



**NORTHSHORE  
SCHOOL DISTRICT NO. 417**

# **AFFIRMATIVE ACTION PLAN**



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**2013 - 2018**

Human Resources Department  
Adopted on: June 25, 2013

**NORTHSHORE SCHOOL DISTRICT NO. 417**

**3330 Monte Villa Parkway**

**Bothell, Washington 98021**

**EQUAL EMPLOYMENT OPPORTUNITY**

**AFFIRMATIVE ACTION PLAN**

**Adopted by the Board of Directors on: June 25, 2013**

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## **AFFIRMATIVE ACTION PLAN**

### **I. PURPOSE**

Northshore School District No. 417 is committed to non-discrimination and to an Affirmative Action Plan. The district also recognizes that equal employment opportunity is an indicator of excellence in education. It is our belief that all employment practices must be administered to enhance fair and equal treatment without regard to race, creed, religion, color, national origin, age, sex, sexual orientation, veteran or military status, marital status, genetic information or non-job-related physical, sensory or mental disability, except insofar as such factors are valid occupational qualifications. It is the district's ongoing priority to employ individuals who represent diverse talents, contributions, abilities and experiences representative of our society.

The Affirmative Action Plan is intended to be a comprehensive effort by the district to set goals to hire members of protected classes in all employment areas; to identify any barriers in the human resources management system which may limit the ability of applicants and employees to reach their full potential, and to analyze the effectiveness of the District's efforts in this area.

It is recognized that for this plan to be effective, continuous revision will be necessary. Each year progress will be reviewed and new goals will be identified and revised for the following year.

### **II. DISSEMINATION OF POLICY AND PLAN**

It is the responsibility of the superintendent of the Northshore School District, or a designee, to inform all applicants for employment, all current employees, all persons responsible for hiring, within the district, all employee associations, and all district contractors and subcontractors of its commitment to equal opportunity employment. Toward this end, the following activities will be initiated annually unless otherwise noted:

#### **Internal Communication**

- Meet with administrators to explain the Affirmative Action Plan as well as individual responsibility for effective implementation, making clear the commitment of the Board and superintendent.
- Post the policy of equal employment opportunity and federal and state posters prohibiting discrimination on bulletin boards in the Human Resources Office and other building sites.
- Publicize the district's equal employment policy periodically in publications of the Communications Office.
- Ensure conformance of employee organizations of the district with the Affirmative Action Plan. Any negotiated agreements shall not contain statements in conflict with this Plan.

- Document compliance with personnel practices, through the Human Resources Department, including an annual statistical analysis and update of employment data to measure the effectiveness of the Plan.
- Maintain record systems that will collect, recall and display aggregate data on district employees with respect to race and gender.
- Continuously review all job descriptions and job postings to ensure accuracy and to eliminate non-job related barriers to employment.
- Review all Affirmative Action goals relating to equal employment opportunity and review progress towards those goals with the Board of Directors.
- Include the district's non-discrimination policy in all employment handbooks.
- Announce regular district training opportunities to staff in district publications.
- Post the Affirmative Action Plan on the district's website.
- Notify employees at least annually of the district's Affirmative Action Plan.

### **External Communication**

- Include the equal employment policy statement on all recruitment material, application forms, and job postings.
- Identify, to the extent possible, persons with prerequisite skills and abilities for projected openings throughout the district.
- Notify all subcontractors, vendors and suppliers in writing of our equal employment policy statement as appropriate.

### **Internal and External Communication**

Copies of the 2013 – 2018 Affirmative Action Plan will be distributed to all pertinent organizations, agencies and people within and outside the district as follows:

- Board of Directors
- All administrators and supervisors
- All schools
- All employee associations
- Any employee, upon request
- The Office for Multicultural Education and the State Superintendent of Public Instruction.

## **III. RESPONSIBILITY FOR IMPLEMENTATION AND EVALUATION**

The superintendent of the district has the overall responsibility for the development, implementation, coordination and monitoring of the Affirmative Action Plan. The district's Affirmative Action Office is the Director of Human Resources, JoAn Steiner (jsteiner@nsd.org) who shall have responsibility for assuring that the district is meeting its obligations.

