

### **EQUAL OPPORTUNITY EMPLOYMENT**

The School District of Rib Lake an equal opportunity employer. The School Board'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 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 disability, race, color, ancestry, national origin, citizenship, sex (including sex-based stereotypes and an employee's transgender status), sexual orientation, marital status, pregnancy (including childbirth and medical conditions related to pregnancy or childbirth), age, religion, creed, political or religious affiliation, 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.

In the pursuit of providing an appropriate workplace environment that is free from unlawful discrimination (including harassment) 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 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 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 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.
- The designation of nondiscrimination coordinators, including the District's Title IX Coordinator.
- Procedures under which any person may submit a report, concern, or allegation of prohibited discrimination or prohibited 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 discrimination 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 discrimination 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 his/her complaint or claim or unreasonably fails to take advantage of preventive or corrective opportunities (such as a complaint procedure) provided by the employer. 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.

Complaint Procedures. Except as provided 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 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, 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 discrimination 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 References

### Wisconsin Statutes

Subch. II of Chapter 111 [the state fair employment and nondiscrimination statutes, including specific prohibited bases of discrimination (sections 111.31 to 111.395)]

Section 118.195 [discrimination against teachers with disabilities]

Section 118.20 [teacher/administrator discrimination prohibited]

### Federal Law

20 U.S.C. §1681 et seq. [Title IX of the Education Amendments of 1972, as amended, prohibiting sex discrimination in federally-supported educational programs; implementing regulations at 34 C.F.R. Part 106]

42 U.S.C. §2000e et seq. [Title VII of the Civil Rights Act of 1964, as amended, prohibiting employment discrimination based race, color, national origin, sex, pregnancy, and religion; implementing regulations at 29 C.F.R. Ch. XIV]

42 U.S.C. §2000d et seq. [Title VI of the Civil Rights Act of 1964, as amended, prohibiting discrimination on the basis of race, color, or national origin in any program or activity that receives federal funds; implementing regulations at 28 C.F.R. Part 42, Subpart C]

<u>42 U.S.C. §12111 et seq.</u>	[The Americans with Disabilities Act, Title I, as amended, prohibiting employment discrimination based on a qualifying disability; implementing regulations at 29 C.F.R. <u>Part 1602</u> and <u>Part 1630</u> ]
<u>42 U.S.C. §12131 et seq.</u>	[The Americans with Disabilities Act, Title II, as amended, nondiscrimination based on disability by state and local governments; implementing regulations at <u>28 C.F.R. Part 35</u> ]
<u>42 U.S.C. §2000ff et seq.</u>	[Genetic Information Nondiscrimination Act, as amended; implementing regulations at <u>29 C.F.R. Part 1635</u> ]
<u>29 U.S.C. §794 et seq.</u>	[Section 504 of the Rehabilitation Act of 1973, as amended, prohibiting discrimination based on a qualifying disability by recipients of federal funds; implementing regulations at <u>34 C.F.R. Part 104</u> , <u>28 C.F.R. Part 42</u> , <u>Subpart G</u> , and <u>29 C.F.R. Part 1640</u> ]
<u>29 U.S.C. §621 et seq.</u>	[Age Discrimination in Employment Act, as amended; implementing regulations at <u>29 C.F.R. Parts 1625 to 1627</u> ]
<u>38 U.S.C. 4301 et seq.</u>	[Uniformed Services Employment and Reemployment Rights Act, as amended; implementing regulations at <u>20 C.F.R. Part 1002</u> ]
<u>8 U.S.C. §1324b(a)</u>	[prohibiting employment discrimination based on national origin and citizenship status; implementing regulations at <u>28 C.F.R. Part 44</u> ]
<u>11 U.S.C. §525</u>	[employment discrimination based on certain bankruptcy-related statuses and proceedings]

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