

	<p>NONDISCRIMINATION &amp; AFFIRMATIVE ACTION</p>	<p>Policy No. 5010 November 1, 2017 Page 1 of 3</p>
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I. NONDISCRIMINATION

The District is committed to nondiscrimination in all its education and employment activities. Specifically, the District prohibits discrimination based on sex (gender); race; creed; color; religion; ancestry; national origin; age; economic status; sexual orientation including gender expression or identity; pregnancy; marital status; physical appearance; the presence of any sensory, mental, or physical disability; honorably-discharged veteran or military status; or the use of a trained dog guide or service animal by a person with a disability.

The Superintendent is authorized to designate an employee to serve as the person responsible for affirmative action and nondiscrimination compliance.

II. NONDISCRIMINATION - EMPLOYMENT

The District shall provide equal employment opportunity and treatment for all applicants and employees in recruitment, hiring, retention, assignment, transfer, promotion, and training. Such equal employment opportunity shall be provided without discrimination with respect to race; creed; color; religion; ancestry; national origin; age; economic status; gender; sexual orientation including gender expression or identity; pregnancy; marital status; physical appearance; the presence of any sensory, mental, or physical disability; honorably-discharged veteran or military status; or the use of a trained dog guide or service animal by a person with a disability. The District may look at bona fide occupational qualifications when making hiring decisions.

The District shall comply with all state or national laws, in addition to any Collective Bargaining Agreements (“CBAs”), that may pertain to this subject. This policy shall also be extended to apply to all contractors or vendors serving the District.

III. AFFIRMATIVE ACTION

The District, as a recipient of public funds, has an important interest in a work force that closely mirrors that of the diverse students and families who are served

in our schools and shall make employment opportunities known to attract a diverse candidate pool.

In order to achieve the goal of increasing the representation of minority and multilingual staff members in the workforce, especially in certificated personnel, to the extent allowed by law, the District will make aggressive efforts to recruit, hire, and retain a qualified minority and multilingual workforce.

The Superintendent is authorized to develop an Affirmative Action Plan. The Affirmative Action Plan shall not conflict with any CBA.

The Superintendent is directed to employ a variety of short- and long-term strategies to achieve this goal. These strategies may include early recruitment, teacher preparation, targeted recruitment, and relocation incentives.

#### IV. EMPLOYMENT OF PERSONS WITH DISABILITIES

In order to fulfill its commitment of nondiscrimination to those with disabilities, the following conditions shall prevail:

No qualified person with a disability shall, solely by reason of a disability, be subjected to discrimination, and the District shall not limit, segregate, or classify any applicants for employment or any employee in any way that adversely affects his/her opportunities or status because of a disability. This prohibition applies to all aspects of employment from recruitment to promotions and includes fringe benefits and other elements of compensation.

The District shall make reasonable accommodations to the known physical or mental limitations of an otherwise qualified disabled applicant or employee, unless it is clear that an accommodation would impose an undue hardship on the operation of the District program and is not required by law.

#### V. NONDISCRIMINATION FOR MILITARY SERVICE

The District will not discriminate against any person who is a member of, applies to be a member of, performs, has performed, applies to perform, or has an obligation to perform service in a uniformed service, on the basis of that participation in a uniformed service. This includes in initial employment, retention in employment, promotion, or any benefit of employment. The District also will not discriminate against any person who has participated in the enforcement of these rights under state or federal law.

The District will not discriminate against any veteran who was dishonorably discharged solely because of their sexual orientation, gender identity, or other protected classifications listed in Section I of this policy.

The Superintendent is authorized to develop procedures for this policy, as necessary.

Adopted: April 2012

Revised: November 2017

Cross Reference: Policy Nos. 5270; 5407; 2030

Related Superintendent Procedure: 501OSP

Previous Policies: F04.00; D50.00

Legal References: RCW 28A.400.310 Law against discrimination applicable to districts' employment practices; RCW 28A.640.020 Regulations, guidelines to eliminate discrimination – Scope – Sexual harassment policies; RCW 28A.642 Discrimination prohibition; RCW 49.60 Discrimination – Human rights commission; 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; WAC 392-190 Equal Education Opportunity – Unlawful Discrimination Prohibited; WAC 392-190-0592 Public school employment – Affirmative action program; 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 § 794; Vocational Rehabilitation Act of 1973; 34 CFR § 104 Nondiscrimination on the basis of handicap in Programs or activities receiving federal financial assistance

Management Resources: *Policy News*, February 2011; August 2007; June 2001; June 2011