

Newell-Fonda Community School District Affirmative Action Plan

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Statement of Non-Discrimination

It is the policy of the Newell-Fonda Community School not to discriminate on the basis of 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 in its education programs, activities, or employment policies as required by Title VI and VII of the 1964 Civil Rights Act, Title IX of the 1972 Education Amendments, and Section 504 of the Federal Rehabilitation Act of 1973. Questions or grievances related to this policy may be addressed to the district's Equity Coordinator, Alynn Coppock, at Newell-Fonda Community Schools, 205 Clark Street, Newell, IA, 50568 or call 712-272-3325.

Administrative Statement

It is the policy of the Newell-Fonda Community School District to provide equal employment opportunities to all applicants and staff in all aspects of employment, including recruitment, hiring, retention, assignment, transfer, promotion, and training. Such equal employment opportunity shall be provided without unlawful discrimination based on race, color, national origin, sex, disability, religion, creed, age, marital status, sexual orientation, gender identity, and socioeconomic status.

The following Affirmative Action Plan will outline the steps to be taken to ensure that District policies and practices do not unlawfully discriminate against an individual on the basis of race, color, national origin, sex, disability, religion, creed, age, marital status, sexual orientation, gender identity, socioeconomic status. Furthermore, reasonable steps will be taken to actively promote employment opportunities to qualified individuals in groups that are underutilized in the workforce.

The Equity Coordinator of the District is assigned responsibility for implementing the Affirmative Action Plan. However, it is emphasized that every employee is expected to comply with and facilitate the ultimate success of this program.

The Affirmative Action Plan will be reviewed each year and update of the plan will be conducted every five years. The superintendent or his/her designee will report to the Board, as part of standard reporting procedures, progress in the implementation of the District's Affirmative Action Plan.

Copies of the Affirmative Action Plan will be made available to all interested parties.

Purpose

It is the purpose of the Affirmative Action Plan for the District to promote, monitor, and maintain the District's Affirmative Action and equal opportunity policies. These policies provide for equal employment opportunities for all employees and applicants for employment without unlawful discrimination on the basis of race, color, national origin, sex, disability, religion, creed, age, marital status, sexual orientation, gender identity, or socioeconomic status and promote diversity in the workforce.

It is the purpose of this workforce analysis to identify, at all levels of the workforce, areas of underutilization of groups and to identify and address, when possible, the factors that may be causing such underutilization. The Affirmative Action Plan is designed to promote outreach, recruitment, training and education efforts intended to expand the pool of qualified applicants to promote diversity, consistent with the District's standards of excellence.

The District's plan advances equal employment opportunities without preferential treatment on the basis of race, gender ethnicity, or national origin. The plan is also designed to ensure that District policies are properly implemented without lawful discrimination on the basis of race, color, national origin, sex, disability, religion, creed, age, marital status, sexual orientation, gender identity, and socioeconomic status.

Responsibility for Implementation and Maintenance of the Plan

- A. The Equity Coordinator has the overall responsibility for the development, implementation, coordination, and monitoring of the Affirmative Action Plan and is responsible for ensuring the administrators and supervisors are fully aware of their role in supporting the plan.
- B. The Superintendent or his/her designee is charged with the responsibility of making know the District's desire and commitment to employ members of groups through regular and frequent contact with community groups and employment agencies through identifying, to the extent possible, persons with requisite skills and talents for projected openings throughout the District. The Superintendent or his/her designee shall ensure that recruitment efforts are reaching protected groups as well as unprotected groups in all categories where underutilization exists.

State census gender data breakdown is 50.4% females and 49.6% males. Gender breakdown in Buena Vista County is 49.3% females and 50.7% males. When we look at State ethnicity data we see that 92.8% of the State population is Caucasian or white followed by 5.3% Hispanic, 3.2% African American, 2.0% Asian, .5% American Indian/Alaskan Natives, and 1.6% other. In comparison, local ethnicity statistical data show 88.3% Caucasian, 24.5% Hispanic, 2.7% African American, 6.8% Asian, .5% American Indians/Alaskan Natives, and 1% other. Statistical data was not available for status of disabled veterans.

