

Nondiscrimination and Affirmative Action

Nondiscrimination

To ensure fairness and consistency, the following grievance procedure is 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 program. No staff member's status with the district shall be adversely affected in any way because the staff member utilized these procedures. As used in this procedure, "Grievance" shall mean a complaint which has been filed by a complainant (a student, an employee, a parent or guardian) relating to alleged violations of any anti-discrimination law including Title IX regulations and Washington Administrative Code (WAC) 392-190, Section 504 of the Rehabilitation Act of 1973, 42 USC 12101 - 12213 Americans with Disabilities Act (ADA) or Title VII of the Civil Rights Act of 1964. A complaint shall mean a charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. A respondent shall mean the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

The primary purpose of this procedure is to secure an equitable solution to a justifiable complaint to this and, the following steps shall be taken:

Affirmative Action Plan

The needs of all persons in a pluralistic society must be understood in order to continue to create an employment atmosphere compatible with and receptive to all persons. The following goals shall assure that a meaningful educational experience may continue to exist for students and staff alike. The district will:

- A. Make efforts to modify the composition of the future work force in order to work toward a full utilization of aged, handicapped, ethnic minorities, women and Vietnam veterans in the various job categories.
- B. Ensure that all applicants and staff are considered on the basis of bona fide job-related qualifications. The purpose of the affirmative action plan is to actively include persons of under-utilized classes in the employment process, not to exclude others from it. The district shall continue to emphasize in all recruitment contacts that nondiscrimination is a basic element in the district's personnel procedures.
- C. Be responsible for reviewing all employment procedures and programs to assure that there is no indication of discriminatory practices. The district shall continue to use aged, handicapped, ethnic minorities, women and Vietnam veterans in the recruitment and employment process. Job descriptions for classified staff shall be sent to the Washington Employment Service and other organizations which are recruiting sources for groups that may be under-utilized in the district's work force. Recruitment from colleges and universities shall include institutions with high percentages of students of various ethnic minorities.
- D. Contract and purchase all goods and services from persons, agencies, vendors, contractors and organizations who comply with the appropriate laws and executive orders regarding discrimination.
- E. Take appropriate action to attract and retain aged, handicapped, ethnic minorities and women at all levels and in all segments of the district's work force. Criteria for selecting staff shall be reviewed regularly to assure that such statements relate directly to the requirements for

specific positions. However, pursuant to state law there shall be no preferential employment practices based on race or gender.

- F. Upgrade present staff by providing management development training to assure that individuals of under-utilized groups are prepared for positions of new and increased responsibility.

Implementation of the affirmative action plan shall be the responsibility of the superintendent. Administrators shall assist in the attainment of the established goals and purposes of this affirmative action plan.

Dissemination

The district shall disseminate information concerning employment and developments under the affirmative action plan on the district web page.

Male/Female Balance and Staff Goals

The district shall see that measurable efforts are made in the utilization of women for higher levels of responsibility in both certificated and classified positions. The district shall make good faith effort to recruit, interview and employ individuals consistent with the district commitment to nondiscrimination and affirmative action for all positions and in every department, school and level of operation. Preferential or adverse employment practices, including demotions or termination shall not be used to meet stated goals or time lines.

Administrators

Goal: To place females in administrative positions.

Objectives: To place females in administrative positions as they become available which falls within a range of _____% men and/or women, without using preferential employment practices.

To identify qualified potential candidates from outside the district for consideration for future openings.

Principals and Assistant Principals

Goal: To place females in principal positions.

Objective: To place females in principal and assistant principal positions as they occur and trained women are available, without using preferential employment practices.

Teachers, Elementary or grades K-8

Goal: To provide each student with the opportunity to experience both male and female homeroom teachers during the primary as well as the intermediate grades.

Objective: To achieve a balanced % of men and women in the primary as well as the intermediate grades at each school, without using preferential employment practices.

Teachers, Secondary or grades 9-12

Goal: To provide students with the opportunity to work with male and female staff in both curricular and extracurricular activities.

Objective: To maintain a balanced % of men and women for classroom teachers and activity supervisors, without using preferential employment practices.

Support Staff — Certificated and Classified

Objective: To achieve a balanced % of men and women without using preferential employment practices.

