



**Des Moines Independent Community School District**

**AFFIRMATIVE ACTION  
AND EQUAL EMPLOYMENT OPPORTUNITY  
PLAN**

**November 2016**

## **Mission Statement**

The Des Moines Public Schools Exist So That Graduates Possess the Knowledge, Skills and Abilities to Be Successful at the Next Stage of Their Lives.

## **Vision**

Des Moines Public Schools will be a national leader in urban education.

## **Student Expectations**

**Students demonstrate proficiency and understanding of a rigorous core curriculum:**

- They demonstrate proficiency in reading, writing, speaking and listening
- They demonstrate proficiency in mathematics, including algebra and geometry
- They demonstrate financial and economic literacy
- They demonstrate an understanding of the value of fine and performing arts in society
- They demonstrate proficiency in technological and information literacy
- They demonstrate proficiency in science, including life, earth and physical science

**Students possess the knowledge and skills to be self-directed and autonomous:**

- They demonstrate critical thinking and problem solving skills
- They exercise sound reasoning in making complex choices
- They exhibit creative, innovative and entrepreneurial thinking
- They understand the attributes of physical and mental well-being

**Students have world awareness:**

- They learn from and work with individuals representing diverse cultures and religions in a spirit of mutual respect in school, work and community
- They understand the rights and obligations of citizenship at local, state, national, and global levels
- They are actively engaged in community life
- They will be exposed to languages and cultures of the world

## **Equity Statement**

The Des Moines Independent Community School District does not discriminate on the basis of race, color, national origin, gender, 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 the Isaiah McGee, equity coordinator, 2323 Grand Ave, Des Moines, IA 50312; phone: 515-242-7662. Complaints can also be directed to the Iowa Civil Rights Commission, 400 E. 14<sup>th</sup> Street, Des Moines, IA 50319-1004, (515) 281-4121, or Region VII Office for Civil Rights, Citigroup Center 500 W. Madison Street, Suite 1475 Chicago, IL 60661-4544.

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# Administrative Statement

It has long been a philosophical cornerstone of the Des Moines Independent Community School District (the District) that diversity is a key component of a quality education. Young people are far better prepared for the future when they attend school in an educational setting that reflects society's diversity. Diversity enriches the educational climate and strengthens the educational effectiveness of our schools. All aspects of education are enhanced by different viewpoints and perspectives introduced by economic, racial and ethnic diversity.

We believe that it is within the best interest of the District to develop an employee culture reflective of the greater society, doing so serves the student populations and make the greatest use of available human resources. The world is ethnically and culturally diverse and students must be equipped with a global perspective, which will allow them to interact with all people in varying roles.

Federal regulations particularly advocate affirmative actions on behalf of racial and ethnic minority members, women, persons with disabilities, and veterans. This plan reaffirms the District's policies and responsibilities of compliance to those regulations supporting equitable opportunity and nondiscrimination. The intent of the District's equal employment opportunity policies are to make sound and appropriate board and administrative decisions that assure equal employment opportunities in the following:

- Recruitment
- Selection
- Assignment
- Promotions and Transfers
- Compensation and benefits
- Professional growth experiences

This Affirmative Action and Equal Employment Opportunity Plan requires action appropriate to overcome the effects of past and present practices, policies, or other barriers to equal employment opportunity. Specific attention is directed to recruitment, appointment, assignment, and advancement of personnel.

The Des Moines Independent Community School District does not discriminate on the basis of race, color, national origin, gender, 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.

The district employs a diversity and equity coordinator to help ensure programs, initiatives, and training promote and support diversity, as well as monitor and ensure legal compliance regarding issues of equal access. The equity coordinator is charged with monitoring the process of the goals established by this plan and for reporting appropriate information to the administration and to the Board of Directors.

*Superintendent's signature*

**SECTION I**  
**POLICES, REGULATIONS**

Iowa Code Section 19B.11  
281 IAC Section 95.1

## Introduction

State and federal laws prohibit discrimination in employment based on age, race, creed, color, sex, marital status, national origin, religion, or disability. Those laws apply to all aspects of the employer-employee relationship. Because those laws are directed toward conduct, those laws regulate what may not be done.