A specific analysis was completed for each of the following job categories: Certificated Teachers, Certificated Administrators, Classified Administrative Assistants/Secretary, Classified Para/Educators/Teacher Associates, Custodians/Maintenance, Food Service, and Transportation.

District Data

Minorities - 2012-13

Group	Total #	Total Minorities	% Minority	Black	Asian	Hisp	White	Other
Certified Teacher	40	1	2%	0	0	1	39	0
Certified Admin	3	0	0	0	0	0	3	0
Classified Paras	9	0	0	0	0	0	9	0
Secretary	5	0	0	0	0	0	5	0
Custodian	4	1	25%	0	0	0	3	1
Food Service	7	0	0	0	0	0	7	0
Trans- portation	4	0	0	0	0	0	4	0
Media	1	0	0	0	0	0	1	0
Counselor	2	0	0	0	0	0	2	0
Tech	2	0	0	0	0	0	2	0
TOTAL	77	2	27%	0%	0%	1%	98%	1%

Gender

Groups	Total Employees	Total Males	% Males	Total Females	% Females
Certified Teacher	40	10	25%	30	75%
Certified Admin	3	2	67%	1	33%
Classified Paras	9	0	0%	9	100%
Secretary	5	0	0%	5	100%
Custodian	4	2	50%	2	50%
Food Service	7	0	0%	7	100%
Transportation	4	3	75%	1	25%
Media	1	0	0%	1	100%
Counselor	2	0	0%	2	100%
Tech	2	2	100%	0	0%
TOTAL	77	19	25%	58	75%

Utilization Analysis By Job Category - Identification of Problem Areas

A. Certified Administrators - This job category includes the superintendent and principals.

Groups	2013	2013 Percent Group	2008	2008 Percent Group
Minorities	0	0%	0	0%
Males	2	67%	2	67%
Females	1	33%	1	33%

B. Teachers - This category includes all certificated teachers from preschool to grade 12 including special education teachers.

Groups	2013	2013 Percent Group	2008	2008 Percent Group
Minorities	1	2%	1	1%
Males	10	25%	8	22%
Females	30	75%	28	77%

C. Administrative Assistants/Secretary/Business Manager - This job category includes building and district office secretaries.

Groups	2013	2013 Percent Group	2008	2008 Percent Group
Minorities	0	0%	0	0%
Males	0	0%	0	0%
Females	4.5	100%	5	100%

D. Para Educators/Teacher Associates - This job category includes building and department para educators including interpreters and other classified support employees.

Groups	2013	2013 Percent Group	2008	2008 Percent Group
Minorities	0	0%	0	0%
Males	0	0%	0	0%
Females	9	100%	12	100%

E. Classified Custodial and Maintenance - This job category includes maintenance and custodians.

Groups	2013	2013 Percent Group	2008	2008 Percent Group
Minorities	1	25%	0.5	11%

Groups	2013	2013 Percent Group	2008	2008 Percent Group
Males	3	75%	3	67%
Females	1	25%	1.5	33%

F. Classified Transportation - This job category includes bus drivers.

Groups	2013	2013 Percent Group	2008	2008 Percent Group
Minorities	0	0%	0	0%
Males	4	80%	4	80%
Females	1	20%	1	20%

G. Classified Food Service - This job category includes food service workers.

Groups	2013	2013 Percent Group	2008	2008 Percent Group
Minorities	0	0%	0	0%
Males	0	0%	0	0%
Females	7	100%	7	100%

Student Demographics 2008

Groups	Total Students	Males	Females	Black	Asian	Hispanic	White	Other
N-F Students	418	202	216	2	0	44	369	3

Total Students	Spec Ed #	Spec Ed %	ELL #	ELL %	Low SES #	Low SES %
418	39	9.3%	29	6.9%	152	36.3%

