

**All Personnel**

BP 4111.1

4211.1

**AFFIRMATIVE ACTION**

4311.1

The Superintendent or designee shall maintain an affirmative action program as required by law.

As part of this program, the Superintendent or designee shall determine whether the following groups are underrepresented within the district work force: men, women, whites, blacks, Hispanics, Asians, American Indians or other minorities. Where underrepresentation exists, the affirmative action program shall specify remedial action to be taken, including hiring goals and timetables.

The affirmative action program shall be temporary and shall be fashioned in response to a demonstrated need for remedial action. The Superintendent or designee shall update the affirmative action program not less than every five years. The program shall not unnecessarily hinder the employment of any group member.

The Superintendent or designee shall publicize this policy throughout the district and the community.

The Superintendent or designee shall report to the Board annually regarding the extent to which program goals are being achieved.

(cf. 4030 - Nondiscrimination in Employment)

Legal Reference:

EDUCATION CODE

44100-44105 Affirmative action employment

44830 Employment restricted to persons possessing prescribed qualifications; public policy of State against discrimination on basis of race, etc.

44830.5 Assignment of certificated employees to district; ethnic ratio

CODE OF REGULATIONS, TITLE 5

30-31 Affirmative action employment programs

CODE OF REGULATIONS, TITLE 5

90-101 Plans to alleviate racial and ethnic segregation of minority students

TITLE VI and TITLE VII, CIVIL RIGHTS ACT OF 1964, as amended

42 U.S.C 2000d and 2000e et seq.

TITLE IX, 1972 EDUCATION ACT AMENDMENTS

42 U.S.C. 1681 et seq.

VOCATIONAL REHABILITATION ACT OF 1973

29 U.S.C. 794

AGE DISCRIMINATION IN EMPLOYMENT ACT

29 U.S.C. 621-624

VIETNAM ERA VETERANS' ACT

38 U.S.C. 2012 et seq.

Johnson v. Transportation Agency, Santa Clara, 107 S. Ct. 1442 (1987)

United Steel Workers v. Weber, 443 U. S. 193 (1979)

Richmond v. J.A. Crosson Co., 488 U.S. 469, 109 S.Ct. 706 (1989)