**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 will be adversely affected in any way because the staff member utilized these procedures. As used in this procedure, “grievance” will mean a complaint which has been filed by a complainant relating to alleged violations of any state or federal anti-discrimination laws. A “complaint” will mean a charge alleging specific acts, conditions or circumstances which are in violation of the anti-discrimination laws. A “respondent” will 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 will be taken in accordance with the with the district’s Affirmative Action Plan (Addendum A).

**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 will be adversely affected in any way because the staff member utilized these procedures.

A. **Grievance** means a complaint which has been filed by an employee relating to alleged violations of any state or federal anti-discrimination laws.

B. **Complaint** means a written charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. The time period for filing a complaint is one year from the date of the occurrence that is the subject matter of the complaint. However, a complaint filing deadline may not be imposed if the complainant was prevented from filing due to: 1) Specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint; or 2) Withholding of information that the district was required to provide under WAC 392-190-065 or WAC 392-190-005. Complaints may be submitted by mail, fax, e-mail or hand-delivery to any district, school or to the district compliance officer responsible for investigating discrimination complaints. Any district employee who receives a complaint that meets these criteria will promptly notify the compliance officer.

C. **Respondent** means 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 end, specific steps will be taken. The district is prohibited by law from intimidating, threatening,
coercing or discriminating against any individual for the purpose of interfering with their right to file a grievance under this procedure and from retaliating against an individual for filing such a grievance.

1. **Informal Process for Resolution**
   When a staff member has an employment problem concerning equal employment opportunity, he/she will discuss the problem with the immediate supervisor, personnel director or superintendent or designee within 60 days of the circumstances which gave rise to the problem. The staff member may also ask the compliance officer to participate in the informal review procedure. It is intended that the informal discussion will 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 compliance officer before pursing 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. During the course of the informal process, the district will notify complainant of their right to file a formal complaint.

2. **Formal Process for Resolution**
   **Level One: Complaint to District**
   The complaint must set forth the specific acts, conditions, or circumstances alleged to be in violation. Upon receipt of a complaint, the compliance officer will provide the complainant a copy of this procedure. The compliance officer will investigate the allegations within 30 calendar days. The school district and complainant may agree to resolve the complaint in lieu of an investigation. The officer will provide the superintendent with a full written report of the complaint and the results of the investigation.

   The superintendent or designee will respond to the complainant with a written decision as expeditiously as possible, but in no event later than 30 calendar days following receipt of the written complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the complainant in writing of the reason for the extension and the anticipated response date. At the time the district responds to the complainant, the district must send a copy of the response to the office of the superintendent of public instruction.

   The decision of the superintendent or designee will include: 1) a summary of the results of the investigation; 2) whether the district has failed to comply with anti-discrimination laws; 3) if non-compliance is found, corrective measures the district deems necessary to correct it; and 4) notice of the complainant’s right to appeal to the school board and the necessary filing information. The superintendent’s or designee’s response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964.

   Any corrective measures deemed necessary will 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 unless otherwise agreed to by the complainant.
Level Two - Appeal to Board of Directors
If a complainant disagrees with the superintendent’s or designee’s written decision, the complainant may file a written notice of appeal with the secretary of the board within ten (10) calendar days following the date upon which the complainant received the response. The board will schedule a hearing to commence by the twentieth (20) calendar day following the filing of the written notice of appeal unless otherwise agreed to by the complainant and the superintendent or for good cause. Both parties will be allowed to present such witnesses and testimony as the board deems relevant and material. Unless otherwise agreed to by the complainant, the board will render a written decision within thirty (30) calendar days following the filing of the notice of appeal and provide the complainant with a copy of the decision. The decision of the board will be provided in a language the complainant can understand, which may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act. The decision will include notice of the complainant’s right to appeal to the superintendent of public instruction and will identify where and to whom the appeal must be filed. The district will send a copy of the appeal decision to the office of the superintendent of public instruction.

Level Three - Complaint to the Superintendent of Public Instruction
If a complainant disagrees with the decision of the board of directors, or if the district fails to comply with this procedure, the complainant may file a complaint with the superintendent of public instruction.

1. A complaint must be received by the Superintendent of Public Instruction on or before the twentieth (20) calendar day following the date upon which the complainant received written notice of the board of directors’ decision, unless the Superintendent of Public Instruction grants an extension for good cause. Complaints may be submitted by mail, fax, electronic mail, or hand delivery.

2. A complaint must be in writing and include: 1) A description of the specific acts, conditions or circumstances alleged to violate applicable anti-discrimination laws; 2) The name and contact information, including address, of the complainant; 3) The name and address of the district subject to the complaint; 4) A copy of the district’s complaint and appeal decision, if any; and 5) A proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information.

3. Upon receipt of a complaint, the Office of the Superintendent of Public Instruction may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the superintendent or board. Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with
RCW 28A.642.010 or Chapter 392-190, WAC and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.

All corrective actions must be completed within the timelines established by OSPI in the written decision unless OSPI grants an extension. If timely compliance is not achieved, OSPI may take action including but not limited to referring the district to appropriate state or federal agencies empowered to order compliance.

A complaint may be resolved at any time when, before the completion of the investigation, the district voluntarily agrees to resolve the complaint. OSPI may provide technical assistance and dispute resolution methods to resolve a complaint.

**Level Four - Administrative Hearing**
A complainant or school district that desires to appeal the written decision of the Office of the Superintendent of Public Instruction may file a written notice of appeal with OSPI within thirty (30) calendar days following the date of receipt of that office’s written decision. OSPI will conduct a formal administrative hearing in conformance with the Administrative Procedures Act, Chapter 34.05, RCW.

3. **Mediation**
   At any time during the discrimination complaint procedure set forth in WAC 392-190-065 through 392-190-075, a district may, at its own expense, offer mediation. The complainant and the district may agree to extend the discrimination complaint process deadlines in order to pursue mediation.

   The purpose of mediation is to provide both the complainant and the district an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator. Mediation must be voluntary and requires the mutual agreement of both parties. It may be terminated by either party at any time during the mediation process. It may not be sued to deny or delay a complainant’s right to utilize the complaint procedures.

   Mediation must be conducted by a qualified and impartial mediator who may not:
   1) Be an employee of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the subject of the complaint being mediated; or
   2) Have a personal or professional conflict of interest. A mediator is not considered an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.

   If the parties reach agreement through mediation, they may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the
course of mediation will remain confidential and may not be used as evidence in any
subsequent complaint, due process hearing or civil proceeding. The agreement must be signed
by the complainant and a district representative who has authority to bind the district.

4. **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, will
be retained in the office of the district compliance officer for a period of 6 years.

**Resources**

1. **District Contacts**
   Inquiries regarding compliance and/or grievance procedures may be directed to the Executive
   Director of Human Resources, Title IX RCW 28.A.640; the Athletics Director, Affirmative Action
   Officer; the Director of Categorical Programs, Section 504 Coordinator; and the Executive
   Director of Special Education, ADA Coordinator.

2. **State Contacts**
   Superintendent of Public Instruction
   Equity and Civil Rights Office
   P.O. Box 47200
   Olympia, WA 98504-7200
   360.725.6162

   Washington State Human Rights Commission
   711 South Capitol Way, Suite 402
   P.O. Box 42490
   Olympia, WA 98504-2490
   360.753.6770

   Office of Civil Rights
   U.S. Department of Education
   915 Second Avenue, Room 3310
   Seattle, WA 98174
   206.607.1600
Addendum A
Excerpts to support Procedure 5010P; Nondiscrimination and Affirmative Action

Marysville School District #25
Affirmative Action Plan
2015 - 2018
Procedure No. 5010P
Personnel
Affirmative Action Plan

2017-2022
Marysville School District

Affirmative Action Plan
2017 – 2022

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Affirmative Action Plan
2017 – 2022

Board of Directors

Pete Lundberg
President

Dr. Tom Albright
Vice President

Marina Maksimos
Director

Chris Nation
Director

Bruce Larson
Legislative Representative

Superintendent
Dr. Becky Berg
INTRODUCTION

The Marysville School District has established a firm commitment to providing equal employment opportunity to its staff and to applicants. The current affirmative action and nondiscrimination policies will be reaffirmed concurrent with the adoption of this five-year plan. The most recent plan covered the years 2013 - 2015. The plan presented here is designed for the years 2017 - 2022. Although this plan covers a five-year period, it will be reviewed regularly and modified in the light of legislation and decisions by state and federal courts.