Student Demographics 2013

Groups	Total Students	Males	Females	Black	Asian	Hispanic	White	Other
N-F Students	463	222	241	2	0	81	371	9

Total Students	Spec Ed #	Spec Ed %	ELL #	ELL %	Low SES #	Low SES %
463	32	7%	54	12%	231	50%

The Hispanic student population at Newell-Fonda has doubled in the past 5 years, which is also reflective of the trends in Buena Vista County. The diversity across the State and Buena Vista County is greater than what is reflected at Newell-Fonda, however, has increased in the past 5 years. The female staff is still disproportionate to the number of male staff by +50%.

B. Relevant Labor Markets

At the beginning of 2013, the total civilian labor force of Buena Vista County was 10720 of which 49.5% were female. The racial breakdown included 82.7% white, 2.3% black, 0% American Indian, 5.3% Asian, and 9.7% Hispanic. In the past few years there has been an increase in minority participation in the Iowa labor force.

A crucial step in developing an Affirmative Action Plan is determination of an appropriate of an appropriate “relevant labor market” which is defined as the area in which it is reasonable to recruit persons who are qualified for a particular position.

It is recommended that the “relevant labor market areas” for job groups be as listed below. Availability percentages are based on these “relevant labor market areas.”

Position	Labor Market
Central Office	Iowa and surrounding states
Principals	Iowa and surrounding states
Classroom Teachers and Other Professional Staff	Iowa
Educational Assistants, Office Staff, Custodial Workers, Media Technicians	Buena Vista County and other surrounding counties

Work Force Analysis “Availability”

Comparable information about people who are available for specific positions is not easily available. However, a reasonable indicator for certified staff in Central Office administrative positions is the participation rate on the basis of race and gender as employed by all Iowa public schools in 2012-13 and reported in the Annual Condition of Education Report issued by the Iowa Department of Education.

Characteristics of Iowa Full-Time Teachers 2000-2001, 2011-2012, and 2012-13

Characteristics	2000-2001	2011-2012	2012-2013
Average Age	42.2	41.8	41.5
Percent Female	70.5%	74.9%	75.1%
Percent Minority	1.8%	2.2%	2.2%
Percent Advanced Degree	27%	33%	32.9%
Average Total Experience	15.1	14.4	14.1
Average District/AEA Experience	11.9	11	10.8

Characteristics of Iowa Full-Time Principals 2000-2001, 2011-2012, 2012-2013

Characteristics	2000-2001	2011-2012	2012-2013
Average Age	47.8	46.4	46.0
Percent Female	30.6%	40.7%	41.1%
Percent Minority	3.5%	2.3%	2.4%
Percent Advanced Degree	96%	86.2%	84.1%
Number of Teachers	22.4	20.6	19.8
Average District/AEA Experience	11.8	9.6	9.4
Number of Principals	1,124	1,163	1,156

Characteristics of Iowa Beginning Full-Time Teachers 2000-2001, 2011-2012, 2012-2013

Characteristics	2000-2001	2011-2012	2012-2013
Average Age	28.5	26.9	27.3
Percent Female	71.6%	74.8%	75.4%
Percent Minority	2.8%	2.8%	2.5%
Percent Advanced Degree	5.9%	11.5%	9.3%
Number of Teachers	1,660	1,161	1,559

Source: Iowa Department of Education, Bureau of Information and Analysis

The next step in the process is to determine the demographic composition of the relevant labor market.

For support staff availability, the percentage of all job applicants for all job categories in Buena Vista County was used. This was done because there are no certification requirements and there is a wide disparity in the qualifications of persons who are eligible for support staff positions. The same percentages were used for service workers, media and information technologists, and custodial employees.

The availability percentages for the administrative group and classroom teachers were based on the percentages of persons employed as teachers and building principals in Iowa public schools as reported in the 2012-13 Annual Condition of Education Report from the Iowa Department of Education. Since many Superintendents are selected from the ranks of practicing building principals, the percentage of persons currently working as building principals was used as the relevant labor market.

