



Affirmative Action Plan

January 1, 2021 - December 31, 2022

2019-2020 Job Group	Last Goals			Goal Outcomes		
	Male	Female	Minority	Male	Female	Minority
Female Administrator		1			1	
Male elementary teacher	1			0		
Minority elementary teacher			1			0
Male food service worker	1			0		
2 minority support staff			2			0

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INTRODUCTION:

The Pella Community School District will provide equal opportunity to employees and applicants for employment in accordance with applicable equal employment opportunity and affirmative action laws, directives and regulations of federal, state and local governing bodies. Opportunity to all employees and applicants for employment includes hiring, placement, promotion, transfer or demotion, recruitment, advertising or solicitation for employment, treatment during employment, rates of pay or other forms of compensation, and layoff or termination.

The school district will take affirmative action in major job categories where women, men, minorities and persons with disabilities are underrepresented. Employees will support and comply with the district's established equal employment opportunity and affirmative action policies. Employees will be given notice of this policy annually.

The Pella Community School District complaint procedure in its entirety is located in the Board of Directors policy manual. Procedures for staff, parents, students, and community members are referred to in Board policies. Copies of the Affirmative Action Plan are located in the District Central Office, and on the District's website, www.pellaschools.org.

BOARD POLICIES:

Code No. 102.E3

NOTICE OF SECTION 504 STUDENT AND PARENTAL RIGHTS

The Pella CSD does not discriminate in its educational programs and activities on the basis of a student's disability. It has been determined that your child has a qualifying disability for which accommodations may need to be made to meet his or her individual needs as adequately as the needs of other students. As a parent, you have the right to the following:

- Participation of your child in school district programs and activities, including extracurricular programs and activities, to the maximum extent appropriate, free of discrimination based upon the student's disability and at the same level as students without disabilities;
- Receipt of free educational services to the extent they are provided students without disabilities;
- Receipt of information about your child and your child's educational programs and activities in your native language;
- Notice of identification of your child as having a qualifying disability for which accommodations may need to be made and notice prior to evaluation and placement of your child and right to periodically request a re-evaluation of your child;
- Inspect and review your child's educational records including a right to copy those records for a reasonable fee; you also have a right to ask the school district to amend your child's educational records if you feel the information in the records is misleading or inaccurate; should the school district refuse to amend the records, you have a right to a hearing and to place an explanatory letter in your child's file explaining why you feel the records are misleading or inaccurate; and,
- Hearing before an impartial hearing officer if you disagree with your child's evaluation or placement; you have a right to counsel at the hearing and have the decision of the impartial hearing officer reviewed.

It is the policy of the Pella Community School District not to discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. If you have questions or a grievance related to this policy, please contact Margaret Kirkwold, 1111 North Main Street Pella, IA 50219, (641) 628-3970, or margaret.kirkwold@pellaschools.org.

ANTI-BULLYING/ANTI-HARASSMENT POLICY

The Pella Community School is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. Bullying and/or harassment of or by students, staff, and volunteers is against federal, state, and local policy and is not tolerated by the board. Bullying and/or harassing behavior can seriously disrupt the ability of school employees to maintain a safe and civil environment, and the ability of students to learn and succeed. Therefore, it is the policy of the state and the school district that school employees, volunteers, and students shall not engage in bullying or harassing behavior in school, on school property, or at any school function or school-sponsored activity.

Definitions

For the purposes of this policy, the defined words shall have the following meaning:

- “Electronic” means any communication involving the transmission of information by wire, radio, optic cable, electromagnetic, or other similar means. “Electronic” includes, but is not limited to, communication via electronic mail, internet-based communications, pager service, cell phones, and electronic text messaging.
- “Harassment” and “bullying” shall mean any electronic, written, verbal, or physical act or conduct toward a student based on the individual’s actual or perceived age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status, and which creates an objectively hostile school environment that meets one or more of the following conditions:
 - 1) Places the student in reasonable fear of harm to the student’s person or property.
 - 2) Has a substantial detrimental effect on the student’s physical or mental health.
 - 3) Has the effect of substantially interfering with a student’s academic performance.
 - 4) Has the effect of substantially interfering with the student’s ability to participate in or benefit from the services, activities, or privileges provided by a school.
- “Trait or characteristic of the student” includes, but is not limited to, age, color, creed, national origin, race, religion, marital status, sex, sexual orientation, gender identity, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, socioeconomic status, or familial status.
- “Volunteer” means an individual who has regular, significant contact with students.