This basis for determining recruitment goals in this plan is an analysis of underrepresented Marysville employees in proportion to their percentage in the available labor force in various job categories. Similarly, the basis for establishment of gender recruitment goals is a comparison of their percentage in the available labor force for various job categories with specific Marysville job categories with specific Marysville job categories. The purpose of these affirmative action recruitment goals is to ensure the absence of discrimination in employment practices. This plan represents the Marysville School District’s commitment to equal employment opportunity. Each employee involved in hiring or promotion must be ensured that the recommendation is made without discrimination. It is the responsibility of all Marysville School District employees to be committed to equal employment opportunity and to this Affirmative Action Plan at the work site and throughout the District.

Dr. Becky Berg  
Superintendent

Pete Lundberg  
Board President
AFFIRMATIVE ACTION PLAN 2017 - 2022

INTRODUCTION

It is the policy of the Marysville School District to provide equal employment opportunity for all applicants and staff in all aspects of employment, including recruitment, hiring, retention, assignment, transfer, promotion, and training. See Appendix A & B, Policy and Procedure 5010 - Nondiscrimination and Affirmative Action. Such equal employment opportunity will be provided without unlawful discrimination based on race, color, creed, religion, age, sex, ethnicity, sexual orientation, national origin, veteran status, marital status, or the presence of a sensory, mental or physical disability. Decisions regarding employment and promotion are based solely upon an individual's qualifications for the specific position while giving every consideration to protected classes. The Affirmative Action Plan presented is designed for the years 2017 – 2022.

The following Affirmative Action Plan will continue to outline steps to be taken to ensure that District policies and practices do not unlawfully discriminate against an individual on the basis of race, color, creed, religion, age, sex, ethnicity, sexual orientation, national origin, veteran status, marital status, or the presence of a sensory, mental or physical disability. Furthermore, reasonable steps will be taken to actively promote employment opportunities to qualified individuals in protected groups that are underutilized in the workforce.

The Board of Directors of the Marysville School District has assigned the overall responsibility for implementation, evaluation, and revision of the Marysville School District 2017 – 2022 Affirmative Action Plan to the Superintendent. The Superintendent may delegate to the Executive Director of Human Resources the authority for representation in these matters as the District's Affirmative Action Officer in assuring that the District is meeting its obligations.

The Affirmative Action Plan will be evaluated periodically. The Affirmative Action Officer will report to the Board of Directors as to the implementation status and progress of the plan. It is recognized that for this plan to be effective, continuous monitoring, evaluation, and revision will be necessary. It is further emphasized that every employee is expected to comply with and facilitate the ultimate success of the Affirmative Action Plan.

Copies of the Affirmative Action Plan will be made available to the State Human Rights Commission, the Office of Superintendent of Public Instruction, the State Department of Personnel, staff members, community groups, and other interested parties.

PURPOSE

It is the purpose of the Marysville School District Affirmative Action Plan, in compliance with both federal and state laws and regulations, to promote, monitor and maintain the District's affirmative action and equal employment opportunity policies. These policies provide for equal employment opportunities for all employees and applicants for employment without discrimination on the basis of race, color, creed, religion, age, sex, ethnicity, sexual orientation, national origin, veteran status, marital status, or the presence of a sensory, mental, or physical disability.

It is also the purpose of this plan to continually reflect on "what is" and make strides to move toward "what should be." Analysis of regional and District workforce employment figures will be used to determine areas of underutilization. As a result, this plan is designed to promote outreach, recruitment, training and education efforts intended to increase diversity in an expanded pool of qualified applicants.

This plan will advance equal employment opportunity without preferential treatment based on race, gender, ethnicity or national origin. This plan is also designed to ensure the District maintains appropriate policies that
are properly implemented without unlawful discrimination on the basis of race, color, creed, religion, age, sex, ethnicity, sexual orientation, national origin, veteran status, marital status, or the presence of a sensory, mental or physical disability.

As noted, the Board of Directors of the Marysville School District has assigned the responsibility for implementation, evaluation, and revision of the Marysville School District 2010 – 2015 Affirmative Action Plan to the Superintendent and/or designee. The Executive Director of Human Resources has been designated with this role and also serves as the Affirmative Action Officer.

The Executive Director of Human Resources is charged with communicating the District’s desire and commitment to employ members of protected as well as non-protected classes. Communication and contact related to the Affirmative Action Plan will occur both internally and externally. The Affirmative Action Officer shall ensure that recruitment efforts are reaching protected groups as well as unprotected groups in all categories where underutilization exists.

The Executive Director of Human Resources will advise the Superintendent and/or Board of Directors on equal opportunity matters as required. The Executive Director of Human Resources will monitor and evaluate the plan’s accomplishments/progress and will periodically provide a report to the Board of Directors.

DEVELOPMENT / UPDATE OF POLICY

The Mission of the Marysville School District is to Engage our Community, Inspire our Students, and Prepare our Graduates. The Vision of the Marysville School District is...Students of the Marysville School District are prepared for further education, technology, economic change and social realities because they: Think Critically, Create and Innovate, Collaborate with others, Communicate effectively, and Care compassionately. The data, analysis, and recommended actions in this report support the Mission, Vision, and Goals of the Marysville School District.

A clear commitment of the Board of Directors is found in this action plan. Supporting a student population to be engaged, inspired, and prepared, along with a commitment to promoting equity in all of our work underscores a District dedication to maintaining and recruiting a highly qualified, diverse, and culturally responsive workforce.

Since 2006, the Marysville School District has maintained a District Representational Group, the RESPECT Committee to focus on systematic values and organizational priorities related to diversity and providing the highest quality instruction for each student. The RESPECT Committee continues to operate in support of the Marysville School District’s plan to provide a culturally responsive, highly qualified workforce.

In addition, in 2015 the District added the position of Director of Equity, Access, and School Support. The addition of this Director level position emphasizes the District’s commitment to promoting equity in all of our work including curriculum development, recruitment and hiring of staff, training and professional development, and policy enhancement.

METHODS AND DISSEMINATION OF EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is the responsibility of the Superintendent of Marysville School District and/or designee, to inform all applicants for employment, all current employees, all persons for hiring within the Marysville School District, all employee associations and all Marysville School District contractors and sub-contractors of its commitment to Equal Employment Opportunity.

Communication of the District’s Affirmative Action Plan will be accomplished as follows in both internal and external communication:
External Communication

1. Copies of the 2017 – 2022 Affirmative Action Plan will be distributed to all organizations, agencies, and individuals inside and outside the District as follows:
   - Board of Directors
   - All administrators
   - All schools and/or building locations
   - The president of all employee associations
   - Any employee, upon request
   - The Office of State Superintendent of Public Instruction
   - The Washington State Human Rights Commission
   - The State Department of Personnel

2. A statement of the District’s equal employment opportunity policy will be placed in District recruitment materials, application forms, newspaper advertisements and web-based recruitment, and application materials.

3. All District recruiting sources will be informed annually regarding the District’s nondiscrimination policy and it’s Affirmative Action Plan.

4. Upon adoption of the District’s 2017 – 2022 Affirmative Action Plan, the Superintendent’s Office will issue a statement and information about the plan in District publications.

5. Announcements of training opportunities that promote the goals of the plan will be issued to staff through District publications and electronic mail.

6. All District contractors, vendors, and suppliers will be notified that they must comply with the District’s equal employment opportunity policy and this plan.

7. The name and contact information of the District’s Affirmative Action Officer will be published, at least annually, in regular District publications to staff and the community. *(The Affirmative Action Officer and his/her contact information is also identified in Appendix A of this document.)*

Internal Communication

1. All District job postings and newspaper advertisements and websites will include an equal employment opportunity statement.

2. Upon employment, each new employee will be informed of our Affirmative Action Plan and policies against discrimination. This information is posted on staff bulletin boards in each school building and department.

3. The District’s equal employment policy will be publicized periodically in publications.

4. Employee organizations of the District will conform to the District’s Affirmative Action Plan. Any negotiated agreements will not contain statements in conflict with this plan.

5. Building and department administrators will at least annually inform all staff of the District’s Affirmative Action Plan.

6. A yearly meeting will be conducted with administrators to explain the Affirmative Action Plan as well as individual responsibility for effective implementation, making clear the commitment of the Board of Directors and Superintendent.
7. The policy of equal employment opportunity and federal and state posters prohibiting discrimination will be posted on bulletin boards in the Human Resources Office and other building sites.

WORK FORCE ANALYSIS BY RACE, ETHNICITY, AND SEX

This section of the Affirmative Action Plan reflects a numerical analysis of the Marysville School District workforce demographics.

The tables located in the appendix contain a numerical study of the District’s workforce. The term “under-utilization” as used in this policy means having fewer members of an affected group in a particular job category than reasonably would be expected based upon their availability. The statistical comparisons in this section involve the use of workforce statistics for geographic areas relevant to Marysville derived from public census reports.

