



2022-2023 STAFF HANDBOOK

Nine Mile Falls School District

10110 W. Charles Rd. ~ Nine Mile Falls WA 99026

Phone: (509) 340-4300

Fax: (509) 340-4301

www.9mile.org

The Nine Mile Falls School District does not discriminate in any programs or activities on the basis of sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression or identity, disability, or the use of a trained dog guide or service animal and provides equal access to the Boy Scouts and other designated youth groups. The following employees have been designated to handle questions and complaints of alleged discrimination:

Title IX and Civil Rights Compliance Coordinator
Name and/or Title*: Jeff Baerwald
Address: 10110 W Charles Road, Nine Mile Falls WA 99026
Telephone Number: 509-340-4300
Email: JBaerwald@9mile.org

Section 504/ADA Coordinator
Name and/or Title*: Peter Elzey
Address: 10110 W Charles Road, Nine Mile Falls WA 99026
Telephone Number: 509-340-4300
Email: PElzey@9mile.org

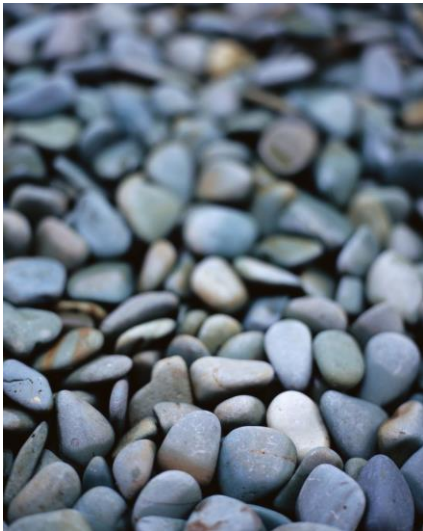
Policy 4200 and 4200P; Safe and Orderly Learning Environment - -
Policy 4210; Regulation of Dangerous Weapons on School Premises - -
Policy 4215; Use of Tobacco, Nicotine Products, and Delivery Devices - -
Policy 4220; Complaints Concerning Staff or Programs - - - -
Policy 4260, 4260P, and 4260F-1; Use of School Facilities - - -
Procedure 4400P; PDC -Guidelines for School Districts in Election Campaigns -
Policy 5010 and 5010P; Nondiscrimination and Affirmative Action - -
Policy 5011 and 5011P; Sexual Harassment of District Staff Prohibited - -
Policy 5201; Drug-Free Schools, Community and Workplace - - -
Policy 5253, 5253P, and 5253F; Maintaining Professional Staff/Student Boundaries
Policy 5271 and 5271P; Reporting Improper Governmental Action - -
Policy 6511 and 6511P; Staff Safety- - - - -
Policy 6513 and 6513P; Workplace Violence Prevention - - -
Policy 6540; School District's Responsibility for Privately-Owned Property -
Policy 6895 and 6895P; Pesticide Notification, Posting and Record Keeping -

In the Nine Mile Falls School District

... each student will succeed

... effective instruction is paramount

... quality leadership matters



... reflection improves our practice

... we are each other's best resource

... positive relationships are foundational to our success.

We continue to act in a way that matches our beliefs.

In the Nine Mile Falls School District . . .

Each Student Will Succeed

Each Student Will Succeed. Four simple words put together create our rock solid foundation. This foundation is secure enough to build on, supporting the structure for years to come, weathering any storm that passes through, while standing tall for all to see. It is vital that we can examine each word individually, clarifying its meaning and importance in the foundation of our District beliefs.

Each: Yes, that means all...each and every student, birth to three, pre-school and kindergartner through 12th grade in our District...no exceptions!

Student: The young people who we have been entrusted to care for, to teach, and to mentor. Each girl and boy, regardless of ability, obstacles, skills or talents is, and will always be, a valued member of our community and our school district.

Will: This term is not open for compromise or negotiation; this is *not* should, could, or may, it is "will"...an imperative action word.

Succeed: Although it may not look the same for each student, and it can be difficult to define, success is clearly demonstrated everyday in our schools. It is seen and heard through the smiles, laughter, and joy of learning; expressed through music, art, and athletics; collected through data in the form of assessments and performances; shown through community service and leadership; and demonstrated through generations of successful families and former students making a difference in the world, locally and abroad. Student success is the foundation of Nine Mile Falls School District.

Effective Instruction Is Paramount

"More can be done to improve education by improving the effectiveness of teachers than by any other single factor."

Paul Wright, Sandra Horn, and William Sanders

Think for a moment about your time in school. Can you identify a person who encouraged, supported, and challenged you to reach your goals? Many of us would identify our parents, but truth be told, it would be very easy for us to identify a teacher as well. It very easily could have been a third, seventh, or tenth grade teacher who inspired you, motivated you, and made you feel like you could accomplish what you desired. An effective teacher not only helps students realize their goals, but monitors the progress of all students so they can reach their true potential. An effective teacher also employs effective instructional strategies to help students increase their knowledge of a subject.

Countless studies have been completed over the past 15 or more years that focused on teacher effectiveness and student learning. All of them have reached the same conclusion: effective instruction is the single most important factor in increasing student achievement. Students who have highly skilled teachers employing effective instructional strategies will reach higher levels of expected achievement. Simply put, the single greatest influence on student achievement is the classroom teacher. If we know how much a teacher can influence student achievement, what is it that we do to ensure our teaching staff has the opportunity to work to improve their own knowledge and expertise in classroom teaching strategies?

As a part of acting in a way that matches our foundational beliefs, the District is providing time for teachers to expand and to strengthen their working knowledge of classroom instruction. We recognize that it is critically important that teachers be given the opportunity and time to work in teams to develop effective teaching strategies that will meet the needs of our constantly changing student population. No longer can teacher learning be "just-in-time," but rather learning needs to be consistent, ongoing, and job embedded. Without these key pieces, teacher learning and professional growth would not be continuous, nor would we be able to reach the District goal of having 90% of all students proficient on local, state, and national assessments in all areas by 2013. Our staff now focus on how to increase the level of student engagement in a class, design a lesson together that promotes effective questioning strategies, adjust lesson plans to incorporate appropriate scaffolding of knowledge, share results of student work to see if learning targets have been met, and many other topics.

This refocusing of the work our teaching staff is doing does not come without challenges. We all understand the hard framework we are establishing for the work of today and tomorrow. We also understand that there will be numerous challenges as we increase our working knowledge of instruction and reach our achievement goals. However, in working together we can achieve more than working apart. Our work is more intentional around instructional strategies and student learning. Everyone recognizes the need to grow and meet the goals we have established. We also understand the consequences of not reaching our goals. After all, effective instruction is paramount.

Quality Leadership Matters

"If your actions inspire others to dream more, learn more, do more, and become more, you are a leader." John Quincy Adams

Organizations rarely accomplish anything of note unless they are led by a person with a vision to see a better future. Schools and districts are no different. By their nature, schools are very human organizations centered on the education of children. While no one would argue that those who work in schools want the best for students, the ways to accomplish goals are often disputed. That is where the art and science of leadership comes into play.

The Nine Mile Falls School District is full of very caring and thoughtful people. After working here for 15 years, I can attest to the heart of the teachers and staff. As a parent, I am very

thankful for those who have taught and looked after my children. The goal of leaders, then, is to harness that care into an action plan that improves learning and prepares students to be productive, contributing members of our community.

Our District is fortunate to have many different leaders. Along with administrators, many teachers lead and organize professional learning for each other. Counselors meet to reflect on how they can better provide services to our students. Classified staff members gather to learn to better support students and adults. In all, the District has many people providing leadership in order to get better every day.

While professional learning is critical to improvement, the real results happen with students. We simply want to help one child at a time, one day at a time. Vision without purposeful action is merely empty talk. Vision with intentional action to improve can move a school from good to great.

With a shared vision of improving learning and equipping students for their future, our District is laying a foundation that will guide our actions. Quality leadership throughout our District matters as we make our vision of highly educated and well equipped students a reality.

Reflection Improves Our Practice

Every day we walk by a mirror somewhere in our wanderings: at home, at work, in a store. Sometimes we stop and take a minute to fluff, smooth, straighten, or tuck. We move on when we feel better about what we see.

Taking the time to reflect in a mirror gives us feedback. It leads to improvements! The same is true about reflecting on our performance as educators. The most useful feedback we get is from self-observation. In the research about effective teaching, self-reflection is linked consistently with teachers who produce high levels of student learning.

When we reflect on our teaching and our student's learning, we take seriously the learning targets we set for our students and think deeply about how we might go about moving them toward those targets. We deepen, adapt, and adjust our instruction to challenge and to accommodate each student in our classroom.

The questions we ponder are focused on the quality of our instruction and how it improves student learning. In the process, we learn more about ourselves. And just like when we look in the mirror, we begin the process of fluffing, smoothing, straightening, or tucking so that what we see in our reflection improves.

Some of us reflect in writing. Some reflect in conversation with a trusted peer. Some reflect in the middle of a sleepless night. The key to success lies in the action we take after the reflection. We look back to identify and label our actions and the results of our actions, but we also need to ask ourselves what to do next. Without a future action phase, we only "admire the problem."

That would be like looking in the mirror and NOT making adjustments...hard to imagine!
Without a plan for adjusting, the reflection will not improve; our results will show no change.

In the Nine Mile Falls School District, we know that reflection improves our practice. We are committed to collaborate effectively so that we use our time well with reflective processes at the heart of our work. On Thursday mornings, teachers are shifting their conversations from WHAT students should learn to HOW DO WE KNOW they have learned it. In the "how do we know" conversation, we take time to reflect on student assessment data which leads us to consider effective teaching strategies and causes us to revise our personal performance in classrooms. This is "the stuff" that lifts student performance. This is "the stuff" that brings passion and motivation back into our teaching. Reflection improves our practice. This is "the right stuff."

We Are Each Other's Best Resource

A **resource**, by definition, is something that lies ready for use or can be drawn upon for aid; a supply of something to take care of a need.

In the Nine Mile Falls School District, "**WE**" includes: teachers, aides, secretaries, custodians, counselors, food service staff, bus drivers, principals, vice principals, coaches, etc. – all those involved in a student's education. "**WE**" also includes you, community members and parents.

So what is it that qualifies "WE" as a "BEST" resource? FIRST, it is our commitment to help each student succeed. **SECOND**, we have a wealth of experience and expertise among us, and nobody knows our students better than we do. An additional benefit is that drawing upon one another's expertise does not increase the school district's budgetary expenses. This is important considering today's economy.

Each individual in the list of "WE" possesses resources that can be drawn upon to assist in the education of the students in the Nine Mile Falls School District. We may possess varying **degrees of "life" experience**. We may possess a **library of educational resource books**. Many of us are **well-read, life-time learners**. Many of us are **good problem-solvers**.

Often, as educators, we look "out there" for the answer to our situations. A new program, a new technology, a new curriculum, or something that seemed to work for another school district. We must learn to always look first among the members of the team gathered to educate our students.

By consulting or collaborating with the right group of individuals, the answer to our problem or the solution to our situation could easily come from within those responsible for the education of students in the Nine Mile Falls School District. We need to remember that often "**WE**" are **each other's best resource**.

Positive Relationships Are Foundational To Our Success

The most important ingredient we put into any relationship is not what we say or what we do, but what we are. - Stephen R. Covey

Over the past several months you have been introduced to the Foundations that help to guide decision-making within the Nine Mile Falls School District. As a District, it is our belief that these Foundations signify who we are. Each Foundation is a cornerstone to our success. But within any successful organization there is one cornerstone that creates the rock solid base of the organization's foundation. For the Nine Mile Falls School District that cornerstone is ***positive relationships are foundational to our success.***

As you have been reading the monthly articles on our Foundations, you may recall this statement: "Schools are very human organizations centered on the education of children." The Nine Mile Falls School District is a human organization that fosters the well-being of each student. Our mission is to provide for the success of each student through educational excellence. To achieve this, we must grow and cultivate positive relationships with each student. Trust, kindness, caring, respect, understanding, patience, positiveness, giving, honesty, accepting, youthful, and dedication are just a few ways we define and form the relationships with our students, parents, staff, and community members.

As we continue to develop positive relationships with students, parents, staff, and community members, we continue to identify who we are. Our personal and professional success depends as much on the quality of these relationships as it does on how effectively we perform our job. But above all, we must keep in mind that the relationships we form with our students are the foundation to our success because we know that students don't care how much we know, until they know how much we care.



NINE MILE FALLS SCHOOL DISTRICT

www.9mile.org

2022 - 23 SCHOOL CALENDAR

Significant Dates

August

- 31 First Day of School
- 31 Kindergarten ½ Days Begin

September

- 5 Labor Day Holiday
- 7 Kindergarten Full Days Begin

October

- 14 Professional Development

November

- 11 Veteran's Day Holiday Observed
- TBD Conferences
- 24-25 Thanksgiving Holiday

December

- 19-30 Winter Break

January

- 3 School Resumes
- 16 Martin Luther King Jr. Holiday

February

- 20 Presidents' Day Holiday

March

- 17 Snow Makeup Day (No school unless needed for snow makeup.)
- TBD Conferences

April

- 3-7 Spring Break

May

- 26 Snow Makeup Day (No school unless needed for snow makeup.)
- 29 Memorial Day Holiday

June

- 9 Graduation
- 14 Last Day of School – Early Release All Schools
- 19 Juneteenth

40-MIN, Late Start Thursdays begin on 9/8/2022 and continue throughout the year except on 3/30/2023 and 6/8/2023

AUG./SEPT. (22)

M	T	W	T	F
29	30	31	1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

FEBRUARY (19)

M	T	W	T	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28			

OCTOBER (20)

M	T	W	T	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				

MARCH (22)

M	T	W	T	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

NOVEMBER (19)

M	T	W	T	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30		

APRIL (15)

M	T	W	T	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28

DECEMBER (12)

M	T	W	T	F
			1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

MAY (21)

M	T	W	T	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30	31		

JANUARY (20)

M	T	W	T	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30	31			

JUNE (10)

M	T	W	T	F
			1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

**PLEASE REFER TO BUILDING-SPECIFIC
CRISIS INFORMATION IN APPENDIX "A"
AT THE BACK OF YOUR HANDBOOK.**

CRISIS INFORMATION LINE: 509-340-4321

CRISIS/EMERGENCY INFORMATION

General Procedures:

- 1) In all cases of emergency, the principal or his designee will contact the Superintendent's office with the option of calling the emergency services direct by dialing **911**. In their judgment, a faster and more appropriate response will be made. **But in any event, the Superintendent must be notified immediately.**
- 2) **The safety of students and staff in all situations is the prime consideration.**
- 3) In the absence of orders from superiors, each school principal is authorized and directed to take such action as may be necessary to save lives and mitigate the effects of disaster.

Communication in Crisis

THE SUPERVISOR ON SITE WITHIN THE FIRST 30 MINUTES:

- 1) Contact the Superintendent's office.
 - a. The Superintendent's office will coordinate and provide support. The Superintendent or designee will handle initial communications with the media.
 - b. Refer all calls from media to the Superintendent or designee.
 - c. All news releases will come from the Superintendent or designee; the Superintendent or designee will be the spokesperson for the District.
- 2) The principal will decide with the Superintendent or designee what information will be released, when it will be released, and how it will be released to parents, staff, students, media, and the community.
- 3) Media Contact:
 - a. The media will not be allowed on school grounds.
 - b. The media will not be allowed to interview students or staff.
- 4) Principals will hold a staff meeting for information purposes as soon as possible.
- 5) Depending upon the crisis, the building and the district office secretaries will be provided with appropriate information to share with callers, i.e. where to pick up students, etc. The crisis information line (509-340-4321) and website will be updated with information as it is available. It is essential in a crisis that everyone receives accurate, factual information as soon as possible.
- 6) Media locations to meet with the Superintendent or designee will be determined and communicated, dependent upon the incident.

Student Safety Relocation Plan

The purpose of the relocation of students is to remove students from a dangerous crisis situation to a safe area for students.

School

Lakeside High School
Lakeside Middle School
Lake Spokane Elementary
Nine Mile Falls Elementary

Relocation

Lakeside Middle School Gym
Lakeside High School Gym
Lakeside High School Gym or Lakeside Middle School Gym
Lakeside High School Gym

BUILDING PHONE NUMBERS, ADDRESSES AND HOURS

DISTRICT OFFICE **509-340-4300**
10110 W. Charles Road **509-340-4301 FAX**
District Web Site: www.9mile.org
Hours: 8:00 AM to 4:30 PM
Superintendent: Jeff Baerwald
Executive Director of Business: Claire Olson
Director of Student Services: Michelle Mace
Food Service Director: Rene Sellgren Director of
CIA: Peter Elzey

LAKESIDE HIGH SCHOOL **509-340-4200**
5909 Highway 291 **509-340-4201 FAX**
Counseling Center: **509-340-4210**
Food Services: **509-340-4218**
Hours: Office – 7:00 AM to 3:30PM
Classes – 7:30 – 2:00 PM // Thurs. 8:10-2:00
Principal: Brent Osborn
Assistant Principal: Ryan Arnold
Athletic/Activities Coordinator: Mike McCune

LAKESIDE MIDDLE SCHOOL **509-340-4100**
6169 Highway 291 **509-340-4101 FAX**
Hours: Office – 7:00 AM to 3:30 PM
Classes – 7:45 AM to 2:15 PM // Thurs. 8:25-2:15
Principal: James Ashlock
Assistant Principal: Kevin Simpson
Athletic Coordinator: Jake Wesselman

LAKE SPOKANE ELEMENTARY **509-340-4040**
6015 Highway 291 **509-340-4041 FAX**
Hours: Office – 7:30 AM to 4:00 PM
Classes – 8:50 AM to 2:50 PM // Thurs. 9:30-2:50
Principal: Tim Smith
Assistant Principal: Kevin Simpson

NINE MILE FALLS ELEMENTARY
10102 W Charles Road **509-340-4010**
Hours: Office – 7:30 AM to 4:00 PM **509-340-4011 FAX**
Classes – 9:15 AM to 3:15 PM // Thurs. 9:55-3:15
Principal: Heather Gamboa

FIRST STUDENT TRANSPORTATION **509-388-0508**
10103 W Charles Road **509-465-0490 FAX**
Manager: Terry Perkins

DISTRICT OFFICE STAFF

Jeff Baerwald, Superintendent

Peter Elzey, Director of Curriculum, Instruction, and Assessment

Claire Olson, Executive Director of Business

Angela Spencer, Administrative Assistant / Human Resource Manager

Michelle Mace, Director of Student Services

Cindy Farris, Administrative Assistant (Special Ed and Curriculum/Assessment)

Marci Mayer, Payroll/Benefits

Tracey Hilpert, District Office Administrative Assistant

Christine Fiske, Accounts Payable

Amber Gregory, Administrative Assistant

EMERGENCY PHONE NUMBERS

In all emergencies, dial 911.

Jeff Baerwald, Superintendent	509-714-1970 (c)
Claire Olson, Executive Director of Business	509-951-6617 (c)
Peter Elzey, Director of Curriculum, Instruction, and Assessment	509-939-2908 (c)
Jerry Clark, Maintenance & Operations Foreman	509-710-6393 (c)
Renee Carroll, School Nurse	509-434-4038 (c)

Emergency Phone Numbers for Your School Site:

(Refer to Crisis Management Plan)

Name

Number(s)

Board of Directors

Nine Mile Falls School District

Current Directors and Terms of Service:

Greg Flemming	2001 – 2025
Kirsten Foose	2022 – 2023
Mac Mikkelsen	2011 – 2023
Eric Olsen	2019 – 2023
Kyle Yancey	2017 – 2025

VISION

Providing for the **success** of each child through educational **excellence**.

MISSION

The Nine Mile Falls School District, in cooperation with the community, is committed to serving each student. We will educate, challenge, and equip each student to realize his/her potential and become a life-long learner who is a contributing member of society.

BELIEFS

We believe that...

- Each person has the right to an equitable, appropriate education in a safe, non-threatening environment.
- Each person has the right to be treated with dignity and respect.
- All people are able to learn.
- Each person has the right to reach his or her potential through a challenging education.
- Meaningful learning is a life-long, multi-faceted process.
- Understanding and communicating are fundamental to learning.
- Learning is a shared responsibility involving student, parent, community, and school staff.
- Significant adult/student relationships positively impact the education of young people.
- Creating quality education is an ongoing process requiring the commitment of all stakeholders.
- Professional development is the responsibility of each professional and should be job embedded, data driven, and include collaborative processes.
- All people have the responsibility for continuous betterment of themselves, society, and the environment.

School Board Meetings

The Nine Mile Falls School Board meets in public session on the fourth Tuesday of every month at 6:00 PM, at Lakeside Middle School, 6169 Highway 291. Work sessions are occasionally scheduled, often preceding regular meetings, in order to examine complex proposals and issues affecting students, staff and residents of the districts. Check the Board's web page (agenda) for the posted location. In addition to regular meetings, the Board sometimes holds special meetings, executive meetings, and work sessions. Meeting agendas are posted on the Board's web page and in the schools at least 24 hours prior to the meeting.

2022-2023

STAFF PHONE DIRECTORY

The staff phone directory has been posted on the Google Shared Drive.

- *Go to your Google Drive*
- *On the left, click **Shared with me***
- *Look for **Staff Phone List with Email***

Please be sure to print a copy for your reference or remember to use the directory on-line for up to date information.

(The Staff Directory has intentionally not been included)



Quick Start User Guide

v1.6

Recording Your Voicemail Greeting – To customize your mailbox:

1. Dial into the mailbox from your extension phone, either:

- Press the Message button, or
- Press *97 and press Send

2. Enter the voicemail password assigned to you. (usually your extension)

3. Once in the mailbox menu, press 0 for mailbox options

4. Then press:

- 1 to record your “Unavailable” Greeting
- 2 to record a different “Busy” Greeting (optional ... only if you want to play a different “I’m on another line” message when you’re tied up with another call)
- 3 to record your name (to be used in the Directory, if applicable).

Phone Usage

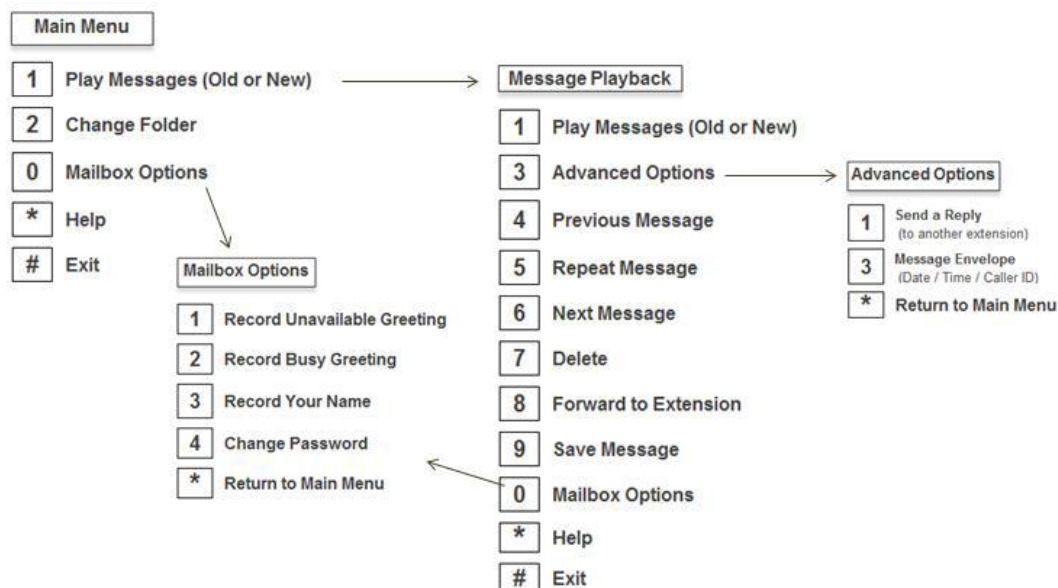
Voicemail Menu

Three ways to access your mailbox:

1. From your phone dial *97 or press the message button, and enter password.

2. Dial your number (or extension). When your voicemail greeting plays, press * (star key) and enter password.

3. Dial *98 from another extension. You will be prompted for, “Extension” and “Password”. 5



Call Transfer

Call Transfer to Extension or outside phone number

1. Press the Transfer key (or soft key on the phone's display screen)
2. Enter extension (or phone number) of the person you are transferring to. If transferring to an outside number add # at end of the number,
3. Press the Transfer key again to send caller onto the destination ("blind" transfer). Or, remain on the line for "warm" transfer options:

Tell the extension owner who's about to be transferred (then press Transfer key again).

Return back to the caller if the other extension doesn't pick up (press Cancel key to abort Transfer).

Call Transfer Directly to Extension's Voicemail dial Transfer * (extension number). Example:

Transfer*104 transfers the person to the Voice Mail for extension 104. **Call Transfer from your**

Mobile phone When your mobile receives a Follow-Me call, press ## and you will be prompted by a voice asking you to, "Transfer". Key in the extension or outside number you want to transfer the call to, followed by the # key.

Call Forwarding (using the phone keypad)

***72 – Activate Call Forwarding for All Calls** – Voice command will ask you to enter:

- "Your extension." Key in your extension number.
- "Extension Target attendant." Key in the forward-to extension or outside phone number.

***73 – Deactivate Call Forwarding for All Calls**

***74 – Deactivate Call Forwarding for All Calls, with Prompt** – Voice command walks you through the steps, allowing you to enter the extension call forwarding is being deactivated from.

***90 – Activate Call Forwarding, only when your Phone is Busy**

***91 – Deactivate Call Forwarding, only when your Phone is Busy**

***92 – Deactivate Call Forwarding, only when your Phone is Busy, with Prompt**

Do Not Disturb (use these key commands if the more convenient "DND" button is not available on your phone)

***76 – DND Toggle** – Toggles DND on or off. Voice command confirms setting.

***78 – DND Activated** – Voice command confirms setting.

***79 – DND Deactivated** – Voice command confirms setting.

Direct Intercom an Extension (if enabled, this will pickup speaker phone on the desired extension and allow two-way talk over speaker)

***80 + Ext. – Intercom** – Dialing *80 before dialing the extension number will auto answer with speaker phone enabled at the desired extension (ex: *80 101) .

NINE MILE FALLS SCHOOL DISTRICT 325/179

EMERGENCY SCHOOL CLOSURES

Students, teachers and patrons should listen to designated radio/TV stations, call the Nine Mile Falls School District snow/crisis line at 340-4321, or check our district website at www.9mile.org during extreme weather conditions for announcements concerning emergency school closures or delayed school starting times. A SchoolMessenger announcement will also be sent to families and staff members. **Each building is responsible for its own employee snow line. Please see your administrator for this list.**

The decision to close school or late start will be made jointly by the Superintendent of Schools, school bus officials, county and state snow removal officials and/or law enforcement officials.

Decisions to close schools because of inclement weather conditions will be made prior to 6:00 AM. This will allow officials time to contact radio/TV stations and be prior to the first bus leaving to pick up students.

In some cases, late starts (1 or 2 hour delay) will occur. This will allow snowplows to open roads and road sanding to take place.

Make-up days in the event of school closure are scheduled in the school calendar. If additional days are needed, they will be made up at the end of the school year. All lost days because of school closures shall be made up. Washington Schools are required to have 180 days of teacher-student contact.

AM STATIONS

KGA (15.10)
KJRB (7.90)
KXLY (9.20)
KMBI (13.30)
KQNT (5.90)
KSBN (12.30)
KDRK (10.50)
KKZX (12.80)

FM AFFILIATE STATIONS

KDRK (94) KPBX (91.1)
KAEP (105.7) KTSL (101.9)
KZZU (93) KEWU (89.5)
KXLY (99.9) KAZZ (107)
KKZX (98.9) KCDA (103.1)
KMBI (107.9) KYWL (103.9)
KEYF (101.1) KEEH (104.7)
KISC (98.1) KCRK (92.1)
KIXZ (96.1) KSFC (91.9)
KEZE (96.9)

TELEVISION

KHQ 6 NEWS
KREM 2 NEWS
KSKN TV-22
KXLY NEWS 4
KAYU FOX 28

NINE MILE FALLS SCHOOL DISTRICT

SNOW / CRISIS LINE 340-4321

EDUCATIONAL SERVICE DISTRICT 101

WEB PAGE www.esd101.net

PRIVATE VEHICLE TRANSPORTATION

The board authorizes the use of private vehicles under the following circumstances:

- A. Under unusual circumstances, the district may request parents, or a responsible adult, to drive children to school in their own vehicles on a per-mile cost reimbursable basis. The transportation department determines when "in-lieu" transportation would be advantageous to the district and arranges its implementation. In cases where car pools are formed by families, reimbursement shall be provided only to the parent whose car is used to transport the students to school.
- B. Upon written approval of the principal, staff may transport students when a student's welfare is involved; when due care dictates prompt action, when engaged in occasional field trip activity or when engaged in an occasional extracurricular activity. The staff member shall provide verification of one (1) million dollars of liability insurance; for non-planned, incidental and short-term emergency situations, three hundred thousand (\$300,000) liability insurance and that he/she agrees to assume full responsibility for any liability or property damage, comprehensive or collision, made by or against the driver/owner of the vehicle. The staff member shall also provide evidence that he/she is legally licensed to drive in the state of Washington. The staff member shall acknowledge that he/she agrees to assume full responsibility for any liability or property damage, comprehensive or collision, made by or against the driver/owner of the vehicle. The district's liability insurance shall cover the risk assumed by the district. Only under extreme emergency conditions when the welfare of the student is involved and when no sanctioned method of transportation is available, may a staff member waive the insurance requirements listed above. The mileage of the staff member shall be reimbursed by the district.
- C. On occasions when District transportation is unavailable or inadequate to serve the personalized learning needs of students engaged in unique learning arrangements, school, and/or work schedules, students may be authorized by the principal to provide their own transportation during the school day. In order to be authorized, students must hold a valid Washington State Drivers License, agree to other conditions as may be set by the District, and must file a written request, which includes a release of liability and an acknowledgement of responsibility, signed by the parent or guardian (or student if over 18) with the principal. Students may transport only themselves. Special exceptions may be made by the principal, upon request of parent(s) or guardian(s) for the transportation of sibling(s).

No staff member or official of the district will knowingly allow any student to ride to, from, or between school district functions or activities with any person other than his or her parents or legal guardian except as noted above.

The superintendent shall establish procedures for the use of private auto transportation.

Legal References: RCW 28A.160.030

Authorizing individual transportation or other arrangements — Pupils must provide own transportation, when

WAC 392-143-070

All vehicles other than school buses used to transport students

Adoption Date: December 20, 1995

Revised and Renumbered (8131): July 21, 2004

November 17, 2004

Private Vehicle Transportation

The use of private automobiles for the transport of district students by other than the student's parent or guardian is discouraged. Whenever students are transported via private auto for officially sanctioned district activities, the following procedures and requirements are necessary:

- A. The parent of each student being transported shall sign a permission slip consenting to the use of private transportation. The permission slip shall hold the district harmless for any liability in connection with the transportation.
- B. The principal shall assume responsibility for determining that the driver of the automobile is properly licensed and has adequate insurance prior to his/her authorization of the transportation.
- C. Upon written approval of the principal, staff may transport students when a student's welfare is involved; when due care dictates prompt action, when engaged in field trip activity or when engaged in an extracurricular activity. The staff member shall provide verification of one (1) million dollars of liability insurance; for non-planned, incidental and short term emergency situations, three hundred thousand dollars (\$300,000) liability insurance and that he/she agrees to assume full responsibility for any liability or property damage, comprehensive or collision, made by or against the driver/owner of the vehicle. The driver shall also provide evidence that he/she is legally licensed to drive in the state of Washington. Only under extreme emergency conditions, when the welfare of the student is involved and the when no sanctioned method of transportation is available, may a staff member waive the insurance requirements listed above. The district's liability insurance shall cover the risk assumed by the district. The mileage of the staff member shall be reimbursed by the district.

“In-Lieu” Transportation

The following procedures shall apply when “in lieu” transportation is used:

- A. All requests for “in lieu” transportation shall be directed to the business department.
- B. The business department shall distribute instructions and reimbursement claim forms for all approved requests. The driver of the private vehicle shall acknowledge that the driver or owner assumes full responsibility for any liability, property damage or collision claims associated with “in lieu” transportation.
- C. The district shall accept claim forms on a monthly basis and verify attendance, approve the request, and transmit completed claim forms to the accounts payable department.

Date: December 20, 1995

Revised and Renumbered (8131P): July 21, 2004

DRIVER TRAINING AND RESPONSIBILITY

School Bus drivers will observe all state statutes and regulations governing traffic safety and school bus operation. The district or transportation contractor will, at the beginning of each school year, provide each school bus driver a copy of: (a) the OSPI School Bus Driver Handbook; (b) the district's policy and procedure on the prohibition of harassment, intimidation and bullying; (c) all state or local rules and regulations pertaining to the operation of a school bus; and (d) the district's written rules for student conduct on buses.

Bus Driver Qualifications

School bus drivers shall meet the qualification requirements established by the Office of Superintendent of Public Instruction and applicable state and federal law.

General School Bus Driver Requirements

School bus drivers shall: (a) wear a properly adjusted seat belt whenever the school bus is in motion; (b) immediately report any suspected malfunction or needed repair of the school bus in their charge; (c) only allow individuals authorized under the provisions of chapter 392-144 WAC to operate the school bus with passengers on board. No person except the driver shall be allowed to sit in the driver's seat; (d) Except in accordance with district policy no school bus driver shall leave the driver's seat without first securing the school bus by setting the parking brake, placing the transmission in the manufacturer's recommended position, shutting off the engine, and removing the key from the ignition switch. The keys shall be kept in the driver's or other authorized school official's possession; (e) All school bus drivers shall meet the qualifications established in chapter 392-144 WAC prior to transporting students; (f) Except in accordance with district policy, a school bus driver shall not use a personal electronic device for personal communications while operating a school bus, except for the use of such devices to report illegal activity, summon medical or other emergency help, or prevent injury to a person or property, as permitted under RCW 46.61.667. For the purpose of this section, operating a school bus is defined as when the school bus engine is running; and (g) Except in accordance with district policy, a school bus driver shall not distribute anything edible to students riding the bus.

Supervision of Students

When a teacher, coach or other staff member is assigned to accompany students on a school bus, such person will be primarily responsible for the behavior of the students in his/her charge and will ensure that passengers comply with state rules and district policies and procedures for student transportation. However, the bus driver shall have final authority and responsibility.

Transporting Students in School Vans

Any district employee transporting students in their private vehicle shall follow guidelines established in Policy and Procedure 6625. District employees transporting students in district-owned vehicles must have a valid driver's license issued by the state department of licensing or a state of residence, have a current first aid card on file with the district, and have successfully completed a van safety and operating class provided by the district. For drivers newly qualified to transport students, the district will obtain a driving abstract from the licensing state and ensure that the driver has not had a driving license privilege suspension or revocation within the preceding three years. The abstract shall also show evidence that the driver has not had three or more speeding tickets of ten miles

per hour over the speed limit within any twelve-month period within the past three years. There shall also be evidence on the abstract that the driver has not been convicted of negligent driving or driving while under the influence of alcohol or drugs or of any other driving misdemeanor, gross misdemeanor or felony related to driving. Drivers not meeting these requirements shall not be allowed to driver students in district or private vehicles. Such drivers may only operate vehicles with seating capacity of ten or less. Such drivers are required to be authorized school bus drivers if they drive students on scheduled routes between home and school. The district will maintain a list of employees qualified to transport students in district vehicles.

Charter Buses or Excursion Carriers or Subcontracted Carriers

Every contract between the district and a charter bus carrier or excursion carrier, or subcontracted carrier shall require a carrier profile report indicating a satisfactory rating from the Washington utilities and transportation commission before any service is provided. Supervision of children on trips under this subsection shall be designated to a specific employee of the district who shall ensure that the driver shall not have unsupervised access to students during the trip.

Cross References:	Board Policy 6690	Contracting for Transportation Services
Legal References:	RCW 28A.160.210	School bus drivers, training and qualifications — Rules
	46.25	Uniform Commercial Drivers Act
	WAC 392-144	School bus driver qualifications
	392-145-011	School district requirements
	392-145-016	Rules for students riding school buses
	392-145-020	General school bus driver requirements;
	through 031	General operating requirements
	49 CFR 382	Federal Motor Carrier Safety Administration Controlled Substances and Alcohol Use and Testing
Management Resources:	<i>Policy News</i> , October 2006	OSPI Updates Bus Driver Rules
	<i>Policy News</i> , April 2007	
	<i>Policy News</i> , August 2018	

Adoption Date: May 19, 1994
Revised and Renumbered (8121): July 21, 2004
Revised: February 18, 2006
December 20, 2006
July 17, 2019

School Printers & Computers: Do's and Don'ts

Here are some things we need to consider when using printers, computers, E-mail, and the Internet at school. Please remember the environment that we work in and use common sense.

Internet: Not all web sites are appropriate for school use, please use common sense when surfing the net. Please take the time to read and sign the Internet "use" form.

E-Mail: Off-color jokes are not appropriate to send or receive from school computers. Please feel free to send personal e-mail messages using school equipment, but remind people you send mail to that this is a school address. Do not forward "cute" e-mail, cards, jokes, music videos, etc. to your friends within the school district. This causes the e-mail to crash due to the volume of e-mail and size of the e-mail messages.

Computers: Programs on your computer must be "legal". That means we have the original discs or license here at school. Please do not borrow software to be installed. Honor all copyright laws!!

Printers: When printing, remember what is appropriate for school use. We should not be using the printer to print materials such as alcohol, sexually explicit materials, etc. If printing from the Internet please preview the material to see how many pages will be printed. We have a limited amount of ink.

Energy: It is an urban legend that a computer consumes more power to start up than it does to keep it running or that it is "hard" on the computer to start it up. **PLEASE** turn off all computers and monitors each night. During the day when the computer is not going to be used for one hour, turn off the monitor but leave the computer on. These two steps will save considerable amounts of energy.

Building Keys

The principal is charged with the responsibility for the distribution and supervision of all keys required for the proper operation of the building. Each staff member who is issued a key must sign a record. If a staff member leaves during the semester, a clearance slip shall be issued when the key is returned to the principal. The principal may authorize a temporary exterior door key engraved with "do not duplicate." Only the principal may obtain duplicate keys - - unauthorized duplication of keys by individuals is a direct and serious violation of District procedure. Possession of keys to the kitchen storerooms is limited to the food service manager and the principal. Report lost keys to the principal immediately.

**NINE MILE FALLS SCHOOL DISTRICT
NINE MILE FALLS, WASHINGTON 99026**

**TELECOMMUNICATIONS ACCEPTABLE USE PROCEDURES
AND
INTERNET CONSENT**

STAFF

We are pleased to offer staff of the Nine Mile Falls School District access to the district computer network for software, Internet, and electronic mail. To gain access to e-mail and the Internet, all staff must sign and return this Internet Consent form to the Building Technology Coordinator.

While the district's intent is to make Internet access available to further educational goals in a safe environment, it is still conceivable that one could gain access to non-educational data. The district has purchased an Internet filtering service that blocks access to objectionable Internet sites such as those dealing with nudity, adult content, sex, violence, drug use, gambling, vulgar language, discrimination, encouragement of crime, tastelessness, and open chat sites. Users should be warned that despite the district's monitoring efforts, one could potentially be exposed to defamatory, inaccurate, abusive, obscene, profane, sexual, sexually explicit, racially offensive, or illegal material on the Internet if appropriate use rules are not carefully followed.

We believe there are many benefits to staff and students having access to the Internet in the form of information resources and collaboration opportunities. Access to e-mail and the Internet will enable staff to explore thousands of libraries and databases, while networking with Internet users throughout the world. To that end, the district provides internet accessibility to all staff.

RULES OF THE NET:

Staff members are responsible for professional behavior on school computer networks. Communications on the network are often public in nature, subject to public records requests, and stored indefinitely. Personal use of the network for e-mail is allowed at appropriate times, remembering that e-mail is never private. School-related use of electronic devices (personal cell phones, electronic tablets/readers, etc.) is allowed at appropriate times.

The network is provided for staff and students to conduct research and communicate with others about education-related activities. Access is a privilege – not a right. Access entails personal responsibility. It is presumed that users will comply with district standards and will honor the agreements they have signed. These rules are in effect 24 hours per day, 365 days per year.

Network administrators may review files and communications to maintain system integrity and ensure responsible use. Files stored on district servers are not private.

Personal storage devices may be used after a virus check has been done on the device. This virus check must be done anytime a storage device enters the network environment.

Copying software without first buying a software license is illegal and considered “software piracy.” “Freeware” may be copied without first paying for a license. It is up to the user to be sure that the appropriate software licenses are in place.

Copying information from an Internet source without receiving permission from the author is a possible copyright violation. This is similar to copying text from books or using pictures without the author’s or artist’s permission. It is the user’s responsibility to determine the copyright status of material used from the Internet.

As outlined in Board Policy 2022 and Procedure 2022P (Electronic Resources) the following are not permitted:

- A. Accessing information that is not appropriate for an educational environment.
- B. Allowing students access to staff logins and passwords.
- C. Using the Nine Mile Falls District Network for illegal, inappropriate, or obscene purposes or in support of such activities.
- D. Intentionally disrupting network traffic, crashing network or connected systems, or degrading or disrupting equipment or system performance to include unnecessary high bandwidth use such as music, video, news and sports streaming.
- E. Using the Nine Mile Falls School District computing resources for commercial or financial gain or fraud.
- F. Stealing data, equipment, or intellectual property.
- G. Gaining or seeking to gain unauthorized access to others files or vandalizing the data of another user.
- H. Gaining or seeking to gain unauthorized access to resources or entities.
- I. Bypassing network filters in any way for any purpose.
- J. Forging electronic mail messages, using an account owned by another user or posting unauthorized or inappropriate messages.
- K. Possessing any data (text or images), which might be considered a violation of these rules.
- L. Attaining unauthorized access to information, committing computer piracy, hacking and/or tampering with hardware and software.
- M. Introducing viruses into the network. (Attaching a personal storage device that has not been checked for a virus.)
- N. Accessing or manipulating any computer operating system files.

PROFESSIONAL RESPONSIBILITIES:

All staff members are responsible for promoting good citizenship in a digital world. We maintain student safety while encouraging them to explore and become critical consumers of digital information within a secure environment. To that end, it is the staff responsibility to:

- A. Be aware of records regarding student internet use permission and permission for name/picture publication.
- B. Post student’s first name and last initial after checking for parent permission for publication.
- C. Maintain responsible professional communication with students.
- D. Do not post personal student information.
 - a. Do not “friend” students.

- b. Do not contact individual students via text or instant messaging, blog, etc.
- c. Contacting groups of students (teams, clubs, and class members) about school-related activities is acceptable. Individual student contact is discouraged.

**VIOLATIONS WILL RESULT IN A LOSS OF ACCESS AS WELL AS OTHER
DISCIPLINARY OR LEGAL ACTION BY ADMINISTRATION**

USER AGREEMENT

As a user of the Nine Mile Falls School computer network, I hereby agree to comply with the rules and standards of conduct stated in this Internet Consent and to communicate over the network in a reliable fashion while honoring all relevant laws and restrictions.

Staff Signature: _____

Date: _____

Revised: June 2012
April 2018

ENERGY MANAGEMENT

It is important that each staff member contribute to the efficient use of our energy resources. With the increased cost of energy, the district is being forced to use more financial resources for this purpose. This takes funds that otherwise be used for classroom and other activities. We have to heat and cool over 200,000 square feet of space. Each staff member can help by taking the problem seriously and doing his or her part to reduce energy consumption. In order to control energy costs, the following policies will govern the use of energy.

- 1) The heating temperature will be 68 degrees and the cooling temperature will be 78 degrees. Automatic setback thermostats will be utilized to reduce or eliminate energy usage during off-hours. Space heaters will not be used. Please dress accordingly.
- 2) When working during off- hours, do not override the automatic setback if the heating or cooling has to heat or cool large areas or blocks of rooms.
- 3) Turn out lights when not needed or when leaving a room.
- 4) Lighting in non-work/classroom areas will be held to a minimum within the parameters of safety.
- 5) Outside lighting will be held to a minimum within the parameters of safety.
- 6) Computers and monitors, except servers, should be turned off at the end of the day. Monitors that do not automatically shut off after 10 minutes should be turned off when not in use.
- 7) Windows should be covered when possible and practical to reduce heat loss or heat gain.
- 8) In the cooler months, window coverings should be opened when the sun is shining into the window and the outside temperature is below 60 degrees. Conversely, in warmer months, window coverings should be closed when sun is shining into the window and the temperature is above 60 degrees.
- 9) Where practical, the district will install occupancy sensors to automatically turn out lights when a room is unoccupied.
- 10) Other energy saving devices such as units to switch off vending machines when not in use will be encouraged.
- 11) Air conditioners will not be utilized between 2 weeks after school is out and 2 weeks before school is in session unless there is a program being run for the benefit of significant groups of children.
- 12) If you have special needs in this area, contact your principal.

Each of us can contribute greatly to the saving of energy and subsequent increase of funds for classroom and other uses. Please do your part and be aware of ways energy usage can be reduced.

Student Discipline

Student discipline is the responsibility of every teacher. Each building is expected to formulate and implement student responsibility plans. Our goal is to counter negative connotations of discipline and develop disciplinary procedures that leave students' dignity intact. Emphasis should be placed on PREVENTATIVE, POSITIVE approaches that instill a sense of responsibility in each student. Our preferred definition of discipline is, "Training that develops self-control and character." Also, remember that discipline is closely related to "disciple". Children learn by examples modeled by the adults in their environment.



WASHINGTON STATE CODE OF PROFESSIONAL CONDUCT FOR EDUCATION PRACTITIONERS

Teachers | Educational Staff Associates | Administrators





OFFICE OF PROFESSIONAL PRACTICES

The Office of Professional Practices, a division under the auspices of the Superintendent of Public Instruction, is charged with enforcement, including discipline, of educational practitioners for violation of the Professional Code of Conduct. The office receives, investigates, and makes legal findings regarding complaints. A nine member professional advisory committee reviews appeals from proposed disciplinary actions. Educators who violate the code may receive a letter of concern, be reprimanded, or their license to practice may be suspended or revoked.

The Office of Professional Practices also reviews charges that an applicant for or the holder of professional certification lacks good moral character or personal fitness. These standards are set forth in WAC 181-86-013 and address commission of criminal acts and other behavior which endanger children, colleagues, or other staff. Commission of criminal acts may not be directly related to professional conduct, but they do reflect upon the individual's worthiness and ability to serve as a professional educator.

Requests for additional information may be addressed to:

Office of Professional Practices
Office Of Superintendent of Public Instruction
Old Capitol Building, PO Box 47200
Olympia, WA 98504-7200

CODE OF PROFESSIONAL CONDUCT

CHAPTER 181-87 WAC

WAC 181-87-005 PURPOSE

The sole purpose of this chapter is to set forth policies and procedures related to reprimand, suspension, and revocation actions respecting certification of education practitioners in the state of Washington for acts of unprofessional conduct. It is recognized that grounds for the discharge, nonrenewal of contracts, or other adverse change in contract status affecting the employment contracts of education practitioners are broader than stated herein. The grounds set forth as unprofessional conduct in this chapter shall not limit discharge, nonrenewal of contracts, or other employment action by employers of education practitioners.

WAC 181-87-010 PUBLIC POLICY GOALS OF CHAPTER

The public policy goals of this chapter are as follows:

1. To protect the health, safety, and general welfare of students within the state of Washington.
2. To assure the citizens of the state of Washington that education practitioners are accountable for acts of unprofessional conduct.
3. To define and provide notice to education practitioners within the state of Washington of the acts of unprofessional conduct for which they are accountable under the provisions of chapter 181-86 WAC.

PROFESSIONAL ACCOUNTABILITY

WAC 181-87-015 ACCOUNTABILITY FOR ACTS OF UNPROFESSIONAL CONDUCT

Any educational practitioner who commits an act of unprofessional conduct proscribed within this chapter may be held accountable for such conduct under the provisions of chapter 181-86 WAC.

ADMINISTRATIVE PROVISIONS

WAC 181-87-020 APPLICABILITY OF CHAPTER TO PRIVATE CONDUCT

As a general rule, the provisions of this chapter shall not be applicable to the private conduct of an education practitioner except where the education practitioner's role as a private person is not clearly distinguishable from the role as an education practitioner and the fulfillment of professional obligations.

WAC 181-87-025 EXCLUSIVITY OF CHAPTER

No act, for the purpose of this chapter, is defined as an act of unprofessional conduct unless it is included in this chapter.

WAC 181-87-035 EDUCATION PRACTITIONER DEFINITION

As used in this chapter, the term "education practitioner" means any certificate holder licensed under Title 181 WAC of the professional educator standards board to serve as a certificated employee, or any person serving in a position for which certification is required under Title 181 WAC of the professional educator standards board.

WAC 181-87-040 STUDENT DEFINITION

As used in this chapter, the term "student" means the following:

1. Any student who is under the supervision, direction, or control of the education practitioner.
2. Any student enrolled in any school or school district served by the education practitioner.
3. Any student enrolled in any school or school district while attending a school related activity at which the education practitioner is performing professional duties.
4. Any former student who is under eighteen years of age and who has been under the supervision, direction, or control of the education practitioner. Former student, for the purpose of this section, includes but it not limited to drop outs, graduates, and students who transfer to other districts or schools.

WAC 181-87-045 COLLEAGUE DEFINITION

As used in this chapter, the term "colleague" includes a certificated educator or any individual employed on a permanent or temporary basis.

ACTS OF UNPROFESSIONAL CONDUCT

WAC 181-87-050 MISREPRESENTATION OR FALSIFICATION IN THE COURSE OF PROFESSIONAL PRACTICE

Any falsification or deliberate misrepresentation, including omission, of a material fact by an education practitioner concerning any of the following is an act of unprofessional conduct:

1. Statement of professional qualifications.
2. Application or recommendation for professional employment, promotion, certification, or an endorsement.
3. Application or recommendation for college or university admission, scholarship, grant, academic award, or similar benefit.
4. Representation of completion of in-service or continuing education credit hours.
5. Evaluations or grading of students and/or personnel.
6. Financial or program compliance reports submitted to state, federal, or other governmental agencies.
7. Information submitted in the course of an official inquiry by the superintendent of public instruction related to the following:
 - a. Good moral character or personal fitness.
 - b. Acts of unprofessional conduct.
8. Information submitted in the course of an investigation by a law enforcement agency or by child protective services regarding school related criminal activity.
9. Assessments leading to certification.
10. An education practitioner who aids, encourages, and/or abets another educator in any falsification or deliberate misrepresentation, including omission, of a material fact in conjunction with the acts listed above commits misrepresentation in the course of professional practice.

WAC 181-87-055 ALCOHOL OR CONTROLLED SUBSTANCE ABUSE

Unprofessional conduct includes:

1. Being under the influence, as defined in RCW 46.61.506, of alcohol, marijuana or of a controlled substance, as defined in chapter 69.50 RCW, on school premises or at a school-sponsored activity involving students, following:

- a. Notification to the education practitioner by their employer of concern regarding alcohol or substance abuse affecting job performance;
 - b. A recommendation by the employer that the education practitioner seek counseling or other appropriate and available assistance; and
 - c. The education practitioner has had a reasonable opportunity to obtain such assistance.
2. The possession, use, or consumption on school premises or at a school sponsored activity of a Schedule 1 controlled substance, as defined by the state pharmacy quality assurance commission, or a Schedule 2 controlled substance, as defined by the state pharmacy quality assurance commission, without a prescription authorizing such use.
 3. The consumption of an alcoholic beverage on school premises or at a school sponsored activity involving students if such consumption is contrary to written policy of the school district or school building.
 4. The possession of marijuana or marijuana-infused product on school premises or at a school sponsored activity involving students if such possession violates Washington law or is contrary to written policy of the school district or school building.
 5. The use or consumption of marijuana or marijuana-infused product on school.

WAC 181-87-060 DISREGARD OR ABANDONMENT OF GENERALLY RECOGNIZED PROFESSIONAL STANDARDS

Any performance of professional practice in flagrant disregard or clear abandonment of generally recognized professional standards in the course of any of the following professional practices is an act of unprofessional conduct:

1. Assessment, treatment, instruction, or supervision of students.
2. Employment or evaluation of personnel.
3. Management of moneys or property.

WAC 181-87-062 DIGITAL COMMUNICATION

1. Unprofessional conduct includes inappropriate digital communication with a student including, but not limited to: Cell phone, text messaging, email, instant messaging, blogging, or other social media or social network communication.
2. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:

- a. The nature, purpose, timing, and amount of the communication;
- b. The subject matter of the communication;
- c. Whether the communication was made openly, or the educator attempted to conceal the communication;
- d. Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship, was sexually explicit, or involved discussion of the sexual history, activities, or preferences of either the educator or the student.

WAC 181-87-065 ABANDONMENT OF CONTRACT FOR PROFESSIONAL SERVICES

Any permanent abandonment, constituting a substantial violation without good cause, of one of the following written contracts to perform professional services for a private school or a school or an educational service district is an act of unprofessional conduct:

1. An employment contract, excluding any extracurricular or other specific activity within such contract or any supplementary contract.
2. Professional service contract.

