

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 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 based on 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.
- D. Shall as a matter of practice seek to contract and purchase all goods and services from persons, agencies, vendors, contractors and organizations that 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. However, pursuant to state law there shall be no preferential employment practices based on race or gender.

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

F. The district shall disseminate information concerning employment and developments under the affirmative action plan to assist in achieving the goals set forth in this plan.

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.

Principals and Assistant Principals

Goal: To place females in principal positions.

Teachers, Elementary or grades K-8

Goal: To provide each student with the opportunity to experience both male and female

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.

Ethnic Minority Balance and Staff Goals

The district shall strive to achieve a rate of employment for ethnic minorities consistent with the district current student and community ethnic minority population.

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.

Principals and Assistant Principals

Goal: To place ethnic minorities in principal positions.

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.

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.

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 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.

Teachers

Goal: To provide opportunities for students to work with older staff in both curricular and extracurricular activities.

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.

Handicapped Balance and Staff Goals

The district shall make good faith effort to recruit, interview, 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.

Administrators

Goal: To identify administrative positions where a handicapping condition is not a barrier to performance.

Teachers

Goal: To provide opportunities for students to work with teachers who have handicapping conditions in both curricular and extracurricular activities.

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.

Internal Audit And Monitoring System

G. The district shall evaluate the effectiveness of the nondiscrimination and affirmative action program and report its status to the board as required. The overall responsibility for monitoring and auditing this policy is assigned to the district office.

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 that 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 that, 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 that 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.