The use of such geographic areas and statistics is intended only for the purpose of implementing this plan and facilitating identification of areas of potential under-utilization. These statistical comparisons do not have any independent legal or factual significance. The statistics and geographic areas have been selected and used in good faith with respect to this plan.

Development of Analysis

The terms “utilization analysis” and “under-utilization” appearing in this Affirmative Action Plan are used in the same sense in which these terms are used in regulations promulgated by the federal government relative to such plans. These terms have no independent legal or factual significance whatsoever. Many statistical comparisons herein involve the use of geographic areas and various sources of statistics. The use of such geographic areas and statistics is intended only for the purpose of implementing this Affirmative Action Plan and has no significance outside the context of this plan, although these statistics and areas have been selected and used in good faith and in an effort to be as useful as possible in the development of the plan.

In order to determine whether goals are needed for an Affirmative Action Plan, it is first necessary to determine the percentage of female and minorities available in the work force. This is done through an “availability analysis.” The availability analysis used here is the one set forth in federal regulations for affirmative action. Currently, three factors are primarily used to determine availability:

- Persons having requisite skills in the immediate labor area.
- Persons having requisite skills in the area in which the District can reasonably recruit.
- Promotable and transferable persons in the District’s workforce, and degree of training that the district can reasonably undertake.

The second step is to reasure the District’s current utilization (the percentage of female and minorities currently employed in each job group) against the statistically expected utilization rate (80% of availability rate). If current utilization is lower than the expected utilization, the District is “under-utilized” in a job category.

Because of the desire to have the availability analysis be as accurate as possible, the District’s hiring and recruitment patterns and data were reviewed so that the weight given each factor in the availability analysis would reflect actual patterns. The available resources for the collection and maintenance of data were considered. The groups which were identified for tracking are: Central Office Administrators, Principals/Assistant Principals, Elementary Teachers, Secondary Teachers, Certificated Support Personnel, Classified Support Staff, Clerical, Service Workers, Maintenance, Professional/Technical/Supervisors.
After determining the job groups and number of employees in each group, availability factors applicable to each job category were identified, each factor was weighted and a final availability statistic was calculated. Each job category is statistically analyzed for both female and minority utilization.

The data used to calculate each factor came from a number of sources including: Marysville School District WSIPC Personnel Report and Profile of General Demographics Characteristics 2010 U. S. Census Bureau – Snohomish County.

**The Analysis Indicates:**

1. **Central Office Administrators**
   - Minority availability in this category is 7.8%. Current utilization is 17.9%. There is no under-utilization in this category. Availability for female is 44.3%. Current utilization is 39.3%. There is under-utilization in this category.

   The District remains committed to equal employment opportunities for all employees. These findings will be considered as the District plans and implements its future recruitment efforts to ensure that members of the under-utilized groups are reached by such efforts. Staff responsible for hiring and promotion will be given information designed to sensitize them to the potential for discrimination, particularly in areas of under-utilization. This information will be reviewed in meetings with the administrative team.

2. **Principals/Assistant Principals**
   - Minority availability is 7.8%. Current utilization is 15.6%. There is no under-utilization in this category.

   Availability for female is 44.3%. Current utilization is 81%. There is no under-utilization in this category.

   The District remains committed to equal employment opportunities for all employees. These findings will be considered as the District plans and implements its future recruitment efforts to ensure that members of the under-utilized groups are reached by such efforts. Staff responsible for hiring and promotion will be given information designed to sensitize them to the potential for discrimination, particularly in areas of under-utilization. This information will be reviewed in meetings with the administrative team.

3. **Elementary Teachers**
   - Minority availability in this category is 7.8%. Current utilization is 9.9%. There is no under-utilization in this category. Availability for female is 44.3%. Utilization is 87%. There is no under-utilization in this category.

   The District remains committed to equal employment opportunities for all. These findings will be considered as the District plans and implements its future recruitment efforts to ensure that members of the under-utilized groups are reached by such efforts. Staff responsible for hiring and promotion will be given information designed to sensitize them to the potential for discrimination, particularly in areas of under-utilization. This information will be reviewed in meetings with the administrative team.

4. **Secondary Teachers**
   - Minority availability in this category is 7.8%. Current utilization is 7.4%. There is mild under-utilization in this category. Availability for female is 44.3%. Utilization is 47.6%. There is no under-utilization in this category.
The District remains committed to equal employment opportunities for all. These findings will be considered as the District plans and implements its future recruitment efforts to ensure that members of the under-utilized groups are reached by such efforts. Staff responsible for hiring and promotion will be given information designed to sensitize them to the potential for discrimination, particularly in areas of under-utilization. This information will be reviewed in meetings with the administrative team.

5. **Certificated Support Personnel**
   Minority availability in this category is 7.8%. Current utilization is 12.4%. There is no under-utilization exists in this category. Availability for female is 44.3%. Utilization is 91.6%. There is no under-utilization in this category.

   The District remains committed to equal employment opportunities for all. These findings will be considered as the District plans and implements its future recruitment efforts to ensure that members of the under-utilized groups are reached by such efforts. Staff responsible for hiring and promotion will be given information designed to sensitize them to the potential for discrimination, particularly in areas of under-utilization. This information will be reviewed in meetings with the administrative team.

6. **Classified Support Personnel**
   Minority availability in this category is 7.8%. Current utilization is 13.5%. There is no under-utilization exists in this category. Availability for female is 44.3%. The current utilization is 91.6%

   The District remains committed to equal employment opportunities for all. These findings will be considered as the District plans and implements its future recruitment efforts to ensure that members of the under-utilized groups are reached by such efforts. Staff responsible for hiring and promotion will be given information designed to sensitize them to the potential for discrimination, particularly in areas of under-utilization. This information will be reviewed in meetings with the administrative team.

7. **Clerical**
   Minority availability in this category is 7.8%. Current utilization is 4.3%. There is under-utilization in this category. Availability for female is 44.3%. Current utilization is 98.9%. There is no under-utilization in this category.

   The District remains committed to equal employment opportunities for all. These findings will be considered as the District plans and implements its future recruitment efforts to ensure that members of the under-utilized groups are reached by such efforts. Staff responsible for hiring and promotion will be given information designed to sensitize them to the potential for discrimination, particularly in areas of under-utilization. This information will be reviewed in meetings with the administrative team.

8. **Service Workers**
   Minority availability in this category is 7.8%. Current utilization is 10.3%. There is no under-utilization in this category. Availability for female is 44.3%. Current utilization is 69.2%. There is no under-utilization in this category.

   The District remains committed to equal employment opportunities for all. These findings will be considered as the District plans and implements its future recruitment efforts to ensure that members of the under-utilized groups are reached by such efforts. Staff responsible for hiring and promotion will be given information designed to sensitize them to the potential for discrimination,
particularly in areas of under-utilization. This information will be reviewed in meetings with the administrative team.

9. **Maintenance**
   Minority availability in this category is 7.8%. Current utilization is 4.1%. There is under-utilization in this category. Availability for female is 44.3%. Current utilization is 12.5%. There is under-utilization in this category.

   The District remains committed to equal employment opportunities for all. These findings will be considered as the District plans and implements its future recruitment efforts to ensure that members of the under-utilized groups are reached by such efforts. Staff responsible for hiring and promotion will be given information designed to sensitize them to the potential for discrimination, particularly in areas of under-utilization. This information will be reviewed in meetings with the administrative team.

10. **Professional/Technical/Supervisors**
    Minority availability in this category is 7.8%. Current utilization is 13%. There is no under-utilization in this category. Availability for female is 44.3%. Current utilization is 91.3%. There is no under-utilization in this category.

    The District is committed to equal employment for all. These findings will be considered as the District plans and implements its future recruitment efforts to ensure that members of the under-utilized groups are reached by such efforts. Staff responsible for hiring and promotion will be given information designed to sensitize them to the potential for discrimination, particularly in areas of under-utilization. This information will be reviewed in meetings with the administrative team.

**PROBLEM AREA IDENTIFICATION**

The District has analyzed its November 2016 utilization of minorities and female relative to availability. The analysis indicates that female are statistically under-utilized in the category of Maintenance workers and slightly under-utilized in the category of Central Office Administrators. Minorities are statistically under-utilized in the categories of Maintenance Workers, Clerical Workers, and Secondary Teachers. Under previous Affirmative Action Plans, utilization goals were met in the categories of Principals/Assistant Principals, Certificated Support Personnel, Classified Support Personnel, and Service Workers.

**GOALS AND ACTION STEPS FOR RECRUITMENT**

**GOAL 1: JOB ANALYSIS, RECRUITMENT AND SELECTION**

The District’s goal is to purposefully and actively seek a diverse pool of qualified applicants from all protected groups and non-protected groups, for certificated and classified positions at all levels.