Filing a Complaint

A Complainant who wishes to avail himself/herself of this procedure may do so by filing a complaint with the superintendent or superintendent's designee. An alternate will be designated in the event it is claimed that the superintendent or superintendent's designee committed the alleged discrimination or some other conflict of interest exists. Complaints shall be filed within 180 days of the event giving rise to the complaint or from the date the Complainant could reasonably become aware of such occurrence. The Complainant will state the nature of the complaint and the remedy requested. The Complainant shall receive assistance as needed.

School employees, volunteers, and students shall not engage in reprisal, retaliation, or false accusation against a victim, witness, or an individual who has reliable information about an act of bullying or harassment.

Investigation

The school district will promptly and reasonably investigate allegations of bullying or harassment. The building principal (hereinafter "Investigator") will be responsible for handling all complaints alleging bullying or harassment. The Investigator shall consider the totality of circumstances presented in determining whether conduct objectively constitutes bullying or harassment. The superintendent or the superintendent's designee shall also be responsible for developing procedures regarding this policy.

Decision

If, after an investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures, which may include suspension and expulsion. If after an investigation a school employee is found to be in violation of this policy, the employee shall be disciplined by appropriate measures, which may include termination. If after an investigation a school volunteer is found to be in violation of this policy, the volunteer shall be subject to appropriate measures, which may include exclusion from school grounds.

A school employee, volunteer, or student, or a student's parent or guardian who promptly, reasonably, and in good faith reports an incident of bullying or harassment, in compliance with the procedures in the policy adopted pursuant to this section, to the appropriate school official designated by the school district, shall be immune from civil or criminal liability relating to such report and to participation in any administrative or judicial proceeding resulting from or relating to the report.

Individuals who knowingly file false bullying or harassment complaints and any person who gives false statements in an investigation may be subject to discipline by appropriate measures, as shall any person who is found to have retaliated against another in violation of this policy. Any student found to have retaliated in violation of this policy shall be subject to measures up to, and including, suspension and expulsion. Any school employee found to have retaliated in violation of this policy shall be subject to measures up to, and including, termination of employment. Any school volunteer found to have retaliated in violation of this policy shall be subject to measures up to, and including, exclusion from school grounds.

Publication of Policy

The board will annually publish this policy. The policy may be publicized by the following means:

- Inclusion in the student handbook
- Inclusion in the employee handbook
- Inclusion in the registration materials
- Inclusion on the school or school district's website

Legal References: 20 U.S.C. §§ 1221-1234i.
29 U.S.C. § 794.
42 U.S.C. §§ 2000d-2000d-7.
42 U.S.C. §§ 12101 2et. seq.
Iowa Code §§ 216.9; 280.28; 280.3.
281 I.A.C. 12.3(6).
Morse v. Frederick, 551 U.S. 393 (2007)

Cross References: 102 Equal Educational Opportunity
502 Student Rights and Responsibilities
503 Student Discipline
506 Student Records

APPROVED BY BOARD OF EDUCATION 8.14.17
APPROVED BY BOARD OF EDUCATION 7.15.19

EQUAL EMPLOYMENT OPPORTUNITY

The Pella Community School District shall provide equal opportunity to employees and applicants for employment in accordance with applicable equal employment opportunity and affirmative action laws, directives and regulations of federal, state and local governing bodies. Opportunity to all employees and applicants for employment includes hiring, placement, promotion, transfer or demotion, recruitment, advertising or solicitation for employment, treatment during employment, rates of pay or other forms of compensation, and layoff or termination. The school district shall take affirmative action in major job categories where women, men, minorities and persons with disabilities are underrepresented. Employees will support and comply with the district's established equal employment opportunity and affirmative action policies. Employees shall be given notice of this policy annually.

The board shall appoint an affirmative action coordinator. The affirmative action coordinator shall have the responsibility for drafting the affirmative action plan. The affirmative action plan shall be reviewed by the board at least every two years.

Individuals who file an application with the school district will be given consideration for employment if they meet or exceed the qualifications set by the board, administration, and Iowa Department of Education for the position for which they apply. In employing individuals, the board shall consider the qualifications, credentials, and records of the applicants without regard to race, color, creed, sex, national origin, religion, age, or disability, sexual orientation and gender identity. In keeping with the law, the board shall consider the veteran status of applicants.

Advertisements and notices for vacancies within the district shall designate the Pella Community School district as an Equal Employment Opportunity/Affirmative Action Employer (EOE/AA). The statement shall also appear on application forms.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, shall be directed to the Affirmative Action Coordinator by writing to the Affirmative Action Coordinator, Pella Community School District, Pella, Iowa 50219; or by telephoning (641) 628-1111.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action laws and policies, including but not limited to complaints of discrimination, may also be directed in writing to the Director of the Region VII office of Civil Rights, U.S. Department of Education, 310 W. Wisconsin Ave., Ste. 800, Milwaukee, Wisconsin, 53203-2292, (414) 291-1111 or the Iowa Civil Rights Commission, 211 E. Maple, Des Moines, Iowa, 50309, (515) 281-4121. This inquiry or complaint to the federal office may be done instead of, or in addition to, an inquiry or complaint at the local level.