The Affirmative Action Officer is also charged with the responsibility of making known the district's desire and commitment to employ members of protected classes.

The Affirmative Action Officer is responsible for the overall coordination within the district. The Affirmative Action Officer will advise the superintendent or the Board on equal opportunity matters as required. The officer will review the plan yearly to:

- Ensure equal opportunity throughout the district
- Monitor progress toward the goals
- Evaluate the plan's accomplishments
- Prepare memoranda to specify responsibilities as required by this plan.

#### **IV. UTILIZATION ANALYSIS**

##### **A. Development of Analysis**

The terms 'utilization analysis' and "under-utilization" appearing in this Affirmative Action Plan are used in the same sense in which these terms are used in regulations promulgated by the federal government relative to such plans. These terms have no independent legal or factual significance whatsoever. Many statistical comparisons herein involve the use of geographic areas and various sources of statistics. The use of such geographic areas and statistics is intended only for the purpose of implementing this Affirmative Action Plan and has no significance outside the context of this Plan, although these statistics and areas have been selected and used in good faith and in an effort to be as useful as possible in the development of the Plan.

In order to determine whether goals are needed for an Affirmative Action Plan, it is first necessary to determine the percentage of female and minorities available in the work force. This is done through an "availability analysis." The availability analysis used here is the one set forth in federal regulations for affirmative action. Currently, three factors are primarily used to determine availability:

- Persons having requisite skills in the immediate labor area.
- Persons having requisite skills in the area in which the district can reasonably recruit.
- Promotable and transferable persons in the district's workforce, and degree of training the district can reasonably undertake.

The second step is to measure the district's current utilization (the percentage of females and minorities currently employed in each job group) against the statistically expected utilization rate (80% of availability rate). If current utilization is lower than the expected utilization, the district is "under-utilized" in a job group.

The eleven groups which were identified for tracking are: Certificated Administrators, Elementary Teachers, Secondary Teachers, Instructional Support, Professional/Technical/Supervisory, Paraeducators, Office Clerical, Food Service, Custodial and Grounds, Maintenance, and Transportation.

After determining the job groups and number of employees in each group, availability factors applicable to each job group were identified, each factor was weighted, and a final availability statistic was calculated. Each job group is statistically analyzed for both female and minority utilization.

The data used to calculate each factor came from a number of sources, including the 2000 census data for the Seattle-Bellevue-Everett Primary Metropolitan Statistical Area (PMSA), Washington State census data (Equal Employment Opportunity File), United States census data (Equal Employment Opportunity File) and internal district data regarding promotion patterns.

## **B. Analysis of Under-Utilization**

The district has analyzed its March 2013 utilization of females and minorities relative to availability. See Appendices B and C.

The analysis indicates that females are statistically under-utilized in the Maintenance job group. Minorities are statistically under-utilized in Certificated Administrators, Instructional Support, Office Clerical, and Transportation job groups.

A discussion of the job groups follows:

1. Certificated Administrators. Expected minority utilization in this category is 10.9%. Current utilization is 10.3%. The district will continue to provide opportunities for promotion of all staff who are qualified for administrator vacancies and continue its recruiting outreach efforts to attract as broad an applicant pool as practicable. Expected female utilization in this category is 50.0%. Current utilization is 56.9%, so no goals are necessary in this area.
2. Elementary Teachers. Expected minority utilization in this category is 8.1%. Current utilization is 8.2%, exceeding expected utilization. Although no goals are necessary with this job group, the district will continue its recruiting outreach efforts. Expected female utilization in this category is 62.6%. Current utilization is 88.4%, far exceeding availability.
3. Secondary Teachers. Expected minority utilization in this category is 8.0%. Current utilization is 11.2%, exceeding availability. Although no goals are necessary with this job group, the district will continue its recruiting outreach efforts. Expected female utilization in this category is 50.8%. Current utilization is 57.1%, so no goals are necessary in this area.
4. Instructional Support. Expected minority utilization in this category is 8.4%. Current utilization is 7.4%. This job group includes school psychologists, speech language pathologists and occupation therapists. These positions are generally difficult to fill and the district does not

always have sufficient applicants to meet its hiring needs. The district competes with other industries that pay more for employees in these occupations. The district will continue to focus on communicating and building relationships with university placement coordinators, attract student interns, and hire interns into hard-to-fill positions. Expected female utilization in this category is 64.1%. Current utilization is 83.7%, far exceeding availability.