**ACTION PLAN**

1.1 Analyze job descriptions and hiring processes to be certain that qualification requirements and screening criteria are based on specific job functions and do not have the effect of screening out protected group applicants who have the ability to perform District jobs.

1.2 Ensure that recruitment efforts include and actually reach protected groups as well as non-protected groups.

1.3 Ensure that accurate information is maintained regarding the demographic makeup of the District’s workforce.

1.4 Utilize multiple web-based recruiting and advertising opportunities to expand recruitment efforts.
1.5 Increase the awareness of equal employment opportunity among all personnel involved in hiring, or monitoring hiring. The Executive Director of Human Resources monitors all hiring in the Marysville School District.

GOAL 2: EDUCATION AND TRAINING
The Marysville School District promotes a culture of caring, respect and diversity in the workplace. Each staff member has responsibility for carrying out the equal opportunity strategies and goals as outlined in the Affirmative Action Plan adopted by the District.

ACTION PLAN
2.1 Provide support for schools to develop and carry out multicultural and gender equity training programs and special projects.
2.2 Conduct annual Affirmative Action training with an emphasis on providing a work environment that is free from discrimination for all staff.
2.3 Review with all staff that each member has responsibility for carrying out the equal employment strategies as outlined in the Affirmative Action Plan adopted by the District.
2.4 Review the progress toward meeting the goals of the Affirmative Action Plan with the Board of Directors on a periodic basis.
2.5 Provide recognition for staff contributions to the District’s efforts to provide a diverse educational environment, free from unlawful discrimination.

GOAL 3: PREVENTING EMPLOYMENT DISCRIMINATION BASED ON SEX
We include this goal and the objectives to ensure that the Marysville School District does not discriminate against any person on the basis of sex in employment, recruitment, promotion or advancement, and in order to incorporate the requirements of WAC 392-200-015.

ACTION PLAN
3.1 Maintain credential requirements for all personnel.
3.2 Make no differentiation in pay scale on the basis of sex.
3.3 Provide the same opportunities for advancement without regard to sex.
3.4 Make no difference in conditions of employment including, but not limited to, hiring of, employment and assignment of, or pay for, instructional and non-instructional duties on the basis of sex.

STAFF RESPONSIBILITIES FOR IMPLEMENTATION, MONITORING AND EVALUATION OF PROGRESS
The Superintendent has the overall responsibility for the development, implementation, coordination, and monitoring of the Affirmative Action Plan. The Superintendent has delegated to the Executive Director of Human Resources the responsibility to identify the strategies and activities to assure non-discrimination in the workforce and in recruiting practices. This work supports the Marysville School District’s goal in attracting applicants and maintaining a highly qualified, diverse and culturally responsive workforce. Strategies that support the Affirmative Action Plan are:

1. Provide direction in establishing the requirements and guidelines which the District and hiring administrators will follow in implementing their programs to promote non-discrimination and equal employment opportunity.
2. Work with administrators and employees in the District to ensure understanding and support of the plan.

3. Review on a regular basis all aspects of the District’s personnel practices in order to recruit and support a highly-qualified, diverse and culturally responsive workforce and to take corrective action when necessary.

4. Direct the Human Resources Department in development of specific training, recruiting, hiring, and selection processes necessary to recruit and support a highly-qualified, diverse, and culturally responsive workforce.

5. Continue to communicate the complaint process for current and prospective employees which, exists to promptly and fairly address and investigate all complaints of discrimination.

6. Ensure that appropriate steps are taken to comply with the regulations prohibiting discrimination based on race, color, creed, religion, age, sex, ethnicity, sexual orientation, national origin, veteran or disabled veteran status, marital status, or the presence of a sensory, mental or physical disability.

7. Ensure the District’s compliance with state and federal laws established to eliminate sex discrimination in the public schools.

8. Plan and implement annual in-service activities to clearly communicate to staff the District’s expectation and commitment to recruit and support a highly qualified, diverse and culturally responsive workforce.

9. Work in partnership with the Marysville School District RESPECT Committee Coordinator, and the Marysville School District Equity/Multi-cultural Department to make an annual report to the Superintendent and the Board of Directors related to the diversity of the District’s workforce.

10. Implement systems that will measure the effectiveness of the District’s recruitment, retention, and related training activities and report on the diversity of the District’s workforce.

11. Communicate workforce diversity data to Marysville School District leadership and all employees on an annual basis.

12. The Affirmative Action Officer is charged with the responsibility of making known the District’s desire and commitment to employ members of protected as well as unprotected groups through regular and frequent contact with community groups and employment agencies and through identifying, to the extent possible, persons with requisite skills and talents for projected openings throughout the District. The Affirmative Action Officer will ensure that recruitment efforts are reaching protected groups as well as unprotected groups in all categories where under-utilization exists.

13. The Affirmative Action Officer will advise the Superintendent and/or Board of Directors on equal opportunity matters as required. The Affirmative Action Officer will monitor and evaluate the plan’s accomplishments and will prepare memoranda addressing proposed action and other issues as required by this plan.

14. The Affirmative Action Officer can be reached at (360) 965-0070 or by writing to Affirmative Action Officer, Human Resources Department, Marysville School District #25, 4220 80th St. NE, Marysville, Washington 98270.

15. The Human Resource Department will conduct an annual review of the District’s progress toward the goals set forth in this plan and report the results of this review to all District administrators and to the Board of Directors.
INTERNAL MONITORING AND REPORTING PROCESS

The Marysville School District recognizes and is committed to laws that prohibit public employees from discriminating in any aspect of employment on the basis of race, color, creed, religion, age, sex, ethnicity, sexual orientation, national origin, veteran or disabled veteran status, marital status, or the presence of a sensory, mental or physical disability.

The District is committed to ensuring that recruitment and retention practices are effective, fair, and legal, and that all discrimination complaints are fully investigated. Additionally, the District will engage in an annual review (and revise practices when appropriate) of employee information.

To ensure the implementation and success of the District’s equal employment policy, the Human Resources Department will maintain a system that will monitor the program in the following manner:

- Collect, recall, and display facts on district employees in the areas of race, gender, age, disabling conditions, and veteran status in all job categories.
- Collect, recall, and display facts on applicants by job, race, gender, age, disabling conditions and veteran status.
- Collect, recall, and display facts on hiring, promotion, retention, and other personnel actions, including work force composition by race, gender, age, disabling conditions, and veteran status.
- Maintain and retain job history files for the legally specified time period and make available for reference. These files contain copies of the job announcement, applicant lists, applications, copies of selection instruments, rating summaries, and relevant correspondence and notes.
- Utilize a computerized applicant tracking system.
- Prepare and disseminate to administrators, managers and supervisors statistics on recruiting and utilization as appropriate.

The Affirmative Action Officer will evaluate the effectiveness of the plan and recommend changes to the Board of Directors through the Superintendent. Changes mandated by the Board of Directors will be carried out under the direction of the Affirmative Action Officer.

INVESTIGATING COMPLAINTS

District compliance policies call for aggressive investigations of discrimination complaints filed by job applicants, employees, and students. Through these investigations, the District will ensure that all fair employment laws, rules, and regulations are understood and followed by staff. Policies and procedures related to non-discrimination and harassment as well as forms (staff and student) are located on the District’s web site. These forms may be viewed, downloaded, and/or printed.

REPORTING ACTIVITIES

The following activities are subject to an ongoing review by Human Resources personnel:

- Ensure that Marysville School District does not differentiate in condition of employment including, but not limited to, hiring practices, leaves of absence, hours of employment, and assignment of, or pay for, instructional and non-instructional duties.
- Maintain employee and applicant records in accordance with the law and as detailed by the collective bargaining agreement.
- Collect and maintain information necessary to do a statistical analysis of the District’s workforce annually.
- Use gathered information to help develop recruitment and retention strategies.
• Use gathered information to determine how best to improve District efforts to retain employees in various job classifications.
• Report to the Board of Directors on a periodic basis.

GRIEVANCE PROCEDURE

To ensure fairness and consistency, grievance procedures related to the District’s Equal Employment Opportunity Policies have been established. No individual’s status with the district shall be adversely affected in any way because the individual has utilized these procedures.

REDUCTION IN FORCE

Reduction in staff will be made in accordance with applicable law and with collective bargaining agreements currently in force. If a reduction in force is necessary, consistent with its legal and contractual obligations, the District will make reductions in force bearing in mind its commitment to equal employment opportunity hiring practices.
Nondiscrimination and Affirmative Action

Nondiscrimination
The district will provide equal employment opportunities and treatment for all applicants and staff in recruitment, hiring, retention, assignment, transfer, promotion, and training. Such equal employment opportunity will be provided without discrimination with respect to race, color, religion, creed, national origin, age, honorably-discharged veteran or military status, sex, sexual orientation including gender expression or identity, marital status, the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability. The board will designate a staff member to serve as Compliance Officer.

