

Anti-discrimination

The Board will not discriminate in its educational activities on the basis of age, ancestry, color, creed, familial status, gender identity, marital status, national origin, physical attributes, physical or mental ability or disability, political belief, political party preference, race, religion, sex, sexual orientation, or socioeconomic status. The Board will admit students regardless of their immigrant status or English-speaking status.

The Board requires all agencies, vendors, contractors, and other persons and organizations doing business with or performing services for the school district to subscribe to all applicable federal and state laws, executive orders, rules and regulations pertaining to contract compliance and equal opportunity.

The Board is committed to the policy that no otherwise qualified person will be excluded from educational activities on the basis of age, ancestry, color, creed, familial status, gender identity, marital status, national origin, physical attributes, physical or mental ability or disability, political belief, political party preference, race, religion, sex, sexual orientation, or socioeconomic status. Further, the Board affirms the right of all students and staff members to be treated with respect and to be protected from intimidation, discrimination, physical harm and harassment.

Adopted: August 13, 2007
Reviewed: March 4, 2013
Reviewed: October 23, 2017
Revised: October 12, 2020

ANTI-HARASSMENT/BULLYING/DISCRIMINATION GRIEVANCE PROCEDURE

LEVEL ONE – Principal or Immediate Supervisor

Students, parents of students, staff and applicants for employment in the school district will have the right to file a formal complaint alleging harassment, bullying, or discrimination under federal or state regulations requiring anti-harassment, bullying, and discrimination policies, programs, and employment.

A student, or a parent of a student, with a complaint of harassment, bullying, or discrimination based upon their age, ancestry, color, creed, familial status, gender identity, marital status, national origin, physical attributes, physical or mental ability or disability, political belief, political party preference, race, religion, sex, sexual orientation, or socioeconomic status are encouraged to discuss it with a staff member directly involved.

Staff with a complaint of harassment, bullying, or discrimination based upon their age, ancestry, color, creed, familial status, gender identity, marital status, national origin, physical attributes, physical or mental ability or disability, political belief, political party preference, race, religion, sex, sexual orientation, or socioeconomic status are encouraged to discuss it with their immediate supervisor, with the objective of resolving the matter informally.

An applicant for employment with a complaint of discrimination based upon their age, ancestry, color, creed, familial status, gender identity, marital status, national origin, physical attributes, physical or mental ability or disability, political belief, political party preference, race, religion, sex, sexual orientation, or socioeconomic status are encouraged to first discuss it with the Chief Human Resources Officer.

Level One may include an informal process to resolve the situation. The complainant and alleged harasser or bully will be given the option of seeking a voluntary resolution of the incident. The process for voluntary resolution may include mediation and will only be exercised if both parties agree. If the informal process is not satisfactory to the complainant, the complainant can end the process at any time. This informal process may be skipped if the allegation is sexual violence, as mediation is not an advised process for the resolution of such cases.

LEVEL TWO – Superintendent's designee

If the complaint is not resolved at LEVEL ONE to the complainant's satisfaction, the complainant may pursue the matter by notifying the Superintendent's designee in writing within ten (10) working days of the resolution at LEVEL ONE. The complainant may request a meeting with the Superintendent's designee and may be accompanied by a family member, colleague, or legal counsel. The Superintendent's designee shall then investigate the complaint and attempt to resolve it.

During the process of investigation and resolution, the respondent and target have the following rights:

- The respondent and target will have the right to a prompt, fair, and impartial investigation and resolution once notice of an incident is received.
- Investigations and resolutions of these cases shall proceed regardless of any criminal investigation or proceeding. However, a school investigation may be temporarily postponed while law enforcement gathers evidence, then should be promptly resumed

and completed. Any postponements or extensions will be communicated to the complainant and respondent. In the case of a postponement, accommodations to alleviate any negative consequences of the incident or investigation will be offered to alleged target.

