

POLICY COMMITTEE MEETING 2-27-26			
Number	Classification	Policy Title	Administration Comments
1111	Important	Oath of Office	WSSDA has reclassified Policy 1111 (Oath of Office) from "Discretionary" to "Important" to better reflect the ethical and legal significance of a school director's commitment to public service. Although state law (RCW 28A.343.360) mandates the oath regardless of whether a local policy exists, this shift moves away from a purely technical classification to emphasize foundational governance and accountability. Including the policy in district manuals serves as a vital reminder that directors must swear to uphold the Constitution and state laws before performing any official duties.
5010	Important	Discrimination-Free Workplace	WSSDA has revised model policy and procedure 5010/5010P – Nondiscrimination and Affirmative Action. WSSDA has retitled this policy to Discrimination-Free Workplace to help distinguish between this policy relating to staff and other like named policies for nondiscrimination. Further, WSSDA has included revisions to create and provide language that will be more enduring. Instead of importing language from WAC 392-190-0592 into this policy, as was previously done, WSSDA has included a sentence that reminds districts of their obligation under this regulation. Other revisions are general housekeeping.
6920	Important	Construction Design	Updated to provide clarity and general housekeeping:
6910	Important	Construction Financing	Revisions made to align with RCW 28A.530.080 and RCW.320.330. Further revisions made to provide clarity

Oath of Office

~~Each newly~~ Before entering upon the duties of office, every person elected, re-elected, or appointed, a school director ~~will~~ must take an oath or affirmation to support the constitutions of the United States and the state of Washington, ~~along with~~ and to uphold the laws of the ~~State~~ state of Washington, ~~and to~~. The director must also affirm that they will faithfully discharge the duties of the office to the best of his or her ability. ~~The oath or affirmation must be endorsed by and sworn to before an officer authorized to administer oaths. School officials are authorized to administer all oaths or affirmations pertaining to the respective offices. After the oath or affirmation is made, the oath of office will be filed with the county auditor.~~

The oath or affirmation must be administered by an officer authorized to administer oaths under state law. School officials are themselves authorized to administer oaths or affirmations related to their respective offices, and they may do so without any charge or fee. The oath or affirmation may be administered in person or, when permitted by law, through remote means such as a virtual meeting or electronic appearance.

If the director has received a written appointment or commission, the oath or affirmation should be endorsed on that document and sworn to before an authorized officer. After the oath or affirmation has been properly administered, it must be filed with the county auditor of the county in which the school district is located. A copy of the oath should also be retained in the district's administrative records for reference.

Directors elected at a regular election officially begin their term of office at the first regular or special meeting of the board of directors following certification of the election results. Appointed directors assume office immediately after taking and filing the oath or affirmation.

Legal References:

- RCW 28A.343.360 Oath of office

Management Resources:

- 2018 - February Policy Issue
- 2011 - December Issue

Last Revised: 3.26

Classification: ~~Discretionary~~ Important

Prior Revised Dates: 7.94; 11.09; 9.10; 10.25

~~Nondiscrimination and Affirmative Action~~

Discrimination-Free Workplace

Definition

“Protected status” is short for the phrase “age, sex, race, ethnicity, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, homelessness, immigration or citizenship status, marital status, the presence of any sensory, mental, or physical disability, neurodivergence, or the use of a trained dog guide or service animal by a person with a disability.”

Nondiscrimination

The district is committed to an educational and working environment free from discrimination and harassment based on a person’s protected status.

The district will not deny any person the benefit of, or subject any person to discrimination in employment, recruitment, promotion, advancement, consideration, or selection in connection with employment based on their protected status.

The district will make all employment decisions in a non-discriminatory manner and will not limit, segregate, or classify any person in a way that could adversely affect their employment opportunities or status based on their protected status.

The district will not enter into any contractual or other relationship that directly or indirectly results in the discrimination of any person in connection with employment based on their protected status.

The district will not grant preferential treatment to applications for employment based on an applicant's enrollment at any education institution or entity that only predominantly admits students based on sex, race, color, or national origin if the giving of such preferences has the effect of discriminating based on sex, race, color, or national origin.