5. Professional/Technical/Supervisory. Expected minority utilization in this category is 11.3%. Current utilization is 15.6%, exceeding expected utilization. Although no goals are necessary with this job group, the district will continue its recruiting outreach efforts and interview as broad an applicant pool as practicable. Expected female utilization in this category is 37.5%. Current utilization is 60.9%, so no goals are necessary in this area.
6. Paraeducators. Expected minority utilization in this category is 9.4%. Current utilization is 11.3%, exceeding expected utilization. Although no goals are necessary with this job group, the district will continue its recruiting outreach efforts. The district will review job announcements with diversity and cultural awareness in mind to continue its efforts to attract a more diverse pool of candidates and ensure qualified minority applicants are fully considered. Expected female utilization in this category is 72.2%. Current utilization is 94.6%, so no goals are necessary in this area.
7. Office Clerical. Expected minority utilization in this category is 8.9%. Current utilization is 5.5%. In this occupational category, many positions are filled through transfer or promotion from existing staff. While some of this is due to provisions of the negotiated labor agreement, much of it is not. The district needs to broaden the applicant pool from which promotions are made, encourage internal applicants to pursue training that will improve their competitiveness for promotion, and generally increase access to these positions. Expected female utilization in this category is 73.6%. Current utilization is 98.6%, far exceeding availability.
8. Food Services. Expected minority utilization in this category is 20.8%. Current utilization is 27.6%, exceeding expected utilization. Although no goals are necessary with this job group, the district will continue its recruiting outreach efforts. Female utilization in this category is 99%.
9. Custodial and Grounds. Expected minority utilization in this category is 31.0%. Current utilization is 49.5%, exceeding availability. Female availability in this category is 21.6%. Current utilization is 33.3%, exceeding availability. Although no goals are necessary with this job group, the district will continue its recruiting outreach.



10. Maintenance. Expected minority utilization in this category is 13.3%. Current utilization is 21.2%, exceeding availability. Although no minority goals are necessary with this job group, the district will continue its recruiting outreach efforts. Expected female utilization in this category is 5.2%. Current utilization is 0.0%. The total availability of female applicants is only at 6.5% and the district has few vacancies in this job category since it has eliminated positions over the last several years. The district will continue its recruiting outreach efforts as positions become available to identify and attract qualified female applicants for the limited vacancies anticipated during the life of the plan.
11. Transportation. Expected minority utilization in this category is 17.0%. Current utilization is 7.3%. Recruiting in this occupational category is generally difficult because all new hires undergo several weeks of training at minimum wage and begin as on-call substitute drivers working a limited number of hours. The district will review job announcements with diversity and cultural awareness in mind to continue its efforts to attract a more diverse pool of candidates and ensure qualified minority applicants are fully considered. In addition, the district will monitor the applicant flow data more closely and ensure that qualified minority applicants are interviewed by the department. Female availability in this category is 36.1%. Current utilization is 71.9%, so no goals are necessary in this area.

## V. GOALS AND TIMETABLES

The district shall establish goals for increasing the representation of females and minorities in each of the job groups where under-representation exists, as shown in Appendices B and C, to be achieved by the end of the 2017-2018 school year. The following processes will be used to assist the district in meeting these goals. Annual analysis of the goals will be given to the Board of Directors. Periodic training to administrators on diversity hiring practices will be conducted. The Human Resources staff will work on increasing the applicant pool through attendance at hiring fairs, college/university recruiting visits and other community agencies.

The above objectives will be analyzed annually and revised as appropriate to ensure compliance with the intent of the district's Equal Employer Opportunity Nondiscrimination Policy.

