

Affirmative Action Plan

2021-2026

Adopted by the Board of Directors

January 24, 2023

Board of Directors

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I. INTRODUCTION

Affirmative Action Plans outline the programs, policies, and procedures for proactively recruiting, hiring, training, and promoting women, minorities, people with disabilities, and veterans to ensure that all individuals have equal opportunities in employment. The Board of Directors of the Edmonds School District recognizes that an affirmative action plan is a sound employment practice which assists in achieving a diverse workforce. Edmonds School District commits to a policy of non-discrimination for all qualified persons by providing equal employment opportunities without regard to race, color, religion, sex, national origin, age, disability, marital status, veteran status, sexual orientation, genetic information or any other protected characteristic under applicable law.

This policy relates to all phases of employment, including, but not limited to, recruiting, employment, placement, promotion, transfer, demotion, reduction of workforce and termination, rates of pay or other forms of compensation, selection for training, the use of all facilities, and participation in all sponsored employee activities. All personnel policies and practices will conform to the latter, along with the Affirmative Action Plan and the Strategic Plan.

The Edmonds School District Strategic Plan lays a path for how our district will achieve equity, engagement, and excellence for each and every student. Additionally, the Strategic Plan outlines specific goals related to the diversity, recruitment, retention, support of staff. It also includes performance indicators to keep our focus on equity and continuous improvement.

Edmonds School District has long had an Affirmative Action Plan, consistent with the requirements of law, with a primary focus on recruitment and selection of employees in alignment with the District's commitment to nondiscrimination and achieving a diverse work force. Attainment of and adherence to the Affirmative Action Plan are primary responsibilities of the Superintendent, administrators, managers and supervisors. Every employee will be expected to work toward its success. The District believes that a diverse work force strengthens all aspects of its operations.

II. COMMUNICATION OF AFFIRMATIVE ACTION PLAN

A. Internal Communication

1. Copies of the District's policies regarding nondiscrimination and affirmative action are contained in the District's Policy and Procedure Manuals which are available on the District's website. The grievance procedures available to register complaints under these policies are also contained in these manuals.
2. These policies will also be discussed in new employee orientation.

B. External Communication

1. Publications from the District's Communications Department and/or Human Resources Department will include notice and mention of the Plan from time to time, at least annually.
2. A statement of the District's commitment to equal employment opportunity is to be included in all District publications, employment announcements, job postings, recruitment materials, vendor contracts, and other related District documents. All appropriate and interested recruiting sources are to be informed of the District's policies regarding nondiscrimination.
3. The District will include its nondiscrimination statement in any publication that is disseminated periodically to all students, families, participants, applicants, employees or stakeholder. This includes district publications as well as building publications.

III. STAFF RESPONSIBILITY FOR IMPLEMENTATION AND EVALUATION

A. Affirmative Action Officer

The Affirmative Action Officer has overall responsibility for monitoring and auditing this Plan and reports to the Superintendent and Board of Directors. The Affirmative Action Officer is:

Rob Baumgartner, Assistant Superintendent
Human Resources Department
Edmonds School District No. 15
20420 68th Avenue West
Lynnwood, WA 98036-7400
(425) 431-7023

The Affirmative Action Officer is also charged with facilitating responses to any questions or complaints concerning the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, or other employment discrimination laws.

B. Supervisors, Managers, and Directors

It is the responsibility of each supervisor, manager, and/or director of the District to ensure affirmative implementation of the plan to avoid any discrimination in employment. The Affirmative Action Plan shall be periodically brought to the attention of supervisors, managers, and directors and shall be appropriately administered.

C. All Employees

All employees of the District are responsible for supporting the Affirmative Action Plan and for conducting their duties in accordance with it. All employees are expected to recognize it and cooperate with their implementation. Anyone having questions or concerns about any

matter related to equal employment issues is encouraged to contact the Affirmative Action Officer.

IV. UTILIZATION ANALYSIS

A. Development of Analysis

The terms "utilization analysis" and "underutilization" appearing in this Affirmative Action Plan (AAP) 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.

Organizations can use a number of methods to determine underutilization, but the most commonly used is the "80 percent" rule also known as the "4/5ths rule." This rule means underutilization occurs when the actual percentage of females or minorities is less than 80 percent of the availability of that same demographic (female or minority). If that ratio of percentage of females employed to percentage available is less than 80 percent, then there is underutilization of females within the organization. If the ratio equals 80 percent or more, then, under the 80 percent rule, an appropriate percentage of females is employed within that job group. The same formula would be used for minorities in each job group.

