



**FRANKLIN
PIERCE
SCHOOLS**

FRANKLIN PIERCE SCHOOL DISTRICT NO. 402

AFFIRMATIVE ACTION PLAN

2020-2025

Adopted by the Board of Directors in September 2020

FRANKLIN PIERCE SCHOOL DISTRICT NO. 402
Tacoma, WA 98444

AFFIRMATIVE ACTION PLAN

Introduction

The Board of Directors of the Franklin Pierce School District recognizes that an affirmative action plan is a sound employment practice that assists in achieving a diverse work force. Franklin Pierce School District No. 402 commits itself to a policy of equal opportunity for all applicants and employees without discrimination on the basis of gender, race, creed, color, national origin, marital status, religion, age, veteran status, or physical, mental or sensory disability except as may be necessary to meet a bona fide occupational qualification.

All personnel policies and practices related to employee selection, promotion, retention, staff development, and compensation will conform to this Affirmative Action Plan and the Board of Directors policy of Nondiscrimination and Affirmative Action.

Adherence to the Affirmative Action Plan is a primary responsibility of the Superintendent, administrators, managers, and supervisors. Every employee will be expected to work toward its success.

Washington school districts are required by regulations issued by the Office of the Superintendent of Public Instruction, WAC 392-190, to adopt affirmative action employment programs to eliminate discrimination on the basis of sex, race, creed, color, national origin, marital status, age, or the presence of any sensory, mental, or physical handicap. The Washington Law Against Discrimination further prohibits discrimination “because of race, creed, color, national origin, sex, honorably discharged veteran or military status, sexual orientation, 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.” RCW 49.60.030. In addition to current policies and educational efforts geared toward eliminating discrimination on all these bases, OSPI requires affirmative action plans to include a workforce “utilization” analysis for two specific groups: women and persons who have been identified as racial or ethnic minorities. This analysis involves comparing the District’s current personnel with the available workforce to determine whether the District may be “under-utilizing” women or minorities in various job categories. At the same time, any activities undertaken to address underutilization must be consistent with RCW 49.60.400 (commonly known as Initiative 200), which prohibits preferential treatment on the basis of race or sex. Thus, if underutilization is suspected, efforts will necessarily focus on non-discriminatory and non-preferential activities such as maintaining a welcoming work environment, education, recruitment, or other activities consistent with state law.

- Section A. Policies**
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A. Policies

The Franklin Pierce School District has previously adopted and enforces Policy 5010, Nondiscrimination and Affirmative Action. In addition, the District has adopted the following Board policies and administrative procedures that further the goals of this Policy and of this Affirmative Action Plan:

Procedure 5010P, Nondiscrimination and Affirmative Action (Grievance Procedure), establishes a grievance procedure for any employee who feels he or she has been discriminated against or denied equal employment opportunity.

Policy 5000, Recruitment and Selection of Staff. This policy states that decisions about “hiring, assigning, or transferring staff are based on maximizing the effectiveness of that staff member within the district’s programs,” and that staff selection “is based on which candidate is the most qualified for the position and is made pursuant to the district’s standard screening, interview, reference check process, and equity requirements.”

B. Methods of Policy Dissemination and Communication

1. Internal Communication

- a. Copies of the District's policies regarding equal employment opportunity, nondiscrimination, and affirmative action are included in the District's published Board policies and corresponding administrative procedures, which are available at all work sites. Board policies are also available online at the District’s website. The grievance procedures available to register complaints under these policies are also included in these policies and procedures.
- b. These policies will also be discussed in new employee orientation meetings.

- c. The Affirmative Action Plan will be made available to all members of the Board of Directors, to all administrators, managers, and supervisors at all District facilities, to employee representatives, and to any employee upon request.

2. External Communication

- a. A statement of the District's commitment to equal employment opportunity is included in all District employment announcements, vendor contracts, and other related District documents. All appropriate and interested recruiting sources are to be informed of the District's policies regarding nondiscrimination.
- b. An equal employment opportunity statement will be included on all District job postings and newspaper advertisements.
- c. Statements regarding the nondiscrimination policy of the District are included frequently in employee and community newsletters.