Equal Employment Opportunity

The district will provide equal employment opportunity and treatment for all applicants and staff in recruitment, hiring, retention, assignment, transfer, promotion, and training.

To promote equal employment opportunities, the district must will develop an affirmative action program or plan in accordance with WAC 392-190-0592.

Examples of Employment Discrimination

Employment discrimination may include the following:

1. Unfair treatment based on an employee's protected status, including unfair or separate treatment in pay scale, assignment of duties, opportunities for advancement, conditions of employment, hiring practices, leaves of absence, hours of employment, and assignment of instructional and non-instructional duties.
2. Harassment based on an employee's protected status by supervisors, co-workers, or others in the workplace that is so severe or persistent that it creates a hostile environment.
3. Denial of a reasonable workplace accommodation that an employee needs because of religious beliefs or a disability.
4. Retaliation because an employee complained about employment discrimination or assisted with an employment discrimination investigation or lawsuit.
5. Making employment or placement decisions based on stereotypes or assumptions about one's protected status.
6. Discriminating against individuals married to or otherwise associated with people of a certain group.
7. Prohibiting an employee from using the restroom consistent with his or her gender identity.

These are examples of employment discrimination and are not an exhaustive list.

Discriminatory Harassment

The district prohibits discriminatory harassment in the workplace. Discriminatory harassment is unwelcome or offensive conduct directed toward a person based on their protected status that is sufficiently severe or pervasive to create an environment that a reasonable person would consider intimidating, hostile, or offensive. Petty slights, annoyances, or isolated incidents, unless extremely serious, will not rise to the level of discriminatory harassment.

Harassing conduct may include, but is not limited to, offensive jokes, slurs, epithets, name-calling, physical assaults, threats, intimidation, ridicule, mockery, insults, put-downs, offensive objects or pictures, and interference with work performance.

When the district becomes aware of potential discriminatory harassment, it will promptly investigate the conduct and, as appropriate, take reasonable steps to prevent and promptly correct the harassing conduct.

Employment of Persons with Disabilities

To fulfill its commitment of nondiscrimination to those with disabilities, the following conditions will prevail:

1. The district will not discriminate against a qualified individual based on their disability, nor will the district limit, segregate, or classify any applicants for employment or any staff member in any way that adversely affects their opportunities or status because of their disability. This prohibition applies to all aspects of employment, from recruitment to promotions, and includes fringe benefits and other elements of compensation.
2. The district will reasonably accommodate 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.

Reasonable accommodations may include making facilities used by staff readily accessible and usable by persons with disabilities; 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.

An undue hardship means an accommodation would be unduly costly, extensive, substantial or disruptive, or would fundamentally alter the nature or operation of the district. In determining whether an accommodation would impose an undue hardship on the district, the district may consider, among other things, the cost of the accommodation, the district's size, the district's financial resources, and the nature and structure of its operations.

3. The district will not use any employment tests or criteria that screen out persons with disabilities unless the tests or criteria are clearly and specifically job-related, and the district will not use such tests or criteria if alternative tests or criteria that do not screen out persons with disabilities are available.
4. While the district may not make pre-employment inquiries 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.

Nondiscrimination for Military Service

The district will not discriminate against any person who is a member of, applies to be a member of, or performs, has performed, applies to perform, or has an obligation to perform service in a uniformed service, on the basis of their participation in a uniformed service. This includes initial employment, retention in employment, promotion, or any benefit of employment. The district will also not discriminate against any person who has participated in the enforcement of these rights under state or federal law.

Affirmative Action Program

~~The district will develop an affirmative action employment plan or program that includes appropriate provisions designed to eliminate discrimination based on protected status.~~

~~Regarding sex discrimination, the district's affirmative action employment plan or program must include the requirements to maintain credential requirements for all personnel without regard to sex; make no differentiation in pay scale based on sex; make no differentiation in the assignment of school duties based on sex except where an assignment would involve duty areas or situations such as, but not limited to, a shower room, where persons might be disrobed; provide the same opportunities for advancement for males and females; and make no differentiation in conditions of employment based on sex, including, but not limited to, hiring practices, leaves of absence, hours of employment, and assignment of or payment for instructional or noninstructional duties.~~

Complaint Procedure

The district will adopt a complaint procedure in accordance with chapter 392-190 WAC.