In order to determine whether goals are needed for an affirmative action program, it is first necessary to determine the percentage of females and ethnic/racial minorities available in the workforce. This is done through an "availability analysis." The sources used to calculate availability in each job group came from the following data tables from the United States Census Bureau:

- 2014 - 2018 EEO Table (ACS 5-Year Data): EEO-ALL02R - Occupation by Sex and Race/Ethnicity for Residence Geography; Universe: Civilian labor force 16 years and over; Geography: Snohomish County
- 2014 - 2018 EEO Table (ACS 5-Year Data): EEO-ALL02R - Occupation by Sex and Race/Ethnicity for Residence Geography; Universe: Civilian labor force 16 years and over; Geography: Seattle-Tacoma-Bellevue, WA Metro Area
- 2014 - 2018 EEO Table (ACS 5-Year Data): EEO-ALL02R - Occupation by Sex and Race/Ethnicity for Residence Geography; Universe: Civilian labor force 16 years and over; Geography: Washington State

The Census EEO Tabulation was created by the U.S. Census Bureau, in conjunction with OFCCP and other agencies to provide a single resource for data necessary to perform equal opportunity analysis. The Census EEO Tabulation provides statistical data on race, ethnicity, sex and other demographic data that allows for an examination of the labor force by

geographic selection. OFCCP also uses the Census EEO Tabulation to evaluate the effectiveness of AAPs when it reviews contractors. For more information, please visit the [U.S. Department of Labor website](#).

The availability analysis methodology used herein looks at the following factors that contribute to availability:

- Minority population data *
- Female population data
- Persons with requisite skills in the immediate area
- Persons with requisite skills in the recruitment area

** For analytical purposes, minorities are calculated by consolidating the totals for the following:*

- o Hispanic or Latino*
- o Black or African American alone*
- o American Indian /Alaska Native alone*
- o Asian alone*
- o Native Hawaiian /Pacific Islander alone*
- o Balance of not Hispanic or Latino*

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 ten job groups which were identified for tracking are: Certificated Administrators (including Principals, Certificated Managers, Executive Directors, Assistant Superintendents and Superintendent), Elementary & Secondary Teachers, Certificated Support Staff, Paraeducators, Bus Drivers, Custodians, Food Service, Office Personnel, Maintenance Trades, and Non-Certificated Professionals/Administrators (including Professional-Technical, Classified Managers, Classified Executive Directors, and Administrative Assistants).

After determining the job groups and number of employees in each, job groups are statistically analyzed for both female and minority utilization.

B. Analysis of Utilization Statistics for Minorities

The District has analyzed its October 2022 utilization of minorities relative to the statistically expected utilization, and this data is displayed in Appendices A and B.

The District has compared its utilization of minorities in each job group between 2016 and 2022. During that time, the District increased the overall percentage of minorities in the workforce. Minority utilization increased from 12.57% to 19.93%.

However, because of significant shifts in demographics, as reflected in the new census data, the District remains statistically underutilized in the following job group(s): Certificated Support Staff and Office Personnel.

C. Analysis of Utilization Statistics for Females

The District has analyzed its October 2022 utilization of females relative to the statistically expected utilization, and this data is displayed in Appendices A and B.

The District has compared its utilization of females in each job group between 2016 and 2022. During that time, the District decreased the overall percentage of females in the workforce. Female utilization decreased from 74.83% to 74.70%.

However, because of significant shifts in demographics, as reflected in the new census data, the District remains statistically underutilized in the following job group(s): Custodians.

V. DISCUSSION OF STATISTICALLY UNDERUTILIZED FEMALES AND MINORITIES

A discussion of the job categories where the District is statistically under-utilized follows:

1. Certificated Support Staff. Expected minority utilization is 16.03% and current utilization is 15.43%. 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 because it competes with other industries that pay more for employees in these occupations. The District will continue its outreach and recruitment efforts to attract a wide range of diverse applicants. The District will also continue to establish partnerships with universities and community based organizations to attract student interns and support current employees with alternative routes to certification.
2. Custodians. Expected female utilization is 40.86% and current utilization is 36.44%. Some progress has been made since the previous AAP analysis, in which the utilization was 29.70%. The District will continue its outreach and recruitment efforts to attract a wide range of diverse applicants.
3. Office Personnel. Expected minority utilization is 20.40% and current utilization is 18.24%. In this job category, many positions are filled through promotion from existing staff. 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. The District will continue its outreach and recruitment efforts to attract a wide range of diverse candidates.

VI. SUPPORTIVE SYSTEMS

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

A. Job Descriptions

1. Job descriptions are reviewed and revised to reflect current duties, essential job functions, and critical job elements, as necessary.
2. Professional job analysis techniques are utilized in the creation of new job descriptions and revision of existing job descriptions.