Qualitative Goals and Action Programs to Achieve Goals

Goal #1 - *Job Analysis, Recruitment and Selection*

The district's goal is to see purposely and actively a diverse pool of qualified applicants from all groups, for certificated and classified positions on all levels to ensure an increase in opportunity for members of underrepresented groups to be considered for employment by the district.

Action -

*Analyze job descriptions and the hiring process to make sure that qualification requirements and screening criteria are based on specific job functions and do not have the effect of screening out applicants who have the ability to perform district jobs.

*Ensure that recruitment efforts include and attempt to reach various groups. Focus recruitment on efforts that ensure communication with underrepresented groups and other applicants.

*Increase the awareness of equal employment opportunity among all personnel involved in hiring and have the Superintendent and/or his/her designee monitor all hiring.

*Ensure that accurate information is maintained regarding the demographic make-up of the district's workforce.

Goal #2 - Education and Training

The district's goal is to promote a culture of respect and diversity in the workplace and to ensure that members of the district community are aware of the Affirmative action Plan and their roles and responsibilities in enforcing the district's policies concerning equal employment opportunity.

Action -

*Continue an emphasis on developing strategies at each building to increase gender equity and multi-cultural opportunities in both the instructional and activities programs. Each staff member has the responsibility for carrying out the equal employment strategies as outline in the Affirmative Action Plan adopted by the district.

*Provide support for schools to develop and carry out multi-cultural and gender equity training programs and special projects.

*Provide regular training and emphasis on providing a working environment free from unlawful discrimination.

Goal #3 - Preventing Employment Discrimination Based on Gender

We include this goal and the following objectives to ensure that the district does not discriminate against any person on the basis in employment, recruitment, promotion or advancement, and in order to incorporate the requirements of gender equality.

Action -

*Maintain credential requirements for all personnel.

*Make no differentiation in pay scale on the basis of gender.

*Make no differentiation in the assignment of school duties on the basis of gender, except when there is a compelling need for such qualifications based on the nature of

the duties: e.g. an assignment that involved supervising students in areas or situations where persons might be disrobed.

*Provide the same opportunities for advancement without regard to gender.

*Make no difference in conditions of employment including, but not limited to, hiring practices, leaves of absence, hours of employment and assignment of, or pay for, instructional and non-instructional duties based on gender.

Goal #4 - Workforce Analysis Results

We include this goal and the following objectives to ensure that the district actively pursues employment of underutilized represented groups.

Action -

1. When feasible, employ individuals from different ethnic backgrounds.
2. When feasible, employ more males at the elementary level.
3. There is an underutilization of males in the food service department.
4. When feasible, employ bilingual certified and non-certified staff.
5. When feasible, employ more male support staff.

Qualitative Goals Data & Analyses

Representation/Under-Representation Chart
Minorities - 2012-13

Group	Total #	Total Minorities	% Minority	Underrepresented
Certified Teacher	40	1	2%	Yes
Certified Admin	3	0	0	Yes
Classified Paras	9	0	0	Yes
Secretary	5	0	0	Yes
Custodian	4	1	25%	Yes
Food Service	7	0	0	Yes
Trans- portation	4	0	0	Yes
Media	1	0	0	Yes

Group	Total #	Total Minorities	% Minority	Underrepresented
Counselor	2	0	0	Yes
Tech	2	0	0	Yes

Gender

Group	Total #	Total # of Females	% Females	Underrepresented
Certified Teacher	40	30	75%	No
Certified Admin	3	1	33%	Yes
Classified Paras	9	9	100%	No
Secretary	5	5	100%	No
Custodian	4	2	50%	No
Food Service	7	7	100%	No
Transportation	4	1	25%	Yes
Media	1	1	100%	No
Counselor	2	2	100%	No
Tech	2	1	50%	No

This comparability displayed in the above chart does show an underrepresentation of the minority population in all employability groups. There is only an underrepresentation of gender in the administrative staff, the custodial staff, and the transportation staff.