C. Workforce Analysis

In order to determine whether goals are needed for an affirmative action program, it is first necessary to determine the percentage of females and minorities available in the relevant job market. This is done through an "availability analysis." The availability analysis methodology used herein is based on the guidance provided by OSPI's Employment Affirmative Action Guidelines, as updated for February 2012. The methodology suggested by OSPI relies on census data available in the "Census 2000 EEO Data Tool" in order to determine the available workforce for each job category. Based on this guidance, promotable and trainable current employees are not factored into the availability analysis for this Plan. However, the non-discriminatory promotion of current employees is one means by which the goals set forth later in this plan may be accomplished.

There are some notable limitations to this analysis. Few, if any, of the job categories reported in census data are an exact match with job categories within the District. For example, none of the census job categories are specific to public school employees (e.g. "teachers" as opposed to "public school teachers"). For the area of certificated administrators, Census 2000 EEO data was available only for the broader job category of "Educational Administrator." This category would also include post-secondary, private, and non-certificated employees. Similar overlap and inconsistencies between census and District job categories exist throughout this analysis. Thus, this analysis must be undertaken with the understanding that no pure, "apples to apples" comparison data is available. Further, both the census data and District employee data rely upon reporting by respondents. Thus, a fairly broad margin for error should be assumed, and this Plan should be considered a good faith effort to identify areas for improvement based on existing data.

With these inherent limitations in mind, the most comparable census data available was gathered for the following categories of District employees:

1. Classified and Certificated Administrators
2. Elementary/Middle School Teachers (K-6)
3. Secondary Teachers
4. Specialists and Certificated Support Staff (Nurse, OT, SLP, School Psychologists, Counselors, Instructional Specialists)
5. Teacher Aides
6. Clerical / Administrative Support
7. Food Service
8. Custodial
9. Maintenance
10. Transportation
11. All Others

Statewide census data were considered for administrators and certificated employees. Pierce County data were considered for non-supervisory classified employees. Historical recruitment patterns and job-related migration assumptions were considered in determining the appropriate data sources to review for these two broad job categories. Although national recruitment has been and will continue to be conducted for many positions, national data were not used for purposes of availability analysis because of the relative infrequency of candidate relocation motivated solely by District employment, as well as the state-specific licensure requirements for certificated positions.

Many of the above job groups were represented by two or more groups of census data (e.g. Specialists and Certificated Support include employees who correspond to multiple census categories, including Psychologist, SLP, Counselor, OT, and Registered Nurse). In such situations, applicable availability percentage for each corresponding category was averaged to obtain an availability figure. In addition, it should be noted that a number of employees fell into a “catch-all” category of “All Other” because the low number of employees in each job description made it less feasible from a statistical standpoint to look at each job description in isolation.

Once availability data is gathered, 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 the availability rate).

If current utilization is lower than the expected utilization, the District is statistically considered to be "underutilized" in a job group.¹ Spreadsheets containing a numerical breakdown of this analysis are included as Appendix A. A discussion of areas where underutilization is indicated is identified in the following section.

D. Underutilized Areas

Based on the analysis described above, it appears that females are statistically underutilized in the Maintenance job group. Minorities are statistically underutilized in the Administrator, Clerical/Administrative Support, Food Service, Custodial, Transportation, and "All Others" job categories.

A discussion of the job categories in which the District is statistically underutilized follows:

Food Service: Statistically expected minority availability in this job group was calculated at 25.8%; current utilization is 17.3%. Recruiting food service employees is difficult because most openings are entry-level positions, which provide 2-3 hours of mid-day work. Further, census-based availability data for some of the positions included in this job category (e.g. "Cooks") may overstate availability, since private employers of every type would be included in this census category, from fast food restaurants to fine dining. The District will monitor the food service hiring process. The District will also seek opportunities to advertise vacancies in local media, at job centers, at local military installations, and with the Employment Security Department.

Custodial: Statistically expected minority utilization in this job group was calculated at 28.3%; current utilization is 26.3%. The District will seek opportunities to advertise Custodial vacancies in local media, at job centers, at local military installations, and seek other recruitment opportunities as may be available.