Ethnic Minority Balance and Staff Goals

The profiles of the district's current student ethnic minority population and the district's current ethnic minorities (American Indian/ Native American, Asian, Black, and Hispanic) are set forth in the Affirmative Action Plan including hiring goals without using preferential employment practices. The district shall see that measurable efforts are made in the utilization of ethnic minorities for higher levels of responsibility in both certificated and classified positions, without using preferential employment practices. The district shall make good faith effort to recruit, interview and employ individuals consistent with the district commitment to nondiscrimination and affirmative action for all positions and in every department, every school and at every level of operation. Preferential or adverse employment practices, including demotions or termination shall not be used to meet stated goals or time lines.

Administrators

Goal: To place ethnic minorities in administrative positions, without using preferential employment practices.

Objectives: To place ethnic minorities in administrative positions as they become available to progress toward the percentage of ethnic minorities in the current ethnic minority student enrollment.

To identify qualified potential candidates from outside the district for consideration for future openings.

Principals and Assistant Principals

Goal: To place ethnic minorities in principal positions.

Objective: To place ethnic minorities in principal and assistant principal positions as they occur and trained applicants are available, without using preferential employment practices.

Teachers: Elementary or grades K-8

Goal: To provide each student with the opportunity to experience ethnic minority homeroom teachers during the primary as well as the intermediate grades, without using preferential employment practices.

Objective: To achieve a staff of primary and intermediate teachers in which the percentage of ethnic minorities is comparable to that of the current ethnic minority student enrollment.

Teachers: Secondary or grades 9-12

Goal: To provide students with the opportunity to work with ethnic minority staff in both curricular and extracurricular activities.

Objective: To maintain a staff of classroom teachers and activity supervisors in which the percentage of ethnic minorities is comparable to that of the current ethnic minority student enrollment, without using preferential employment practices.

Support Staff - Certificated and Classified

Objective: To achieve a staff of certificated and classified support staff in which the percentage of ethnic minorities is comparable to that of the current ethnic minority student enrollment, without using preferential employment practices.

Aged Balance and Staff Goals

The profile of the district's current age distribution of certificated and classified staff is set forth is noted in the Affirmative Action Plan on file with OSPI. The district shall make good faith effort to recruit, interview and employ individuals consistent with the commitment to nondiscrimination and affirmative action providing the prospective staff member meets the requisite standards for the specific position.

Administrators

- Goal: To identify administrative positions where age is not a barrier to performance.
- Objective: To create opportunities for older prospective staff to work on a part-time basis when it would not deter the district's operations.

Teachers

- Goal: To provide opportunities for students to work with older staff in both curricular and extracurricular activities.
- Objective: To create opportunities for older staff to work on a part-time basis in those situations where the staff member can serve as a role-model to the student or can share his/her breadth of experience.

Support Staff - Certificated and Classified

- Goal: To identify positions in the district, either full-time or part-time, where age does not limit the performance of the prospective staff member.
- Objective: To place prospective staff who desire to work in positions where they are able to meet the expectations and/or needs of the district.

Handicapped Balance and Staff Goals

The profile of the district's current distribution of certificated and classified staff with identified handicapping conditions is set forth in the Affirmative Action Plan on file with OSPI, and employ individuals consistent with the district's commitment to nondiscrimination and affirmative action providing the prospective staff member meets the requisite standards for the specific position.

The ratio goal of placement shall be equal to the ratio of employable handicapped as compared to the non-handicapped in the statistical area.

Administrators

- Goal: To identify administrative positions where a handicapping condition is not a barrier to performance.
- Objective: To place administrators with handicapping conditions in assignments when it would not deter the district's operations.

Teachers

- Goal: To provide opportunities for students to work with teachers who have handicapping conditions in both curricular and extracurricular activities.
- Objective: To place teachers with handicapping conditions in assignments when it would not impair the instructional program.

Support Staff - Certificated and Classified

- Goal: To identify positions within the district where a handicapping condition does not limit the performance of the prospective staff member.
- Objective: To place support staff with handicapping conditions in assignments when it would not deter the district's operations.

Internal Audit And Monitoring System

The superintendent's office, in compliance with WAC 162-12, "Pre-employment Inquiry Guide," shall record by age, race, sex and other protected groups applicant flow, new hires, promotions, transfer requests, transfers, administrative internships and terminations. An analysis shall be made of the internal and external work force availability of aged, handicapped, ethnic minorities and women.