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. 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 or designee will develop an affirmative action plan that specifies the personnel procedures to be followed by the staff of the district and will 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, 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, will be disseminated widely to staff in all classifications and to all interested patrons and organizations. Progress toward the goals established under this policy will be reported periodically to the board.

Employment of Persons with Disabilities
In order to fulfill its commitment of nondiscrimination to those with disabilities, the following conditions will prevail:

A. No qualified person with disabilities 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:
   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 a 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; and

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, 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 law.

Cross Reference:
- Procedure 5010
- Policy 2030
- Policy 5270
- Policy 5407

Nondiscrimination and Affirmative Action and Affirmative Action Plan
Service Animals in Schools
Resolution of Staff Complaints
Military Leave

Legal References:
- RCW 28A.400.310
- RCW 28A.640.020
- RCW 28A.642
- RCW 49.60
- RCW 49.60.030
- RCW 49.60.180
- RCW 49.60.400
- RCW 73.16
- WAC 592-190
- WAC 592-190-0592

Law against discrimination applicable to District's employment practices
Regulations, guidelines to eliminate Discrimination-Scope
Discrimination prohibition
Discrimination - Human Rights Commission
Freedom from discrimination
Unfair practices of employer
Discrimination, preferential treatment prohibited
Employment and Reemployment
Equal Education Opportunity - Unlawful Discrimination
Public school employment-Affirmative action program

42 USC 2000e1-2000e10
20 USC § 1681-1688
42 USC 12101-12213
8 USC 1324
38 USC § 4301-4333
29 USC 794
34 CFR § 104
38 USC § 4212

Title VII of the Civil Rights Act of 1964
Title IX Educational Amendments of 1972
Americans with Disabilities Act
(IRCA) Immigration Reform and Control Act of 1986
Uniformed Services Employment and Reemployment Rights Act
Vocational Rehabilitation Act of 1973
Nondiscrimination on the basis of handicap in Programs
Vietnam Era Veterans Readjustment Act of 1974

Management Resources:
- Policy and Legal News, December 2014  Nondiscrimination in Schools, Revised WAC's
- Policy and Legal News, June 2013  Adding Legal Reference to Policy 5010
Marysville School District No. 25
Classification: Priority
Revised Dates:
Adopted: 02/20/73
Revised: 10/03/77
Reaffirmed: 12/04/78
Revised: 11/21/05
Revised for First Reading: 1/28/10
Second Reading and Adoption: 2/16/10
Revised for First Reading: 4/21/14
Second Reading and Adoption: 5/6/14
Revised for First Reading: 1/23/17
Second Reading and Adoption: 2/21/2017

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Appendix B
Policy: 5010P
Section: 5000 – Personnel

Procedure: 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 will be adversely affected in any way because the staff member utilized these procedures. As used in this procedure, “grievance” will mean a complaint which has been filed by a complainant relating to alleged violations of any state or federal anti-discrimination laws. A “complaint” will mean a charge alleging specific acts, conditions or circumstances which are in violation of the anti-discrimination laws. A “respondent” will 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 will be taken:

AFFIRMATIVE ACTION PLAN
In order to secure an equitable solution to a justifiable complaint the district will:

1. Make efforts to modify the composition of the future work force in order to work toward a full utilization of aged, persons with disabilities, ethnic minorities, women, and Vietnam veterans in the various job categories.

2. 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 will continue to emphasize in all recruitment contacts that nondiscrimination is a basic element in the district’s personnel procedures.

3. Be responsible for reviewing all employment procedures and programs to assure that there is no indication of discriminatory practices. The district will continue to use aged, persons with disabilities, ethnic minorities, women, and Vietnam veterans in the recruitment and employment process. Recruitment from colleges and universities will include institutions with high percentages of students of various ethnic minorities.

4. 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.

5. Take appropriate action to attract and retain aged, persons with disabilities, ethnic minorities, women, and Vietnam Veterans at all levels and in all segments of the district’s work force. Criteria for selecting staff will be reviewed regularly to assure that such statements relate directly to the requirements for specific positions. However, pursuant to state law there will be no preferential employment practices based on race or gender.

6. 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 will be the responsibility of the superintendent. Administrators will assist in the attainment of the established goals and purposes of this affirmative action plan.
DISSEMINATION

The district will 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 will be disseminated by:

1. Printing and distributing such information to staff, school libraries, and offices;
2. Publicizing such information in district newsletters;
3. Conducting meetings with administrative staff to explain the intent and advantages of the policy and plan;
4. Conducting faculty meetings and meetings with classified staff;
5. Informing appropriate and interested recruiting and hiring sources; and
6. Informing all representative staff groups in the district.

INTERNAL AUDIT AND MONITORING SYSTEM

The superintendent’s office and/or designee, in compliance with WAC 162-12, Pre-employment Inquiry Guide, will record by age, race, sex, and other protected groups applicant flow, new hires, promotions, transfer requests, transfers, administrative internships, and terminations. An analysis will be made of the internal and external work force availability of aged, persons without disabilities, ethnic minorities, and women.

The district will evaluate the effectiveness of the nondiscrimination and affirmative action program and report its status to the board periodically. 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:

1. Analysis of the categories of employment in relation to affirmative action goals;
2. Analysis of work force data and applicant flow;
3. Maintaining records relative to affirmative action information;
4. Preparation of periodic reports of progress toward the goals and recommended changes required to maintain the vitality of the program;
5. 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
6. Keeping the superintendent and/or designee 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 will be adversely affected in any way because the staff member utilized these procedures.

A. **Grievance** means a complaint which has been filed by an employee relating to alleged violations of any state or federal anti-discrimination laws.

B. **Complaint** means a written charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. The time period for filing a complaint is one year from the date of the occurrence that is the subject matter of the complaint. However, a complaint filing deadline may not be imposed if the complainant was prevented from filing due to: 1) Specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint; or 2) Withholding of information that the district was required to provide under WAC 392-190-065 or WAC 392-190-005.
Complaints may be submitted by mail, fax, e-mail, or hand-delivery to any district, school, or to the district compliance officer responsible for investigating discrimination complaints. Any district employee who receives a complaint that meets these criteria will promptly notify the compliance officer.

C. **Respondent** means 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 end, specific steps will be taken. The district is prohibited by law from intimidating, threatening, coercing or discriminating against any individual for the purpose of interfering with their right to file a grievance under this procedure and from retaliating against an individual for filing such a grievance.

**Informal Process for Resolution**

When a staff member has an employment problem concerning equal employment opportunity, he/she will 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 compliance officer to participate in the informal review procedure. It is intended that the informal discussion will 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 compliance 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. During the course of the informal process, the district will notify complainant of their right to file a formal complaint.

**Formal Process for Resolution**

**Level One: Complaint to District**

The complaint must set forth the specific acts, conditions, or circumstances alleged to be in violation. Upon receipt of a complaint, the compliance officer will provide the complainant a copy of this procedure. The compliance officer will investigate the allegations within 30 calendar days. The school district and complainant may agree to resolve the complaint in lieu of an investigation. The officer will provide the superintendent and/or designee with a full written report of the complaint and the results of the investigation.

The superintendent or designee will respond to the complainant with a written decision as expeditiously as possible, but in no event later than 30 calendar days following receipt of the written complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the complainant in writing of the reason for the extension and the anticipated response date. At the time the district responds to the complainant, the district must send a copy of the response to the office of the superintendent of public instruction.

The decision of the superintendent and/or designee will include: 1) a summary of the results of the investigation; 2) whether the district has failed to comply with anti-discrimination laws; 3) if non-compliance is found, corrective measures the district deems necessary to correct it; and 4) notice of the complainant’s right to appeal to the school board and the necessary filing information. The superintendent’s and/or designee’s response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964.

Any corrective measures deemed necessary will be instituted as expeditiously as possible, but in no event later than 30 calendar days following the superintendent’s and/or designee’s mailing of a written response to the complaining party unless otherwise agreed to by the complainant.

**Level Two - Appeal to Board of Directors**

If a complainant disagrees with the superintendent’s or designee’s written decision, the complainant may file a written notice of appeal with the secretary of the board within ten (10) calendar days following the date upon which the complainant received the response. The board will schedule a hearing to commence by the twentieth
(20) calendar day following the filing of the written notice of appeal unless otherwise agreed to by the complainant and the superintendent and/or designee for good cause. Both parties will be allowed to present such witnesses and testimony as the board deems relevant and material. Unless otherwise agreed to by the complainant, the board will render a written decision within thirty (30) calendar days following the filing of the notice of appeal and provide the complainant with a copy of the decision. The decision of the board will be provided in a language the complainant can understand, which may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act. The decision will include notice of the complainant’s right to appeal to the superintendent of public instruction and will identify where and to whom the appeal must be filed. The district will send a copy of the appeal decision to the office of the superintendent of public instruction.

