

Non-Discrimination, Affirmative Action and Equal Employment Opportunity

Des Moines Schools

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www.dmschools.org

Purpose

This complaint procedure has been developed to handle complaints of

- Discrimination,
- Harassment,
- Sexual harassment
- Employees, applicants for employment, parents, students, and volunteers can file a complaint.

The Des Moines Public Schools prohibit discrimination in employment programs and activities based on

age	race	creed	color
sex	marital status	employment	national origin
religion	sexual orientation	gender identity	disability

In addition, the district prohibits acts of intolerance or harassment toward employees that are not related to the individual's employment or education.

Harassment

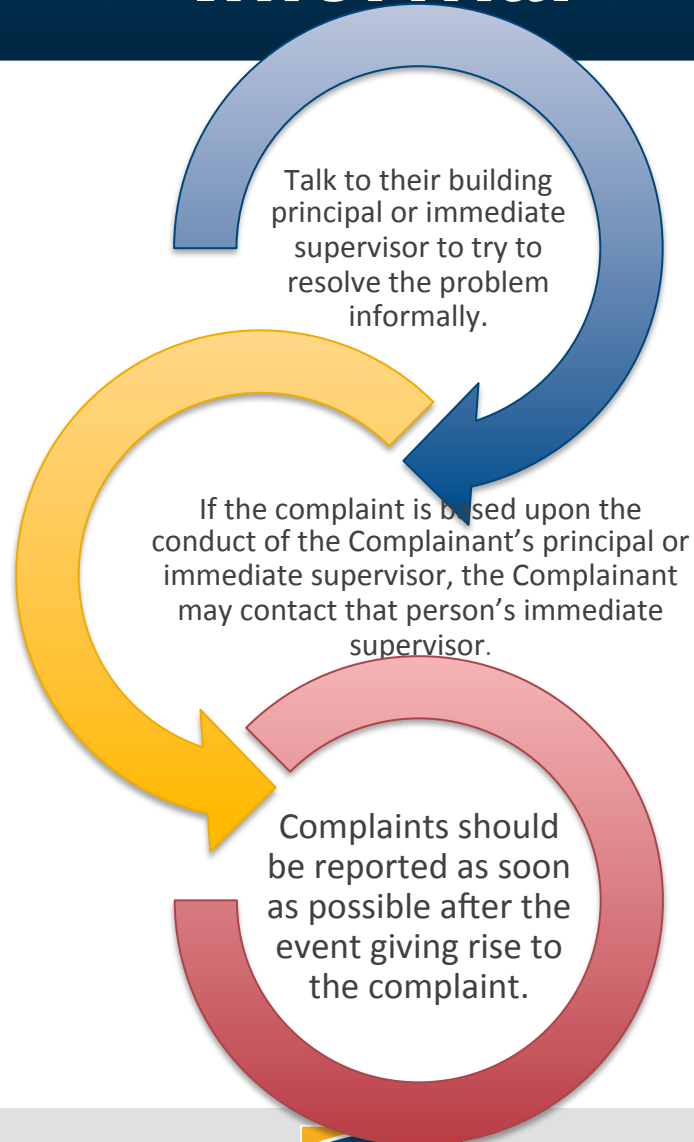
Unwelcome verbal
or physical conduct
(11)

Submission to or
rejection of such
conduct is used as the
basis for academic or
employment decisions

Conduct is made a
term or condition of an
individual's
employment or
education

Conduct substantially interferes
with an individual's academic or
professional performance or
creating an intimidating, hostile,
or offensive employment or
education environment.

Informal



Formal

If the Complainant prefers to proceed with a formal complaint, or if the matter has not been informally resolved, he or she may file a complaint with Human Resources

Formal complaints should be filed by the Complainant *within 180 days* after the event or if it is determined the complaint cannot be informally resolved.

Beginning an Investigation

Within **10 working days**, the appropriate investigator will begin the investigation.



An investigation will include taking a written statement from the Complainant,



A written statement from the Respondent(s) named in the complaint



A written statement from witnesses who have been identified who have relevant information pertaining to the complaint.



Relevant documentation will also be collected and considered.



During the investigation, a Respondent may elect to have a union representative, friend, counsel or any other individual present during interviews and subsequent meetings.

Investigation Timeframe

Within **30 working days**, the investigator shall complete the investigation and issue a written report making findings

Under some circumstances, when many individuals are involved in the investigation or an extensive legal review must be done, the investigator will inform the Complainant of the expected date of completion beyond the 30 working days.

Retaliation



The District prohibits retaliation against an individual for filing a complaint.

Any individual intentionally providing false information in a complaint investigation may be subject to disciplinary action.

Findings

- **No violation** of District policy, the findings will be shared by the investigator with the Complainant and the Respondent.
- **A violation** of the District's policies or no violation of the District's policies but ***other inappropriate behavior*** on the part of the Respondent, the findings will be reviewed:
 - By the investigator with the ***Complainant and the Respondent***; and ***Respondent's principal*** or the immediate supervisor, the director responsible for Respondent, and a representative of Human Resources Management. The ***Human Resources representative will inform the Respondent of any decision regarding disciplinary action.***

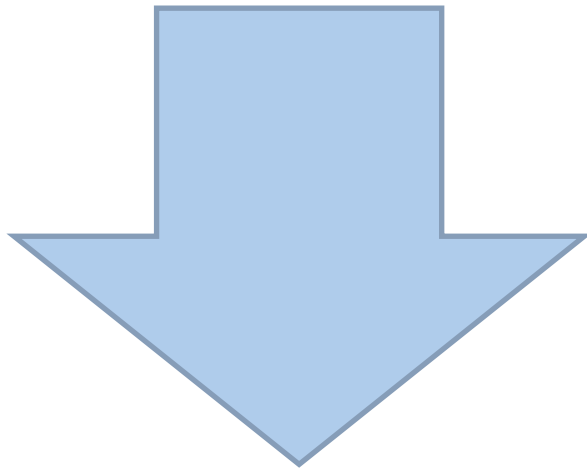
Discipline



Jurisdiction



The District has no jurisdiction to take disciplinary action over parents and volunteers.