WAC 181-87-070 UNAUTHORIZED PROFESSIONAL PRACTICE

1. Any act performed without good cause that materially contributes to one of the following unauthorized professional practices is an act of unprofessional practice.
 - a. The intentional employment of a person to serve as an employee in a position for which certification is required by rules of the professional educator standards board when such person does not possess, at the time of commencement of such responsibility, a valid certificate to hold the position for which such person is employed.
 - b. The assignment or delegation in a school setting of any responsibility within the scope of the authorized practice of nursing, physical therapy, or occupational therapy to a person not licensed to practice such profession unless such assignment or delegation is otherwise authorized by law, including the rules of the appropriate licensing board.
 - c. The practice with an expired, lapsed, suspended, surrendered, or revoked certificate in a position for which certification is required under Title 181 WAC of the professional educator standards board.

- d. The failure of an education practitioner to abide by the conditions within an agreement, executed under WAC 181-86-160, to not continue or to accept education employment.
 - e. The failure of an education practitioner to comply with any condition, limitation, or other order or decision entered under chapter 181-86 WAC.
2. For the purpose of this section, good cause includes, but is not limited to, exigent circumstances where immediate action is necessary to protect the health, safety, or general welfare of a student, colleague, or other affected person.

WAC 181-87-080 SEXUAL MISCONDUCT WITH STUDENTS

As used in this chapter, "sexual misconduct with students" means:

1. Unprofessional conduct includes the commission by an education practitioner of any sexually exploitive act with or to a student including, but not limited to, the following:
 - a. Any sexual advance, verbal or physical;
 - b. Sexual intercourse as defined in RCW 9A.44.010;
 - c. Indecent exposure as defined in RCW 9A.88.010;
 - d. Sexual contact, i.e., the intentional touching of the sexual or other intimate parts of a student except to the extent necessary and appropriate to attend to the hygienic or health needs of the student;
 - e. Engaging in sexual grooming of a student, such as befriending and/or establishing a connection with a student or a student's family to lower the student's inhibitions for the purpose of a sexual relationship.
2. The provisions of this section shall not apply if at the time of the sexual conduct the participants are married to each other.

WAC 181-87-085 FURNISHING ALCOHOL OR CONTROLLED SUBSTANCE TO STUDENTS

Unprofessional conduct includes the illegal furnishing of alcohol or a controlled substance, as defined in chapter 69.50 RCW, to any student by an education practitioner.

WAC 181-87-090 IMPROPER REMUNERATIVE CONDUCT

Any deliberate act in the course of professional practice which requires or pressures students to purchase equipment, supplies, or services from the education practitioner in a private remunerative capacity is an act of unprofessional conduct.

WAC 181-87-093 FAILURE TO ASSURE THE TRANSFER OF STUDENT RECORD INFORMATION OR STUDENT RECORDS

The failure of a principal or other certificated chief administrator of a public school building to make a good faith effort to assure compliance with RCW 28A.225.330 by establishing, distributing, and monitoring compliance with written procedures that are reasonably designed to implement the statute shall constitute an act of unprofessional conduct.

WAC 181-87-095 FAILURE TO FILE A COMPLAINT

The intentional or knowing failure of an educational service district superintendent, a district superintendent, or a chief administrator of a private school to file a complaint under WAC 181-86-110 regarding the lack of good moral character or personal fitness of an education practitioner or the commission of an act of unprofessional conduct by an education practitioner is an act of unprofessional conduct.



GOOD MORAL CHARACTER AND PERSONAL FITNESS CHAPTER 181-86 WAC

WAC 181-86-011 VALID CERTIFICATE REQUIRED

Persons serving as teachers in the public or private schools or as principals or educational staff associates in public schools under chapter 181-79A WAC and in career and technical education positions under chapter 181-77 WAC shall hold certificates authorized by the professional educator standards board for service in the respective roles as required by statute or rules of the professional educator standards board.

Any certificate issued under chapter 181-77 or 181-79A WAC or previous standards of the professional educator standards board shall entitle the holder thereof to be employed by a public or nonpublic school for the performance of duties encompassed by the type of certificate as specified in WAC 181-79A-140 if such certification is required by statute or rules of the professional educator standards board, unless such certificate is under suspension or until such certificate expires, lapses, or is revoked or surrendered.

WAC 181-86-013 GOOD MORAL CHARACTER AND PERSONAL FITNESS DEFINITION

As used in this chapter, the terms "good moral character and personal fitness" means character and personal fitness necessary to serve as a certificated employee in schools in the state of Washington, including character and personal fitness to have contact with, to teach, and to perform supervision of children. Good moral character and personal fitness includes, but is not limited to, the following as described in RCW 28A.400.322:

1. No conviction or plea of guilty to any felony crime occurring after July 23, 1989, and before July 26, 2009, involving:
 - a. The physical neglect of a child under chapter 9A.42 RCW;
 - b. The physical injury or death of a child under chapter 9A.32 or 9A.36 RCW, except motor vehicle violations under chapter 46.61 RCW;
 - c. Sexual exploitation of a child under chapter 9.68A RCW;

- d. Sexual offenses under chapter 9A.44 RCW where a minor is the victim;
 - e. Promoting prostitution of a minor under chapter 9A.88 RCW;
 - f. The sale or purchase of a minor child under RCW 9A.64.030;
 - g. Violation of laws of another jurisdiction that are similar to those specified in a through f. of this subsection.
2. No conviction or plea of guilty to any felony crime, including attempts, conspiracies, or solicitations to commit a felony crime, occurring on or after July 26, 2009, involving:
- a. A felony violation of RCW 9A.88.010, indecent exposure;
 - b. A felony violation of chapter 9A.42 RCW involving physical neglect;
 - c. A felony violation of chapter 9A.32 RCW;
 - d. A violation of RCW 9A.36.011, assault 1; RCW 9A.36.021, assault 2; RCW 9A.36.120, assault of a child 1; RCW 9A.36.130, assault of a child 2; or any other felony violation of chapter 9A.36 RCW involving physical injury except assault 3 where the victim is eighteen years of age or older;
 - e. A sex offense as defined in RCW 9.94A.030;
 - f. A violation of RCW 9A.40.020, kidnapping 1; or RCW 9A.40.030, kidnapping 2;
 - g. A violation of RCW 9A.64.030, child selling or child buying;
 - h. A violation of RCW 9A.88.070, promoting prostitution 1;
 - i. A violation of RCW 9A.56.200, robbery 1; or
 - j. A violation of laws of another jurisdiction that are similar to those specified in a through i. of this subsection.
3. No conviction of any crime within the last ten years, including motor vehicle violations, which would materially and substantially impair the individual's worthiness and ability to serve as a professional within the public and private schools of the state. In determining whether a particular conviction would materially and substantially impair the individual's worthiness and ability to practice, the following and any other relevant considerations shall be weighed:
- a. Age and maturity at the time the criminal act was committed;
 - b. The degree of culpability required for conviction of the crime and any mitigating factors, including motive for commission of the crime;
 - c. The classification of the criminal act and the seriousness of the actual and potential harm to persons or property;
 - d. Criminal history and the likelihood that criminal conduct will be repeated;

- e. The permissibility of service as a professional educator within the terms of any parole or probation;
 - f. Proximity or remoteness in time of the criminal conviction;
 - g. Any evidence offered which would support good moral character and personal fitness;
 - h. If this subsection is applied to a person certified under the laws of the state of Washington in a suspension or revocation action, the effect on the education profession, including any chilling effect, shall be weighed; and
 - i. In order to establish good moral character and personal fitness despite the criminal conviction, the applicant or education practitioner has the duty to provide available evidence relative to the above considerations. The superintendent of public instruction has the right to gather and present additional evidence which may corroborate or negate that provided by the applicant or education practitioner.
4. No behavioral problem which endangers the educational welfare or personal safety of students, teachers, colleagues, or other affected persons within the educational setting.
 5. No practice within the state of Washington within the previous five school years with an expired, lapsed, suspended, surrendered, or revoked certificate in a professional position for which certification is required under the rules of the professional educator standards board.
 6. For the purpose of this section "child" means a minor as defined by the applicable state or federal law.
 7. For the purpose of this section "conviction" shall include a guilty plea.

WAC 181-86-014 GOOD MORAL CHARACTER AND PERSONAL FITNESS CONTINUING REQUIREMENT

The good moral character and personal fitness requirement of applicants for certification under the laws of the state of Washington is a continuing requirement for holding a professional educational certificate under rules of the professional educator standards board.

DISCIPLINARY ACTIONS | APPEAL PROCESS | PUBLIC NOTICE

WAC 181-86 ACTIONS BY THE OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION FOR ACTS OF UNPROFESSIONAL CONDUCT AND/OR LACK OF GOOD MORAL CHARACTER AND PERSONAL FITNESS

Order of Dismissal: The Office of Superintendent of Public Instruction will take no disciplinary actions; the case is dismissed without prejudice.

Order of Reprimand: Orders the certificate holder not to continue or repeat the conduct or lack good moral character or personal fitness. The certificate remains valid unless expires/lapses.

Order of Suspension: Suspends the education practitioner from practicing for a stated period of time. Such order may contain a requirement that the certificate holder fulfill certain conditions precedent to resuming professional practice and certain conditions subsequent to resuming professional practice.

Order of Revocation: An order revoking the certificate(s) of the education practitioner.

Voluntary Surrender: A holder of a certificate who has not received a final order for revocation may voluntarily surrender their certificate to the Office of Superintendent of Public Instruction if the certificate holder believes they might be ineligible to hold a certificate for any reason which is or might constitute grounds for a revocation of the certificate other than a conviction of a felony crime states within WAC 181-86-013(1).

Denial Order: A conclusion of law that the applicant does not qualify for the certificate, including renewal and reinstatement, or endorsement request.

WAC 181-86-170 BURDEN AND STANDARD OF PROOF

The following burden and standard of proof shall be applicable:

1. If an application for certification or reinstatement has been denied for lack of good moral character or personal fitness, the evidence submitted by the applicant must prove by clear and convincing evidence that he or she is of good moral character and personal fitness or the application will be denied.
2. In a suspension or revocation proceeding, the superintendent of public instruction must prove by clear and convincing evidence that the education practitioner is not of good moral character or personal fitness or has committed an act of unprofessional conduct.
3. In all other proceedings, including reprimand, the standard of proof shall be a preponderance of evidence.

WAC 181-86-140 APPEAL - GENERAL

Any person who applies directly to the superintendent of public instruction for a certificate, particular endorsement, certificate renewal, or certificate reinstatement whose application is denied or any person who is notified that their certificate is suspended or revoked or that a reprimand order has been issued shall be advised that they are entitled to appeal that decision to the superintendent of public instruction if they follow the procedures established in this chapter.

The appeal procedure may not be used to seek reinstatement of a certificate if that certificate has been revoked in the preceding twelve months by the superintendent of public instruction.

The appeal procedure to the superintendent of public instruction consists of two levels, one informal and one formal. The use of the informal level is a condition precedent to use of the formal level. In addition, RCW 34.05.570 provides for judicial review of such decisions.

WAC 181-86-145 APPEAL PROCEDURE - INFORMAL SPI REVIEW

Any person who appeals the decision or order to deny ((his or her)) their application, the issuance of a reprimand, or the order to suspend or revoke ((his or her)) their certificate must file a written notice with the superintendent of public instruction within thirty calendar

days following the date of postmarked mailing or other notification, whichever is earlier, from the section of the superintendent of public instruction's office responsible for certification of the decision or order. A written notice of appeal is deemed filed upon actual receipt during office hours by the section of the superintendent of public instruction's office responsible for certification of the decision or order.

The written notice must set forth the reasons why the appellant believes their application should have been granted or why their certificate should not be suspended or revoked, or why the reprimand should not be issued whichever is applicable.

Following timely notice of appeal, the superintendent of public instruction shall appoint a review officer who shall proceed as follows:

1. If the appeal does not involve good moral character, personal fitness, or unprofessional conduct, the review officer shall review the application and appeal notice and may request further written information including, but not limited to, an explanation from the person or persons who initially reviewed the application of the reason(s) why the application was denied. If the review officer deems it advisable, they shall schedule an informal meeting with the appellant, the person or persons who denied the application, and any other interested party designated by the review officer to receive oral information concerning the application. Any such meeting must be held within thirty calendar days of the date of receipt by the superintendent of public instruction of the timely filed appeal notice.
2. If the appeal involves good moral character, personal fitness, or acts of unprofessional conduct, the review officer shall schedule an informal meeting of the applicant or education practitioner, the office of superintendent of public instruction, and/or counsel for the applicant or education practitioner with the admissions and professional conduct advisory committee. Such meeting shall be scheduled in accordance with the calendar of meetings of the advisory committee. However, the notice of appeal must be received at least thirty calendar days in advance of a scheduled meeting.
3. Send by certified mail a written decision (i.e., findings of fact and conclusions of law) on the appeal within thirty calendar days from the date of post-marked mailing the timely filed appeal notice or informal meeting, whichever is later. The review officer may uphold, reverse, or modify the decision to deny the application, the order to reprimand, or the order to suspend or revoke the certificate.

4. The timelines stated herein may be extended by the review officer for cause.
5. In the case of an action for suspension or revocation of a certificate, the review officer, if so requested by an appellant, shall delay any review under this section until all quasi-judicial administrative or judicial proceedings (i.e., criminal and civil actions), which the review officer and the appellant agree are factually related to the suspension or revocation proceeding, are completed, including appeals, if the appellant signs the agreement stated in WAC 181-86-160. In requesting such delay, the appellant shall disclose fully all pending quasi-judicial administrative proceedings in which the appellant is involved.
6. Forms of written notice accepted will be as published by the superintendent of public instruction.

WAC 181-86-150 APPEAL PROCEDURE - FORMAL SPI REVIEW

Formal appeals to the superintendent of public instruction shall be provided as follows:

1. Any person who has filed an appeal in accordance with WAC 181-86-140 and desires to have the decision of the review officer formally reviewed by the superintendent of public instruction may do so. To instigate review under this section, a person must file a written notice with the superintendent of public instruction within thirty calendar days following the date of post-marked mailing of the review officer's written decision. A written notice of appeal is deemed filed upon actual receipt during office hours by the section of the superintendent of public instruction's office responsible for certification of the decision or order.
2. For purposes of hearing an appeal under this section, the superintendent of public instruction shall conduct a formal administrative hearing in conformance with the Administrative Procedure Act, chapter 34.05 RCW. The superintendent of public instruction, in carrying out this duty, may contract with the office of administrative hearings under RCW 28A.300.120 to hear a particular appeal. Decisions in cases formally appealed under this section may be made by the administrative law judge selected by the chief administrative law judge if the superintendent of public instruction delegates this authority under RCW 28A.300.120.
3. The decision of the superintendent of public instruction or the administrative law judge, whichever is applicable, shall be sent by certified mail to the appellant's last known

address and if the decision is to reprimand, suspend, or revoke, the appellant shall be notified that such order takes effect upon signing of the final order.

The superintendent of public instruction or the administrative law judge, whichever is applicable, may uphold, reverse, or modify the decision to deny the application, the order to reprimand, or the order to suspend or revoke the certificate.

4. Forms of written notice accepted will be as published by the superintendent of public instruction.

WAC 181-86-185 PUBLIC NOTICE AND REPORT

The superintendent of public instruction shall notify all other states whenever an applicant has been denied a certificate for failure to possess good moral character or personal fitness or whenever a certificate has been suspended, surrendered, or revoked and shall provide the full name and certificate number, if applicable, to the agency responsible for certification in each state. The superintendent of public instruction shall notify appropriate public or private school officials within the state the name and certification number of all education practitioners whose certificates have been suspended, surrendered, or revoked.

HOW TO FILE A COMPLAINT?

HOW TO FILE A COMPLAINT AGAINST A SCHOOL EMPLOYEE

A written complaint must first be filed with the school district superintendent, educational service district superintendent, or the private school administrator, stating the grounds and factual basis for the complaint.

The Office of Superintendent of Public Instruction has authority to investigate certificated school district employees for acts of unprofessional conduct or lack of good moral character or personal fitness. When an educational service district superintendent, school district superintendent, or the chief administrator of an approved private school possess sufficient reliable information to believe a certificated employee within such educational service district, school district or private school is not of good moral character or personally fit or has committed an act of unprofessional conduct (WAC 181-87), such superintendent or chief administrator, within a reasonable period of time after making such determination, shall file a written complaint with the Office of Superintendent of Public Instruction.

COMPLAINTS ALLEGING PHYSICAL ABUSE OR SEXUAL MISCONDUCT RCW 28A.410.090 (2)

A parent or another person may file a written complaint with the superintendent of public instruction alleging physical abuse or sexual misconduct by a certificated school employee if:

1. The parent or other person has already filed a written complaint with the educational service district superintendent concerning that employee;
2. The educational service district superintendent has not caused an investigation of the allegations and has not forwarded the complaint to the superintendent of public instruction for investigation; and
3. The written complaint states the grounds and factual basis upon which the parent or other person believes an investigation should be conducted.

WAC 181-86-110 DUTY OF ESD SUPERINTENDENT, DISTRICT SUPERINTENDENT AND PRIVATE SCHOOL ADMINISTRATOR TO FILE COMPLAINTS

1. When an educational service district superintendent, a district superintendent, chief administrative officer of a charter school, or the chief administrative officer of an approved private school possesses sufficient reliable information to believe that a certificated employee within such district or approved private school is not of good moral character or personally fit or has committed an act of unprofessional conduct, such superintendent or chief administrative officer, within a reasonable period of time of making such determination, shall file a written complaint with the superintendent of public instruction.
2. If an educational service district, charter school, or school district is considering action to discharge an employee of such district, the educational service district, charter school, or school district superintendent need not file such complaint until ten calendar days after making the final decision to serve or not serve formal notice of discharge.

MANDATORY REPORTING

MANDATORY REPORTING (RCW 26.44.030)

When any professional school personnel has reasonable cause to believe that a child has suffered abuse or neglect, he or she SHALL report such incident or cause a report to be made to the proper law enforcement agency or to the Department of Social and Health Services within 48 hours.

DUTY TO REPORT PHYSICAL ABUSE OR SEXUAL MISCONDUCT BY SCHOOL EMPLOYEES (RCW 28A.400.317)

A certificated or classified school employee who has knowledge or reasonable cause to believe that a student has been a victim of physical abuse or sexual misconduct by another school employee, shall report such abuse or misconduct to the appropriate school administrator. The school administrator shall cause a report to be made to the proper law enforcement agency if he or she has reasonable cause to believe that the misconduct or abuse has occurred as required under RCW 26.44.030. During the process of making a reasonable cause determination, the school administrator shall contact all parties involved in the complaint.

OFFICE OF PROFESSIONAL PRACTICES
Office of Superintendent of Public Instruction
Old Capitol Building, PO Box 47200
Olympia WA, 98504-7200

BUSINESS OFFICE DEADLINES

This list represents some of the various business office deadlines for your convenience.

5 th of Each Month	Time Sheets and Per Diem – Payroll Cut-Off
7-day Lead Time	Purchase Order Processing Lead Time
10 th of Each Month	Reimbursements/Accounts Payable Cut-Off
14-day Minimum Lead Time	Field Trip Processing/Coordination
Oct. 26th – Nov. 22nd (approx.) Open enrollment periods differ slightly each year. See Insurance Information in Staff Resources on the District web site for actual dates.	Medical Plan Open Enrollment
Oct. 1st - Coursework completed Oct. 5th - Credit/Clock hours submitted to the District Office <i>Exception: Nov. 5th for Credits/Clock hours earned in Sep.</i>	Official transcripts of coursework completed by Oct. 1st must be received in the District Office by Oct. 5th to be counted for salary schedule placement. <i>Exception: Nov. 5th for Credits/Clock hours earned in Sep.</i>
Nov. 23 rd	Last day to make IRS Section 125 Cafeteria Plan Election
Feb. 10th (approx.) Actual due date differs slightly each year and will be posted on the annual Sick Leave buyback form.	Sick Leave Buyback Election Form due at D.O.
Jun. 30 th	Certified/Classified Annual Leave Cash-Out Form due at District Office

Nine Mile Falls School District Employee Bargaining Units

EMPLOYEES are encouraged to read and understand their respective negotiated Collective Bargaining Agreements. Each agreement covers individual, association and district rights; personnel procedures, leaves of absence, and benefits, including insurance programs. Questions may be directed to:

Write in names after elections for your convenience.

Nine Mile Education Association - NMEA represents Teachers

President: _____ President-Elect: _____

Secretary: _____ Treasurer: _____

Building Reps: _____

Nine Mile Classified Public Employees Association – CPEA represents Instructional Assistants, Special Ed. Assistants, Food Service, Secretaries, Custodians, and Maintenance

President: _____ Vice President: _____

Secretary: _____ Treasurer: _____

Building Reps: _____

Nine Mile Coaches Association – NMCA represents Coaches

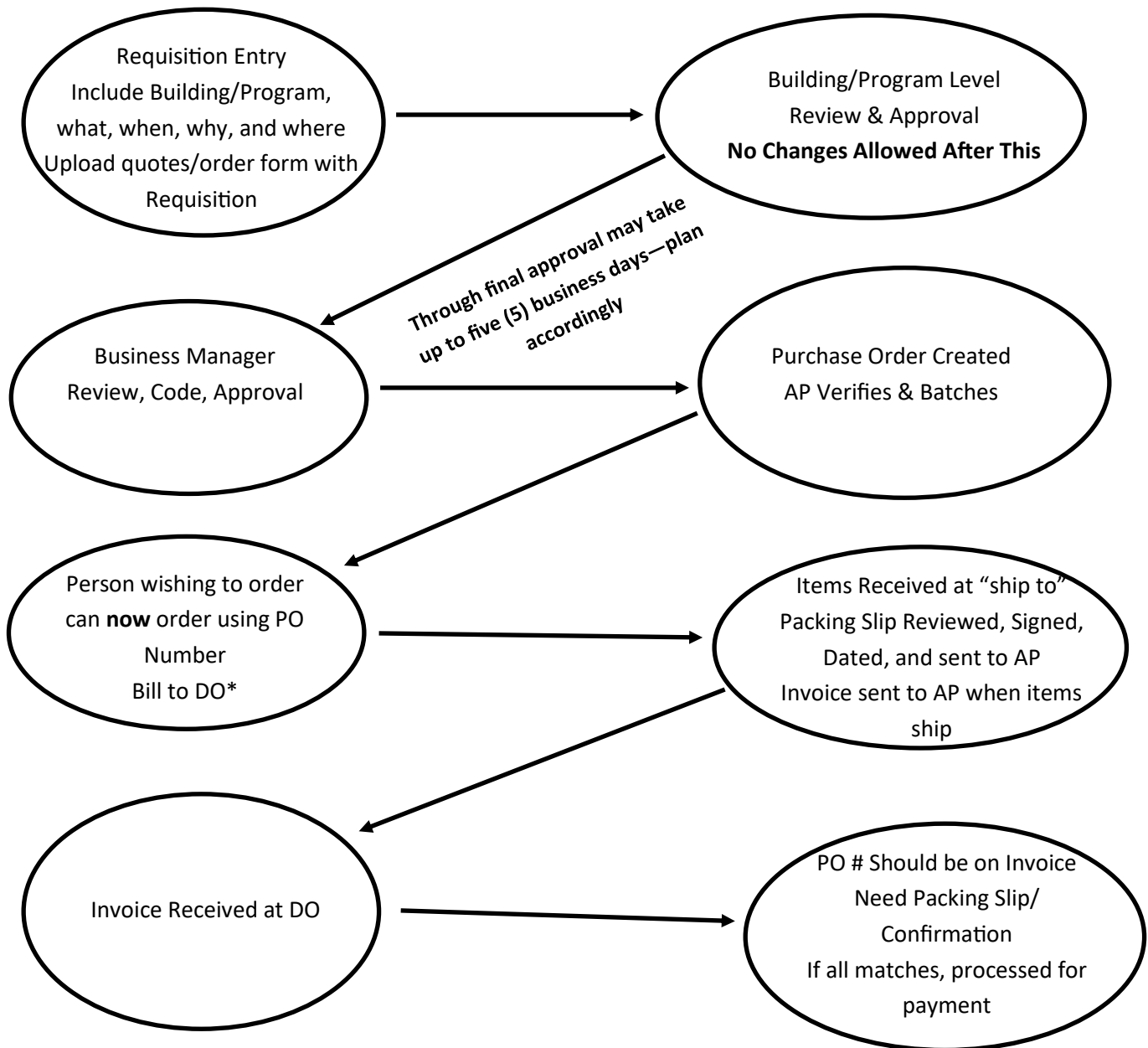
President: _____ Vice President: _____

Secretary: _____ Treasurer: _____

Payables and PO Process—General Fund

The accounts payable function is to ensure that all disbursements/reimbursements of school district funds are done in accordance with:

- Internal control processes
- Account code structure of the district and state
- State Law
- Federal Requirements



Purchase orders stay open until all items are received or the amount of the PO is exhausted. After that time, if the PO is not used, it will be closed and a new one will need to be entered. Purchase orders are closed every three (3) months unless items are on backorder.

*Invoices should be sent to the district office (DO) or to accountspayable@9mile.org — not the user's email.

Reimbursements and Credit Cards—General Fund

Reimbursements

- Reimbursements for purchases only require page 1 of the reimbursement form
 - PO required for items over \$100 or more
 - Detailed receipts—clean from highlights or other markings—should be on 8.5x11 paper or taped to a blank sheet of paper to bring them to this size
 - Write your name on all pages in case they become separated
 - Have your administrator sign before submission
- Reimbursements for travel, meals, and mileage require all pages be completed (no PO required for mileage & meals)
 - Detailed receipts—clean from highlights or other markings—should be on 8.5x11 paper or taped to a blank sheet of paper to bring them to this size
 - If traveling within the district buildings or to ESD
 - Use the Mileage Chart and attach to reimbursement form (Google Map not required if this is done)
 - Located on our district web site under Human Resources > Staff Resources > Accounts Payable Forms > NMFSD Mileage Chart
 - If traveling outside the preapproved mileage locations on above mentioned form
 - List location and address in “From” and “To” columns (do not put “home” enter full address)
 - Print Google Map showing route with miles rounding mileage to nearest tenth of a mile (i.e., 10.5)
 - Be as specific as possible in the “Reason for Trip” box
 - Write name on all sheets in case they become separated
 - Have your administrator sign before submission

Credit Cards

- On Credit Card Form, provide as many details as possible—not just “building”
 - Principal Budget, Office Supplies, Teaching Supplies for Math, Counseling Supplies, Math is Cool, etc.
- Attach all detailed receipts to a piece of paper if not already on 8.5x11 paper
- Do not highlight anything on receipts as this often makes the data on the receipt disappear over time
- Remember to include a PO # (issued before the purchase) for items over \$500
- Form is due to the district office by the 5th of the month

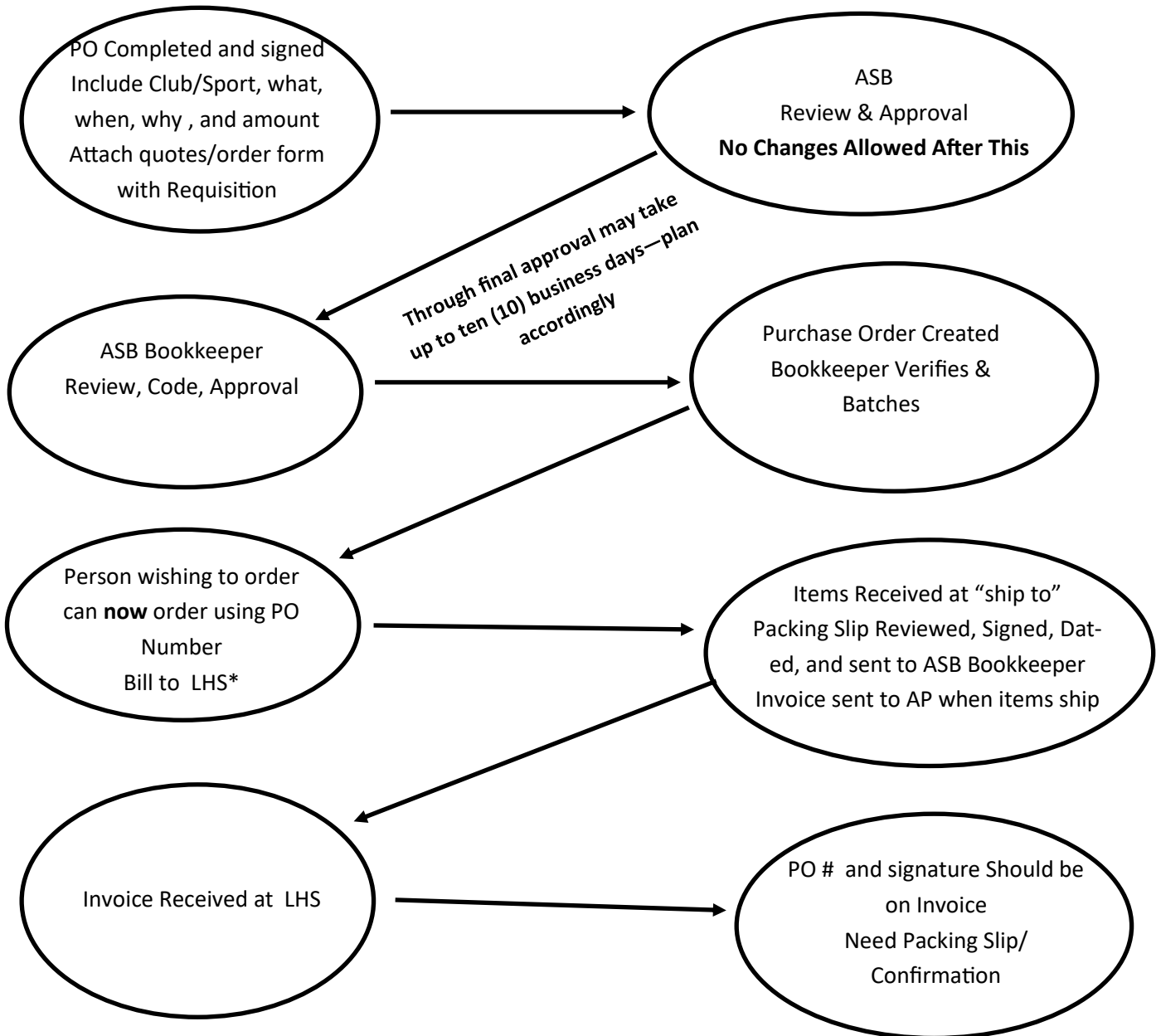
Important Reminders

- Receipts must not contain any personal items—list only items for reimbursement
- Receipts showing only the total are not acceptable; receipts must be detailed
- Purchase orders are required: Personal Reimbursements > \$100 and Credit Card > \$500 (not including mileage & meals)
- Mileage reimbursement rates change every year in January
- Incomplete reports will be returned
- Reimbursement forms are due to the district office by the 10th of the month to be paid at the end of the month
- Questions? Call Chris at 340-4308

Payables and PO Process—ASB

The accounts payable function is to ensure that all disbursements/reimbursements of school district ASB funds are done in accordance with:

- Internal control processes
- Account code structure of the district and state
- State Law
- Federal Requirements



Purchase orders stay open until all items are received or the amount of the PO is exhausted. After that time, if the PO is not used, it will be closed and a new one will need to be entered. Purchase orders are closed annually unless items are on backorder.

*Invoices should be sent to LHS Business Office or to jowens@9mile.org — not the user's email.

Reimbursements —ASB

Reimbursements

- Reimbursements for purchases only require page 1 of the reimbursement form
 - PO required for all items
 - Detailed original receipts—clean from highlights or other markings—should be on 8.5x11 paper or taped to a blank sheet of paper to bring them to this size
 - Write your name on all pages in case they become separated
 - Have your administrator sign before submission
- Reimbursements for meals require page 1 be completed
 - Detailed original receipts—clean from highlights or other markings—should be on 8.5x11 paper or taped to a blank sheet of paper to bring them to this size
 - Write name on all sheets in case they become separated
 - Have your administrator sign before submission

Important Reminders

- Receipts must not contain any personal items—list only items for reimbursement
- Receipts showing only the total are not acceptable; receipts must be detailed
- Purchase orders are required
- Incomplete reports will be returned
- Reimbursement forms are due to LHS Business Office by the 10th of the month to be paid at the end of the month
- Questions? Call Joie 509-340-4208

**NINE MILE FALLS SCHOOL DISTRICT
MONTHLY EMPLOYEE EXPENSE REIMBURSEMENT REQUEST**

DUE AT THE BUSINSS OFFICE BY THE 10TH OF THE MONTH

NAME: _____
ADDRESS: _____
FOR THE MONTH OF: _____
DATE: _____

SUPPLIES AND OTHER NON-TRAVEL RELATED EXPENSES

DATE	VENDOR	ITEM PURCHASED	REASON FOR PURCHASE	AMOUNT

Itemized receipts must be attached in order to receive reimbursement for expenses.

I hereby certify under penalty of perjury that this is a true and correct clam for necessary expenses incurred by me to the benefit of Nine Mile Falls School District and that the claim is just, due, and an unapid obligation against the Nine Mile Falls School District No. 325/179.

TOTAL	\$	-
TRAVEL TOTAL FROM NEXT PAGE (WILL POPULATE AFTER NEXT PAGE IS COMPLETED)	\$	-
TOTAL REIMBURSEMENT REQUEST	\$	-

Claimant: _____

Supervisor Approval: _____

For district use only / Accounting Code(s): _____

**NINE MILE FALLS SCHOOL DISTRICT
MONTHLY TRAVEL REPORT**

If your conference provides a meal and you choose to go out on your own, the meal will not be reimbursed

Per Diem Rates posted by the Office of Financial Management can be found at the link below.

<https://www.ofm.wa.gov/sites/default/files/public/resources/travel/colormap.pdf>

Use this page of the form for **TRAVEL** related expenses. These expenses should NOT be listed on the supply/other cost reimbursement form.

Date	*From	To	Miles	Mileage \$	Roundtrip Y/N	Vendor	Parking \$	Lodging Costs	Breakfast	Lunch	Dinner	Reason for Trip
TOTALS				\$ -			\$ -	\$ -	\$ -	\$ -	\$ -	
TOTAL TRAVEL:				\$ -			\$ -	\$ -	\$ -	\$ -	\$ -	

Current Mileage Rate: \$ 0.625 Effective 07/01/2022-12/31/2022 (01/01/2022-06/30/2022 was \$0.585)

ATTACH RECEIPTS FOR LODGING AND OTHER TRAVEL EXPENSES. YOU WILL NOT BE REIMBURSED WITHOUT PROPER ITEMIZED RECEIPTS. PLEASE SEE YOUR STAFF HANDBOOK FOR ALLOWABLE EXPENSES.

2022 Annual Public Notice

Asbestos Hazard Emergency Response Act (AHERA)

In compliance with the U.S. Environmental Protection Agency (EPA) Asbestos Hazard Emergency Act (AHERA), the Nine Mile Falls School District inspects all buildings containing asbestos every six (6) months to ensure that any asbestos in those buildings does not pose a danger to the public. The last inspection was conducted in June 2021. All reportable asbestos building material (ACBM) has been removed from district facilities. Every three (3) years, these buildings are inspected by a company certified by the Environmental Protection Agency (EPA) to ensure asbestos does not pose any imminent health threat to students, faculty, or the public. This three-year inspection was held in the Spring of 2022.

The AHERA Re-inspection Report and Management Plan Update is available to the general public and can be reviewed anytime during normal school hours. As required by AHERA, a designated person is available during regular business hours to answer any questions concerning asbestos-containing building materials (ACBM) in our buildings. The designated person can be contacted through the district office.

Except as noted below, as part of the elementary construction program, all reportable asbestos has been eliminated in Nine Mile Falls Elementary and Lake Spokane Elementary. Lakeside Middle School and Lakeside High School are declared to be free of asbestos.

The following Non-Friable Asbestos Containing Building Materials are present in the District's Buildings:

Nine Mile Falls Elementary: Exterior CMU insulation, select exterior eaves and walls, cafeteria and gym roofing.

Lake Spokane Elementary: Exterior CMU wall insulation.

The following Friable Asbestos Containing Building Materials are present in the district:

None

Purchase Order/Requisition Procedure

- *Open purchase orders are closed after **three** months unless otherwise noted and approved by the Business Office.*

Steps to complete the requisition process:

1. Enter your request (requisition) into Skyward. Please be detailed and answer the questions when needed, who, what, when, where and why. Make sure to “click” submit for approval. Please see link to video tutorial. Name of school, department, and originator. When event will happen, dates for use of goods/services, school &/or person to which goods/services is to be delivered, funding source, and a detailed description of goods/services.
2. If the vendor you want to purchase from is not found, please send a vendor packet (on our website) for them to complete. The company’s information MUST be entered into our system before completion of request (requisition).
3. This requisition will then be set to your supervisor for approval
4. After approval from supervisor this requisition will then go to the Business Manager for final approval and coding correction(s) if needed. **LEAD TIME 5 DAYS FROM WHEN THE BUSINESS MANAGER RECEIVES THE REQUEST.**
5. You will receive an email letting you know that your request has now turned into a Purchase Order and will give you the PO number.
6. NOW you may call the vendor and order your product and/or service.



[ACCESS THE VIDEO TUTORIAL HERE](#)

PURCHASE ORDER NUMBERS MUST BE GIVEN TO THE VENDOR FOR PROOF OF DISTRICT APPROVAL TO PAY. If the vendor did not receive a purchase order number, then the charge is the originator’s responsibility.

Requisitions are usually approved at the first level within two (2) or three (3) days.

Final approval in the Business Office is usually complete within an additional five (5) days.

- You will receive an email of approval or denial.
 - o Approvals will turn into a Purchase Order, and you will be provided a PO#.
 - o Denials will have a reason for the denial.
- Upon receipt of the PO #, the purchase may occur.
 - o Share the PO # with the vendor when completing the purchase to avoid accepting personal responsibility for the charge(s).
- Upon receiving the goods or services:
 - o Review the items to the packing slip or other evidence of receipt.
 - o Sign and date showing satisfactory receipt of goods or services, and is/are approved to pay.
 - o Send signed receipt or reply to email (as approved to pay) to accounts payable.

***If purchasing through Amazon** extra time is needed as the PO' s need to be printed out and updated in the system. The accounts payable person then enters the PO# into the Amazon system, and notifies you when this is complete.

**INSTRUCTIONS FOR COMPLETING REIMBURSEMENT
REQUEST CAN BE FOUND ON OUR SCHOOL DISTRICT WEBSITE**
[Reimbursement Instructions](#)

[Employee Expense Reimbursement Form, Excel](#)

[Employee Expense Reimbursement Form, PDF](#)

- 1) If you are just requesting **reimbursement for purchases**:
 - You will only need to complete the front page.
 - Please attach small receipts to a separate 8.5x11 sheet of paper.
 - Write your name on all pages in case they become separated.
 - Have your administrator sign before you submit.
 - Reference PO# on the 1st page, if needed.

- 2) If you are requesting **reimbursement for travel, meals** (attach per diem sheet and location, if claiming), **or mileage**:
 - Please complete ALL pages.
 - Please attach small receipts to a separate sheet of paper.
 - If you have traveled around or outside the district please attach a “Google Map” printout showing the address of where you left from and where you went to using the route with the shortest distance.
 - Write your name on all pages in case they become separated.
 - Have your administrator sign before you submit.
 - Attach absent report for proof you did not take leave on the day(s) you are claiming.

***PLEASE KEEP IN MIND THE FOLLOWING WHEN SUBMITTING
YOUR REIMBURSEMENTS:***

- Receipts must contain **only items listed for reimbursement** – No personal items marked out.
- Bankcard receipts showing the total only are not acceptable. We must have **an itemized receipt** if you would like reimbursement.
- You must have a **purchase order if reimbursement totals \$100 or more** (mileage and per diem meals are not included.)
- The mileage reimbursement rate changes every year in January and must be turned in monthly.
Exception: Effective 07/01/2022 - 12/31/2022 the mileage rate changed to 0.625.
- Reimbursements that do not have complete &/or incorrect information will be returned.
- Please remember that reimbursement requests (even corrected ones) need to be received in the
- district office by the 10th of each month in order to be paid at the end of the current month.

IF YOU HAVE ANY QUESTIONS:

- Please contact: Chris, General Fund Accounts Payable @ 509-340-4308.
- Please contact: Joie, ASB Fund Accounts Payable @ 509-340-4208.

CLICK ON THE LINK BELOW

FOR A VIDEO TUTORIAL ON HOW TO INPUT A REQUISITION

https://drive.google.com/file/d/14tZP_If0GOeLBh9hm0oOaTmhnX_C90PG3/view

ASB Funds

All Associated Student Body (ASB) funds are separate from District moneys and are for the extracurricular benefit of the students. Student involvement in deciding how to use those funds is an integral part of student body government. Final approval of ASB activities rests with the Board of Directors, but the Board has no power to initiate ASB activities. Disbursements must be appropriately budgeted, approved, and documented by the elected student representatives. **No purchases will be made without approval of the student body, student adviser, principal (or designee), and business office at the secondary level. Principal (or designee) and business office approvals are required for elementary level purchases. Employees making purchases without prior approval will be held responsible for the purchase and no reimbursements will be made.**

Public Trust

Please bear in mind that we have been entrusted with the public's money to run the very best school system possible for the children of our District. The facilities, materials and supplies purchased with district funds are not "ours," but merely allocated for our use in providing the optimum educational experience possible for our students. Damage, loss, or disappearance ultimately hinders the educational experience we strive to enhance.

Payroll Information

Cut-off Dates: Payroll cut-off for all months will be the last day of the month. In order to ensure proper payment all payroll items must be turned into the District Office by the 5th. Payroll items submitted after the 5th may not be considered until the next month. Pay dates will fall on the last district work day of the month.

Direct Deposit: Direct deposit is available to all employees of Nine Mile Falls School District at all banking institutions of your choice. You are encouraged to have your paycheck direct deposited for many valuable reasons.

- First the convenience of not having to go to the bank! Your money will be in your account on the last district working day of the month.
- Second your paycheck could easily get lost or stolen in the mail. If this happens it will take payroll time to cancel the lost check and reissue one.
- Last, direct deposit is safe and secure. You are at a greater risk of fraud and identity theft if you receive a paper check instead of direct deposit.

Please contact the payroll officer to complete the form and take advantage of direct deposit today!

Name, Phone, and Address changes: If you have a name, phone, or address change please notify the District Office immediately. Changes may also be submitted through Employee Access.

Insurance Additions: After the annual open enrollment period has ended on **November 22nd** (approximate date), additions of family members to insurance policies may take place only after a change of family status (i.e. marriage, new baby, divorce, death in the family.) If you have questions about changes to your insurance plan please contact the payroll officer 509-340-4307.

Accuracy of Reports: All payroll reports are the responsibility of the individual to whom they apply. Payroll reports not properly filled out or not turned in by the cut-off date may not be considered in the next payroll period.

Questions or Concerns: Please direct any questions regarding insurance or payroll to the payroll officer at 509-340-4307.

Mandatory Deductions

Social Security: Employees, excluding students working during the school year, are subject to withholding for Social Security and Medicare.

Teachers' Retirement System (TRS): Certificated employees may elect to be members of either TRS Plan 2 or Plan 3. A percentage deduction of each qualified certified employee's monthly pay is deducted and sent to the Department of Retirement. The school district also makes a contribution in each qualified employee's name to TRS. Specific details can be found on the Department of Retirement Systems website at www.drs.wa.gov. See Payroll Officer for additional information.

School Employees' Retirement System (SERS): Classified employees whose position is anticipated to require 70 or more hours for five months in two consecutive years must be members of either SERS Plan 2 or Plan 3. A percentage of earnings is deducted and sent to the Department of Retirement. The District contributes a percentage as well. Specific details can be found on the Department of Retirement Systems website at www.drs.wa.gov. See Payroll Officer for additional information.

Industrial Insurance: Nine Mile Falls School District is self-insured for industrial insurance. You have the same rights as workers insured through the Department of Labor and Industries. Report all accidents to your immediate supervisor as soon as possible. Request the appropriate form from your building secretary. Employees are covered by insurance during their assigned work hours. Employees contribute

a minimal amount monthly for the pension portion of coverage. The District pays for accident coverage and matches the pension deduction.

Federal Withholding Income Tax: All employees must file a W-4 form upon being hired. It is the responsibility of each employee to initiate any W-4 changes for marital status, or amount of desired withholding. Taxes are deducted based on the monthly amount earned in our District.

Benefits – Dental, Vision, Basic Life, and Basic accidental death and dismemberment: These benefits require 100% group participation by eligible employees. Premiums for Dental, Vision, Basic Life and Basic accidental death and dismemberment insurance are employer paid. Please visit SEBB My Account at <https://myaccount.hca.wa.gov/> for additional information.

Voluntary Deductions

Voluntary Life Insurance: Employees may purchase voluntary life insurance at their own expense.

457 Deferred Compensation or Tax-Sheltered Annuities: 403(b) Any eligible employee may elect to have deductions from their salaries made to a legal tax-sheltered annuity plan or deferred compensation plan.

IRS Section 125 Medical Premiums: Employees may elect to have insurance premiums paid with pre-tax earnings. See the following page for details.

IRS Section 125 Cafeteria Plan: Employees may elect to contribute pre-tax earnings to a trust fund for the purpose of paying medical out-of-pocket or childcare expenses. See the following page for details.

Dues: Association dues may be deducted from the employee's paycheck. See Union representative for additional information.

VEBA: VEBA is a tax-free health reimbursement arrangement type of health plan that reimburses out-of-pocket healthcare costs incurred by you, your spouse, and qualified dependents. All contributions, investment earnings, and withdrawals (claims) are tax free. This is a union-elected benefit and participation requirements may vary from year to year. See payroll officer for additional information.

Health Savings Account (HSA): Employees who are enrolled in a high-deductible health plan may elect to contribute pre-tax earnings to a Health Savings Account for the purpose of paying qualified medical expenses. To qualify for pre-tax designation, contributions must be made through an IRS section 125 cafeteria plan.

Other: Other voluntary deductions exist (local gym memberships, Life Flight, etc.) Please see the payroll officer for additional information.

Affordable Care Act

Nine Mile Falls School District complies with the employee mandate issued through the Affordable Care Act. Medical coverage is offered to all full time employees as defined by the Affordable Care Act. For additional information, please contact the payroll officer.

IRS Section 125 Medical Premium Participation

The Board of Directors, in March 1993, approved the District's participation in the IRS Section 125 Plan. This allows participants to have any payroll out-of-pocket expenses for medical premiums deferred for income taxes. Each year the employee must declare whether he or she elects to participate in the programs. To save administrative paperwork, the district has elected to allow a negative election program. This means that an employee is automatically enrolled in the plan unless he/she notifies the District Office in writing that he/she does not want to participate.

The new plan year begins January 1, 20XX. There will be an open enrollment period of October to November. If you elect to participate in the IRS Section 125 Plan, you need do nothing. If you elect not to participate, you must notify the D.O. You may want to contact your tax adviser for advice. If you have any questions, please contact the Payroll Officer at the District Office.

IRS Section 125 Cafeteria Plan Participation

Employees may elect to allocate a portion of their earnings for pre-tax payment of medical out-of-pocket and childcare expenses to a trust fund administered by the Health Care Authority. The plan year is January 1st 20XX-December 31st 20XX. With certain limited exceptions, once a declaration to withhold a certain amount from the paycheck is made, it cannot be changed during the plan year, and any unused funds (up to \$550) can be carried over and made available for the next plan year. In order to carry over you must enroll in the next year or have a minimum \$120 left in the plan.

Consolidated Omnibus Budget Reconciliation Act of 1985

COBRA allows employee covered by employer-based group health plans to retain coverage for a period of eighteen (18) to thirty-six (36) months. The following is summary of employee rights under the law:

- A. Covered employees or their dependents may continue coverage as a result of the following for eighteen months:
 - 1. Reduction of hours
 - 2. Termination of employment
 - 3. Retirement
- B. Dependents are eligible for coverage for thirty-six (36) months as a result of:
 - 1. Divorce or legal separation
 - 2. Death of the employee
 - 3. Employee eligible for Medicare
 - 4. Dependent child reaches maximum age or gets married.
- C. Employers with twenty (20) or more employees must participate in COBRA unless they are a member of a trust or association. All employees count (full-time, part-time, eligible or not.)
- D. Employees may add dependents not currently on the Plan during the open enrollment period.
- E. COBRA continuation must be extended from eighteen (18) to twenty-nine (29) months for beneficiaries who:
 - 1. Are disabled according to Social Security.
 - 2. Experience reduction in hours or termination of employment.
 - 3. Become covered under another employer's health plan that has a preexisting conditions clause.
 - 4. Employers are allowed to charge 150% of the applicable premium for the nineteenth (19) through the twenty-ninth (29) month of COBRA extension.
- F. It is imperative that employees notify the employer and Plan Administrator of any qualifying events that are mentioned in Sections A, B, or F.

EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

*Special "hours of service" requirements apply to airline flight crew employees.

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

BENEFITS & PROTECTIONS

ELIGIBILITY REQUIREMENTS

REQUESTING LEAVE

EMPLOYER RESPONSIBILITIES

ENFORCEMENT

For additional information or to file a complaint:

1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

www.dol.gov/whd

U.S. Department of Labor | Wage and Hour Division



Notice of Women's Health and Cancer Rights Act

The Women's Health and Cancer Rights Act of 1998 requires group health plans to make certain benefits available to participants who have undergone a mastectomy. In particular, a plan must offer mastectomy patients benefits for:

- All stages of reconstruction of the breast on which the mastectomy was performed
- Surgery and reconstruction of the other breast to produce a symmetrical appearance
- Prostheses
- Treatment of physical complications of the mastectomy, including lymphedema

Our plan complies with these requirements. Benefits for these items generally are comparable to those provided under our plan for similar types of medical services and supplies. Of course, the extent to which any of these items is appropriate following mastectomy is a matter to be determined by the patient and her physician.

Our plan neither imposes penalties (for example, reducing or limiting reimbursements) nor provides incentives to induce attending providers to provide care inconsistent with these requirements. If you would like more information about WHCRA required coverage, you can contact your employer.

Skyward Employee Access Information

1. Login

- Go to following web address: <https://www2.nerdc.wa-k12.net/scripts/cgiip.exe/WService=wninemis71/seplog01.w>



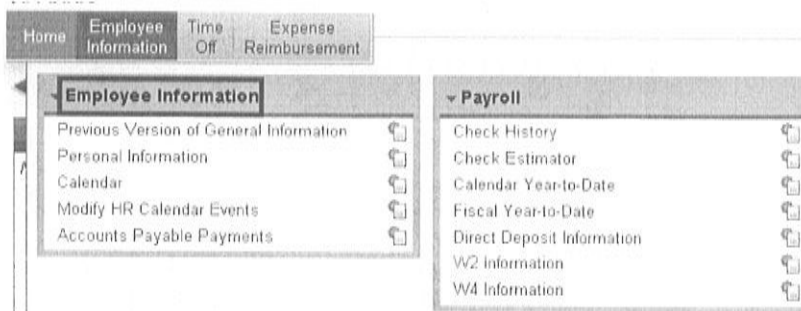
The login page features the Skyward logo at the top, followed by the text "Skyward School District" and "Scrambled School District". Below this is a login form with two input fields: "Login ID" and "Password". A "Sign In" button is positioned to the right of the password field. Below the button is a link that says "Forgot your Login/Password?". At the bottom right of the form area, the date "04.12.02.00.15" is displayed. Below the form is a "Login Area" dropdown menu currently set to "Employee Access".



The dashboard shows the "Employee Access" page with a navigation bar at the top containing "Home", "Employee Information", "Time Off", and "Expense Reimbursement". The main content area is divided into three columns: "My Favorites" (empty), "My Quick Links" (a table of links to "Security Cache Reset Utility" with "Error" status), and "Recent Programs" (listing "Employee Access Home"). A "District News" section at the bottom is also empty.

Employee Information

The available applications under the **Employee Information** tab will display a new window. Each of the application buttons contains different information.



This image shows two application menus. The "Employee Information" menu includes: "Previous Version of General Information", "Personal Information", "Calendar", "Modify HR Calendar Events", and "Accounts Payable Payments". The "Payroll" menu includes: "Check History", "Check Estimator", "Calendar Year-to-Date", "Fiscal Year-to-Date", "Direct Deposit Information", "W2 Information", and "W4 Information".

2. Payroll

View detailed check information for each deposit issued through payroll. Here you will be able to print your earning statement.

Home **Employee Information** Time Off Expense Reimbursement

Employee Information

- Previous Version of General Information
- Personal Information
- Calendar
- Modify HR Calendar Events
- Accounts Payable Payments

Payroll

- Check History
- Check Estimator
- Calendar Year-to-Date
- Fiscal Year-to-Date
- Direct Deposit Information
- W2 Information
- W4 Information

Click the next to the Check Date, click the Check Number, or highlight an individual check and click the Show Check button to the right to get more detailed information.