Annually, the district will publish a notice of the complaint procedure in a way that is reasonably calculated to inform all employees of it. The district will provide the notice in a language each employee can understand, which may require language assistance in accordance with Title VI of the Civil Rights Act of 1964 for those with limited English proficiency.

The district will not adopt any policy, procedure, or practice that would limit a person's right to file a complaint under the complaint procedure.

Compliance Officer

The superintendent will designate an employee who is responsible for monitoring and coordinating the district's compliance with chapter 392-190 WAC and the guidelines the Office of the Superintendent of Public Instruction has adopted under WAC 392-190-005.

The compliance officer is responsible for ensuring that all complaints filed under the complaint procedure are promptly investigated and resolved.

Retaliation Prohibited

The district will not intimidate, threaten, coerce, or discriminate against any individual who seeks to secure their rights under this policy or chapter 392-190 WAC or because the individual has filed a complaint under the complaint procedure. Further, the district will not tolerate someone else retaliating against another because they sought to secure their rights under this policy or chapter 392-190 WAC or because they have filed a complaint under the complaint procedure.

Any person who retaliates will be subject to appropriate discipline.

5011 - Sexual Harassment of District Staff
Prohibited

5270 - Resolution of Staff Complaints

5407 - Military Leave

Legal References:

RCW 28A.400.310 Law against discrimination
applicable to ~~districts~~ Employment ~~districts'~~
employment practices

RCW 28A.640.020 Regulations, guidelines to
eliminate discrimination—_Scope—Sexual
harassment policies

RCW 28A.642 Discrimination prohibition

RCW 49.60 Discrimination—Human rights
commission

RCW 49.60.030 Freedom from
discrimination—Declaration of civil rights

RCW 49.60.180 Unfair practices of employers

RCW 49.60.400 Discrimination, preferential
treatment prohibited

RCW 73.16 Employment and Reemployment

WAC 392-190 Equal Education Opportunity—
Unlawful Discrimination Prohibited

~~WAC 392-190-0592 Public school
employment—Affirmative action program~~

42 USC §§ 2000e1–_2000e10 Title VII of the
Civil Rights Act of 1964

20 USC §§ 1681–_1688 Title IX Educational
Amendments of 1972

42 USC ~~§§~~12101–12213 Americans with Disabilities Act

8 USC ~~§~~1324 (IRCA) Immigration Reform and Control Act of 1986

38 USC ~~§§~~4301-4333 Uniformed Services Employment and Reemployment Rights Act

29 USC ~~§~~794 Vocational Rehabilitation Act of 1973

34 CFR-~~§~~ 104 Nondiscrimination on the basis of handicap in Programs or activities receiving federal financial assistance

38 USC-~~§~~ 4212 Vietnam Era Veterans Readjustment Assistance Act of 1974 (VEVRAA)

~~WAC 392-190-0591 Public school employment and contract practices—Nondiscrimination~~

Management Resources:

2018 - May Policy Issue

2017 - April Issue

2014 - December Issue

2013 - June Issue

2011 - June Issue

2011 - February Issue

Policy News, August 2007

~~Washington's~~[Washington's](#) Law Against Discrimination

Policy News, June 2001 State Updates Military Leave Rights

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Prior Revised Dates: **1.03; 6.11; 6.12; 6.23; 12.14; 3.16; 5.18; 12.23; 4.25; 10.25**

Construction ~~Deisgn~~ Design

Facilities will be designed to accommodate the educational and instructional needs of the district. The professional experience and judgment of staff will be used in developing such educational specifications. The law requires that special attention be given to the accessibility of the education program by all students of both sexes and those with disabilities. The superintendent or designee will ensure that all construction projects adhere to the accessibility requirements for individuals with disabilities and maintain equal access for all students.
~~The superintendent or designee will see that all construction projects comply with the requirements for accessibility to individuals with disabilities and comparability between the sexes.~~

After determining that a need for new or improved facilities exists, the board, with the guidance of its ~~professional~~ staff, ~~will~~may engage in the following processes:

A. Engage construction management services:

~~A.~~B. Select an architect;