B. Recruitment

1. Recruitment sources and procedures will ensure that qualified, protected-class applicants are identified and recruited.
2. Hire a Recruitment and Retention Analyst to accomplish the District's goals related to workforce diversification, hiring, recruiting, and retention.
3. Ensure that recruitment materials and website pages reflect the diversity of our employees with images of employees of color in various positions.
4. Targeted mailing lists, publications, newspaper advertisements, job boards, social media, and active participation with other public agencies on diversity and affirmative action issues are used to increase the diversity of the applicant population.
5. Foster partnerships with higher education organizations to connect with alternative education students, college graduates, college students, and alumni.
6. Participation in job fairs and visits to colleges and universities allow District representatives to make informational presentations about the District and encourage applicants to apply. Through these efforts, applicants are identified and interviewed, thereby casting a broad net of diverse applicants.
7. Utilize a computerized applicant tracking system to analyze data and evaluate the effectiveness of the District's recruiting efforts.

C. Diversity Partnerships/Teacher Certification Support

1. Identify, connect, and advertise with diversity groups in the community to share job posting information regularly (such as BIPOC organizations, students of color associations, underserved communities or female networking groups). Continue and expand relationships with organizations and training programs which are a source for the recruitment of individuals from diverse backgrounds.

2. Encourage current employees to participate in the District's teacher preparation scholarship program to recruit and retain qualified diverse teacher applicants. Share opportunities and information related to teaching education advancement.
3. Human Resources Department staff will serve as resources to teacher certification or promotion through alternative routes of opportunities.

D. Employee Selection

1. Selection instruments and methods will be based on essential job functions and critical job elements.
2. Provide guides and resources for hiring teams that include best practices for employee selection.
3. Develop tools for evidence-based hiring, such as standardizing "look-fors" and interview questions that clearly align with the requirements of the job.
4. As vacancies occur, recruiting and hiring authorities will be reminded of the District's commitments under the Affirmative Action Plan.
5. The Human Resources Department will monitor all aspects of the employee selection process for participation of protected-class applicants in under-utilized categories.

E. Orientation/Onboarding

All new employees will complete an onboarding program. The onboarding program includes a general orientation to the Edmonds School District and a discussion of pertinent District policies, including the Affirmative Action Plan and the Strategic Plan.

F. Evaluation

1. All employees are evaluated annually using processes and criteria appropriate to each position.
2. Career counseling and professional development are available through the employee's supervisor, the Human Resources Department, or the District's Employee Assistance Program.

G. Program Support

The Human Resources Department trains and assists administrators, managers, and supervisors in developing appropriate departmental and building strategies to implement the District's Affirmative Action Plan.

H. Complaint Procedure

A formal complaint procedure will be adopted by the District and is provided below.

VII. INTERNAL AUDIT AND REPORTING

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, copies of selection instruments, rating summaries, and relevant correspondence and notes. Applicant lists and individual applications are maintained in the electronic applicant tracking system.
- B. Applicant Flow Data: All applicants are asked to fill out an optional self-designation form within the electronic applicant tracking system and this data can be reviewed as needed.
- C. Reporting: Statistics on recruiting, utilization, and performance indicators will be reviewed by Cabinet annually. Statistics on recruiting, utilization, and performance indicators will be prepared and disseminated to administrators, managers and supervisors as appropriate.

VIII. REDUCTION IN FORCE

Reductions 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 bearing in mind its affirmative action commitment and consistent with the requirements of law.

IX. COMPLAINT PROCEDURE

These procedures have been developed for the resolution of equal employment opportunity and equal access complaints against the Edmonds School District, its employees, or its contract service vendors. To ensure fairness and consistency, they are to be used to address complaints covered by state and federal equal employment opportunity laws, including the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and/or the District's Affirmative Action Plan.

Employees and applicants shall not be subjected to harassment, intimidation or any type of retaliation because they have (1) filed a complaint; (2) assisted or participated in an investigation, compliance review, hearing or any other activity related to the administration of any federal, state or local law requiring equal employment opportunity; (3) opposed any act or practice made unlawful by any federal, state or local law requiring equal opportunity; or (4) exercised any other legal right protected by federal, state or local law requiring equal opportunity.

A Title IX/Affirmative Action Officer, or designee, shall investigate all noncompliance allegations of discrimination. Complaints covered by special education laws shall be processed under special education procedures.

