the nature and date(s) of any corrective or remedial action taken.

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