Check History Favorites My Print Queue

Views: Check Date Seq - Check Detail Information Filters: *Skyward Default

Check Date	Check Number	Gross Wages	Net Amount	T
▶ 05/31/2012	402769	10,000.00	7,222.66	R

Check Number 402769

Check Information for Peter Principal

<p>Employer Information</p> <p>Name: EMP1497-Skyward Test School District Address: 508 Scramble avenue PO Box 217 Scramble, WV 55555</p>	<p>Employee Information</p> <p>Name: Peter Principal Address: 123 N MAPLE ST Scramble, WV 55555</p>
--	--

Check Detail Information

Check Date: 05/31/2012 Gross Wages: 10,000.00
 Check Number: 402769 Net Amount: 7,222.66
 Check Type: Regular

Taxable Wage Information

	Federal	State	FICA	Medicare
Gross Wages:	10,000.00	10,000.00	10,000.00	10,000.00
Minus Deductions that Decrease Tax:				
Plus Taxable Benefits:				
Taxable Gross Wages:	10,000.00	10,000.00	10,000.00	10,000.00

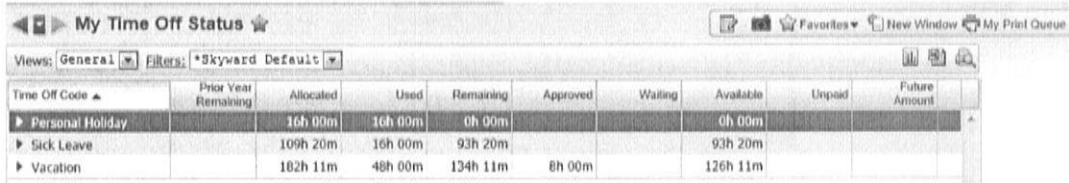
Pays

Description	Rate	Factor/Hours	Amount	Retire Hours	Period End
ADMIN	10,000.00	1.00	10,000.00	1.840.00	05/31/2012

<p>Deductions</p> <p style="text-align: center;">--Decrease Tax--</p> <table border="1" style="width: 100%;"> <thead> <tr> <th>Description</th> <th>Amount</th> <th>Fed</th> <th>St</th> <th>F/M</th> </tr> </thead> <tbody> <tr> <td>Fed Inc Tax</td> <td>2,204.87</td> <td></td> <td></td> <td></td> </tr> <tr> <td>FICA</td> <td>420.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Medicare</td> <td>145.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>TRS Plan 0</td> <td></td> <td></td> <td></td> <td>Y</td> </tr> <tr> <td>Workers' Comp</td> <td>7.47</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total:</td> <td>2,777.34</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Description	Amount	Fed	St	F/M	Fed Inc Tax	2,204.87				FICA	420.00				Medicare	145.00				TRS Plan 0				Y	Workers' Comp	7.47				Total:	2,777.34				<p>Benefits</p> <p style="text-align: center;">-----Taxable-----</p> <table border="1" style="width: 100%;"> <thead> <tr> <th>Description</th> <th>Amount</th> <th>Fed</th> <th>St</th> <th>F/M</th> </tr> </thead> <tbody> <tr> <td>FICA</td> <td>620.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Medicare</td> <td>145.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>TRS Plan 0</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Unemployment 00</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Workers' Comp</td> <td>31.66</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Total:</td> <td>796.66</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Description	Amount	Fed	St	F/M	FICA	620.00				Medicare	145.00				TRS Plan 0					Unemployment 00					Workers' Comp	31.66				Total:	796.66			
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3. Time Off

Use the  on the left of the screen to view detailed transactions for each leave type. Leave used and allocated leave will be displayed.



The screenshot shows a window titled "My Time Off Status" with a toolbar containing icons for Home, Favorites, New Window, and My Print Queue. Below the toolbar, there are dropdown menus for "Views: General" and "Filters: *Skyward Default". The main content is a table with the following data:

Time Off Code ▲	Prior Year Remaining	Allocated	Used	Remaining	Approved	Waiting	Available	Unpaid	Future Amount
▶ Personal Holiday		16h 00m	16h 00m	0h 00m			0h 00m		
▶ Sick Leave		109h 20m	16h 00m	93h 20m			93h 20m		
▶ Vacation		182h 11m	48h 00m	134h 11m	8h 00m		126h 11m		

Getting Started as an Employee



What is Red Rover?

Red Rover is an Absence Management system, designed with you in mind! In Red Rover, you will also be able to create and review your scheduled absences, pre-arrange and communicate with substitutes (depending on district configuration), check your PTO balances, upload lesson plans, and much more!

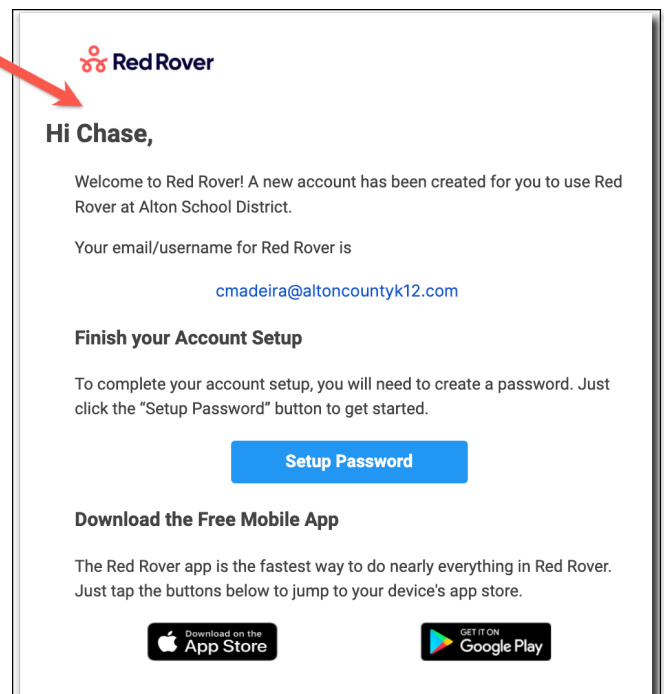
Topics Covered in this Tip Sheet

1. [Setting up your Red Rover Account](#)
2. [Employee Home Page](#)
3. [How To Create an Absence](#)
4. [My Schedule](#)
5. [Bulletin Board](#)
6. [Classroom Information](#)
7. [Substitute Preferences](#)
8. [PTO Balances](#)
9. [Help Center](#)
10. [Notification Settings](#)

Logging in to Red Rover

Before logging into Red Rover, you will receive an email invitation. The email will look like this:

- To set up your Red Rover account, click the **Setup Password** button. This will allow you to create a new account and password. From this point forward, your username will be your email address.
- If you didn't receive this email, be sure to check in your spam folder. If you still do not see the Red Rover Welcome email, contact your administrator. They will be able to resend the email invitation to you.
- If you ever forget your password, you can reset it on the login page:
<https://app.redroverk12.com>.

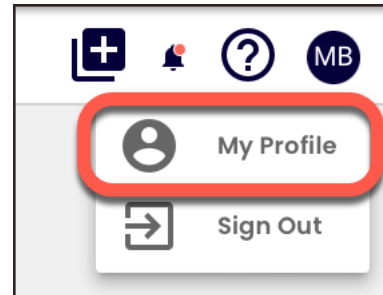


Red Rover Basics for Employees

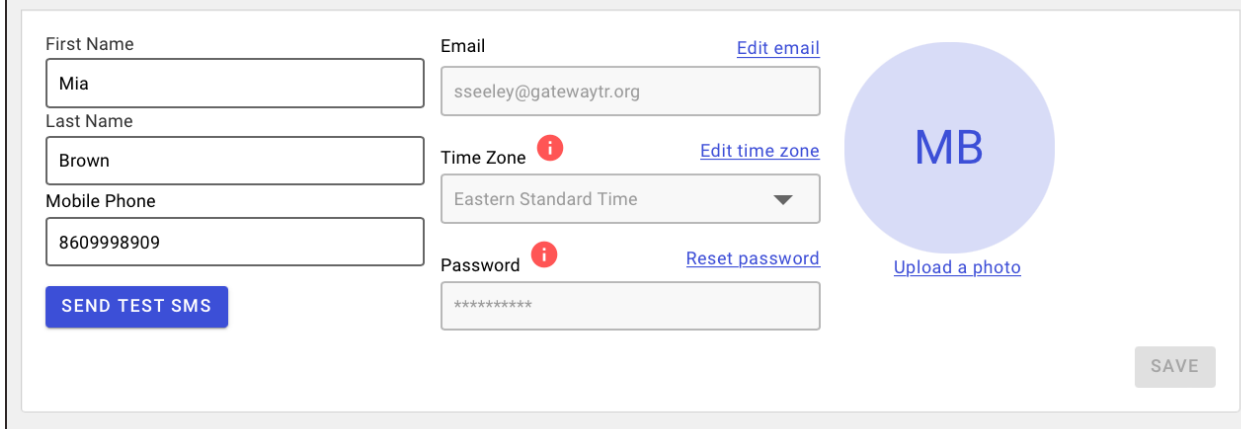
Setting up Your Information

Once you have logged in, you can set up your account information and preferences. Simply click on your initials in the top right corner and select **My Profile**.

Once in your profile, you can edit your information and you may be able to upload a profile picture.

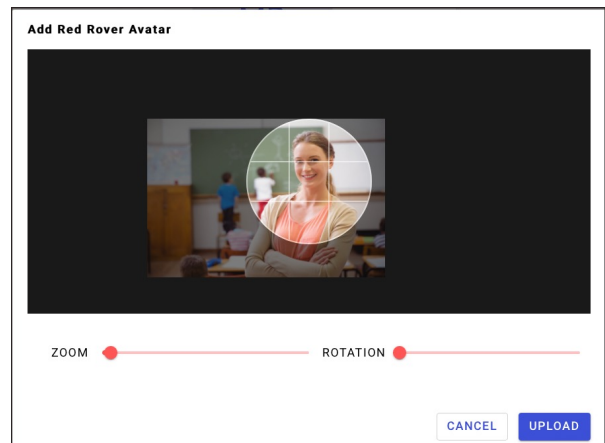
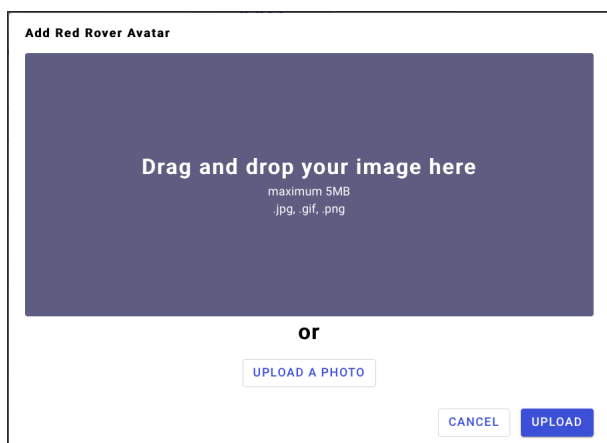


My Profile

A screenshot of the 'My Profile' form. The form is divided into two columns. The left column contains input fields for 'First Name' (Mia), 'Last Name' (Brown), and 'Mobile Phone' (8609998909). Below these is a blue button labeled 'SEND TEST SMS'. The right column contains input fields for 'Email' (sseeley@gatewaytr.org) with a link to 'Edit email', 'Time Zone' (Eastern Standard Time) with a link to 'Edit time zone', and 'Password' (masked with asterisks) with a link to 'Reset password'. To the right of the form is a circular profile picture placeholder with the initials 'MB' and a link to 'Upload a photo'. A 'SAVE' button is located at the bottom right of the form.

Adding a Profile Picture

- Click on your initials in the top right corner and select **My Profile**.
- Click **Upload a photo**.
- Drag and drop your picture into the purple box or select **UPLOAD A PHOTO**
- Adjust the picture by dragging it and using the **Zoom** and **Rotation** sliders below.
- Select **UPLOAD** to save your changes.



Red Rover Basics for Employees

Home Page

On your **Home** page, you will be able to create absences, view your upcoming schedule, and see any scheduled absences in the future.

Red Rover

Home

Create Absence

My Schedule

Bulletin Board

Classroom Info

PTO Balances

Sub Preferences

Welcome, Mia

Absence Create 1

March 2022

Sun Mon Tue Wed Thu Fri Sat

1 2 3 4 5

6 7 8 9 10 11 12

13 14 15 16 17 18 19

20 21 22 23 24 25 26

27 28 29 30 31

● Absence ● Day off ● Modified schedule ● Teacher work day

Please select one or more dates above

Reason

Times

[Add additional details](#) QUICK CREATE

Upcoming schedule 2

Feb 27 - Apr 2

Sun Mon Tue Wed Thu Fri Sat

27 28 1 2 3 4 5

6 7 8 9 10 11 12

13 14 15 16 17 18 19

20 21 22 23 24 25 26

27 28 29 30 31 1 2

● Absence ● Day off ● Modified schedule ● Teacher work day

Scheduled absences 3

Jury Duty Mar 4 No substitute assigned 1 Full Day 8:00 AM - 11:30 AM #1170428 [Cancel](#)


4

- 1 Click on a date in the **Absence Create** section to begin creating an absence.
- 2 The **Upcoming schedule** calendar shows your schedule for the current month.
- 3 Scroll down to see all your **Scheduled absences** across all your districts.
- 4 The Main Menu brings you to other features of Red Rover.

Red Rover Basics for Employees

How to Create an Absence

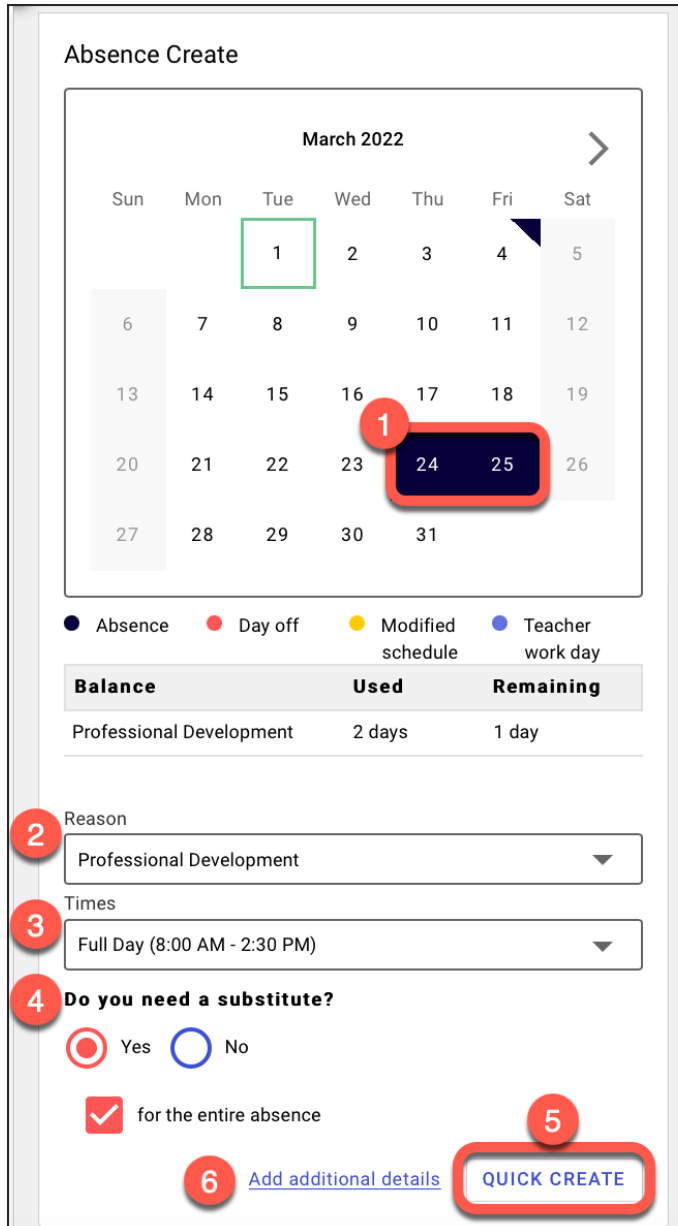
There are a few ways to create an absence in Red Rover:

- Click the add Absence button () at the top right of your screen.
- Click on **Create Absence** in the left main menu.
- Select **My Schedule** from the main menu and then click **CREATE**.
- Using the **Quick Create** option on the **Home** page.

How to Quick Create an Absence

- 1 Click on the date of your absence. If the absence spans several days, click on each date the absence should include. To remove a day, simply deselect that date.
- 2 Click the **Reason** dropdown box and select the reason(s) for your absence.
- 3 Choose if your absence is for the Full Day, Half Day AM, Half Day PM, or a custom Hourly absence. (Not all districts permit these options.)
- 4 If your district allows, choose whether your absence will require a substitute and for how long.
- 5 Finally, click **Quick Create** to submit your absence.
- 6 You can **Add additional details** to your absence instead of using the **Quick Create** option. This will allow you to add notes, upload files, pre-arrange subs, and edit sub times and locations.

If your district requires extra notes for the absence reason you've selected, you'll see the **More details are required** message. Click **Add additional details** and follow the instructions.



The screenshot shows the 'Absence Create' interface. At the top, it says 'Absence Create'. Below that is a calendar for March 2022. A red circle with the number '1' points to the dates 24 and 25, which are highlighted in dark blue. Below the calendar is a legend: a dark blue circle for 'Absence', a red circle for 'Day off', a yellow circle for 'Modified schedule', and a blue circle for 'Teacher work day'. Below the legend is a table with three columns: 'Balance', 'Used', and 'Remaining'. The table has one row: 'Professional Development' with '2 days' used and '1 day' remaining. Below the table is a 'Reason' dropdown menu with 'Professional Development' selected. Below that is a 'Times' dropdown menu with 'Full Day (8:00 AM - 2:30 PM)' selected. Below that is a 'Do you need a substitute?' section with radio buttons for 'Yes' and 'No', and a checked checkbox for 'for the entire absence'. At the bottom, there is a red circle with the number '6' pointing to a blue link 'Add additional details' and a red circle with the number '5' pointing to a red button 'QUICK CREATE'.

Red Rover Basics for Employees

Adding Additional Details to an Absence

Adding additional details to an absence will allow you to write notes, upload files, pre-arrange subs, and edit sub times.

Additional Details will appear below, and the **Substitute Details** section will open on the right side of the screen.

- A Notes to Substitute:** Leave notes for the sub like "Lesson Plans are in my top drawer." These notes are visible to you, the sub, and the admin.
- B Add Files:** Upload files such as lesson plans or seating charts for your sub to download.
- C Pre- Arrange Substitutes:** Your district may allow you to Pre-Arrange a sub for your absence. To do so, click the **PRE-ARRANGE** button.
- D Edit Sub Details:** Your district may allow you to also **EDIT SUBSTITUTE DETAILS**. Use this option to adjust sub times and school locations if you work in multiple buildings.
- E** If the absence reasons, times, and sub requirements for all days are the same, keep these boxes selected. If they are different, de-select these boxes and enter the time and absence reason for each day.
- F Notes to Admin:** You can also leave notes to the administrator. These notes are visible to you and any administrator viewing your absence.

Note: Some absence reasons require a note to the administrator.

Substitute Details

These times may not match your schedule exactly depending on district configuration.

Absence	Substitute schedule
Thu-Fri, Mar 24-25 8:00 AM - 2:30 PM	8:00 AM - 2:30 PM Burlington Elementary

Notes to substitute

Can be seen by the administrator, employee, and substitute

Enter notes for substitute

📎 **Add file(s) or drag here**
max 5MB; .pdf, .txt, .docx, .xlsx, .pptx, .jpg, .gif, .tiff, .png

PRE-ARRANGE **EDIT SUBSTITUTE DETAILS**

Tue-Wed, Mar 1-2 - 3rd Grade Teacher

March 1, 2022

8:00 AM - 2:30 PM School
8:00 am 2:30 pm Burlington Elementary

CANCEL **SAVE**

Do you need a substitute?

Yes No

for the entire absence

Same reason for all days Same time for all days

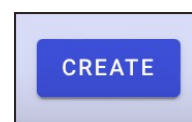
Same substitute requirement for all days

Notes to administrator

Can be seen by the administrator and the employee.

Required

Don't forget to click **CREATE** in the bottom right corner when you have finished entering information for your absence!



Red Rover Basics for Employees

Absences for Traveling Teachers

If you are a traveling teacher and you may work at multiple buildings in the same day, you can add/remove rows and update your location so that the sub will know when and where to work.

- Start by clicking on the **EDIT SUBSTITUTE DETAILS** button as shown in letter **D** above.
- Use the arrow dropdown in the **School** field to change the location of a shift.
- Edit the substitute's scheduled times through the times fields.
- Click the **Add row** button to add a new shift.
- Click the **X** at the end of a row to delete that shift.
- Click **SAVE** to save new substitute details.

Fri, Mar 18 - 3rd Grade Teacher

March 18, 2022

8:30 AM - 2:00 PM School

8:30 am 11:30 am Hartford Elementary ...

11:30 am 2:30 pm Burlington Elementary|

Burlington Elementary

Hartford Elementary School

Add row

CANCEL SAVE

Absence Confirmation

You are not finished creating your absence until you have a **Confirmation number**.

Once you have a confirmation number, you will see the absence appear on your schedule.

Note: If you do not receive a confirmation number, your absence was not saved.

Your absence has been saved. We'll take it from here.

Confirmation #1177336

Absence Details

Mia Brown
Thu-Fri, Mar 17-18
Professional Development - Full Day (8:00 AM - 2:30 PM)

Substitute Details
These times may not match your schedule exactly depending on district configuration.

Absence	Substitute schedule
Thu-Fri, Mar 17-18 8:00 AM - 2:30 PM	8:00 AM - 2:30 PM Burlington Elementary

Requires a substitute

Allow sub to accept part

Notes to substitute
Can be seen by the administrator, employee, and substitute
Lesson plans are in the top right drawer of the desk.

Notes to administrator
Can be seen by the administrator and the employee.
IEP Professional Development

CREATE NEW BACK TO HOME EDIT

Red Rover Basics for Employees

My Schedule

The **My Schedule** main menu option allows you to view your regular schedule, see past and upcoming absences, and cancel or edit absences.

- You can view your absences in a **List View** or **Calendar View**.
- If an absence is **Pending**, it has not yet been approved by an administrator.

The screenshot shows the 'My Absence Schedule' page. The sidebar on the left contains navigation links: Home, Create Absence, My Schedule (highlighted with a red circle), Scheduled absences, Regular schedule, Bulletin Board, Classroom Info, and PTO Balances. The main content area has a search bar, a 'CREATE ABSENCE' button, a 'Year' dropdown set to '2021-2022', and view toggles for 'LIST VIEW' and 'CALENDAR VIEW' (both highlighted with a red circle). Under the 'Current & Upcoming' section, there are two absence entries: 'Jury Duty' on Mar 4 (1 Full Day, 8:00 AM - 2:30 PM, #1170428) and 'Professional Development' on Mar 17-18 (2 Full Days, 8:00 AM - 2:30 PM, #1177336). The Professional Development entry has a 'Cancel' button and a 'Pending' status indicator.

- To view the details of a particular assignment from the **Calendar View**, simply click the date to retrieve the detail for that day. You'll be shown your daily bell schedule, time off, or school calendar events.

You may see different dates on your calendar highlighted in different colors. Use the key below to see what each color indicates.

- **Gray** = Non-work days, like the weekend
- **Midnight Blue** = A scheduled absence
- **Red** = A school closing, like a holiday or emergency closing
- **Yellow** = A modified schedule, like a half-day or a two-hour delay
- **Light Blue** = Teacher workday or In-service day
- **A combination of colors** = An absence and a calendar event scheduled for the same day

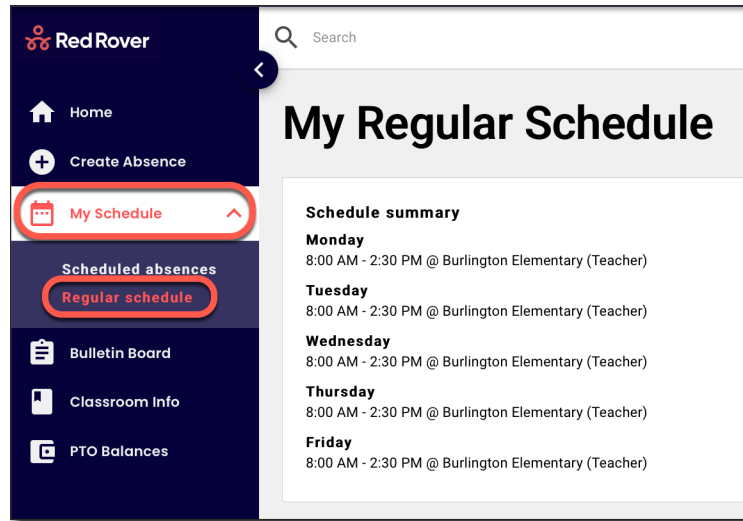
The screenshot shows the 'My Absence Schedule' page with a calendar view for February 2022. The calendar shows dates from January 30 to February 26. A red arrow points from the 'Friday, February 4' header to the date '4' in the calendar, which is highlighted in light blue. The date '4' is also highlighted in midnight blue, indicating a scheduled absence. The date '8' is highlighted in yellow, indicating a modified schedule. The date '21' is highlighted in red, indicating a school closing. The date '25' is highlighted in red, indicating a school closing. The date '28' is highlighted in yellow, indicating a modified schedule.

Red Rover Basics for Employees

My Schedule Page — Regular Schedule

To view your regular schedule, click **My Schedule** and then **Regular Schedule**. This is the default schedule Red Rover will use when you create an absence.

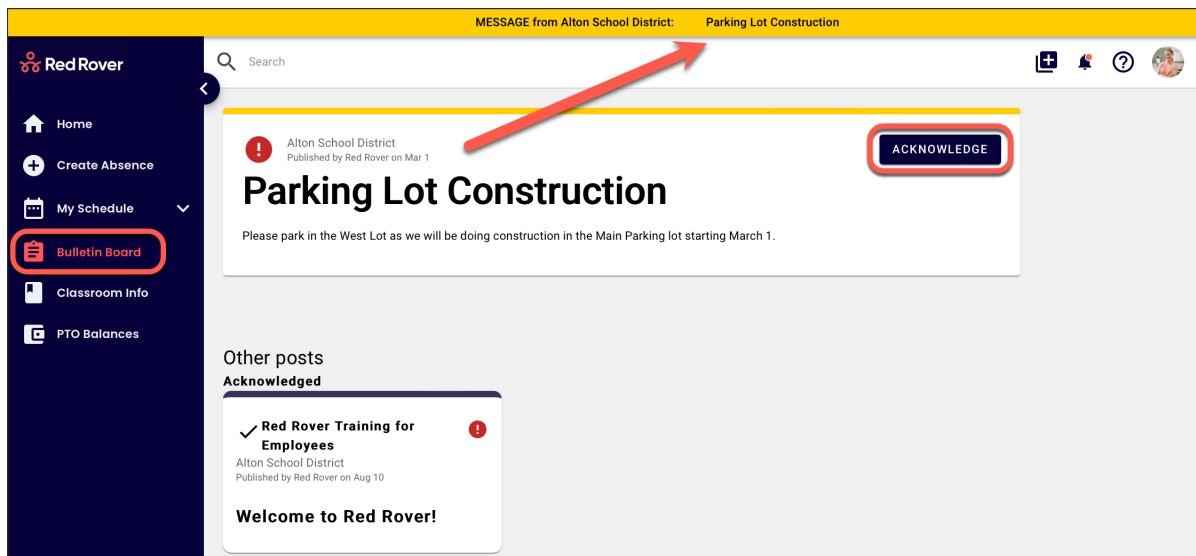
Note: If there is an error in your regular schedule, please contact your administrator.



Bulletin Board

School administrators use the bulletin board to communicate messages to specific groups for your district or school. Simply click **Bulletin Board** on the left menu to view any messages.

- If an admin chooses, some bulletin board posts will appear as a banner across the top of your screen.
- Click the banner to be taken to the message. Once you read the message, click **Acknowledge**. Clicking **Acknowledge** will dismiss the banner.
- Previously acknowledged posts will be displayed below.



Red Rover Basics for Employees

Sub Preferences

If your district permits, Red Rover will allow you to select a list of your favorite substitutes. **Favorite** subs will be given a "head start" on your absences. This will give the subs earlier access to your available jobs.

To Add a Sub to your Sub Preferences:

1. From the Home page, click on **Sub Preferences** in the menu.
2. On the right, type the first or last name of the sub in the **Search** box.
3. Find the sub in the list and click **Add Favorite** to the right of their name. This will add the sub to your list of favorite substitutes on the left.

The screenshot displays the Red Rover interface for managing substitute preferences. On the left, a dark sidebar contains navigation options, with 'Sub Preferences' highlighted by a red box. The main area is titled 'Substitute Preferences' and features a search bar at the top. Below the search bar, there are three panels: 'Favorite Substitutes' (showing Lydia Asher with a 'Remove' link), 'Blocked Substitutes' (showing 'Not Defined'), and 'All Substitutes'. The 'All Substitutes' panel includes a search box and a list of substitutes with their initials and names. The 'Add favorite' link for Sarah Adcock is circled in red, and a red arrow points from it to Lydia Asher in the 'Favorite Substitutes' list. The 'All Substitutes' list also shows Lydia Asher as a 'Favorite' with a 'Remove' link, and other substitutes like Kerrigan Neidert and Emma Quagila with 'Add favorite' links.

To Remove a Sub from your Sub Preferences:

1. From the Home page, click on **Sub Preferences** in the menu.
2. Find the sub in your favorite list on the left and click **Remove** to the right of their name.

Notes:

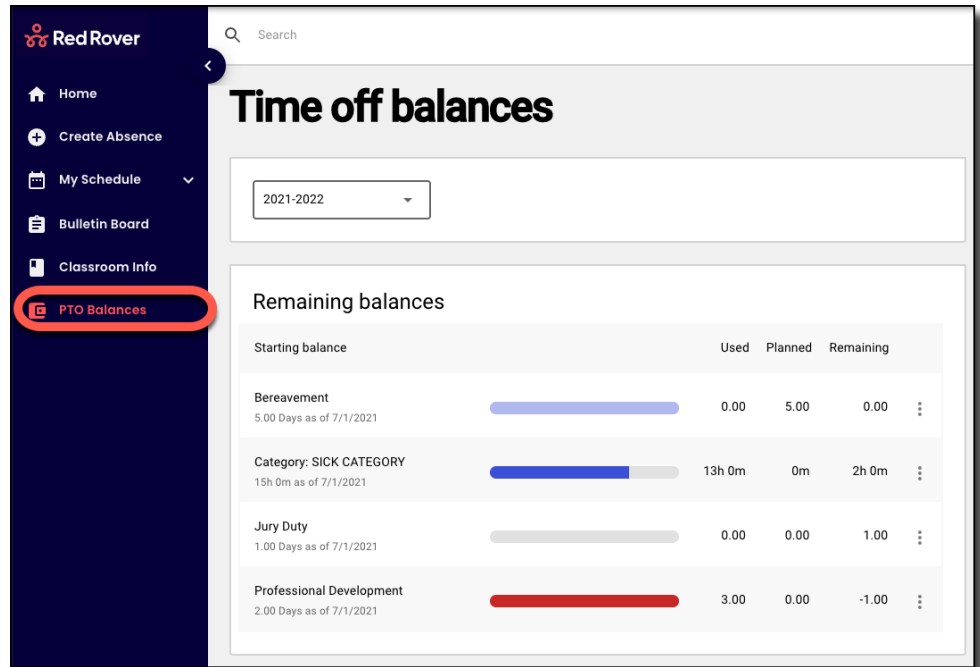
- Removing a sub from your **Favorites** list does not block the sub from seeing your available assignments.
- To block a substitute, please contact your school administrator.

Red Rover Basics for Employees

PTO Balances

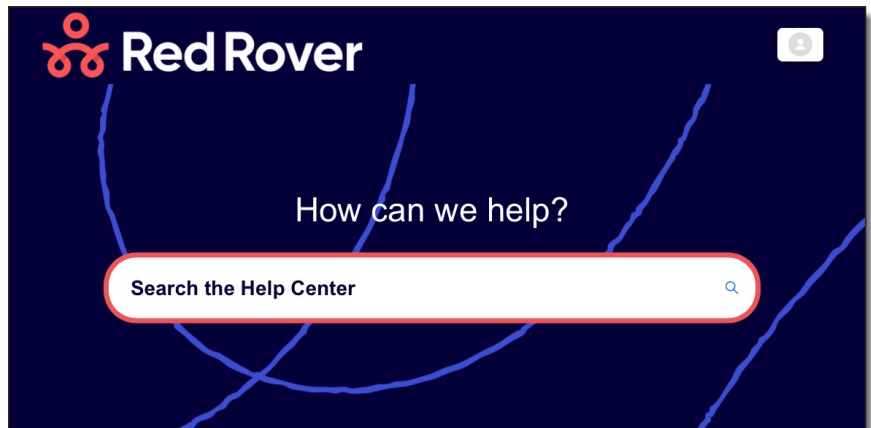
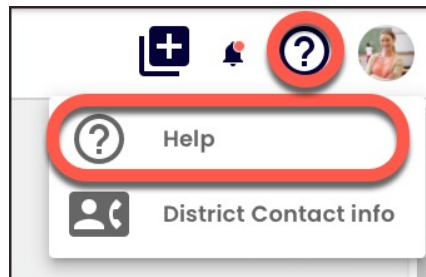
If your district allows, you can easily see your Time off Balances by going to the **PTO Balances** menu. Red Rover tracks your **Used**, **Planned**, and **Remaining** absence balances for district defined absence reasons.

- **Gray** - Remaining available balance
- **Red** - Exceeded absence balance
- **Dark Blue** - Absences were already taken
- **Light Blue** - Absences are scheduled but not yet taken



Help Center

To view our Help Center for additional resources, click on the question mark at the top right corner of the page and select **Help**.

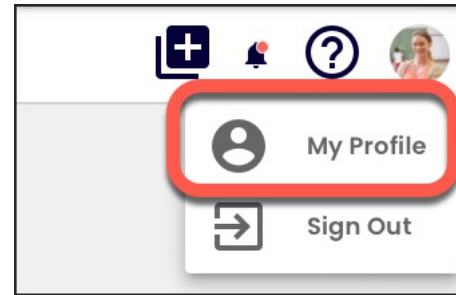


Red Rover Basics for Employees

Notification Settings

Red Rover can send you many kinds of notifications. To edit your notification preferences:

- Click on your profile icon in the top right.
- Select **My Profile**.
- Scroll to **Notification Preferences** and check or uncheck the corresponding boxes.

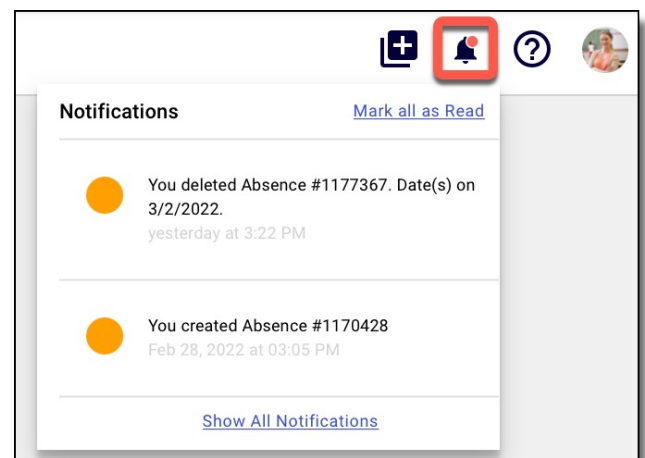


Notification Preferences			
Notification reason	Email	Mobile	Web
When someone creates an absence for me	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
When I create an absence	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
When a substitute is removed from my absence	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
When someone deletes my absence	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
When I delete an absence	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
When a substitute is assigned to my absence	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
When an absence I created is Approved	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
When an absence I created is Denied	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
When a bulletin board post is published	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
When timesheet submission deadline is approaching	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
When a time entry has an exception associated with it	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

[SAVE](#)

To see your notifications:

- Click on the **Bell Icon** in the upper right-hand corner.
- Click on each notification to mark it as read.
- Click **Mark all as Read** to remove all the notifications from the list.



NINE MILE FALLS SCHOOL DISTRICT NO 325/179
CLASSIFIED LEAVE REQUEST

EMPLOYEE'S NAME _____

BUILDING _____ POSITION _____

REGULAR NUMBER OF HOURS ASSIGNED FOR EACH DAY _____

12-MONTH EMPLOYEE _____ SCHOOL-YEAR EMPLOYEE _____ (PART TIME)

TYPE OF LEAVE

_____ SICK LEAVE/INJURY/EMERGENCY _____ JURY DUTY

_____ PERSONAL LEAVE _____ MILITARY LEAVE

_____ MATERNITY/PATERNITY LEAVE _____ EXTENDED LEAVE OF ABSENCE

_____ ADOPTION LEAVE _____ ASSOCIATION LEAVE

_____ CHILD REARING LEAVE _____ BEREAVEMENT/FAMILY ILLNESS

_____ ATTENDANCE AT MEETINGS & CONFERENCES*

*SPECIFY TYPE OF MEETING/CONF _____

_____ OTHER LEAVE OTHER LV EXPLANATION: _____

DATE(S) OF LEAVE AND HOURS PER DAY _____

SIGNATURE APPROVED BY DATE

SUBSTITUTE REQUIRED: YES _____ NO _____

DATES SUB NEEDED: _____ HOURS: _____

SUB SIGNATURE: _____

WHITE-PAYROLL

CANARY-PERSONNEL

PINK-SUB. FILE

GOLDENROD-EMPLOYEE

NINE MILE FALLS SCHOOL DISTRICT
PREAPPROVED ABSENCE REPORT
CERTIFIED EMPLOYEES

This form is to be used to request and record leave for certain activities. Leave is not granted until the form is signed by the building principal or administrator and form is returned to the employee. Leave must be requested at least two days prior to date of leave.

TO BE FILLED OUT BY THE EMPLOYEE

NAME _____ BUILDING _____

LEAVE LENGTH-FULL DAY _____ HALF DAY _____

LEAVE DATE(S) _____

SUBSTITUTE NEEDED YES NO

TYPE OF LEAVE REQUESTED:

_____ ADOPTION

_____ ANNUAL LEAVE

_____ ASSOCIATION LEAVE

_____ ATHLETICS SPORT _____

_____ BEREAVEMENT*

* Bereavement may be granted with less than two days notice.

_____ BLDG-COMMITTEE/MEETING TYPE _____

_____ BLDG-STAFF DEVELOPMENT CLASS OR SUBJECT _____

_____ DISTRICT-COMMITTEE/MEETING TYPE _____

_____ DISTRICT-STAFF DEVELOPMENT TYPE _____

_____ EXTRA-CURRICULAR ACTIVITY _____

_____ JURY DUTY

_____ LEAVE WITHOUT PAY

_____ MATERNITY/PATERNITY

EMPLOYEE SIGNATURE _____ DATE _____

ADMINISTRATOR APPROVAL _____ DATE _____

Safe Schools Employee Training

The Nine Mile Falls School District is committed to providing a safe and healthful work environment for staff and students.

All employees are required to take:



<http://9mile.wa.safeschools.com/login>

Your Login is _____ (Example: Thomas Robertson - ROBERTH000)

Hepatitis B immunizations are available to Nine Mile Falls School District staff. The Hepatitis B vaccine shall be provided at the district's expense to all employees identified as having risk of directly contacting blood or other potentially infectious material at work. If you believe you have an elevated risk for contracting Hepatitis B due to your position, please contact Human Resources.

*Employees are expected to complete the training annually by **October 31st**
(or within 30 days of employment)*

If you have questions about Bloodborne Pathogens or Health Emergencies please contact:

Renee Carroll (School Nurse) 509-340-4271 or rcarroll@9mile.org.

I have read and I understand the above information.

Signature: _____ Date: _____

Complete by: _____

**NINE MILE FALLS SCHOOL DISTRICT 325/179
CREDIT APPROVAL FORM**

Application to Apply Credits Earned to the Nine Mile Falls School District's Salary Schedule

Credits and clock hours earned by certificated staff shall count only if the content of the course meets one or more of the State-defined criteria listed in Section IV below. It is necessary to complete this form and establish eligibility before any credits can be accepted for District salary placement. A separate form is required for each transcript or clock hour activity (RCW 28A.415.023).

Section I – Employee Requesting Salary Schedule Placement

Name _____ School _____
(Last, First, Middle)

Section II – College Credits / Clock Hours

1) Course(s) Title _____

2) Credit Provider _____
(Must be an accredited College, University, or approved Clock Hour Provider)

3) Date Awarded _____ Number of Hours or Credits _____

Section III – Certification (State-defined criteria must meet one or more of the following):

I hereby certify that the content of the course(s) in which the above-described credits or clock hours were earned is:

- Consistent with a school-based plan for mastery of student learning goals for the school in which I am assigned;
- Pertinent to my current assignment or expected assignment for the following school year;
- Necessary for obtaining an endorsement as prescribed by the Washington Professional Educator Standards Board;
- Specifically required for obtaining advanced levels of certification;
- Included in a college or university degree program that pertains to my current assignment, or potential future assignment, as certificated instructional staff; or
- Addressed in research-based assessment and instructional strategies for students with dyslexia, dysgraphia, and language disabilities when addressing learning goal one as applicable and appropriate for individual certificated instructional staff.

Section IV – Course Description and Justification to Meet Objectives

Course Description: _____

How does the course meet the criteria checked above? _____

Employee's Signature Date

Supervisor's Signature Date

Director of Learning Signature Date

Field Trips, Excursions, and Outdoor Education

Field trips are defined as travel away from school premises, under the supervision of a teacher, with an approved course of study, for the purpose of affording students a direct learning experience not available in the classroom. The following procedures shall apply:

Field Trips

- A. Each school shall receive a budget allocation from which funds may be designated for field trips.
- B. The staff member shall submit a completed field trip request form to the principal at least two (2) weeks prior to the field trip. The proposer shall meet with the principal and review the plan for the field trip. This review should include a review of communication to parents regarding field trip, draft permission slip, transportation request form, chaperone guidelines, and training plan.
- C. The staff member shall contact the site to make specific arrangements for the field trip so that the desired activity can be coordinated with the classroom studies.
- D. The staff member shall be responsible for securing additional adult supervision for the trip. The following are **Maximum** ratios for field trips:

Grade Level	Day Trip	Overnight Trip
K-2	6:1	Not Authorized
3-5	8:1	6:1
6-8	10:1	6:1
9-12	12:1	8:1

When determining the ratio of additional adults to students, consideration shall be given to 1) the age of students to be supervised, 2) the type of activity or activities to be supervised, 3) the length of the trip and the distance to be traveled. The approving administrator may, at his/her discretion, and in the interest of ensuring student safety, require that a lower ratio than above be maintained.

For special events, such as the annual health fair where students can be safely supervised with a higher ratio of adults to children, the principal may set a higher supervision ratio.

- E. All chaperones must have a completed WSP background check prior to participating on the field trip.
- F. It is the responsibility of the staff member supervising the field trip to train chaperones prior to the field trip. Training shall include: supervision standards, behavioral expectations, special needs of students, emergency procedures.
- G. Private vehicles shall be used only under unusual circumstances. Such usage shall be in alignment with Policy 8131. If private vehicles are used, field trip forms shall be completed which acknowledge the name of the driver of each vehicle to be used. The District's liability insurance coverage will cover the risk assumed by the District. The driver shall be responsible for maintaining his/her own liability coverage as outlined in Policy 8131.
- H. Each student participating in a field trip must first return a permission slip signed by his/her parent. Parents shall be informed if private vehicles are to be used for the field trip.
- I. A letter of appreciation should be sent to the site host upon completion of the field trip.

Overnight Field Trips

- A. The staff member must submit to the principal a written plan, including purpose, supervision, itinerary, cost, housing, and student costs (if any) at least two weeks prior to submission to the board.
- B. After approval by the principal, the proposal should be submitted to the superintendent at least ten days prior to the board meeting.
- C. The staff member should attend the board work-session to answer any questions the board may have.
- D. After approval by the board, a written description of the overnight field trip shall be sent to the parent. All such field trips are optional. Parent permission is required.

International Travel

Approval of international travel shall be subject to the United States Department of State travel warnings. Travel warnings are issued when the state department decides, based on all relevant information, to recommend that Americans avoid travel to a certain country. District travel to Canada and Mexico will be approved unless either country is identified through a travel warning. No district-sponsored, international travel will be approved to any other country as long as the worldwide caution is in effect.

- A. The staff member must submit to the principal a written request for approval, including purpose, supervision, itinerary, cost, housing, and student costs six months before the date of the trip and before any fundraising begins or deposits are placed for the trip.
- B. After approval by the principal, all requests for both single and multi-school trips shall be approved by the superintendent at least one week prior to the board meeting.
- C. The staff member should attend the board meeting to answer any questions from the board.
- D. After approval by the board, a written description of the international, overnight field trip shall be sent to the parent. All such international trips are optional. Parent permission is required.
- E. All signed approval forms and trip records shall be kept on file at the school.
- F. Staff members and sponsors shall obtain competitive pricing to assure maximum student participation at the lowest possible cost.

Ideas for Developing Chaperone Guidelines

Remembering that most chaperones are unfamiliar with school and classroom behavioral standards, techniques of behavior management, management of emergency situations, etc. It is important that they are oriented to help ensure the safety of students they are supervising.

Consideration should be given to the following topics for training:

- Goals and objectives of program.
- Travel arrangements including overnight accommodations as needed.
- Behavioral Standards for adults (smoking, alcohol consumption, language, etc. while on trip).
- Behavioral standards and expectations for students on trip.

- How to deal with student misbehavior.
- Responsibility to supervise at all times, even on overnight field trips. (Chaperones should know the location of all students under their supervision at all times.)
- What to do in an emergency.
- Arrangements for coping with illness, accidents, and other emergencies.
- Working with students with specialized needs, (food allergies, behavioral issues, special learning needs).

Revised: September 2003
January 5, 2005

NINE MILE FALLS SCHOOL DISTRICT

Day Field Trip Request and Authorization Form

2320F-1

All field trips and student excursions must be submitted for approval at least two (2) weeks prior to trip.

School _____ Today's Date: _____

Teacher: _____ Class: _____

Destination: _____

Purpose—Learning Goals: _____

Date of Trip: _____ Alternate Date: _____

Departure Time: _____ Return Time: _____

Number of Students _____ Number of Adults _____

Meal Plan: _____

Special Transportation Instructions: _____

Funding Source(s): General Vocational ASB (*ASB Purchase Order No.*) _____

Field Trip Supervisor/Applicant: _____

Signature: _____

Attach the following for review:

- Draft communication to parents regarding field trip
- Draft permission slip
- Draft chaperone guidelines and training plan
- ASB Purchase Order if funding source is ASB
- List of Students Participating — Medical Plan Review by School Nurse _____

Principal Approval: _____ Date: _____

District Approval: _____ Date: _____

Transportation Manager Acknowledgment: _____ Date: _____

Business Office Use

*After principal approval, retain last copy and send other copies to District Office for approval.
White – Transportation, Yellow – District Office, Pink – School, Goldenrod – Initiator REV 0903*

Field Trip Permission and Emergency Treatment Slip

2320F-2

Date of Field Trip: _____

Destination: _____

Purpose of Trip: _____

Departure Time: _____ Return Time: _____

What to Bring: _____

Cost: _____ Ratio of Chaperones to Students: _____

I understand that playing/participating in any activity can involve risk of injury. I have discussed with my child the importance of following the instructions of the teacher and chaperone regarding playing techniques, and activity rules, to avoid unnecessary injuries to himself/herself or their classmates. I give my permission for my child, _____ to travel on this trip.

Parent/Guardian Signature Date

I give my permission for emergency treatment of my child by a licensed physician designated by a school official.

Student Name: _____ Date of Birth: _____

Parent/Guardian Signature: _____ Date: _____

How can we contact you during the field Trip?

Phone: _____ Home Work Cell Other _____

If we can't reach you in an emergency whom shall we contact? _____

Special Needs (medication, allergies, foods, inhalers, etc.) _____

Parent/Guardian Signature Date

NINE MILE FALLS SCHOOL DISTRICT 325/179

STUDENT TRAVEL
OUT-OF-STATE // OVERNIGHT

High School • Middle School • Elementary School

School: _____

Grade Level or Activity Making Request: _____

Teacher or Activity Supervisor: _____

Destination: _____ Number of Students: _____

Departure Time and Date: _____ Return Time and Date: _____

Educational Purpose of Trip: _____

Method of Transportation:

School Bus [] Charter Bus [] Airline [] Auto []

Finance:

Total Estimated Cost of the Trip: \$ _____ Please provide revenue breakdown:

ASB \$ _____ School Site Allocation \$ _____ Fund Raising \$ _____

Amount Paid by Student \$ _____ Donation \$ _____ Other \$ _____

Signature of Supervisor

ASB President

School Principal

Date Approved by School Board: _____

REIMBURSEMENT FOR TRAVEL EXPENSES

The actual and necessary expenses of a director, administrator, staff member or designate of the district incurred in the course of performing services for the district, whether within or outside of the district, may be reimbursed in accordance with the approval and reimbursement procedures of the district. For purposes of this policy, travel expense includes amounts paid for use of personal automobiles, other transportation, and actual expenses or reimbursement in lieu of actual expenses for meals, lodging and related items that are necessary while in the conduct of official business of the district. A staff member or district officer may be reimbursed for gratuities not exceeding customary percentages for the cost of meals as well as reasonable amounts for such services as baggage handling when the costs are incurred while the individual is engaged in district business or other approved travel.

Reimbursement for travel expenses shall be made pursuant to the federal internal revenue code and internal revenue service regulations.

Legal References: RCW 28A.320.050

42.24.090

Ch. 3, Sec. 4, Page 1

Reimbursement of expenses of directors, superintendents, other school representatives, and superintendent candidates — Advancing anticipated Municipal corporations and political subdivisions — Reimbursement claims by officers and employees — Detailed account — Travel allowances and allowances in lieu of actual expenses — Certification — Forms

School Accounting Manual

Management Resources:

Policy News, December 1999

IRS rules impact travel reimbursement

Adoption Date: February 16, 1995

Revised and Renumbered (5341): June 16, 2004

June 15, 2005

Reimbursement for Travel Expenses

Travel Request

Travel requests must be approved by the staff member's supervisor having budgetary control over the charge prior to submission to the superintendent. Out-of-district travel must be approved by the superintendent or designee.

Reimbursement of Claims

Employee Expense Reimbursement Requests will be submitted to the business office within ten (10) working days of return from travel status. The business office will make appropriate reimbursement based on verifiable information submitted. In order to be reimbursed in a given month, the Employee Expense Reimbursement Request must be received by the business office by the 10th of the month. The business office will return any reimbursement requests that are incomplete or contain errors. The supervisor/administrator having budgetary jurisdiction is to approve the request.

A mileage report is to be submitted each month for reimbursement of mileage in a personal vehicle inside the district or for authorized travel outside of the district. The report must show each point of departure and destination and reason for the trip.

A statement of expenses is to be submitted for each trip for which reimbursement is being requested.

Reimbursable Expenses

Lodging	Reasonable rates	Itemized receipt required
Meals	Reasonable rates	No receipt required
Airline, Train, Bus Fare	Tourist rate	Cancelled ticket serves as receipt
Taxi, Parking, Toll		Receipt preferred
Mileage — personal car	<p>Inside the District: Reimbursement allowed only when approved in advance by the staff member's supervisor. When travel is a necessary part of performing one's work, the staff member may receive blanket approval for the year.</p> <p>Outside the District: Reimbursement allowed for approved trips and when there is evidence that a district vehicle was not available for use on the day of travel. Reimbursement shall be at the mileage rate pursuant to the federal internal revenue code and internal revenue service regulations.</p>	

A. Meals and Lodging:

- 1) Whether claiming actual meal costs or the per diem rate, the meal must be listed separately by date.

- 2) No reimbursement is allowed for a meal at the home starting point.
- 3) If a meal is provided as part of the registration cost, the employee may not request reimbursement for a meal obtained elsewhere.
- 4) The IRS states that reimbursement of meal expenses is, in general, considered a taxable fringe benefit when travel is not overnight.
- 5) Meals may be reimbursed at the actual cost if a specific meal is provided in the course of a meeting (working meal) or setting where employee is attending as a representative of the district. The specific meal being reimbursed must be at a set rate for all attendees and the employee has no choice of a different priced meal or to leave the location for that meal. A receipt and proof of the meal's set price must be provided.
- 6) Meals will be reimbursed at the individual meal rate unless the travel is performed to the conference or meeting in the early morning and the return is performed after the normal dinner hour or an overnight stay is required.
- 7) Hotel and motel bills must be filed with the Expense Reimbursement Form.
- 8) The maximum daily reimbursement rate for meals and lodging will be determined by the Washington State Office of Financial Management, based on the location of the conference.
- 9) No reimbursement will be made for guests.
- 10) For registration reimbursement, a copy of the completed registration form showing the cost, along with the receipt or copy of check must be attached to the Employee Expense Reimbursement Form

B. Transportation:

- 1) Receipts for airline tickets (coach rate) will be reimbursed by the District.
- 2) Ferry, bridge tolls and parking charges are allowed provided receipts and/or appropriate explanatory documentation is included with the Employee Expense Reimbursement Form.
- 3) Taxi/Uber fees may be reimbursed if it is determined that travel by this means is more economical than auto rental. The rental of an automobile is allowed when this mode of transportation is more economical or needed because of travel requirements. The district will reimburse for no larger than a mid-size car. Rental cars will be reserved using the district purchase order or credit card when possible.
- 4) Mileage, by private car when allowed, is at the current Internal Revenue Service rate per mile.

