

## EQUAL OPPORTUNITY EMPLOYMENT AND NONDISCRIMINATION

The Rice Lake Area School District is an equal opportunity employer. The Board of Education's goal and expectation is that the District shall maintain policies, practices, and a workplace environment that (1) do not unlawfully discriminate against any employee or applicant for employment, and (2) facilitate a timely, appropriate, and proportionate response to any complaint, report, or concern regarding possible unlawful discrimination, harassment or retaliation in employment. The District's commitment to nondiscrimination and to taking appropriate corrective action when needed encompasses all aspects of employment and personnel administration, including recruitment, hiring, training, assignments, compensation, evaluation, and discipline.

Accordingly, the District shall not unlawfully discriminate against any employee or applicant for employment on the basis of race, color, religion, national origin, citizenship, ancestry, creed, political or religious affiliation, pregnancy, age, marital status, parental status, sexual orientation, sex, or physical, mental, emotional, learning disability, arrest or conviction record, military service, use or nonuse of a lawful product off school premises during nonworking hours, declining to attend a meeting or to participate in any communication about religious matters or political matters, the authorized use of family or medical leave or worker's compensation benefits, genetic information, or any other basis prohibited by applicable law.

The term "unlawful discrimination, harassment and retaliation" as used in this policy encompasses any unlawful adverse employment action, any unlawful harassment, or other unlawful denial of employment-related rights, benefits, or privileges that is based on any legally-protected status or classification. Specific state and federal laws and regulations further define the practices and conduct that do (or do not) constitute unlawful discrimination, harassment or retaliation with respect to each protected status or classification. The District also prohibits and shall appropriately address reports or complaints of any alleged, unlawful retaliation that arise in connection with state and federal employment rights. Additional District policies, including Board of Education Policy 113 and Board of Education Policy 512, further address equal employment opportunities and the District's prohibition against employment-related discrimination and prohibited retaliation.

In the pursuit of providing an appropriate workplace environment that is free from unlawful discrimination, harassment or retaliation, the District reserves all discretion and authority to receive reports of, investigate, intervene in, and implement an appropriate response for:

- The conduct of District officials, District employees, and certain non-employees (contractors, volunteers, vendors, visitors, etc.) that may constitute or that could reasonably contribute to a finding of unlawful discrimination, harassment or retaliation affecting a District employee or applicant for employment.
- Conduct by a District official or employee that occurs while off-duty or away from a District workplace that has a legally-sufficient connection to District employment or to a District workplace (e.g., while off-duty, a supervisor sexually harasses a District employee).

- Workplace-related conduct by District officials or employees that the District determines (1) has no legitimate business purpose and improperly interferes with the efficient operation of the District; (2) improperly interferes with the work, education, or well-being of others; or (3) violates any Board of Education policy or any other legitimate District work rule, directive, or expectation, even when such conduct may not be connected to a legally-protected status or prohibited by law.

Accommodations Based on Disability or Religious Beliefs/Practices. To the extent required by law, the District will make reasonable accommodations in its employment practices for qualified individuals with a disability. The District shall also reasonably accommodate the religious beliefs and practices of an employee to the extent required by law. Applicants or employees may submit requests for such accommodations or otherwise identify a potential need for such accommodations by contacting the employee's immediate supervisor.

Policy Provisions Incorporated by Reference. The following provisions of Board of Education Policy 113, which addresses the District's commitment to nondiscrimination across all aspects of the District's programs, activities, and operations, are applicable to this employment-focused policy and are incorporated by reference:

- Notice that the prohibitions against sex discrimination established by Title IX of the federal Education Amendments of 1972 ("Title IX") and by the regulations set forth in Chapter 106 of Title 34 of the Code of Federal Regulations ("the federal Title IX regulations") apply to the District and extend to District employment. Conduct that constitutes sexual harassment under Title IX will be addressed pursuant to the District's Title IX Policy (See Policy and Rule 114).