"Other Employees": Those classified employees who did not fit into a large group that corresponded to any appropriate census category were compared to a catch-all census category for "Other Education Workers." Based on that category, statistically expected minority utilization is 29.1%; District utilization across this broad category was 10.0%. Of course, this comparison is even more of a generalization than the

¹The terms "utilization analysis" and "underutilization" 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 for federal contractors. These terms have no independent legal or factual significance, nor should a determination of underutilization be construed as a finding that such underutilization is a result of discrimination by the District. A variety of social, economic, and cultural factors can contribute to under- or over-utilization in a workplace. In addition, many statistical comparisons herein involve the use of geographic areas and various sources of statistics. The District has used such geographic areas and statistics in good faith and in an effort to be as useful as possible in the development of the Plan, but the use of this data is intended only for the purpose of implementing this Plan and has no significance outside the context of this Plan.

others and the finding of underutilization should be viewed as even more tentative than those stated above. Nevertheless, for these positions the District will seek opportunities to advertise vacancies in local media, send job announcements to or post them at local community colleges, trade schools, apprenticeship programs, at job centers, and at local military installations, and seek recruitment opportunities at local trade schools and apprenticeship programs.

One of the challenges the District has faced, and will continue to face, in increasing diversity, is that there are expected to be very few opportunities to improve diversity through new hires in the near future due to economic and budget factors. In addition, because of collective bargaining obligations, any layoffs must be made based on seniority, so to the extent increased minority representation occurs as the result of new efforts, some of that diversity may be lost if force reductions occur. At the same time, non-preferential hiring, retention, and promotions of employees is the only legal means currently available to increase diversity.

Moreover, when the nature of underutilized areas is considered in terms of access to economic opportunity, it is notable that the District is not underutilizing minority and female employees in higher-paid and professional positions. This suggests a positive atmosphere in which minority and female candidates have had equal access to those positions that present greater economic opportunities. It also suggests that to the extent that areas like food service and transportation are statistically under-represented, such under-representation likely has more to do with other factors specific to school District employment that make true availability for some of these positions significantly lower than suggested by census data.²

E. Goals and Action Steps for Recruitment

Based on the data gathered, the District's goals are to ensure that optimal conditions exist (or continue to exist) for the following statistically expected increases in female and minority representation to occur over time:

- Continued increase in female is expected in the Administrative employee job category.
- An increase in minority representation is expected in the Food Service, Custodial, and "All Others" classified employee job categories.

In addition to the specific steps discussed in Section D for each specific job category, the District will review application screening processes and revise them as necessary to ensure that job-related criteria are considered in selecting interviewees for all job

²For example, as discussed above, there is a significant difference between a "bus driver" (the Census 2000 category) and a driver who is licensed to drive school children in the state of Washington; there are also likely to be far more "available" employees willing to work an eight-hour shift in food service in the private sector than the much shorter shifts available to entry-level cafeteria workers.

categories. All District employees involved in interviewing job applicants will be trained in proper interviewing techniques, advised of District hiring policies, and informed of the District's commitment to nondiscrimination. Before making any job offer, the Human Resources Office will review the applicant pool, candidate selection and interview processes, and hiring team records to ensure compliance with District hiring policies. The District will review retention rates of current protected-class employees and look for ways its mentoring program can further support current minority employees.

To facilitate attainment of affirmative action goals, the Human Resources Office has responsibility for implementing and/or monitoring the following supportive activities:

1. Job Descriptions

Job descriptions will be reviewed and revised as necessary to reflect current duties, essential job functions, and critical job elements.

2. Recruitment

- a. Recruitment sources and procedures will seek to ensure that qualified protected-class applicants are identified and recruited.
- b. Career fair participation, school-focused recruiting, and active participation with other public agencies on diversity and affirmative action issues will be used to increase the diversity of the applicant pool.
- c. A computerized applicant tracking system has been implemented and will be utilized to evaluate the effectiveness of the District's recruiting efforts and to identify the best sources of protected-class applicants.

3. Employee Selection

- a. Selection instruments and methods will be based on essential job functions and critical job elements.
- b. As vacancies occur, recruiting and hiring authorities will be reminded of the District's commitments under the Affirmative Action Plan.
- c. The Human Resources Office will seek to monitor all aspects of the employee selection process for inclusion of underutilized protected-class applicants.

4. Orientation

All new employees receive an orientation. This program includes a general orientation to the District and a discussion of pertinent District policies, including equal employment opportunity and affirmative action.

5. Evaluation

- a. All employees are evaluated annually using processes and criteria appropriate to each position.
- b. Career counseling is available through the employee's supervisor or the Human Resources Office. The District may also use mentors to assist in career counseling.

6. Program Support

The Human Resources Office will train and assist administrators, managers, and supervisors in developing appropriate departmental and building strategies to implement the District's Affirmative Action Plan.

7. Complaint Procedure

A formal complaint procedure has been adopted by the District as Procedure 5010P, and the most updated version is available on the District's website.

F. Staff Responsibility for Implementation and Evaluation

1. Affirmative Action Officer

The Affirmative Action Officer has responsibility for reporting to the Superintendent and Board of Directors. The Affirmative Action Officer is:

Brandy Marshall, Director of Human Resources
 Franklin Pierce School District No. 402
 315 129th Street South
 Tacoma, WA 98444

(253) 298-3034
 (253) 298-3016 Fax

The Affirmative Action Officer is also charged with responding to any questions or complaints concerning Title IX of the Civil Rights Act, and other employment discrimination laws except as noted below.

2. Other Officers

The 504 Officer is responsible for responding to any questions or complaints regarding Section 504 of the Rehabilitation Act of 1973. The 504 Officer is:

John Sander, Executive Director of Learning Support Services
 Franklin Pierce School District No. 402
 315 129th Street South
 Tacoma, WA 98444

(253) 298-3005
(253) 298-3017 Fax

3. Human Resources Office

The overall responsibility for monitoring and auditing this Plan shall be by the District's Human Resources Office. This Office can be contacted through:

Brandy Marshall, Director of Human Resources
Franklin Pierce School District No. 402
315 129th Street South
Tacoma, WA 98444

(253) 298-3034
(253) 298-3016 Fax

4. All Employees

All employees of the District are responsible for supporting this Plan and for conducting their duties in accordance with it. Anyone having questions or concerns about any matter related to equal employment issues is encouraged to contact the Human Resources Office, the Affirmative Action Officer, or the other officers identified above as appropriate.

F. Internal Audit and Reporting

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

1. 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, selection instruments, rating summaries, and relevant correspondence and notes.

2. Applicant Flow Data

All applicants are asked to fill out an optional self-designation form and are asked to indicate how they found out about the position for which they are applying. A computerized applicant tracking system has been implemented and will be utilized.

3. Reporting

Statistics on recruiting and utilization will be prepared and disseminated to administrators, managers, and supervisors as appropriate.

APPENDIX A: AVAILABILITY AND UTILIZATION DATA

- 1. 2020-2021 Utilization Analysis (Women)**
- 2. 2020-2021 Utilization Analysis (Minorities)**
- 3. Disaggregated Workforce Data**

Appendix-1 2020-2021 Utilization Analysis (Women)

Job Group	Total Female	Total Employees	Percent Female	Total Availability	Statistically Expected Utilization*	Statistically Under-utilized	Census 2000 Category
Educational Administrators	32	53	60.4%	59.4%	47.5%	NO	Educational Administrators
Elem/Middle School Teachers (K-6)	201	229	87.8%	77.1%	61.7%	NO	Elem & MS Teachers
Secondary Teachers (7-12)	143	242	59.1%	54.9%	43.9%	NO	Secondary Teachers
Other Professional Support Staff	90	99	90.9%	95.9%	76.7%	NO	Consultants, Librarians, Head Start
Specialists & Certificated Support Staff	45	52	86.5%	80.7%	64.6%	NO	Psych, SLP, OT, RN, LPN, Health Tech, Counselor
Teacher Aides	195	227	85.9%	90.2%	72.2%	NO	Teacher Assistants
Clerical/Admin Support	74	79	93.7%	32.2%	25.8%	NO	Office/Admin Workers
Food Service	51	52	98.1%	35.9%	28.7%	NO	Cooks; Dining & Cafeteria Attendants
Custodial	19	38	50.0%	32.2%	25.8%	NO	Janitors & Cleaners
Maintenance	2	18	11.1%	6.2%	5.0%	YES	Maintenance Workers, General
Transportation	34	56	60.7%	30.8%	24.6%	NO	Bus Drivers & Mechanics
Prof/Tech/Others	2	10	20.0%	59.1%	47.3%	NO	Other Educational Workers
TOTAL	888	1155	76.9%	56.6%	45.3%	NO	TOTAL

* 80% of Total Availability

**Percentages are averaged where multiple categories are used.

Appendix-2 2020-2021 Utilization Analysis (Minorities)

Job Group	Minority	Total Employees	Percent Minority	Total Availability	Statistically Expected Utilization*	Statistically Under-utilized	Census 2000 Category
Educational Administrators	13	53	24.5%	13.3%	10.6%	NO	Educational Administrators
Elem/Middle School Teachers (K-6)	39	229	17.0%	8.9%	7.1%	NO	Elem & MS Teachers
Secondary Teachers (7-12)	47	242	19.4%	9.1%	7.3%	NO	Secondary Teachers
Other Professional Support Staff	24	99	24.2%	9.5%	7.6%	NO	Consultants, Librarians, Head Start
Specialists & Certificated Support Staff	12	52	23.1%	9.5%	7.6%	NO	Psych, SLP, OT, RN, LPN, Health Tech, Counselor
Teacher Aides	81	227	35.7%	18.5%	14.8%	NO	Teacher Assistants
Clerical/Admin Support	11	79	13.9%	14.8%	11.8%	NO	Office/Admin Workers
Food Service	9	52	17.3%	32.3%	25.8%	YES	Cooks; Dining & Cafeteria Attendants
Custodial	10	38	26.3%	35.4%	28.3%	YES	Janitors & Cleaners
Maintenance	4	18	22.2%	25.7%	20.6%	NO	Maintenance Workers, General
Transportation	11	56	19.6%	19.4%	15.5%	NO	Bus Drivers & Mechanics
Prof/Tech/Others	1	10	10.0%	36.4%	29.1%	YES	Other Educational Workers
TOTAL	262	1155	22.7%	20.3%	16.2%	NO	TOTAL

* 80% of Total Availability

**Percentages are averaged where multiple categories are used.

Appendix-3 Disaggregated Workforce Data

Position	Female					Sub-Total Females	Male					Sub-Total Males	TOTALS
	A	B	H	AI	W		A	B	H	AI	W		
Central Administrators	2	0	2	0	9	13	0	1	0	0	8	9	22
Elementary Principals	0	0	0	0	10	10	0	0	1	0	3	3	14
Secondary Principals	2	1	1	0	3	7	0	0	1	0	5	6	13
Elem Classrm Teacher	7	10	13	0	171	201	2	2	5	0	19	28	229
Secnd Classrm Teacher	5	15	5	1	115	143	7	5	7	0	80	99	242
Instructional Support	11	12	8	0	104	135	2	1	2	0	11	16	151
Admin Support/Clerical	1	5	3	2	63	74	0	0	0	0	5	5	79
Custodial	0	1	0	1	17	19	1	3	3	1	11	19	38
Food Service	4	2	2	0	43	51	0	1	0	0	0	1	52
Maintenance	0	0	0	0	2	2	0	1	3	0	12	16	18
Teacher Aides	5	23	29	6	131	195	1	9	4	3	15	32	227
Transportation	0	5	1	0	28	34	0	3	0	2	17	22	56
All Other	0	0	1	0	1	2	0	0	0	0	8	8	10
TOTALS	37	74	65	10	697	886	13	26	26	6	194	264	1151

A – Asian

B – Black

H – Hispanic

AI – American Indian / Native

W – White