

401 EQUAL EMPLOYMENT OPPORTUNITY

I. PURPOSE

The purpose of this policy is to provide equal employment opportunity for all school district employment and school district employees.

II. GENERAL STATEMENT OF POLICY

- A. It is the school district's policy to provide equal employment opportunity for all applicants and employees. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, age, family care leave status or veteran status. The school district also makes reasonable accommodations for disabled employees.
- B. The school district prohibits the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute impermissible harassment and the school district's internal procedures for addressing complaints of harassment, please refer to the school district's policy on harassment and violence.
- C. This policy applies to all areas of employment including hiring, discharge, promotion, compensation, facilities or privileges of employment.
- D. It is the responsibility of every school district employee to follow this policy.
- E. Any person having any questions regarding this policy should discuss it with the Superintendent.

III. EQUAL EMPLOYMENT OPPORTUNITY GRIEVANCE PROCEDURE

- A. Any person who has a complaint alleging that the school district is not complying with this policy or alleging any actions prohibited by this policy shall present the complaint in writing or orally along with the reasons for complaint to:
 - Superintendent of Schools
 - ISD #712
 - P.O. Box 537
 - Mt. Iron, MN 55768
 - 218-735-8271 ext. 1001
- B. The Superintendent shall investigate the complaint and determine whether the school district is in fact in violation of this policy. A decision shall be made by the Superintendent and such decision communicated to the complainant within 15 days of the initial reception of the complaint.
- C. If the Superintendent finds that the complaint is justified, he/she shall initiate action to rectify the complaint.

- D. If the Superintendent finds that the complaint is not justified, he/she so notify the complainant in written communication.
- E. If the complainant is not satisfied with the findings of the Superintendent, an appeal may be made to the Board of Education. The appeal may be requested in a written or oral communication to the Superintendent of Schools no later than 15 days after the receipt of the written decision of the Superintendent.
- F. A hearing before the Board of Education shall occur no later than 30 days after the receipt of a written or oral request for such hearing. The complainant may testify and may request that others testify in the complainant's behalf. The Superintendent will present the findings of the investigation called for in Step B. The Board shall reach a decision and notify the complainant of its finding not later than 15 days after the hearing.
- G. If the complainant is not satisfied with decision of the board, or at any time in the process, a complaint may be filed with the Equal Employment Opportunity Commission or the Minnesota Department of Human Rights.

MN Department of Human Rights
 190 E. 5th Street
 St. Paul, MN 55102
 800.657.3704
 651.296.5663
 TDD 651.296.1283

Equal Employment Opportunity Commission
 330 S. 2nd Avenue Suite 430
 Minneapolis, MN 55401
 800.669.4000
 612.335.4040
 TDD 651.335.4045

Legal References: Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
 29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
 29 U.S.C. § 2615 (Family and Medical Leave Act)
 38 U.S.C. § 4301 *et seq.* (Vietnam Era Veterans' Readjustment Assistance Act)
 38 U.S.C. § 4211 *et seq.* (Veterans' Reemployment Rights Act)
 42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
 42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination)
 MSBA/MASA Model Policy 405 (Veteran's Preference)
 MSBA/MASA Model Policy 413 (Harassment and Violence)

Board Adopted February 23, 2009