The district shall evaluate the effectiveness of the nondiscrimination and affirmative action program semiannually. Such reports may include recommendations for changes in the affirmative action program goals. The overall responsibility for monitoring and auditing this policy is assigned to the district office. The duties include:

- A. Analysis of the categories of employment in relation to affirmative action goals;
- B. Analysis of work force data and applicant flow;
- C. Maintaining records relative to affirmative action information;
- D. Preparation of semiannual reports of progress toward the goals and recommended changes required to maintain the vitality of the program;
- E. Identifying in a written report to the superintendent any employment practice or policy that is discriminatory or that does not meet the requirements of the affirmative action program; and
- F. Keeping the superintendent advised of the progress in implementing the goals and procedures of this affirmative action program.

Grievance 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 program. No staff member's status with the district shall be adversely affected in any way because the staff member utilized these procedures. As used in this procedure, "Grievance" shall mean a complaint which has been filed by a complainant (a student, an employee, a parent or guardian) relating to alleged violations of any anti-discrimination law including Title IX regulations and Washington Administrative Code (WAC) 392-190, Section 504 of the Rehabilitation Act of 1973 or Title VII of the Civil Rights Act of 1964.

A complaint shall mean a charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. A respondent shall mean the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

The primary purpose of this procedure is to secure an equitable solution to a justifiable complaint to this and, the following steps shall be taken:

Informal Review Procedures

When a staff member has an employment problem concerning equal employment opportunity, he/she shall discuss the problem with the immediate supervisor, personnel director or superintendent within 60 days of the circumstances which gave rise to the problem. The staff member may also ask the affirmative action/Title IX officer to participate in the informal review procedure. It is intended that the informal discussion shall resolve the issue. If the staff member feels he/she cannot approach the supervisor because of the supervisor's involvement in the alleged discrimination, the staff member may directly contact the affirmative action/Title IX officer before pursuing formal procedures. If the discussion with the officer or immediate supervisor does not resolve the issue the staff member may proceed to the formal review procedures.

Level One - Formal Review

The complaint must be signed by the complaining party and set forth the specific acts, conditions, or circumstances alleged to be in violation. The affirmative action officer shall investigate the allegations set forth within 30 calendar days of the filing of the charge. The officer shall provide the superintendent with a full written report of the complaint and the results of the investigation. The superintendent shall respond in writing to the complainant as expeditiously as possible, but in no event later than 30 calendar days following receipt of the written complaint. The superintendent shall state that the district either:

- A. Denies the allegations contained in the written complaint received by the district, or
- B. Shall implement reasonable measures to eliminate any such act, conditions or circumstance.

Such corrective measures deemed necessary shall be instituted as expeditiously as possible, but in no event later than 30 calendar days following the superintendent's mailing of a written response to the complaining party.

Level Two - Appeal to Board of Directors

If a complainant remains aggrieved as a result of the action or inaction of the superintendent he/she may file a written notice of appeal with the secretary of the board by the 10th calendar day following:

- A. The date upon which the complainant received the superintendent's response, or
- B. The expiration of the 30-calendar day response period stated in Level One, whichever occurs first.

The board shall schedule a hearing to commence by the 20th calendar day following the filing of the written notice of appeal. Both parties shall be allowed to present such witnesses and testimony as the board deems relevant and material. The board shall render a written decision by the 10th calendar day following the termination of the hearing and shall provide a copy to all parties involved.

Level Three - Appeal to the Superintendent of Public Instruction

In the event a complainant charging discrimination remains aggrieved with the decision of the board of directors in connection with any matter which, if established, would constitute a

violation, the complainant may appeal the board's decision to the superintendent of public instruction.

- A. A notice of appeal must be received by the superintendent of public instruction on or before the tenth (10th) 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 which is appealed.
 - 2. The suggested recommendations for resolution or remediation of the alleged complaint set forth in the original statement of complaint.

Preservation of Records.

The files containing copies of all correspondence relative to each complaint communicated to the district and the disposition, including any corrective measures instituted by the district, shall be retained in the office of the district compliance officer for a period of 5 years.