



Boulder Valley School District

File: GBA

Adopted: April 14, 1977

Revised:

EQUAL OPPORTUNITY EMPLOYMENT (And Affirmative Action)

It is the policy of this Board that there shall be no discrimination against anyone in the Boulder Valley School District because of race, age, marital status, creed, color, sex, handicap, or national origin.

In addition, although the agencies involved in civil rights protection have not required this District to adopt an affirmative action program, the Board supports a systematic plan aimed at the elimination of discrimination in employment through the identification of institutional structures that maintain and perpetuate it. Therefore, the Board has adopted the following policy:

A. Affirmative Action Plan

The Boulder Valley School District supports the goal of equal employment opportunity. This commitment requires positive actions in order to identify and eliminate inequities that may exist. The following Affirmative Action Plan has been developed to assure equality of employment opportunity and to ensure the Boulder Valley School District's compliance with the letter and the spirit of the law. Therefore, this District will make appropriate effort to recruit, hire, train, and promote in such a way that it will give qualified individuals from minority groups the specific opportunity to gain greater representation at all levels of employment. Minority groups include individuals identified by legislative mandates prohibiting discrimination on the basis of race, color, religion, national origin, sex, age, or handicap.

B. Work Force Utilization Analysis

To enable the Boulder Valley Schools to analyze the District's work force, the most recently available numerical information on state employment by sex and race/ethnic group will be included in this plan. The District will establish record keeping and retrieval services to provide the following data about each employee: job category, sex, race/ethnic group, hire date, and salary. Specifically, the following information will be available and on file in the personnel office:

1. The District composite of staff statistics required each year by the U.S. Equal Employment Opportunities Commission.

2. The annual average employment status by race/ethnic group and sex for the Denver-Boulder Labor Market (prepared by the Colorado Department of Labor and Employment).
3. Same as "B," with the addition of position category information.
4. Other local and state available work force data by race/ethnic group, sex, and position category provided by the Colorado Department of Labor and Employment.
5. Miscellaneous national work force availability data.

C. Modification of Present Practices and Procedures

Recognizing the need to ensure the equitable administration of personnel policies, the District will institute the following actions:

1. Job Analysis

A job analysis of all employment positions will be completed. (The analysis will incorporate recent studies.) Each position will be reviewed in terms of existing job descriptions, minimal bona fide qualifications, tasks, job functions, selection procedures, and salary ranges. Performance criteria will be developed for each position. These criteria will be used as guidelines for evaluation, promotion, and hiring of personnel. Any sources of inequity that are identified will be corrected.

2. Recruitment and Selection of Personnel

Recognizing the importance of effective recruitment and hiring practices in implementation of the District's employment affirmative action plan, the following procedures will be followed:

- a. All job announcements will specify the nature of the position, the application procedure including the appropriate deadline for submitting an application, and the statement that the District is an equal opportunity employer.
- b. Efforts will be made to increase recruitment of well-qualified racial/ethnic minorities and women through the use of nontraditional sources.
- c. Application forms will collect only information directly relevant to job performance.
- d. Information requested during interviews will be related to job performance. Information collected should be consistent for all applicants.
- e. The personnel office will maintain records of recruitment efforts and applicants for all positions.

f. The District will provide all employees who have responsibilities for recruitment, selection, or hiring procedures with appropriate training to ensure their understanding of equal employment opportunity requirements.

g. All other Board of Education approved policies and procedures will be followed in the selection and recruitment of personnel.

3. Promotion and Upgrading of Personnel

All individuals responsible for evaluation, upgrading, and promotion of personnel will complete a yearly report indicating promotion records of men, women, and racial and cultural minorities in each employee classification and unit.

Such reports shall be collected by the affirmative action coordinator and reviewed by the Director of Personnel, the Central Leadership Team, and appropriate employee groups.

4. Assignment of Staff

Directors, principals, and supervisors will review all staff assignments on a yearly basis to ensure nondiscrimination. They should give particular consideration to possible bias in:

a. The automatic assignment of racial and ethnic minorities and women to specific schools or jobs.

b. The assignment of paying and nonpaying extra-duty assignments.

c. The assignment of overtime duties.

d. The opportunities to participate in special events or training programs.

5. Collective Bargaining Agreements

All negotiated agreements with employee groups will be examined by the affirmative action coordinator and appropriate groups to ensure that no provision of the agreements result in discrimination against an identified class or group. If discriminatory provisions are identified, changes in these portions of the agreement will be recommended to the Board of Education and appropriate employment negotiations units.

6. Employee Fringe Benefits

The affirmative action coordinator will examine employee fringe benefits to determine whether or not they are sources of discrimination. Particular attention will be given to:

a. Retirement and insurance plans.

b. Personal and professional leaves of absence.

c. Lay-off, recall, discharge, and demotion.

7. Procedure for Resolving Complaints of Discrimination

This procedure, required for Title IX compliance, has been expanded to cover not only sex discrimination, but all types of discrimination covered by federal legislation. (It is available in buildings and in the personnel office.)

D. Goals and Timetables (on file in the personnel office)

A numerical goal is a statement of intent, a criterion for determining progress, rather than an absolute requirement.

A timetable is a time schedule for making a good faith effort to achieve the self-imposed goals.

Goals are not the same as quotas. A quota implies a fixed numerical requirement whereas a goal represents a commitment to increase the participation of certain groups. Establishing goals and timetables reflects no intent to hire unqualified or less qualified persons to fill positions.

