

Parental, Family, or Marital Status, and Pregnancy or Related Conditions of Staff

Policy 5012

The district is committed to a positive and productive workplace free from sex-based discrimination.

The district does not discriminate on the basis of sex and prohibits sex discrimination against applicants or employees as required by Federal, State, and local laws. Sex discrimination is prohibited and illegal in the district's education programs and activities, hiring, leave policies, employment policies, and health insurance coverage.

Parent, Family, or Marital Status

Consistent with the Title IX regulation at 34 CFR 106.57, the district will not implement any policy, practice, or procedure or take any employment action on the basis of sex:

- (1) concerning the current, potential, or past parental, family, or marital status of an employee or applicant for employment, which treats persons differently; or
- (2) that is based upon whether an employee or applicant for employment is the head of household or principal wage earner in such employee's or applicant's family unit.

Pregnancy or Related Conditions

The district will not discriminate against any employee or applicant for employment on the basis of current, potential, or past pregnancy or related conditions.

The district must treat pregnancy or related conditions in the same manner and under the same policies as any other temporary medical conditions for all job-related purposes, including commencement, duration, and extensions of leave; payment of disability income; accrual of seniority and any other benefit or service; and reinstatement; and under any fringe benefit offered to employees by virtue of employment.

In the case of an employee who does not have an applicable leave policy or in the case of an employee with insufficient leave or accrued employment time to qualify for leave under such a policy, the district must treat pregnancy or related conditions as a justification for a voluntary leave of absence without pay for a reasonable period of time, at the conclusion of which the employee shall be reinstated to the status held when the leave began or to a comparable position, without decrease in rate of compensation or loss of promotional opportunities, or any other right or privilege of employment.

The district establishes this policy, and the Superintendent will develop and implement procedures for ensuring the protection and equal treatment of employees and applicants for employment on the basis of parental, family, and marital status and for employees and applicants for employment who are pregnant individuals, people with pregnancy-related conditions, and new parents.

Pregnancy or related conditions include:

- Pregnancy, childbirth, termination of pregnancy, or lactation;
- Medical conditions related to the above, including infertility treatment; or
- Recovery from above.

This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful, and inclusive learning community and compliance requirements. The Superintendent will develop and implement procedures to ensure the district's compliance with the above requirements.

The district has also developed specific related policies for district employees to comply with its obligations under State and Federal laws, including Title IX, the Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act, and Pregnant Works Fairness Act (PWFA), and RCW 43.10,

to create inclusive and a welcoming work environment, including other nondiscrimination policies, 5010 (Nondiscrimination and Affirmative Action), 5014 (Racial Harassment), 5015 (Disability Harassment), and 5404 (Family Medical and Maternity Leave).

The district has jurisdiction over complaints of sex-based discrimination pursuant to the Federal law Title IX of the Education Amendments of 1972 (Title IX) and Washington State laws, including Chapter 28A.640 RCW and Chapter 392-190 WAC.

The Superintendent will develop and implement procedures for receiving, investigating, and resolving complaints or reports of sex-based discrimination based on family, parenting, or marital status, and pregnancy and pregnancy-related conditions. The procedures will include reasonable and prompt timelines and delineate roles and responsibilities for such.

It is a violation of this policy to engage in retaliation, as defined under Federal and State laws and the Superintendent's procedure, against any person who makes or is a witness in a sex-based discrimination complaint under this policy and will result in appropriate discipline. The district will take appropriate actions to protect involved persons from retaliation.

Cross References: Policy 5010 Nondiscrimination and Affirmative Action
 Policy 5404 Family Medical and Maternity Leave

Legal References: 34 C.F.R. 106.56, Title IX of the Education Amendments Act
 Title VII of the Civil Rights Act of 1964
 Providing Urgent Maternal Protections (PUMP) for Nursing Mothers Act
 Pregnant Works Fairness Act (PWFA - 2023)
 Washington Law Against Discrimination (WLAD)
 RCW 43.10 Washington's Healthy Starts Act

Management *Policy & Legal*

Resources: *News*
 2024 – Aug

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Revised: