



**NORTHSHORE
SCHOOL DISTRICT NO. 417**

AFFIRMATIVE ACTION PLAN



2018 - 2022

NORTHSHORE SCHOOL DISTRICT NO. 417

3330 Monte Villa Parkway -Bothell, Washington 98021

Board of Directors

Bob Swain, President

Jacqueline McGourty, Vice President

Amy Cast

David Cogan

Sandy Hayes

Superintendent

Dr. Michell Reid

Compiled and prepared by Abel Ghirmai, Director of Human Resources

TABLE OF CONTENTS

Affirmative Action Plan	Page
I. Purpose.....	1
II. Dissemination of Policy and Plan.....	1
III. Responsibility for Implementation and Evaluation	2
IV. Utilization Analysis	3
V. Goals and Timetables.....	6
VI. Internal Auditing and Monitoring.....	6
VII. Supportive Systems	
A. Job Structuring for Promotion	7
B. Recruitment, Employment and Training.....	8
C. Complaint Procedure	8
D. Informal Review Procedure	8
E. Level One – Formal Review Procedure.....	9
F. Level Two – Appeal to Board of Directors	9
G. Level Three – Appeal to Superintendent of Public Instruction	10
VIII. Reduction-in-Force	10
APPENDICES	
A. Utilization Goals and Analysis – Females	12
B. Utilization Goals and Analysis – Minorities.....	13
C. Equal Employment Opportunity/Nondiscrimination Policy.....	14
D. Affirmative Action Policy.....	15
E. Legal Basis for Nondiscrimination and Affirmative Action.....	16

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. We are committed to employing individuals who represent the diverse talents, contributions, abilities, and experiences 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.

To ensure the effectiveness of this plan, continuous revision is 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, including responsibilities for effective implementation, demonstrating the Board's and Superintendent's commitment.
- 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.
- Maintain the District's Affirmative Action Plan in compliance with all employee organizations. Any negotiated agreements must not contain any statements that interfere with this policy.

- 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.
- Continually review all job descriptions and job postings to ensure accuracy and to remove 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.
- Post the Affirmative Action Plan on the District's website.

External Communication

- On all recruitment and application materials, as well as job postings, include the equal employment policy statement.
- To the extent possible, identify persons with the 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 2018 – 2022 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 District Superintendent has the overall responsibility for developing, implementing, coordinating, and monitoring the Affirmative Action Plan. The District's Affirmative Action Officer is the Director of Human Resources, Abel Ghirmai (aghirmai@nsd.org), who shall have responsibility for assuring that the Northshore School District is meeting its obligations.

The Affirmative Action Officer is also charged with 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.

To determine whether goals are needed for an Affirmative Action Plan, it is first necessary to decide the percentage of females and minorities available in the workforce. This is done through an ‘availability analysis.’ The availability analysis used here is the one outlined 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 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 several sources, including the 2010 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 utilization of females and minorities relative to availability. See Appendices A and B.

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

A discussion of the job groups follows:

1. Certificated Administrators. Expected minority utilization in this category is 13.6%. Current utilization is 24.7%, 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 62.5%. Current utilization is 58.4%.
2. Elementary Teachers. Expected minority utilization in this category is 10.1%. Current utilization is 14.5%, 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 78.2%. Current utilization is 89.0%, far exceeding availability.
3. Secondary Teachers. Expected minority utilization in this category is 10.0%. Current utilization is 12.2%, 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 63.5%. Current utilization is 64.8%, so no goals are necessary in this area.
4. Instructional Support. Expected minority utilization in this category is 10.5%. Current utilization is 12.2%, exceeding expected utilization. Although no goals are necessary with this job group, the District will continue its recruiting outreach efforts. This job group includes school psychologists, speech language pathologists and occupation therapists. To maintain the utilization rate, 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 70.1%. Current utilization is 84.6%, far exceeding availability.

5. Professional/Technical/Supervisory. Expected minority utilization in this category is 14.3%. Current utilization is 14.3%, 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 46.9%. Current utilization is 53.6%, so no goals are necessary in this area.
6. Paraeducators. Expected minority utilization in this category is 11.8%. Current utilization is 20.4%, 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 90.2%. Current utilization is 87.7%, missing the mark by 2.5% in this area.
7. Office Clerical. Expected minority utilization in this category is 11.1%. Current utilization is 9.2%. 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 92.0%. Current utilization is 97.7%, far exceeding availability.
8. Food Services. The expected minority utilization in this category is 26.0%. Current utilization is 34.0%, exceeding expected utilization. Although no overall goals are necessary with this job group, the District will continue its recruiting outreach efforts, specifically in the Black or African American category, currently at 0%. Expected female utilization in this category is 74.3%. Current utilization in this category is 99%, far exceeding availability.
9. Custodial and Grounds. Expected minority utilization in this category is 38.7%. Current utilization is 53.0%, exceeding availability. Female availability in this category is 27.0%. Current utilization is 33.0%, 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 16.6%. Current utilization is 27.3%, 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 65.0%. Current utilization is 3.0%. 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 21.2%. Current utilization is 13.9%. 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 45.1%. Current utilization is 55.7%, 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 A and B, to be achieved by the end of the 2021-2022 school year.

In addition to working to increasing the under-representation of females and minorities the Racial and Educational Justice Department will commit to:

- Hold quarterly discussions with Northshore’s hiring managers to ensure the District’s equal opportunity employment policies are followed. After such meetings, the department will send the meeting minutes and list of attendees to the Human Resources administrative team.
- Assist the Affirmative Action Officer and Executive Director of Human Resources in periodic audits (at least twice a year) of hiring and promotion patterns to proactively remove obstacles.
- Delegate Racial and Educational Justice Department members to participate in the interviewing process for all new administrator candidates.
- Ensure that recruiting, hiring, and retention efforts are in alignment with the Strategic Plan. The Racial and Educational Justice Department will regularly provide guidance in developing policies and procedures that foster this mission.
- Serve as a resource and coach for certificated and classified staff members around racial and educational justice issues.
- Provide professional development on racial and educational justice to Northshore staff and administrators.

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 to increase 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 Non-Discrimination 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 regarding 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 affect 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 (10th) 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 (20th) 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 (10th) 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

If a complainant remains aggrieved with the decision of the Board of Directors, or if the District fails to comply with this procedure, the complainant may file a complaint with the Superintendent of Public Instruction under WAC 392-190-075.

- a. A complaint must be received by the Superintendent of Public Instruction on or before the twentieth (20th) calendar day following the date upon which the complainant received written notice of the Board of Directors' decision, unless the Superintendent of Public Instruction grants an extension for good cause. Complaints may be submitted by mail, fax, electronic mail, or hand delivery.
- b. A complaint must be in writing and include: (1) A description of the specific acts, conditions or circumstances alleged to violate applicable

anti-discrimination laws; (2) The name and contact information, including address, of the complainant; (3) The name and address of the District subject to the complaint; (4) A copy of the District's complaint and appeal decision, if any; and (5) A proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information.

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
NORTHSHORE SCHOOL DISTRICT**

UTILIZATION ANALYSIS AND GOALS – FEMALES

Northshore School District Workforce Utilization Analysis - 2020												
Job Group *1	Utilization Analysis by Sex											
	2020 Total Employees	Total Female	% Total Female	% Black or African American	% Asian	% Native Hawaiian or Other Pacific Islander	% Hispanic or Latino	% American Indian or Alaska Native	% Two or more Races	% Theoretical Availability - *3	Deviation From TA % *4	Persons Underutilized
1. Certificated Administrators	89	52	58%	10%	2%	0%	2%	2%	2%	62.5%	-4.1%	3
2. Elementary Teachers	697	620	89%	0%	7%	0%	4%	0%	3%	78.2%	10.8%	
3. Secondary teachers	630	408	65%	0%	5%	0%	2%	0%	4%	63.5%	1.3%	
4. Instructional Support	279	236	85%	1%	2%	0%	4%	0%	3%	70.1%	14.5%	
5. Professional/Technical/Supervisory	84	45	54%	2%	2%	0%	0%	2%	4%	46.9%	6.7%	
6. Para educators	579	508	88%	1%	10%	1%	4%	2%	3%	90.2%	-2.5%	12
7. Office Clerical	174	170	98%	2%	4%	0%	2%	0%	1%	92.0%	5.7%	
8. Food Services	100	99	99%	0%	20%	1%	8%	2%	3%	74.3%	24.7%	
9. Custodial and Grounds	100	33	33%	0%	9%	0%	30%	27%	3%	27.0%	6.0%	
10. Maintenance	33	1	3%	0%	0%	0%	0%	0%	0%	65.0%	-62.0%	20
11. Transportation	115	64	56%	0%	3%	0%	2%	2%	3%	45.1%	10.6%	
12. TOTAL (1-11)	2880	2236	78%	1%	7%	0%	4%	1%	3%			

1 - The job group titles under which census data is tracked to match the job categories tracked by school districts.
 2 - Total Employees from 2020 - 2021 school year.
 3 - Total percentage of labor force identified as reported in 2010 Census data provided by OSPI.
 4 - Calculated by subtracting the actual utilization from the theoretical availability.

**APPENDIX B
NORTHSHORE SCHOOL DISTRICT**

2020 UTILIZATION ANALYSIS AND GOALS – MINORITIES

Northshore School District Workforce Utilization Analysis - 2020												
	Utilization Analysis by Race/Ethnicity											
	2020 Total Employees	Total Minority	% Total Minority	% Black or African American	% Asian	% Native Hawaiian or Other Pacific Islander	% Hispanic or Latino	% American Indian or Alaska Native	% Two or more Races	% Theoretical Availability *3	Deviation From TA % *4	Persons Underutilized
Job Group *1												
1. Certificated Administrators	89	22	25%	64%	14%	0%	14%	5%	5%	13.60%	11.1%	
2. Elementary Teachers	697	101	14%	3%	44%	2%	26%	4%	22%	10.10%	4.4%	
3. Secondary teachers	630	77	12%	8%	31%	3%	22%	4%	32%	10.00%	2.2%	
4. Instructional Support	279	34	12%	18%	26%	0%	35%	3%	18%	10.50%	1.7%	
5. Professional/Technical/Supervisory	84	12	14%	17%	33%	0%	17%	8%	25%	14.10%	0.2%	
6. Para educators	579	118	20%	10%	43%	3%	20%	8%	16%	11.80%	8.6%	
7. Office Clerical	174	16	9%	19%	44%	0%	25%	0%	13%	11.10%	-1.9%	3
8. Food Services	100	34	34%	0%	59%	3%	24%	6%	9%	26.00%	8.0%	
9. Custodial and Grounds	100	33	33%	8%	32%	4%	30%	21%	6%	38.70%	14.3%	
10. Maintenance	33	9	27%	33%	22%	11%	11%	11%	11%	16.60%	10.7%	
11. Transportation	115	16	14%	0%	50%	0%	13%	19%	19%	21.20%	-7.3%	8
12. TOTAL (1-11)	2880	492	17%	11%	38%	2%	23%	7%	18%			

1 - The job group titles under which census data is tracked to match the job categories tracked by school districts.
 2 - Total Employees from 2020-2021 school year.
 3 - Total percentage of labor force identified as reported in 2010 Census data provided by OSPI.
 4 - Calculated by subtracting the actual utilization from the theoretical availability.

APPENDIX C
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 D
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 E
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.