Level Three - Complaint to the Superintendent of Public Instruction

If a complainant disagrees with the decision of the board of directors, or if the district fails to comply with this procedure, the complainant may file a complaint with the superintendent of public instruction.

1. A complaint must be received by the Superintendent of Public Instruction on or before the twentieth (20) calendar day following the date upon which the complainant received written notice of the board of directors’ decision, unless the Superintendent of Public Instruction grants an extension for good cause. Complaints may be submitted by mail, fax, electronic mail, or hand delivery.

2. A complaint must be in writing and include: 1) A description of the specific acts, conditions or circumstances alleged to violate applicable anti-discrimination laws; 2) The name and contact information, including address, of the complainant; 3) The name and address of the district subject to the complaint; 4) A copy of the district’s complaint and appeal decision, if any; and 5) A proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student or in the case of a homeless child or youth, contact information.

3. Upon receipt of a complaint, the Office of the Superintendent of Public Instruction may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the superintendent or board. Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with RCW 28A.642.010 or Chapter 392-190, WAC and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.

All corrective actions must be completed within the timelines established by OSPI in the written decision unless OSPI grants an extension. If timely compliance is not achieved, OSPI may take action including but not limited to referring the district to appropriate state or federal agencies empowered to order compliance.

A complaint may be resolved at any time when, before the completion of the investigation, the district voluntarily agrees to resolve the complaint. OSPI may provide technical assistance and dispute resolution methods to resolve a complaint.

Level Four - Administrative Hearing

A complainant or school district that desires to appeal the written decision of the Office of the Superintendent of Public Instruction may file a written notice of appeal with OSPI within thirty (30) calendar days following the date of receipt of that office’s written decision. OSPI will conduct a formal administrative hearing in conformance with the Administrative Procedures Act, Chapter 34.05, RCW.
MEDIATION

At any time during the discrimination complaint procedure set forth in WAC 392-190-065 through 392-190-075, a district may, at its own expense, offer mediation. The complainant and the district may agree to extend the discrimination complaint process deadlines in order to pursue mediation.

The purpose of mediation is to provide both the complainant and the district an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator. Mediation must be voluntary and requires the mutual agreement of both parties. It may be terminated by either party at any time during the mediation process. It may not be used to deny or delay a complainant’s right to utilize the complaint procedures.

Mediation must be conducted by a qualified and impartial mediator who may not: 1) Be an employee of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the subject of the complaint being mediated; or 2) Have a personal or professional conflict of interest. A mediator is not considered an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.

If the parties reach agreement through mediation, they may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the course of mediation will remain confidential and may not be used as evidence in any subsequent complaint, due process hearing or civil proceeding. The agreement must be signed by the complainant and a district representative who has authority to bind the district.

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, will be retained in the office of the district compliance officer for a period of 6 years.

RESOURCES

**District Contact**
Civil Rights Coordinator - Risk Management Supervisor
Title IX Officer - Executive Director of Human Resources
Section 504 Coordinator - Director of Categorical Programs
ADA Coordinator - Executive Director of Special Education
4220 80th ST NE; Marysville, WA 98270
360-965-0000

**State Contacts**
Superintendent of Public Instruction
Equity and Civil Rights Office
P.O. Box 47200
Olympia, WA 98504-7200
360-725-6162

Washington State Human Rights Commission
711 South Capitol Way, Suite 402
P.O. Box 42490
Olympia, WA 98504-2490
360-753-6770
Appendix C

Marysville School District Affirmative Action Officer

All Marysville School District staff are expected to affirm the District's commitment to nondiscrimination. The following staff member has the responsibility to oversee all implementation the specific actions described above.

Jason Thompson
Executive Director of Human Resources
4220 80th St. NE
Marysville, WA 98270

Telephone: 360-965-0070
Fax: 360-965-0079
Email: Jason_thompson@msd25.org
Appendix D

Marysville School District Pre-Employment Form
Marysville School District is an Equal Opportunity Employer

Marysville School District is committed to an affirmative action program that provides for the recruitment of women, people of color, people with disabilities, people 40 or over, and veterans. In order to implement this program, the Marysville School District requests that you provide the following information. You are **not** required to do so, but if you choose not to furnish this information, the employer is required to note race, national origin, and gender under federal law on the basis of a visual observation or surname. A decision not to provide this information will not result in any adverse treatment of your application for employment. This information will be kept confidential.

Name: ____________________________ Date: ______________________

**Gender**
- ☐ Male
- ☐ Female
- ☐ Decline to Answer

**Race**
- ☐ Hispanic or Latino
- ☐ American Indian or Alaska Native
- ☐ Asian
- ☐ Black or African American
- ☐ White
- ☐ Native Hawaiian or Other Pacific Islander
- ☐ Decline to Answer

**Veteran Status**
I am a veteran or disabled veteran or spouse of a disabled veteran of the US Armed Forces.
- ☐ Yes
- ☐ No

**Disability Status**
Do you have a physical, sensory, or mental condition that would affect your working conditions?
- ☐ Yes
- ☐ No

**Age Group**
Are you in a protected age group (age 40 or over)?
- ☐ Yes
- ☐ No
# Appendix E

## Marysville School District Employee Ethnicity Report

**Utilization Analysis – Minorities**  
**December 2016**

<table>
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<tr>
<th>Categories</th>
<th>Total Employees</th>
<th>Total Minority</th>
<th>% Total Minority</th>
<th>Black/African American</th>
<th>Asian/Pacific Islander</th>
<th>Hispanic/Latino</th>
<th>American Indian/Alaska Native</th>
<th>Theoretical Availability</th>
<th>Statically Expected Utilization</th>
<th>Deviation from TA</th>
<th>Deviation from SE</th>
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</tr>
<tr>
<td>Elementary Teachers</td>
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<td>29</td>
<td>9.9%</td>
<td>3</td>
<td>11</td>
<td>8</td>
<td>7</td>
<td>9.7</td>
<td>7.8</td>
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<tr>
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<td>1</td>
<td>4</td>
<td>6</td>
<td>9</td>
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<td>7.8</td>
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<td>(0.4)</td>
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<td>7.8</td>
<td>2.7</td>
<td>4.6</td>
</tr>
<tr>
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<td>4</td>
<td>6</td>
<td>13</td>
<td>11</td>
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<td>7.8</td>
<td>(5.4)</td>
<td>(3.5)</td>
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<td>22</td>
<td>10.3%</td>
<td>0</td>
<td>6</td>
<td>14</td>
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<td>9.7</td>
<td>7.8</td>
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<td>2.5</td>
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<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>9.7</td>
<td>7.8</td>
<td>(5.6)</td>
<td>(3.7)</td>
</tr>
<tr>
<td>Professional/Technical/Supervisors*</td>
<td>23</td>
<td>3</td>
<td>13.0%</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>9.7</td>
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<td><strong>12</strong></td>
<td><strong>36</strong></td>
<td><strong>45</strong></td>
<td><strong>42</strong></td>
<td><strong>9.7</strong></td>
<td><strong>7.8</strong></td>
<td><strong>(0.3)</strong></td>
<td><strong>1.6</strong></td>
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<td><strong>Staff Percentages</strong></td>
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<td></td>
<td></td>
<td></td>
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<td></td>
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</tbody>
</table>

* Theoretical Availability: The estimated percentage of minorities available in the labor market.

* Statistically Expected Utilization: 80% of availability.

* Certificated Support Personnel includes: Audiologist, coordinators, counselors, librarians, OT/PT’s, psychologists, certificated RN’s, School Home Partnership Program (SHoPP) teachers, Teachers on Special Assignment (TOSA).

* Classified Support Personnel includes: Instructional assistants, health room assistants, intervention specialists, liaisons, NJROTC instructors, and security staff.

* Service Workers: Building custodial staff, grounds, print shop, warehouse staff, food service, bus drivers, and mechanics.

* Maintenance includes: Carpenters, electricians, and engineers.

