

The Sedro-Woolley School District No. 101 is an EEO/AA Employer. The Sedro-Woolley School District complies with all federal rules and regulations and does not discriminate on the basis of sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression or identity, disability, or the use of a trained dog guide or service animal by a person with a disability in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. This holds true for all district employment and opportunities. Inquiries regarding compliance procedures may be directed to Darrell Heisler, Title IX/Affirmative Action Officer and ADA Coordinator at 801 Trail Rd., Sedro-Woolley, WA 98284, (360) 855-3500.

SEDRO-WOOLLEY SCHOOL DISTRICT

Nondiscrimination and Affirmative Action

Nondiscrimination

The district shall provide equal employment opportunity and treatment for all applicants and staff in recruitment, hiring, retention, assignment, transfer, promotion and training. Such equal employment opportunity shall be provided without discrimination with respect to sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression or identity, disability, or the use of a trained dog guide or service animal by a person with a disability in its programs and activities and provides equal access to all designated youth groups. The board shall designate a staff member to serve as the Compliance officer.

Affirmative Action

The district, as a recipient of public funds, is committed to undertake affirmative action which shall make effective 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 ratio of aged, persons with disabilities, ethnic minorities, women and Vietnam veterans who are under-represented in the job classifications in relationship to the availability of such persons having requisite qualifications. Affirmative action plans may not include hiring or employment preferences based on gender or race, including color, ethnicity or national origin. Such affirmative action shall also include recruitment, selection, training, education and other programs.

The superintendent shall develop an affirmative action plan which specifies the personnel procedures to be followed by the staff of the district and shall ensure that no such procedures discriminate against any individual. Reasonable steps shall be taken to promote employment opportunities of those classes that are recognized as protected groups — aged, persons with disabilities, ethnic minorities and women and Vietnam veterans, although under state law racial minorities and women may not be treated preferentially in public employment.

This policy, as well as the affirmative action plan, regulations and procedures developed according to it, shall be disseminated widely to staff in all classifications and to all interested patrons and organizations. Progress toward the goals established under this policy shall be reported to the board as requested.

Employment of Persons With Disabilities

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

- A. No qualified person with disabilities 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 staff member 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.
- B. The district shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified disabled applicant or staff member unless it is clear that an accommodation would impose an undue hardship on the operation of the district program. Such reasonable accommodations may include:

1. Making facilities used by staff readily accessible and usable by persons with disabilities; and
 2. Job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, the provision of readers or interpreters and other similar actions. In determining whether or not accommodation would impose an undue hardship on the district, factors to be considered include the nature and cost of the accommodation.
- C. The district shall not make use of any employment test or criteria that screens out persons with disabilities unless:
1. The test or criteria is clearly and specifically job-related; and
 2. Alternative tests or criteria that do not screen out persons with disabilities are available.
- D. While the district may not make pre-employment inquiry as to whether an applicant has a disability or as to the nature and severity of any such disability, it may inquire into an applicant's ability to perform job-related functions.
- E. Any staff member who believes that there has been a violation of this policy or the law prohibiting discrimination because of a disability may initiate a grievance through the procedures for staff complaints.

Nondiscrimination for Military Service

The district will not discriminate against any person who is a member of, applies to be a member or, 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 will also not discriminate against any person who has participated in the enforcement of these rights under state or federal law.

Cross References: Board Policy 5270
Board Policy 5407

Resolution of Staff Complaints
Military Leave

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

Veterans and veterans' affairs — Employment and Reemployment

WAC 392-190

Equal Education Opportunity – Unlawful Discrimination Prohibited

SEDRO-WOOLLEY SCHOOL DISTRICT

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 of discrimination and the steps for filing a complaint are found at the end of this procedure.

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 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 a planned basis to assist in achieving the goals set forth in this plan. Affirmative action information shall be disseminated by:

- A. Printing and distributing such information to staff, school libraries and offices;
- B. Publicizing such information in district newsletters;
- C. Conducting meetings with administrative staff to explain the intent and advantages of the policy and plan;
- D. Conducting faculty meetings and meetings with classified staff;
- E. Informing appropriate and interested recruiting and hiring sources; and
- F. Informing all representative staff groups in the district.

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 50% 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 and assistant 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 teachers during the primary as well as the intermediate grades.

Objective: To achieve a staff which falls within a range of 50% men and/or 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 staff which falls within a range of 50% men and/or women for classroom teachers and activity supervisors, without using preferential employment practices.