~~B.~~C. Review a site evaluation including an assessment of existing facilities, if any, on the site;

~~C.~~D. Develop educational specifications recognizing instructional needs and available financial resources;

~~D.~~E. Review and approve schematic design prepared by architect, assuring that the new or remodeled facility or part of a facility is readily accessible to and usable by individuals with disabilities;

~~E.~~F. Review a value engineering study and constructability review, and approve construction design including construction estimates;

~~F.~~G. Call for bids; and

~~G.~~H. Review and approve final construction contract; ~~and~~

~~H. Engage construction management services.~~

~~The board shall comply with the terms and conditions as specified in the contract between the architect and the school district.~~

Legal References: ~~Chapter 39.35 RCW~~ Energy Conservation in Design of Public Facilities

~~42 U.S.C. § 12101 et. seq.~~ Americans with Disabilities Act

~~WAC 392-343-080~~	~~Value engineering studies, constructability reviews, and building commissioning— Requirements and definitions~~
~~WAC 392-343-102~~	~~Construction management~~
~~WAC 392-344-065~~	~~Value engineering contracts~~
~~WAC 392-344-066~~	~~Constructability review contracts~~
~~WAC 392-344-075~~	~~Contracts—Filing~~

Legal References:

[Chapter 39.35 RCW Energy Conservation in Design of Public Facilities](#)

[42 U.S.C. § 12101 et seq., Americans with Disabilities Act of 1990](#)

[Chapter 49.60 RCW Discrimination—Human Rights Commission](#)

[Chapter 28A.640 RCW Sexual Equality](#)

[Chapter 28.642 RCW Discrimination Prohibition](#)

[Chapter 39.80 RCW Contracts for Architectural and Engineering Services](#)

[RCW 28A.335.190 Advertising for bids—Competitive bid procedures—Purchases from inmate work programs—Emergencies—Exceptions—Definitions](#)

[WAC 392-342-015 Educational specifications](#)

[WAC 392-343-080 Value engineering studies, constructability reviews, and building commissioning—Requirements and definition](#)

[WAC 392-343-065 Educational specifications](#)

[WAC 392-343-102 Construction management](#)

[WAC 392-344-040 Educational specifications](#)

[WAC 392-344-050 Educational specifications contracts](#)

[WAC 392-344-065 Value engineering contracts](#)

[WAC 392-344-066 Constructability review contracts](#)

[WAC 392-344-067 Building commissioning contracts](#)

[WAC 392-344-068 Construction management](#)

[WAC 392-344-075 Contracts—Filing](#)

[Management Resources:](#) [2011 - October Issue](#)

Last Revised: - **3.26**

Classification: - **Important** -

Prior Revised Dates: **09.94; 04.11**

Construction Financing

The board will attempt to add moneys to the capital projects fund regularly in such amounts as are available and appropriate to the ~~district's needs as projected by the facilities master plan.~~ district's needs. Moneys in that fund which are not immediately needed will be invested in those securities permitted by law which will provide maximum return to the fund. In addition to those moneys, the board may consider non-voter approved debt within statutory limits and the board will seek authority from district electors to issue bonds or levy a special capital improvements property tax assessment for school construction when specific projects are anticipated. The board will also seek matching funds from the Superintendent of Public Instruction to the maximum extent available as well as any federal funds that may be available.

State School Construction Funds

Immediately after the board has approved the initiation of a construction project, the superintendent or designee will notify the Superintendent of Public Instruction of the board's intent. All studies, notices and other requirements established by the Superintendent of Public Instruction as conditions for eligibility for state construction grants will be completed by the superintendent.

~~Non-Voter Approved Debt~~

~~If the board decides it is prudent, it may authorize the issuance of non-voter approved debt within statutory limits to purchase facility sites; improve energy efficiency of buildings; or acquire, remodel or repair school facilities. Statute limits non-voter approved school district debt to three-eighths of one percent of the value of the taxable land within the district.~~ or designee.

Non-Voter Approved Debt

The district may contract indebtedness for any purpose specified in RCW 28A.530.010 (2), (4), and (5) or for the purpose of purchasing any real or personal property, or property rights, in connection with the exercise of any powers or duties which it is now or hereafter authorized to exercise, and issue bonds, notes, or other evidences of indebtedness therefor without a vote of the qualified electors of the district, subject to the limitations on indebtedness set forth in RCW 39.36.020(3).