Travel Advances

Travel advances for employee travel is not authorized.

Nonreimbursable Expenses

The following expenses are not reimbursable:

1. Alcoholic beverages, meals or snacks other than regular meals.
2. Personal telephone calls, postage, and memberships.
3. Mileage to and from home.
4. Mileage for school levy promotions and other nonofficial school functions.
5. Entertainment.

6. Expenses for travel extending beyond the time required for the meeting or business, unless it is in the district's financial interest to extend the travel over a Saturday night or such other rate advantages.
7. Expenses incurred by non-employees traveling with the staff member, including room surcharges.
8. Charges for hotel room service or other non-essentials.

Revised and Renumbered (5341P): June 16, 2004
Revised: August 20, 2018

Nine Mile Falls School District
WORK ORDER REQUEST FORM

- **Employees are encouraged to note maintenance work needed** and to submit work order requests to their building principal
- **Building principals will prioritize work orders** and ensure all supplies and services required to complete work orders are within the budget.
- **Principals will forward work orders to their buildings Head Custodian to be entered into School Dude.**

DATE _____

School: _____
Room: _____
Requested By: _____
Authorized By: _____

For Maintenance Office Use Only
Completion Date: _____
Completed By: _____
Comments: _____ _____ _____

Work Requested (be specific): _____ _____ _____ _____ _____

Nine Mile Falls School District

Policies and Procedures

The following is a select group of policies and procedures we would like you to become familiar with. This is not, however, all of the policies and procedures of the Nine Mile Falls School District.

Electronic copies of the district's entire Policy and Procedure books may be found on the district's web site at www.9mile.org on the Board of Directors page. If you have trouble accessing these, please contact Angela Spencer at 509-340-4302.

COPYRIGHT COMPLIANCE

The board recognizes that federal law makes it illegal to duplicate copyrighted materials without authorization of the holder of the copyright, except for certain exempt purposes.

Severe penalties may be imposed for unauthorized copying or using of audiovisual or printed materials and computer software, unless the copying or using conforms to the "fair use" doctrine.

Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. If duplicating or changing a product is to fall within the bounds of fair use, these four standards must be met for any of the foregoing purposes:

- A. **THE PURPOSE AND CHARACTER OF THE USE.** The use must be for such purposes as teaching or scholarship.
- B. **THE NATURE OF THE COPYRIGHTED WORK.** Staff may make single copies of: book chapters for use in research; instruction or preparation for teaching; articles from periodicals or newspapers; short stories, essays or poems; and charts, graphs, diagrams, drawings, cartoons or pictures from books, periodicals, or newspapers in accordance with these guidelines.
- C. **THE AMOUNT AND SUBSTANTIALITY OF THE PORTION USED.** Copying the whole of a work cannot be considered fair use; copying a small portion may be if these guidelines are followed.
- D. **THE EFFECT OF THE USE UPON THE POTENTIAL MARKET FOR OR VALUE OF THE COPYRIGHTED WORK.** If resulting economic loss to the copyright holder can be shown, even making a single copy of certain materials may be an infringement, and making multiple copies presents the danger of greater penalties.

While the district encourages its staff to enrich the learning programs by making proper use of supplementary materials, it is the responsibility of district staff to abide by the district's copying procedures and obey the requirements of the law. In no circumstances shall it be necessary for district staff to violate copyright requirements in order to perform their duties properly. The district cannot be responsible for any violations of the copyright law by its staff.

Any staff member who is uncertain as to whether reproducing or using copyrighted material complies with the district's procedures or is permissible under the law should contact the superintendent or the person designated as the copyright compliance officer. The latter will also assist staff in obtaining proper authorization to copy or use protected material when such authorization is required.

The superintendent, copyright compliance officer or designee shall file with the federal Copyright Office, and post the same information on the district's web site, his or her designation as the district's agent, in the district's role as an Internet service provider, to receive notifications that claim that users of the district's Internet network have infringed copyright.

Cross Reference:	Board Policy 2022	Electronic Information Systems (Network)
Legal References:	P.L. 94-553,	Federal Copyright Law of 1976 (U.S. Code, Title 17)
	P.L. 105-304	Digital Millennium Copyright Act of 1998

Adoption Date: October 26, 1983 (Policy 2312)

Revised: September 12, 1991

Revised and Renumbered: November 19, 2003

Copyright Compliance

Staff may make copies of copyrighted school district materials that fall within the following guidelines. Where there is reason to believe the material to be copied does not fall within these guidelines, prior permission shall be obtained from the principal. Staff members who fail to follow this procedure may be held personally liable for copyright infringement.

Authorized Reproduction And Use Of Copyrighted Material In Print

Reminders:

- A. Materials on the Internet should be used with caution since they may be copyrighted.
- B. Proper attribution (author, title, publisher, place and date of publication) should always be given.
- C. Notice should be taken of any alternations to copyrighted works, and such alternations should only be made for specific instructional objectives.
- D. Care should be taken in circumventing any technological protection measures. While materials copied pursuant to fair use may be copied after circumventing technological protections against unauthorized copying, technological protection measures to block access to materials may not be circumvented.

In preparing for instruction, a teacher may make or have made a **single** copy of:

- A. A chapter from a book;
- B. An article from a newspaper or periodical;
- C. A short story, short essay or short poem; or
- D. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

A teacher may make **multiple** copies not exceeding more than one per pupil, for classroom use or discussion if the copying meets the tests of “brevity, spontaneity and cumulative effect “ set by the following guidelines. Each copy must include a notice of copyright.

A. Brevity

1. A complete poem, if less than 250 words and two pages long, may be copied; excerpts from longer poems cannot exceed 250 words;
2. Complete articles, stories or essays of less than 2500 words or excerpts from prose works less than 1000 words or 10% of the work, whichever is less may be copied; in any event, the minimum is 500 words;
3. Each numerical limit may be expanded to permit the completion of an unfinished line of a poem or prose paragraph;
4. One chart, graph, diagram, drawing, cartoon or picture per book or periodical issue may be copied. “Special” works cannot be reproduced in full; this includes children's books combining poetry, prose or poetic prose. Short special works may be copied up to two published pages containing not more than 10 percent of the work.

- B. Spontaneity – Should be at the “instance and inspiration “ of the individual teacher when there is not a reasonable length of time to request and receive permission to copy.

- C. **Cumulative Effect** – Teachers are limited to using copied material for only one course in the school in which copies are made. No more than one short poem, article, story or two excerpts from the same author may be copied, and no more than three works can be copied from a collective work or periodical column during one class term. Teachers are limited to nine instances of multiple copying for one course during one class term. Limitations do not apply to current news periodicals, newspapers and current news sections of other periodicals.

Performances by teachers or students of copyrighted dramatic works without authorization from the copyright owner are permitted as part of a teaching activity in a classroom or instructional setting. All other performances require permission from the copyright owner.

The copyright law prohibits using copies to replace or substitute for anthologies, consumable works, compilations or collective works. “Consumable “ works include: workbooks, exercises, standardized tests, test booklets and answer sheets. Teachers cannot substitute copies for the purchase of books, publishers' reprints or periodicals, nor can they repeatedly copy the same item from term-to-term. Copying cannot be directed by a “higher authority “, students cannot be charged more than actual cost of photocopying.

Teachers may use copyrighted material in overhead or opaque projectors for instructional purposes.

Authorized reproduction and use of copyrighted materials in the library:

A library may make a **single** copy or three digital copies of:

1. An **unpublished** work which is in its collection;
2. A published work in order to replace it because it is damaged, deteriorated, lost or stolen, provided that unused replacement cannot be obtained at a fair price.
3. A work that is being considered for acquisition, although use is strictly limited to that decision. Technological protection measures may be circumvented for purposes of copying materials in order to make an acquisition decision.

A library may provide a single copy of copyrighted material to a student or staff member at no more than the actual cost of photocopying. The copy must be limited to one article of a periodical issue or a small part of other material, **unless** the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. In the latter circumstance, the entire work may be copied. In any case, the copy shall contain the notice of copyright and the student or staff member shall be notified that the copy is to be used only for private study, scholarship or research. Any other use may subject the person to liability for copyright infringement.

At the request of a teacher, copies may be made for reserve use. The same limits apply as for single or multiple copies designated in “Authorized Reproduction and Use of Copyrighted Material in Print. “

Authorized Reproduction And Use Of Copyrighted Music

A teacher may make a single copy of a song, movement, or short section from a printed musical work that is unavailable except in a larger work for purposes of preparing for instruction.

A teacher may make multiple copies for classroom use of an excerpt of not more than 10% of a printed musical work if it is to be used for academic purposes other than performance, **provided** that the excerpt does not comprise a part of the whole musical work which would constitute a performable unit such as a complete section, movement, or song. In an emergency, a teacher may

make and use replacement copies of printed music for an imminent musical performance when the purchased copies have been lost, destroyed or are otherwise not available.

A teacher may make and retain a single recording of student performances of copyrighted material when it is made for purposes of evaluation or rehearsal.

A teacher may make and retain a single copy of excerpts from recordings of copyrighted musical works for use as aural exercises or examination questions.

A teacher may edit or simplify purchased copies of music provided that the fundamental character of the music is not distorted. Lyrics shall not be altered or added if none exist.

Performance by teachers or students of copyrighted musical works is permitted without the authorization of the copyright owner as part of a teaching activity in a classroom or instructional setting. The purpose shall be instructional rather than for entertainment.

Performances of nondramatic musical works which are copyrighted are permitted without the authorization of the copyright owner, provided that:

- A. The performance is not for a commercial purpose;
- B. None of the performers, promoters or organizers are compensated; and
- C. Admission fees are used for educational or charitable purposes only.

All other musical performances require permission from the copyright owner.

Off-Air Recording Of Copyrighted Programs

Television programs, excluding news programs, transmitted by commercial and non-commercial television stations for reception by the general public without charge may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained by a school for a period not to exceed the first forty-five (45) consecutive calendar days after date of recording. Upon conclusion of this retention period, all off-air recordings must be erased or destroyed immediately.

Off-air recording may be used once by individual teachers in the course of instructional activities, and repeated once only when reinforcement is necessary within a building, during the first ten (10) consecutive school days, excluding scheduled interruptions, in the forty-five (45) calendar day retention period.

Off-air recordings may be made only at the request of and used by individual teachers, and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast.

A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers. Each additional copy shall be subject to all provisions governing the original recording.

After the first ten (10) consecutive school days, off-air recordings may be used up to the end of the forty-five (45) calendar day retention period only for evaluation purposes, i.e., to determine whether or not to include the broadcast program in the teaching curriculum. Permission must be secured from the publisher before the recording can be used for instructional purposes after the ten (10) day period.

Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.

All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.

Authorized Reproduction And Use Of Copyrighted Computer Software

Schools have a valid need for high-quality software at reasonable prices. To assure a fair return to the authors of software programs, the school district shall support the legal and ethical issues involved in copyright laws and any usage agreements that are incorporated into the acquisition of software programs.

To this end, the following guidelines shall be in effect:

- A. All copyright laws and publisher license agreements between the vendor and the district shall be observed;
- B. Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment;
- C. A back-up copy shall be purchased, at least, for use as a replacement when a program is lost or damaged. If the vendor is not able to supply such, the district, in accordance with P.L. 96-517, Section 7(b), shall make a back-up program and attest that the program will be used for replacement purposes only;
- D. The principal is authorized to sign a software license agreement on behalf of the school. A copy of said agreement shall be retained by the principal.
- E. A computer program may be adapted by adding to the content or changing the language. The adapted program may not be distributed.

Fair Use Guidelines For Education Multimedia

- A. Fair use does not include posting a student or teacher's work on the Internet if it includes portions of copyrighted materials. Permission to copy shall be obtained from the original copyright holder(s) before such projects are placed online.
- B. The opening screen of such presentations shall include notice that they were prepared under the fair use exemption of the US copyright law and are restricted from further use.
- C. Students may incorporate portions of copyrighted materials in producing educational multimedia projects for a specific course, and may perform, display or retain the projects.
- D. Educators may perform or display their own multimedia projects to students in support of curriculum-based instructional activities. These projects may be used:
 1. In face-to-face instruction;
 2. In demonstrations and presentations, including conferences;
 3. In assignments to students;
 4. For remote instruction if distribution of the signal is limited;
 5. Over a network that cannot prevent duplication for fifteen days, after fifteen days a copy may be saved on-site only; or

6. In their personal portfolios.

Educators may use copyrighted materials in a multimedia project for two years, after that permission must be requested and received.

- E. The following limitations restrict the portion of any given work that may be used pursuant of fair use in an educational multimedia project:
 1. Motion media: ten percent or three minutes, whichever is less
 2. Text materials: ten percent or 1,000 words, whichever is less
 3. Poetry: an entire poem of fewer than 250 words, but no more than three poems from one author or five poems from an anthology. For poems of greater than 250 words, excerpts of up to 250 words may be used, but no more than three excerpts from one poet or five excerpts from an anthology
 4. Music, lyrics and music video: Up to ten percent, but no more than thirty seconds. No alterations that change the basic melody or fundamental character of the work.
 5. Illustrations, cartoons and photographs: No more that five images by an artist, and no more than ten percent or fifteen images whichever is less from a collective work.
 6. Numerical data sets: Up to ten percent or 2,500 field or cell entries, whichever is less.

Copying Limitations

Circumstances will arise when staff are uncertain whether or not copying is prohibited. In those circumstances, the superintendent or designated copy-right compliance officer should be contacted. The following prohibitions have been expressly stated in federal guidelines:

- A. Reproduction of copyrighted material shall not be used to create or substitute for anthologies, compilations or collective works.
- B. Unless expressly permitted by agreement with the publisher and authorized by district action, there shall be no copying from copyrighted consumable materials such as workbooks, exercises, test booklets, answer sheets and the like.
- C. Staff shall not:
 1. Use copies to substitute for the purchase of books, periodicals, music recordings, computer software or other copyrighted material except as permitted by district procedure;
 2. Copy or use the same item from term to term without the copyright owner's permission;
 3. Copy or use more than nine instances of multiple copying of protected material in any one term;
 4. Copy or use more than one short work or two excerpts from works of the same author in any one term; or
 5. Copy or use protected material without including a notice of copyright. The following is a satisfactory notice: NOTICE: THIS MATERIAL MAY BE PROTECTED BY COPYRIGHT LAW.

Staff shall not reproduce or use copyrighted material at the direction of someone in higher authority or copy or use such material in emulation of some other teacher's use of copyrighted material without permission of the copyright owner.

Date: October 27, 1983
Revised: November 19, 2003

CONTROVERSIAL ISSUES/GUEST SPEAKERS

The district shall offer courses of study, which will afford learning experiences appropriate to the level of student understanding. The instructional program shall respect the right of students to face issues, to have free access to information, to study under teachers in situations free from prejudice and to form, hold, and express their own opinions without personal prejudice or discrimination. The district encourages staff members to provide for the free and orderly flow and examination of ideas so that students may gain the skills to gather and arrange facts, discriminate between facts and opinion, discuss differing viewpoints, analyze problems and draw their own tentative conclusions.

Teachers shall guide discussions and procedures, including the use of guest speakers to gain divergent points of view, with thoroughness and objectivity to acquaint students with the need to recognize opposing viewpoints, the importance of fact, the value of judgment and the virtue of respect for conflicting opinions. Teachers will exercise professional judgment in determining the appropriateness of the issue to the curriculum and the maturity of the students. When in doubt regarding appropriateness, the matter should be referred to the principal.

The superintendent shall establish procedures for the approval of the use of a guest speaker. When an invited speaker expresses opinions which are partisan or considered controversial by a large portion of the community, the school shall provide for the presentation of opposing views.

- A. If the teacher and the principal believe the guest speaker's topic is controversial, they will develop a plan whereby the issue(s) can be presented in an objective unbiased manner.
- B. In the event the speaker's topic is determined to be controversial, the teacher will notify students beforehand that any student who does not wish to attend the presentation may have alternative assignment.

Adoption Date: September 12, 1991

Revised: December 17, 2003

Controversial Issues/Guest Speakers

Teaching About Controversial Issues

The following procedures will be followed when controversial curriculum material is to be presented to classes:

1. The material is to be reviewed by the teacher and the principal. Deletions and additions may be made at this point.
2. Annually (preferably at the beginning of the school year/semester) parents will be notified of the district's intent to teach subject matter or activity in question, and a time will be provided for parents to review the materials to be used and the course outline or curriculum guide. Parents will be notified of any subsequent subject matter/activity that may need to be presented during the school year.
3. Permission/notification slips (2331F-1) will be given to each student to deliver to the parents/guardian for completion and signature, and then returned to the school. If the signed permission/notification slip is not returned, the district will treat the situation as negating permission to participate in the curriculum/activity. The student will not be allowed to participate in the stipulated subject matter/activity (see #4).
4. Constructive alternative uses of class time will be provided for those students whose parents do not elect (or return the permission/notification slip) to have their child participate.
5. Parents will have the opportunity to annually review the curriculum at the beginning of the school year/semester/or prior to the activity to ascertain any subject area(s) they feel to be controversial. It is the parent's responsibility to notify the teacher(s) if they deem specific subject matter/activity to be controversial.

It is essential that any controversial material be presented in a mature, intelligent, and non-facetious manner. If there is any indication of deviation from this, principals are instructed to discontinue the course/activity immediately.

The district recognizes the following as examples of Controversial Courses:

- Instruction involving sexual relations
- Instruction on religious philosophies

Possible Controversial Activities:

- Holiday Parties (i.e., Halloween, Christmas, Valentine's Day, Easter)

To Register Concerns About Controversial Issues:

1. If there is a concern about the instructional materials being utilized (i.e., text book, library book, required reading, etc.) refer to Procedure 2021P Instructional Materials.
2. If there is a concern about subject matter that arises during a lecture, writing assignments, etc. the parent(s) should follow the procedure as outlined in Complaints Concerning Programs 4220P.

Guest Speakers

The following procedures will be in effect when guest speakers are being considered for use in the classroom:

When a teacher believes that a guest speaker will contribute to the curriculum by helping to achieve the goals and objectives of the course, the staff member will follow the procedure set out below.

1. At least two weeks before the date the speaker will visit, the teacher will notify the principal on the attached form (2331F-2) whom he/she wants to invite, how the speaker's topic will relate to the curriculum, and when the speaker will visit.

Any teacher may request a waiver of the two-week notice period and any principal may grant such a waiver in order to accommodate the scheduling of a speaker on short notice. However, such a waiver shall be at the sole discretion of the principal and the previous granting of such waivers shall not obligate any principal to grant a waiver for any future request.

2. If the teacher and the principal believe the guest speaker's topic is controversial, they will develop a plan whereby the issue(s) can be presented in an objective unbiased manner.
3. In the event the speaker's topic is determined to be controversial, the teacher will notify students beforehand that any student who does not wish to attend the presentation may have an alternative assignment.
4. Unless the principal approves otherwise, the teacher will not allow non-class members to hear the speaker.
5. If the principal has reason to believe that the appearance of the guest speaker would not contribute to the curriculum or would be harmful to the students, he/she may deny the appearance of the guest speaker. If the teacher disagrees with the denial, he/she may appeal to the superintendent to determine whether the speaker should be allowed.

Date: June 15, 1995

Revised: December 17, 2003

**NINE MILE FALLS SCHOOL DISTRICT
CONTROVERSIAL SUBJECT PERMISSION / NOTIFICATION FORM**

Office of the Principal
_____ School

Dear Parent:

Beginning _____, 20_____, material and/or activity relating to the subject of _____
_____ will be presented in the _____
grade class by _____ (teacher's name).

School Board policy states that parental permission is needed in order to present this material.

The textbooks and/or other materials to be used in this course/activity will be available for your review on
_____ at _____.
date location

If you do not wish your child to receive instruction or to participate in this area, alternative arrangements will be made for him/her.

Please return the attached permission/notification form to the teacher whose name appears at the beginning of this letter. Indicate "YES" for permission, or "NO" for denial of participation. If this form is not returned with parental signature, your child will **not be allowed to participate**. Alternative arrangements will be made.

Office of the Principal

Student's Name
has my permission to participate in _____ _____ yes
course/activity name
does not have my permission to participate in _____ _____ no

Signature of Parent or Guardian

Date

Distribution: Teacher // Principal // Parents

NINE MILE FALLS SCHOOL DISTRICT

REQUEST FOR GUEST SPEAKER

Name of Staff Member

Date Submitted

Staff members who desire to invite a guest speaker(s) should submit this request form to the building principal two (2) weeks prior to the anticipated date. This form will be returned to the staff member within a week after receipt. (Waivers in this procedure shall be at the sole discretion of the principal.)

Name of Guest(s)

Anticipated Date

Relationship and contribution to course objectives:

Background of speaker as it relates to the above:

Request Approved _____ Denied _____

Rationale (if denied)

Principal

Date

RELIGIOUS-RELATED ACTIVITIES AND PRACTICES

The board recognizes that views and opinions regarding the relationship of the schools and religion are diverse. While community opinions are important in shaping policy, the board must give primary credence to the United States and Washington state constitutions, state law and the decisions made by the respective courts when establishing guidelines for making decisions regarding religious-related activities and practices. The board further accepts the declaration of the State Board of Education that “all students . . . possess the constitutional right to the free exercise of religion and to have their schools free from sectarian control or influence.” To this end, the board hereby establishes the following guidelines to preserve the rights of all students within the framework of the respective constitutions.

- A. Instruction about religious matters and/or using religious materials shall be conducted in an objective, neutral, non-devotional manner and shall serve a secular educational purpose. History, sociology, literature, the arts and other disciplines taught in school may have a religious dimension. Study of these disciplines, including the religious dimension, shall give neither preferential nor disparaging treatment to any single religion or to religion in general and must not be introduced or utilized for devotional purposes.

Criteria used to guide academic inquiry in the study of religion shall seek the same neutrality, objectivity and educational effectiveness expected in other areas of the curriculum. In addition, materials and activities should be sensitive to America's pluralistic society and should educate rather than indoctrinate. Instructional activities should meet the three-part test established and used by the U.S. Supreme Court to determine constitutionality: (1) the activity must have a secular purpose; (2) the activity's principal or primary effect must be one that neither advances nor inhibits religion; and (3) the activity must not impose excessive involvement on the part of the school in order to maintain a neutral position towards the advancement of religion. This constitutional restriction shall not preclude a student from expressing his/her views relative to belief or non-belief about a religious-related issue in compositions, reports, music, art, debate and classroom discussion, when consistent with the assignment.

All religious-related instructional materials and/or activities must relate to a secular student learning goals or standards.

Staff shall avoid assigning work that emphasizes the religious aspects of a holiday. Individual students should be allowed, at their own direction, to use religious personages, events or symbols as a vehicle for artistic expression, if consistent with the assignment. State law prohibits staff from requiring that students reveal, analyze or critique their religious beliefs, from grading academic work on its religious expression if any, from censoring or imposing consequences on students who engage in religious expression in accordance with the law, or from imposing the religious beliefs of the staff member on students.

- B. A student may decline to participate in a school activity that is contrary to his/her religious convictions.
- C. If noncurriculum-related student groups are permitted to meet on school premises immediately before or after school hours, students shall be permitted to meet to discuss religious, political, philosophical or other issues provided such group meetings are student-initiated and student-managed in compliance with Board Policy 2153, Non-curriculum Related Student Groups.

- D. Religious groups may rent school facilities under the policy providing for facilities rental. Activities of such groups shall be clearly separated from school sponsored activities so that the school district does not support or appear to support the establishment of religion.
1. Religious services, programs or assemblies that contain elements advocating or disparaging religion shall not be conducted in school facilities during school hours or in connection with any school sponsored or school related activity.
- E. A student may distribute religious literature under the same conditions that other literature may be distributed on the campus provided that such distribution does not intrude on the operation of the school.
- F. Material and/or announcements promoting religion may not be distributed by non-students or on behalf of groups or individuals who are not students.
- G. Religious services, programs or assemblies shall not be conducted in school facilities during school hours or in connection with any school sponsored or school related activity. Speakers and/or programs that convey a religious or devotional message are prohibited. This restriction does not preclude the presentation of choral or musical assemblies which may use religious music or literature as a part of the program or assembly.
- H. Musical, artistic and dramatic presentations which have a religious theme may be included in course work and programs on the basis of their particular artistic and educational value or traditional secular usage. They shall be presented in a neutral, non-devotional manner, be related to the objective of the instructional program, and be accompanied by comparable artistic works of a nonreligious nature.
- Since a variety of activities is included as part of a holiday theme, care must be exercised to focus on the historical and secular aspects of the holiday rather than its devotional meanings. Music programs shall not use the religious aspect of a holiday as the underlying message or theme. Pageants, plays and other dramatic activities shall not be used to convey religious messages. Religious symbols such as nativity scenes, if used, shall be displayed in conjunction with a variety of secular holiday symbols so that the total presentation emphasizes the cultural rather than religious significance of the holiday.
- I. A student, upon the request of a parent, may be excused to participate in religious instruction for a portion of a school day provided the activity is not conducted on school property. (Credit shall not be granted for such instruction.)
- J. Upon receipt of a parent(s) request, a student shall be excused from attending school in observance of a religious holiday.
- K. Students may wear religious attire or symbols provided they are not materially and substantially disruptive to the educational process.
- L. As a matter of individual liberty, a student may of his/her own volition engage in private, non-disruptive prayer at any time not in conflict with learning activities. School staff shall neither encourage, or discourage a student from engaging in non-disruptive oral or silent prayer or any other form of devotional activity.
- M. Commencement exercises shall be free from sectarian influence, including invocations and benedictions.

N. There shall be no school sponsorship of baccalaureate services. Interested parents and students may plan and organize baccalaureate exercises provided that the service is not promoted through the school and staff, and student participation is voluntary.

Students, parents and staff who are aggrieved by practices or activities conducted in the school or district may register their concern with the building principal or district superintendent.

Cross References:	Board Policy 2153	Noncurriculum-related Student Groups
	Board Policy 3122	Student Absences
	Board Policy 3220	Freedom of Expression
	Board Policy 3223	Freedom of Assembly
	Board Policy 3224	Student Dress
	Board Policy 4220	Complaints Regarding Staff or Program
	Board Policy 4237	Contests, Advertising and Promotions
	Board Policy 4235	Public Performances
	Board Policy 4260	Use of School Facilities

Legal References:	U.S. Constitution	First Amendment, Fourteenth Amendment
	Wash. Constitution	Art. I, § 11
	Wash. Constitution	Art. 9, Sec. 4 and Art. 26
	RCW 28A.600.025	Student rights of religious expression - Duty of superintendent of public instruction to inform school districts
	WAC 392-400-227	School district rules defining students' religious rights

Adoption Date: November 13, 1985
Revised: December 17, 2003
April 16, 2008

Sexual Harassment of Students Prohibited

This district is committed to a positive and productive education free from discrimination, including sexual harassment. This commitment extends to all students involved in academic, educational, extracurricular, athletic, and other programs or activities of the school, whether that program or activity is in a school facility, on school transportation or at a class or school training held elsewhere.

Definitions

For purposes of this policy, sexual harassment means unwelcome conduct or communication of a sexual nature. Sexual harassment can occur adult to student, student to student or can be carried out by a group of students or adults and will be investigated by the District even if the alleged harasser is not a part of the school staff or student body. The district prohibits sexual harassment of students by other students, employees or third parties involved in school district activities.

The term “sexual harassment” includes:

- acts of sexual violence;
- unwelcome sexual or gender-directed conduct or communication that interferes with an individual’s educational performance or creates an intimidating, hostile, or offensive environment;
- unwelcome sexual advances;
- unwelcome requests for sexual favors;
- sexual demands when submission is a stated or implied condition of obtaining an educational benefit;
- sexual demands where submission or rejection is a factor in an academic, or other school-related decision affecting an individual.

A “hostile environment” has been created for a student when sexual harassment is sufficiently serious to interfere with or limit the student’s ability to participate in or benefit from the school’s program. The more severe the conduct, the less need there is to demonstrate a repetitive series of incidents. In fact, a single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe, violent, or egregious.

Investigation and Response

If the district knows, or reasonably should know, that sexual harassment has created a hostile environment, it will promptly investigate to determine what occurred and take appropriate steps to resolve the situation. If an investigation reveals that sexual harassment has created a hostile environment, the district will take prompt and effective steps reasonably calculated to end the sexual harassment, eliminate the hostile environment, prevent its recurrence and as appropriate, remedy its effects. The district will take prompt, equitable and remedial action within its authority on reports, complaints and grievances alleging sexual harassment that come to the attention of the district, either formally or informally. The district will take these steps every time a complaint, alleging sexual harassment comes to the attention of the district, either informally or formally.

Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. Regardless of whether the misconduct is reported to law enforcement, school staff will promptly investigate to determine what occurred and take appropriate steps to resolve the situation, to the extent that such investigation does not interfere with an ongoing criminal investigation. A criminal investigation does not relieve the district of its independent obligation to investigate and resolve sexual harassment.

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending students, staff or other third parties involved in school district activities. Anyone else who engages in sexual harassment on school property or at school activities will have their access to school property and activities restricted, as appropriate.

Retaliation and False Allegations

Retaliation against any person who makes or is a witness in a sexual harassment complaint is prohibited and will result in appropriate discipline. The district will take appropriate actions to protect involved persons from retaliation.

It is a violation of this policy to knowingly report false allegations of sexual harassment. Persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

Staff Responsibilities

The superintendent will develop and implement formal and informal procedures for receiving, investigating and resolving complaints or reports of sexual harassment. The procedures will include reasonable and prompt time lines and delineate staff responsibilities under this policy.

Any school employee who witnesses sexual harassment or receives a report, informal complaint, or written complaint about sexual harassment is responsible for informing the district Title IX or Civil Rights Compliance Coordinator. All staff are also responsible for directing complainants to the formal complaint process.

Reports of discrimination and discriminatory harassment will be referred to the district's Title IX/Civil Rights Compliance Coordinator. Reports of disability discrimination or harassment will be referred to the district's Section 504 Coordinator.

District-/school staff, including employees, contractors, and agents shall not provide a recommendation of employment for an employee, contractor, or agent that the district-/school, or the individual acting on behalf of the district-/school, knows or has probable cause to believe has engaged in sexual misconduct with a student or minor in violation of the law.

Notice and Training

The superintendent will develop procedures to provide age-appropriate information and education to district staff, students, parents and volunteers regarding this policy and the recognition and prevention of sexual harassment. At a minimum sexual harassment recognition

and prevention and the elements of this policy will be included in staff, student and regular volunteer orientation. This policy and the procedure, which includes the complaint process, will be posted in each district building in a place available to staff, students, parents, volunteers and visitors. Information about the policy and procedure will be clearly stated and conspicuously posted throughout each school building, provided to each employee and reproduced in each student, staff, volunteer and parent handbook. Such notices will identify the District’s Title IX coordinator and provide contact information, including the coordinator’s email address.

Policy Review

The superintendent, upon board request, will make an annual report to the board reviewing the use and efficacy of this policy and related procedures. Recommendations for changes to this policy, if applicable, will be included in the report. The superintendent is encouraged to involve staff, students, volunteers and parents in the review process.

Cross References

- Policy 3207, Prohibition of Harassment, Intimidation and Bullying
- Policy 3210, Nondiscrimination
- Policy 3240, Student Conduct
- Policy 3421, Child Abuse, Neglect and Exploitation Prevention
- Policy 5010, Nondiscrimination and Affirmative Action
- Policy 5011, Sexual Harassment of District Employees Prohibited
- Policy 5281, Disciplinary Action and Discharge

Legal Reference

- | | |
|------------------------|---|
| 20. U.S.C. §7926 | Prohibition on aiding and abetting sexual abuse |
| RCW 28A.640.020 | Regulations, guidelines to eliminate discrimination – Scope – Sexual harassment policies. |
| WAC 392-190-058 | Sexual Harassment |
| 20 U.S.C. §§ 1681-1688 | |

Management Resources:

- Policy News, March 2019*
- Policy News, July 2015*

Adoption Date: April 17, 2019
 February 19, 2020
 October 21, 2020

Procedure Sexual Harassment of Students Prohibited

The procedure is intended to set forth the requirements of Policy 3205, including the process for a prompt, thorough, and equitable investigation of allegations of sexual harassment and the need to take appropriate steps to resolve such situations. If sexual harassment is found to have created a hostile environment, staff must take immediate action to eliminate the harassment, prevent its reoccurrence, and address its effects.

This procedure applies to sexual harassment (including sexual violence) targeted at students carried out by other students, employees or third parties involved in school district activities. Because students can experience the continuing effects of off-campus harassment in the educational setting, the district will consider the effects of off-campus conduct when evaluating whether there is a hostile environment on campus. The district has jurisdiction over these complaints pursuant to Title IX of the Education Amendments of 1972, Chapter 28A.640, RCW and Chapter 392-190 WAC.

Title IX Coordinator, Investigator, and Decision-maker

The district will designate and authorize one employee to act as “Title IX Coordinator” to coordinate the district’s state and federal sex discrimination and sexual harassment regulation compliance efforts. The decision-maker who reaches the final determination of responsibility for alleged Title IX sexual harassment will be the Superintendent or designee. The decision-maker cannot be the same person who serves as the Title IX Coordinator or the investigator of the Title IX complaint.

The Title IX coordinator’s name, title, office address, telephone number, and email address must be available on the district website; in handbooks/catalogs that are made available to staff, students, and parents; and in the district’s nondiscrimination statement.

Any individual designated as Title IX Coordinator, an investigator, or decision-maker, and any person who facilitates an informal resolution process must not have a conflict of interest or bias for or against the individual(s) who made the complaint (“complainant(s)”) or the individual(s) reported to be the perpetrator of the conduct that could constitute sexual harassment (“respondent(s)”) in general or individually, and must receive training on the following:

- The definition of sexual harassment under Title IX and state law;
- The scope of the district’s education program or activity;
- How to conduct an investigation and grievance process and informal resolution process;
- How to serve impartially;
- Their responsibilities chapter WAC 392-190 WAC; and
- How to raise awareness of and eliminate bias based on sex, race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, the presence of any sensory, mental or physical disability, or the use of a trained dog guide or service animal.

District investigators must also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

District decision-makers must also receive training on any technology to be used during hearings if the district provides for a hearing, and on issues of relevance of questions and evidence, including the requirement that questions and evidence about a complainant's sexual predisposition or prior sexual conduct are not relevant unless 1) such questions and evidence is offered to prove that someone other than the respondent committed the alleged conduct or 2) questions and evidence concerning specific incidents of the complainant's prior sexual behavior with respect to the respondent is offered to prove consent..

Any training materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process must not rely on sex stereotypes and must promote impartial investigations and adjudications of complaints. The district shall maintain for a period of seven years records of any informal resolution and the result; and all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, and make such materials available on the district's website .

Notice of Sexual Harassment Policy and Procedure

- Information about the district's sexual harassment policy and complaint procedure will be easily understandable and conspicuously posted throughout each school building, be reproduced in each student, staff, volunteer and parent handbook. This notice will be provided in a language that each parent and guardian can understand.
- In addition to the posting and reproduction of this procedure and Policy 3205, the district will provide annual notice to employees that complaints pursuant to this procedure may be filed at *insert address of district administrative office*.

Responding to Notice of Sexual Harassment

The district is on notice and required to take action when any employee knows, or in the exercise of reasonable care should know, about possible sexual harassment. This includes informal and formal reports made to any staff member.

Upon notice of possible sexual harassment, staff will always notify the Title IX Coordinator. In addition, in the event of an alleged sexual assault, the school principal will immediately inform law enforcement and notify the targeted student(s) and their parents/guardians of their right to file a criminal complaint and a sexual harassment complaint simultaneously.

Once the district is on notice of possible sexual harassment, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. Additionally, staff will also inform an appropriate supervisor or professional staff member when they receive complaints of sexual

harassment, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

Supportive measures must be offered to the complainant, before or after the filing of a formal complaint, or where no formal complaint has been filed. Supportive measures may also be provided to the respondent. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or respondent. Supportive measures should be designed to restore or preserve access to the District's education program or activity without unreasonably burdening the other party.

Supportive measures may include:

- An opportunity for the complainant to explain to the alleged harasser that his or her conduct is unwelcome, offensive or inappropriate, either in writing or face-to-face;
- A statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;
- A general public statement from an administrator in a building reviewing the district sexual harassment policy without identifying the complainant;
- Developing a safety plan;
- Modifications of work or class schedules;
- Mutual restrictions on contact between the parties;
- Increased security and monitoring of certain areas of the campus or school building, or
- Providing staff and/or student training.

In response to notice of sexual harassment, the district will take prompt and appropriate action to investigate and take prompt and effective steps reasonably calculated to end harassment, eliminate the hostile environment, prevent its recurrence, and as appropriate, remedy its effects

The district will inform the complainant and their parent/guardian how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

A complainant may file a formal complaint at any time while receiving supportive measures. A complainant, their parent or guardian, or the Title IX Coordinator may file a formal complaint because, for example, they feel the complaint needs to be more thoroughly investigated or discipline may be warranted for individual alleged to have engaged in sexually harassing conduct.

Confidentiality

- The district will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures.
- If a complainant requests that his or her name not be revealed to the alleged perpetrator or asks that the district not investigate or seek action against the alleged perpetrator, the

request will be forwarded to the building administrator and or superintendent for evaluation.

- The building administrator and or superintendent should inform the complainant that honoring the request may limit its ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator.
- If the complainant still requests that his or her name not be disclosed to the alleged perpetrator or that the district not investigate or seek action against the alleged perpetrator, the district will need to determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students, staff, and other third parties engaging in district activities, including the person who reported the sexual harassment. Although a complainant's request to have his or her name withheld may limit the district's ability to respond fully to an individual allegation of sexual harassment, the district will use other appropriate means available to address the sexual harassment.

Retaliation

Title IX and state law prohibit retaliation against any individual who files a complaint under these laws or participates in a complaint investigation. When an informal or formal complaint of sexual harassment is made, the district will take steps to stop further harassment and prevent any retaliation against the person who made the complaint, was the subject of the harassment, or against those who provided information as a witness. The district will investigate all allegations of retaliation and take actions against those found to have retaliated.

Formal Complaint Process

Level One – Complaint to District

Anyone may initiate a formal complaint of sexual harassment, even if the informal complaint process is being utilized.

Filing of Complaint

- All formal complaints will be in writing and will set forth the specific acts, conditions or circumstances alleged to have occurred and to constitute sexual harassment. The Title IX Coordinator may draft the complaint based on the report of the complainant for the complainant to review and approve. The Title IX Coordinator may also conclude that the district needs to conduct an investigation based on information in his or her possession, regardless of the complainant's interest in filing a formal complaint.
- 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 the district Title IX Coordinator. Any district employee who receives a complaint that meets these criteria will promptly notify the Coordinator.

Determining Whether to Incorporate Additional Title IX Complaint Procedures

The Title IX Coordinator will assess whether a formal complaint of sexual harassment meets the criteria for a Title IX complaint. If so, the district will implement investigation and response procedures under state law, as well as the following additional procedures as required by Title IX regulations.

Under Title IX, the term “sexual harassment” means:

- an employee of the district conditioning the provision of an aid, benefit, or service on an individual’s participation in unwelcome sexual conduct;
- conduct that creates a “hostile environment,” meaning unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the education program or activity; or
- “sexual assault,” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).

The district will implement additional Title IX procedures in response to a sexual harassment complaint when the alleged conduct constitutes sexual harassment as defined by Title IX regulations, and:

- The written complaint is filed by the complainant of the alleged sexual harassment, by the complainant’s legal guardian, or by the Title IX Coordinator;
- The complaint requests that the district investigate the allegation(s) of sexual harassment, as defined under Title IX regulations;
- The complaint is against a named respondent who, at the time of the alleged harassment, was under the control of the school district (such as a student, employee, or volunteer);
- The alleged sexually harassing conduct occurred in the United States; and
- The complainant is participating in or attempting to participate in the district’s educational program or activity at the time.

If the formal complaint is determined to meet the criteria for a Title IX complaint, the district will conduct the investigation implementing the additional Title IX procedures. **Skip to *Standard Complaint Process with Additional Title IX Requirements.***

If the formal complaint is determined not to meet the criteria for a Title IX complaint, the district will conduct the investigation without implementing the additional Title IX procedures. **Continue to *Standard Complaint Process.***

STANDARD COMPLAINT PROCESS

Acknowledging a Complaint - *Standard Complaint Process*

- Upon receipt of a complaint, the Coordinator will provide the complainant a copy of this procedure in a language the complainant can understand.

Investigating a Formal Complaint - *Standard Complaint Process*

- Investigations will be carried out in a manner that is prompt, thorough, reliable, and impartial. During the investigation process, the complainant and respondent(s), if the

complainant has identified an accused harasser(s), will have an equal opportunity to present witnesses and relevant evidence. Complainants, respondents, and witnesses may have a trusted adult with them during any district-initiated investigatory activities. The school district and complainant may also agree to resolve the complaint in lieu of an investigation.

- When the investigation is completed, the investigator will compile a full written report of the complaint and the results of the investigation.

Mediation - *Standard Complaint Process*

At any time during the 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 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.

Superintendent's Response to a Formal Complaint - *Standard Complaint Process*

- The superintendent or their designee will respond in writing to the complainant and the respondent within thirty (30) calendar days of receipt of the 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 parties 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 response of the superintendent or designee will include: 1) a summary of the results of the investigation; 2) a statement as to whether a preponderance of the evidence establishes that the complainant was sexually harassed; 3) if sexual harassment is found to have occurred, the corrective measures the district deems necessary, including assurance that the district will take steps to prevent recurrence

- and remedy its effects on the complainant and others, if appropriate; 4) notice of the complainant's right to appeal to the school board and the necessary filing information; and 5) any corrective measures the district will take, remedies for the complainant (e.g., sources of counseling, advocacy and academic support), and notice of potential sanctions for the perpetrator(s) (e.g., discipline).
- 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. If the complaint alleges discriminatory harassment by a named respondent or respondent(s), the coordinator will provide the respondent(s) with notice of the outcome of the investigation and notice of their right to appeal any discipline or corrective action imposed by the district.
 - Any corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the superintendent's mailing of a written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy.
 - The district will inform the complainant and their parent/guardian how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

Resume "Standard Complaint Process" at Level Two - Appeal to Board of Directors.

STANDARD COMPLAINT PROCESS WITH ADDITIONAL TITLE IX REQUIREMENTS

The following sections outline the process the district will take to respond to complaints of sexual harassment under state law and Title IX.

Acknowledging a Formal Title IX Complaint

The Title IX Coordinator will receive and investigate all formal, written complaints of sexual harassment or information in the coordinator's possession that they believe requires further investigation. The Coordinator will delegate his or her authority to participate in this process if such action is necessary to avoid any potential conflicts of interest. Upon receipt of a complaint, the Coordinator will offer supportive measures to both parties.

The district will acknowledge receipt of the formal complaint by providing the following written notice to the respondent(s) and complainant:

- A copy of the school's discrimination complaint procedure in a language the parties can understand.
- Notice of the allegations of sexual harassment with sufficient time for the parties to prepare a response before any initial interview and with sufficient detail. Such sufficient detail includes the identities of the parties involved in the incident if known,

- the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known.
- Notice that the parties may have an advisor of their choice who may be an attorney or non-attorney, and who may inspect and review evidence of the alleged sexual harassment.
 - Notice that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility for alleged sexual harassment is made at the conclusion of the grievance process.
 - Notice of any provision in student conduct policies and procedures that prohibits false statements or submitting false information.

Investigation of a Title IX Formal Complaint

The district must investigate allegations contained in a formal complaint. If the conduct alleged would not constitute sexual harassment under Title IX regulations even if proved, did not occur in the district's education program or activity, or did not occur against a person in the United States, then the district must dismiss the formal complaint under Title IX. Such dismissal does not preclude action under another provision of district policy or procedure or under sexual harassment investigation procedures as required by state law (*See Standard Complaint Process*).

The district adopts preponderance of the evidence/clear and convincing evidence as the standard or proof it will use in reaching decisions regarding complaints.

The district's investigation of a Title IX complaint must:

- Include a prompt and thorough investigation into the allegations in the complaint.
- Ensure that the district bears the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility for the alleged sexual harassment. The district may not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting or assisting in their professional capacity and made and maintained in connection with the provision of treatment to the party unless the district obtains the party's voluntary, written consent to do so.
- Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- Provide the parties with the same opportunities to have others present during any grievance proceeding; including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be an attorney or non-attorney. The district will apply any restrictions regarding the extent to which an advisor may participate equally to both parties;
- Provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all hearings, interviews, or other meetings, with sufficient time for the parties to prepare to participate;

- Prior to the completion of an investigative report, provide an equal opportunity for the parties to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. This includes evidence that the district does not intend to rely on in reaching a determination of responsibility for the alleged sexual harassment, regardless of the source of the evidence. The parties will have at least ten (10) days to submit a written response for the investigator to consider prior to completion of the investigative report.
- At least ten (10) days prior to a determination regarding responsibility, create an investigative report that fairly summarizes relevant evidence, and send the investigative report in an electronic or hard copy format to each party and each party's advisor for their review and written response.
- After transmitting the investigative report to the parties, but before reaching a final determination regarding responsibility, the decision maker must give each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant unless they are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or unless they concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant.

The district's Title IX investigative and grievance process is not required to include investigative hearings.

Discipline and Emergency Removals for Alleged Sexual Harassment under Title IX

A respondent who is accused of sexual harassment under Title IX is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. The district may not impose any disciplinary sanctions, or other actions that are not supportive measures, against the respondent until the district has determined the respondent was responsible for the sexual harassment at the conclusion of the grievance process.

These additional Title IX sexual harassment procedures do not preclude a school district from removing a student from school on an emergency basis consistent with Policy and Procedure 3241 – Classroom Management, Discipline and Corrective Action and the associated student discipline regulations for emergency expulsion.

Title IX Informal Resolution Process

At any time prior to a determination in a formal Title IX complaint, the district may permit a complainant to waive the formal complaint grievance process in favor of an informal resolution process not involving a full investigation and adjudication, provided that the district obtains the parties' voluntary, written consent; the district does not offer informal

resolution of sexual harassment allegations against a respondent who is an employee of the district, the district provide reasonably prompt time frames for the informal resolution process; and the district provides the parties with written notice disclosing the allegations, the requirements for the informal resolution process, and the circumstances in which the parties would be precluded from continuing with a formal resolution process for the same allegations.

A party has the right to withdraw from the informal resolution process and resume the formal Title IX grievance process at any time prior to agreeing to a resolution. The district may not require the waiver of the right to an investigation and adjudication of formal complaints of sexual harassment under Title IX as a condition of enrollment, employment, or enjoyment of any other right, nor may the district require the parties to participate in an informal resolution process. The district will not offer an information resolution process unless a formal complaint is filed.

Superintendent's Response to a Formal Title IX Complaint

At the conclusion of the investigation, the decision-maker (superintendent or designee) must issue a written determination of responsibility regarding the alleged sexual harassment within thirty (30) calendar days of receipt of the 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 parties in writing of the reason for the extension and the anticipated response date.

The superintendent's written determination must be issued to the parties simultaneously and must include the following:

- Identification of the allegations potentially constituting sexual harassment under Title IX regulations;
- A description of the procedural steps taken from the time of the district's receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings supporting the determination;
- A summary of the results of the investigation;
- Conclusions regarding the application of the district's code of conduct policies to the facts;
- A statement as to whether a preponderance of the evidence establishes that the complainant was sexually harassed;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary or other sanctions imposed on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
- If sexual harassment is found to have occurred, the corrective measures the district deems necessary, including assurance that the district will take steps to prevent recurrence and remedy its effects on the complainant and others, if appropriate; and
- Notice of the parties' 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.

At the time the district responds to the parties, the district must send a copy of the response to the office of the superintendent of public instruction.

Any corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the superintendent's mailing of a written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy. **Continue "State Complaint Process with Additional Title IX Requirements" at *Level Two - Appeal to Board of Directors*.**

Level Two - Appeal to Board of Directors

Notice of Appeal and Hearing

- If the complainant or respondent(s) with the superintendent's or designee's written decision, the disagreeing party may appeal the decision to the district board of directors, by filing 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.
- If the complaint involves a named respondent, the District will implement appeal procedures equally for both parties and provide written notice to the other party when an appeal is filed.
- The district will ensure that the decision-maker for the appeal is not the same decision-maker who reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator;
- The district will ensure that the decision-maker for the appeal has received the training required for decision-makers as required by this procedure.
- The board will schedule a hearing to commence by the twentieth (20th) 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 a reasonable, equal opportunity to submit a written statement in support of or challenging the outcome of the initial determination.

Board Decision

- 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 written decision will describe the result of the appeal and the rationale for the result.
- 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.

- The decision will be provided in a language that 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.

Level Three - Complaint to the Superintendent of Public Instruction

Filing of Complaint

- 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.
- 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.
- A complaint must be in writing and include: 1) A description of the specific acts, conditions or circumstances alleged to violate applicable anti-sexual harassment 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.

Investigation, Determination and Corrective Action

- 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, State Requirement

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.

Other Complaint Options

Office for Civil Rights (OCR), U.S. Department of Education

OCR enforces several federal civil rights laws, which prohibit discrimination in public schools on the basis of race, color, national origin, sex, disability, and age. File complaints with OCR within 180 calendar days of the date of the alleged discrimination.

206-607-1600 | TDD: 1-800-877-8339 | OCR.Seattle@ed.gov | www.ed.gov/ocr

Washington State Human Rights Commission (WSHRC)

WSHRC enforces the Washington Law Against Discrimination (RCW 49.60), which prohibits discrimination in employment and in places of public accommodation, including schools. File complaints with WSHRC within six months of the date of the alleged discrimination.

1-800-233-3247 | TTY: 1-800-300-7525 | www.hum.wa.gov

Investigation Recordkeeping

The district will maintain records of all sexual harassment investigations per the guidance of the Washington State Archives Records Retention Schedule.

The district will maintain, for a period of seven years, records of each Title IX sexual harassment investigation, including any determination regarding responsibility and any audio or audiovisual recording or transcript; any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant; and any appeal from the result of a determination regarding responsibility.

The district will maintain, for a period of seven years, records of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment under Title IX.

Training and Orientation

A fixed component of all district orientation sessions for staff, students and regular volunteers will introduce the elements of this procedure and the corresponding policy. Staff will be provided information on recognizing and preventing sexual harassment. Staff will be fully informed of their responsibilities when on notice of sexual harassment, of the formal complaint procedures, and their roles and responsibilities under the policy and procedure.

Certificated staff will be reminded of their legal responsibility to report suspected child abuse, and how that responsibility may be implicated by some allegations of sexual harassment. Regular volunteers will get the portions of this component of orientation relevant to their rights and responsibilities.

Students will be provided with age-appropriate information on the recognition and prevention of sexual harassment and their rights and responsibilities under this and other district policies and rules at student orientation sessions and on other appropriate occasions, which may include parents.

As part of the information on the recognition and prevention of sexual harassment staff, volunteers, students and parents will be informed that sexual harassment may include, but is not limited to:

- Demands for sexual favors in exchange for preferential treatment or something of value;
- Stating or implying that a person will lose something if he or she does not submit to a sexual request;
- Penalizing a person for refusing to submit to a sexual advance, or providing a benefit to someone who does;
- Making unwelcome, offensive or inappropriate sexually suggestive remarks comments, gestures, or jokes; or remarks of a sexual nature about a person's appearance, gender or conduct;
- Using derogatory sexual terms for a person;
- Standing too close, inappropriately touching, cornering or stalking a person; or
- Displaying offensive or inappropriate sexual illustrations on school property.

Policy and Procedure Review

Annually, the superintendent or designee will convene an ad hoc committee composed of representatives of certificated and classified staff, volunteers, students and parents to review the use and efficacy of this policy and procedure. The compliance officer will be included in the committee. Based on the review of the committee, the superintendent will prepare a report to the board including, if necessary, any recommended policy changes. The superintendent will consider adopting changes to this procedure if recommended by the committee.

Revised Dates: **April 17, 2019**
October 21, 2020

Prohibition of Harassment, Intimidation or Bullying

The board is committed to a safe and civil educational environment for all students, employees, parents/legal guardians, volunteers and community members that is free from harassment, intimidation or bullying. “Harassment, intimidation or bullying” means any intentional electronic, written, verbal, or physical act, including but not limited to one shown to be motivated by any characteristic in RCW 28A.640.010 and 28A.642.010, or other distinguishing characteristics, when the act:

- Physically harms a student or damages the student’s property;
- Has the effect of substantially interfering with a student’s education;
- Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
- Has the effect of substantially disrupting the orderly operation of the school.

Nothing in this section requires the affected student to actually possess a characteristic that is a basis for the harassment, intimidation, or bullying.

“Other distinguishing characteristics” can include but are not limited to: physical appearance, clothing or other apparel, socioeconomic status, and weight.