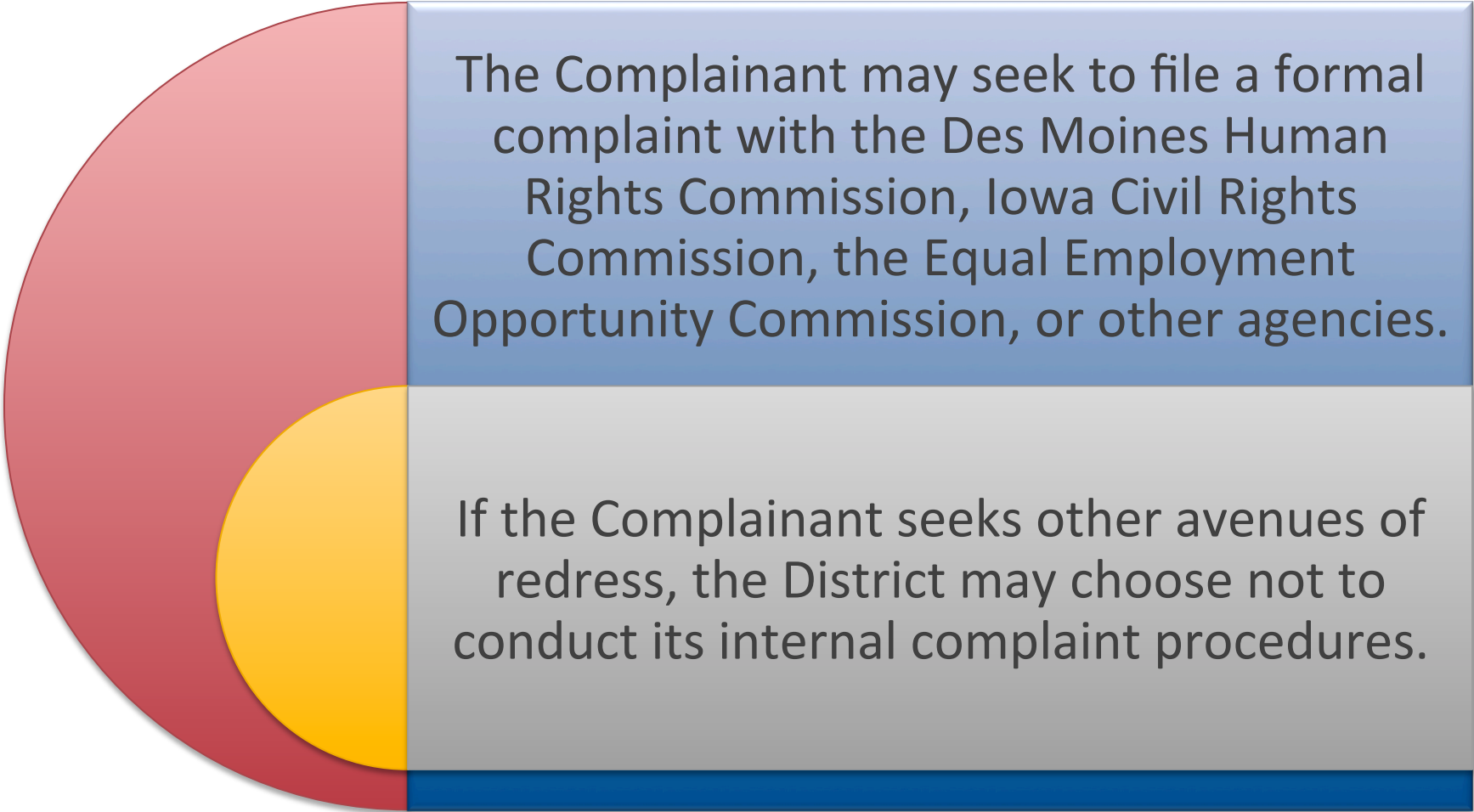
However, steps will be taken to ensure individuals do not continue to violate nondiscrimination policies on district property, school-related activities

Appeal

Within ten days of receipt of the final investigative report, either side files a written appeal to the superintendent setting out the reason(s) why they believe the decision should not stand.

In the event of an appeal, the Superintendent/designee shall review the written record and may meet with the appealing party. The Superintendent/designee may affirm, reverse, modify or remand the matter for further proceedings and shall, within twenty (20) days of the written appeal, confirm this decision in writing to the appealing party.

External



The Complainant may seek to file a formal complaint with the Des Moines Human Rights Commission, Iowa Civil Rights Commission, the Equal Employment Opportunity Commission, or other agencies.

If the Complainant seeks other avenues of redress, the District may choose not to conduct its internal complaint procedures.