Iowa law requires each school district, area education agency, and community college to "develop affirmative action standards." This program has been developed to meet the requirements of Iowa Code Section 19B.11 and Department of Education rules in the 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 *shall not be done* and affirmative action law regulates what *shall be done*. The Iowa affirmative action law and rules apply exclusively to "recruitment, appointment, assignment, and advancement of personnel."

The term "underrepresentation" will appear frequently in this plan. It 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 job market."

For purposes of non-discrimination, equal employment opportunity, and affirmative action, the term "disabled" means "any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment or is regarded as having such an impairment.

If the analysis that is required to be done by the school district identifies under-representation in a job category, goals are required in an attempt to eradicate the underrepresentation. The goals 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 work force. Change can occur only when vacancies occur. In the selection process for filling vacancies in job groups where underrepresentation exists, race, sex or disability will serve as a selection criteria but will not be the sole criteria. Such elements, among other "job-related criteria", will serve as a "plus" factor for individuals from an underrepresented group who are qualified for the position to be filled.

# Affirmative Action and Equal Employment Opportunity Policy Statement and Supportive Board Policies

The non-discrimination, equal employment opportunity, and affirmative action policy statement and supportive board policies that are related to equal employment opportunity, non-discrimination and affirmative action are presented in this section.

## **Code 402**

### **Title: Recruitment and Selection**

The superintendent will establish guidelines for organization of the teaching, administrative, and other certified staff and will select, hire, and promote all other such staff with the approval of the Board of Directors. The superintendent will select, hire, and promote all other district employees. The superintendent will direct the work of district employees.

The district will hire well-qualified people to perform the many tasks necessary to providing a quality education for the students of Des Moines. Equal opportunities will be extended to all employees and to applicants for employment who meet the qualifications established for the classification or position for which application is made. The district will not illegally discriminate against any employee or applicant for employment on the basis of age, race, creed, color, sex, marital status, national origin, religion, or disability. The district will not discriminate against an applicant or employee on the basis of sexual orientation.

The district pursues equal opportunity in the areas of (1) recruitment, (2) selection and hiring criteria and practices, (3) transfer and promotions, (4) demotions, terminations, layoffs and recalls, (5) compensation, (6) working conditions, (7) benefits and privileges of employment, and (8) training.

Administrative Procedures: Code 402, 409 Legal  
reference: Iowa Code § 279.12 (1995)  
Adopted July 31, 1990; revised February 4, 1992  
Last review: 2005-2006

## **Code 402.1**

### **Title: Non-Discrimination and Equal Opportunity Employment**

The Des Moines Independent Community School District will provide equal employment opportunity and will not discriminate illegally on the basis of age, race, creed, color, sex, marital status, national origin, religion, or disability in its employment and personnel practices. The district will not discriminate against an applicant or employee on the basis of sexual orientation.

The district will provide a non-discriminatory work environment for all employees regardless of their age, race, creed, color, sex, marital status, national origin, religion, sexual orientation, or disability. Discriminatory harassment is defined as unwelcome verbal or physical conduct relating to age, race, creed, color, marital status, national origin, religion, disability or sexual orientation when made by any member of the school staff to a student, when made by any member of the staff to another staff member, when made by a student to a staff member or when made by any student to another student when:

- a. Submission to such conduct is made directly or indirectly a term or condition of an individual's employment or education, or when:
- b. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual, or when:
- c. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment or education environment.

Inquiries related to discrimination may be directed to Isaiah McGee, Equity Coordinator, 2323 Grand Ave, Des Moines Iowa 50312, (515) 242-7662. Complaints can also be directed to the Director of the Iowa Civil Rights Commission; to the Director, United States Equal Employment Opportunity Commission in Milwaukee, Wisconsin; or to the Region VII Office for Civil Rights within the United States Department of Education in Chicago, Illinois.

Administrative Procedures: Code 402.1  
Adopted August 7, 1990; revised February 4, 1992; revised January 9, 2006  
Last review: 2006-2007

**Code 402.2****Title: Affirmative Action**

The district will affirmatively recruit women and men, members of diverse racial/ethnic groups, and persons with disabilities for job categories in which any of these groups of people are underrepresented.