Further information and copies of the procedures for filing a complaint are available at

the United States' Equal Employment Opportunity Commission's website:
www.eeoc.gov.

Legal Reference: 29 U.S.C. §§ 621-634 (1994).
42 U.S.C. §§ 2000e *et seq.* (1994).
42 U.S.C. §§ 12101 *et seq.* (1994).
Iowa Code §§ 19B; 20; 35C; 73; 216; 279.8 (1997).
281 I.A.C. 12.4; 95.

Cross Reference: 102 Equal Educational Opportunity
403.5 Harassment
405.2 Licensed Employee Qualifications, Recruitment, Selection
411.2 Classified Employee Qualifications, Recruitment, Selection

REVIEWED BY BOARD OF EDUCATION 11.13.06
APPROVED BY BOARD OF EDUCATION 10.11.10
APPROVED BY BOARD OF EDUCATION 12.17.12
APPROVED BY BOARD OF EDUCATION 2.13.17

APPROVED BY BOARD OF EDUCATION 8.14.17
APPROVED BY BOARD OF EDUCATION 7.15.19

Code No. 102.E4

COMPLAINT FORM
(Discrimination, Anti-Bullying, and Anti-Harassment)

Date of complaint: _____

Name of
Complainant: _____

Are you filling out this
form for yourself or
someone else
(please identify the
individual if you are
submitting on behalf
of someone else):

Who or what entity
do you believe
discriminated
against, harassed, or
bullied you (or
someone else)?

Date and place of
alleged incident(s):

Names of any witnesses (if any): _____

Nature of discrimination, harassment, or bullying alleged (check all that apply):

	Age		Physical Attribute		Sex
	Disability		Physical/Mental Ability		Sexual Orientation
	Familial Status		Political Belief		Socio-economic Background
	Gender Identity		Political Party Preference		Other – Please Specify:
	Marital Status		Race/Color		
	National Origin/Ethnic Background/Ancestry		Religion/Creed		

In the space below, please describe what happened and why you believe that you or someone else has been discriminated against, harassed, or bullied. Please be as specific as possible and attach additional pages if necessary.

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

APPROVED BY BOARD OF EDUCATION 8.14.17
 APPROVED BY BOARD OF EDUCATION 7.15.19

ADMINISTRATIVE STATEMENT

The Pella Community School District has been, and will continue to be, an equal opportunity employer. This Affirmative Action Program has been adopted in an effort to increase the participation of women, minorities and persons with disabilities in positions in which those groups are underrepresented. To help ensure full implementation of this policy, we will provide that:

1. Persons are recruited, hired and promoted for all jobs without regard to age, race, color, creed, religion, gender, gender identity, sexual orientation, marital status, national/ethnic origin, socio economic status, genetic information or disability. Placement decisions are based solely on an individual's qualifications for the position being filled.
2. Other personnel actions such as compensation, benefits, transfers, layoffs, return from layoffs, and district sponsored programs and activities are administered without regard to age, race, color, creed, religion, gender, gender identity, sexual orientation, marital status, national/ethnic origin, socio economic status, genetic information or disability.

It is our policy to take affirmative action in the employment of qualified minorities, females/males, and handicapped individuals as provided by Iowa Code Chapter 70. Reasonable accommodation will be provided whenever possible in our efforts to advance employment opportunities for handicapped individuals

The School Board and the administration are committed to equal opportunity and affirmative action. We expect all members of the staff to assist and support us in attaining these objectives of equal employment opportunity and affirmative action.

School Board President

Superintendent

Date

Date

LEGAL BASIS AND COMPLIANCE REQUIREMENTS

State and federal laws prohibit discrimination in employment based on race, color, creed, religion, gender, gender identity, sexual orientation, marital status, national/ethnic origin, socio economic status, genetic information or disability. Those laws apply to all aspects of the employer-employee relationship. Those laws are directed toward conduct, which are those laws that regulate what may not be done.

Iowa law now requires each school district, area education agency and merged area school to "develop affirmative action standards." This program has been developed to meet the requirement of Iowa Code Section 19B.11 (1989) and Department of Education rules in Iowa Administrative Code 281-Chapter 95.