The following identified goals shall not be treated as rigid and inflexible quotas that must be met, but as reasonable aspirations toward correcting imbalance in the work force.

When setting these goals, the District considered the following:

1. number and percentages format he work force analysis
2. the number of short-and long-term projected vacancies in each job category
3. the availability of qualified or qualifiable persons from underrepresented racial and gender categories within the relevant labor market
4. the makeup of the student population
5. the makeup of the population served by racial/ethnic origin, gender and disability
6. the makeup of the population of the statistic area
7. the absence of a minority base

Newell-Fonda Analysis:

- a. ELL population has almost doubled in past 5 years (6.9% to 12%)
- b. Low SES population has increased 14% in past 5 years (36.3% to 50%)
- c. 5 years ago our student population was 88% white. Our student population is currently 80% white.
- d. 75% of teaching staff is female. (2 males in elementary, 2 males in middle school, 6 males in high school)
- c. 16 support staff - all female
- d. 7 cooks - all white and female
- e. 5 bus drivers - 1 female and 4 male, all white
- f. 1 female administrator, 2 male administrators, all white

Numerical Goals:

For the 2014-15 and 2015-16 school years the Newell-Fonda Community School District shall aspire to increase minority participation through the employment of:

(Below data is subject to vacancy of positions and availability of qualified candidates.)

Females:

- 1 Administrator
- 1 Transportation

Males:

- 1 male at each level

Minorities:

- 1 Administrator
- 2 Teachers
- 1 Paraprofessional
- 1 Secretary
- 1 Transportation
- 1 Food Service
- 1 Counselor

The District will make every effort to:

Task	Responsibility	Time Lines
Broaden and target recruitment efforts	Superintendent/Affirmative Action Coordinator	During March
Advertise on state job data bases for licensed staff	Superintendent/Affirmative Action Coordinator	During March
Advertise in local papers for vacancies for hourly staff	Superintendent/Affirmative Action Coordinator	When Available
Provide equal employment opportunity, affirmative action, and intergroup relations training for employees	Superintendent/Affirmative Action Coordinator	Ongoing
Review the current hiring, placement, salary, and benefit package for licensed staff	Superintendent/Affirmative Action Coordinator	During April
Review/Revise job descriptions for accuracy and sexist language	Superintendent/Affirmative Action Coordinator/School Board	Ongoing

These goals and timetables do not cause qualified members of any group to be excluded from consideration. In the selection process for filling vacancies where underrepresentation exists, race, sex, or disability will serve as selection criteria but will not be the sole criteria. Such elements may serve as a “plus” factor for individuals from an underrepresented group who are qualified for the position to be filled.

Equity Coordinator

Alynn Coppock
 Newell-Fonda High School Principal
 205 Clark Street
 Newell, IA 50568
 712-272-3325
coppocka@newell-fonda.k12.ia.us

Superintendent

Jeff Dicks
205 Clark Street
Newell, IA 50568
712-272-3324

dicksj@newell-fonda.k12.ia.us

School Board

Roger Sarchet - President
Kyle Scheidegger, Vice President
Chris Mercer
Geoff Smith
John Sievers

Marcia Johnson - Board Secretary/Treasurer

APPENDIX

Board Policy on Non-discrimination
Board Policy on Affirmative Action
Board Policy on Harassment and Bullying

EDUCATIONAL EQUITY POLICY STATEMENT

The board will not discriminate in its educational activities on the basis of 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.

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.

The board is committed to the policy that no otherwise qualified person will be excluded from educational activities on the basis of 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. Further, the board affirms the right of all students and staff to be treated with respect and to be protected from intimidation, discrimination, physical harm or harassment.