PROCEDURE

LEVEL I: Informal Resolution

With regard to ADA and Section 504 matters, a distinction is to be made between a request for accommodation and a complaint. A request for accommodation should be submitted to the appropriate authority as noted in the District's ADA Self-Evaluation and Remediation Plan. If the designated authority is unavailable, the District's Communications/Public Relations Manager may be contacted for assistance. The parties should cooperate to resolve any issues of accommodation through an informal dialogue prior to implementing the formal procedures outlined in Level II below. A complaint is to be filed only in the event there is an allegation of noncompliance after a request for accommodation has been made.

LEVEL II: Formal Complaint

- A. Complaints shall:
1. Be in writing.
 2. Be signed by the complainant.
 3. Set forth specific acts, conditions or circumstances alleged to be in violation of the District's obligations in regard to discrimination, inaccessibility, and/or failure to make accommodation.
- B. Upon receipt of a complaint, the Affirmative Action Officer, or designee, shall investigate the allegations set forth and shall coordinate reasonable procedures to affect a prompt resolution of the complaint. The investigation should be thorough and impartial and afford the complainant an opportunity to present witnesses and other evidence.
- C. If a resolution is reached, the Affirmative Action Officer will write a formal memorandum of agreement, to be signed by all affected parties.
- D. Upon completion of the investigation, but not later than thirty (30) days after filing the complaint, the Affirmative Action Officer will provide the complainant and the Superintendent with a full written report of the results of the investigation.
- E. In cases where no mutually agreed upon resolution is reached, the Superintendent will respond in writing to the complainant within thirty (30) days of receipt of the investigative report
- F. The response by the Superintendent shall 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. The Superintendent's response must include notice of the complainant's right to appeal to the school board and identify where and to who the appeal should be filed.

- G. Corrective measures deemed necessary shall be instituted as expeditiously as possible, but not later than 30 calendar days following the Superintendent's mailing of written response to the complainant, unless otherwise agreed to by the complainant.

LEVEL III: Appeal to the Board of Directors

- A. In the event a complainant remains aggrieved following a written response from the Superintendent, that complainant may appeal to the District's Board of Directors by filing a written notice of appeal with the Secretary of the School Board on or before the tenth (10th) calendar day following the date upon which the complainant received the Superintendent's written response.
- B. Upon receipt of the appeal, the Board of Directors shall schedule a hearing to commence on or before the twentieth (20th) calendar day following the filing of a written notice of appeal.
 - 1. Both parties shall be allowed to present such witnesses and testimony as the Board of Directors deems relevant and material.
 - 1. Unless otherwise agreed to by the complainant and the Superintendent, or for a good cause, the Board of Directors shall render a written decision on or before the tenth (10th) calendar day following the termination of the hearing and shall provide a copy to all parties involved. The decision of the Board shall include notice of the complainant's right to appeal to the Superintendent of Public Instruction and identify where and with whom the appeal must be filed.

LEVEL IV: Appeal to the Superintendent of Public Instruction

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

- A. A written notice of appeal must be received by the SPI on or before the twentieth (20th) calendar day following the date upon which the complainant received written notice of the Board of Directors' decision.
- B. The written notice of appeal must set forth:
 - 1. A concise statement of the original grievance and the portions of the Board of Directors' decision being appealed, and
 - 2. The suggested recommendations for resolution or remediation of the alleged grievance set forth in the original statement of complaint.

The complaint procedure outlined above does not prohibit the processing of grievances by an employee pursuant to grievance procedures established in applicable collective bargaining agreements.

2021-2026 AFFIRMATIVE ACTION PLAN

EDMONDS SCHOOL DISTRICT
6 YEAR PROGRESS OF UTILIZATION FOR MINORITIES AND FEMALES
APPENDIX A

Job Groups	Total Employees	Total Employees	Total Minority %		Total Female %	
	2016	2022	2016	2022	2016	2022
Certificated Administrator *	79	71	10.13%	18.31%	56.96%	59.15%
Teacher (Elementary & Secondary)	1188	1317	8.84%	14.96%	74.66%	76.01%
Certificated Support	169	175	8.88%	15.43%	90.53%	89.71%
Paraeducators	531	512	15.44%	23.05%	87.95%	83.40%
Bus Drivers	129	137	7.75%	23.36%	51.16%	50.36%
Custodian	101	118	29.70%	38.98%	30.69%	36.44%
Food Service	86	96	26.74%	36.46%	96.51%	97.92%
Office Personnel	133	148	9.77%	18.24%	94.74%	93.92%
Maintenance Trades	50	46	18.00%	19.57%	4.00%	4.35%
Non-Cert/Prof/Admin **	152	190	22.37%	29.47%	65.13%	65.79%
Total	2618	2810	12.57%	19.93%	74.83%	74.70%

* “Certificated Administrator” includes Principals, Certificated Managers, Executive Directors, Assistant Superintendent & Superintendent.