"Affirmative Action" is defined as "action appropriate to overcome the effects of past or present practices, policies, or other barriers to equal employment opportunity." Thus, anti discrimination law regulates what will not be done and affirmative action law specifies what will be done. The Iowa affirmative action law and rules apply to "recruitment, appointment, assignment, and advancement of personnel."

The term "underrepresentation" means having fewer members of a racial/ethnic group, women, men or persons with disabilities in a particular job category than would be reasonably expected based on their availability in the relevant labor market.

For purposes of affirmative action, the terms "disabled" and "person with a disability" mean "any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment or is regarded as having such impairment."

If the analysis that is required to be done by the school district identifies underrepresentation in a job category, objectives are required in an attempt to eradicate the underrepresentation. The objectives are not to be treated or understood as rigid and inflexible quotas that must be met, but as reasonable aspirations toward correcting imbalance in the workforce. Change can occur only when vacancies in job groups where underrepresentation exists, race, sex or disability will serve as selection criteria but will not be the sole criteria; such elements will serve as a "plus" factor for individuals from an underrepresented group who are equally qualified for the position to be filled.

AFFIRMATIVE ACTION COMPLIANCE PROGRAM

The Pella Community School District has an established policy of Equal Employment Opportunity with respect to age, race, color, creed, religion, gender, gender identity, sexual orientation, marital status, national/ethnic origin, socio economic status, genetic information or disability. In order to effectively communicate and interpret the district's policies to all levels of the administration and all other employees, community and educational agencies, and the public in general, the following will be undertaken:

- A. Dissemination of Policy: Employees will be reminded annually of the district's written statement of policy through the student handbook, teacher handbook, school calendar, and all employment applications.
- B. Employment advertisements will contain assurance of equal employment opportunity.
- C. All employment and recruiting sources where jobs are listed by the district will be reminded of our policy.
- D. All employees, including women, minority groups and employees with disabilities will receive compensation in accordance with the same standards. Opportunities for performing overtime work or otherwise earning increased compensation will be afforded to all qualified employees without discrimination based on age, race, color, creed, religion, gender, gender identity, sexual orientation, marital status, national/ethnic origin, socio economic status, genetic information or disability.
- E. District Administrators will review the Affirmative Action plan annually, in an effort to remind those in hiring positions of the guidelines and goals established by the district.
- F. Building Principals and Directors/Supervisors shall annually present the district Affirmative Action, including complaint procedures, to all staff they supervise. Grievance forms are available on the District website and the staff portal.
- G. The district advisory committee shall be informed of the annual goals for Affirmative Action and will offer input on any of the quantitative or qualitative measures currently used by the district.
- H. The Pella School Board shall hear progress toward quantitative and qualitative goals once every two years, at minimum. This will include the feedback offered by the advisory committee.

Inquiries by employees or applicants for employment regarding compliance with equal employment opportunity and affirmative action shall be directed to Linda Russell – Human Resources Director, Pella Community School District, 210 E University, Pella, IA 50219

Inquiries may also be directed, in writing, to the Office for Civil Rights, U.S. Department of Health and Human Services, 601 East 12 th Street, Room 353,

Kansas City, MO 64106 or the Iowa Civil Rights Commission, 400 E. 14th Street, Des Moines, Iowa, 50319-1004, (515) 281-4121 or 1-800-457-4416. Such inquiry or complaint to the state or federal office may be done instead of, or in addition to, an inquiry or complaint at the local level.

Affirmative action program will be reviewed and updated every two years.

Quantitative Workforce Analysis

2020 Activity Assignment Classification	Staff Totals													
	Overall Totals Sum B-K A	Male					Female							
		White (not of HispOrig) B	Black (not of HispOrig) C	Hispanic D	Asian or Pac.Is. E	Am.Ind. or Alaska Native F	White (not of HispOrig)	Black (not of HispOrig)	Hispanic	Asian or Pac.Is.	Am.Ind. or Alaska Native			
A, Full-Time Staff														
Officials, Adm., Mgrs.	9	6				3								
Principals	6	5				1								
Elem Classroom Teachers K-5	65	5				60								
Secondary Class. Teachers 6-12	71	25				45		1						
Other Classroom Teacher	31	9				22								
Guidance/Counseling	5	1				4								
Librarian/AV Staff	2	0				2								
Other Prof. Staff/Nurse	5	0				5								
Teacher Aides/Associates	105	12				92			1					
Technicians	4	4				0								
Clerical/Secretarial Staff	15	0				15								
Service Workers/Food	25	1				24								
Skilled Cr/Maintenance	4	4				0								
Custodians/Maintenance	23	14				9								
Transportation	23	11				12								
Total	393	97	0	0	0	294	0	1	1	0	1	1	0	0