Support Staff — Certificated and Classified

Objective: To achieve a staff which falls within a range of 50% men and/or 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 district's utilization analysis. By the commencement of the 2018-2019 school year the district shall strive to achieve a rate of employment for ethnic minorities in both certificated and classified areas as indicated in this plan, without using preferential employment practices.. These goals are a utilization level for certificated staff, at least equal to the percentage of ethnic minority student enrollment within the district; for classified staff a utilization level of at least 9%, a figure based upon relevant availability figures in the Skagit County statistical area. Final and interim goals are set out in this procedure. 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 and assistant 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 home-room teachers during the primary as well as the intermediate grades in which the percentage of ethnic minorities is comparable to that of the current ethnic minority student enrollment, 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 in the district utilization analysis. By the commencement of the 2018-2019 school year, the district shall strive to achieve a rate of employment for age categories for both certificated and classified staff as indicated in this plan. 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 district's utilization analysis. By the commencement of the 2018-2019 school year, the district shall strive to achieve a rate of employment for handicapped staff in certificated and classified areas as indicated in this statistical area. 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.

The ratio 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, "Preemployment 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 non-discrimination and affirmative action program and report its status to the board. 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 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.

Step 1: Complaint to the School District Superintendent

If you cannot resolve your concerns during the informal review process, you may wish to file a formal complaint with the school district ([WAC 392-190-065](#)).

Can anyone file a complaint with the District?

Yes. You can file a formal complaint by writing a letter to your Superintendent that describes what happened and why you think it is discrimination. It is helpful to include what you want the district to do. Your letter must be signed.

What will the District do?

The employee designated by the district to receive complaints will investigate your allegations and provide the Superintendent with a written report of the complaint, and the results of the investigation. You and the district may also agree to resolve your complaint in lieu of an investigation.

What will the District Superintendent do?

The Superintendent will send you a written letter within 30 calendar days which will either deny your allegations or describe the reasonable actions the district will take. The letter will include how to file an appeal with your School Board if you do not agree with the Superintendent's deci-

sion. Corrective measures must occur no later than 30 calendar days of the Superintendent's letter.

What if I don't agree with the Superintendent's decision or no one responds to my letter?
Your next step is to appeal to your school district School Board.

Step 2: Appeal to the School Board

If your complaint is not resolved or if no action is taken by the district, your next step is to appeal to the school board ([WAC 392-190-070](#)).

What is an appeal?

An appeal is a request to change an official decision.

How do I file an appeal to the School Board?

You can file an appeal by writing a letter to your School Board. The letter must include the part of the Superintendent's written decision that you would like to appeal and what you want the district to do. Your letter must be filed with the Secretary of your School Board by the 10th calendar day after you received the Superintendent's response letter.

What will the School Board do?

The School Board will schedule a hearing within 20 calendar days after they receive your appeal letter. You may also all agree on a different date.

What will happen at the Hearing?

You will explain why you disagree with the Superintendent's decision. You may bring witnesses or other information that is related to your appeal. The board will send you a copy of their decision within 10 calendar days after the hearing. The decision will include how to appeal to the Office of Superintendent of Public Instruction if you disagree.

What if I don't agree with the School Board's decision?

You may appeal the School Board's decision to OSPI.

Step 3: Appeal to OSPI

If you don't agree with the school board's decision, you may appeal the decision to OSPI ([WAC 392-190-075](#)).

How do I file an appeal with OSPI?

You can file an appeal by writing a letter to the Office of Superintendent of Public Instruction. The letter must include the part of the School Board's decision that you would like to appeal and what you want the district to do. Your signed letter must be received by OSPI by the 20th calendar day of receiving the school board's decision. It can be hand-delivered or mailed to:

[OSPI - Administrative Resource Services](#)

P.O. Box 47200

Olympia, WA 98504-7200

Phone (360) 725-6133

What will OSPI do?

OSPI will schedule a hearing with an Administrative Law Judge through the Office of Administrative Hearings (OAH). During this process you will be provided information about the hearing. At the hearing you will explain why you disagree with the School Board's decision. You may

bring witnesses or other information that is related to your appeal. After the hearing, you will receive a copy of the judge's decision.

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.

Adoption Date: October 22, 2007

Revised: April 14, 2014

SEDRO-WOOLLEY SCHOOL DISTRICT DISCRIMINATION COMPLAINT FORM

YOUR NAME: _____

DATE: _____ SCHOOL: _____

WORK PHONE #: _____ HOME PHONE #: _____

IMPORTANT!! Please answer as completely as possible the following questions. Use the back of this paper and as many additional sheets as necessary. Call the Human Resources Office (855-3576) to schedule an appointment and get this form to them immediately.

Exactly what happened?	
Who is the alleged discriminator?	
When did the behavior(s) occur? (Be specific indicating date(s) and time behavior occurred.)	
Where did the behavior(s) occur?	
Were there any witnesses?	
How often has the behavior occurred?	
How long has the discrimination been going on?	
Is there evidence related to this allegation?	

I certify the above statements to be true and factual to the best of my knowledge.

Signature: _____ Date: _____