* Professional/Technical/Supervisors includes: Accountants, analysts, ECEAP Manager, Indian Education Coordinator, RN’s, and technicians.
## Appendix F

### Marysville School District Employee Ethnicity Report

**Utilization Analysis – Females**

**December 2016**

<table>
<thead>
<tr>
<th>Job Group</th>
<th>Total Employees</th>
<th>Total Women</th>
<th>% Total Women</th>
<th>Theoretical Availability *</th>
<th>Statically Expected Utilization</th>
<th>Deviation from Theoretical Availability</th>
<th>Deviation from Statistically Expected Utilization</th>
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</thead>
<tbody>
<tr>
<td>Central Office Administrators</td>
<td>28</td>
<td>11</td>
<td>39.3%</td>
<td>55.4</td>
<td>44.3</td>
<td>(16.1)</td>
<td>(5.0)</td>
</tr>
<tr>
<td>Principals Asst. Principals</td>
<td>32</td>
<td>26</td>
<td>81.3%</td>
<td>55.4</td>
<td>44.3</td>
<td>25.9</td>
<td>37</td>
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<tr>
<td>Elementary Teachers</td>
<td>292</td>
<td>254</td>
<td>87%</td>
<td>55.4</td>
<td>44.3</td>
<td>31.6</td>
<td>42.7</td>
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<tr>
<td>Secondary Teachers</td>
<td>269</td>
<td>128</td>
<td>47.6%</td>
<td>55.4</td>
<td>44.3</td>
<td>(7.8)</td>
<td>3.3</td>
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<tr>
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<td>78.4%</td>
<td>55.4</td>
<td>44.3</td>
<td>23</td>
<td>34.1</td>
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<tr>
<td>Classified Support Personnel *</td>
<td>251</td>
<td>230</td>
<td>91.6%</td>
<td>55.4</td>
<td>44.3</td>
<td>36.2</td>
<td>47.3</td>
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<tr>
<td>Clerical</td>
<td>94</td>
<td>93</td>
<td>98.9%</td>
<td>55.4</td>
<td>44.3</td>
<td>43.5</td>
<td>54.6</td>
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<tr>
<td>Service Workers *</td>
<td>214</td>
<td>148</td>
<td>69.2%</td>
<td>55.4</td>
<td>44.3</td>
<td>13.8</td>
<td>24.9</td>
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<tr>
<td>Maintenance *</td>
<td>24</td>
<td>3</td>
<td>12.5%</td>
<td>55.4</td>
<td>44.3</td>
<td>(42.9)</td>
<td>(31.8)</td>
</tr>
<tr>
<td>Professional/Technical/Supervisors *</td>
<td>23</td>
<td>21</td>
<td>91.3%</td>
<td>55.4</td>
<td>44.3</td>
<td>35.9</td>
<td>47.0</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>1324</strong></td>
<td><strong>990</strong></td>
<td><strong>74.8%</strong></td>
<td><strong>55.4</strong></td>
<td><strong>44.3</strong></td>
<td><strong>19.4</strong></td>
<td><strong>30.5</strong></td>
</tr>
<tr>
<td><strong>Staff Percentages</strong></td>
<td><strong>100%</strong></td>
<td><strong>74.8%</strong></td>
<td><strong>55.4%</strong></td>
<td><strong>44.3%</strong></td>
<td><strong>19.4%</strong></td>
<td><strong>30.5%</strong></td>
<td><strong>30.5%</strong></td>
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</tbody>
</table>

* Theoretical Availability: The estimated percentage of minorities available in the labor market.

* Statistically Expected Utilization: 80% of availability.

* Certificates Support Personnel includes: Audiologist, coordinators, counselors, librarians, OT/PT’s, psychologists, certificated RN’s, School Home Partnership Program (S HoPP) teachers, Teachers on Special Assignment (TOSA).

* Classified Support Personnel includes: Instructional assistants, health room assistants, intervention specialists, liaisons, NJROTC instructors, and security staff.

* Service Workers: Building custodial staff, grounds, print shop, warehouse staff, food service, bus drivers, and mechanics.

* Maintenance includes: Carpenters, electricians, and engineers.

* Professional/Technical/Supervisors includes: Accountants, analysts, ECEAP Manager, Indian Education Coordinator, RN’s, and technicians.
### Appendix G

**Marysville School District Employee Ethnicity Report**

**Under Utilization Analysis**

**December 2016**

<table>
<thead>
<tr>
<th>Central Office Administrators</th>
<th>Total Employees</th>
<th>Female</th>
<th>Minority</th>
<th>Black/ African American</th>
<th>Asian/ Pacific Islander</th>
<th>Hispanic Latino</th>
<th>American Indian/ Alaska Native</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Utilization – Numbers</td>
<td>28</td>
<td>11</td>
<td>5</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Current Utilization – Percent</td>
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<td>39.3</td>
<td>15.0%</td>
<td>0</td>
<td>7.1</td>
<td>0</td>
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<td>44.3</td>
<td>7.8</td>
<td>7.8</td>
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<td>7.8</td>
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<tr>
<td>Goal Met</td>
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<td>Yes</td>
<td>No</td>
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<table>
<thead>
<tr>
<th>Principals Asst. Principals</th>
<th>Total Employees</th>
<th>Female</th>
<th>Minority</th>
<th>Black/ African American</th>
<th>Asia/Pacific Islander</th>
<th>Hispanic Latino</th>
<th>American Indian/ Alaska Native</th>
</tr>
</thead>
<tbody>
<tr>
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<td>26</td>
<td>5</td>
<td>3</td>
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<td>7.8</td>
<td>7.8</td>
<td>7.8</td>
<td>7.8</td>
<td>7.8</td>
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<tr>
<td>Goal Met</td>
<td></td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td># Persons Underutilized</td>
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<table>
<thead>
<tr>
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<th>Total Employees</th>
<th>Female</th>
<th>Minority</th>
<th>Black/ African American</th>
<th>Asian/ Pacific Islander</th>
<th>Hispanic Latino</th>
<th>American Indian/ Alaska Native</th>
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</thead>
<tbody>
<tr>
<td>Current Utilization – Numbers</td>
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<td>7.8</td>
<td>7.8</td>
<td>7.8</td>
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<td>Yes</td>
<td>No</td>
<td>No</td>
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<th>Black/ African American</th>
<th>Asian/ Pacific Islander</th>
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<th>American Indian/ Alaska Native</th>
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<th>Minority</th>
<th>Black/ African American</th>
<th>Asian/ Pacific Islander</th>
<th>Hispanic Latino</th>
<th>American Indian/ Alaska Native</th>
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<td>8</td>
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<td>1.0</td>
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<td>7.8</td>
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<td>Yes</td>
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<td>7</td>
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<td>Classified Support Personnel *</td>
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<td>Minority</td>
<td>Black/African American</td>
<td>Asian/Pacific Islander</td>
<td>Hispanic Latino</td>
<td>American Indian/Alaska Native</td>
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<tr>
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<td>------------------------</td>
<td>------------------------</td>
<td>------------------</td>
<td>---------------------------</td>
</tr>
<tr>
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</tr>
<tr>
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<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td># Persons Underutilized</td>
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<td>16</td>
<td>14</td>
<td>7</td>
<td>9</td>
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<th>Female</th>
<th>Minority</th>
<th>Black/African American</th>
<th>Asian/Pacific Islander</th>
<th>Hispanic Latino</th>
<th>American Indian/Alaska Native</th>
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<tbody>
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<td>Availability Analysis Percent X .B</td>
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<td>7.8</td>
<td>7.8</td>
<td>7.8</td>
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<tr>
<td>Goal Met</td>
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<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
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<td>8</td>
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<td>6</td>
<td>8</td>
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</table>

<table>
<thead>
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<th>Service Workers *</th>
<th>Total Employees</th>
<th>Female</th>
<th>Minority</th>
<th>Black/African American</th>
<th>Asian/Pacific Islander</th>
<th>Hispanic Latino</th>
<th>American Indian/Alaska Native</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Utilization – Numbers</td>
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<td>22</td>
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<td>6</td>
<td>14</td>
<td>2</td>
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<tr>
<td>Current Utilization – Percent</td>
<td>69.2</td>
<td>10.3</td>
<td>0</td>
<td>2.8</td>
<td>6.5</td>
<td>0.9</td>
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</tr>
<tr>
<td>Availability Analysis Percent X .B</td>
<td>44.3</td>
<td>7.8</td>
<td>7.8</td>
<td>7.8</td>
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<td></td>
</tr>
<tr>
<td>Goal Met</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td># Persons Underutilized</td>
<td>N/A</td>
<td>N/A</td>
<td>17</td>
<td>11</td>
<td>3</td>
<td>15</td>
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<table>
<thead>
<tr>
<th>Maintenance *</th>
<th>Total Employees</th>
<th>Female</th>
<th>Minority</th>
<th>Black/African American</th>
<th>Asian/Pacific Islander</th>
<th>Hispanic Latino</th>
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<td>Availability Analysis Percent X .B</td>
<td>44.3</td>
<td>7.8</td>
<td>7.8</td>
<td>7.8</td>
<td>7.8</td>
<td>7.8</td>
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</tr>
<tr>
<td>Goal Met</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td># Persons Underutilized</td>
<td>N/A</td>
<td>N/A</td>
<td>8</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Professional/Technical/Supervisors *</th>
<th>Total Employees</th>
<th>Female</th>
<th>Minority</th>
<th>Black/African American</th>
<th>Asian/Pacific Islander</th>
<th>Hispanic Latino</th>
<th>American Indian/Alaska Native</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Utilization – Numbers</td>
<td>23</td>
<td>21</td>
<td>3</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>1</td>
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<tr>
<td>Current Utilization – Percent</td>
<td>91.3</td>
<td>13</td>
<td>0</td>
<td>4.3</td>
<td>4.3</td>
<td>4.3</td>
<td></td>
</tr>
<tr>
<td>Availability Analysis Percent X .B</td>
<td>44.3</td>
<td>7.8</td>
<td>7.8</td>
<td>7.8</td>
<td>7.8</td>
<td>7.8</td>
<td></td>
</tr>
<tr>
<td>Goal Met</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td># Persons Underutilized</td>
<td>8</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>