Inquiries related to discrimination may be directed to Isaiah McGee, Equity Coordinator, 2323 Grand Ave, Des Moines Iowa 50312, (515) 242-7662. Complaints can also be directed to the Director of the Iowa Civil Rights Commission; to the Director, United States Equal Employment Opportunity Commission in Milwaukee, Wisconsin; or to the Region VII Office for Civil Rights within the United States Department of Education in Chicago, Illinois.

Adopted August 7, 1990;  
revised February 4, 1992; January 10, 2003  
Last review: 2005-06

**Code 406****Title: Hostile Work Environment**

In order for the district to accomplish its mission and goals, it is necessary that positive, respectful and productive human relationships be maintained among people employed by, representing and receiving service from the district. Any person who purposefully and without legitimate purpose engages in conduct that creates an intimidating, hostile, or demeaning work environment will be in violation of this policy related to hostile work environment harassment. Such conduct will be a violation of this policy if it is severe, persistent or pervasive and unreasonably interferes with an individual's professional performance.

"Severe" conduct is conduct which inflicts physical discomfort, hardship, pain, or distress. Examples of behaviors that would be considered severe include, but are not limited to, the following:

- Aggressive and unwelcome physical contact;
- Abrupt, physically confrontational behavior which implies imminent danger;
- Overtly hostile, injurious, or destructive behavior;
- Verbal threats of physical harm; and
- Acts of retaliation against a staff member for filing a complaint or offering testimony during an investigative process.

"Persistent" conduct is conduct which is continuous or has existed for a long or longer than usual period of time without sufficient change in function. The following conduct, if persistent, could constitute hostile work environment harassment:

- Raising one's voice above conversational tones in anger, frustration, rage or with the intent of intimidating the listener;
- Directing profane and/or abusive language at others, including name-calling and/or personal, direct and intentional insults; and
- Mocking, taunting or ridiculing others.

Pervasive conduct is conduct which occurs frequently and without sanction in the work environment because it has become an accepted part of the culture of the environment.

Conduct that humiliates, intimidates, excludes, bullies, frightens and or isolates another and is sufficiently severe, persistent and/or pervasive is a violation of this policy.

Inquiries related to hostile work environment harassment of how to file a complaint may be directed to the Human Resources, 2323 Grand Ave, Des Moines, Iowa 50312, 515-242-7481.

Adopted January 9, 2007

**Code 407****Title: Sexual Harassment**

The district is committed to maintaining a learning and working environment free of any form of sexual harassment or intimidation toward personnel and students on school grounds, on school time, at a school-sponsored activity or in a school-related context.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when made by any member of the school staff to a student, when made by any member of the staff to another staff member, when made by a student to a staff member or when made by any student to another student when:

- a. Submission to such conduct is made directly or indirectly a term or condition of an individual's employment or education, or when:
- b. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual, or when:
- c. Such conduct has the purpose or effect of substantially interfering with an individual's academic or professional performance or creating an intimidating, hostile, or offensive employment or education environment.

Administrative procedures shall be developed to process sexual harassment complaints filed by employees, parents or guardians, students and volunteers.

Inquiries related to sexual harassment when an employee is the alleged harasser, including how to file a complaint, may be directed to Isaiah McGee, Equity Coordinator, 2323 Grand Ave, Des Moines Iowa 50312, (515) 242-7662. Complaints can also be directed to the Director of the Iowa Civil Rights Commission to the Director, United States Equal Employment Opportunity Commission in Milwaukee, Wisconsin; or to the Region VII Office for Civil Rights within the United States Department of Education in Chicago, Illinois.

Administrative Procedures: Code 407

Legal reference: Iowa Code §§ 402.1, 452 (1995)

Revised February 19, 1991; July 12, 1994; January 9, 2007

Last review: 2006-2007

## **Code 507**

### **Title: Bullying, Harassment and Hazing Prohibited**

The Board directs the Superintendent to implement appropriate procedures and regulations to maintain an academic environment that is free from harassment, including sexual harassment, and bullying. It is a violation of this policy for any student to harass or bully any student, staff member, volunteer, parent or business associate of the District on the basis of race, color, creed, religion, national origin, sex, gender, gender identity, age, marital status, sexual orientation, physical attributes, physical or mental ability or disability, ancestry, political party preference, political belief, military affiliation, socioeconomic status, or familial status, or any other trait or characteristic, on or in school property or vehicles, and at any school function or school sponsored activity, regardless of the activity's location. Harassment and bullying is prohibited by the State of Iowa and this school policy. Violations of this policy or procedure will be cause for disciplinary action up to and including expulsion. The level of discipline for each incident will be determined after considering the severity of the incident and any prior incidents. The Board 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.

