

**PERSONNEL**

**Nondiscrimination and Affirmative Action**

**Nondiscrimination**

English version:

Chehalis School District does not discriminate in any programs or activities on the basis of race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sex, sexual orientation, gender expression or identity, disability, or the use of a trained dog guide or service animal and provides equal access to the Boy Scouts and other designated youth groups. The following employees have been designated to handle questions and complaints of alleged discrimination:

Spanish version:

El Distrito Escolar de Chehalis no discrimina en ningún programa o actividad por raza, credo, religión, color, origen nacional, edad, estado dado de baja honorablemente veterano o militar, sexo, orientación sexual, expresión o identidad de género, discapacidad o el uso de un Guía de perros entrenados o un animal de servicio y proporciona igual acceso a los Boy Scouts y otros grupos juveniles designados. Los siguientes empleados han sido designados para manejar las preguntas y quejas de supuestas discriminaciones:

**Title IX Coordinator**

**Athletic Director**

310 SW 16th Street  
Chehalis, WA 98532  
360-807-7235

**Section 504/ADA Coordinator**

**Special Education Director**

1265 SW Pacific Avenue  
Chehalis, WA 98532  
360-807-7245

**Civil Rights Compliance Coordinator**

**Superintendent and/or designee**

310 SW 16th Street  
Chehalis, WA 98532  
360-807-7200

**Affirmative Action**

The District, as a recipient of public funds, is committed to undertake affirmative action which will make effective equal employment opportunities for staff and applicants for employment.

### **Nondiscrimination and Affirmative Action Continued**

Such affirmative action will 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 will also include recruitment, selection, training, education and other programs.

The superintendent will 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.

### **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 will, solely by reason of a disability, be subjected to discrimination, and the District will 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 will 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 will not make use of any employment test or criteria that screens out persons with disabilities unless:

### **Nondiscrimination and Affirmative Action Continued**

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 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.

#### Legal References:

RCW 28A.400.310-Law against discrimination applicable to District's 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  
38 USC\_4212 Vietnam Era Veterans Readjustment Act of 1974 (VEVRAA)

Revised: 1/19/10, 11/1/11, 3/21/17, 12/2019

Adopted: 2/2/93