Legal Reference: 20 U.S.C. §§ 1221 et seq. (2004).
20 U.S.C. §§ 1681 et seq. (2004).
20 U.S.C. §§ 1701 et seq. (2004).
29 U.S.C. § 794 (2004).
42 U.S.C. §§ 12101 et seq. (2004).
34 C.F.R. Pt. 100 (2004).
34 C.F.R. Pt 104 (2004).
Iowa Code §§ 216.9; 256.11, .11A; 280.3 (2007). 281 I.A.C. 12.5.

Cross Reference: Educational Philosophy of the School District
Equal Employment Opportunity
Objectives for Equal Educational Opportunities for Students
Student Records Access

Approved: 7-6-93

Last Reviewed: 6-10-13

Revised: 11-10-08; 10-14-13

TITLE VI, TITLE IX, AND SECTION 504 GRIEVANCE PROCEDURE

Any student or employee of the Newell-Fonda Community School shall have the right to file a formal complaint alleging non-compliance with regulations outlined in Title VI of the 1964 Civil Rights Act, Title IX of the Education Amendments of 1972 and Section 504 of the Rehabilitation Act of 1973.

Level One - Principal or Immediate Supervisor

Any employee with a grievance of discrimination on the basis of age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, ancestry, political party preference, political belief, socioeconomic status, or familial status may first discuss it with his/her principal or immediate supervisor, with object of resolving the matter informally. An applicant for employment with a complaint of discrimination based upon their age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, disability, ancestry, political party preference, political belief, socioeconomic status, or familial status are encouraged to first discuss it with the personnel contact person. This paragraph is for employees and "marital status" is not a protected class for employees.

A student with a complaint of discrimination on the basis of 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 may discuss it with his/her teacher, counselor or building administrator.

Level Two - Title VI, title IX, and Section 504 Compliance Officer

If the grievance is not resolved at level one and the employee or students wishes to pursue the grievance, the employee or student may formalize it by filing a complaint in writing on a Compliance Violation Form, which may be obtained from the Compliance Officer. 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 date of the event giving rise to the grievance or from the date the grievant could reasonably become aware of such occurrence. The grievant may request that a meeting concerning the complaint be held with the Compliance Officer. A minor student may be accompanied at that meeting by a parent or guardian. The Compliance Officer shall investigate the complaint and attempt to resolve it. A written report from the Compliance Officer regarding action taken will be sent 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 process it to level three by presenting a written appeal to the Superintendent within ten (10) working days after the grievant receives the report from the Compliance Officer. The grievant may request a meeting with the Superintendent or his/her designee. The Superintendent or his/her designee has the option of 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 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, other agencies available for mediation or rectification of affirmative action grievances, or to seek private counsel for complaints alleging discrimination.

Title VI, Title IX and Section 504 Compliance Officer

NAME Alynn Coppock, High School Principal

OFFICE ADDRESS Newell-Fonda Community School

PHONE NUMBER (712) 272-3324

OFFICE HOURS Monday – Friday 8:00 a.m. - 4:00 p.m.

Approved: 7-6-93

Last Reviewed: 6-10-13

Revised: 11-10-08;

10-14-13, 1-13-14

Code No.
104.1 E1

**Newell-Fonda Community School District
Title VI, Title IX and Section 504 Grievance Form**

Today's Date _____

Complaint's
Name(s) _____
Initial Last Name First Name

Address _____

City _____ State _____ Zip Code

Telephone Number

Circle One:

**Student Employee Parent in behalf of student Other in behalf student/
employee**

Circle One:

Title VI grievance Title IX grievance Section 504 grievance

Specifics of Complaint (describe below, including any dates of alleged discrimination).
Attach an extra page if necessary.

If you wish, please describe any corrective action you would like to see taken with regard to
the possible civil rights violation. Attach an extra page if necessary.