** “Non-Cert/Prof/Admin” includes Professional-Technical, Classified Managers, Executive Directors, and Administrative Assistants.

2021-2026 AFFIRMATIVE ACTION PLAN

EDMONDS SCHOOL DISTRICT
OCTOBER 2022 DISTRICT UTILIZATION
APPENDIX B

Job Group	Total Employees	Total Females		Total Minority		Black		Asian		Hispanic		Pacific Islander		Multiracial		Native American	
		#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
Cert Admin	71	42	59.15%	13	18.31%	3	4.23%	4	5.63%	4	5.63%	0	0.00%	1	1.41%	1	1.41%
Teacher (Elementary & Secondary)	1317	1001	76.01%	197	14.96%	26	1.97%	99	7.52%	44	3.34%	2	0.15%	18	1.37%	8	0.61%
Cert Support	175	157	89.71%	27	15.43%	4	2.29%	10	5.71%	6	3.43%	1	0.57%	3	1.71%	3	1.71%
Paraeducators	512	427	83.40%	118	23.05%	16	3.13%	37	7.23%	33	6.45%	7	1.37%	23	4.49%	2	0.39%
Bus Drivers	137	69	50.36%	32	23.36%	8	5.84%	11	8.03%	8	5.84%	1	0.73%	1	0.73%	3	2.19%
Custodian	118	43	36.44%	46	38.98%	17	14.41%	16	13.56%	8	6.78%	1	0.85%	3	2.54%	1	0.85%
Food Service	96	94	97.92%	35	36.46%	4	4.17%	16	16.67%	12	12.50%	1	1.04%	2	2.08%	0	0.00%
Office Personnel	148	139	93.92%	27	18.24%	2	1.35%	9	6.08%	14	9.46%	0	0.00%	1	0.68%	1	0.68%
Maintenance Trades	46	2	4.35%	9	19.57%	2	4.35%	5	10.87%	2	4.35%	0	0.00%	0	0.00%	0	0.00%
Non-Cert/Prof/Admin	190	125	65.79%	56	29.47%	13	6.84%	12	6.32%	19	10.00%	4	2.11%	4	2.11%	4	2.11%
Total	2810	2099	74.70%	560	19.93%	95	3.38%	219	7.79%	150	5.34%	17	0.60%	56	1.99%	23	0.82%

* “Certificated Administrator” includes Principals, Certificated Managers, Executive Directors, Assistant Superintendents and Superintendent.

** “Non-Cert/Prof/Admin” includes Professional-Technical, Classified Managers, Executive Directors, and Administrative Assistants

2021-2026 AFFIRMATIVE ACTION PLAN

EDMONDS SCHOOL DISTRICT
 OCTOBER 2022 DISTRICT UTILIZATION vs. STATISTICALLY EXPECTED UTILIZATION
 APPENDIX C

Job Group	Total Employees	Total Minority		Total Female		Availability		Expected Utilization		Underutilized?	
		#	%	#	%	Minority	Female	Minority	Female	Minority	Female
Certificated Administrator	71	13	18.31%	42	59.15%	20.04%	67.47%	16.03%	53.97%	No	No
Teacher (Elementary & Secondary)	1,317	197	14.96%	1,001	76.01%	15.30%	67.01%	12.24%	53.61%	No	No
Certificated Support	175	27	15.43%	157	89.71%	20.04%	78.23%	16.03%	62.59%	Yes	No
Paraeducators	512	118	23.05%	427	83.40%	26.58%	85.44%	21.26%	68.35%	No	No
Bus Drivers	137	32	23.36%	69	50.36%	27.88%	45.52%	22.30%	36.41%	No	No
Custodian	118	46	38.98%	43	36.44%	47.08%	51.07%	37.66%	40.86%	No	Yes
Food Service	96	35	36.46%	94	97.92%	44.52%	57.13%	35.62%	45.70%	No	No
Office Personnel	148	27	18.24%	139	93.92%	25.49%	85.76%	20.40%	68.61%	Yes	No
Maintenance Trades	46	9	19.57%	2	4.35%	19.00%	5.28%	15.20%	4.22%	No	No
Non-Cert/Prof/Admin	190	56	29.47%	125	65.79%	29.48%	51.41%	23.58%	41.13%	No	No
Total	2,810	560	19.93%	2,099	74.70%						

* "Certificated Administrator" includes Principals, Certificated Managers, Executive Directors, Assistant Superintendents and Superintendent.

** "Non-Cert/Prof/Admin" includes Professional-Technical, Classified Managers, Executive Directors, and Administrative Assistants