## VI. INTERNAL AUDITING AND MONITORING

The district has established the following internal audit and reporting system to monitor the Affirmative Action Plan:

- A. Job History Files. Job history files are maintained and retained for the legally specified time period and are available for reference. These files contain copies of the job announcement, applicant lists, applications, copies of selection instruments, rating summaries, and relevant correspondence and notes.

- B. Applicant Flow Data. All applicants are asked to fill out an optional self-designation form. A computerized applicant tracking system is utilized.
- C. Reporting. Statistics on recruiting and utilization will be prepared and disseminated to administrators, managers and supervisors as appropriate.

The Affirmative Action Officer will evaluate the effectiveness of the Plan and recommend changes to the Board of Directors through the superintendent. Changes mandated by the Board will be carried out under the direction of the Director of Human Resources.

## **VII. SUPPORTIVE SYSTEMS**

### **A. Job Structuring for Promotion**

The Affirmative Action Plan shall ensure that the public will have an opportunity to enter public school service in the Northshore School District on the basis of open competition and to advance according to their relative abilities.

This is to be accomplished by routinely analyzing position requirements to ensure that they are necessary, by making selections for positions based upon required qualifications, and by providing opportunities for upward mobility. To achieve this goal, the following activities will be implemented annually unless otherwise noted:

1. A careful review will continue to be made of all job descriptions to remove non-job related requirements for employment or advancement.
2. Job descriptions will be reviewed regularly to assure that qualifications required will be minimum for entrance into a given job classification rather than a desired standard attainable only after some experience on the job.
3. Job qualifications will be analyzed to provide for an emphasis on potential for development rather than present performance capabilities.
4. Promotional possibilities will be identified wherever possible to permit movement of capable lower level employees to positions of greater responsibilities as employees develop.
5. Employees in all departments will be given assistance in the form of counseling and training.
6. The Northshore Intranet will announce in-service training opportunities for all employees on a regular basis.

**B. Recruitment, Employment and Training**

The district is an Equal Employment Opportunity/Affirmative Action Employer. It is our policy and commitment to provide equal employment opportunity and non-discriminatory treatment in recruitment, hiring, retention, transfer, promotion, and training of all employees regardless of age, genetic information, national origin, race, color, creed, religion, sex, sexual orientation, marital status, non-job-related physical, sensory, or mental disability, or veteran or military status, except insofar as such factors are valid occupational qualifications.

Consistent with the Affirmative Action Plan, appropriate departments of the district will work to accomplish the following goals:

1. Send announcements regarding job opening to local agencies, institutions, and professional groups to assist the district in its recruitment of members of protected classes.
2. Post all job openings on the district's website.
3. Make college placement offices aware of the district's commitment to an equal employment opportunity policy and its Affirmative Action Plan to implement this policy.
4. Continue to develop various in-service training opportunities by which personnel can receive assistance in moving from beginning levels to positions of greater responsibility.
5. Provide interview training to school hiring committees to help them be more aware of the impact cultural differences may have on the hiring process.
6. Provide training, troubleshooting and accountability as needed for colleagues and staff who provide support to new protected class employees.

**C. Complaint Procedure**

To ensure fairness and consistency, the following review procedures are to be used in the district's relationship with its staff with regard to employment problems covered by state and federal equal employment opportunity laws and/or this Affirmative Action Plan. No employee's status with the district shall be adversely affected in any way because the employee utilized these procedures.

**D. Informal Review Procedure**

Prior to implementing the formal procedure, as outlined in Level One, an employee may complain informally to his or her supervisor, the Affirmative Action/Title IX Compliance Officer or the Human Resources Department about alleged noncompliance with equal employment opportunity or equal access laws.

The Affirmative Action/Title IX Compliance Officer or designee will attempt to informally resolve the complaint and shall notify the complainant within thirty (30) days of a proposed resolution.