The staff member holding the following position serves as the District's designated Student Nondiscrimination Coordinator, with a primary focus on student matters and other non-employment-related matters:

Laurie Johnson  
Director of Special Education and Pupil Services  
30 Phipps Avenue  
Rice Lake, WI 54868  
715-234-9007  
johnsonl@ricelake.k12.wi.us

The staff member holding the following position serves as the District's designated Equal Employment Opportunities Coordinator, with a primary focus on employment-related matters:

Mark Beise  
High School Assistant Principal  
30 S. Wisconsin Avenue  
Rice Lake, WI 54868  
715-234-9007  
beisem@ricelake.k12.wi.us

- The designation of nondiscrimination coordinators, including the District's Title IX Coordinator(s). Board of Education Policy 113 and 114 also provides the direct contact information for such coordinators.
- Procedures under which any person may submit a report, concern, or allegation of unlawful discrimination, harassment, or retaliation.
- Procedures and conditions under which an individual who is alleged to be the victim of conduct that could constitute sexual harassment under the federal Title IX regulations (i.e., a

Title IX “complainant”) may file a “formal complaint” of “sexual harassment,” as those terms are defined in 34 C.F.R. §106.30.

- The prohibition that no official, employee, or agent of the District or any other person may intimidate, threaten, coerce, or unlawfully discriminate against any individual (1) for the purpose of interfering with any right or privilege secured by any nondiscrimination statute or related regulation, or (2) because the individual has made a report or complaint, or testified, assisted, participated, or exercised a legal right to refuse to participate in any manner in an investigation or proceeding conducted under this policy or any other District nondiscrimination policy.
- The limitations on the extent to which the District can provide or assure confidentiality, but also the commitment to observe any specific confidentiality requirements established by state or federal law.
- The prohibition against bad faith conduct and abuse of process in connection with any report or complaint of possible unlawful discrimination, harassment or retaliation.
- The responsibility of the administration to issue/post all required notices related to this policy and to the state and federal laws that prohibit employment discrimination.
- The responsibility of the administration to maintain adequate records relating to reports and complaints of unlawful discrimination, harassment or retaliation.

Deadline for Submitting a Report or Complaint. There is no absolute deadline for a person to submit a report or complaint under this policy. The District always has an interest in being made aware of potential concerns with prohibited discrimination, harassment, or retaliation. However, employees are expected to make such reports promptly, and any other person who has a complaint or concern involving such a matter is strongly encouraged to notify the District or pursue a complaint as soon as reasonably possible after the occurrence of the relevant events. A material gap in pursuing a complaint or concern can affect the extent to which it is practical to investigate the matter, and a delay may also limit the range of remedies and resolutions that are reasonably available. Further, it is important for employees to know that, under some circumstances, certain legal remedies for alleged discrimination may be unavailable if the employee fails to take timely action on their complaint or claim or unreasonably fails to take advantage of preventive or corrective opportunities (such as a complaint procedure) provided by the employer (WI Chapter 893; U.S.C 1983). If the District dismisses a report or complaint under this policy due to lack of timeliness, an actual party in interest may seek reconsideration of the decision to the extent provided under Board of Education Policy 114.

Complaint Procedures. Except as provided in Board of Education Policy 113 in connection with formal complaints of Title IX sexual harassment or as otherwise required by any law, a report or complaint identifying circumstances or allegations that could constitute employment-related discrimination, harassment or retaliation under this policy will be processed according to the discrimination complaint procedures that the District has established under this policy.

Consequences for Violations. Any person who is determined to be responsible for any form of unlawful discrimination, harassment or retaliation, any act of prohibited retaliation, or other violation

of a District nondiscrimination policy, including this policy, is subject to appropriate disciplinary action and/or other appropriate consequences that are within the District's lawful authority.

In addition, any employee or authorized agent of the District who, considering the duties, responsibilities, and expectations established for their position/role, fails to reasonably respond to complaints or reports of alleged unlawful discrimination, harassment or retaliation, or who otherwise fails to reasonably act on their knowledge of a possible violation of a nondiscrimination law or a District nondiscrimination policy, is also subject to possible disciplinary action.

Legal Ref:     Section 111.31 – 111.395 Wisconsin Statutes  
                  Section 118.195 Wisconsin Statute  
                  Section 118.20 Wisconsin Statute  
                  Subch. II of Chapter III  
                  WI Chapter 893  
                  20 U.S.C. § 1681 et seq.; 42 U.S.C. §2000d et seq.; 42 U.S.C. §12111 et seq.; 42  
                  U.S.C. §12131 et seq.; 42 U.S.C. §2000ff et seq.; 29 U.S.C. §794 et seq.; 29 U.S.C.  
                  §621 et seq.; 38 U.S.C. 4301 et seq.; 8 U.S.C. §1324b(a); 11 U.S.C. §525; U.S.C.  
                  1983

Cross Ref:     813 Rule Discrimination Complaint Procedures; 830 Use of School Facilities

Adopted:       12/18/78

Revised:       04/08/96  
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