* Certificates Support Personnel includes: Audiologist, coordinators, counselors, librarians, OT/PT's, psychologists, certificated RN's, School Home Partnership Program (ShoPP) teachers, Teachers on Special Assignment (TOSA).
* Classified Support Personnel includes: Instructional assistants, health room assistants, intervention specialists, liaisons, NJROTC instructors, and security staff.
* Service Workers: Building custodial staff, grounds, print shop, warehouse staff, food service, bus drivers, and mechanics.
* Maintenance includes: Carpenters, electricians, and engineers.
* Professional/Technical/Supervisors includes: Accountants, analysts, ECEAP Manager, Indian Education Coordinator, RN's, and technicians.
**Appendix H**

**Salary Ranges**

<table>
<thead>
<tr>
<th>Job Classification</th>
<th>Salary Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrators</td>
<td>$95,878 - $163,131 annually</td>
</tr>
<tr>
<td>Certificated Staff</td>
<td>$48,128 - $93,802 annually</td>
</tr>
<tr>
<td>Custodians/Warehouse/Grounds</td>
<td>$19.81 - $25.39 hourly</td>
</tr>
<tr>
<td>Executive Assistants</td>
<td>$58,132 - $76,402 annually</td>
</tr>
<tr>
<td>Instructional Assistants</td>
<td>$17.51 - $21.80 hourly</td>
</tr>
<tr>
<td>Managers/Supervisors</td>
<td>$56,857 - $101,728 annually</td>
</tr>
<tr>
<td>Misc. Independent Employees</td>
<td>$11.00 - $28.68 hourly</td>
</tr>
<tr>
<td>Nutrition Services</td>
<td>$15.43 - $21.76 hourly</td>
</tr>
<tr>
<td>Professional/Technical</td>
<td>$21.32 - $38.71 hourly</td>
</tr>
<tr>
<td>Secretarial/Clerical</td>
<td>$19.67 - $24.00 hourly</td>
</tr>
<tr>
<td>Student Specialists/Security</td>
<td>$22.10 - $27.51 hourly</td>
</tr>
<tr>
<td>Technology Services</td>
<td>$58,715 - $101,728 annually</td>
</tr>
<tr>
<td>Transportation</td>
<td>$20.36 - $28.63 hourly</td>
</tr>
</tbody>
</table>
# Appendix I

## Student Ethnicity

2016 OSPI October Enrollment Report

The following table displays student ethnicity from the 2016 - 2017 school year. While the District has a strong interest in employing a workforce reflective of its community, the development and adoption of an Affirmative Action Plan and recruitment goals are based solely on an analysis of the available workforce in comparison with the number of current Marysville employees.

<table>
<thead>
<tr>
<th>Grade Level</th>
<th>American Indian/Alaska Native</th>
<th>Asian</th>
<th>Black/African American</th>
<th>Hispanic Latino</th>
<th>Caucasian White</th>
<th>Hawaiian/Pacific Islander</th>
<th>Multiracial</th>
<th>Not Provided</th>
<th>Totals</th>
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<tbody>
<tr>
<td>Pre-Kindergarten</td>
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<td>5</td>
<td>6</td>
<td>2</td>
<td>5</td>
<td>0</td>
<td>33</td>
<td>14</td>
<td>76</td>
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<tr>
<td>Kindergarten (K1)</td>
<td>26</td>
<td>24</td>
<td>15</td>
<td>16</td>
<td>6</td>
<td>2</td>
<td>98</td>
<td>82</td>
<td>238</td>
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<tr>
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<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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</tr>
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<td>First</td>
<td>30</td>
<td>32</td>
<td>22</td>
<td>18</td>
<td>7</td>
<td>5</td>
<td>99</td>
<td>91</td>
<td>223</td>
</tr>
<tr>
<td>Second</td>
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<td>25</td>
<td>19</td>
<td>9</td>
<td>5</td>
<td>7</td>
<td>82</td>
<td>97</td>
<td>220</td>
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<tr>
<td>Third</td>
<td>31</td>
<td>25</td>
<td>23</td>
<td>25</td>
<td>8</td>
<td>6</td>
<td>110</td>
<td>122</td>
<td>229</td>
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<td>23</td>
<td>21</td>
<td>28</td>
<td>9</td>
<td>8</td>
<td>104</td>
<td>104</td>
<td>232</td>
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<tr>
<td>Fifth</td>
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<td>28</td>
<td>13</td>
<td>14</td>
<td>9</td>
<td>10</td>
<td>94</td>
<td>99</td>
<td>200</td>
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<tr>
<td>Sixth</td>
<td>28</td>
<td>32</td>
<td>31</td>
<td>16</td>
<td>3</td>
<td>5</td>
<td>96</td>
<td>82</td>
<td>236</td>
</tr>
<tr>
<td>Seventh</td>
<td>25</td>
<td>28</td>
<td>27</td>
<td>17</td>
<td>7</td>
<td>6</td>
<td>81</td>
<td>81</td>
<td>216</td>
</tr>
<tr>
<td>Eighth</td>
<td>19</td>
<td>20</td>
<td>30</td>
<td>22</td>
<td>7</td>
<td>9</td>
<td>95</td>
<td>99</td>
<td>199</td>
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<tr>
<td>Ninth</td>
<td>17</td>
<td>29</td>
<td>16</td>
<td>23</td>
<td>6</td>
<td>7</td>
<td>89</td>
<td>93</td>
<td>248</td>
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<tr>
<td>Tenth</td>
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<td>28</td>
<td>29</td>
<td>23</td>
<td>12</td>
<td>12</td>
<td>104</td>
<td>97</td>
<td>245</td>
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<tr>
<td>Eleventh</td>
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<td>21</td>
<td>23</td>
<td>10</td>
<td>10</td>
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<td>Twelfth</td>
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<td>32</td>
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<td>29</td>
<td>12</td>
<td>9</td>
<td>99</td>
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<tr>
<td>Totals</td>
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<td>575</td>
<td>202</td>
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<td>6,004</td>
<td>80</td>
<td>1,192</td>
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</tr>
</tbody>
</table>
Appendix J

Legal Basis for Nondiscrimination and Affirmative Action

**Equal Pay Act of 1963** – requires all employees subject to the Fair Labor Standards Act to provide equal pay to men and women for equal work on jobs which require equal skill, effort, and responsibility and which are performed under similar working conditions.

**Title VI of the Civil Rights Act of 1964** – prohibits discrimination based on race, color, or national origin in any program or activity receiving federal financial assistance.

**Title VII of the Civil Rights Act of 1964** – as amended by the Equal Employment Opportunity Act of 1972, prohibits discrimination against employees or applicants for employment on the basis of race, color, religion, gender, or national origin.

**Title IX of the Education Amendments of 1972** – prohibits sex discrimination against students and employees in educational institutions receiving federal financial assistance.

**Vocational Rehabilitation Act of 1973, Section 504** – prohibits discrimination against students and employees in education institutions receiving federal assistance.

**Age Discrimination in Employment Act of 1967** – as amended in 1978, prohibits age discrimination against employees or applicants 40 years of age or older.

**Washington State Law Against Discrimination, RCW 49.60** – prohibits discrimination on the basis of race, creed, color, national origin, gender, marital status, age, or the presence of any sensory, mental, or physical handicap in employment, credit, public accommodations, and publicly assisted housing.

**Washington Administrative Code, WAC 392-190 and 390-200** – prohibits sex discrimination and requires affirmative action by public schools (K-12).

**Washington State Law, RCW 49.60.400** – prohibits preferential treatment in affirmative action.