This policy is in effect while students or employees are on property within the jurisdiction of the District, including District owned or chartered vehicles, and while away from school grounds if bullying, harassment, hazing, or any other victimization of students directly affects the good order, efficient management, and welfare of the District.

If, after an investigation, a student is found to be in violation of this policy, the student may be disciplined by appropriate measures, which may include suspension or 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.

*Legal Reference: Code of Iowa, section 280.28  
Code of Iowa, sections 216.9; 280.3 (2013)  
281 Iowa Administrative Code 12.3(6)  
Adopted: 2014*

**Code 721**

**Title: Contractors--Affirmative Action, Non-Discrimination and Equal Employment Opportunity**

All contractors, including suppliers of goods or services to the school district, are expected to comply with the spirit of equal employment opportunity, as well as with all applicable statutes and regulations and are required to be in compliance with the district's Non-Discrimination and Equal Employment Opportunity and Affirmative Action policies.

See Board Policy Code 402.1: Non-Discrimination and Equal Employment Opportunity  
Administrative Procedures: Code 721

Adopted July 31, 1990; revised June 23, 1992; August 16, 1994  
Last review: 1994-95

## **SECTION II**

### **QUANTITATIVE ANALYSIS AND GOALS**

281 IAC Sections 95.5 (3), 95.5 (4), 95.5 (5)(c), and 95.5 (6)(b)

## Workforce Analysis

The workforce analysis shows the composition of the overall workforce overall and by department or organizational unit. The workforce analysis is a necessary first step for determining where underrepresentation exists and for establishing numerical goals.

### Relevant Labor Market

DMPS utilized 2010 demographic information from the Census Bureau, U.S. Department of Commerce and the Iowa Workforce Development Iowa Affirmative Action Data 2013 for the workforce region, Des Moines Metropolitan Statistical Area, and Polk County to examine and compare the makeup of the potential workforce. The relevant labor market for classified staff will be those within commuting distance of Polk and surrounding counties. The relevant labor market for teachers will be the state of Iowa. The relevant labor market for administrators is national.

2013 Demographics	City of Des Moines	Des Moines MSA	Polk Co	Regional labor force	State of Iowa	DMPS Staff (All)	DMPS Teachers	DMPS Admin	DMPS Class Staff
<b>Total</b>	207,510	569,633	430,640	402,570	3,090,416	<b>5,386</b>	<b>2,948</b>	<b>126</b>	<b>2,438</b>
<b>% White</b>	76.4	83.6	80.7	88.2	88.7	<b>85.2</b>	<b>94</b>	<b>90.8</b>	<b>73</b>
<b>% Hispanic</b>	12	6.7	7.6	4.6	4.9	<b>4.2</b>	<b>2</b>	<b>3.2</b>	<b>7</b>
<b>% Black</b>	10.2	4.7	6	3.2	2.9	<b>7.1</b>	<b>3</b>	<b>5</b>	<b>12</b>
<b>% Asian</b>	4.4	3	3.5	3.1	1.7	<b>3</b>	<b>1</b>	<b>1</b>	<b>6</b>
<b>% Other</b>	0.5	0.3	0.3	1.8	0.4	<b>0.3</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>% Multi</b>	3.4	2.4	2.4	0.9	1.8	<b>0.2</b>	<b>0</b>	<b>0</b>	<b>1</b>

A calculation of information provided by the Census Bureau and Iowa Workforce Development shows the white non-Hispanic population within the Des Moines regional labor is 88.2%. Therefore, as compared to the DMPS White non-Hispanic staff population of 86%, employees of color are not underrepresented in all employment groups at DMPS in comparison to the labor pool. However, within the district's teaching and administrator classification, employees of color are underrepresented. The classified staff population is not underrepresented by employees of color.