Signature of Complainant

*Inquiries regarding compliance with Title IX, Title VI, or Section 504 may be directed to the Alynn
Coppock, Newell-Fonda Community School, Newell, Iowa, Phone (712) 272-3324 or to the Office for Civil
Rights , US Department of Education, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, IL
60661-7204.*

Name of
Grievant _____

ANTI-BULLYING/HARASSMENT POLICY

Harassment and bullying of students and employees are against federal, state and local policy, and are not tolerated by the board. The board 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. To that end, the board has in place policies, procedures, and practices that are designed to reduce and eliminate bullying and harassment as well as processes and procedures to deal with incidents of bullying and harassment. Bullying and harassment of students by other students, by school employees, and by volunteers who have direct contact with students will not be tolerated in the school or school district.

The board prohibits harassment, bullying, hazing, or any other victimization, of students, 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, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status. Harassment against employees based upon the employee's age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, ancestry, political party preference, political belief, socioeconomic status, or familial status is also prohibited.

This policy is in effect while students or employees are on property within the jurisdiction of the board; while on school-owned or school-operated vehicles; while attending or engaged in school-sponsored activities; and while away from school grounds if the misconduct directly affects the good order, efficient management and welfare of the school or school district.

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.

When looking at the totality of the circumstances, harassment and bullying mean any electronic, written, verbal, or physical act or conduct toward a student which is based on any actual or perceived trait or characteristic of the student 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; and/or
- Unreasonable interference with a student's performance

Sexual harassment of a student by an employee means 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.

Any person who promptly, reasonably, and in good faith reports an incident of bullying or harassment under this policy to a school official, shall be immune from civil or criminal liability relating to such report and to the person's participation in any administrative, judicial, or other proceeding relating to the report. Individuals who knowingly file a false complaint may be subject to appropriate disciplinary action.

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.

The school or school district will promptly and reasonably investigate allegations of bullying or harassment. The Building Principal or designee will be responsible for handling all complaints by students alleging bullying or harassment. The Superintendent or designee will be responsible for handling all complaints by employees alleging harassment.

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 board.

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

and a copy shall be made to any person at the central administrative office at 205 S. Clark Street, Newell, IA.

Approved 8-13-07

Last Reviewed 6-10-13

Revised 11-12-07; 10-14-13

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 and place of incident
or incidents:

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

Age

Physical Attribute

Sex

Disability

Physical/Mental Ability

Sexual Orientation

Familial Status

Political Belief

Socio-economic Background

Gender Identity

Political Party Preference

Other – Please Specify:

Marital Status

Race/Color

National Origin/Ethnic Background/Ancestry

Religion/Creed

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: / /

Code No. 104.2 E2

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:

/ /

Code No. 104.2 E3

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)

Age

Physical Attribute

Sex

Disability

Physical/Mental Ability

Sexual Orientation

Familial Status

Political Belief

Socio-economic Background

Gender Identity

Political Party Preference

Other – Please Specify:

Marital Status

Race/Color

National Origin/Ethnic Background/Ancestry

Religion/Creed

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: / /

Code No. 104.2 R1
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ANTI-BULLYING/HARASSMENT INVESTIGATION PROCEDURES

Individuals who feel that they have been harassed should:

Communicate to the harasser that the individual expects the behavior to stop, if the individual is comfortable doing so. If the individual wants assistance communicating with the harasser, the individual should ask a teacher, counselor or principal to help.

If the harassment does not stop, or the individual does not feel comfortable confronting the harasser, the individual should:

- tell a teacher, counselor or principal; and
- write down exactly what happened, keep a copy and give another copy to the teacher, counselor or principal including:
 - what, when and where it happened;
 - who was involved;
 - exactly what was said or what the harasser did;
 - witnesses to the harassment;
 - what the student said or did, either at the time or later;
 - how the student felt; and
 - how the harasser responded.

COMPLAINT PROCEDURE

An individual who believes that the individual has been harassed or bullied will notify the Superintendent, the designated investigator. The alternate investigator is the building Principal. The investigator may request that the individual complete the Harassment/Bullying Complaint form and turn over evidence of the harassment, including, but not limited to, letters, tapes, or pictures. The complainant shall be given a copy of the completed complaint form. Information received during the investigation is kept confidential to the extent possible.