- The respondent and target will have equal opportunity to participate in the investigation. This includes, but is not limited to, submitting evidence and witness statements.
- The respondent and target will be notified in writing of the outcome of the investigation.
- Both parties are provided equal appeal rights to move on to Level Three, as appropriate.

The Superintendent's designee shall, within ten (10) working days of receiving the complaint, unless extenuating circumstances prevent otherwise, file a written report with the Superintendent setting forth the Superintendent designee's resolution of the matter. Extenuating circumstances may include, but are not limited to, the unavailability of witnesses (including complainant or accused) within the time frames provided or the scope and/or severity of the complaint requires additional time for investigation.

LEVEL THREE – Superintendent

If the complaint is not resolved at LEVEL TWO to the complainant's satisfaction, the complainant may pursue the matter by notifying the Superintendent in writing within ten (10) working days of the resolution at LEVEL TWO. The complainant may request a meeting with the Superintendent and may be accompanied by a family member, colleague, or legal counsel, although the Superintendent shall not be required to hold such a meeting. The Superintendent or his or her designee shall review the investigation performed at LEVELS ONE and TWO and may, if he or she deems necessary, order or conduct further investigation into the matter. The Superintendent shall, within ten (10) working days of receiving the complaint unless extenuating circumstances prevent otherwise, file a written decision resolving the matter.

LEVEL FOUR – School Board

If the complainant is not satisfied with the Superintendent's decision, the complainant can file an appeal with the School Board within five (5) working days of the decision. It is within the discretion of the Board to determine whether it will hear the appeal. The decision of the School Board will be considered final.

This procedure in no way denies the right of the complainant to file a complaint with the Dubuque Human Rights Commission, the Iowa Civil Rights Commission, the Iowa Department of Education, the U.S. Department of Education Office for Civil Rights or Office of Special Education Programs, the Equal Employment Opportunity Commission, or to seek private counsel for complaints against harassment, bullying, or discrimination.

All questions regarding these procedures should be directed to:

Amy Hawkins
Superintendent of Schools
2300 Chaney Road
Dubuque, Iowa 52001
(563) 552-3012
ahawkins@dbqschools.org

Bullying & Harassment:

Mimi Holesinger
Director of Behavior and Learning Supports
2300 Chaney Road
Dubuque, Iowa 52001
(563) 552-3105
mholesinger@dbqschools.org

504 Plan/Title II questions and complaints:

Shirley Horstman
Executive Director of Student Services
2300 Chaney Road
Dubuque, Iowa 52001
(563) 552-3083
shorstman@dbqschools.org

Employee questions:

Brian Kuhle
Chief Human Resources Officer
2300 Chaney Road
Dubuque, Iowa 52001
(563)552-3000
bkuhle@dbqschools.org

Further information may be posted on the district's web site: www.dbqschools.org

NON-DISCRIMINATION STATEMENT

The district's official non-discrimination statement shall read as follows:

NOTICE OF NON-DISCRIMINATION

The Dubuque Community School District will not discriminate in its educational activities on the basis of age, ancestry, color, creed, familial status, gender identity, marital status, national origin, physical attributes, physical or mental ability or disability, political belief, political party preference, race, religion, sex, sexual orientation, or socioeconomic status and provides equal access to the Boy Scouts and other designated youth groups.

The Dubuque Community School District offers Career Technical Education (CTE) programs in the following service areas:

- Applied Sciences, Technology, Engineering, and Manufacturing
- Business, Finance, Marketing, and Management
- Health Sciences
- Human Services
- Information Solutions

To be admitted for CTE courses, students must meet the necessary course prerequisites. The district will not discriminate in determining CTE admission and participation. Lack of English language skills will also not be a barrier to admission and participation in the district's CTE programs.

Please direct inquiries about this statement to the Chief Human Resources Officer, Dubuque Community Schools, 2300 Chaney Road, Dubuque, Iowa 52001-3095, 563/552-3000.