## Applicant/New Hire Comparison

Below is a snapshot of data that compares the percentages of various demographics groups in the three major job classes for existing staff, new hires, and applicants over the course of a two year period from 2014-2016. This information provides insights into where the areas of focus should be placed in determining numerical goals to affirmatively increase the number of racial and ethnic minorities on staff at DMPS. There is no data for classified applicants because it would include

2014-2016	DMPS Student Pop.	DMPS Staff (All)	DMPS App (all)	DMPS Teacher	DMPS Teacher New hires	DMPS Teacher App	DMPS Admin	DMPS Admin App	DMPS Class Staff
<b>Total</b>	32,582	<b>5,386</b>	<b>13,902</b>	<b>2,948</b>	<b>501</b>	<b>6,196</b>	<b>126</b>	<b>1,043</b>	<b>2,438</b>
<b>% White</b>	42	<b>85.2</b>	<b>66.5</b>	<b>94</b>	<b>93.6</b>	<b>85</b>	<b>90.8</b>	<b>78</b>	<b>73</b>
<b>% Hispanic</b>	25	<b>4.2</b>	<b>5.3</b>	<b>2</b>	<b>1.6</b>	<b>3.3</b>	<b>3.2</b>	<b>3.7</b>	<b>7</b>
<b>% Black</b>	18.3	<b>7.1</b>	<b>9.5</b>	<b>3</b>	<b>3.2</b>	<b>3.6</b>	<b>5</b>	<b>11.4</b>	<b>12</b>
<b>% Asian</b>	7.7	<b>3</b>	<b>2.8</b>	<b>1</b>	<b>1.6</b>	<b>1.8</b>	<b>1</b>	<b>1.2</b>	<b>6</b>
<b>% Other</b>	0.6	<b>0.3</b>	<b>3.1</b>	<b>0</b>	<b>0</b>	<b>0.1</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>% Multi</b>	6.4	<b>0.2</b>	<b>1.9</b>	<b>0</b>	<b>0</b>	<b>1.6</b>	<b>0</b>	<b>1.7</b>	<b>1</b>
<b>Did not answer</b>			<b>10.9</b>			<b>4.6</b>		<b>4</b>	

Individuals applying to volunteer or for temporary employment (substitute teachers, substitute teacher associates, casual labor, etc.).

## Projected Vacancies

The table below represents the projected vacancies in 3 major job classifications. Figures are based on three year trend data, projected retirements, and transfers. These numbers are used along with the labor market, workforce analysis, and applicant pool/new hire comparison as the basis for establishing the quantitative goals of this plan.

Expected New Hires Classification	2017-2019
Administrators	8
Teachers	150
Non-professional Staff	100

## **Explanation of Quantitative Analyses**

### Data Used to Establish Availability Percentages

The law and state administrative rules require that comparisons be made to applicable markets. Hiring targets that are established are goals and not quotas, the nature of the availability data for this Affirmative Action and Equal Employment Opportunity Plan under the state law should not cause concern.

There is no reliable information from which the availability percentages job groups can be computed. The information available from the state agencies for use in preparing affirmative action plans is not broken down into sufficiently specific categories to permit even rough estimates of availability. However, the overall job market from the Des Moines Metropolitan Statistical Area (MSA) and Polk County data offer some comparison. The percentage of minorities in the labor force in Polk County is higher than the minority percentages of job applicants in the Des Moines MSA and the State of Iowa.

An overall underrepresentation conclusion was the primary driver of analysis, however there are large variability in the composition of the relevant labor market for demographics and job categories.

### Similar Size District Demographic Data

Currently, no consistent comparative data exist to compare DMPS demographic figures for all staff or specific staffing classifications with similar size districts nationally. Inquiries and research into the similar size districts Cincinnati, Horry County (Myrtle Beach), Indianapolis, Little Rock, Minneapolis, and Portland revealed similar percentages of teachers of color. However, data points provided were from various secondary sources in varying years.

The inconsistencies and difficulties in gathering this data reflect the difficulties many districts have in addressing the issue of minority teacher recruitment. Most recent available data from the National Center for Educational Statistics; Schools and Staffing Survey places the percentage of White, non-Hispanic teaching staff at 82% nationally. Only five states had teaching populations that were below 75% White, non-Hispanic. The percentage of White, non-Hispanic teachers for Iowa is 98.7%. These percentages demonstrate DMPS struggles less than other Iowa districts in hiring minority staff members. A reliable comparison to similar size districts nationwide might reveal DMPS can still increase its diverse teaching staff when it compares to similar size urban districts. This hypothesis, along with information presented in the workforce analysis, assist in the development of numerical goals for this plan.