The investigator, with the approval of the principal, or the principal has the authority to initiate an investigation in the absence of a written complaint.

INVESTIGATION PROCEDURE

The investigator will reasonably and promptly commence the investigation upon receipt of the complaint. The investigator will interview the complainant and the alleged harasser. The alleged harasser may file a written statement in response to the complaint. The investigator may also interview witnesses as deemed appropriate.

Upon completion of the investigation, the investigator will make written findings and conclusions as to each allegation of harassment and report the findings and conclusions to the principal. The investigator will provide a copy of the findings of the investigation to the principal.

Code No. 104.2 R1
Page 2 of 2

ANTI-BULLYING/HARASSMENT INVESTIGATION PROCEDURES

RESOLUTION OF THE COMPLAINT

Following receipt of the investigator's report, the principal may investigate further, if deemed necessary, and make a determination of any appropriate additional steps which may include discipline.

Prior to the determination of the appropriate remedial action, the principal may, at the principal's discretion, interview the complainant and the alleged harasser. The principal will file a written report closing the case and documenting any disciplinary action taken or any other action taken in response to the complaint. The complainant, the alleged harasser and the investigator will receive notice as to the conclusion of the investigation. The principal will maintain a log of information necessary to comply with Iowa Department of Education reporting procedures.

POINTS TO REMEMBER IN THE INVESTIGATION

- Evidence uncovered in the investigation is confidential.
- Complaints must be taken seriously and investigated.
- No retaliation will be taken against individuals involved in the investigation process.
- Retaliators will be disciplined up to and including suspension and expulsion.

CONFLICTS

If the investigator is a witness to the incident, the alternate investigator shall investigate.

EQUAL EMPLOYMENT OPPORTUNITY

The Newell-Fonda Community School District shall provide equal opportunity to all employees and applicants for employment in accordance with all applicable Equal Employment Opportunity and Affirmative Action laws, directives and regulations of federal, state and local governing bodies and opportunity to all employees and applicants for employment includes hiring, placement, upgrading, transfer or demotion, recruitment, advertising or solicitation for employment, treatment during employment, rates of pay or other forms of compensation, and layoff or termination.

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 State Department of Education for the class or position for which they apply. In employing school district personnel, the board shall consider the qualifications, credentials, and records of the applicants without regard to age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, disability, ancestry, political party preference, political belief, socioeconomic status, or familial status. In keeping with the law, the board shall consider the veteran status of applicants.

This policy shall be reviewed by the administration at least one time per year. Employees shall be given notice of this policy annually.

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.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action, including but not limited to complaints of discrimination, shall be directed to the Affirmative Action Coordinator, Alynn Coppock, by writing to Affirmative Action Coordinator, Newell-Fonda Community School District, 205 Clark St., Newell, Iowa 50568; or by telephoning at 712/272-3324.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity, including but not limited to complaints of discrimination, may also be directed, in writing, to the Director of the Iowa Civil Rights Commission, the Director of the Region VII office of Civil Rights, Department of Education, Kansas City, Missouri for discrimination in educational matters, or to the Director of the Region VII office of Equal Employment Opportunity, Milwaukee, Wisconsin for discrimination in employment matters. Such inquiry or complaint to the federal office may be done instead of, or in addition to, an inquiry or complaint at the local level.

The district's AA/EOE plan including the procedures for filing a grievance is available in the district's central administrative office.

Legal Reference: 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 Iowa Admin. Code 12.4; 95.
281 Iowa Admin. Code 14.1.

Cross Reference: *Equal Educational Opportunity*
Bullying/Harassment
Certificated Personnel Recruitment, Qualifications, Selection
Non-certificated Personnel Recruitment, Qualifications, Selection

Approved: 8-5-93

Last Reviewed: 7-8-13

Revised: 11-10-08; 10-14-13, 1-13-14