Job Group	Availability/Representation/Under-representation				Availability/Representation/Under-representation				
	PCSD Total	PCSD Female Total	%	IA Workforce Availability Data	Under Represented	PCSD Minority Total	%	IA Workforce Availability Data	Under Represented
Officials & Managers (Administrative)	15	4	26.7%	31.1%	Yes	0	0%	2.1%	Yes
Professionals (Teachers/ other Licensed Personnel)	179	138	77.1%	60.9%	No	1	1%	2.1%	Yes
Administrative Support	15	15	100.0%	79.2%	No	0	0%	1.7%	Yes
Teacher Associates	105	93	88.6%	46.5%	No	1	1%	2.1%	Yes
Custodial & Maintenance	27	9	33.3%	46.5%	Yes	0	0%	3.9%	Yes
Food Service	25	24	96.0%	71.3%	No	0	0%	3.9%	Yes
Bus Drivers	22	12	54.5%	13.1%	No	0	0%	1.3%	Yes
Technical Professionals/IT	4	0	0.0%	23.9%	Yes	0	0%	2.1%	Yes
Technicians/Mechanic	1	0	0.0%	71.9%	Yes	0	0%	3.4%	Yes
	393								

Data Source: Census EEO Data Tool
 Jasper, Mahaska and Marion counties combined

Qualitative Analysis

Areas of underrepresentation were determined by the percentage of women and minorities in the three-county area surrounding Pella Community School District compared to the percentage of women and minority staff members.

Underrepresentation is identified in the following areas:

- Minorities in all categories
- Female Officials & Managers
- Female Custodial and Maintenance employees
- Female Technical Professionals
- Female Technician

Projected Vacancies

The following are vacancies that are projected over the next two years. These are not verified but are simply a projection of positions that might become available due to retirement or resignation by the end of the school year in 2022.

Elementary Teachers	5 positions
Secondary Teachers	6 positions
Food Service Workers	2 positions
Custodians/Maintenance	2 positions
Transportation	2 positions
Associates	2 positions
Administration	1 position
Administrative Support	1 position

Quantitative Goals and Strategies: 2022

The following goals are not intended to be quotas. They represent hiring targets in underrepresented groups:

- 1 Minority Professional (Teacher/Licensed personnel)
- 1 Minority Custodial/Maintenance
- 1 Minority Food Service
- 1 Female Official/Manager
- 1 Female Custodial/Maintenance

STRATEGIES TO REACH GOALS		
QUALITATIVE STRATEGIES	RESPONSIBLE PARTY	TARGET DATE OF ATTAINMENT
Review and evaluate hiring materials, applications and other hiring documents	Human Resources	Annually
Evaluate advertising strategy for expanded visibility and possibly reach areas with higher minority concentration.	Administration	2022
Screen candidate pool with special attention to female and minority applicants.	Administration/ Principals	Ongoing
Administration and Directors will receive periodic training on their responsibilities with regard to implementation of the AA Plan.	Administration/ Principals/Directors	2022
A voluntary EEO/AA survey will be distributed to staff to obtain an accurate report of race and disability.	Human Resources	2022
Annually review goals and strategies with Administrators and Directors to promote diversity in hiring season	Human Resources	Annually (January)

RECRUITMENT INFORMATION

The following websites are used in recruiting certified and classified staff. The Teach Iowa website is used according to the legislative requirements.

- Teach Iowa www.Teachiowa.gov
- Pella Schools Website <http://www.pellachools.org/>
- Iowa REAP
- EdPost

The following newspaper sources are used in addition to the above websites, to post for Administrative positions and positions that are deemed "hard to fill":

- Argus Leader Newspaper (Sioux Falls, SD)
- Des Moines Register
- Omaha World Herald
- Quad-City Times (Davenport)
- Sioux City Journal
- The Telegraph Herald (Dubuque)
- Town Crier (Pella)

Job descriptions are revised and updated on a continual basis to accurately reflect the qualification and needs of the position.

All advertisements and application forms reflect Pella Community School District is an EEO/AA employer.

MONITORING AND REPORTING:

Multiple forms of monitoring and reporting will exist at all levels of the system. They will include, but are not limited to the following:

- Continue to maintain a record of staff enrollment and employee mobility.
- Maintain a list of referral sources.
- Analyze applicant data to determine what recruiting sources are beneficial to the district.
- Continue to keep records towards goal attainment.
- Update Affirmative Action Plan every two years.
- Reporting to Pella CSD School Board and other stakeholders including the School Improvement Advisory Committee and the District Leadership Team.