“Intentional acts” refers to the individual’s choice to engage in the act rather than the ultimate impact of the action(s).

Behaviors/Expressions

This policy recognizes that ‘harassment,’ ‘intimidation,’ and ‘bullying’ are separate but related behaviors. Each must be addressed appropriately. The accompanying procedure differentiates the three behaviors; however, this differentiation should not be considered part of the legal definition of these behaviors.

Harassment, intimidation or bullying can take many forms including, but not limited to, slurs, rumors, jokes, innuendos, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, or other written, oral, physical or electronically transmitted messages or images.

This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the educational environment. Many behaviors that do not rise to the level of harassment, intimidation or bullying may still be prohibited by other district policies or building, classroom, or program rules.

Training

This policy is a component of the district’s responsibility to create and maintain a safe, civil, respectful and inclusive learning community and shall be implemented in conjunction with comprehensive training of staff and volunteers. Specific training requirements are included in the accompanying procedure.

Prevention

The district will provide students with strategies aimed at preventing harassment, intimidation and bullying. In its efforts to train students, the district will seek partnerships with families, law enforcement, and other community agencies.

Interventions

Interventions are designed to remediate the impact on the targeted student(s) and others impacted by the violation, to change the behavior of the aggressor, and to restore a positive school climate. The district will consider the frequency of incidents, developmental age of the student, and severity of the conduct in determining intervention strategies. Interventions will range from counseling, correcting behavior and discipline, to law enforcement referrals.

Students with Individual Education Plans or Section 504 Plans

If allegations are proven that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the target of harassment, intimidation or bullying, the school will convene the student's IEP or Section 504 team to determine whether the incident had an impact on the student's ability to receive a free, appropriate public education (FAPE). The meeting should occur regardless of whether the harassment, intimidation or bullying incident was based on the student's disability. During the meeting, the team will evaluate issues such as the student's academic performance, behavioral issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE as a result of the harassment, intimidation or bullying incident, the district will provide additional services and supports as deemed necessary, such as counseling, monitoring and/or reevaluation or revision of the student's IEP or Section 504 plan, to ensure the student receives a FAPE.

Retaliation/False Allegations

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting harassment, intimidation, or bullying.

It is also a violation of district policy to knowingly report false allegations of harassment, intimidation, and bullying. Students or employees will not be disciplined for making a report in good faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

Compliance Officer

The superintendent will appoint a compliance officer as the primary district contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the district. The district compliance officer will participate in at least one mandatory training opportunity offered by OSPI

The superintendent is authorized to direct the implementation of procedures addressing the elements of this policy.

Cross References

Policy 2161, Special Education and Related Services for Eligible Students
Policy 3200, Rights and Responsibilities
Policy 3205, Sexual Harassment of Students Prohibited
Policy 3210, Nondiscrimination
Policy 3211, Gender Inclusive Schools
Policy 3240, Student Conduct
Policy 3241, Classroom Management, Corrective Action and Punishment
Policy 5011, Sexual Harassment

Legal Reference

RCW 28A.300.285	Harassment, intimidation and bullying prevention policies and procedures.
WAC 392-190-059	Harassment, intimidation and bullying prevention policy and procedure – School Districts

Management Resources:

Policy News, August 2019
Policy News, July 2019
Policy News, December 2014
Office for Civil Rights Dear Colleague Letter: Responding to Bullying of Students with Disabilities (OCR 10/21/2014)
Policy News, December 2010 *Policy News, April 2008*
Policy News, April 2002

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March 16, 2011
April 18, 2018
March 18, 2020

Prohibition of Harassment, Intimidation and Bullying

Introduction

The Nine Mile Falls School District strives to provide students with optimal conditions for learning by maintaining a school environment where everyone is treated with respect and no one is physically or emotionally harmed.

In order to ensure respect and prevent harm, it is a violation of district policy for a student to be harassed, intimidated, or bullied by others in the school community, at school-sponsored events, or when such actions create a substantial disruption to the educational process. The school community includes all students, school employees, school board members, contractors, unpaid volunteers, families, patrons, and other visitors. Student(s) will not be harassed because of their race, color, religion, ancestry, national origin, gender, sexual orientation, including gender expression or identity, mental or physical disability, or other distinguishing characteristics.

Any school staff who observes, overhears, or otherwise witnesses harassment, intimidation or bullying or to whom such actions have been reported must take prompt and appropriate action to stop the harassment and to prevent its reoccurrence.

Definitions

Aggressor means a student, staff member, or other member of the school community who engages in the harassment, intimidation or bullying of a student.

Harassment, intimidation or bullying means an intentional electronic, written, verbal, or physical act that:

- Physically harms a student or damages the student's property.
- Has the effect of substantially interfering with a student's education.
- Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment.
- Has the effect of substantially disrupting the orderly operation of the school.

Conduct that is "substantially interfering with a student's education" will be determined by considering a targeted student's grades, attendance, demeanor, interaction with peers, participation in activities, and other indicators.

Conduct that may rise to the level of harassment, intimidation, and bullying may take many forms, including, but not limited to: slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, ostracism, physical attacks or threats, gestures, or acts relating to an individual or group whether electronic, written, oral, or physically transmitted messages or images. There is no requirement that the targeted student actually possess the characteristic that is the basis for the harassment, intimidation or bullying.

Retaliation occurs when an individual is intimidated, threatened, coerced, or discriminated against for reporting harassment, intimidation, or bullying, or participating in an investigation.

Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, classified staff, substitute and temporary teachers, volunteers, or paraprofessionals (both employees and contractors).

Targeted Student means a student against whom harassment, intimidation or bullying has allegedly been perpetrated.

Behaviors / Expressions

“Harassment,” “intimidation,” and “bullying” are separate but related behaviors. Each must be addressed appropriately. Although this procedure differentiates the three behaviors, this differentiation should not be considered part of the legal definition of these behaviors. Harassment refers to any malicious act, which causes harm to any person's physical well-being. It can be discriminatory harassment, malicious harassment, or sexual harassment. Intimidation refers to implied or overt threats of physical violence. Bullying refers to unwanted aggressive behavior(s) by another youth or group of youths that involves an observed or perceived power imbalance and is repeated multiple times or is highly likely to be repeated. Bullying may inflict harm on the targeted youth including physical or educational harm. Bullying can also occur through technology and is called electronic bullying or cyberbullying

Relationship to Other Laws

This procedure applies only to RCW 28A.300.285 – Harassment, Intimidation and Bullying prevention. There are other laws and procedures to address related issues such as sexual harassment or discrimination.

At least four Washington laws may apply to harassment or discrimination:

RCW 28A.300.285 – Harassment, Intimidation and Bullying

RCW 28A.640.020 – Sexual Harassment

RCW 28A.642 – Prohibition of Discrimination in Public Schools

RCW 49.60.010 – The Law Against Discrimination

The district will ensure its compliance with all state laws regarding harassment, intimidation or bullying. Nothing in this procedure prevents a student, parent/guardian, school or district from taking action to remediate harassment or discrimination based on a person’s gender or membership in a legally protected class under local, state, or federal law.

Prevention

1. Dissemination

In each school and on the district’s website the district will prominently post information on reporting harassment, intimidation and bullying; the name and contact information for making a report to a school administrator; and the name and contact information for the district compliance officer. The district’s policy and procedure will be available in each school in a language that families can understand.

Annually, the superintendent will ensure that a statement summarizing the policy and procedure is provided in student, staff, volunteer, and parent handbooks, is available in school and district offices and/or hallways, or is posted on the district’s website.

Additional distribution of the policy and procedure is subject to the requirements of Washington Administrative Code 392-400-226.

2. Education

Annually students will receive age-appropriate information on the recognition and prevention of harassment, intimidation or bullying at student orientation sessions and on

other appropriate occasions. The information will include a copy of the Incident Reporting Form or a link to a web-based form.

3. **Training**

Staff will receive annual training on the school district's policy and procedure, including staff roles and responsibilities, how to monitor common areas and the use of the district's Incident Reporting Form.

4. **Prevention Strategies**

The district will implement a range of prevention strategies including individual, classroom, school, and district-level approaches.

Whenever possible, the district will implement evidence-based prevention programs that are designed to increase social competency, improve school climate, and eliminate harassment, intimidation and bullying in schools.

Compliance Officer

The district compliance officer will:

1. Serve as the district's primary contact for harassment, intimidation and bullying. If the allegations in a written report of harassment, intimidation, or bullying indicate a potential violation of Policy 3207, the district staff member who receives the report must promptly notify the district compliance officer or building administrator.
2. Provide support and assistance to the principal or designee in resolving complaints.
3. Receive copies of all Incident Reporting Forms, discipline Referral Forms, and letters to parents providing the outcomes of investigations:

Communicate with the school district's designated civil rights compliance coordinator. If a written report of harassment, intimidation, or bullying indicates a potential violation of the district's nondiscrimination policy [Policy 3210], or if during the course of an investigation, the district becomes aware of a potential violation of the district's nondiscrimination policy, the compliance officer must promptly notify the district's civil rights compliance coordinator. At that time, the compliance officers must promptly notify the complainant that their complaint will proceed under both this policy / procedure and the nondiscrimination policy / procedure. The investigation and response timeline for the nondiscrimination procedure begin when the school district knows or should have known that a written report or investigation or Harassment, Intimidation, or Bullying involves a potential violation of the district's nondiscrimination policy;

4. Be familiar with the use of the student information system. The compliance officer may use this information to identify patterns of behavior and areas of concern.
5. Ensure implementation of the policy and procedure by overseeing the investigative processes, including ensuring that investigations are prompt, impartial, and thorough.
6. Assess the training needs of staff and students to ensure successful implementation throughout the district, and ensure staff receive annual fall training.
7. Provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis.

8. In cases where, despite school efforts, a targeted student experiences harassment, intimidation or bullying that threatens the student's health and safety, the compliance officer will facilitate a meeting between district staff and the child's parents/guardians to develop a safety plan to protect the student. A sample student safety plan is available on the OSPI website: www.k12.wa.us/SafetyCenter/default.aspx.

Staff Intervention

All staff members shall intervene when witnessing or receiving reports of harassment, intimidation or bullying. Minor incidents that staff are able to resolve immediately, or incidents that do not meet the definition of harassment, intimidation or bullying, may require no further action under this procedure, other than tracking, to ensure they are not repeated.

Filing an Incident Reporting Form

Incident Reporting Forms may be used by students, families, or staff to report incidents of harassment, intimidation or bullying. A sample form is provided on the Office of Superintendent of Public Instruction's (OSPI) School Safety Center website: www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx

Any student who believes he or she has been the target of unresolved, severe, or persistent harassment, intimidation or bullying, or any other person in the school community who observes or receives notice that a student has or may have been the target of unresolved, severe, or persistent harassment, intimidation or bullying may report incidents verbally or in writing to any staff member.

Addressing Harassment, Intimidation, or Bullying – Reports

Step 1: Filing an Incident Reporting Form

In order to protect a targeted student from retaliation, a student need not reveal his identity on an Incident Reporting Form. The form may be filed anonymously, confidentially, or the student may choose to disclose his or her identity (non-confidential).

Status of Reporter

a. Anonymous

Individuals may file a report without revealing their identity. No disciplinary action will be taken against an alleged aggressor based solely on an anonymous report. Schools may identify complaint boxes or develop other methods for receiving anonymous, unsigned reports. Possible responses to an anonymous report include enhanced monitoring of specific locations at certain times of day or increased monitoring of specific students or staff. (Example: An unsigned Incident Reporting Form dropped on a teacher's desk led to the increased monitoring of the boys' locker room in 5th period.)

b. Confidential

Individuals may ask that their identities be kept secret from the accused and other students. Like anonymous reports, no disciplinary action will be taken against an alleged aggressor based solely on a confidential report. (Example: A student tells a playground supervisor about a classmate being bullied but asks that nobody know who reported the incident. The supervisor says, "I won't be able to punish the bullies unless you or someone else who saw it is willing to let me use their names, but I can start hanging out near the basketball court, if that would help.")

c. **Non-confidential**

Individuals may agree to file a report non-confidentially. Complainants agreeing to make their complaint non-confidential will be informed that due process requirements may require that the district release all of the information that it has regarding the complaint to any individuals involved in the incident, but that even then, information will still be restricted to those with a need to know, both during and after the investigation. The district will, however, fully implement the anti-retaliation provision of this policy and procedure to protect complainants and witnesses.

Step 2: Receiving an Incident Reporting Form

All staff are responsible for receiving oral and written reports. Whenever possible staff who initially receive an oral or written report of harassment, intimidation or bullying shall attempt to resolve the incident immediately. If the incident is resolved to the satisfaction of the parties involved, or if the incident does not meet the definition of harassment, intimidation or bullying, no further action may be necessary under this procedure.

All reports of unresolved, severe, or persistent harassment, intimidation or bullying will be recorded on a district Incident Reporting Form and submitted to the principal or designee, unless the principal or designee is the subject of the complaint.

Step 3: Investigations of Unresolved, Severe, or Persistent Harassment, Intimidation and Bullying

All reports of unresolved, severe, or persistent harassment, intimidation or bullying will be investigated with reasonable promptness. Any student may have a trusted adult with them throughout the report and investigation process.

- a. Upon receipt of the Incident Reporting Form that alleges unresolved, severe, or persistent harassment, intimidation or bullying, the school or district designee will begin the investigation. If there is potential for clear and immediate physical harm to the complainant, the district will immediately contact law enforcement and inform the parent/guardian.
- b. During the course of the investigation, the district will take reasonable measures to ensure that no further incidents of harassment, intimidation or bullying occur between the complainant and the alleged aggressor. If necessary, the district will implement a safety plan for the student(s) involved. The plan may include changing seating arrangements for the complainant and/or the alleged aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a safe person for the complainant; altering the alleged aggressor's schedule and access to the complainant, and other measures.

If, during the course of an investigation, the district employee conducting the investigation becomes aware of a potential violation of the district's nondiscrimination policy (Policy 3210), the investigator will promptly notify the district's civil rights compliance officer. Upon receipt of this information, the civil rights compliance officer must notify the complainant that their complaint will proceed under the discrimination complaint procedure in WAC 392-190-066 through WAC 392-190-075 as well as the HIB complaint procedure. The notice must be provided in a language that the complainant can understand. The investigation and response timeline for the discrimination complaint procedure will follow that set forth in WAC 392-190-065 and begins when the district knows or should have known that a written report of harassment,

intimidation or bullying involves allegations of a violation of the district's nondiscrimination policy.

- c. Within two (2) school days after receiving the Incident Reporting Form, the school designee will notify the families of the students involved that a complaint was received and direct the families to the district's policy and procedure on harassment, intimidation and bullying.
- d. In rare cases, where after consultation with the student and appropriate staff (such as a psychologist, counselor, or social worker) the district has evidence that it would threaten the health and safety of the complainant or the alleged aggressor to involve his or her parent/guardian, the district may initially refrain from contacting the parent/guardian in its investigation of harassment, intimidation and bullying. If professional school personnel suspect that a student is subject to abuse and neglect, they must follow district policy for reporting suspected cases to Child Protective Services.
- e. The investigation shall include, at a minimum:
 - An interview with the complainant;
 - An interview with the alleged aggressor;
 - A review of any previous complaints involving either the complainant or the alleged aggressor; and
 - Interviews with other students or staff members who may have knowledge of the alleged incident.
- f. The principal or designee may determine that other steps must be taken before the investigation is complete.
- g. The investigation will be completed as soon as practicable but generally no later than five (5) school days from the initial complaint or report. If more time is needed to complete an investigation, the district will provide the parent/guardian and/or the student with weekly updates.
- h. No later than two (2) school days after the investigation has been completed and submitted to the compliance officer, the principal or designee shall respond in writing or in person to the parent/guardian of the complainant and the alleged aggressor stating:
 - The results of the investigation;
 - Whether the allegations were found to be factual;
 - Whether there was a violation of policy; and
 - The process for the complainant to file an appeal if the complainant disagrees with results.

Because of the legal requirement regarding the confidentiality of student records, the principal or designee may not be able to report specific information to the targeted student's parent/guardian about any disciplinary action taken unless it involves a directive that the targeted student must be aware of in order to report violations.

If a district chooses to contact the parent/guardian by letter, the letter will be mailed to the parent/guardian of the complainant and alleged aggressor by United States Postal Service with return receipt requested unless it is determined, after consultation with the student and appropriate staff (psychologist, counselor, social worker) that it could endanger the complainant or the alleged aggressor to involve his or her family. If professional school

personnel suspect that a student is subject to abuse or neglect, as mandatory reporters they must follow district policy for reporting suspected cases to Child Protective Services.

If the incident cannot be resolved at the school level, the principal or designee shall request assistance from the district.

Step 4: Corrective Measures for the Aggressor

After completion of the investigation, the school or district designee will institute any corrective measures necessary. Corrective measures will be instituted as quickly as possible, but in no event more than five (5) school days after contact has been made to the families or guardians regarding the outcome of the investigation. Corrective measures that involve student discipline will be implemented according to district policy 3241, *Classroom Management, Corrective Actions or Punishment*. If the accused aggressor is appealing the imposition of discipline, the district may be prevented by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.

If in an investigation a principal or principal's designee found that a student knowingly made a false allegation of harassment, intimidation or bullying, that student may be subject to corrective measures, including discipline.

Step 5: Targeted Student's Right to Appeal

1. If the complainant or parent/guardian is dissatisfied with the results of the investigation, they may appeal to the superintendent or his or her designee by filing a written notice of appeal within five (5) school days of receiving the written decision. The superintendent or his or her designee will review the investigative report and issue a written decision on the merits of the appeal within five (5) school days of receiving the notice of appeal.
2. If the targeted student remains dissatisfied after the initial appeal to the superintendent, the student may appeal to the school board by filing a written notice of appeal with the secretary of the school board on or before the fifth (5) school day following the date upon which the complainant received the superintendent's written decision.
3. An appeal before the school board or disciplinary appeal council must be heard on or before the tenth (10th) school day following the filing of the written notice of appeal to the school board. The school board or disciplinary appeal council will review the record and render a written decision on the merits of the appeal on or before the fifth (5th) school day following the termination of the hearing, and shall provide a copy to all parties involved. The board or council's decision will be the final district decision.

Step 6: Discipline/Corrective Action

The district will take prompt and equitable corrective measures within its authority on findings of harassment, intimidation or bullying. Depending on the severity of the conduct, corrective measures may include counseling, education, discipline, and/or referral to law enforcement.

Corrective measures for a student who commits an act of harassment, intimidation or bullying will be varied and graded according to the nature of the behavior, the developmental age of the student, or the student's history of problem behaviors and performance. Corrective

measures that involve student discipline will be implemented according to district policy 3241, *Classroom Management, Corrective Actions or Punishment*.

If the conduct was of a public nature or involved groups of students or bystanders, the district should strongly consider schoolwide training or other activities to address the incident.

If staff have been found to be in violation of this policy and procedure, school districts may impose employment disciplinary action, up to and including termination. If a certificated educator is found to have committed a violation of WAC 181-87, commonly called the Code of Conduct for Professional Educators, OSPI's Office of Professional Practices may propose disciplinary action on a certificate, up to and including revocation. Contractor violations of this policy may include the loss of contracts.

Step 7: Support for the Targeted Student

Persons found to have been subjected to harassment, intimidation or bullying will have appropriate district support services made available to them, and the adverse impact of the harassment on the student shall be addressed and remedied as appropriate.

Immunity/Retaliation

No school employee, student, or volunteer may engage in reprisal or retaliation against a targeted student, witness, or other person who brings forward information about an alleged act of harassment, intimidation or bullying. Retaliation is prohibited and will result in appropriate discipline.

Other Resources

Students and families should use the district's complaint and appeal procedures as a first response to allegations of harassment, intimidation and bullying. However, nothing in this procedure prevents a student, parent/guardian, school, or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected class under local, state or federal law. An harassment, intimidation or bullying complaint may also be reported to the following state or federal agencies:

OSPI Equity and Civil Rights Office

360.725.6162

Email: equity@k12.wa.us

www.k12.wa.us/Equity/default.aspx

Washington State Human Rights Commission

800.233.3247

www.hum.wa.gov/index.html

Office for Civil Rights, U.S. Department of Education, Region IX

206.607.1600

Email: OCR.Seattle@ed.gov

www.ed.gov/about/offices/list/ocr/index.html

Department of Justice Community Relations Service

877.292.3804

www.justice.gov/crt/

Office of the Education Ombudsman

866.297-2597

Email: OEInfo@gov.wa.gov

www.governor.wa.gov/oeo/default.asp

OSPI Safety Center

360.725-6044

www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx

Other District Policies and Procedures

Nothing in this policy or procedure is intended to prohibit discipline or remedial action for inappropriate behaviors that do not rise to the level of harassment, intimidation or bullying as defined herein, but which are, or may be, prohibited by other district or school rules.

Date: January 21, 2004

Revised: September 17, 2008

March 16, 2011

April 18, 2018

March 18, 2020

NONDISCRIMINATION

The district shall provide equal educational opportunity and treatment for all students in all aspects of the academic and activities program without discrimination based on race, religion, creed, color, national origin, age, honorably-discharged veteran or military status, sex, sexual orientation, 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 district will provide equal access to school facilities to the Boy Scouts of America and all other designated youth groups listed in Title 36 of the United States Code as a patriotic society. District programs shall be free from sexual harassment. Auxiliary aids and services will be provided upon request to individuals with disabilities.

Conduct against any student that is based on one of the categories listed above that is sufficiently severe, persistent or pervasive as to limit or deny the student’s ability to participate in or benefit from the district’s course offerings, educational programming, or any activity will not be tolerated. When a district employee knows, or reasonably should know, that such discriminatory harassment is occurring or has occurred, the district will take prompt and effective steps reasonably calculated to end the harassment, prevent its recurrence and remedy its effects.

The district’s nondiscrimination statement will be included in all written announcements, notices, recruitment materials, employment applications, and other publications made available to all students, parents, or employees. The statement will include: 1) notice that the district will not discriminate in any programs or activities on the basis of any of the above-listed categories; 2) the name and contact information of the district’s compliance officer designated to ensure compliance with this policy; and 3) the names and contact information of the district’s Section 504 and Title IX compliance officers.

The district will annually publish notice reasonably calculated to inform students, students’ parents/guardians (in a language that they can understand, which may require language assistance), and employees of the district’s discrimination complaint procedure.

The superintendent will designate a staff member to serve as the compliance officer for this policy. The compliance officer will be responsible for investigating any discrimination complaints communicated to the district.

The district will provide training to administrators and certificated and classroom personnel regarding their responsibilities under this policy and to raise awareness of and eliminate bias and discrimination based on the protected classes identified in this policy.

<p>Cross References:</p>	<p>Board Policy 2020</p>	<p>Curriculum Development and Adoption of Instructional Materials</p>
	<p>2030</p>	<p>Service Animals in Schools</p>
	<p>2140</p>	<p>Guidance and Counseling</p>
	<p>2150</p>	<p>Co-Curricular Program</p>
	<p>2151</p>	<p>Interscholastic Activities</p>
	<p>4217</p>	<p>Effective Communicaiton</p>
	<p>4260</p>	<p>Use of School Facilities</p>

Legal References:	RCW 28A.640 28A.642 49.60	Sexual Equality Discrimination prohibition Discrimination – Human rights commission
	42 U.S.C. §§ 12101-12213 20 U.S.C § 7905	Americans with Disabilities Act Boy Scouts of America Equal Access Act
	WAC 392-400-215 392-190-020	Student rights Training – Staff responsibilities – Bias awareness
	WAC 392-190-060	Compliance – School district designation of responsible employee – Notification

Management Resources:

<i>Policy News</i> , August 2007	Washington’s Law Against Discrimination
<i>Policy News</i> , June 2011	Washington’s Laws on Discrimination
<i>Policy News</i> , April 2013	Nondiscrimination Revised
<i>Policy News</i> , December 2014	
<i>Policy News</i> , March 2016	

Adoption Date: July 21, 1999
Revised: January 21, 2004
February 21, 2007
April 16, 2008
August 21, 2013
January 21, 2015
April 17, 2019

Nondiscrimination

Anyone may file a complaint against the district alleging that the district violated antidiscrimination laws. This complaint procedure is designed to assure that the resolution of real or alleged violations will be directed toward a just solution that is satisfactory to the complainant, the administration and the board of directors. This grievance procedure apply to the general conditions of nondiscrimination policy (Policy No. 3210) and more particularly to policies dealing with guidance and counseling (Policy No. 2140) co-curricular program (Policy No. 2150), service animals in schools (Policy No. 2030) and curriculum development and instructional materials (Policy No. 2020). As used in this procedure:

“Grievance” means a complaint which has been filed by a complainant relating to alleged violations of any state or federal anti-discrimination laws.

“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 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.

“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 shall 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 policy and procedure and from retaliating against an individual for filing such a grievance.

Informal Process for Resolution

Anyone with an allegation of discrimination may request an informal meeting with the compliance officer or designated employee to resolve their concerns. Such a meeting will be at the option of the complainant. If unable to resolve the issue at this meeting, the complainant may submit a written complaint to the compliance officer. During the course of the informal process, the district must notify complainant of their right to file a formal complaint.

Formal Process for Resolution

Level One: Complaint to District

A complaint must set forth the specific acts, conditions, or circumstances alleged to be in violation. Upon receipt of the complaint, the compliance officer will investigate the allegations within thirty (30) calendar days. The school district and complainant may agree to

resolve the complaint in lieu of an investigation. The officer shall 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 thirty (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 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 shall be instituted as expeditiously as possible, but in no event later than thirty (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 the Board of Directors

If a complainant disagrees with the superintendent's or designee's written decision, the complainant may appeal the decision to the district board of directors by filing 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 shall 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 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 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 deci-

sion. OSPI will conduct a formal administrative hearing in conformance with the Administrative Procedure 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 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.

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, shall be retained in the office of the compliance officer for a period of six years.

Date: July 1999

Revised: July 25, 2013

April 17, 2019

FREEDOM OF ASSEMBLY

Individual students and student organizations may meet in school rooms or auditoriums, or at outdoor locations on school grounds, to discuss, pass resolutions and take other lawful action respecting any matter which directly or indirectly concerns or affects them, whether or not it relates to school. Such activities shall not be permitted to interfere with the normal operation of the school.

Peaceful demonstrations are permissible, though they are to be held in designated places where they shall present no hazards to persons or property and at designated times that shall not disrupt classes or other school activities.

Cross Reference: Board Policy 2153 Noncurriculum Related Student Groups

Legal References: WAC 392-400-215 Student rights

Adoption Date: July 21, 1999

Revised: February 21, 2007

STUDENT PRIVACY AND SEARCHES

At certain ages, students attain the right to decide for themselves what records will remain confidential, even from their parents, and what activities the student will participate in. At age eighteen students become legal adults and must approve any disclosure of information about themselves from school records, except directory information if a request for confidentiality has not been filed. Students at age eighteen may also sign releases, authorizations or permission slips to participate in school activities, and may sign themselves out of school and authorize their own absences. Students between sixteen and eighteen who have been granted legal emancipation from their parents or guardians have the same rights as eighteen-year-old students. Students over fourteen years of age have the right to keep private from everyone any district records indicating that they have been tested or treated for a sexually transmitted disease. Students thirteen years and older have confidentiality rights in records regarding drug, alcohol or mental health treatment. All students have confidentiality rights in family planning or abortion records.

A. Searches of Students and Personal Property

Personal privacy is a fundamental aspect of individual liberty. All students possess the constitutional right to be secure in their persons, papers, and effects against unreasonable searches and seizures. Staff shall take particular care to respect students' privacy.

School officials have authority to maintain order and discipline in the schools and to protect students from exposure to illegal drugs, weapons, and contraband. The superintendent, the principal, and other staff designated by the superintendent shall have the authority to conduct reasonable searches on school property as provided by board policy.

A search is required when there are reasonable grounds to suspect a student has a firearm on school grounds, transportation or at school events.

Prior to conducting a search, school officials shall ask that the student consent to be searched by removing all items from pockets or other personal effects. If the student refuses to consent to the search, school officials may proceed to search the student, the student's personal belongings, and the student's locker, as follows:

1. Any search of a student conducted by a school district employee must be reasonably related to the discovery of contraband or other evidence of a student's violation of the law or school rules.

For the purpose of this policy, "contraband" means items, materials, or substances the possession of which is prohibited by law or district policy, including but not limited to, controlled substances, alcoholic beverages, tobacco products, or any object that can reasonably be considered a firearm or a dangerous weapon.

2. Staff shall conduct searches in a manner, which is not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.

No student shall be subject to a strip search or body cavity search by school staff.

School officials may consult with local law enforcement officials regarding the advisability of a search on school premises by a law enforcement officer if evidence of criminal activity is likely to be seized.

The superintendent shall develop procedures regulating searches of students and their personal property.

B. Locker Searches

Students may be assigned lockers for storing and securing their books, school supplies, and personal effects. Lockers, desks, and storage areas are the property of the school district. No right nor expectation of privacy exists for any student as to the use of any space issued or assigned to a student by the school and such lockers and other spaces are subject to search in accordance with district policy.

No student may use a locker, desk, or storage area as a depository for any substance or object which is prohibited by law or school rules or which poses a threat to the health, safety or welfare of the occupants of the school building or the building itself.

Any student's locker, desk, or other storage area shall be subject to search if reasonable grounds exist to suspect that the search will yield evidence of the student's violation of the law or school rules. Any search of an individual student's locker shall be conducted according to board policy governing personal searches.

All student lockers may be searched at any time without prior notice and without reasonable suspicion that the search will yield evidence of any particular student's violation of the law or school rules. If the school official conducting such a search develops a reasonable suspicion that any container inside the locker, including but not limited to a purse, backpack, gym bag, or an article of clothing, contains evidence of a student's violation of the law or school rules, the container may be searched according to board policy governing personal searches.

The superintendent shall establish procedures for conducting searches of lockers, desks, or storage areas.

Cross References:	Board Policy 3414 3231	Infectious Diseases Student Records
Legal References:	RCW 13.64.060 28A.320.040 28A.600.020 28A.600.210-240 WAC 392-400-215	Power and Capacity of emancipated minor Bylaws for board and school government Exclusion of student from classroom – Written disciplinary procedures – Long-term suspension or expulsion School official searches of student lockers Student rights
Management Resources:	<i>Policy News</i> , June 1999	School safety bills impact policy

Adoption Date: July 21, 1999
Revised: January 21, 2004
February 21, 2007

STUDENT RECORDS

The district will maintain those student records necessary for the educational guidance and/or welfare of students, for orderly and efficient operation of schools and as required by law. All information related to individual students will be treated in a confidential and professional manner. The district will use reasonable methods to ensure that teachers and other school officials obtain access to only those education records for which they have legitimate educational interests. When information is released in compliance with state and federal law the district and district employees are immune from civil liability unless they acted with gross negligence or in bad faith.

The district will retain records in compliance with the current, approved versions of the *Local Government General Records Retention Schedule (CORE)* and the *School Districts and Educational Service Districts Records Retention Schedule*, both of which are published on the Secretary of State’s website at: www.sos.wa.gov/archives/recordsretentionschedules.aspx.

Student records are the property of the district but will be available in an orderly and timely manner to students and parents. “Parent” includes the state department of social and health services when a minor student has been found dependent and placed in state custody. A parent or adult student may challenge any information in a student record believed inaccurate, misleading or in violation of the privacy or other rights of the student.

Student records will be forwarded to other school agencies upon request. A high school student may grant authority to the district, permitting prospective employers to review the student's transcript. Parental or adult student consent will be required before the district may release student records other than to a school agency or organization, except as otherwise provided by law.

A diploma may not be released until a student has made restitution for damages assessed as a result of losing or damaging school materials or equipment.

The superintendent or designee will establish procedures governing the content, management and control of student records.

Cross References:	Board Policy 2100	Educational Opportunities for Military Children
	3115	Students Experiencing Homelessness – Enrollment Rights and Services
	3143	District Notification of Juvenile Offenders
	3520	Student Fees, Fines, Charges
	4020	Confidential Communications
	4040	Public Access to District Records
Legal References:	20 U.S.C. § 1232g	Family Education Rights and Privacy Act
	CFR 34, Part 99	Family Education Rights and Privacy Act Regulations
	42 U.S.C. 11431 et seq.	McKinney – Vento Homeless Assistance Act

RCW 28A.150.510	Transmittal of education records to DSHS – Disclosure of educational records – Data sharing agreements – Comprehensive needs requirement document – Report
28A.195.070	Official transcript withholding – Transmittal of information
28A.225.151	Reports
28A.225.330	Enrolling students from other districts – Requests for information and permanent records – Withheld transcripts – Immunity from liability – Notification to teachers and security personnel – Rules
28A.230.120	High school diplomas – Issuance - Option to receive final transcripts-- Notice
28A.230.180	Educational and career opportunities in the military, student access to information on, when
28A.600.475	Exchange of information with law enforcement and juvenile court officials – Notification of parents and students.
28A.605.030	Student education records – Parental review – release of records - Procedure
28A.635.060	Defacing or injuring school property — Liability of pupil, parent or guardian
40.24.030	Address Confidentiality Program — Application — Certification
RCW 70.02 RCW	Medical records — health care information access and disclosure
WAC 392-500-025	Pupil tests and records — Pupil personnel records — School district policy in writing
WAC 392-415	Secondary education — standardized high school transcript
WAC 181-87-093	Failure to assure the transfer of student record information or student records
WAC 246-105	Immunization of child care and school children against certain vaccine-preventable diseases
WAC 392-172A	Rules for the provision of Special Education
WAC 392-182	Student Health Records
WAC 392-415-060-070	State standardized high school transcript
WAC 181-87-093	Failure to assure the transfer of student record information or student records

WAC 392-121-182	Alternative learning experience requirements
WAC 392-122-228	Alternative learning experiences for juvenile students incarcerated in adult jail facilities
WAC 392-500-025	Pupil tests and records — Tests— School district policy in writing

Management Resources:

<i>Policy News</i> , April 2001	Compliance Office Provides FERPA Update
<i>Policy News</i> , December 2003	Updated Legal References for Catheterization, Facilities Planning, and Student Records Policies
<i>Policy News</i> , February 2010	Family Education Rights and Privacy Act Revisions
<i>Policy News</i> , February 2013	
<i>Policy News</i> , December 2014	
<i>Policy News</i> , December 2018	

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Revised: January 21, 2004
February 21, 2007
March 16, 2011
April 17, 2019
February 19, 2020
September 15, 2021

STUDENT CONDUCT EXPECTATIONS AND REASONABLE SANCTIONS

The board acknowledges that conduct and behavior is closely associated to learning. An effective instructional program requires a wholesome and orderly school environment. The board requires that each student adhere to the rules of conduct and submit to corrective action taken as a result of conduct violations. The rules of conduct are applicable during the school day as well as during any school activity conducted on or off campus. Special rules are also applicable while riding on a school bus.

Students are expected to:

- A. Respect the rights, person and property of others;
- B. Pursue the required course of study;
- C. Preserve the degree of order necessary for a positive climate for learning;
- D. Comply with district rules and regulations; and
- E. Submit to the authority of staff and reasonable discipline imposed by school employees and respond accordingly.

The Board also recognizes that schools must take reasonable steps so that students who fail to adhere to the district’s rules and regulations and who receive discipline for such misconduct remain engaged or are effectively reengaged in their educational program.

The superintendent shall develop written rules of conduct, which will carry out the intent of the board.

Cross References:	Baord Policy 3241	Classroom Management, Corrective Actions or Punishment
	Board Policy 6605	Student Safety Walking to School and Riding Buses
Legal References:	RCW 4.24.190	Action against parent for wilful injury to property by minor — Monetary limitation — Common law liability preserved
	9A.16.020	Use of force — when lawful
	9.41	Firearms and dangerous weapons
	9.91.160	Personal protection spray devices
	28A.210.310	Prohibition on use of tobacco products on school property
	28A.320.128	Notice and disclosure policies – Threats of violence- Student conduct – Immunity for good faith notice -- Penalty
	28A.600.015	Ruses incorporating due process guarantees of pupils with regard to expulsions and suspensions
	28A.600.020	Exclusion of student from classroom – Written disciplinary procedures – Long-term suspension or expulsion

28A.600.022	Suspended or expelled students – Reengagement plan.
28A.600.040	Pupils to comply with rules & regulations
28A.400.110	Principal to assure appropriate student discipline
28A.635.060	Defacing or injuring school property — Liability of pupil, parent or guardian
28A.635.090	Interference by force or violence –Penalty
28A.635.100	Intimidating any administrator, teacher, classified employee, or student by threat of force or violence unlawful --Penalty
WAC 392-400-205	Definitions
392-400-210	Student responsibilities and duties
392-400-215	Student rights
392-400-225	School district rules defining misconduct — Distribution of rules
392-400-226	School district rules defining harassment, intimidation and bullying prevention policies and procedures – Distribution of rules
392-400-227	School district rules defining students’ religious rights
392-400-233	Unexcused absences and tardiness

Management Resources:

- Policy News*, Sept. 2013 Student Conduct policy and procedure revised.
- Policy News*, August 2014
- Policy News*, September 2013

Adoption Date: July 21, 1999
 Revised: January 21, 2004
 February 21, 2007
 April 17, 2019

Student Conduct Expectations and Reasonable Sanctions

Student Conduct Expectations

As authorized by chapter 28A.600 RCW, the following procedure sets forth rights and conduct expectations for students, along with the sanctions that may be imposed for violations of such expectations. At all times, this procedure will be read consistent with federal statutes and regulations, state statutes, common law, and rules promulgated by the Washington Office of the Superintendent of Public Instruction. For procedures and legal requirements related to imposition of suspension and expulsion, see Policy and Procedure 3241, Classroom Management, Discipline and Corrective Action.

Respect for the Law and the Rights of Others

The student is responsible as a citizen to observe the laws of the United States, the: state of Washington, and local ordinances and laws. The student will respect the rights of others while in school, on school property, at all school activities, on district-provided transportation or otherwise under school authority.

Compliance with Rules

All students will obey the written rules and regulations established for the orderly operation of the district and the reasonable requests, instructions, and directives of district personnel. For purposes of Policy 3240 and this procedure, the term “district personnel” includes all adults, including contractors and volunteers, authorized to supervise student activities. Failure to do so will be cause for disciplinary action. All students will submit to reasonable discipline by the school district and its representatives for violations of policies, regulations and rules.

Student Rights

In addition to individual rights established by law and district policies, students served by or on behalf of the district will have the right to:

- High educational standards in a safe and sanitary building;
- Education consistent with stated district goals;
- Equal educational opportunity and in all aspects of the educational process freedom from discrimination based on economic status, pregnancy, marital status, sex, race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sexual orientation including gender expression or identity, the presence of any sensory, mental or physical disability, or the use of trained dog guide or service animal by a person with a disability.;
- Access to their own education records at reasonable school times upon request;
- Fair and just treatment from school authorities and freedom from mistreatment and physical abuse;
- Freedom from unlawful interference in their pursuit of an education while in the custody of the district;
- Security against unreasonable searches and seizures;
- The substantive constitutional rights listed in WAC 392-400-215, subject to reasonable limitations upon the time, place, and manner of exercising such rights consistent with the maintenance of an orderly and efficient educational process within limitations set by law, including the right to:

- freedom of speech and press,
- peaceably assemble
- petition the government and its representatives for a redress of grievances,
- the free exercise of religion and to have their schools free from sectarian control or influence, and
- Participate in the development of rules and regulations to which they are subject and to be instructed on rules and regulations that affect them, including the periodic review and update of discipline rules, policies, and procedures;
- Establish appropriate channels to voice their opinions in the development of curriculum;
- Representation on advisory committees affecting students and student rights;
- Present petitions, complaints, or grievances to school authorities and the right to prompt replies;
- Consult with teachers, counselors, administrators and other school personnel at reasonable times;
- Be involved in school activities, provided they meet the reasonable qualifications of the sponsoring organization;
- Free election of their peers in student government and the right to hold office;
- Know the requirements of the course of study, be informed about and know upon what basis grades will be determined;
- Citizenship privileges as determined by the United States and Washington State Constitution and its amendments; and,
- Annual information pertaining to the district's rules and regulations regarding students, discipline and rights.

Scope of District Authority

Students who involve themselves in acts that have a detrimental effect on the maintenance and operation of the school or the school district; criminal acts; and/or violations of school rules and regulations, may be subject to disciplinary action by the school and prosecution under the law.

The rules will be enforced by school officials:

- On school grounds or in reasonable proximity thereto at all times;
- On school grounds at any other time when school is being used by a school group(s) or for a school activity;
- Off school grounds at a school activity, function, or event;
- Off the school grounds if the actions of the student materially or substantially affects or interferes with the educational process; or,
- In school-provided transportation, or any other place while under the authority of school personnel.

Disruptive Conduct

A student will not intentionally cause substantial and/or material disruption of any school operations. The following illustrate the kinds of offenses that are prohibited:

- Intentionally obstructing normal pedestrian or vehicular traffic on a school campus;
- Intentionally obstructing the entrance or exit of any school building or room in order to deprive others of passing through;
- Causing a disturbance or disruption on school grounds, at school activities, or on district-provided transportation, including substantially interfering with any class or activity;
- Cheating/Plagiarism;
- Defiance of school personnel by;
 - disobedience of reasonable requests, instruction, and directives of school personnel;
 - refusal to leave an area when instructed to do so by school personnel;
 - refusing a reasonable request to identify oneself to district personnel (including law enforcement officers) while under the supervision of the school; and
 - refusal to cease prohibited behavior;
- Disruptive and/or dangerous use of motor vehicles or conduct on a school bus that endangers students;
- Extortion, theft, forgery;
- Fighting: Fighting and instigating, promoting, or escalating a fight, as well as failure to disperse. Engaging in any form of fighting where blows are exchanged is prohibited, regardless of who initiated the fight. This prohibition includes hitting, slapping, pulling hair, biting, kicking, and scratching or any other acts in which a student intentionally inflicts or attempts to inflict injury on another;
- Gambling or encouraging other students to gamble;
- Gang-related behavior, association, and/or affiliation ;
- Harassment of others;
- Inappropriate dress or appearance (see Policy_3224);
- Inappropriate display of affection;
- Trespassing on school property or school transportation at a time or place the student's presence is not permitted;
- Occupying a school building or school grounds in order to deprive others of its use;
- Preventing students from attending class or school activities;
- Use or possession of tobacco/nicotine/paraphernalia;
- Using any object in a dangerous manner;
- Intentionally defacing or destroying district property or that of another; and
- Misuse of personal and district technology.

Exceptional Misconduct

Exceptional misconduct is a violation of rules so serious in nature and/or so disruptive as to warrant an immediate short-term or long-term suspension, or expulsion. Exceptional misconduct includes the following:

- Arson;
- Assault, if the assault involves
 - injury to another;
 - bodily fluids; or
 - a weapon;
- Commission of any crime on school grounds, or the commission of a crime or other dangerous conduct anywhere that indicates the student's presence on school grounds poses a danger to other students or staff;*
- Cumulative violations;*
- Causing intentional, substantial damage or destruction to school property or the property of another on school grounds or at school activities;
- Dangerous use of motor vehicles on school grounds or at school activities, or endangering students on a school bus;
- Disruption of the school program by bomb scares, false fire alarms, firecrackers, etc.;*
- Extortion;*
- Fighting: Fighting and instigating, promoting, or escalating a fight, failure to disperse, as well as electronic recording/videotaping. Engaging in any form of fighting where physical blows are exchanged is prohibited, regardless of who initiated the fight. This prohibition includes hitting, slapping, pulling hair, biting, kicking, choking, and scratching or any other acts in which a student intentionally inflicts or attempts to inflict injury on another;*
- Harassment/intimidation/bullying of others;*
- Knowingly possessing stolen property;*
- Possession, use, sale, or delivery of illegal or controlled chemical substances, including marijuana or substances containing marijuana and alcoholic beverages, as well as possession of items reasonably determined to be drug paraphernalia as used or possessed;
- Presence on school property or at a school activity following the consumption or use elsewhere of an alcoholic beverage or a controlled substance, including marijuana;
- Sexual misconduct on school grounds, at school activities, or on school provided transportation;*
- Theft on school grounds, at school activities, on school provided transportation, or of school property at any time;*
- Threats of violence to other students or staff
- Use or possession of dangerous weapons, including firearms, airguns, knives, nun-chu-ka sticks, throwing stars, stun guns, explosives and other weapons prohibited by state law and Policy.

**District Note: While these marked offenses are "exceptional misconduct" and an immediate imposition of short-term suspension is permissible, each offense may be a "discretionary discipline offense" for which long-term suspension and expulsion/emergency expulsion cannot be imposed. If the school is considering imposition of long-term suspension, emergency expulsion, or expulsion for*

any offense marked with an asterisk, the behavior must also be explicitly listed in procedure 3241 P under the section entitled “Suspension, Expulsions, and Discretionary Offenses.”

Guidelines for Sanctions

Chapter 392-400 WAC contains the following restrictions for suspensions:

- Kindergarten through grade four - No student in grades kindergarten through four shall be subject to short-term suspensions for more than a total of ten school days during any single semester or trimester as the case may be, and no loss of academic grades or credit shall be imposed by reason of the suspension of such a student.
- Grades five and above program - No student in grade five and above program shall be subjected to short-term suspension for more than a total of fifteen school days during any single semester or ten school days during any single trimester, as the case may be.

In all cases where sanctions are imposed, a reasonable effort to contact parents or guardians will occur prior to, or contemporaneous with, the imposition of the sanction, in addition to any written notice required by law. When a school administrator has good and sufficient reason to believe that a student’s presence poses an immediate and continuing danger to the student, other students or school staff, or an immediate and continuing threat of substantial disruption of the educational process, immediate emergency removal or emergency expulsion may be appropriate. (See Policy 3241, Classroom Management, Discipline and Corrective Action.)

In conjunction with the following sanction guidelines, administrators may also consider any alternative form of corrective action—including programs intended to lessen the time of exclusion from class attendance—which has been approved by the Board of Directors and/or Superintendent. The district encourages the use of alternative forms of correction action when possible and practicable in light of the duty to maintain safe and orderly school environments conducive to student learning.

In addition to school sanctions, administrators should determine whether restitution for damage or injury should be considered.

Implementing the Guidelines for Sanctions

It is presumed that school administrators will sanction a student for the following offenses within each listed standard range, beginning at the presumptive sanction and determining whether mitigating or aggravating factors warrant a sanction higher or lower within the standard range. School administrators are expected to use their professional judgment and experience when assigning students sanctions and will, to the best of their abilities, attempt to apply these sanctions to all similarly-situated students in a fair and equitable manner. The administrator’s judgment and discretion will carefully balance the duty to maintain order and discipline in a safe school environment, the appropriate corrective action needed to address the student’s misconduct, and the student’s long-term educational success.

The sanctions below do not prohibit administrators from considering approved alternatives to out-of-school suspension or expulsion, including in-school suspension. The standard range for each offense does not prohibit a school administrator from exceeding the range, up to and including expulsion, if sufficient aggravating factors warrant such corrective action or if the threat of danger or substantial disruption supports an emergency expulsion under WAC 392-400-295.

ARSON

For purposes of school discipline, “arson” means any intentional or reckless setting of a fire or other burning of personal or public property. “Reckless” means that the student understood, but acted with disregard for, the consequences of his or her conduct.

STANDARD RANGE: 0-20 Day Suspension

PRESUMPTIVE STANDARD SANCTION:

- Elementary: Short-Term Suspension of 1 Day
- Secondary: Short-Term Suspension of 5 Days

MITIGATING FACTORS:

- No prior documented misconduct
- Minimal damage
- Little potential of harm
- Student’s intent or purpose
- Student’s age and/or inability to understand potential consequences of the conduct
- Admitted or self-reported conduct
- Student attempted, but failed to or was prevented from, carrying out the conduct

AGGRAVATING FACTORS:

- Significant damage
- Potential of serious harm
- Intent or purpose in setting fire
- Previous discipline record of student warranting progressive sanctions
- The student’s presence on campus is determined to be a threat to the safety of others.

ASSAULT

For purposes of school discipline, “assault” means actual or attempted hitting, striking or other wrongful physical contact inflicted on another either directly or indirectly through an object. For verbal threats, see Harassment, Intimidation, and Bullying.

STANDARD RANGE: 0-10 Day Suspension

PRESUMPTIVE STANDARD SANCTION:

- Elementary: 0 Days
- Secondary: Short-Term Suspension of 5 Days

MITIGATING FACTORS:

- No prior documented misconduct
- Minimal injury or damage
- Student was primarily acting defensively, but facts do not support a conclusion that the student’s conduct was clearly reasonable self-defense as set forth below
- Student’s age and/or inability to understand potential consequences of the conduct
- Admitted or self-reported conduct

AGGRAVATING FACTORS:

- Serious actual or potential injury
- Use of an object or weapon
- Premeditated conduct

- Multiple students assaulting a single student
- Prior assault(s), threat(s), harassment, or bullying by the student against the same victim
- Exceptional severity or cruelty
- Conduct is motivated by perceived race, color, national origin, gender, sexual orientation, gender expression, disability, or any similar actual or perceived characteristic of the victim
- Conduct is motivated by actual or perceived gang rivalry or affiliation
- Previous discipline record of student warranting progressive sanctions

REASONABLE SELF-DEFENSE:

It is expected that a student must always first retreat from any threat of harm and/or contact an adult staff member for assistance before engaging in any type of physical response to an assault. However, an administrator may decide not to subject a student to discipline if, following a reasonable investigation, the administrator determines that all of the following are true:

- a student who is being assaulted or witnesses another student being assaulted acts only in a manner that is defensive and protective of himself/herself or others;
- the student is acting in a manner that a building administrator determines is reasonable and necessary in light of the circumstances; and
- the student did not instigate, provoke, or promote the violence by his or her words or conduct immediately prior to the assault.

A reasonable physical response to an assault may include holding the assailant's hands or arms to prevent the assault, or pulling two fighting students apart and holding them until adult staff can arrive and intervene.

DEFACING OR DESTRUCTION OF PROPERTY

For school discipline purposes, means the unauthorized, intentional damage to district property or the property of others (other than arson, above).

STANDARD RANGE: 0-10 Day Suspension

PRESUMPTIVE STANDARD SANCTION:

- Elementary: Discipline other than Suspension
- Secondary: Short-Term Suspension of 3 Days
- Restitution will usually be required.

MITIGATING FACTORS:

- No prior documented misconduct
- Minimal damage
- Student's age and/or inability to understand potential consequences of the conduct
- Admitted or self-reported conduct
- Subsequent remedial steps, including restitution to district or victim of misconduct

AGGRAVATING FACTORS:

- Significant damage in extent or cost
- Similar previous conduct
- Previous discipline record of student warranting progressive sanctions
- Property defaced with:

- lewd or obscene words or imagery
- words or imagery containing slurs or negative reference to the race, color, national origin, gender, sexual orientation, gender expression, or disability of others
- gang words or imagery

Note: Under RCW 28A.635.060 (1), the school district may withhold the grades, diploma, and transcripts of a pupil responsible for intentional damage or loss to the property of the district, a contractor of the district, an employee, or another student until the pupil or the pupil's parent or guardian has paid for the damages. If a student has been suspended or expelled, the student may not be readmitted until the student or parents or legal guardian has made payment in full, or until the superintendent directs otherwise. If the property damaged is a school bus owned and operated by the district, a student suspended for the damage may not be permitted to enter or ride any school bus until the student or parent or legal guardian has made payment in full or until directed otherwise by the superintendent.

When the pupil and parent or guardian is unable to pay for the damages, the school district will provide a program of voluntary work for the pupil in lieu of the payment of monetary damages. Upon completion of the voluntary work the grades, diploma, and transcripts of the pupil shall be released. The parent or guardian of the pupil is liable for damages as otherwise provided by Washington state law.

DEFIANCE OF SCHOOL AUTHORITY

Refusal to obey reasonable requests, instructions, and directives of any school personnel, including volunteers or contractors working for the school. Defiance includes dress or appearance in violation of Policy 3224 that the student either refuses to correct at the directive of a school administrator, or that is a persistent and repeated violation of Policy 3224. Defiance of school authority can also include intentional disruptive behavior.

STANDARD RANGE: 0-10 Day Suspension

(District Note: Defiance of school authority is a discretionary discipline offense under RCW 28A.600.015 that cannot result in long-term suspension or expulsion.)