**E. Level One – Formal Review**

- a. Each formal complaint communicated to the district shall be:
  - (1) written,
  - (2) signed by the complainant,
  - (3) set forth specific acts, conditions, or circumstances alleged to be in violation of the district's policies or obligations with regard to discrimination , and
  - (4) be filed with the Affirmative Action/Title IX Compliance Officer as soon as possible, but no later than thirty (30) calendar days following the alleged discrimination.
- b. Upon receipt of a complaint by the district in the manner herein described, the Affirmative Action/Title IX Compliance Officer or designee shall investigate the allegations set forth and shall institute such other reasonable procedures to effect a prompt resolution of the complaint.
- c. Upon completion of the investigation, the Affirmative Action/Title IX Compliance Officer or designee shall provide the district superintendent with a full written report of the complaint and results of the investigation, unless the matter is resolved to the satisfaction of the complaining party prior to the submission of a full written report.
- d. The district superintendent shall respond in writing to the complainant as expeditiously as possible but in no event later than thirty (30) calendar days following receipt of such complaint by the district. The response of the superintendent shall clearly state either:
  - (1) that the district denies the allegations contained in the complaint, or
  - (2) the nature of such reasonable corrective measures deemed necessary to eliminate any such act, condition, or circumstance within the district.
- e. Corrective measures deemed necessary shall be instituted as expeditiously as possible but in no event later than thirty (30) calendar days following the superintendent's mailing of a written response to the complainant. (WAC 392-190-065)

**F. Level Two – Appeal to Board of Directors**

- a. In the event a complainant remains aggrieved following a written response from the superintendent, said complainant may appeal to the district Board of Directors by filing a written notice of appeal with the secretary of the School Board on or before the tenth (10<sup>th</sup>) day following:

- (1) the date upon which the complainant received the superintendent's written response, or
  - (2) the expiration of the thirty (30) day response period set forth in Level One(e) above, whichever occurs first.
- b. An appeal to the Board of Directors shall require the Board of Directors to schedule a hearing to commence on or before the twentieth (20<sup>th</sup>) day following the filing of the written notice of appeal:
- (1) Both parties shall be allowed to present such witnesses and testimony as the Board deems relevant and material. The Board hearing will be public unless a confidential hearing is requested by the complainant.
  - (2) The Board of Directors shall render a written decision on or before the tenth (10<sup>th</sup>) day following the termination of the hearing and shall provide a copy to all parties involved. (WAC 392-190-070).

**G. Level Three – Appeal to the Superintendent of Public Instruction**

In the event a complainant charging sex discrimination in violation of Chapter 28A.640 RCW or Chapter 392-190 WAC remains aggrieved with the decision of the Board of Directors, the complainant may appeal the Board's decision to the Superintendent of Public Instruction under WAC 392-190-075.

- a. A notice of appeal must be received by the Superintendent of Public Instruction on or before the tenth (10<sup>th</sup>) day following the date upon which the complainant received written notice of the Board of Directors' decision.
- b. A notice of appeal must be in writing in the form required by the Superintendent of Public Instruction and must set forth:
  - (1) A concise statement of the original complaint and the portions of the Board of Directors' decision being appealed.
  - (2) The relief requested by the complainant/appellant.

**VIII. REDUCTION IN FORCE**

Reduction in staff will be made in accordance with applicable law and with collective bargaining agreements currently in force. If a reduction-in-force is necessary, consistent with its legal and contractual obligations, the district will attempt to make reductions in force bearing in mind its Affirmative Action commitment.

**APPENDIX A**  
**NORTSHORE SCHOOL DISTRICT**  
**WORKFORCE UTILIZATION ANALYSIS**  
**1995-96 TO 2012-13**

<b>School Year</b>	<b>Total Employees</b>	<b>Total Minorities</b>	<b>Minority Percentage of Total</b>	<b>Total Females</b>	<b>Female Percentage of Total</b>
1995-96	2056	160	7.8%	1520	73.9%
1996-97	2032	169	8.3%	1496	73.6%
1997-98	2117	178	8.4%	1474	69.6%
1998-99	2077	162	7.8%	1539	74.1%
1999-00	2072	153	7.4%	1542	74.4%
2000-01	2310	177	7.7%	1774	76.8%
2001-02	2310	177	7.7%	1774	76.8%
2002-03	2414	189	7.8%	1848	76.6%
2003-04	2382	190	8.0%	1825	76.6%
2004-05	2390	194	8.1%	1834	76.7%
2005-06	2403	200	8.3%	1849	76.9%
2006-07	2410	199	8.3%	1861	77.2%
2007-08	2355	214	9.1%	1824	77.5%
2008-09	2291	195	8.5%	1763	77.0%
2009-10	2218	202	9.1%	1708	77.0%
2010-11	2229	261	11.7%	1726	77.4%
2011-12	2233	268	12.0%	1735	77.7%
2012-13	2227	270	12.1%	1740	78.1%

