

POLICY 4110  
EQUAL EMPLOYMENT OPPORTUNITY  
AND AFFIRMATIVE ACTION

The District is an equal opportunity employer. Personnel administration in the district shall be conducted so as not to discriminate on the basis of age, race, creed, religion, color, sex, pregnancy, sexual orientation, national origin, disability, political affiliation, handicap, marital status, ancestry, citizenship, arrest or conviction record, 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 non-use of lawful products off school premises during non-working hours, or any other reason prohibited by state or federal law. This policy shall apply to hiring, placement, assignment, formal and informal training, seniority, transfer, promotion, lay-off, recall and termination. Similarly, all salaries, wages, benefit programs and personnel policies shall be administered in conformity with this policy.

Reasonable accommodations shall be made for qualified individuals with a disability or handicap, unless such accommodations would impose an undue hardship to the District.

Any applicant or employee who believes he/she has been discriminated against in violation of this policy may file a complaint. Responsibility for overseeing the District's equal employment opportunity and affirmative action programs and investigating discrimination complaints is assigned to the Office of Human Resources.

All employees will receive information and training regarding rights and responsibilities regarding discrimination considerations as they relate to employment.

LEGAL REF.: Wisconsin Statutes  
Sections 111.31-111.395 (Fair employment standards - employment discrimination)  
118.195 (Handicapped teacher discrimination)  
118.20 (Teacher discrimination, including sexual harassment)  
Title VI and VII of the Civil Rights Act of 1964, as amended by the Equal  
Employment Opportunity Act of 1972 (Race, color, national origin  
discrimination; general employment discrimination)  
Title IX, Education Amendments of 1972 (Sex discrimination)  
Section 504, Rehabilitation Act of 1973 (Handicap discrimination)  
Age Discrimination Act of 1975 (Age discrimination)  
Pregnancy Discrimination Act (Pregnancy, childbirth, or related medical conditions  
discrimination)  
Immigration Control and Reform Act of 1986 (Citizenship discrimination)  
Americans with Disabilities Act of 1990 (Disability discrimination)  
Civil Rights Act of 1991 (Penalties for discrimination law violations)

CROSS REF.: Policy 4111, Employee Harassment  
Employee Handbook

ADMINISTRATIVE REGULATIONS: None

AFFIRMED: April 22, 1991

REVISED: January 26, 1993

March 22, 1994  
March 9, 1999  
June 27, 2000  
September 23, 2014  
October 28, 2014  
March 28, 2017

RULE 4110

EMPLOYEE DISCRIMINATION COMPLAINT PROCEDURE

The Office of Human Resources is responsible for coordinating compliance with state and federal nondiscrimination laws and the district's equal employment opportunity and affirmative action policy.

Any employee or applicant for employment who believes he/she has been discriminated against in violation of state and federal nondiscrimination laws or the District's equal employment opportunity policy may file a complaint as outlined below. If it is determined that a violation has occurred, appropriate steps shall be taken to ensure compliance with state and federal nondiscrimination laws and district policy.

INFORMAL PROCEDURE

The district promotes the voluntary resolution of problems at the level of government closest to their source and, as such, encourages informal resolution of employment discrimination complaints. If a complaint cannot be solved informally, the complainant may initiate a formal complaint as outlined below. An informal resolution of a complaint does not prohibit the filing of a formal complaint at any time.

FORMAL COMPLAINT PROCEDURE

The timelines governing the resolution of the formal complaint do not go into effect until the written complaint is received.

Step 1: The complaint shall be presented in writing to the Office of Human Resources and shall include the specific nature of the alleged discrimination, the facts (including specific details and corresponding dates), and the name, address, and phone number of the complainant.

The Office of Human Resources shall thoroughly investigate the complaint, notify the employees who have been accused of discrimination and permit them to respond to the allegation and arrange a meeting to discuss the complaint with all concerned parties within 15 working days after receipt of the written complaint, if deemed necessary. The Office of Human Resources shall give a written answer to the complaint within fifteen (15) working days after receipt of the written complaint.

Step 2: If the complainant is not satisfied with the answer from the Office of Human Resources, he/she may submit a written appeal to the superintendent of schools or designee indicating with particularity the nature of disagreement with the answer. The appeal must be filed within 15 working days after the receipt of the answer in Step 1. The superintendent shall arrange a meeting with the complainant and other affected parties, if requested by the complainant, at a mutually agreeable time to discuss the appeal. The superintendent shall give a written answer to the complainant's appeal within 15 working days.

Step 3: If the complainant is not satisfied with the answer of the superintendent, he/she may file the complaint with the board of education by submitting a written appeal to the superintendent within 10 working days after receipt of the superintendent's answer. The board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the complaint. The board shall give a written answer to the complaint within 10 working days following the completion of the hearing.

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Nothing in these procedures shall preclude persons from filing a complaint directly, or on appeal with designated agencies as authorized by state and federal law (e.g., U.S. Office of Civil Rights, State Superintendent of Public Instruction, Equal Rights Division of the Department of Workforce Development) and/or with courts having proper jurisdiction.

**MAINTENANCE OF COMPLAINT RECORDS**

Records shall be kept of all employment discrimination complaints for the purpose of documenting compliance and past practices. The records shall include information on all levels of the complaint and any appeals. The records should include:

1. The name 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.
4. The name(s) 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 statement of the final resolution and the nature and date(s) of any corrective or remedial action taken.