## **Quantitative Goal Report (2014-2016)**

### **Quantitative Goals**

Numerical hiring goals must be established for each major job category where underrepresentation exists. The goals should be seen as reasonable aspirations for correcting imbalance in the District's workforce. They will not be treated as rigid and inflexible quotas that must be met.

These numerical goals will not cause any group of applicants to be excluded from the hiring process when filling vacancies in job categories where underrepresentation exists. Race, sex and/or disability may be one of several factors considered when making employment decisions among qualified individuals, but it will not be the only one.

Separate goals will be designed to remediate underrepresentation for race, sex, and disability. The factors to be considered when setting numerical goals are:

- The number of projected vacancies in the job categories.
- The availability of qualified persons from underrepresented groups within the relevant labor market.
- The makeup of the student population.
- The makeup of the Des Moines metropolitan statistical area

### **Numerical Goals and Timetables**

1. Increase the overall percentage of employees of color within the District from 14% to 16% (108) by September 1, 2018.
2. Increase the percentage of teachers of color from 6% to 7.5% (44) by September 1, 2018.
3. Increase the percentage of administrators of color from 8% to 10% (3) by September 1, 2018.

**SECTION IV**  
**QUALITATIVE ANALYSIS**  
**AND**  
**QUALITATIVE GOALS**

281 IAC Sections 95.5 (4) and 95.5 (9)

# Qualitative Goals

The Affirmative Action Plan qualitative analysis should encompass five areas: policies, procedures, recruitment, retention, and staff development. The qualitative analysis and goals should examine and make recommendations to areas where District practices might exclude, disadvantage, restrict or result in adverse impact on current or prospective employees. The goal of the District is to prevent any such occurrences.

## 1. Recruitment practices and policies

- We will continue to collect and review data to inform efforts/goals for meeting equity goals with underrepresented groups.
- We will continue to track applicant data for advertising sites with a focus on underrepresented groups.
- We will work with the DMPS Welcome Center and community outreach to develop opportunities for employment.
- We will monitor and track students in the 3D and Dream to Teach programs. We will continue to meet regularly with DMACC and Drake leaders to meet needs of students, coach students, and communicate regularly with students. We will work with DMACC and Drake leadership to plan for additional resources and sponsorships for students.
- We will gather data to determine decisions or revisions regarding the BLUE Contract.
- DMPS Equity Advisory recommendations will be communicated and considered for future planning and to inform decisions

## 2. A demographic study of the applicant pool, new hires, and current staff

- An assessment and review of employee retention and engagement is planned for 2017. We will determine strategies for retention with an emphasis of employees from underrepresented groups.
- Working with the Office of Schools and with support from the Wallace Foundation, we will continue to utilize the DMPS Principal Pipeline to identify and coach aspiring leaders from underrepresented groups.
- The district is in development of a Leader Tracking System that aims to collect student achievement data in the classroom to assist in identifying those instructional teacher leaders who will be encouraged to pursue a leadership position. Special emphasis will be place on teachers of underrepresented groups.
- There are 23 teachers who hold an administrative endorsement but are not employed in a leadership capacity. Only one of that group is a member of an underrepresented group.

### 3. Application, interviewing and hiring policies and practices

- The district will fully implement the revised, equity and student data based hiring process.
- We will further review of background check policy and practices for consistency and equity.
- We will begin tracking data of applicants who are offered employment but do not pass the background check (gender, race, infraction)
- A team of DMPS administrators/supervisors will receive Implicit Bias Training during 2017. A review of current practices by an outside implicit bias specialist will be a part of the training.
- All job descriptions developed will include cultural proficiency requirements.
- The district will develop a formalized process for communicating and establishing expectations for diversity among interview teams.

### 4. Employee professional development assistance, training selection and mentoring policies and practices

- The district will begin evaluation of cultural proficiency skills and offer coaching for improvement, through use of the Intercultural Development Inventory. Cultural Proficiency training will continue with the focus of an understanding of the framework and its relation to the hiring and retention process.
- The videotaped modules will be used as necessary to reteach or communicate expectations for employees as needed. Each year we will review the number and type of complaints received to determine if any revisions or additions are needed to cultural proficiency professional development.