Before issuing non-voted bonds in excess of \$250,000, the district shall publish notice of intent to issue such bonds and shall hold a public hearing on the proposal at any regular or special meeting of the board. The notice shall designate:

- the date, time, and place of the public hearing;
- the purpose and amount of the bonds;
- the type, terms, and conditions of the bonds;
- the means identified for repayment; and
- a statement that any person may appear and be heard on the issue of issuing such bonds.

The notice shall be published at least once per week for two consecutive weeks in a newspaper of general circulation in the district, or if there is none, in a newspaper of general circulation in the county or counties in which such district is a part.

The last notice shall be published no later than seven days immediately before the hearing.

At the conclusion of public comment, the board may proceed to determine, by resolution, whether to issue such bonds.[A1.1]

The public notice and hearing requirements shall not apply to any refinancing or refunding of outstanding non-voted or voted bonds.[A2.1]

Such bonds, notes, or other evidence of indebtedness shall be issued and sold in accordance with chapter 39.46 RCW, and the proceeds shall be deposited in the capital project fund, the transportation vehicle fund, or the general fund, as applicable.[A3.1]

Bonds

If the board determines that there are insufficient moneys in the building capital projects [A4.1] fund for a construction project, the board chooses not to authorize an election for a capital levy, and the district's limit on bonded indebtedness has not been reached, the board will authorize an election to seek the approval of voters to issue bonds in the amount needed for the project.

The legal requirements for bond elections and subsequent issuance and redemption of bonds will be met. -The resolution adopted by the board calling for the bond election will specify the purposes of the bond including the specific buildings to be constructed or remodeled and any ~~other~~ additional specific purposes authorized in ~~RCW 28A.530.010.~~ RCW 28A.530.010. The board resolution will also describe the specific purposes the board anticipates for using any state financing assistance, if any. -If the board subsequently determines that state or local circumstances alter the purposes for which the board believes it is in the best interest of the district should cause any alteration to use the specific expenditures from the debt financing or of the state funds or those raised through the bond assistance, the board ~~will~~ shall first conduct a public hearing to consider ~~the~~ those circumstances and to receive public testimony. ~~-At a~~ If the board then determines that any such alterations are in the best interests of the district, it may adopt a new resolution or amend the original resolution at a public meeting held subsequent to the ~~public hearing the board may either amend its original resolution or adopt a new one describing the specific purposes to which the state and/or bond funds will be put.~~ meeting at which public testimony was received.[A5.1]

Upon the sale of bonds duly authorized as prescribed by law, the proceeds will be credited by the county treasurer to the appropriate fund of the district.

Notice of intent to apply for state school construction funds will be submitted to the Superintendent of Public Instruction prior to submitting a bond proposal to district voters.

Legal References:

[RCW 28A.320.300 Investment of funds, including funds received by ESD—Authority—Procedure](#)

RCW 28A.320.310 Investment of building funds—
Restrictions

[RCW 28A.320.320 Investment of funds of district—Service fee](#)

[RCW 28A.320.330 School district funds](#)

[RCW 28A.320.340 Temporary interfund loans](#)

RCW 28A.525.020 Duties of superintendent of public instruction

RCW 28A.525.080 Federal funds for school plant facilities—
Rules

[RCW 28A.530.010 Directors may borrow money, issue bonds](#)

[RCW 28A.530.020 Bond issuance—Election—Resolution to specify purposes](#)

RCW 28A.530.030 Disposition of bond proceeds—Capital projects fund

RCW 28A.530.080 Additional authority to contract indebtedness— Notice

RCW 39.36.020 Limitation of indebtedness prescribed

WAC 392-123-180 Bond Proceeds

~~Adoption Date: 09.12.94~~ [Cross References: 6220 – Bid or Request for Proposal Requirements](#)
[6925 – Architect and Engineering Services](#)

[Last Revised: 3.26](#)

Classification: [Important](#)

[Prior](#) Revised Dates: [9.94](#); [4.11](#)