**APPENDIX B  
NORTHSHORE SCHOOL DISTRICT**

**2013 UTILIZATION ANALYSIS AND GOALS – FEMALES**

<b>Job Group</b>	<b>Total Female</b>	<b>Total Employees</b>	<b>Percent Female</b>	<b>Total Availability</b>	<b>Statistically Expected Utilization*</b>	<b>Underutilized</b>	<b>Persons Underutilized</b>
Cert. Admin.	33	58	56.9%	62.5%	50.0%	No	
Elem. Teachers	525	594	88.4%	78.2%	62.6%	No	
Sec. Teachers	250	438	57.1%	63.5%	50.8%	No	
Inst. Support	169	202	83.7%	80.1%	64.1%	No	
Prof./Tech./Supv.	39	64	60.9%	46.9%	37.5%	No	
Paraeducator	384	406	94.6%	90.2%	72.2%	No	
Office Clerical	143	145	98.6%	92.0%	73.6%	No	
Food Service	97	98	99.0%	74.3%	59.4%	No	
Custodial & Grounds	31	93	33.3%	27.0%	21.6%	No	
Maintenance	0	33	0.0%	6.5%	5.2%	Yes	2
Transportation	69	96	71.9%	45.1%	36.1%	No	
<b>Total</b>	<b>1740</b>	<b>2227</b>	<b>78.1%</b>				

\*80% of Availability

**APPENDIX C  
NORTHSHORE SCHOOL DISTRICT**

**2013 UTILIZATION ANALYSIS AND GOALS – MINORITIES**

<b>Job Group</b>	<b>Total Minority</b>	<b>Total Employees</b>	<b>Percent Minority</b>	<b>Total Availability</b>	<b>Statistically Expected Utilization*</b>	<b>Underutilized</b>	<b>Persons Underutilized</b>
Cert. Admin.	6	58	10.3%	13.6%	10.9%	Yes	2
Elem Teachers	49	594	8.2%	10.1%	8.1%	No	
Sec Teachers	49	438	11.2%	10.0%	8.0%	No	
Inst. Support	15	202	7.4%	10.5%	8.4%	Yes	6
Prof/Tech/Supv	10	64	15.6%	14.1%	11.3%	No	
Paraeducator	46	406	11.3%	11.8%	9.4%	No	
Office Clerical	8	145	5.5%	11.1%	8.9%	Yes	8
Food Service	27	98	27.6%	26.0%	20.8%	No	
Custodial & Grounds	46	93	49.5%	38.7%	31.0%	No	
Maintenance	7	33	21.2%	16.6%	13.3%	No	
Transportation	7	96	7.3%	21.2%	17.0%	Yes	13
<b>Total</b>	<b>270</b>	<b>2227</b>	<b>12.1%</b>				

*\*80% of Availability*



**APPENDIX D**  
**EQUAL EMPLOYMENT OPPORTUNITY/NONDISCRIMINATION POLICY**

**BOARD POLICY**

**No. 5010**

**PERSONNEL**

**Equal Employment Opportunity/Nondiscrimination**

The district shall prohibit discrimination on the basis of age, sex, marital status, genetic information, sexual orientation including gender expression or identity, race, creed, religion, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, unless based upon a bona fide occupational qualification, in all its employment procedures, training, programs and activities and shall provide equal access to the Boy Scouts and other designated youth groups.

The superintendent/designee shall designate a staff member to serve as Affirmative Action/Title IX/Compliance Officer.