PRESUMPTIVE STANDARD SANCTION:

- Elementary: Discipline other than Suspension
- Secondary: Discipline other than Suspension

MITIGATING FACTORS:

- No prior documented misconduct
- Student's age and/or inability to understand potential consequences of the conduct
- Subsequent action taken by student to make amends for misconduct with school personnel

AGGRAVATING FACTORS:

- Part of a pattern of similar misconduct
- Previous discipline record of student warranting progressive sanctions
- Substantial disruption to learning of others caused by student's defiance
- Student attempts to solicit or incite others to engage in defiant behavior
- Use of lewd, obscene, or profane language directed towards supervising school personnel

- Conduct is motivated by perceived race, color, national origin, gender, sexual orientation, gender expression, disability, or any similar actual or perceived characteristic of school personnel

DRUGS/ALCOHOL AND OTHER PROHIBITED CHEMICAL SUBSTANCES

The possession, consumption, use, storage, or distribution of drugs (including marijuana/cannabis), alcohol, and other similar chemical substances on school grounds, at school activities, or on district-provided transportation is prohibited. For purposes of student conduct expectations:

- This section applies to any controlled substance, medication, stimulant, depressant, or mood altering compound, including simulated compounds intended to produce intoxication or euphoria, whether or not such compounds have been designated a controlled substance by state or federal law;
- This section applies to marijuana or substances containing marijuana;
- This section applies to legally-prescribed drugs which a student is nevertheless not lawfully authorized to possess on school grounds, at school activities, or on district-provided transportation;
- This section applies to students who enter school grounds, school activities, or district-provided transportation following the unlawful use or consumption of drugs, alcohol, and other similar chemical substances, including students who appear to be under the influence of such substances; and
- This section applies equally to the possession or use of paraphernalia or other items used to possess, consume, store, or distribute drugs, alcohol, and/or other illegal chemical substances, including marijuana or substances containing marijuana.

STANDARD RANGE Elementary: 0-10 Day Suspension

STANDARD RANGE Secondary: 3-20 Day Suspension

PRESUMPTIVE STANDARD SANCTION FOR POSSESSION OR USE:

Elementary: Short-Term Suspension of 1 Day

Secondary: Short-Term Suspension of 10 Days

PRESUMPTIVE STANDARD SANCTION FOR DISTRIBUTION:

Elementary: Short-Term Suspension of 5 Days

Secondary: Long-Term Suspension of 20 Days

MITIGATING FACTORS:

- Little or no prior documented misconduct
- A significantly small amount of substance
- Student’s age and/or inability to understand potential consequences of the conduct
- Momentary or transient handling of the item
- Admitted or self-reported conduct
- Student believed that he or she was authorized to possess a lawfully-prescribed drug on campus
- Evidence that there was no intent to use, consume, or distribute the substance on school grounds, district-provided transportation, or at school activities.

AGGRAVATING FACTORS:

- Previous discipline record of student warranting progressive sanctions
- A relatively large amount of substance that would reasonably exceed anticipated single use

- Evidence of sophistication or pre-planning
- Evidence of distribution or intent to distribute prohibited substances
- The substance is heroin or another similar opiate (including methadone, oxycodone, etc.), cocaine, methamphetamine, or a similar substance designated as a level one or level two controlled substance with the potential for significant harm and addiction
- Distribution has been to multiple students
- Conduct is related to gang affiliation

Generally, a suspension for possession, use, or consumption should not exceed ten (10) days, and a suspension for distribution should not exceed twenty (20) days. A suspension for secondary students in either case should not fall below three (3) days.

An expulsion may be imposed for such conduct when sufficient aggravating circumstances are present and in consultation with the superintendent or the superintendent's designee. Emergency expulsion may be imposed when the student's conduct meets the requirements of WAC 392-400-295.

An administrator may draw up a contract with a student serving a suspension, and a maximum of fifty percent (50%) of the suspension may be held in abeyance when the student successfully complies with the terms and conditions of the contract.

In all cases in which a student possesses or is distributing on school grounds, at school activities, or on district-provided transportation a substance prohibited under this section that is also a violation of the law, a report will be made by school officials to law enforcement.

FIGHTING OR FIGHTING INVOLVEMENT

Includes instigating, promoting (including promotion by presence as a spectator), and escalating a fight, as well as the failure to disperse at the scene of a fight.

SANCTIONS: See Assault

(District Note: Where assault is not alleged and the school simply imposes discipline under fighting or fighting involvement, such offense is a discretionary discipline offense under RCW 28A.600.015 that cannot result in long-term suspension or expulsion.)

GANG CONDUCT

For school discipline purposes includes:

- the creation, display, or communication of gestures, language, imagery, or symbols as defined below commonly associated with gang culture
- the promotion of gang culture and/or gang violence, and/or
- the solicitation or recruitment of gang members.

Gang imagery and symbols include, but are not limited to:

- apparel (including shoelaces, bandanas, belts, or hats) which by virtue of color, arrangement, trademark, symbol, or any other attributes indicate or imply gang membership or affiliation
- displays of gang affiliation on personal belongings including clothing, school assignments, notebooks, body, etc.

STANDARD RANGE: 0-10 Day Suspension

(District Note: If the school does not allege gang activity on school grounds in violation of RCW 28A.600.455 or criminal gang intimidation, some “gang conduct” may be discretionary discipline offense under RCW 28A.600.015 that cannot result in long-term suspension or expulsion.)

PRESUMPTIVE STANDARD SANCTION:

Elementary: Discipline other than Suspension

Secondary: Discipline other than Suspension

MITIGATING FACTORS:

- No prior documented misconduct
- Student’s age and/or inability to understand potential consequences of the conduct
- Admitted or self-reported conduct
- Subsequent remedial steps, including restitution for property damaged or defaced with gang imagery, symbols, or language

AGGRAVATING FACTORS:

- Similar previous conduct
- Concerted action with other students or non-students
- Gang conduct in connection with other misconduct prohibited elsewhere by this procedure, including but not limited to assault, harassment, intimidation, bullying, theft, and the possession of weapons
- Previous discipline record of student warranting progressive sanctions

Expulsion or Long-term suspension for gang conduct alone, absent any other misconduct, may only occur under extraordinary circumstances following consultation with the Superintendent or Superintendent’s designee.

HARASSMENT, INTIMIDATION OR BULLYING

For school discipline purposes, “harassment, intimidation and bullying” includes:

- intentional hurtful, threatening, or intimidating verbal and/or physical conduct in violation of district policy 3207 and procedure 3207P;
- unsolicited or unwelcome verbal or physical conduct that is harassing or intimidating that can be of a sexual, religious, racial or ethnic nature, or based on disability;
- a threat to cause bodily injury, property damage, or to cause the physical confinement or restraint of the person threatened, or any other act causing substantial harm to the physical or mental health of the person threatened.

STANDARD RANGE Elementary: 0-10 Day Suspension

STANDARD RANGE: Secondary: 3-20 Day Suspension

PRESUMPTIVE STANDARD SANCTION:

Elementary: Discipline other than Suspension

Secondary: 3 Day Suspension

**(Note: Harassment, intimidation, or bullying that does not constitute criminal “harassment” under chapter 9A.46 RCW (i.e., threats) or any other offense specifically listed in Policy 3241 or procedure 3241P (e.g., assault or malicious mischief) is a discretionary discipline offense under RCW 28A.600.015 that cannot result in long-term suspension or expulsion.)*

MITIGATING FACTORS:

- No prior documented misconduct
- Student’s age and/or inability to understand potential consequences of the conduct
- Admitted or self-reported conduct
- Subsequent action taken by student to make amends for misconduct with the victim

AGGRAVATING FACTORS:

- Threat of serious injury
- Use of an object or weapon
- Premeditated conduct
- Part of a pattern of similar misconduct against the same victim
- Prior assault(s) threat(s), harassment, or bullying by the student against the same victim
- Exceptional severity or cruelty
- Conduct is motivated by perceived race, color, national origin, gender, sexual orientation, gender expression, disability, or any similar actual or perceived characteristic of the victim
- Conduct is motivated by actual or perceived gang rivalry or affiliation
- Previous discipline record of student warranting progressive sanctions

LEWD, OBSCENE, OR PROFANE LANGUAGE, GESTURES OR MATERIALS

For purposes of school discipline, this includes, but is not limited to, lewd, obscene or profane language, gestures or materials that are unrelated to authorized school curriculum. Prohibited “materials” includes digital or electronic text, images, or sounds that are possessed, displayed, or transmitted while under the supervision of school authorities.

STANDARD RANGE: 0-10 Day Suspension

(District Note: Lewd, obscene, or profane language gesture or materials that do not constitute a “sex offense” as defined in Policy 3241 and procedure 3241P is a discretionary discipline offense under RCW 28A.600.015 that cannot result in long-term suspension or expulsion.)

PRESUMPTIVE STANDARD SANCTION:

- Elementary: Discipline other than Suspension
- Secondary: Discipline other than Suspension

MITIGATING FACTORS:

- No prior documented misconduct
- Student’s age and/or inability to understand potential consequences of the conduct
- Subsequent action taken by student to make amends for misconduct

AGGRAVATING FACTORS:

- Part of a pattern of similar misconduct
- Previous discipline record of student warranting progressive sanctions
- Substantial disruption to learning of others caused by student’s defiance
- Student attempts to solicit or incite others to engage in behavior
- Conduct is motivated by perceived race, color, national origin, gender, sexual orientation, gender expression, disability, or any similar actual or perceived characteristic of school personnel

Any conduct under this section that could constitute a criminal act will be reported to law enforcement. Any conduct under this section that involves the use of district resources or equipment may result in the loss or restriction of a student's use of district systems, resources, or equipment.

TARDINESS

Schedule a conference or conferences with the custodial parent or guardian and student, at a time reasonably convenient for all, for the purpose of analyzing the causes of the student's tardiness. Take steps to eliminate the tardiness, including adjusting the student's school program, or school/course assignment.

(District Note: Tardiness is a discretionary discipline offense under RCW 28A.600.015 that cannot result in long-term suspension or expulsion.)

THEFT/STEALING

Possession of another person's or district property, regardless of value, without the person's permission with the intent to deprive the owner of such property. As part of the sanction, restitution will usually be required.

STANDARD RANGE: 0-10 Day Suspension

(District Note: Theft and stealing are discretionary discipline offenses under RCW 28A.600.015 that cannot result in long-term suspension or expulsion.)

PRESUMPTIVE STANDARD SANCTION:

Elementary: Discipline other than Suspension

Secondary: Short-Term Suspension of 2 Days

Restitution will usually be required if property is not recovered and returned.

MITIGATING FACTORS:

- No prior documented misconduct
- Property returned to victim
- Student's age and/or inability to understand potential consequences of the conduct
- Admitted or self-reported conduct
- Subsequent remedial steps, including restitution to district or victim of misconduct

AGGRAVATING FACTORS:

- Significant damage in extent or cost
- Similar previous conduct
- Previous discipline record of student warranting progressive sanctions
- Conduct is motivated by perceived race, color, national origin, gender, sexual orientation, gender expression, disability, or any similar actual or perceived characteristic of the victim
- Conduct is motivated by gang affiliation

Note: Under RCW 28A.635.060 (1), the school district may withhold the grades, diploma, and transcripts of a pupil responsible for intentional damage or loss to the property of the district, a contractor of the district, an employee, or another student until the pupil or the pupil's parent or guardian has paid for the damages. If a student has been suspended or expelled, the student may not be readmitted until the student or parents or legal guardian has made payment in full, or until the superintendent directs otherwise. If the property damaged is a school bus owned and operated by the district, a student suspended for the damage may not be permitted to enter or ride any school bus until

the student or parent or legal guardian has made payment in full or until directed otherwise by the superintendent.

When the pupil and parent or guardian is unable to pay for the damages, the school district will provide a program of voluntary work for the pupil in lieu of the payment of monetary damages. Upon completion of the voluntary work the grades, diploma, and transcripts of the pupil shall be released. The parent or guardian of the pupil is liable for damages as otherwise provided by Washington state law.

TOBACCO/NICOTINE PRODUCTS - USE OR POSSESSION

Students may not participate in smoking, use of tobacco products or products containing nicotine, or possess tobacco products on the school premises or at school-sponsored functions.

Elementary Students

See sanctions for Defiance of School Authorities

Secondary Students

First Offense: Complete Tobacco Intervention Packet. [Refusal or failure to complete Tobacco Intervention Packet shall be considered to be a tobacco related offense for which students may receive school discipline sanctions as set forth in Defiance of School Authorities]

Second Offense: Complete Tobacco Intervention Packet and attend extended after school detention. [Refusal to complete Tobacco intervention Packet shall be considered to be a tobacco related offense for which students may receive school discipline that includes short-term suspension with days that may be held in held in abeyance for community service].

Third Offense: Complete Tobacco Intervention Packet and attend extended after school detention. [Refusal to complete Tobacco Intervention Packet shall be considered to be a tobacco related offense for which students may receive school discipline that includes short-term suspension with days that may be held in held in abeyance for community service].

TRUANCY

See Policy and Procedure 3122.

WEAPONS

This section addresses the possession or use of actual weapons in violation of district policy including firearms, dangerous weapons, and other items listed within that policy. This includes when a student acts with malice as defined under RCW 9A.04.110 and displays a device that appears to be a firearm. Objects and conduct that fall outside of policy should be addressed under other sections, as appropriate.

STANDARD RANGE: 0-20 Day Suspension

PRESUMPTIVE STANDARD SANCTION:

Elementary: Short-Term Suspension of 3 Days

Secondary: Long-Term Suspension of 11 Days

SANCTION FOR FIREARM AT SCHOOL: Emergency Expulsion (see below)

MITIGATING FACTORS:

- No prior documented misconduct

- No injury or damage caused
- No evidence that student intended to display or use the weapon
- The weapon is a small pocketknife with a blade 3 inches or less
- Student's age and/or inability to understand potential consequences of the conduct
- Admitted or self-reported conduct
- Student offers credible evidence that he or she had the weapon for legitimate purposes away from school and unintentionally brought the object to school

AGGRAVATING FACTORS:

- Previous discipline record of student warranting progressive sanctions
- Student used the weapon in furtherance of an assault, to intimidate another, cause injury, and/or to cause physical damage to property
- Student displayed, activated or discharged the weapon in a reckless manner
- Evidence of premeditation
- Display or use of the weapon was motivated by perceived race, color, national origin, gender, sexual orientation, gender expression, disability, or any similar actual or perceived characteristic of a person intimidated or assaulted
- Conduct is motivated by actual or perceived gang rivalry or affiliation
- The weapon is an airgun or firearm.
- The object appears to be a firearm and the student displaying or using the object does so with malice

Any student who is determined to have carried a firearm or to have possessed a firearm on school premises, school-provided transportation, or school sponsored activities at any facility shall be expelled from school *for not less than one year (12 months) under RCW 28A.600.420*, with notification to parents and law enforcement. The district superintendent or the superintendent's designee is authorized to modify the expulsion of a student on a case-by-case basis.

The school district may also suspend or expel a student for up to one year if the student acts with malice as defined under *RCW 9A.04.110* and displays a device that appears to be a firearm.

Expulsion may result based upon the administrator's judgment of the seriousness of the act or circumstances surrounding the act, and/or the previous record of the student.

Date: July 1999
Revised: January 21, 2004
April 17, 2019

STUDENT DISCIPLINE

“Discipline” means any action taken by the school district in response to behavioral violations. Discipline is not necessarily punitive, but can take positive and supportive forms. Data show that a supportive response to behavioral violation is more effective and increases equitable educational opportunities. The purposes of this policy and accompanying procedure include:

- Engaging with families and the community and striving to understand and be responsive to cultural context
- Supporting students in meeting behavioral expectations, including providing for early involvement of parents
- Administering discipline in ways that respond to the needs and strengths of students and keep students in the classroom to the maximum extent possible
- Providing educational services that students need during suspension and expulsion
- Facilitating collaboration between school personnel, students, and parents, and thereby supporting successful reentry into the classroom following a suspension or expulsion
- Ensuring fairness, equity, and due process in the administration of discipline
- Providing every student with the opportunity to achieve personal and academic success
- Providing a safe environment for all students and for district employees

The Superintendent shall establish and make available rules of student conduct, designed to provide students with a safe, healthy, and educationally sound environment. Students are expected to be aware of the district’s rules of student conduct, including behavior standards that respect the rights, person, and property of others. Students and staff are expected to work together to develop a positive climate for learning.

Minimizing exclusion, engaging with families, and supporting students

Unless a student’s presence poses an immediate and continuing danger to others or an immediate and continuing threat to the educational process, staff members must first attempt one or more forms of other forms of discipline to support students in meeting behavioral expectations before imposing classroom exclusion, short-term suspension, or in-school suspension. Before imposing a long-term suspension or expulsion, the district must first consider other forms of discipline. These other forms of discipline may involve the use of best practices and strategies included in the state menu for behavior developed under RCW 28A.165.035. The accompanying procedure will identify a list of other forms of discipline for staff use. However, staff members are not restricted to that list and may use any other form of discipline compliant with WAC 392-400-025(9). School personnel must make every reasonable attempt to involve parents and students to resolve behavioral violations. The district must ensure that associated notices, hearings, conferences, meetings, plans, proceedings, agreements, petitions, and decisions are in a language the student and parents understand; this may require language assistance. Language assistance includes oral and written communication and further includes assistance to understand written communication, even if parents cannot read any language. The district’s use of suspension and expulsion will have a real and substantial relationship to the lawful maintenance and operation of the school district, including but not limited to, the preservation of the health and safety of students and employees and the preservation of an educational process that is conducive to learning. As described in the procedures, the district will offer educational services to students during suspension or expulsion. When the district administers a long-term suspension or expulsion, the district will timely hold a reengagement meeting and collaborate with parents and students to devel-

op a reengagement plan that is tailored to the student's individual circumstances, in order to return the student to school successfully. Additionally, any student who has been suspended or expelled may apply for readmission at any time.

Staff Authority

District staff members are responsible for supervising student behavior during the school day, during school activities, whether on or off campus, and on the school bus. Staff members will seek early involvement of parents in efforts to support students in meeting behavioral expectations. The Superintendent has general authority to administer discipline, including all exclusionary discipline. The Superintendent will identify other staff members to whom the Superintendent has designated disciplinary authority. After attempting at least one other form of discipline, teachers have statutory authority to impose classroom expulsion for behaviors that disrupt the educational process. Because perceptions of subjective behaviors vary and include implicit or unconscious bias, the accompanying procedures will seek to identify the types of behaviors for which the identified district staff may administer discipline.

Ensuring fairness, providing notice, and an opportunity for a hearing When administering discipline, the district will observe all of the student's constitutional rights. The district will notify parents as soon as reasonably possible about classroom expulsion and before administering any suspension or expulsion. The district will provide opportunities for parent participation during an initial hearing with the student. The district will provide parents with written notice, consistent with WAC 392-400-455, of a suspension or expulsion no later than one school business day following the initial hearing. As stated above, language assistance includes oral and written communication and further includes assistance established procedures for review and appeal of suspensions, expulsions, and emergency expulsions, consistent with WAC 392-400-430 through 392-400-530

The district has also established procedures to address grievances of parents or students related to other forms of discipline, classroom exclusion, and exclusion from transportation or extra-curricular activities. The grievance procedures include an opportunity for the student to share his or her perspective and explanation regarding the behavioral violation.

Development and review

Accurate and complete reporting of all disciplinary actions, including the behavioral violations that led to them, is essential for effective review of this policy; therefore, the district will ensure such reporting. The district will periodically collect and review data on disciplinary actions taken against students in each school. The data will be disaggregated into subgroups as required by RCW 28A.300.042, including students who qualify for special education or Section 504. The data review will include classroom exclusion, in-school and short-term suspensions, and long-term suspensions and expulsions. The district will invite school personnel, students, parents, families, and the community to participate in the data review. The purpose of the data review is to determine if disproportionality exists; if disproportionality is found the district will take action to ensure that it is not the result of discrimination and may update this policy and procedure to improve fairness and equity regarding discipline.

Distribution of policies and procedures

The school district will make its discipline policies and procedures available to families and the community. The district will annually provide its discipline policies and procedures to all district personnel, students, and parents, which may require language assistance for students and

parents with limited English proficiency contractors are knowledgeable of the discipline policies and procedures.

Cross References:	Board Policy 2121 2161 2162 3122 3200 3205 3210 3240 3244 3520 4210 4218	Substance Abuse Program Special Education and Related Services for Eligible Students Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973 Excused and Unexcused Absences Rights and Responsibilities Safety and Civility in Schools Nondiscrimination Student Conduct Expectations and Reasonable Sanctions Prohibition of Corporal Punishment Student Fees, Fines, or Charges Regulation of Dangerous Weapons on School Premises Language Access Plan
Legal References:	RCW 9A.16.100 RCW 9.41.280 RCW 28A.150.240 Chapter 28A.225, RCW Chapter 28A.320, RCW RCW 28A.400.100 RCW 28A.400.110 Chapter 28A.600, RCW WAC 392-190-048 Chapter 392-400 WAC 34 CFR Part 100.3 Regulations implementing Civil Rights Act of 1964 42 U.S.C. 2000d et seq. Civil Rights Act of 1964	Use of force on children – Policy – Actions presumed unreasonable Possessing dangerous weapons on school facilities – Penalty – Exceptions Certificated teaching and administrative staff as accountable for classroom teaching – Scope – Responsibilities – Penalty Compulsory school attendance and admission Provisiona applicable to all districts Principals and vice principals – Employment of Qualifications - Duties Principal to assure appropriate student discipline – building discipline standards – Classes to improve classroom management skills Students Access to course offerings – Student discipline and corrective action Pupils

Management Resources:

Policy News, June 2010
Policy News, August 2014
Policy News, December 2014
Policy News, July 2016
Policy News, August 2018
Policy News, April 2019

Students and Sexting

Adoption Date: May 19, 1999

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August 19, 2009

March 16, 2011

April 17, 2019

December 16, 2020

Procedure – Student Discipline

Definitions

For purposes of all disciplinary policies and procedures, the following definitions will apply:

- **“Behavioral violation”** means a student’s behavior that violates the district’s discipline policies.
- **“Classroom exclusion”** means the exclusion of a student from a classroom or instructional or activity area for behavioral violations, subject to the requirements of WAC 392-400-330 and 392-400-335. Classroom exclusion does not include action that results in missed instruction for a brief duration when:
 - (a) a teacher or other school personnel attempts other forms of discipline to support the student in meeting behavioral expectations; and
 - (b) the student remains under the supervision of the teacher or other school personnel during such brief duration.
- **“Culturally responsive”** has the same meaning as “cultural competency” in RCW 28A.410.270, which states "cultural competency" includes knowledge of student cultural histories and contexts, as well as family norms and values in different cultures; knowledge and skills in accessing community resources and community and parent outreach; and skills in adapting instruction to students' experiences and identifying cultural contexts for individual students.
- **“Discipline”** means any action taken by a school district in response to behavioral violations.
- **“Disruption of the educational process”** means the interruption of classwork, the creation of disorder, or the invasion of the rights of a student or group of students.
- **“Emergency expulsion”** means the removal of a student from school because the student’s presence poses an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process, subject to the requirements in WAC 392-400-510 through 392-400-530
- **“Expulsion”** means a denial of admission to the student’s current school placement in response to a behavioral violation, subject to the requirements in WAC 392-400-430 through 392-400-480
- **“Length of an academic term”** means the total number of school days in a single trimester or semester, as defined by the board of directors.
- **“Other forms of discipline”** means actions used in response to problem behaviors and behavioral violations, other than classroom exclusion, suspension, expulsion, or emergency expulsion, which may involve the use of best practices and strategies included in the state menu for behavior developed under RCW 28A.165.035.
- **“Parent”** has the same meaning as in WAC 392-172A-01125, and means (a) a biological or adoptive parent of a child; (b) a foster parent; (c) a guardian generally authorized to act as the child’s parent, or authorized to make educational decisions for the student, but not the state, if the student is a ward of the state; (d) an individual acting in the place of a biological or adoptive parent, including a grandparent, stepparent, or other relative with whom the student lives, or an individual who is legally responsible for the student’s

welfare; or a surrogate parent who has been appointed in accordance with WAC 392-172A.05130. If the biological or adoptive parent is attempting to act as the parent and more than one party meets the qualifications to act as a parent, the biological or adoptive parent must be presumed to be the parent unless he or she does not have legal authority to make educational decisions for the student. If a judicial decree or order identifies a specific person or persons to act as the “parent” of a child or to make educational decision on behalf of a child, then that person or persons shall be determined to be the parent for purposes of this policy and procedure.

- **“School board”** means the governing board of directors of the local school district.
- **“School business day”** means any calendar day except Saturdays, Sundays, and any federal and school holidays upon which the office of the Superintendent is open to the public for business. A school business day concludes or terminates upon the closure of the Superintendent’s office for the calendar day.
- **“School day”** means any day or partial day that students are in attendance at school for instructional purposes.
- **“Suspension”** means the denial of attendance in response to a behavioral violation from any subject or class, or from any full schedule of subjects or classes, but not including classroom exclusions, expulsions, or emergency expulsions. Suspension may also include denial of admission to or entry upon, real and personal property that is owned, leased, rented, or controlled by the district.
 - **In-school suspension means a suspension in which a student is excluded from the student's regular educational setting but remains in the student's current school placement for up to ten consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475.**
 - **Short-term suspension** means a suspension in which a student is excluded from school for up to ten consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475. **Long-term suspension** means a suspension in which a student is excluded from school for more than ten consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475.

Engaging with Families & Language Assistance

The district must provide for early involvement of parents in efforts to support students in meeting behavioral expectations. Additionally, the district must make every reasonable attempt to involve the student and parent in the resolution of behavioral violations. Unless an emergency circumstance exists, providing opportunity for this parental engagement is required before administering a suspension or expulsion.

The district must ensure that it provides all discipline related communications [oral and written] required in connection with this policy and procedure in a language the student and parent(s) understand. These discipline related communications include notices, hearings, conferences, meeting, plans, proceedings, agreements, petitions, and decisions. This effort may require language assistance for students and parents with limited-English proficiency under Title VI of the Civil Rights Act of 1964. For parents who are unable to read any language, the district will provide written material orally.

Supporting Students with Other Forms of Discipline

Unless a student's presence poses an immediate and continuing danger to others, or a student's presence poses an immediate and continuing threat to the educational process, staff members must first attempt one or more forms of other forms of discipline to support students in meeting behavioral expectations before imposing classroom exclusion, short-term suspension, or in-school suspension. Before imposing a long-term suspension or expulsion, the district must first consider other forms of discipline.

The types of behaviors for which the staff members may use other forms of discipline include any violation of the rules of conduct, as developed annually by the Superintendent. In connection with the rules of conduct, school principals and certificated building staff will confer at least annually to develop precise definitions and build consensus on what constitutes manifestation of problem behaviors. The purpose of developing definitions and consensus on manifestation of a problem behavior is to address the differences in perception of subjective behaviors and reduce the effect of implicit or unconscious bias.

These other forms of discipline may involve the use of best practices and strategies included in the state menu for behavior available online at:

<http://www.k12.wa.us/SSEO/pubdocs/BehaviorMenu.pdf>. The district has identified the following for use as other forms of discipline:

Staff members are not restricted to the above list and may use any other form of discipline compliant with WAC 392-400-025(9).

Additionally, staff may use after-school detention as an other form of discipline for not more than 60 minutes on any given day unless agreed upon by staff, parent, and student for extenuating circumstances. Before assigning after-school detention, the staff member will inform the student of the specific behavior prompting the detention and provide the student with an opportunity to explain or justify the behavior. At least one professional staff member will directly supervise students in after-school detention.

Administering other forms of discipline cannot result in the denial or delay of the student's nutritionally adequate meal or prevent a student from accomplishing a specific academic grade, subject, or graduation requirements.

Students and parents may challenge the administration of other forms of discipline, including the imposition of after-school detention using the grievance process below.

Staff Authority and Exclusionary Discipline

District staff members are responsible for supervising students immediately before and after the school day; during the school day; during school activities (whether on or off campus); on school grounds before or after school hours when a school group or school activity is using school grounds; off school grounds, if the actions of the student materially or substantially affect or interferes with the educational process; and on the school bus.

Staff members will seek early involvement of parents in efforts to support students in meeting behavioral expectations. The Superintendent has general authority to administer discipline, including all exclusionary discipline. If the district wants other staff members to have exclusionary discipline authority, the procedure must identify by title. The Superintendent designates disciplinary authority to impose short-term suspension to i.e. school principals, to impose long-term suspension to i.e. school principals, Assistant Superintendents, to impose expulsion to i.e. school principals, Assistant Superintendents, and to impose emergency expulsion to i.e. school principals, Assistant Superintendents.

Classroom exclusions

After attempting at least one other form of discipline, as set forth above, teachers have statutory authority to impose classroom exclusion. Classroom exclusion means the exclusion of a student from the classroom or instructional activity area based on a behavioral violation that disrupts the educational process. As stated above, the Superintendent, school principals, and certificated staff will work together to develop definitions and consensus on what constitutes behavior that disrupts the educational process to reduce the effect of implicit or unconscious bias. Additionally, the district authorizes the school principals and vice-principals to impose classroom exclusion with the same authority and limits of authority as classroom teachers.

Classroom exclusion may be for all or any portion of the balance of the school day. Classroom exclusion does not encompass removing a student from school, including sending a student home early or telling a parent to keep a student at home, based on a behavioral violation. Removing a student from school constitutes a suspension, expulsion, or emergency expulsion and must include the notification and due process as stated in the section below.

Classroom exclusion cannot result in the denial or delay of the student's nutritionally adequate meal or prevent a student from accomplishing a specific academic grade, subject, or graduation requirements.

The school will provide the student an opportunity to make up any assignments and tests missed during a classroom exclusion. The district will not administer any form of discipline, including classroom exclusions, in a manner that would result in the denial or delay of a nutritionally adequate meal to a student or prevent a student from accomplishing a specific academic grade, subject, or graduation requirements.

Following the classroom exclusion of a student, the teacher (or other school personnel as identified) must report the classroom exclusion, including the behavioral violation that led to the classroom exclusion, to the principal or the principal's designee as soon as reasonably possible. The principal or designee must report all classroom exclusions, including the behavioral violation that led to it to the Superintendent. Reporting of the behavioral violation that led to the classroom exclusion as "other" is insufficient.

The teacher, principal, or the principal's designee must notify the student's parents regarding the classroom exclusion as soon as reasonably possible. As noted above, the district must ensure that this notification is in a language and form (i.e. oral or written) the parents understand.

When the teacher or other authorized school personnel administers a classroom exclusion because the student's presence poses an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process:

- (a) The teacher or other school personnel must immediately notify the principal or the principal's designee; and
- (b) The principal or the principal's designee must meet with the student as soon as reasonably possible and administer appropriate discipline.

The district will address student and parent grievances regarding classroom exclusion through the grievance procedures.

Grievance process for other forms of discipline and classroom exclusion

Any parent/guardian or student who is aggrieved by the imposition of other forms of discipline and/or classroom exclusion has the right to an informal conference with the principal for resolving the grievance. If the grievance pertains to the action of an employee, the district will notify that employee of the grievance as soon as reasonably possible.

At such conference, the student and parent will have the opportunity to voice issues and concerns related to the grievance and ask questions of staff members involved in the grievance matter. Staff members will have opportunity to respond to the issues and questions related to the grievance matter. Additionally, the principal will have opportunity to address issues and questions raised and to ask questions of the parent, student, and staff members.

If after exhausting this remedy the grievance is not yet resolved, the parent and student will have the right, upon two (2) school business days' prior notice, to present a written and/or oral grievance to the Superintendent or designee. The Superintendent or designee will provide the parent and student with a written copy of its response to the grievance within ten (10) school business days. Use of the grievance process will not impede or postpone the disciplinary action, unless the principal or Superintendent elects to postpone the disciplinary action.

Discipline that may be grieved under this section includes other forms of discipline, including after-school detention; classroom exclusion; removal or suspension from athletic activity or participation; and removal or suspension from school-provided transportation.

Suspension and expulsion – general conditions and limitations

The district's use of suspension and expulsion will have a real and substantial relationship to the lawful maintenance and operation of the school district, including but not limited to, the preservation of the health and safety of students and employees and the preservation of an

educational process that is conducive to learning. The district will not expel, suspend, or discipline in any manner for a student's performance of or failure to perform any act not related to the orderly operation of the school or school-sponsored activities or any other aspect of preserving the educational process. The district will not administer any form of discipline in a manner that would prevent a student from accomplishing a specific academic grade, subject, or graduation requirements.

As stated above, the district must have provided the parent(s) opportunity for involvement to support the student and resolve behavioral violations before administering suspension or expulsion. Additionally, the Superintendent or designee must consider the student's individual circumstances and the nature of the violation before administering a short-term or in-school suspension.

The principal or designee at each school must report all suspensions and expulsions, including the behavioral violation that led to the suspension or expulsion, to the Superintendent or designee within twenty-four (24) hours after the administration. Reporting the behavioral violation that led to the suspension or expulsion as "other" is insufficient.

An expulsion or suspension of a student may not be for an indefinite period and must have an end date. After suspending or expelling a student, the district will make reasonable efforts to return the student to the student's regular educational setting as soon as possible. Additionally, the district must allow the student to petition for readmission at any time. The district will not administer any form of discipline in a manner that prevents a student from completing subject, grade-level, or graduation requirements.

When administering a suspension or expulsion, the district may deny a student admission to, or entry upon, real and personal property that the district owns, leases, rents, or controls. The district must provide an opportunity for students to receive educational services during a suspension or expulsion (see below). The district will not suspend or expel a student from school for absences or tardiness.

If during a suspension or expulsion the district enrolls a student in another program or course of study, the district may not preclude the student from returning to the student's regular educational setting following the end of the suspension or expulsion, unless one of the following applies:

The Superintendent or designee grants a petition to extend a student's expulsion under WAC 392-400-480; the change of setting is to protect victims under WAC 392-400-810; or other law precludes the student from returning to his or her regular educational setting.

In accordance with RCW 28A.600.420, a school district must expel a student for no less than one year if the district has determined that the student has carried or possessed a firearm on school premises, school-provided transportation, or areas of facilities while being used exclusively by public schools. The Superintendent may modify the expulsion on a case-by-case basis.

A school district may also suspend or expel a student for up to one year if the student acts with malice (as defined under RCW 9A.04.110) and displays an instrument that appears to be a

firearm on school premises, school-provided transportation, or areas of facilities while being used exclusively by public schools. These provisions do not apply to students while engaged in a district authorized military education; a district authorized firearms convention or safety course; or district authorized rifle competition.

In-school suspension and short-term suspension

The Superintendent designates school principals and vice-principals with the authority to impose in-school and short-term suspension. Before administering an in-school or short-term suspension, staff members must have first attempted one or more other forms of discipline to support the student in meeting behavioral expectations and considered the student's individual circumstances. The district will not administer in-school suspension that would result in the denial or delay of the student's nutritionally adequate meal.

Unless otherwise required by law, the district is not required to impose in-school or short-term suspensions and instead, strives to keep students in school, learning in a safe and appropriate environment. However, there are circumstances when the district may determine that in-school or short-term suspension is appropriate. As stated above, the district will work to develop definitions and consensus on what constitutes behavioral violations to reduce the effect of implicit or unconscious bias. In accordance with the other parameters of this policy, these circumstances may include the following types of student behaviors

- Being intoxicated or under the influence of controlled substance, alcohol or marijuana at school or while present at school activities;
- Bomb scares or false fire alarms that cause a disruption to the school program;
- Cheating or disclosure of exams;
- Commission of any crime on school grounds or during school activities;
- Dress code violations that the student refuses to correct (see student dress policy/procedure 3224 Student Dress);
- Fighting: Fighting and instigating, promoting, or escalating a fight, as well as failure to disperse. Engaging in any form of fighting where physical blows are exchanged, regardless of who initiated the fight. This prohibition includes hitting, slapping, pulling hair, biting, kicking, choking, and scratching or any other acts in which a student intentionally inflicts or attempts to inflict injury on another;
- Gang-related activity;
- Harassment/intimidation/bullying;
- Intentional deprivation of student and staff use of school facilities;
- Intentional endangerment to self, other students, or staff, including endangering on a school bus;
- Intentional injury to another;
- Intentionally defacing or destroying the property of another;
- Intentionally obstructing the entrance or exit of any school building or room in order to deprive others of passing through;
- Possession, use, sale, or delivery of illegal or controlled chemical substances;
- Preventing students from attending class or school activities;
- Refusal to cease prohibited behavior;

- Refusal to leave an area when repeatedly instructed to do so by school personnel;
- Sexual misconduct that could constitute sexual assault or harassment on school grounds, at school activities, or on school provided transportation;
- Substantially and intentionally interfering with any class or activity;
- Threats of violence to other students or staff;
- Use or possession of weapons prohibited by state law.

Initial hearing

Before administering any in-school or short-term suspension, the district will attempt to notify the student's parent(s) as soon as reasonably possible regarding the behavioral violation. Additionally, the principal or designee must conduct an informal initial hearing with the student to hear the student's perspective. The principal or designee must provide the student an opportunity to contact his or her parent(s) regarding the initial hearing. The district must hold the initial hearing in a language the parent and student understand.

At the initial hearing, the principal or designee will provide the student:

- Notice of the student's violation of this policy;
- An explanation of the evidence regarding the behavioral violation;
- An explanation of the discipline that may be administered; and
- An opportunity for the student to share his or her perspective and provide explanation regarding the behavioral violation.

Notice

Following the initial hearing, the principal or designee must inform the student of the disciplinary decision regarding the behavioral violation, including the date when any suspension or expulsion will begin and end.

No later than one (1) school business day following the initial hearing with the student, the district will provide written notice of the suspension or expulsion to the student and parents in person, by mail, or by email in a language and form the student and parents will understand. The written notice must include:

- a. A description of the student's behavior and how the behavior violated this policy;
- b. The duration and conditions of the suspension or expulsion, including the dates on which the suspension or expulsion will begin and end;
- c. The other forms of discipline that the district considered or attempted, and an explanation of the district's decision to administer the suspension or expulsion;
- d. The opportunity to receive educational services during the suspension or expulsion;
- e. The right of the student and parent(s) to an informal conference with the principal or designee; and
- f. The right of the student and parent(s) to appeal the in-school or short-term suspension;

For students in kindergarten through fourth grade, the district will not administer in-school or short-term suspension for more than ten (10) cumulative school days during any academic term. For students in grades five through twelve, the district will not administer in-school or short-term

suspension for more than fifteen (15) cumulative school days during any single semester, or more than ten (10) cumulative school days during any single trimester. Additionally, the district will not administer a short-term or in-school suspension beyond the school year in which the behavioral violation occurred.

The district will not administer in-school or short-term suspensions in a manner that would result in the denial or delay of a nutritionally adequate meal to a student.

When administering an in-school suspension, school personnel must ensure they are physically in the same location as the student to provide direct supervision during the duration of the in-school suspension. Additionally, school personnel must ensure they are accessible to offer support to keep the student current with assignments and course work for all of the student's regular subjects or classes.

Long-term suspensions and expulsions

Before administering a long-term suspension or an expulsion, district personnel must consider other forms of discipline to support the student in meeting behavioral expectations. The district must also consider the other general conditions and limitations listed above.

Unless otherwise required by law, the district is not required to impose long-term suspension or expulsion and may impose long-term suspension or expulsion only for specify misconduct. In general, the district strives to keep students in school, learning in a safe and appropriate environment. However, in accordance with the other parameters of this policy there are circumstances when the district may determine that long-term suspension or expulsion is appropriate for student behaviors listed in RCW 28A.600.015 (6)(a) through (d), which include:

- a. Having a firearm on school property or school transportation in violation of RCW 28A.600.420;
- b. Any of the following offenses listed in RCW 13.04.155, including:
 - any violent offense as defined in RCW 9.94A.030, including
 - any felony that Washington law defines as a class A felony or an attempt, criminal conspiracy, or solicitation to commit a class A felony;
 - manslaughter;
 - indecent liberties committed by forcible compulsion;
 - kidnapping;
 - arson;
 - assault in the second degree;
 - assault of a child in the second degree;
 - robbery;
 - drive-by shooting; and
 - vehicular homicide or vehicular assault caused by driving a vehicle while under the influence of intoxicating liquor or any drug, or by operating a vehicle in a reckless manner.

- i. any sex offense as defined in RCW 9.94A.030, which includes any felony violation of chapter 9A.44 RCW (other than failure to register as a sex offender in violation of 9A.44.132), including rape, rape of a child, child molestation, sexual misconduct with a minor, indecent liberties, voyeurism, and any felony conviction or adjudication with a sexual motivation finding;
 - ii. inhaling toxic fumes in violation of chapter 9.47A RCW;
 - iii. any controlled substance violation of chapter 69.50 RCW;
 - iv. any liquor violation of RCW 66.44.270;
 - v. any weapons violation of chapter 9.41 RCW, including having a dangerous weapon at school in violation of RCW 9.41.280;
 - vi. any violation of chapter 9A.36 RCW, including assault, malicious harassment, drive-by shooting, reckless endangerment, promoting a suicide attempt, coercion, assault of a child, custodial assault, and failing to summon assistance for an injured victim of a crime in need of assistance;
 - vii. any violation of chapter 9A.40 RCW, including kidnapping, unlawful imprisonment, custodial interference, luring, and human trafficking;
 - viii. any violation of chapter 9A.46 RCW, including harassment, stalking, and criminal gang intimidation; and
 - ix. any violation of chapter 9A.48 RCW, including arson, reckless burning, malicious mischief, and criminal street gang tagging and graffiti.
- c. Two or more violations of the following within a three-year period
 - i. criminal gang intimidation in violation of RCW 9A.46.120;
 - ii. gang activity on school grounds in violation of RCW 28A.600.455;
 - iii. willfully disobeying school administrative personnel in violation of RCW 28A.635.020; and
 - iv. defacing or injuring school property in violation of RCW 28A.635.060; and
- d. Any student behavior that adversely affects the health or safety of other students or educational staff.

In addition to being a behavior specified in RCW 28A.600.015, before imposing long-term suspension or expulsion, district personnel must also determine that if the student returned to school before completing a long-term suspension or expulsion the student would pose an imminent danger to students, school personnel, or pose an imminent threat of material and substantial disruption to the educational process. As stated above, the district will work to develop definitions and consensus on what constitutes such an imminent threat to reduce the effect of implicit or unconscious bias.

Behavior agreements

The district authorizes staff to enter into behavior agreements with students and parents in response to behavioral violations, including agreements to reduce the length of a suspension conditioned on the participation in treatment services, agreements in lieu of suspension or expulsion, or agreements holding a suspension or expulsion in abeyance. Behavior agreements will also describe district actions planned to support behavior changes by the students. The district will provide any behavior agreement in a language and form the student and parents understand.

A behavior agreement does not waive a student's opportunity to participate in a reengagement meeting or to receive educational services. The duration of a behavior agreement must not exceed the length of an academic term. A behavior agreement does not preclude the district from administering discipline for behavioral violations that occur after the district enters into an agreement with the student and parents.

Initial hearing

Before administering any suspension or expulsion, the district will attempt to notify the student's parent(s) as soon as reasonably possible regarding the behavioral violation. Additionally, the principal or designee must conduct an informal initial hearing with the student to hear the student's perspective. The principal or designee must make a reasonable attempt to contact the student's parents and provide an opportunity for the parents to participate in the initial hearing in person or by telephone. The district must hold the initial hearing in a language the parent and student understand. At the initial hearing, the principal or designee will provide the student:

- Notice of the student's violation of this policy;
- An explanation of the evidence regarding the behavioral violation;
- An explanation of the discipline that may be administered; and
- An opportunity for the student to share his or her perspective and provide explanation regarding the behavioral violation.

Following the initial hearing, the principal or designee must inform the student of the disciplinary decision regarding the behavioral violation, including the date when any suspension or expulsion will begin and end.

Notice

No later than one (1) school business day following the initial hearing with the student, the district will provide notice of the suspension or expulsion to the student and parents in person, by mail, by email, or by phone call. If the parent cannot read any language, the district will provide language assistance. The written notice must include:

- a. A description of the student's behavior and how the behavior violated this policy;
- b. The duration and conditions of the suspension or expulsion, including the dates on which the suspension or expulsion will begin and end;
- c. The other forms of discipline that the district considered or attempted, and an explanation of the district's decision to administer the suspension or expulsion;

- d. The opportunity to receive educational services during the suspension or expulsion;
- e. The right of the student and parent(s) to an informal conference with the principal or designee;
- f. The right of the student and parent(s) to appeal the suspension or expulsion; and
- g. For any long-term suspension or expulsion, the opportunity for the student and parents to participate in a reengagement meeting.

Other than for the firearm exception under WAC 392-400-820, the district will not impose a long-term suspension or an expulsion for any student in kindergarten through fourth grade.

If a long-term suspension or expulsion may exceed ten (10) days, the district will consider whether the student is currently eligible or might be deemed eligible for special education services. If so, the principal will notify relevant special education staff of the suspension or expulsion so that the district can ensure it follows its special education discipline procedures as well as its general education discipline procedures.

Divergence between long-term suspension and expulsion

A long-term suspension may not exceed the length of an academic term. The district may not administer a long-term suspension beyond the school year in which the behavioral violation occurred.

An expulsion may not exceed the length of an academic term, unless the Superintendent grants a petition to extend the expulsion under WAC 392-400-480. The district is not prohibited from administering an expulsion beyond the school year in which the behavioral violation occurred.

Emergency Expulsions

The district may immediately remove a student from the student's current school placement, subject to the following requirements:

The district must have sufficient cause to believe that the student's presence poses:

- An immediate and continuing danger to other students or school personnel; or
- An immediate and continuing threat of material and substantial disruption of the educational process.

The district may not impose an emergency expulsion solely for investigating student conduct.

For purposes of determining sufficient cause for an emergency expulsion, the phrase "immediate and continuing threat of material and substantial disruption of the educational process" means:

- The student's behavior results in an extreme disruption of the educational process that creates a substantial barrier to learning for other students across the school day; and
- School personnel have exhausted reasonable attempts at administering other forms of discipline to support the student in meeting behavioral expectations.

An emergency expulsion may not exceed ten consecutive school days. An emergency expulsion must end or be converted to another form of discipline within ten (10) school days from its start.

After an emergency expulsion, the district must attempt to notify the student's parents, as soon as reasonably possible, regarding the reason the district believes the student's presence poses an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the education process.

Notice

Within twenty-four (24) hours after an emergency expulsion, the district will provide written notice to the student and parents in person, by mail, or by email. The written notice must include:

- **The reason the student's presence poses an immediate and continuing danger to students or school personnel, or poses an immediate and continuing threat of material and substantial disruption of the educational process;**
- **The duration and conditions of the emergency expulsion, including the date on which the emergency expulsion will begin and end;**
- **The opportunity to receive educational services during the emergency expulsion;**
- **The right of the student and parent(s) to an informal conference with the principal or designee; and**
- **The right of the student and parent(s) to appeal the emergency expulsion, including where and to whom the appeal must be requested.**

If the district converts an emergency expulsion to a suspension or expulsion, the district must:

- (a) Apply any days that the student was emergency expelled before the conversion to the total length of the suspension or expulsion; and
- (b) Provide the student and parents with notice and due process rights under WAC 392-400-455 through 392-400-480 appropriate to the new disciplinary action.

All emergency expulsions, including the reason the student's presence poses an immediate and continuing danger to other students or school personnel, must be reported to the Superintendent or designee within twenty-four (24) hours after the start of the emergency expulsion.

Appeal, Reconsideration, and Petition

Optional conference with principal

If a student or the parent(s) disagree with the district's decision to suspend, expel, or emergency expel the student, the student or parent(s) may request an informal conference with the principal or designee to resolve the disagreement. The parent or student may request an informal conference orally or in writing.

The principal or designee must hold the conference within three (3) school business days after receiving the request, unless otherwise agreed to by the student and parent(s).

During the informal conference, the student and parent(s) will have the opportunity to share the student's perspective and explanation regarding the events that led to the behavioral violation. The student and parent will also have the opportunity to confer with the principal or designee and school personnel involved in the incident that led to the suspension or expulsion. Further, the student and parent will have the opportunity to discuss other forms of discipline that the district could administer.

An informal conference will not limit the right of the student or parent(s) to appeal the suspension or expulsion, participate in a reengagement meeting, or petition for readmission.

Appeals

Requesting appeal

The appeal provisions for in-school and short-term suspension differ from those for long-term suspension and expulsion. The appeal provisions for long-term suspension or expulsion and emergency expulsion have similarities but the timelines differ.

A student or the parent(s) may appeal a suspension, expulsion, or emergency expulsion to the Superintendent or designee orally or in writing. For suspension or expulsion, the request to appeal must be within five (5) school business days from when the district provided the student and parent with written notice. For emergency expulsion, the request to appeal must be within three (3) school business days from when the district provided the student and parent with written notice.

When an appeal for long-term suspension or expulsion is pending, the district may continue to administer the long-term suspension or expulsion during the appeal process, subject to the following requirements:

- The suspension or expulsion is for no more than ten (10) consecutive school days from the initial hearing or until the appeal is decided, whichever is earlier;
- The district will apply any days of suspension or expulsion occurring before the appeal is decided to the term of the student's suspension or expulsion and may not extend the term of the student's suspension or expulsion; and
- If the student returns to school before the appeal is decided, the district will provide the student an opportunity to make up assignments and tests missed during the suspension or expulsion upon the student's return.

In-school and short-term suspension appeal

For short-term and in-school suspensions, the Superintendent or designee will provide the student and parents the opportunity to share the student's perspective and explanation regarding the behavioral violation orally or in writing.

The Superintendent or designee must deliver a written appeal decision to the student and parent(s) in person, by mail, or by email within two (2) school business days after receiving the appeal. The written decision must include:

- The decision to affirm, reverse, or modify the suspension;
- The duration and conditions of the suspension, including the beginning and ending dates;
- The educational services the district will offer to the student during the suspension; and
- Notice of the student and parent(s)' right to request review and reconsideration of the appeal decision, including where and to whom to make such a request.

Long-term suspension or expulsion and emergency expulsion appeal

For long-term suspension or expulsion and emergency expulsions, the Superintendent or designee will provide the student and parent(s) written notice in person, by mail, or by email, within one (1) school business day after receiving the appeal request, unless the parties agree to a different timeline. Written notice will include:

- The time, date, and location of the appeal hearing;
- The name(s) of the official(s) presiding over the appeal;
- The right of the student and parent(s) to inspect the student's education records;
- The right of the student and parent(s) to inspect any documentary or physical evidence and a list of any witnesses that will be introduced at the hearing;
- The rights of the student and parent(s) to be represented by legal counsel; question witnesses; share the student's perspective and explanation; and introduce relevant documentary, physical, or testimonial evidence; and
- Whether the district will offer a reengagement meeting before the appeal hearing.

For long-term suspension or expulsion, the student, parent(s) and district may agree to hold a reengagement meeting and develop a reengagement plan before the appeal hearing. The student, parent(s), and district may mutually agree to postpone the appeal hearing while participating in the reengagement process.

Hearings

A hearing to appeal a long-term suspension or expulsion or emergency expulsion is a quasi-judicial process exempt from the Open Public Meetings Act (OPMA). To protect the privacy of student(s) and others involved, the district will hold hearing without public notice and without public access unless the student(s) and/or the parent(s) or their counsel requests an open hearing. Regardless of whether the hearing is open or closed, the district will make reasonable efforts to comply with the Family Educational Rights and Privacy Act (FERPA) concerning confidentiality of student education records.

When students are charged with violating the same rule and have acted in concert and the facts are essentially the same for all students, a single hearing may be conducted for them if the hearing officer believes that the following conditions exist:

- A single hearing will not likely result in confusion; and
- No student will have his/her interest substantially prejudiced by a group hearing.

If the official presiding over the hearing finds that a student's interests will be substantially prejudiced by a group hearing, the presiding official may order a separate hearing for that student. The parent and student have the right to petition for an individual hearing.

For long-term suspension or expulsion, the district will hold an appeal hearing within three (3) school business days after the Superintendent or designee received the appeal request, unless otherwise agreed to by the student and parent(s).

For emergency expulsion, the district will hold an appeal hearing within two (2) school business days after the Superintendent or designee received the appeal request, unless the student and parent(s) agree to another time.

The school board may designate a discipline appeal council to hear and decide any appeals in this policy and procedure or to review and reconsider a district's appeal decisions. A discipline appeal council must consist of at least three persons appointed by the school board for fixed terms. All members of a discipline appeal council must be knowledgeable about the rules in Chapter 392-400 WAC and this policy and procedure. The school board may also designate the Superintendent or a hearing officer to hear and decide appeals. The presiding official(s) may not have been involved in the student's behavioral violation or the decision to suspend or expel the student.

Upon request, the student and parent(s) or their legal representative may inspect any documentary or physical evidence and list of any witnesses that the district will introduce at the appeal hearing. The district must make the information available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing. The district may also request to inspect any documentary or physical evidence and list of any witnesses that the student and parent(s) intend to introduce at the appeal hearing. The student and parent(s) must make this information available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.

Upon request, the student and parent(s) may review the student's education records. The district will make the records available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.

If a witness for the district cannot or does not appear at the appeal hearing, the presiding official(s) may excuse the witness' nonappearance if the district establishes that:

- The district made a reasonable effort to produce the witness; and
- The witness' failure to appear is excused by fear of reprisal or another compelling reason.

The district will record the appeal hearing by manual, electronic, or other type of recording device and upon request of the student or parent(s) provide them a copy of the recording.

For long-term suspension or expulsion, the presiding official(s) must base the decision solely on the evidence presented at the hearing. The presiding official(s) will provide a written decision to the student and parent(s) in person, by mail, or by email within three (3) school business days after the appeal hearing. The written decision must include:

- The findings of fact;
- A determination whether (i) the student's behavior violated this policy; (ii) the behavioral violation reasonably warrants the suspension or expulsion and the length of the suspension or expulsion; and (iii) the suspension or expulsion is affirmed, reversed, or modified;

- The duration and conditions of suspension or expulsion, including the beginning and ending dates;
- Notice of the right of the student and parent(s) to request a review and reconsideration of the appeal decision. The notice will include where and to whom to make such a request; and
- Notice of the opportunity for a reengagement meeting and contact information for the person who will schedule it.