### 5. Review the impact of the collective bargaining agreement on equal employment opportunity and the affirmative action process.

- We will begin meetings with collective bargaining units to identify and discuss potential contract items that may have an effective on equity goals. Mutually agreed upon changes will be discussed during our next contract negotiations in the spring of 2018.
- Ongoing equity conversations will be a part of regular meetings with union leadership.

6. We will review law, policies or practices external to the District that may hinder success in equal employment opportunity and affirmative action.

- We will continue review and update board policies/procedures for accuracy and compliances.
- The Office of Human Resources will begin collecting data to monitor compliance and drive continuous improvement.

# Legislation and Administrative Guidelines

In our efforts to achieve Equal Employment Opportunity for all in the District service, we will be guided by the intent and mandate of relevant laws and regulations, including but not limited to the following:

A. Civil Rights Act of 1964 As Amended, 42 U.S.C. Section 2000e et. seq.

Title VII, Section 703 (a): It shall be unlawful employment practice for an employer

- (a) to fail or refuse to hire or to discharge an individual, or otherwise to discriminate against any individual with respect to compensation, because of such individual's race, color, religion, gender, or nationality; or
- (b) to limit, segregate, or classify employees or applicants for employment in any way that would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect status as an employee because of such individual's race, color, religion, sex, or national origin.
- (c) It shall be an unlawful employment practice for an employment agency to fail or refuse for employment or otherwise to discriminate against any individual because of race, color, religion, sex, or national origin, or to classify or refer for employment any individual on the basis of race, color, religion, sex, or national origin.

B. Title IX Non-Discrimination in Federally Assisted Education Programs, 20 U.S.C. Section 1681

Prohibits discrimination on the basis of sex against students in educational programs within educational agencies that receive federal funds.

C. Fourteenth Amendment of the U.S. Constitution

Section 1 declares that all persons born or naturalized in the United States, and subject to the jurisdiction thereof are citizens of the United States and of the state wherein they reside and that no state shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law; nor deny persons within its jurisdiction the equal protection of the laws.

D. The Vocational Rehabilitation Act of 1973, 29 U.S.C. Section 794 et. seq.

Section 504. Prohibits discrimination based on handicap for both employment and the provision of services.

E. Age Discrimination In Employment Act of 1967, 29 U.S.C. Section 621 et seq.

Seeks to prevent employment discrimination because of age against persons 40 years old and above.

F. The Equal Pay Act of 1963, 29 U.S.C. Section 206 (d)

The Equal Pay Act was the first federal law specifically aimed at correcting discrimination in employment. Basically it mandates "Equal pay for equal work" regardless of sex. The law's three benchmarks for a job are skill, effort, and responsibility.

G. Pregnancy Discrimination Act of 1978, 42 U.S.C. Section 2000e(k)

The Pregnancy Discrimination Act of 1978 requires employers to provide the same sick leave benefits to pregnant employees as would be provided to any other employee with a disability.

H. Equal Employment Opportunity Commission (EEOC) Guidelines 29 CFR, paragraph 1608.1 (b) (1985).

The EEOC has issued guidelines that encourage employers to voluntarily undertake programs which, "...Improve opportunities for minorities and women." The United States Supreme Court has generally deferred to EEOC interpretation of Title VII and the guidelines which support that agency's position.

I. Iowa Code Chapter 601A (1989)

The Iowa Civil Rights Act was adopted in 1965. The Act, as amended, prescribes the powers and duties of the Civil Rights Commission and the definitions of unfair practices related to employment, accommodations or services, housing, education, and credit. The Chapter contains the procedures for processing complaints of discrimination.

J. Iowa Code, Section 19B.11 (1989)

This section of the Iowa Code requires equal employment opportunity and affirmative action in school districts, area education agencies, and community colleges. The State Board of Education adopted rules to implement Section 19B.11, codified as Iowa Administrative Code 281-95.1 through 281-95.7. The rules require specific steps to accomplish the goals of affirmative action in the recruitment, appointment, assignment, and advancement of personnel.