Cross Reference:

WSSDA Policy No. 5010, Nondiscrimination and Affirmative Action

Legal References:

RCW 28A.400.310	Law against discrimination applicable to districts' employment practices
RCW 49.60.030	Freedom from discrimination – Declaration of civil rights
RCW 49.60.180	Unfair practices of employers
RCW 49.60.400	Discrimination, preferential treatment prohibited
RCW 73.16	Employment and reemployment
Chapter 28A 642 RCW	Discrimination prohibition
Chapter 49.60 RCW	Discrimination – human rights commission
Chapter 392-190 WAC	Equal education opportunity – unlawful discrimination prohibited
42 USC 2000e1-2000e10	Title VII of the Civil Rights Act of 1964
20 USC § 1681-1688	Title IX Educational Amendments of 1972
42 USC 12101-12213	Americans with Disabilities Act
8 USC 1324	(IRCA) Immigration Reform and Control Act of 1986
38 USC §§ 4301-4333	Uniformed Services Employment and Reemployment Rights Act
29 USC 621-634	Age Discrimination in Employment of 1967
34 CFR § 104	Nondiscrimination on the basis of handicap in Programs or activities receiving federal financial assistance

Adopted by the Board: March 9, 1993

Revised: 6/10/03; 7/10/07; 1/08/08; 11/13/12

**APPENDIX E**  
**AFFIRMATIVE ACTION POLICY**

**BOARD POLICY**

**No. 5011**

**PERSONNEL**

**Affirmative Action**

The district is committed to undertake affirmative action which shall provide equal employment opportunities for staff and applicants for employment. Such affirmative action shall include a review of programs, the setting of goals, and the implementation of corrective employment procedures to increase the representation of minorities and women who are under-represented in district job classifications in relationship to the availability of such persons having requisite qualifications. Such affirmative action shall also include recruitment, training, education and other programs. Reasonable steps shall be taken to promote employment opportunities for all employees and applicants.

The superintendent/designee shall develop an affirmative action plan and personnel procedures to be followed by the staff of the district to carry out the provisions and interest of this policy.

This policy, as well as the affirmative action plan and procedures developed according to it, shall be made available to all staff and to all interested patrons and organizations. Progress toward the goals established under this policy shall be reported annually to the board.

Cross Reference:

WSSDA Policy No. 5010, Nondiscrimination and Affirmative Action

Legal References:

RCW 49.60.400          Discrimination, preferential treatment prohibited

WAC 392-190-0592      Public school employment - Affirmative action program

Adopted by the Board: March 9, 1993

Revised: 1999; 6/10/03; 1/08/08

Reaffirmed: 11/13/12

**APPENDIX F**  
**LEGAL BASIS FOR NONDISCRIMINATION AND AFFIRMATIVE ACTION**

**Equal Pay Act of 1963** – requires all employees subject to the Fair Labor Standards Act to provide equal pay to men and women for equal work on jobs which require equal skill, effort, and responsibility and which are performed under similar working conditions.

**Title VI of the Civil Rights Act of 1964** – prohibits discrimination based on race, color, or national origin in any program or activity receiving federal financial assistance.

**Title VII of the Civil Rights Act of 1964** – as amended by the Equal Employment Opportunity Act of 1972, prohibits discrimination against employees or applicants for employment on the basis of race, color, religion, sex or national origin.

**Title IX of the Education Amendments of 1972** – prohibits sex discrimination against students and employees in educational institutions receiving federal financial assistance.

**Vocational Rehabilitation Act of 1973, Section 504** – prohibits discrimination against students and employees in educational institutions receiving federal financial assistance.

**Age Discrimination in Employment Act of 1967** – as amended in 1978, prohibits age discrimination against employees or applicants 40 years or older.

**Washington State Law Against Discrimination, RCW 49.60** – prohibits discrimination on the basis of race, creed, color, national origin, sex, sexual orientation, marital status, age or the presence of any sensory, mental or physical handicap in employment, credit, public accommodations, and publicly assisted housing.

**Washington Administrative Code, WAC 392-190 and 390-200** – prohibits sex discrimination and requires affirmative action by public schools (K-12).

**Washington State Law, RCW 49.60.400** - prohibits preferential treatment in affirmative action.