For emergency expulsion, the district will provide a written decision to the student and parent(s) in person, by mail, or by email within one (1) school business day after the appeal hearing. The written decision must include:

- The findings of fact;
- A determination whether the student's presence continues to pose (i) an immediate and continuing danger to students or school personnel; or (ii) an immediate and continuing threat of material and substantial disruption of the educational process;
- Whether the district will end the emergency expulsion or convert the emergency expulsion to a suspension or expulsion. If the district converts the emergency expulsion to a suspension or expulsion, the district will provide the student and parent(s) notice and due process consistent with the disciplinary action to which the emergency expulsion was converted; and
- Notice of the right of the student and parent(s) to request a review and reconsideration of the appeal decision. The notice will include where and to whom to make such a request.

Reconsideration of appeal

The student or parents may request the school board, if established by the school board, review and reconsider the district's appeal decision for long-term suspensions or expulsions and emergency expulsions. This request may be either oral or in writing.

For long-term suspension or expulsion, the student or parent(s) may request a review within ten (10) school business days from when the district provided the student and parent(s) with the written appeal decision.

For emergency expulsion, the student or parent(s) may request a review within five (5) school business days from when the district provided the student and parent(s) with the written appeal decision.

- In reviewing the district's decision, the school board, if established, must consider (i) all documentary and physical evidence from the appeal hearing related to the behavioral violation; (ii) any records from the appeal hearing; (iii) relevant state law; and (iv) this policy adopted.
- The school board may request to meet with the student and parent(s), the principal, witnesses, and/or school personnel to hear further arguments and gather additional information.
- The decision of the school board will be made only by board or discipline council members who were not involved in (i) the behavioral violation; (ii) the decision to suspend or expel the student; or (iii) the appeal decision. If the discipline appeal council

presided over the appeal hearing, the school board will conduct the review and reconsideration.

For long-term suspension or expulsion, the school board will provide a written decision to the student and parent(s) in person, by mail, or by email within ten (10) school business days after receiving the request for review and reconsideration. The written decision must identify:

- Whether the school board affirms, reverses, or modifies the suspension or expulsion;
- The duration and conditions of the suspension or expulsion, including the beginning and ending dates of the suspension or expulsion; and
- For long-term suspensions or expulsions, notice of the opportunity to participate in a reengagement meeting.

For emergency expulsion, the school board will provide a written decision to the student and parent(s) in person, by mail, or by email within five (5) school business days after receiving the request for review and reconsideration. The written decision must identify:

- Whether the school board affirms or reverses the school district's decision that the student's presence posed (i) an immediate and continuing danger to students or school personnel; or (ii) an immediate and continuing threat of material and substantial disruption of the educational process.
- If the emergency expulsion has not yet ended or been converted, whether the district will end the emergency expulsion or convert the emergency expulsion to a suspension or expulsion. If the district converts the emergency expulsion to a suspension or expulsion, the district will provide the student and parent(s) notice and due process under WAC 392-400-455 through 392-400-480 consistent with the disciplinary action to which the emergency expulsion was converted

Petition to extend an expulsion

When risk to public health or safety warrants extending a student's expulsion, the principal or designee may petition the Superintendent or designee for authorization to exceed the academic term limitation on an expulsion. The petition must inform the Superintendent or designee of:

- The behavioral violation that resulted in the expulsion and the public health or safety concerns;
- The student's academic, attendance, and discipline history;
- Any nonacademic supports and behavioral services the student was offered or received during the expulsion;
- The student's academic progress during the expulsion and the educational services available to the student during the expulsion;
- The proposed extended length of the expulsion; and
- The student's reengagement plan.

The principal or designee may petition to extend an expulsion only after the development of a reengagement plan under WAC 392-400-710 and before the end of the expulsion. For violations of WAC 392-400-820 involving a firearm on school premises, school-provided transportation, or areas of facilities while being used exclusively by public schools, the principal or designee may petition to extend an expulsion at any time.

Notice

The district will provide written notice of a petition to the student and parent(s) in person, by mail, or by email within one (1) school business day from the date the Superintendent or designee received the petition. The written notice must include:

- A copy of the petition;
- The right of the student and parent(s) to an informal conference with the Superintendent or designee to be held within five (5) school business days from the date the district provided written notice to the student and parent(s); and
- The right of the student and parent(s) to respond to the petition orally or in writing to the Superintendent or designee within five (5) school business days from the date the district provided the written notice.

The Superintendent or designee may grant the petition only if there is substantial evidence that, if the student were to return to the student's previous school of placement after the length of an academic term, the student would pose a risk to public health or safety. The Superintendent or designee must deliver a written decision to the principal, the student, and the student's parent(s) in person, by mail, or by email within ten (10) school business days after receiving the petition.

If the Superintendent or designee does not grant the petition, the written decision must identify the date when the expulsion will end.

If the Superintendent or designee grants the petition, the written decision must include:

- The date on which the extended expulsion will end;
- The reason that, if the student were to return before the initial expulsion end date, the student would pose a risk to public health or safety; and
- Notice of the right of the student and parent(s) to request a review and reconsideration. The notice will include where and to whom to make such a request;

Review and Reconsideration of extension of expulsion

The student or parent(s) may request that the school board review and reconsider the decision to extend the student's expulsion. The student or parents may request the review orally or in writing within ten (10) school business days from the date the Superintendent or designee provides the written decision.

The school board may request to meet with the student or parent(s) or the principal to hear further arguments and gather additional information.

The decision of the school board may be made only board members who were not involved in the behavioral violation, the decision to expel the student, or the appeal decision.

The school board will provide a written decision to the student and parent(s) in person, by mail, or by email within ten (10) school business days after receiving the request for review and reconsideration. The written decision must identify:

- Whether the school board affirms, reverses, or modifies the decision to extend the student's expulsion; and
- The date when the extended expulsion will end.

Any extension of an expulsion may not exceed the length of an academic term.

The district will annually report the number of petitions approved and denied to the Office of Superintendent of Public Instruction.

Educational Services

The district will offer educational services to enable a student who is suspended or expelled to:

- Continue to participate in the general education curriculum;
- Meet the educational standards established within the district; and
- Complete subject, grade-level, and graduation requirements.

When providing a student the opportunity to receive educational services during exclusionary discipline, the school must consider:

- Meaningful input from the student, parents, and the student's teachers;
- Whether the student's regular educational services include English language development services, special education, accommodations and related services under Section 504 of the Rehabilitation Act of 1973, or supplemental services designed to support the student's academic achievement; and
- Access to any necessary technology, transportation, or resources the student needs to participate fully in the educational services.

After considering the factors and input described above, the district will determine a student's educational services on a case-by-case basis. Any educational services in an alternative setting should be comparable, equitable, and appropriate to the regular educational services a student would have received in the absence of exclusionary discipline.

As soon as reasonably possible after administering a suspension or expulsion, the district will provide written notice to the student and parents about the educational services the district will provide. The notice will include a description of the educational services and the name and contact information of the school personnel who can offer support to keep the student current with assignments and course work.

For students subject to suspension or emergency expulsion up to five (5) days, a school must provide at least the following:

- Course work, including any assigned homework, from all of the student's regular subjects or classes;
- Access to school personnel who can offer support to keep the student current with assignments and course work for all of the student's regular subjects or classes; and
- An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency expulsion.

For students subject to suspension or emergency expulsion for six (6) to ten (10) consecutive school days, a school must provide at least the following:

- Course work, including any assigned homework, from all of the student’s regular subjects or classes;
- An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency expulsion; and
- Access to school personnel who can offer support to keep the student current with assignments and course work for all of the student’s regular subjects or classes. School personnel will make a reasonable attempt to contact the student or parents within three (3) school business days following the start of the suspension or emergency expulsion and periodically thereafter until the suspension or emergency expulsion ends to:
 - Coordinate the delivery and grading of course work between the student and the student’s teacher(s) at a frequency that would allow the student to keep current with assignments and course work for all of the student’s regular subjects or classes; and
 - Communicate with the student, parents, and the student’s teacher(s) about the student’s academic progress.

For students subject to expulsion or suspension for more than ten (10) consecutive school days, a school will make provisions for educational services in accordance with the “Course of Study” provisions of WAC 392-121-107.

Readmission

Readmission application process

The readmission process is different from and does not replace the appeal process. Students who have been suspended or expelled may make a written request for readmission to the district at any time. If a student desires to be readmitted at the school from which he/she has been suspended/expelled, the student will submit a written application to the principal, who will recommend admission or non-admission. If a student wishes admission to another school, he/she will submit the written application to the Superintendent. The application will include:

- The reasons the student wants to return and why the request should be considered;
- Any evidence that supports the request; and
- A supporting statement from the parent or others who may have assisted the student.

The Superintendent will advise the student and parent of the decision within seven (7) school days of the receipt of such application.

Reengagement

Reengagement Meeting

The reengagement process is distinct from a written request for readmission. The reengagement meeting is also distinct from the appeal process, including an appeal hearing, and does not replace an appeal hearing. The district must convene a reengagement meeting for students with a long-term suspension or expulsion.

Before convening a reengagement meeting, the district will communicate with the student and parent(s) to schedule the meeting time and location. The purpose of the reengagement meeting is to discuss with the student and his or her parent(s)/guardian(s) a plan to reengage the student.

The reengagement meeting must occur:

- Within twenty (20) calendar days of the start of the student's long-term suspension or expulsion, but no later than five (5) calendar days before the student's return to school; or
- As soon as reasonably possible, if the student or parents request a prompt reengagement meeting.

Reengagement plan

The district will collaborate with the student and parents to develop a culturally-sensitive and culturally-responsive reengagement plan tailored to the student's individual circumstances to support the student in successfully returning to school. In developing a reengagement plan, the district must consider:

- The nature and circumstances of the incident that led to the student's suspension or expulsion;
- As appropriate, students' cultural histories and contexts, family cultural norms and values, community resources, and community and parent outreach;
- Shortening the length of time that the student is suspended or expelled;
- Providing academic and nonacademic supports that aid in the student's academic success and keep the student engaged and on track to graduate; and
- Supporting the student parents, or school personnel in taking action to remedy the circumstances that resulted in the suspension or expulsion and preventing similar circumstances from recurring.

The district must document the reengagement plan and provide a copy of the plan to the student and parents. The district must ensure that both the reengagement meeting and the reengagement plan are in a language the student and parents understand.

Exceptions for protecting victims

The district may preclude a student from returning to the student's regular educational setting following the end date of a suspension or expulsion to protect victims of certain offenses as follows:

- A student committing an offense under RCW 28A.600.460(2), when the activity is directed toward the teacher, shall not be assigned to that teacher's classroom for the duration of the student's attendance at that school or any other school where the teacher is assigned;

A student who commits an offense under RCW 28A.600.460(3), when directed toward another student, may be removed from the classroom of the victim for the duration of the student's attendance at that school or any other school where the victim is enrolled.

Management 2019 – August Policy Alert
Resources: 2019 - April April Policy Alert
 2014 - August Issue
 2016 - July Policy Issue
 2018 - August 2018 - August Policy Issue

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MEDICATION AT SCHOOL

General Statement

Under normal circumstances prescription and non-prescription, over the counter (OTC) medication should be administered before and/or after school hours under supervision of the parent/guardian. If a student must receive prescription or OTC oral or topical medication, eye drops or ear drops or nasal spray from an authorized staff member, the parent/guardian must submit a written request accompanied by a written authorization from a licensed healthcare practitioner (LHP) prescribing within the scope of his or her prescriptive authority. If the medication will be administered for more than fifteen consecutive days, the LHP must also provide written, current and unexpired instructions for the administration of the medication.

The superintendent will establish procedures for:

- A. Designating staff members who may administer medications to students;
- B. Training, delegation, and supervision of staff members in the administration of medication to students by a registered nurse (RN); including oral medication, topical medication, eye drops, ear drops, and / or nasal spray;
- C. Obtaining signed and dated parent/guardian and LHP request and authorization for the administration of medications, including instructions from the LHP if the medication is to be given for more than fifteen (15) days;
- D. Transporting medications to and from school;
- E. Storing medication in a locked or limited access area;
- F. Labeling medication;
- G. Administration of medication, including identification of student and medication;
- H. Documenting administration of medication, including errors, reactions, or side effects;
- I. Disposing of medications;
- J. Maintaining records pertaining to the administration of medication;
- K. Maintaining student confidentiality;
- L. Permitting, as appropriate, self-administration of medication necessary for student school attendance;
- M. Permitting possession and self-administration of over the counter topical sunscreen products. (See Sunscreen section below,) and
- N. Review and evaluate medication practices and documentation;

School District Policy and Procedure 3419 – Self-Administration of Asthma and Anaphylaxis Medication and School District Policy and Procedure 3420 – Anaphylaxis Prevention and Response govern the use of injectable medication for the treatment of anaphylaxis. Except for limited situations, no school staff other than a RN or licensed practical nurse (LPN) may administer suppositories, rectal gels, or injections (except for emergency injections for students with anaphylaxis, as stated in School District Policy and Procedure 3419 - Self-Administration of Asthma and Anaphylaxis Medication and School District Policy and Procedure 3420, Anaphylaxis Pre-

vention and Response) In some situations a parent designated adult (PDA) may administer certain injections.

If the school decides to discontinue administering a student’s medication, the superintendent or designee must provide notice to the student’s parent/guardian orally and in writing prior to the discontinuance. There shall be a valid reason for the discontinuance that does not compromise the health of the student or violate legal protections for the disabled.

Sunscreen

Over-the-counter topical sunscreen products may be possessed and used by students, parent/guardians, and school staff without a written prescription or note from a licensed health care provider if the following conditions are met:

- A. The product is regulated by the US Food and Drug administration as an over-the-counter sunscreen product; and
- B. If possessed by a student, the product is provided to the student by a parent/guardian.

Cross References:	Policy 3419	Self-Administration of Asthma and Anaphylaxis Medications
	Policy 3420	Anaphylaxis Prevention and Response

Legal References:	RCW 28A.210.260	Administration of Oral Medication by — Conditions
	RCW 28A.210.270	Administration of Oral Medication by — Immunity from Liability

Management Resources:	<i>Policy News</i> , February 2001	Oral Medication Definition Expanded
	<i>Policy News</i> , August 2012	“Medication” Definition Expanded
	<i>Policy News</i> , February 2014	
	<i>Policy News</i> , July 2017	
	<i>Policy News</i> , August 2018	
	<i>Policy News</i> , July 2019	

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 October 20, 2014
 April 17, 2019
 February 19, 2020

Medication At School

Each school principal will authorize at least two (2) staff members to administer prescription or non-prescription, over the counter (OTC) medication. These designated staff members will receive RN training and delegation prior to the opening of school each year.

For purposes of this procedure, "medication" means oral medication, topical medication, eye or ear drops and nasal spray. This definition DOES NOT include over-the-counter topical sunscreen products regulated by the US Food and Drug Administration (see Sunscreen section below). Oral medications are administered by mouth either by swallowing or by inhaling and may include administration by mask if the mask covers the mouth or mouth and nose.

Medication may be dispensed to students on a scheduled basis upon written authorization from a parent/guardian with a written request by a licensed health professional (LHP) prescribing within the scope of their prescriptive authority. If the medication is to be administered more than fifteen (15) consecutive days the written request must be accompanied by written instructions from a LHP. Requests will be valid for not more than the current school year. All medication must be properly labeled and be contained in the original container. The dispenser of the medication will:

- A. Collect the medication directly from the parent/guardian (students should not transport medication to school), collect an authorization form properly signed by the parent/guardian and by the prescribing LHP and collect instructions from the prescribing LHP if the ~~oral~~ medication is to be administered for more than fifteen (15) consecutive days;
- B. Store the medication (not more than a twenty (20) day supply) in a locked, substantially constructed cabinet, or limited access area (for emergency medications);
- C. Maintain a daily record which indicates that the medication was dispensed; and
- D. Provide for supervision by a registered nurse.

A copy of this policy and procedure will be provided to the parent/guardian upon request for administration of medication at schools.

Medications, may be administered by a registered nurse, a licensed practical nurse or a trained and delegated to, staff member.

Nasal sprays containing legend (prescription) drugs or controlled substances may only be administered by a licensed nurse or, if a licensed nurse is not present on school premises, a trained and delegated to school employee, or a parent-designated adult with training as required by [RCW 28A.210.260](#).

No medication will be administered by injection by staff except when a student is susceptible to a predetermined, life-endangering situation. The parent/guardian will submit a written statement which grants a staff member the authority to act according to the specific written orders and supporting directions provided by LHP prescribing within his or her prescriptive authority (e.g., medication administered to counteract a reaction to an insect sting.) Such medication shall be administered by staff trained by the supervising registered nurse to administer such an injection.

Sunscreen

Over-the-counter topical sunscreen products may be possessed and used by students, parent/guardian, and school staff, without a written prescription or note from a LHP, if the following

conditions are met:

- A. The product is regulated by the US Food and Drug Administration as an over-the-counter sunscreen product; and
- B. If possessed by a student, the product is provided to the student by their parent or guardian.

Students who possess over-the-counter topical sunscreen products that meet the above criteria may carry up to 8 ounces at a time, preferably with the container in a plastic bag.

Violations of any conditions placed on the student permitted to carry and/or self-administer his or her own sunscreen products may result in confiscation and termination of that permission. School staff may assist students in application of sunscreen products in certain circumstances and in the presence of another staff member. The appropriate staff member will take into account the age, maturity, and capability of the student, the need for the application of the sunscreen, and other issues relevant in the specific case, before assisting students in application of sunscreen products at school or during school-sponsored events. However, staff members are not required to assist students in applying sunscreen.

The District may provide education to students regarding sun safety guidelines.

Parent-Designated Adult Care of Students with Epilepsy

Parents/guardians of students with epilepsy may designate an adult to provide care for their student consistent with the student's individual health care plan. At parent/guardian request, school district employees may volunteer to be a parent-designated adult under this policy, but they will not be required to participate. Parent-designated adults who are school employees will file a voluntary, written, current and unexpired letter of intent stating their willingness to be a parent-designated adult. Parent-designated adults who are school employees are required to receive training in caring for students with epilepsy from the school nurse. Parent-designated adults will receive additional training from a parent-selected health care professional or expert in epileptic care to provide the care (including medication administration) requested by the parent/guardian.

Parent-designated adults who are not school employees are required to show evidence of comparable training, and meet school district requirements for volunteers. Parent-designated adults will receive additional training from a parent-selected health care professional or expert in epileptic care to provide the care requested by the parent/guardian. The school nurse is not responsible for the supervision of procedures authorized by the parents/guardians and carried out by the parent-designated adult.

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April 17, 2019

February 19, 2020

CHILD ABUSE, NEGLECT AND EXPLOITATION PREVENTION

Child abuse, neglect and exploitation are violations of children's human rights and an obstacle to their educational development. The board directs that staff shall be alert for any evidence of child abuse, neglect or exploitation.

For purposes of this policy, the term "child" means anyone under the age of 18 and/or any current student of the district, including home-schooled students or any other person classified as a student in the district's database.

"Child abuse, neglect or exploitation" means:

- A. Inflicting physical injury on a child by other than accidental means, causing death, disfigurement, skin bruising, impairment of physical or emotional health, or loss or impairment of any bodily function;
- B. Creating a substantial risk of physical harm to a child's bodily functioning;
- C. Attempting, committing, or allowing any sexual offense against a child as defined in the criminal code. This definition also includes any communications with a child for immoral purposes or viewing, possessing, or distributing any sexually explicit images of a child. It also includes, intentionally contacting, directly or through the clothing, the genitals, anus or breasts of a child unless the contact is necessary for the child's hygiene or health care. This also includes a child's intentional or coerced contact with anyone's genitals, anus, or breasts;
- D. Committing acts that are cruel or inhumane regardless of observable injury. These acts may include, but are not limited to, instances of extreme discipline demonstrating a disregard of a child's pain or mental suffering;
- E. Assaulting or criminally mistreating a child as defined by the criminal code;
- F. Failing to provide food, shelter, clothing, supervision or health care necessary to a child's health or safety;
- G. Engaging in actions or omissions resulting in a substantial risk to the physical or mental health or development of a child; or
- H. Failing to take reasonable steps to prevent the occurrence of the preceding actions.

Children (including other students), family members, and any other adult can engage in child abuse, neglect, or exploitation. This may include incidents of student on student misconduct. Staff should report all incidents of abuse regardless of the age of the person who engages in it.

Subject to the definition above, staff should not focus on a person's mental status to determine if she or he has committed child abuse, neglect, or exploitation. The law governing mandated reporting does not allow for exceptions for people with medical conditions that may mitigate the intent for committing child abuse, neglect, or exploitation.

When feasible, the district will provide community education programs for prospective parents, foster parents and adoptive parents on parenting skills and on the problems of child abuse and methods to avoid child abuse situations. The district shall also encourage staff to participate in in-service programs that address the issues surrounding child abuse.

The superintendent will develop reporting procedures and provide them to all staff on an annual basis. The purpose is to identify and timely report all evidence of child abuse, neglect, or exploitation to the proper authorities. Staff shall receive training regarding reporting obligations during their initial orientation and every three years after initial employment.

All staff are responsible for reporting all suspected cases of child abuse, neglect, and exploitation to the proper authorities and/or the appropriate school administrator. Under state law, staff are free from liability for reporting a reasonable suspicion of child abuse, neglect, or exploitation. However, failing to report the incident may result in criminal liability regardless of whether the authorities determine the incident is provable in a subsequent legal proceeding.

Staff need not verify a report that a child has been abused, neglected, or exploited. Any conditions or information that may be reasonably related to child abuse, neglect, or exploitation should be reported. Legal authorities have the responsibility for investigating each case and taking appropriate action under the circumstances.

<p>Cross References:</p>	<p>Board Policy 3226 Board Policy 4265 Board Policy 4310</p>	<p>Interviews and Interrogations of Students on School Premises Community Education Program Relations with the Law Enforcement and Child Protective Agencies</p>
<p>Legal References:</p>	<p>RCW 13.34.300 26.44.020 26.44.030 28A.620.010 28A.620.020 43.43.830 28A.320.160 28A.400.317</p>	<p>Failure to cause juvenile to attend school as evidence under neglect petition Child abuse — Definitions Reports — Duty and authority to make — Duty of receiving agency – Duty to notify – Case planning and consultation – Penalty for unauthorized exchange of information – Filing dependency petitions – Interviews of children – Records, Risk assessment process Community education provisions — Purposes Community education provisions — Restrictions Background checks — Access to children or vulnerable persons Alleged sexual misconduct by school employee – Parental notification – Information on public records act. Physical abuse or sexual misconduct by school employees – Duty to Report - Training</p>

WAC 388-15-009

AGO 1987, No. 9

Management Resources:

Policy News, June 2015

Policy News, April 2010

Policy News, February 2007

Policy News, June 1999

Definition of child abuse, neglect or
exploitation

Children — Child Abuse — Reporting
by School Officials — Alleged
Abuse by Student

Child Abuse Interviews at Schools

Physical Abuse and Sexual Misconduct
Notice Requirements

23% of districts out-of-compliance on
child abuse policies

Adoption Date: July 21, 1999

Revised: February 18, 2004

April 18, 2007

April 16, 2008

March 16, 2011

April 17, 2019

Child Abuse, Neglect and Exploitation Prevention

Each school principal will develop and implement an instructional program that will teach students:

1. How to recognize the factors that may cause people to abuse, neglect, or exploit children;
2. How one may protect oneself from incurring these forms of maltreatment; and,
3. What resources are available to assist an individual who does or may encounter an abusive situation.

To facilitate such a program, staff development activities may include such topics as:

1. Child growth and development;
2. Identification of child abuse, neglect, and exploitation;
3. Effects of child maltreatment on child growth and development;
4. Personal safety as it relates to potential child abuse, neglect, and exploitation;
5. Parenting and supervision skills;
6. Life situations/stressors which may lead to child maltreatment; or
7. Substance abuse.

Reporting Responsibilities

Staff are expected to report every instance of suspected child abuse, neglect, or exploitation. Since protection of children is the paramount concern, staff should discuss any suspected evidence with the principal, nurse, or supervisor regardless of whether the condition is listed among the indicators of abuse or neglect.

Staff are reminded of their obligation as district employees to report suspected child abuse, neglect, or exploitation. Professional staff are reminded of their legal obligation to report these incidents. Staff are also reminded of their immunity from potential liability for doing so. The following procedures are to be used in reporting instances of suspected child abuse:

1. When there is reasonable cause to believe that a student has suffered abuse, neglect, or exploitation, staff or the principal shall immediately contact the nearest office of the Child Protective Services (CPS) of the Department of Social and Health Services (DSHS). If the situation is urgent and CPS cannot immediately respond, staff shall immediately contact the local law enforcement agency. This contact must be made within forty-eight (48) hours.
Staff will also advise the principal or supervisor regarding instances of suspected abuse, neglect, or exploitation as well as reports that have been made to CPS or law enforcement. In his/her absence, the report shall be made to the nurse or counselor.
A staff member may contact CPS to determine if a report should be made. The Child Protective Service has the responsibility of determining the fact of child abuse or neglect. Any doubt about the child's condition shall be resolved in favor of making the report.
2. A written report will be submitted promptly to the agency to which the report was made. The report will include:
 - a. The name, address and age of the child;
 - b. The name and address of the parent or person having custody of the child;
 - c. The nature and extent of the suspected abuse or neglect;
 - d. Any evidence of previous abuse or any other information that may relate to the cause or extent of the abuse or neglect; and
 - e. The identity, if known, of the person accused of inflicting the abuse.

3. When the district receives a report that a school employee has committed an act of sexual misconduct, it will notify the parents of the alleged victim within forty-eight (48) hours.

Abuse Indicators

Physical Abuse Indicators:

1. Bilateral bruises, extensive bruises, bruises of different ages, patterns of bruises caused by a particular instrument (belt buckle, wire, straight edge, coat hanger, etc.) or unreasonable use of force (grabbing, pinching, dragging and/or other unapproved forms of restraint);
2. Burn patterns consistent with forced immersion in a hot liquid (a distinct boundary line where the burn stops), burn patterns consistent with a spattering by hot liquids, patterns caused by a particular kind of implement (electric iron, etc.) or instrument (circular cigarette burns, etc.);
3. Lacerations, welts, abrasions;
4. Injuries inconsistent with information offered by the child;
5. Injuries inconsistent with the child's age; or
6. Injuries that regularly appear after absence or vacation.

Emotional Abuse Indicators:

1. Lags in physical development;
2. Extreme behavior disorder;
3. Fearfulness of adults or authority figures; or
4. Revelations of highly inappropriate adult behavior, i.e., being enclosed in a dark closet, forced to drink or eat inedible items.

Sexual Abuse Indicators

Sexual abuse, whether physical injuries are sustained or not, is any act or acts involving intentional sexual contact, conduct, or communication with a child. Beyond direct evidence of this kind of abuse, indicators may include, but are not limited to:

1. A child's developmentally inappropriate sexual conduct, regardless of the child's own mental status or development;
2. Child engaging in "sex talk", drawings, or attempting to access pornography;
3. Child's disclosure of "grooming behaviors" or inappropriate conduct that does not necessarily rise to a specific sexual act;
4. An adult's attempt to form a secret or unreasonably special relationship with a child;
5. Venereal disease in a child of any age;
6. Evidence of physical trauma or bleeding to the oral, genital or anal areas; or
7. Pregnancy.

Physical Neglect Indicators:

1. Lack of basic needs (food, clothing, safety, shelter);
2. Inadequate supervision;
3. Lack of essential health care and high incidence of illness;
4. Poor hygiene on a regular basis;
5. Inappropriate clothing in inclement weather; or
6. Abandonment.

Some Behavioral Indicators of Abuse:

1. Wary of adult contact;
2. Frightened of parents;
3. Afraid to go home;
4. Habitually truant or late to school;
5. Arrives at school early and remains after school later than other students;
6. Wary of physical contact by adults;
7. Shows evidence of overall poor care;
8. Parents or caretakers describe child as "difficult" or "bad";
9. Inappropriately dressed for the weather -- no coat or shoes in cold weather or long sleeves and high necklines in hot weather (possibly hiding marks of abuse);
10. Exhibit behavioral extremes: crying often or never, unusually aggressive or withdrawn and fearful.

NOTE: Indicators in and of themselves do not necessarily prove that abuse, neglect, or exploitation has occurred. However, they still may warrant a referral to CPS or law enforcement. When in doubt, staff should consult CPS about making a report.

Child abuse as defined by the statutes can be inflicted "by any person" and may include student-on-student abuse. These cases also require reporting to CPS or law enforcement.

Date: July 1999

Revised: January 21, 2004

March 21, 2007

February 16, 2011

April 17, 2019

SAFE AND ORDERLY LEARNING ENVIRONMENT

Contacts With Staff

The learning environment and the staff's time for students will be free from interruption. Except in emergencies, staff will not be unreasonably interrupted in their work. Brief messages will be recorded so as to permit the staff member to return the call when free.

Certificated staff will be available for consultation; students and patrons are urged to make appointments with staff to assure an uninterrupted conference.

No one will solicit funds or conduct private business with staff on school time and premises.

Visitors

The board welcomes and encourages visits to school by parents, other adult residents of the community and interested educators. The superintendent or designee will establish guidelines governing school visits to insure orderly operation of the educational process and the safety of students and staff.

Disruption Of School Operations

The superintendent or staff member in charge will direct a person to leave immediately if any person is:

- A. Under the influence of controlled substances, including marijuana (cannabis) or alcohol;
- B. Is disrupting or obstructing any school program, activity, or meeting; or
- C. Threatens to do so or is committing, threatening to imminently commit; or
- D. Inciting another to imminently commit any act which would disturb or interfere with or obstruct any lawful task, function, process or procedure (of any student, official, classified or certificated staff member or invitee) of the school district.

If such a person refuses to leave, the superintendent or staff member will immediately call for the assistance of a law enforcement officer.

Cross References:	Board Policy 3510 Board Policy 3124	Associated Student Bodies Removal-Release of Student During School Hours
Legal Reference:	RCW 28A.635.020 RCW 28A.635.030 RCW 28A.635.090 RCW 28A.635.100 RCW 28A.605.020	Wilfully disobeying school administrative personnel or refusing to leave public property, violations, when — Penalty Disturbing school, school activities, or meetings Interference by force or violence – Penalty Intimidating any administrator, teacher, classified employee or student by threat of force or violence unlawful—Penalty Parents' access to classroom or school sponsored activities

20 U.S.C. 7908

Armed Forces recruiter access to students and
student recruiting information

Management Resources: *Policy News*, February 2019

Adoption Date: March 9, 1983

Revised: March 17, 2004

December 20, 2006

July 17, 2019

Safe and Orderly Learning Environment

Visitors

The following guidelines are established to permit visitors to observe the educational program with minimal disruption:

- A. All visitors must register at the office upon their arrival at school;
- B. Visitors whose purpose is to influence or solicit students will not be permitted on the school grounds unless the visit furthers the educational program of the district; and only with principal permission. Military recruiters will be provided the same opportunities to meet with students as higher education and employer representatives;
- C. If the visitor wishes to observe a classroom, the time shall be arranged after the principal or designee has conferred with the teacher;
- D. If the purpose of the classroom visitation is to observe learning and teaching activities, the visitor may be asked to confer with the teacher before or after the observation to enhance understanding of the activities; and

The principal or designee may withhold approval if particular events such as testing would be adversely affected by a visit. Similarly, if a visitor's presence becomes disruptive, the principal or designee may withdraw approval.

Disruption at School Activities

The following guidelines are suggested as basic security measures to prevent/reduce disruptive activities in the school:

- A. All visitors are required to check into the office upon entering a school building;
- B. Staff members are responsible for monitoring hallways and playgrounds; and
- C. A visitor's badge with the current date should be worn conspicuously.

Date: December 10, 1985

Revised and Renumbered: March 17, 2004

Revised: July 17, 2019

REGULATION OF DANGEROUS WEAPONS ON SCHOOL PREMISES

Unless specifically authorized by this policy it is a violation of district policy for any person to carry a firearm or dangerous weapon on district property or school-provided transportation. This prohibition applies to any facility owned, rented, or leased by the District. If the District leases or rents part of a property for district use, firearms and dangerous weapons are prohibited on any portion of the premises where the district has the right of exclusive use.

Carrying a dangerous weapon onto school premises, school-provided transportation, or areas of other facilities being used exclusively for school activities in violation of RCW 9.41.280 is also a criminal offense. It is a policy of this District that the presence of firearms and other dangerous weapons in the workplace or educational environment is to be minimized as much as possible. As such, the following activities are prohibited by this policy regardless of whether such possession would violate state law, and regardless of whether the weapon is secured in a vehicle or possessed by a person with a concealed weapons permit;

1. No District employee may bring any firearm or dangerous weapon onto any District property without prior authorization of the Superintendent.
2. No person or entity renting, leasing, or otherwise being granted the right to temporary use of District-owned property may possess, or allow its guests to possess, firearms or dangerous weapons on District-owned property.

The superintendent is directed to ensure that all school facilities post “Gun-Free Zone” signs, and that all violations of this policy and RCW 9.41.280 are reported annually to the superintendent of Public Instruction.

Dangerous Weapons

The term “dangerous weapons” under state law includes:

- Any firearm;
- Any device commonly known as “nunchaku sticks,” consisting of two or more length of wood, metal, plastic, or similar substance connected with wire, rope, or other means;
- Any device, commonly known as “throwing stars,” which are multi-pointed, metal objects designed to embed upon impact from any aspect;
- Any air gun, including any air pistol or air rifle, designed to propel a BB, pellet, or other projectile by the discharge of compressed air, carbon dioxide, or other gas;
- Any portable device manufactured to function as a weapon and which is commonly known as a stun gun, including a projectile stun gun which projects wired probes that are attached to the device that emit an electrical charge designed to administer to a person or an animal an electric shock, charge, or impulse;
- Any device, object, or instrument that is used or intended to be used as a weapon with the intent to injure a person by an electric shock, charge, or impulse;
- The following instruments:
 - Any dirk or dagger;
 - Any knife with a blade longer than three inches;
 - Any knife with a blade that is automatically released by a spring mechanism or other mechanical device;

- Any knife having a blade which opens, or falls or is ejected into position by the force of gravity, or by outward, downward, or centrifugal thrust or movement; and
- Any razor with an unguarded blade;
- Any slung shot, sandbag, or sandclub;
- Metal knuckles;
- A sling shot;
- Any metal pipe or bar used or intended to be used as a club;
- Any explosive;
- Any weapon containing poisonous or injurious gas;
- Any implement or instrument that has the capacity to inflict death and from the manner in which it is used, is likely to produce or may easily and readily produce death.

In addition, the District considers the following weapons in violation of this policy:

- Any knife or razor not listed above, except for instruments authorized or provided for specific school activities;
- Any object other than those listed above that is used in a manner to intimidate, threaten, or injure another person and is capable of easily and readily producing such injury.

Reporting Dangerous Weapons

Students

If the District believes that a student has violated this policy, an appropriate school authority will promptly notify the student's parents or guardians and the appropriate law enforcement agency of known or suspected violations of this policy.

Students who have possessed a firearm on any school premises, school-provided transportation, or school-sponsored activities at any facility shall be expelled for not less than one year pursuant to RCW 28A.600.420. The superintendent may modify the one-year expulsion for a firearm on a case-by-case basis.

Further, the district may also suspend or expel a student for up to one year if the student acts with malice (as defined under RCW 9A.04.110) and displays a device that appears to be a firearm.

All expulsion and/or suspension and all other discipline of students who violate this policy will be subject to District Policy 3241 – Student Discipline.

Staff

If a District employee believes that another District employee has violated this policy, the employee will report his or her concerns to an appropriate school or District authority for further inquiry. Any disciplinary action of an employee who willfully violates this policy will be subject to District Policy 5381 – Disciplinary Action and discharge.

Exceptions

The following persons may carry firearms into school buildings, as necessary, although students engaged in these activities are restricted to the possession of rifles or shotguns on school premises:

- A. Persons engaged in District-authorized military or, law enforcement, or school Resource Office activities;
- B. Persons involved in a District Superintendent authorized convention, showing, demonstration, lecture or firearm safety course;
- C. Persons competing in District Superintendent authorized firearm or air gun competitions; and
- D. Any federal, state or local law enforcement officer.

The following persons who are over eighteen years of age, not employed by the District, not renting or leasing District facilities, and not enrolled as students may possess firearms on school property under the following limited circumstances:

- A. Persons with concealed weapons permits issued pursuant to RCW 9.41.070 who are picking up or dropping off students; and
- B. Persons conducting legitimate business at the school and in lawful possession of a firearm or dangerous weapon if the weapon is secured within an attended vehicle, is unloaded and secured in a vehicle, or is concealed from view in a locked, unattended vehicle. Pursuant to RCW 9.41.050, no one may lawfully possess a loaded handgun in a vehicle unless the person has a valid concealed pistol permit.

Persons may bring dangerous weapons, other than firearms, onto school premises if the weapons are lawfully within the person's possession and are to be used in a school-authorized martial arts class.

Personal Protection Spray

Persons over eighteen years of age and persons between fourteen and eighteen years of age with written parental or guardian permission and permission of the school administrator may possess personal protection spray devices on school property. No one under eighteen years of age may deliver such devices, nor may anyone eighteen years or older deliver a spray device to anyone under fourteen or to anyone between fourteen and eighteen who does not have parental permission.

Personal protection spray devices may not be used other than in self-defense as defined by state law. Possession, transmission or use of personal protection spray devices under any other circumstances is a violation of district policy.

Cross References:

- | | | |
|-------------------|---|--------------|
| Board Policy 3241 | Student Discipline | Board Policy |
| | 4260 Use of School Facilities | |
| Board Policy 6112 | Rental or Lease of District Real Property | |

Legal References:

- | | |
|---------------|-------------------------------------|
| RCW 9.41.250 | Dangerous weapons - Penalty |
| RCW 9.41.280 | Dangerous weapons on school grounds |
| RCW 9A.16.020 | Use of force — when lawful |
| RCW 9.91.160 | Personal Protection Spray devices |
| | RCW 9.94A.225 Deadly |
| | weapon special verdict - definition |

RCW 28A.600.420

Firearms on school premises,
transportation, or facilities —
Penalty — Exemptions

Management Resources:

Policy News, October 1997

Legislature also addresses “look-alike”
firearms

Policy News, August 1998

State Encourages Modification of
Weapons Policy

Policy News, August 2006

Weapons on School Premises

Policy News, July 2016

Policy News, October 2019

Adoption Date: November 22, 1993

Revised and Renumbered: March 17, 2004
October 18, 2006
June 24, 2015
May 15, 2019
December 16, 2020

USE OF TOBACCO, NICOTINE PRODUCTS, AND DELIVERY DEVICES

The board of directors recognizes that to protect students from exposure to the addictive substance of nicotine, employees, contractors, and officers of the school district, and all members of the community, have an obligation as role models to refrain from tobacco use on school property at all times. Tobacco includes, but is not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, electronic smoking/vapor devices and vapor products, non-prescribed inhalers, nicotine delivering devices or chemicals that are not FDA-approved to help people quit using tobacco, devices that produce the same flavor or physical effect of nicotine substances and any other smoking equipment, device, material or innovation.

Any use of such products and delivery devices by staff, students, visitors and community members will be prohibited on all school district property, including all district buildings, grounds and district-owned vehicles, and within five hundred feet of schools. Possession by or distribution of tobacco products to any person under twenty-one years of age is prohibited.

The use of Federal Drug Administration (FDA) approved nicotine replacement therapy in the form of a nicotine patch, gum or lozenge is permitted. However, students and employees must follow applicable policies regarding use of medication at school.

Notices advising students, district employees, and community members of this policy will be posted in appropriate locations in all district buildings and at other district facilities as determined by the superintendent and will be included in employee and student handbooks. Employees and students are subject to discipline for violations of this policy, and school district employees are responsible for the enforcement of the policy.

Cross References:	Board Policy 3200 Board Policy 3241 Board Policy 3416 Board Policy 5201 Board Policy 5280	Student Rights and Responsibilities Classroom Management, Corrective Actions or Punishments Medication at School Drug-Free Schools, Community and Workplace Separation from Employment
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Legal References:	RCW 28A.210.260 RCW 28A.210.270 RCW 28A.210.310 RCW 70.155	Public and private schools – Administration of medication – Conditions Public and private schools – Administration of medication – Immunity from liability – Discontinuance, procedure. Prohibition on use of tobacco products on school property Tobacco – Access to Minors
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Management Resources: *Policy News*, October 2010
Policy News, December 2010

Policy News, February 2014
Policy News, July 2016
Policy News, October 2019

Electronic Cigarettes
Addressing the Use of “Electronic”
Cigarettes

Adoption Date: February 17, 1990
Revised and Renumbered (5336): March 17, 2004
Revised: May 18, 2011
May 15, 2019
December 16, 2020

COMPLAINTS CONCERNING STAFF OR PROGRAMS

Constructive criticism can be helpful to the district. At the same time, the board has confidence in its staff and programs and shall act to protect them from unwarranted criticism or disruptive interference. Complaints received by the board or a board member shall be referred to the superintendent for investigation.

The superintendent shall develop procedures to handle complaints concerning staff or programs. Complaints regarding instructional materials should be pursued in the manner provided for in Policy 2020 (Curriculum Development and Adoption of Instructional Materials).

Legal References: RCW 28A.405.300

Chapter 42.30 RCW

Adverse change in contract status of
certificated employee —
Determination of probable cause —
Notice — Opportunity for hearing
Open Public Meetings Act

Adoption Date: December 8, 1989

Revised: August 8, 1991

Revised and Renumbered (4312): March 17, 2004

USE OF SCHOOL FACILITIES

The board subscribes to the belief that public schools are owned and operated by and for the community. The public is encouraged to use school facilities but will be expected to reimburse the district for such use to ensure that funds intended for education are not used for other purposes. On recommendation of the superintendent, the board will set the rental rates schedule.

The superintendent is authorized to establish procedures for use of school facilities, including rental rates, supervisory requirements, restrictions, and security. Those using school facilities shall indemnify and hold harmless the school district and will maintain and provide proof of insurance for accident and liability covering persons using the district's facilities under the sponsorship of the organization.

The district does not discriminate based on race, creed, religion, color, 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 and provides equal access to Boy Scouts of America and other designated youth groups.

Community athletic programs that use district facilities will not discriminate against any person on the basis of sex in the operation, conduct, or administration of their programs. The district will provide copies of the district's nondiscrimination policy to all third parties using district facilities.

For rental rate purposes, organizations seeking the use of school facilities shall be classified as follows:

School or Child-related Groups or Other Government Agencies include those organizations whose main purpose is to promote the welfare of students or to provide members of the community access to government programs or opportunities for civic participation. Examples are: Scouts, Campfire, PTA, 4-H, city or county sponsored recreation groups, polling places, political caucuses and governmental groups. The district will provide official recruiting representatives of the state and United States military forces, Job Corps, Peace Corps and AmeriCorps with access to school facilities (including number days and type of presentation space) equal to and no less than the access provided to other post-secondary occupational or educational representatives.

When facilities are used outside of regular school hours, or when the district incurs extra utility, cleaning or supervision costs, a fee, to be established by the superintendent, will be charged to recoup those costs. Additionally, youth organizations engaged in sports activities and using school facilities must provide a statement of compliance with the policies for the management of concussion and head injury in youth sports as required by RCW 28A.600.

Nonprofit Groups and organizations may use school facilities for lectures, promotional activities, rallies, entertainment, college courses, or other activities for which public halls or commercial facilities generally are rented or owned. The district may charge a rental rate in excess of costs incurred. Excess charges may be waived when a service club or other nonprofit group is raising funds for charitable purposes.

To be granted this exception, the charitable organization must be recognized by the Philanthropic Division of the Better Business Bureau. Professional fund raisers representing charities must provide evidence that they are registered and bonded by the state of Washington. Such fund-raisers must provide evidence that the charity will receive at least sixty (60) percent of the gross revenues received from the public prior to approval to use the facilities.

Similar treatment may be granted public universities and colleges when offering college courses within the community or when any university/college is offering a course for staff at the request of the district. Nonprofit groups of the kind that in most communities have their own facilities (churches, lodges, veterans groups, granges, etc.) who wish to use district facilities on a regular or temporary basis may do so under this rental rate.

Commercial Enterprises include profit-making organizations and business-related enterprises. While the district would prefer these organizations use commercial or private facilities, facilities may be rented for non-regular use at the prevailing rate charged by commercial facilities in the area.

District-sponsored activities, including curricular and co-curricular functions, retain first priority in use of facilities. Authorization for use of school facilities will not be considered as endorsement or approval of the activity group or organization.

The above classifications shall be the order of priority in granting use permits and shall be the basis of establishing differentials in rentals and other charges.

Legal References:	RCW 4.24.660	Liability of school districts under contract with youth programs.
	RCW 28A.230.180	Access to campus and student information directories by official recruiting representatives – Informing students of educational and career opportunities
	RCW 28A.320.510	Night schools, summer schools, meetings, use of facilities for
	RCW 28A.335.150	Permitting use and rental of play-grounds, athletic fields, or athletic facilities
	RCW 28A.335.155	Use of buildings for youth programs — Limited immunity
	20 USC Sec. 7905	Boy Scouts of America Equal Access Act
	34 CFR Sec. 108.6	Equal Access to Public School Facilities for The Boy Scouts of America and other Designated Youth Groups
	AGO 1973 No. 26, Initiative No. 276	School districts — Use of school facilities for presentation of programs — Legislature — Elections

Management Resources: *Policy News*, August 2009

 Policy News, December 2011
 Policy News, June 2013
 Policy News, July 2013

Concussion and Head Injuries
Legislation

Adoption Date: July 21, 1994
Revised and Renumbered (4330): March 17, 2004
Revised: May 18, 2011
 May 15, 2019

NINE MILE FALLS SCHOOL DISTRICT

Facility Use Permit

Date of Application: _____
 **Group/Organization Requesting Use: _____
 Person Responsible: _____ Phone Number: _____
 Address: _____ Email Address: _____
 Building Requested: _____ Room/Area Requested: _____
 Date(s) of Event: _____
 Length of Event: _____ Hours: _____ to _____
 Purpose of Use: _____ Profit: _____ Non-Profit _____

I have received, read and agree to the Terms of Facility Use. I agree that the above information is correct and that the building will be used subject to the rules and regulations of the Nine Mile Falls School District Board of Directors. As the responsible person for the above named organization, we agree to save and hold harmless the Nine Mile Falls School District #325-179 from any and all bodily injury, liability, or property damage claims that might occur during the use of buildings or premises by the named organization.

Signature

Date

**** If your group/organization is requesting facility use for athletic purposes, please read and verify the following statement and then complete, page 2 of this permit (HB 1824 Compliance Statement)**

Furthermore, the _____, a community athletic program, verifies that it does not discriminate against any person on the basis of sex in the operation, conduct or administration of its program.

Signature

Date

Approval:

Building Administrator

Reason for Denial:

Fee Calculation:

Use Fee _____	(for up to 3 hours X _____ days	= _____	
	additional hours at _____/hr	= _____	
Supervision _____	hours at _____/hr	= _____	
Custodian _____	hours at _____/hr	= _____	
Kitchen Help _____	hours at _____/hr	= _____	
Total			_____

If you wish to renew at the end of this session, you must respond by: _____

For Office Use Only: Usage Classification: _____ Permit # _____
 Paid \$ _____ Date: _____ Check _____ Cash _____ Initial _____

NINE MILE FALLS SCHOOL DISTRICT

**Compliance Statement for HB 1824, Youth Sports – Head Injury Policies
and SB 5083, Sudden Cardiac Arrest Awareness**

_____ requests the use of the _____
Group/Organization School/Area/Room

for the following dates: _____

_____, a non-profit youth sports group, verifies that all **coaches, athletes, and their parents/guardians** have complied with mandated policies for the management of concussions and head injuries as prescribed by HB 1824, section 2 and Sudden Cardiac Arrest Awareness as prescribed by SB 5083, section 3. (See HB1824 Summary attached.)

Attached is a Proof of Insurance under an accident and liability policy issued by an insurance company authorized to do business in Washington State covering any injury or damage with at least \$50,000 due to bodily injury or death of one person, or at least \$100,000 due to bodily injury or death of two or more persons.

Signed:

Representative of Private Non-Profit Youth Sports Group

Date

* Note: Access to school facilities may not be granted until all requirements of this application are complete and approved by the school district and/or designee

HB 1824 SUMMARY

On May 14, 2009, Governor Gregoire signed into law HB 1824, the Zachery Lystedt Law, directing the education of coaches, players, and parents on the recognition and management of concussions as well as establishing return-to-play protocol for all youth athletes suspected of or having a concussion or brain injury. We see this legislation as a great tool for managing and preventing injuries to student athletes, and dramatically lowering the risk of a catastrophic injury claim.

As of July 26, 2009, the implementation date of the legislation, the following will apply to all school coaches, players, and their parents/guardians.

- 1) All school coaches will have to take a training course on the nature and risk of concussions and head injuries including continuing to play after a concussion or head injury.
- 2) Each school year prior to initiating any turnouts or competition, all school athletes and their parents/guardians must have received a training on concussions and head injuries and provide the school with a signed statement indicating they have taken this training.
- 3) All athletes suspected of suffering a concussion or brain injury will be removed from practice or competition and not returned to play until cleared in writing by a licensed health care provider trained in the evaluation and management of concussions.
- 4) All non-profit youth organizations using school facilities shall:
 - a) Provide the school with written Proof of Insurance covering their youth athletes with limits required by law (this was required well before the Zackery Lystedt Law), and
 - b) All coaches, players, and parents of youth teams shall have similar training as outlined for school coaches prior to the start of any practice, and
 - c) The non-profit youth groups shall indicate in writing their compliance with the insurance coverage and required head injury training prior to receiving access to school facilities.

**NINE MILE FALLS SCHOOL DISTRICT
FACILITY USE FEE SCHEDULE**

Regular School Day (Custodian on Duty)

GROUP	SUPERVISION	CUSTODIAN	USE FEE	KITCHEN WORKER**
Group 1	Negotiable	No Charge	No Charge	\$ 30/hr (if needed)
Group 2	Negotiable	No Charge	\$ 35/hr up to 3 hrs \$ 12/hr each add'l	\$ 30/hr (if needed)
Group 3*	Negotiable	\$ 35/hr	\$60/hr up to 3 hrs \$18/hr each add'l	\$ 30/hr (if needed)

** Group 3 activities, which are deemed to provide a definite benefit for students and/or members of the community, may be allowed to pay a reduced rate when deemed appropriate by the Director of Business Operations. This fee will be based on a cost charged to the community and the district's incurred expenses to include, but not limited to, personnel and utilities.*

Non-School Day

GROUP	SUPERVISION	CUSTODIAN	USE FEE	KITCHEN WORKER**
Group 1	Negotiable	\$35/hr	\$25/hr up to 3 hrs \$6/hr each add'l	\$30/hr (if needed)
Group 2	Negotiable	\$35/hr	\$60/hr up to 3 hrs \$12/hr each add'l	\$30/hr (if needed)
Group 3*	Negotiable	\$35/hr	\$85/hr up to 3 hrs \$18/hr each add'l	\$30/hr (if needed)

** Minimum 2 hours

Terms of Facility/Equipment Use

1. To be responsible to the Board of Directors for the use and care of the school property.
2. That the character of the activity will conform with that stated in the application.
3. That the rules and regulations concerning use of the school facilities and equipment will be observed by the organization.
4. That services and equipment not specified will not be furnished. District-owned, expendable supplies will not be used.
5. Whenever a conflict exists between a school function and community use, the school shall have first priority. An approved use permit may be cancelled should a conflict arise.
6. When no regular employee is on duty, the building administrator in charge of scheduling shall specify the supervisory and/or custodial employees necessary. Users shall be responsible for costs of such employee per the fee schedule.
7. The building administrator shall classify the proposed use and the fee shall be calculated based on the facility use fee schedule. Groups using school kitchens must pay for costs of required kitchen help. All rentals and charges shall be paid to the business office. All rentals and charges are due and payable at the time of application for all dates reserved for use.
8. Only the school district shall pay employees for services rendered in connection with the community use of the school facilities.
9. The building administrator may require a school district employee to be on duty either in a custodial and/or supervisory capacity while the facility is in use.
10. Group 1 only may have the use of athletic and/or playground equipment when the principal of the building is satisfied a competent supervisor is in charge. Responsibility for the care and supervision of such equipment rests upon the building administrator.
11. Use permits will be granted for up to twelve-week sessions. Groups may not sign up for more than one twelve-week session at a time. A group holding a use permit will be given the first opportunity to renew for the same location/time in the next session. If they fail to respond by the date provided, they will forfeit their right to that position and it will become available for any group to apply.
12. A deposit will be required for all equipment use to ensure items are returned on time and in satisfactory condition. Deposits may be refunded in full, in part, or not at all, based on the determination of the principal or designee at the time of equipment return. Late charges and any cost of repairs may be deducted from the deposit. The amount of the

deposit is not the limit of liability. Damage beyond the amount of the deposit will be billed to the person or group holding the permit.