Only those guidelines that are consistent with the rules and regulations of federal, state, and local agencies (including the Board of Education) governing the employment and transfer of personnel as well as sound principles of personnel management will be used to implement this plan.

Implementation of the affirmative action plan will not adversely affect current employees.

1. Goals

a. The immediate goal of the Boulder Valley Schools will be to recruit and hire, strictly based on principles of merit, minorities, and women for job categories in which they are under-represented.

b. An additional step in establishing an integrated work force will be to offer equal opportunity to qualified males seeking traditionally female-held positions.

c. A good faith effort will be made to fill administrative and supervisory openings with well-qualified minorities and women.

d. Within six months of the approval of this plan, specific goals, based on the percentage of persons with legitimate qualifications in the available employment pool, will be established by each position category in the District's work force.

e. Establishment of these specific goals will require the broad-based participation and endorsement of all individuals with responsibility for recruiting, selecting, and promoting employees.

2. Timetables

a. Timetables will be related to specific and measurable goals.

b. Factors included in setting timetables are projected turnover, expansion or contraction of the work force, and availability of well-qualified persons with required skills.

c. Within six months of the approval of this plan, timetables or estimates of time needed to achieve specific goals will be established by each position category in the District's work force.

E. Monitoring, Evaluating, and Reporting

Affirmative action is a continuous process which requires ongoing training, monitoring, and evaluation. Within the District, ultimate responsibility for the implementation of the affirmative action plan is assigned to the Superintendent of Schools who may delegate this charge to the affirmative action coordinator. The affirmative action coordinator shall provide semi-annual reports of the progress of the plan with any necessary recommendations for modification to the Board of Education.

1. Advisory Committee of Employment Affirmative Action

In times of unique or unusual needs, the Superintendent will appoint an ad hoc advisory committee on affirmative action to assist the affirmative action coordinator. This committee shall require representation of the school administration, employee groups, community organizations, and minority groups. The committee will meet on call to provide assistance to the affirmative action coordinator in reviewing progress.

2. Major Duties of Affirmative Action Coordinator

a. To inform the District employees of the requirements of the laws as identified by the District's legal counsel and provisions of the employment affirmative action plan.

b. To assist in the implementation and the monitoring of the established goals and timetables for each District administrator with hiring, evaluation, and promotion authority.

c. To identify in writing to the Director of Personnel and Superintendent of Schools any employment practice or policy that is discriminatory or that does not meet the requirements of the employment affirmative action plan and to recommend specific corrective action.

d. To coordinate under the supervision of the Director of Personnel the investigative and evaluative functions of the affirmative action program.

e. To ensure that complaints regarding discriminatory employment practices proceed according to the requirements of the procedure for resolving complaints of discrimination.

f. To prepare for the Superintendent and the Director of Personnel monthly reports indicating identified discriminatory practices, violations of District policy, the complaints and problems relating to fair employment practices, and corrective measures that have been undertaken.

g. To ensure that adequate records are maintained which can be used to evaluate the District's progress in affirmative action.

h. To make semi-annual reports with the Director of Personnel to the Superintendent and Board of Education regarding the employment affirmative action plan, and to recommend necessary changes in the program.

i. To serve as the District liaison to those governmental agencies and offices responsible for the enforcement of all fair employment laws and regulations.

j. To ensure the dissemination of information regarding the District's affirmative action plan to all applicants, employees, persons, agencies, and companies doing business with the District.

k. To draft for the Superintendent's approval an annual revision of the affirmative action plan. Each revision shall include:

(1) A status report regarding goals and objectives that have been met and those that have not been achieved.

(2) Recommending objectives for the coming year.

(3) Revised implementation procedures as required.

(4) Specific hiring and placement goals and timetables.

3. Plan Evaluation

The evaluation of the plan will be the shared responsibility of the Board of Education and the Superintendent of Schools.

The procedure for evaluation will include the following:

a. The Personnel Division in conjunction with the affirmative action coordinator will prepare a semi-annual report which includes the following information:

(1) Progress made toward goals set for employment, staff assignment, and staff promotion.

(2) The number of minority and women employees hired or promoted to administrative or specialized positions and/or advanced to higher classifications generally.

b. The affirmative action coordinator will prepare semi-annual reports including the data from the personnel office, other relevant information on the affirmative action plan, and any necessary modifications.

c. The Superintendent may transmit the semi-annual report to appropriate groups for review and recommendation.

d. A final annual report incorporating the evaluation information and comments from individuals and groups will be transmitted by the Superintendent to the Board of Education for policy decisions.

LEGAL REFS.: Civil Rights Act, July 2, 1964

Equal Employment Opportunity Act, 1972

Equal Employment Opportunity Commission Guidelines on Employees Selection and Discrimination

Presidential Executive Order 11246

Title IX of the Education Amendments of 1972

Department of HEW 45 C.F.R. Parts 81 and 86

Vocational Rehabilitation Act, Section 504

C.R.S. 22-32-110(1)(k)

C.R.S. 22-61-101

C.R.S. 24-34-301 through -306

Colorado State Board of Education, Policy Statement

AGREEMENT REFS.: Teachers' agreement, Section D

Office personnel agreement, Section C

Service personnel agreement, Article II

Paraprofessionals' agreement, Section D

CROSS REFS.: AC, Nondiscrimination

ACA*, Nondiscrimination on the Basis of Sex (Compliance with Title IX)

GCC/GCD-1, Professional Staff Recruiting/Hiring, Teachers

GCC/GCD-2, Professional Staff Recruiting/Hiring, Administrators

GDC/GDD, Support Staff Recruiting/Hiring

End of File: GBA