13. Permits will not be granted for any use, which may be detrimental to the best interest of the schools, or for which satisfactory sponsorship or adequate adult supervision is not provided. This shall include police and fire protection when, in the judgment of the administration, such is necessary.
14. Boisterous conduct, profane and improper language, use of intoxicating beverages, and any other immoral, illegal, or objectionable practices will constitute termination of a permit. Smoking will not be permitted.
15. The applicant for use permit, together with the sponsoring group, shall accept full responsibility for any damage done to school property and hereby agrees to protect, indemnify, and save the Nine Mile Falls School District from all liability resulting from the use of said facility or equipment.
16. That the Board of Directors reserves the right to cancel a permit given and to refund any payment made for the use of school facilities when it deems such action advisable and for the best interest of the school district, or to modify or change its rules at any time, with or without cause; and that in the event of such revocation or cancellations, there shall be claim or right to changes or reimbursements on account of loss, damage, or expenses whatsoever.
17. The school cafeteria may be used for potluck dinners or light refreshments only when the utilization of kitchen facilities is not required. The school kitchen will not be used or opened without a certified food service employee being present. The certified food service employee will be in charge and will have complete control over food preparation and clean up. The kitchen facility will be completely cleaned to the satisfaction of the food service employee before use of the kitchen will be deemed terminated. Any preparation of food in the kitchen will require that a food service permit be issued by the appropriate county health department (WAC 246-215-190 (5a)) to the using agency. Health permits must be applied for enough in advance to ensure issuance by event date. The permit is valid for one (1) event only and must be displayed in the food service facility during the event. Rental of the kitchen will require a \$25.00 per hour charge* for the cook, with a two (2) hour minimum. Rental will be contingent upon availability of the facility and food service workers.

*Charge for food service employee may be waived when the district deems that proceeds of the events will primarily benefit the district.

18. Golf practice, flying motorized model airplanes, and operating vehicles are prohibited on school grounds.
19. The maximum number of people permitted in any school facility shall be restricted as indicated by the appropriate fire marshal.

20. It is the sole responsibility of the users of district property to comply with federal, state, and municipal laws and to obtain any permits necessary to conduct a particular activity, including, but not limited to, zoning permits and approvals.

Temporary Food Events on School Premises

A temporary event permit issued by the appropriate county health district is required of any person or group selling certain foods to the public on any school premises. You may contact the appropriate county health district for further information.

Further, if a permit is required, then a food-handler card will be required of the adult person(s) in charge.

Use of School Facilities

Community groups within the Nine Mile Falls School District shall be permitted to use school facilities including playground fields, for worthwhile purposes when such use will not interfere with the school program. In order to carry out this service to the best interest of the whole community, organizations seeking the use of school facilities or equipment will be classified as follows:

Group 1: School or Child-related Groups or Other Government Agencies include those organizations whose main purpose is to promote the welfare of boys and girls or to provide members of the community access to government programs or opportunities for civic participation. Examples are: Scouts, Campfire, PTA, 4-H, city or county sponsored recreation groups, polling places, political caucuses and governmental groups.

Group 2: Nonprofit Groups includes those organizations, which might wish to use school facilities for lectures, promotional activities, rallies, entertainment, college courses, or other activities for which public halls or commercial facilities generally are rented or owned.

Group 3: Commercial Enterprises include profit-making organizations and business-related enterprises.

1. The above classifications shall be the order of priority in granting use permits and shall be the basis of establishing differentials in rentals and other charges. A district employee will be present in the building while functions are occurring.
2. The following is the fee description with limitations (see attached schedule for current fees):
 - a. For Group 1, there shall be no charge except that such organizations shall be subject to assume additional expense incurred for building operation and supervision beyond regular hours.
 - b. For Group 2, the charge shall meet costs.
 - c. For Group 3, charges are to be negotiated and should reflect market rates prevailing for facilities of similar size and accommodation.
 - d. All groups will be subject to extra charges when the facilities are used on other than a school day to cover additional costs such as heat and custodial service.
 - e. Additional charges for supervisory personnel may be required for any group as deemed necessary by the administration.
3. The fees listed on the Facility Use Fee Schedule will be adjusted annually, if necessary.
4. Application requests shall be submitted to the designated Facilities Manager (the building administrator or designee); it shall be his/her duty to approve or deny a use permit. A copy of the approved Facilities Use Permit shall be sent to the Director of Business Operations. Should an organization protest its classification, the matter may be brought before the Superintendent and then the Board of Directors for review.
5. The building administrator (Facilities Manager) shall schedule the use of school facilities and equipment. Whenever a conflict exists between a school function and community use, the school shall have first priority. An approved use permit may be cancelled should a conflict arise.

6. When no regular employee is on duty, the building administrator in charge of scheduling shall specify the supervisory and/or custodial employees necessary.
7. The building administrator shall classify the proposed use and the fee shall be calculated based on the attached schedule. If the category falls under Group 3 and is deemed profit-making but of value to the community, the Director of Business Operations may set a lesser fee. Groups using school kitchens must pay for costs of required kitchen help. All rentals and charges shall be paid to the Business Office. All rental charges are due and payable at the time of application for all dates reserved for use.
8. Only the school district shall pay employees through the monthly payroll for services rendered in connection with the community use of the school facilities. If the facilities are utilized while personnel are working their regular assignment, no additional compensation will be paid to the employee. If the facilities are utilized during non-scheduled working time, the fee schedule for supervision, custodian, and/or kitchen worker will be utilized. District employees will be paid the appropriate hourly wage assigned per bargaining agreement pay schedule.
9. A school district employee shall always be on duty either in a custodial and/or supervisory capacity while the facility is in use.
10. Group 1 only may have the use of athletic and/or playground equipment when the building administrator is satisfied a competent supervisor is in charge. Responsibility for the care and supervision of such equipment rests upon the building administrator.
11. Use permit will be granted for up to twelve (12) week sessions*. Groups may not sign up for more than one (1) twelve (12) week session at a time. A group holding a use permit will be given the first opportunity to renew for the same location/time in the next session. If they fail to respond by the date provided, they will forfeit their right to that position and it will become available for any other group to apply for.

* Continuing adult activities using gymnasiums and/or cafeterias should be scheduled after 8:00 PM to ensure availability of use by students at an earlier time.
12. A deposit (amount to be determined by the building administrator) will be required for all equipment use to ensure items are returned on time and in satisfactory condition. Deposits may be refunded in full, in part, or not at all, based on the determination of the building administrator at the time of equipment return. Late charges and any cost of repairs may be deducted from the deposit. The amount of the deposit is not the limit of liability. Damage beyond the amount of the deposit will be billed to the person or group holding the permit. An additional fee may be required if a facility requires additional school employee time for clean up.
13. The applicant for a use permit, together with the sponsoring group, shall accept full responsibility for any damage done to school property and shall agree to protect, indemnify and save the Nine Mile Falls School District from all liability resulting from the use of said facility or equipment.

14. Permits will not be granted for any use, which may be detrimental to the best interests of the schools, or for which satisfactory sponsorship or adequate adult supervision is not provided. This shall include police and fire protection when, in the judgment of the administration, such is necessary.
15. Boisterous conduct, profane and improper language, use of intoxicating beverages, and any other immoral, illegal, or objectionable practices will constitute termination of a permit. Smoking will not be permitted on the premises.
16. The board of directors reserves the right to cancel any permit given and to refund any payment made for the use of school facilities when it deems such action advisable and for the best interest of the school district, or to modify or change its rules at any time, with or without cause; and that in the event of such revocation or cancellations, there shall be claim or right to damages or reimbursement on account of loss, damage, or expenses whatsoever.
17. The school cafeteria may be used for potluck dinners or light refreshments only when the utilization of kitchen facilities is not required. The school kitchen will not be used or opened without a certified food service employee being present. The certified food service employee will be in charge and will have complete control over food preparation and clean up. The kitchen facility will be completely cleaned to the satisfaction of the food service employee before use of the kitchen will be deemed terminated. Any preparation of food in the kitchen will require that a food service permit be issued by the appropriate county health department (WAC 246-215-190 (5a)) to the using agency. Health permits must be applied for enough in advance to ensure issuance by event date. The permit is valid for one (1) event only and must be displayed in the food service facility during the event. Rental of the kitchen will require a \$25.00 per hour charge* for the cook, with a two (2) hour minimum. Rental will be contingent upon availability of the facility and food service workers.

*Charges for food service employee may be waived when the district deems that proceeds of the event will primarily benefit the district.
18. Practicing golf, flying motorized model airplanes, and operating vehicles are prohibited on school grounds.
19. District-owned, expendable supplies will not be used.
20. The maximum number of people permitted in any school facility shall be restricted as indicated by the appropriate fire marshal.
21. It is the sole responsibility of the users of the district property to comply with federal, state, and municipal laws and to obtain any permits necessary to conduct a particular activity, including, but not limited to, zoning permits and approvals.

Reference: Board Policy 5630 Volunteers

Date: July 21, 1994
Revised and Renumbered (4330P): March 17, 2004
Revised: October 15, 2005



PUBLIC DISCLOSURE COMMISSION

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Guidelines for School Districts in Election Campaigns Public Disclosure Law Re: Use of Public Facilities in Campaigns PDC Interpretation 01-03, Revised September 28, 2006

USE OF THE GUIDELINES

This document is an educational tool that is an expression of the Commission's view of the meaning of RCW 42.17.130 and relevant administrative rules and case law involving school districts and election campaign activity. It is intended to provide guidance regarding the Commission's approach and interpretation of how the statutory prohibition on the use of public school facilities for campaigns impacts activities that may be contemplated by district personnel and other persons who may seek to utilize those public facilities. These Guidelines are meant to aid and assist in compliance with the law. Readers are strongly encouraged to review the statute and rules referenced in these Guidelines.

For ease of reference, the majority of this interpretation is in chart form. In part, the chart identifies categories of persons, some possible activities, and some general considerations. These illustrative examples in the columns of the chart are not intended to be exhaustive.

For example, the categories of persons identified are, in many cases, illustrative only and simply identify groups of persons more likely to undertake or consider undertaking the activity mentioned in the adjacent columns. If an activity is described as being viewed as "Permitted," it is viewed as permitted for all district personnel otherwise having the authority under law or district policy to undertake that action, not just the persons identified in the chart or in a particular column. The same approach is applied to the "Not Permitted" column. Further, the remarks in the chart's "General Considerations" column have relevance for the entire section and are not limited to the specific bullet point immediately to the left of the general consideration.

As noted in the Basic Principles section below, hard and fast rules are difficult to establish for every fact pattern involving district facilities that may occur. Situations may arise that are not squarely addressed by the guidelines or that merit additional discussion. The PDC urges districts to review the guidelines in their entirety, and to consult with their own legal counsel and with the PDC. The PDC can be reached at pdcc@pdcc.wa.gov, 360/753-1111 or toll free at 1-877-601-2828.

RCW 42.17.130**Use of public office or agency facilities in campaigns — Prohibition — Exceptions.**

No elective official nor any employee of his [or her] office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency. However, this does not apply to the following activities:

(1) Action taken at an open public meeting by members of an elected legislative body or by an elected board, council, or commission of a special purpose district including, but not limited to, fire districts, public hospital districts, library districts, park districts, port districts, public utility districts, school districts, sewer districts, and water districts, to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;

(2) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;

(3) Activities which are part of the normal and regular conduct of the office or agency.

Notes:

Finding -- Intent -- 2006 c 215: "(1) The legislature finds that the public benefits from an open and inclusive discussion of proposed ballot measures by local elected leaders, and that for twenty-five years these discussions have included the opportunity for elected boards, councils, and commissions of special purpose districts to vote in open public meetings in order to express their support of, or opposition to, ballot propositions affecting their jurisdictions.

(2) The legislature intends to affirm and clarify the state's long-standing policy of promoting informed public discussion and understanding of ballot propositions by allowing elected boards, councils, and commissions of special purpose districts to adopt resolutions supporting or opposing ballot propositions." [2006 c 215 § 1.]

RCW 28A.320.090**Preparing and distributing information on district's instructional program, operation and maintenance--Limitation.**

The board of directors of any school district shall have authority to authorize the expenditure of funds for the purpose of preparing and distributing information to the general public to explain the instructional program, operation and maintenance of the schools of the district: PROVIDED, That nothing contained herein shall be construed to authorize preparation and distribution of information to the general public for the purpose of influencing the outcome of a school district election.

WAC 390-05-271**General applications of RCW 42.17.130.**

- (1) RCW 42.17.130 does not restrict the right of any individual to express his or her own personal views concerning, supporting, or opposing any candidate or ballot proposition, if such expression does not involve a use of the facilities of a public office or agency.
- (2) RCW 42.17.130 does not prevent a public office or agency from (a) making facilities available on a nondiscriminatory, equal access basis for political uses or (b) making an objective and fair presentation of facts relevant to a ballot proposition, if such action is part of the normal and regular conduct of the office or agency.

WAC 390-05-273**Definition of normal and regular conduct.**

Normal and regular conduct of a public office or agency, as that term is used in the proviso to RCW 42.17.130, means conduct which is (1) lawful, i.e., specifically authorized, either expressly or by necessary implication, in an appropriate enactment, and (2) usual, i.e., not effected or authorized in or by some extraordinary means or manner. No local office or agency may authorize a use of public facilities for the purpose of assisting a candidate's campaign or promoting or opposing a ballot proposition, in the absence of a constitutional, charter, or statutory provision separately authorizing such use.

Similar prohibitions on the use of public facilities by state employees and state officers are described in a memorandum from the Attorney General's Office regarding RCW 42.52 and available at <http://www.atg.wa.gov/pubs/publicfundsmemo062800.htm>

BASIC PRINCIPLES

1. Public facilities may not be used to support or oppose a candidate or ballot proposition. RCW 42.17.130. Facilities include school district equipment, buildings, supplies, employee work time, and district publications. The statute includes an exception to the prohibition for "activities which are part of the normal and regular conduct of the office or agency."

2. School districts are authorized by statute to prepare and distribute information to the general public to explain the instructional program, operation and maintenance of the schools of the district. This includes informing the community of the needs the district faces and needs students have that the community may not realize exist. RCW 28A.320.090 which authorizes the board of directors of any school district to expend funds for this purpose provides that nothing in that statute is to be construed as authorizing preparation or distribution of information to the general public for the purpose of influencing the outcome of a school district election.
3. School districts are charged with education and instilling civic virtue.
4. School district employees do not forfeit their rights to engage in political activity because of their employment. Neither may district employees be subjected to coercion, pressure, or undue influence to participate in political activity or to take a particular position. Public officials and employees should make it clear that any participation is personal rather than officially sponsored.
5. Supervisory school personnel have a duty to know, apply, and communicate to their staffs the difference between acceptable information activities and inappropriate promotional activities in support of district ballot measures.
6. School directors are free to support school district ballot issues and engage in other political activities as long as such activities do not make use of district facilities, time or resources and do not either pressure or condone employees' use of district facilities, time or resources to support school district ballot issues.
7. The PDC is charged with enforcing RCW 42.17.130. This requires consideration and analysis of activities, which may or may not be determined to be in violation of the statute. The PDC has, over the years, developed methods of considering and analyzing activities engaged in by school districts and public offices. Among the factors considered are the normal and regular conduct of the district and the timing, tone, and tenor of activities as compared with ballot measure elections. As in any matter where intent is to be considered, hard and fast rules, which will be applicable to all situations, are difficult to establish.

The combination of a number of activities into a coordinated campaign involving close coordination between district activities and citizens' committee activities which closely resembles traditional election campaign activities and which is targeted at and/or occurs close in time to a school district ballot measure election is likely to draw close scrutiny and careful consideration by the PDC as to whether a violation has occurred.
- 8.a. Historically, the PDC has routinely advised and held that with respect to election-related publications, one districtwide objective and fair presentation of the facts per ballot measure is appropriate.

In addition, if a district has also customarily distributed this information through means other than a districtwide mailing (e.g. kid mail, regularly scheduled district or school newsletter, website, bilingual documents, or other format), that conduct has also been permitted under RCW 42.17.130 so long as the activity has been normal and regular for the district.

- b. The PDC will presume that every school district may distribute districtwide an objective and fair presentation of the facts for each ballot measure. If the district distributes more than this districtwide single publication, the district must be able to demonstrate to the PDC that this conduct is normal and regular for that district. In other words, the district must be able to demonstrate that for other major policy issues facing the district, the district has customarily communicated with its residents in a manner similar to that undertaken for the ballot measure.
- c. Districts are urged to read the definitions of "normal and regular" at WAC 390-05-271 and WAC 390-05-273. **Districts need to be aware, however, that in no case will the PDC view a marketing or sales effort related to a campaign or election as normal and regular conduct.**

**Public Disclosure Commission
Guidelines for School Districts in Election Campaigns**

Persons	Permitted	Not Permitted	General Considerations
Principals or Building Administrators	<ul style="list-style-type: none"> • May inform staff during non-work hours¹ of opportunities to participate in campaign activities.² • Are encouraged to communicate to staff the difference between acceptable and unacceptable activities related to a ballot measure. • In the course of normal publications for the school, may distribute an objective and fair presentation of the facts³ based on and expanded upon the information⁴ prepared by the district in accordance with the normal and regular conduct of the school and the district.⁵ 	<ul style="list-style-type: none"> • Shall not pressure or coerce employees to participate in campaign activities. • Shall not use internal memoranda solely for the purpose of informing employees of meetings supporting or opposing ballot measures. • Shall not coordinate informational activities with campaign efforts, in a manner that makes the district appear to be supporting or opposing a ballot measure. 	<ul style="list-style-type: none"> • Has there been communications with staff and with union representatives regarding the prohibition on the use of the school's internal mail or email system to support or oppose a ballot measure? • Is the distribution of this information consistent with the normal practices of the school (such as kid mail, newsletters, websites, or some other format)?

¹ Districts may set the definition of work hours for their employees. For example, to the extent that a district defines the lunch hour as a non-work hour, activities to support or oppose a candidate or a ballot measure that do not use public resources and that are held away from district facilities are permitted during the lunch hour.

² RCW 42.17.680(2) provides that “[n]o employer or labor organization may discriminate against an officer or employee in the terms or conditions of employment for (a) the failure to contribute to, (b) the failure in any way to support or oppose, or (c) in any way supporting or opposing a candidate, ballot proposition, political party, or political committee.”

³ Throughout these guidelines, the clause “objective and fair presentation of the facts” means that in addition to presenting the facts, the materials should present accurately the costs and other anticipated impacts of a ballot measure.

⁴ For the purposes of these guidelines, “information” refers to the documents prepared, printed, and mailed districtwide by the district’s central administration solely for the purposes of informing residents regarding an upcoming ballot measure. The district and a school may continue to distribute information consistent with the customary practices of the district and a school, including but not limited to kid mail, newsletters, websites, and multi-lingual documents. These publications may continue, but if they discuss the ballot measure, the information should be an objective and fair presentation of the facts.

⁵ For the purpose of these guidelines, the term “normal and regular” is defined in WAC 390-05-273 and clarified further by WAC 390-05-271.

**Public Disclosure Commission
Guidelines for School Districts in Election Campaigns**

Persons	Permitted	Not Permitted	General Considerations
<p>Principals or Building Administrators (continued)</p>	<ul style="list-style-type: none"> • May speak at community forums and clubs to present factual and objective information on a ballot measure during regular work hours. • May encourage staff and members of the public to vote, as long as such encouragement routinely occurs for other elections. • May respond to questions regarding a ballot measure if such activity is consistent with his or her normal and regular duties. • May wear campaign buttons or similar items while on the job if the district's policy generally permits employees to wear political buttons. • May engage in campaign activities on their own time, during non-work hours and without using public resources. 	<ul style="list-style-type: none"> • Shall not use public resources to operate a speakers' bureau in a manner that may be viewed as promoting a ballot measure. 	<ul style="list-style-type: none"> • Is the information provided an objective and fair presentation of the facts? • Is the activity consistent with the school's normal and regular course of business? • Do the materials accurately present the costs and other anticipated impacts of a ballot measure?
<p>PTSAs</p>	<ul style="list-style-type: none"> • May use school facilities for meetings supporting or opposing a ballot measure to the extent that the facilities are made available on an equal access, nondiscriminatory basis, and it is part of the normal and regular activity of the district. 	<ul style="list-style-type: none"> • Shall not use school facilities to produce materials that support or oppose a ballot measure, unless the district offers printing services on an equal access, nondiscriminatory basis to others. 	

**Public Disclosure Commission
Guidelines for School Districts in Election Campaigns**

Persons	Permitted	Not Permitted	General Considerations
PTSAs (continued)	<ul style="list-style-type: none"> • May print and distribute a separate newsletter advocating support for the ballot measure so long as no district resources are used (such as kid mail, newsletters, websites, or some other format). • May remind voters of upcoming election dates in the PTSA newsletter or in their part of the school newsletter. 	<ul style="list-style-type: none"> • Shall not print and distribute materials promoting the ballot measure in the school newsletter. • Shall not use a school or district-sponsored event to promote or oppose a candidate or a ballot measure. 	
School Boards	<ul style="list-style-type: none"> • May collectively vote to support or oppose a ballot measure at a properly noticed public meeting, where opponents of the measure are given an equal opportunity to express views.⁶ 	<ul style="list-style-type: none"> • Shall not pressure or coerce the superintendent to participate in campaign activities. • Shall not explicitly include passage of a ballot measure in the district's annual goals. 	
School Board Members	<ul style="list-style-type: none"> • May engage in political activities on his or her own time, if no public equipment, vehicle or facility is used. (An elected official may use his or her title, but should clarify that he/she is speaking on his/her own behalf, and not on behalf of the district. If the board has adopted a resolution, the board member can then speak on behalf of the district.) 	<ul style="list-style-type: none"> • Shall not direct district staff to perform tasks to support or oppose campaign activities or ballot measures. • Shall not use public facilities or resources in engaging in political activities. 	<ul style="list-style-type: none"> • Is the board member using staff time, a public vehicle, or other public resources? • Has the board adopted a resolution? If yes, the board member can speak on behalf of the district. If not, has the board member made it clear that he or she is not speaking on behalf of the district?

⁶RCW 42.17.130(1) provides that action may be "taken at an open public meeting by members of an elected legislative body or by an elected board, council, or commission of a special purpose district including, but not limited to, fire districts, public hospital districts, library districts, park districts, port districts, public utility districts, school districts, sewer districts, and water districts, to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;"

**Public Disclosure Commission
Guidelines for School Districts in Election Campaigns**

Persons	Permitted	Not Permitted	General Considerations
Students	<ul style="list-style-type: none"> • Students may originate school projects for credit that promote or oppose candidates or ballot measures. • Students may use public resources to carry out school projects promoting or opposing ballot measures, to the extent that such resources are regularly and routinely made available for other student projects. 	<ul style="list-style-type: none"> • Student school projects supporting or opposing ballot measures shall not use public resources that are not regularly and routinely made available for other student projects. • Teachers shall not assign school projects to students that require creating or distributing materials to influence an election's outcome. • District employees and officials shall not use student projects to influence an election's outcome. 	<ul style="list-style-type: none"> • Is the school project student-initiated? • Is the district using the student project to influence the outcome of an election?
Superintendents or Their Designees	<ul style="list-style-type: none"> • May speak at community forums and clubs to present an objective and fair presentation of the facts on a ballot measure during regular work hours.⁷ • May fully participate in campaign activities, including meeting with citizens' campaign committees to plan strategies, during non-work hours and without the use of public resources. 	<ul style="list-style-type: none"> • Shall not use public resources to operate a speakers' bureau in a manner that may be viewed as promoting a ballot measure. • Shall not use public resources to promote or defeat a candidate or ballot measure. 	<ul style="list-style-type: none"> • Is the superintendent using public resources in a manner that promotes or opposes a candidate or a ballot measure? • Does the presentation accurately present the costs and other anticipated impacts of a ballot measure?

⁷ Districts may set the definition of work hours for their employees. For example, to the extent that a district defines the lunch hour as a non-work hour, activities to support or oppose a candidate or a ballot measure that do not use public resources and that are held away from district facilities are permitted during the lunch hour.

**Public Disclosure Commission
Guidelines for School Districts in Election Campaigns**

Persons	Permitted	Not Permitted	General Considerations
<p>Superintendents or Their Designees (continued)</p>	<ul style="list-style-type: none"> • May inform staff during non-work hours of opportunities to participate in campaign activities. • May respond to questions regarding a ballot measure if such activity is consistent with his or her normal and regular duties. • May wear campaign buttons or similar items while on the job if the district's policy generally permits employees to wear political buttons. • May place window signs or bumper stickers on their privately-owned cars, even if those cars are parked on school property during working hours. • Are encouraged to communicate to staff the difference between acceptable and unacceptable activities related to a ballot measure. • May encourage staff and members of the public to vote, as long as such encouragement routinely occurs for other elections. 	<ul style="list-style-type: none"> • Shall not pressure or coerce employees to participate in campaign activities. • Shall not use district resources to organize the distribution of campaign materials. 	<ul style="list-style-type: none"> • Does the district have a policy permitting employees to wear political buttons?

**Public Disclosure Commission
Guidelines for School Districts in Election Campaigns**

Persons	Permitted	Not Permitted	General Considerations
<p>Teachers or Other Employees</p>	<ul style="list-style-type: none"> • May speak at community forums and clubs to present an objective and fair presentation of the facts on a ballot measure during regular work hours. • May inform staff during non-work hours of opportunities to participate in campaign activities. • May engage in campaign activities on their own time, during non-work hours and without using public resources. • May respond to questions regarding a ballot measure if such activity is consistent with his or her normal and regular duties. • May wear campaign buttons or similar items while on the job if the district's policy generally allows employees to wear political buttons. • May, during non-work hours, make available campaign materials to employees in lunchrooms and break rooms, which are used only by staff or other authorized individuals. 	<ul style="list-style-type: none"> • Shall not use work hours or public resources to promote or oppose a candidate or ballot measure (such as gathering signatures, distributing campaign materials, arranging speaking engagements, coordinating phone banks, or fundraising). • Shall not pressure or coerce other employees to participate in campaign activities. • Shall not use district resources to organize the distribution of campaign materials. 	<ul style="list-style-type: none"> • Do the presentations accurately present the costs and other anticipated impacts of a ballot measure? • Is the employee acting on his or her own time, during non-work hours? • Is the employee using public resources in a matter that promotes or defeats a candidate or a ballot measure? • Does the district have a policy permitting employees to wear political buttons?

**Public Disclosure Commission
Guidelines for School Districts in Election Campaigns**

Persons	Permitted	Not Permitted	General Considerations
Teachers or Other Employees (continued)	<ul style="list-style-type: none"> • May place window signs or bumper stickers on their cars, even if those cars are parked on school property during working hours. • May encourage staff and members of the public to vote, as long as such encouragement routinely occurs for other elections. 		
Union Representatives	<ul style="list-style-type: none"> • May, during non-work hours, make available campaign materials to union members in lunchrooms and break rooms, which are used only by staff or other authorized individuals. • May distribute campaign materials at union-sponsored meetings. • May post campaign materials on a bulletin board, if such a board is in an area that is not accessible to the general public and if such activity is consistent with the district's policy and the collective bargaining agreements. 	<ul style="list-style-type: none"> • Shall not use the school's internal mail or email system to communicate campaign-related information, including endorsements. • Shall not distribute promotional materials in classrooms or other public areas. 	<ul style="list-style-type: none"> • Are campaign materials made available only in those areas used solely by staff or other authorized individuals? • Does such distribution occur during non-work hours?

**Public Disclosure Commission
Guidelines for School Districts in Election Campaigns**

Activities and Resources	Permitted	Not Permitted	General Considerations
Equipment and Supplies	<ul style="list-style-type: none"> • District employees, in the course of their employment, may use equipment (including but not limited to projectors and computers) to make an objective and fair presentation of the facts at community forums and clubs. • District employees, in the course of their employment, may produce information that is an objective and fair presentation of the facts using public resources. 	<ul style="list-style-type: none"> • Public resources (including but not limited to internal mail systems, email systems, copiers, telephone) shall not be used to support or oppose a candidate or ballot measure, whether during or outside of work hours. • Citizens' campaign committees and other community groups shall not use district equipment (including but not limited to internal mail systems, projectors, computers, and copiers) to prepare materials for meetings regarding ballot measures. 	<ul style="list-style-type: none"> • Do the presentations fairly and objectively present the costs and other anticipated impacts of a ballot measure?
Meeting Facilities	<ul style="list-style-type: none"> • District meeting facilities, including audio visual equipment, may be used by campaign committees for activities on the same terms and conditions available to other community groups, subject to the provisions of the district's policy. 		<ul style="list-style-type: none"> • Can community groups typically use school facilities? • Are facilities made available to all groups on the same terms? • Has the district adopted a policy regarding the distribution of campaign materials on district property?

**Public Disclosure Commission
Guidelines for School Districts in Election Campaigns**

Activities and Resources	Permitted	Not Permitted	General Considerations
Lists	<ul style="list-style-type: none"> • Lists of names (such as district vendors or parents) that a district has obtained or created in the course of transacting its regular public business are subject to public disclosure requirements; thus, unless otherwise exempt, the lists must be released subject to public records requests. • Districts may charge a pre-established fee to cover the costs of providing copies of such lists on an equal access, nondiscriminatory basis. 	<ul style="list-style-type: none"> • Districts shall not sell copies of such lists (though they may charge a pre-established fee to recover the costs of providing copies of the lists). • If a list is generally available as a public record, it cannot be denied to a person or group on the grounds that it might be used in a campaign. 	<ul style="list-style-type: none"> • Is the list obtained or created in the course of the district transacting its public business? • Are the fees charged no greater than necessary to cover the costs of providing copies? • Has the district complied with the Family Education Rights and Privacy Act and district policy in responding to any public record requests?
Voting Information	<ul style="list-style-type: none"> • District personnel may encourage staff and members of the public to vote, as long as such encouragement routinely occurs for other elections. • Public facilities may be used to register people to vote and to do periodic poll checking. 	<ul style="list-style-type: none"> • Districts shall not pressure or coerce employees to vote. • Districts shall not organize an effort to encourage staff to wear campaign buttons or display campaign materials. 	<ul style="list-style-type: none"> • Is the activity related to providing voting information for elections, as opposed to advocating for or against a particular candidate or ballot measure?

**Public Disclosure Commission
Guidelines for School Districts in Election Campaigns**

Activities and Resources	Permitted	Not Permitted	General Considerations
<p>District Publications (Specific to Elections)</p>	<ul style="list-style-type: none"> • Districts may develop an objective and fair presentation of the facts regarding district needs and the anticipated impact of a ballot measure, and may distribute it in the district’s customary manner. This information⁸ may be printed in various languages and communicated in other formats as required by the ADA. • In the course of regular publications for the district, the district may distribute an objective and fair presentation of the facts for each ballot measure in accordance with the normal and regular conduct of the district. 	<ul style="list-style-type: none"> • Districts shall not distribute election-related information in a manner that targets specific subgroups. Targeting does not refer to mailing information to district constituencies such as parents, families within a service region, community leaders, or some other group, or to the district’s regular distribution list to provide information in a manner that is consistent with the normal and regular conduct of the district. • Districts shall not publicize information supporting or opposing a candidate or ballot measure. 	<ul style="list-style-type: none"> • Does the information provide an objective and fair presentation of the facts? • Is the timing, format, and style, including tone and tenor, of the information presented in a manner that is normal and regular for the district? • Is the information distributed in a manner that is normal and regular for the district? • Do the materials accurately present the costs and other anticipated impacts of a ballot measure?

⁸ For the purposes of these guidelines, “information” refers to the documents prepared, printed, and mailed districtwide by the district’s central administration solely for the purposes of informing residents regarding an upcoming ballot measure. The district and a school may continue to distribute information consistent with the customary practices of the district and a school, including but not limited to kid mail, newsletters, websites, and multi-lingual documents. These publications may continue, but if they discuss the ballot measure, the information should be an objective and fair presentation of the facts.

**Public Disclosure Commission
Guidelines for School Districts in Election Campaigns**

Activities and Resources	Permitted	Not Permitted	General Considerations
District Publications (Specific to Elections) (continued)			<ul style="list-style-type: none"> Does the district typically distribute information by kid mail, newsletters, websites, or some other format?
District Publications (Regular)	<ul style="list-style-type: none"> Districts may include all or part of the information regarding district needs and the anticipated impacts of a ballot measure in the district's regular publications, such as district and school newsletters. (For example, a school newsletter may specifically describe the projects and/or programs planned for that school.) Districts may inform staff and/or parents of community meetings related to ballot measures if other such information is normally published in a newsletter or community calendar, and if both those supporting or opposing a ballot measure have the opportunity to appear on the calendar or in the newsletter. 	<ul style="list-style-type: none"> Districts shall not use internal memoranda or other district publications to encourage employees to participate in campaign activities. Districts shall not publish materials supporting or opposing a candidate or ballot measure. 	<ul style="list-style-type: none"> Does the district routinely distribute such information? Does the district normally inform staff and/or parents of community activities and meetings?

**Public Disclosure Commission
Guidelines for School Districts in Election Campaigns**

Activities and Resources	Permitted	Not Permitted	General Considerations
District Publications (Regular) (continued)	<ul style="list-style-type: none"> • Districts may factually report school board support for a ballot measure, so long as it is the normal and regular conduct for the district. (For example, a community newsletter that ordinarily reports on board actions may report that the board adopted a resolution supporting the district's ballot measure.) • Districts may thank citizens for their support after an election in district publications. 		<ul style="list-style-type: none"> • Is the information presented in an objective and fair manner? • Is the district engaging in significantly different activities during the time period immediately prior to the ballot measure compared to all other times of the school year?
Reader Boards/Posters	<ul style="list-style-type: none"> • Information encouraging staff and members of the public to vote, or providing the dates of upcoming elections such as "vote on February ___", may be posted, as long as such encouragement is customarily posted for elections other than just a district ballot measure. • Districts may thank citizens on their reader boards for their support after an election. 	<ul style="list-style-type: none"> • Districts shall not display a "vote schools" sign or other promotional messages on reader boards or posters. • Signs advocating for or against candidates or ballot measures shall not be posted on district property in any area accessible to the general public or in classrooms. 	

**Public Disclosure Commission
Guidelines for School Districts in Election Campaigns**

Activities and Resources	Permitted	Not Permitted	General Considerations
Reader Boards/Poster (continued)	<ul style="list-style-type: none"> • Union representatives/employees may post campaign materials on a bulletin board, if such a board is in an area that is only accessible to staff or other authorized individuals and if such activity is consistent with the district’s policy and collective bargaining agreements. • May post objective and fair information at a school or at a future school site regarding anticipated improvements to be funded by a ballot measure that is specific to that school or site. 	<ul style="list-style-type: none"> • Publicly owned vehicles shall not be used to carry or display political material. 	
Surveys and Research	<ul style="list-style-type: none"> • Districts may conduct surveys and/or other community research, including demographic questions, to determine the community’s priorities, public perception of district performance, and/or to inform the community about district programs and policies. • Districts may conduct community research (including but not limited to the use of questionnaires, surveys, workshops, focus groups, and forums) to determine the community’s priorities for both programs and/or facilities and their associated total costs and projected dollars per thousand assessment. 	<ul style="list-style-type: none"> • Districts shall not conduct surveys to determine what taxation level the public would support. • Districts shall not conduct surveys designed to shore up support or opposition for a ballot measure. 	<ul style="list-style-type: none"> • Has the school board passed a resolution authorizing a measure to be placed on the ballot? (If so, actions may be more closely scrutinized.) • Does the election-related survey target specific subgroups?

**Public Disclosure Commission
Guidelines for School Districts in Election Campaigns**

Activities and Resources	Permitted	Not Permitted	General Considerations
Surveys and Research (continued)	<ul style="list-style-type: none"> The surveys and/or other community research can be conducted before or after the school board has approved a resolution to place a ballot measure on the ballot. However, research conducted after the adoption of the resolution may be subject to greater scrutiny. Districts may publish survey results if it is consistent with the normal and regular conduct of the district. 	<ul style="list-style-type: none"> Districts shall not target registered voters or other specific subgroups of district residents in conducting their election-related surveys. Districts shall not use survey results in a manner designed to support or oppose a candidate or ballot measure. 	<ul style="list-style-type: none"> Is the survey or community research consistent with normal and regular activities of the district?
Technology (websites, emails, computerized calling systems)	<ul style="list-style-type: none"> A district may develop an objective and fair presentation of the facts and post that information on its website, including information regarding district needs and the anticipated impacts of a ballot measure. This information may be reformatted so that it is consistent with the manner in which the district customarily presents information on its website. District websites may permit viewers to make selections to learn about the anticipated impacts of a ballot measure for a specific school, or otherwise allow readers to explore issues in greater or lesser detail. 	<ul style="list-style-type: none"> District computers, email systems, telephones, and other information technology systems shall not be used to aid a campaign for or against a candidate or ballot measure. Electronic communication systems shall not be used to generate or forward information that supports or opposes a candidate or ballot measure. 	<ul style="list-style-type: none"> Are the materials developed an objective and fair presentation of the facts? Is the district engaging in significantly different activities during the time period immediately prior to the ballot measure compared to all other times of the school year?

**Public Disclosure Commission
Guidelines for School Districts in Election Campaigns**

Activities and Resources	Permitted	Not Permitted	General Considerations
Technology (websites, emails, computerized calling systems) (continued)	<ul style="list-style-type: none"> • Districts may update the information on their websites in a manner that is customary for the district. • Staff may respond to inquiries regarding a ballot measure in an objective and fair manner, via email or by telephone if it is part of their normal and regular duties. 	<ul style="list-style-type: none"> • District websites shall not be used for the purposes of supporting or opposing a candidate or ballot measure. 	<ul style="list-style-type: none"> • Do the materials accurately present the costs and other anticipated impacts of a ballot measure? • Has there been communications with staff and with union representatives regarding the prohibition on the use of the school's technology to support or oppose a ballot measure?

Note on Timing of Activities: A particular activity may be subject to the scrutiny of the Public Disclosure Commission depending in part on whether it is a part of the “normal and ordinary” conduct of a district or a school. Generally, activities that occur after a school board has passed a resolution authorizing a measure to be placed on the ballot will be subject to greater scrutiny by the Public Disclosure Commission than those occurring before such a resolution has been passed.

Note on District Policies: The application of these guidelines is also subject to each district’s own policies as adopted by the school board.

NONDISCRIMINATION AND AFFIRMATIVE ACTION

Nondiscrimination

The district will provide equal employment opportunity 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, creed, religion, color, 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 shall designate a staff member to serve as the 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 ration 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 will develop an affirmative action plan which 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 shall be reported annually to the board.

Employment of Persons With Disabilities

In order to fulfill its commitment of nondiscrimination to those with disabilities, the following conditions shall 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 use any employment tests or criteria that screen out persons with disabilities unless the test or criteria is clearly and specifically job-related. Also, the district will not use such tests or criteria if alternative tests or criteria (that do not screen out persons with disabilities) are available.
- D. While the district may not make 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.
- 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 or 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 or federal law.

<p>Cross References:</p>	<p>Board Policy 2030 Board Policy 5270 Board Policy 5407</p>	<p>Service Animals in Schools Resolution of Staff Complaints Military Leave</p>
<p>Legal References:</p>	<p>RCW 28A.400.310 RCW 28A.640.020 Chapter 28A.642 RCW Chapter 49.60 RCW RCW 49.60.030 RCW 49.60.180 RCW 49.60.400 Chapter 73.16 RCW</p>	<p>Law against discrimination applicable to district's employment practices Regulations, guidelines to eliminate discrimination — Scope – Sexual harassment policies Discrimination prohibition Laws of 2018, ch. 116 Wages and Advancement Opportunities – Gener Discrimination – Human rights commission Freedom from discrimination – Declaration of civil rights Unfair practices of employer Discrimination, preferential treatment prohibited. Employment and Reemployment</p>

Chapter 392-190 WAC	Equal Educational Opportunity – Unlawful Discrimination Prohibited
WAC 392-190-0592	Public school employment – Affirmative action program
42 USC §§2000e1 – 2000e-10	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	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 Act of 1974

Management Resources:	<i>Policy News</i> , May 2018	
	<i>Policy News</i> , April 2017	
	<i>Policy News</i> , June 2013	Adding Legal Reference to Policy 5010
	<i>Policy News</i> , June 2011	Laws Against Discrimination Address Equal Education Opportunities
	<i>Policy News</i> , February 2011	Nondiscrimination
	<i>Policy News</i> , August 2007	Washington’s Law Against Discrimination
	<i>Policy News</i> , June 2001	State Updates Military Leave Rights

Adoption Date: February 4, 1993
 Revised and Renumbered (5010, 5011, 5012): April 21, 2004
 Revised: April 16, 2008
 August 21, 2013
 January 21, 2015
 July 17, 2019

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 shall 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:

- A. Make efforts to modify the composition of the future work force in order to work toward a full utilization of aged persons, persons with disabilities, racial and ethnic minorities, women and Vietnam veterans in the various job categories.
- B. 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 shall continue to emphasize in all recruitment contacts that nondiscrimination is a basic element in the district's personnel procedures.
- C. 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, racial and 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.
- D. 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.
- E. Take appropriate action to attract and retain aged persons, persons with disabilities, racial and 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.
- F. 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. Affirmative action information will be disseminated by:

- A. Printing and distributing such information to staff;
- B. Publicizing such information in district newsletters or website;
- C. Informing appropriate and interested recruiting and hiring sources; and
- D. Informing all representative staff groups in the district.

Internal Audit And Monitoring System

The superintendent's office, in compliance with WAC 162-12, "Pre-employment Inquiry Guide," will record applicant flow, new hires, promotions, transfer requests, transfers, administrative internships and terminations by age, race, sex, and other protected status. An analysis will be made of the internal and external work force availability of racial and ethnic minorities and women.

The district will evaluate the effectiveness of the nondiscrimination and affirmative action program and report its status to the board annually. Such reports may include recommendations for changes in the affirmative action program. The overall responsibility for monitoring and auditing this policy is assigned to the district office. The duties include:

- A. Analysis of the categories of employment in relation to affirmative action goals;
- B. Analysis of work force data and applicant flow;
- C. Maintaining records relative to affirmative action information;
- D. Preparation of semiannual reports of progress toward the goals and recommended changes required to maintain the vitality of the program;
- E. 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
- F. Keeping the superintendent 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 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 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 Office of 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 Office of Superintendent of Public Instruction.

1. A complaint must be received by the Office of 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 Office of 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 non-compliance 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 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.

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 Contact
Superintendent of Schools
509.340.4300
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

Date: February 4, 1993

Revised and Renumbered (5010P, 5011P): March 17, 2004

Revised: July 25, 2013

July 17, 2019

SEXUAL HARASSMENT OF DISTRICT STAFF PROHIBITED

This district is committed to a positive and productive working environment free from discrimination, including sexual harassment. This commitment extends to all employees and other persons involved in academic, educational, extracurricular, athletic, and other programs or transportation, or at a class or school training held elsewhere.

Definitions

For purposes of this policy, sexual harassment means unwelcome conduct or communication of a sexual nature. Sexual harassment can occur student to adult, adult to adult or can be carried out by a group of students or adults and will be investigated by the District even if the alleged harasser is not a part of the school staff or student body. The district prohibits sexual harassment of district employees by other students, employees or third parties involved in school district activities.

Under federal and state law, the term “sexual harassment” includes:

- acts of sexual violence;
- unwelcome sexual or gender-directed conduct or communication that interferes with an individual’s employment performance or creates an intimidating, hostile, or offensive environment;
- unwelcome sexual advances;
- unwelcome requests for sexual favors;
- sexual demands when submission is stated or implied condition of obtaining a work opportunity, or other benefit;
- sexual demands where submission or rejection is a factor in a work or other school-related decision affecting an individual.

A “hostile environment” for an employee is created where the unwanted conduct is sufficiently severe or pervasive to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Investigation and Response

If the district knows, or reasonably should know, that sexual harassment has created a hostile environment, the district will promptly investigate to determine what occurred and will take appropriate steps to resolve the situation. If an investigation reveals that sexual harassment has created a hostile environment, the district will take prompt, equitable, and remedial action within its authority every time a report, complaint and grievance alleging sexual harassment comes to the attention of the district, either formally or informally.

Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. Regardless of whether the misconduct is reported to law enforcement, school staff will promptly investigate to determine what occurred and take appropriate steps to resolve the situation, to the extent that such investigation does not interfere with an ongoing criminal investigation. A criminal investigation does not relieve the district of its independent obligation to investigate and resolve sexual harassment.

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending staff or other third parties involved in school district activities. Anyone else

who engages in sexual harassment on school property or at school activities will have their access to school property and activities restricted, as appropriate.

Retaliation and False Allegations

Retaliation against any person who makes or is a witness in a sexual harassment complaint is prohibited and will result in appropriate discipline. The district will take appropriate actions to protect involved persons from retaliation.

It is a violation of this policy to knowingly report false allegations of sexual harassment. Persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

Staff Responsibilities

The superintendent will develop and implement formal and informal procedures for receiving, investigating and resolving complaints or reports of sexual harassment. The procedures will include reasonable and prompt time lines and delineate staff responsibilities under this policy.

Any school employee who witnesses sexual harassment or receives a report, informal complaint, or written complain about sexual harassment is responsible for informing the district's Title IX or Civil Rights Compliance Coordinator. All staff are also responsible for directing complainants to the formal complaint process.

A formal complaint filed by or on behalf of a student complainant against an employee respondent will be investigated under the definitions, requirements, and procedures of Policy 3205 and Procedure 3205P.

Reports of discrimination and discriminatory harassment will be referred to the district's Title IX/Civil Rights Compliance Coordinator. Reports of disability discrimination or harassment will be referred to the district's Section 504 Coordinator.

Notice and Training

The superintendent will develop procedures to provide information and education to district staff, parents, and volunteers regarding this policy and the recognition and prevention of sexual harassment. At a minimum, sexual harassment recognition and prevention and the elements of this policy will be included in staff and regular volunteer orientation. This policy and the procedure, which includes the complaint process, will be posted in each district building in a place available to staff, parents, volunteers and visitors. Information about the policy and procedure will be easily understood and conspicuously posted throughout each school building, provided to each employee and reproduced in each staff, volunteer, and parent handbook. Such notices will identify the District's Title IX Coordinator and provide contact information, including the coordinator's email address.

Policy Review

The superintendent will make an annual report to the board, upon their request, that reviews the use and efficacy of this policy and related procedures. Recommendations for changes to this policy, if applicable, will be included in the report. The superintendent is encouraged to involve staff, volunteers and parents in the review process.

Cross Reference:	Board Policy 3205 3207 3210 3240 3421 5010	Sexual Harassment of Students Prohibited Prohibition of Harassment, Intimidation and Bullying Nondiscrimination Student Conduct Child Abuse and Neglect Nondiscrimination
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Legal References:	RCW 28A.640.020 WAC 392-190-056-058 20 U.S.C. §§ 1681-1688	Regulations, guidelines to eliminate discrimination – Scope Sexual harassment
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Management Resources:

- Policy News*, June 2021
- Policy News*, October 2011 Policy Manual Revisions
- Policy News*, December 2014
- Poicy News*, July 2015 Policy Alert

Adoption: February 19, 2003
 Revised (renumbered from 6590): January 21, 2015
 Revised: April 17, 2019
 September 15, 2021

Sexual Harassment of District Staff Prohibited

The procedure is intended to set forth the requirements of Policy 5011, including the process for a prompt, thorough, and equitable investigation of allegations of sexual harassment and the need to take appropriate steps to resolve such situations. If sexual harassment is found to have created a hostile environment, staff must take immediate action to eliminate the harassment, prevent its reoccurrence, and address its effects.

This procedure applies to sexual harassment (including sexual violence) targeted at district employees carried out by other students, employees or third parties involved in school district activities. The district has jurisdiction over these complaints pursuant to Title IX of the Education Amendments of 1972, Chapter 28A.640, RCW and Chapter 392-190 WAC.

A formal complaint filed by or on behalf of a student complainant against an employee respondent will be investigated under the definitions, requirements, and procedures of Policy 3205 and Procedure 3205P.

Notice

Information about the district's sexual harassment policy will be easily understandable and conspicuously posted throughout each school building, provided to each employee and reproduced in each staff, volunteer and parent handbook.

In addition to the posting and reproduction of this procedure and Policy 5011, the district will provide annual notice to employees that complaints pursuant to this procedure may be filed at the district office.

Staff Responsibilities

In the event of an alleged sexual assault, the school principal will immediately inform: 1) the Title IX/Civil Rights Compliance Coordinator so that the district can appropriately respond to the incident consistent with its own grievance procedures; and 2) law enforcement. The principal will notify the targeted district staff person of their right to file a criminal complaint and a sexual harassment complaint simultaneously.

Confidentiality

If a complainant requests that his or her name not be revealed to the alleged perpetrator or asks that the district not investigate or seek action against the alleged perpetrator, the request will be forwarded to the Title IX/Civil Rights Compliance Coordinator for evaluation. The Title IX/Civil Rights Compliance Coordinator should inform the complainant that honoring the request may limit its ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator.

If the complainant still requests that his or her name not be disclosed to the alleged perpetrator or that the district not investigate or seek action against the alleged perpetrator, the district will need to determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students, staff and other third parties engaging in district activities, including the person who reported the sexual harassment. Although a complainant's request to have his or her name withheld may limit the district's ability to respond fully to an indi-

vidual allegation of sexual harassment, the district will use other appropriate means available to address the sexual harassment.

Retaliation

Title IX prohibits retaliation against any individual who files a complaint under these laws or participates in a complaint investigation. When an informal or formal complaint of sexual harassment is made, the district will take steps to stop further harassment and prevent any retaliation against the person who made the complaint, was the subject of the harassment, or against those who provided information as a witness. The district will investigate all allegations of retaliation and take actions against those found to have retaliated.

Informal Complaint Process:

Anyone may use informal procedures to report and resolve complaints of sexual harassment. Informal reports may be made to any staff member. Staff will always inform complainants of their right to and the process for filing a formal complaint. Staff will also direct potential complainants to the Title IX Coordinator. Additionally, staff will also inform an appropriate supervisor or professional staff member when they receive complaints of sexual harassment, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

During the course of the informal complaint process, the district will take prompt and effective steps reasonably calculated to end any harassment and to correct any discriminatory effects on the complainant. If an investigation is needed to determine what occurred, the district will take interim measures to protect the complainant before the final outcome of the district's investigation (e.g., allowing the complainant to change academic or extracurricular activities or break times to avoid contact with the alleged perpetrator.)

Informal remedies may include:

- An opportunity for the complainant to explain to the alleged harasser that his or her conduct is unwelcome, offensive or inappropriate, either in writing or face-to-face;
- A statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;
- A general public statement from an administrator in a building reviewing the district sexual harassment policy without identifying the complainant;
- Developing a safety plan;
- Separating staff persons; or
- Providing staff and/or student training.

Informal complaints may become formal complaints at the request of the complainant, parent or guardian, or because the district believes the complaint needs to be more thoroughly investigated.

Formal Complaint Process:

Level One – Complaint to District

Anyone may initiate a formal complaint of sexual harassment, even if the informal complaint process is being utilized. At any level in the formal complaint process, the district will take interim measures to protect the complainant before the final outcome of the district's investigation.

The following process will be followed:

Filing of Complaint

- All formal complaints will be in writing and will set forth the specific acts, conditions or circumstances alleged to have occurred and to constitute sexual harassment. The Title IX Coordinator may draft the complaint based on the report of the complainant for the complainant to review and approve. The superintendent or Title IX Coordinator may also conclude that the district needs to conduct an investigation based on information in his or her possession, regardless of the complainant's interest in filing a formal complaint.
- 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 the district Title IX Coordinator. Any district employee who receives a complaint that meets these criteria will promptly notify the Coordinator.

Investigation and Response

- The Title IX Coordinator will receive and investigate all formal, written complaints of sexual harassment, or information in the compliance officer's possession that the officer believes requires further investigation. The Coordinator will delegate his or her authority to participate in this process if such action is necessary to avoid any potential conflicts of interest. Upon receipt of a complaint, the Coordinator will provide the complainant a copy of this procedure.
- Investigations will be carried out in a manner that is adequate in scope, reliable and impartial. During the investigation process, the complainant and accused party or parties, if the complainant has identified an accused harasser(s), will have an equal opportunity to present witnesses and relevant evidence. Complainants and witnesses may have a trusted adult with them during any district-initiated investigatory activities. The school district and complainant may also agree to resolve the complaint in lieu of an investigation. When the investigation is completed the Coordinator will compile a full written report of the complaint and the results of the investigation.

Superintendent Response

- The superintendent will respond in writing to the complainant and the alleged perpetrator within thirty (30) calendar days of receipt of the 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 response of the superintendent or designee will include: 1) a summary of the results of the investigation; 2) a statement as to whether a preponderance of the evidence establishes that the complainant was sexually harassed ; 3) if sexual harassment is found to have occurred, the corrective measures the district deems necessary, including assurance that the district will take steps to prevent recurrence and remedy its effects on the complainant and others, if appropriate; 4) notice of the complainant's right to appeal to the

school board and the necessary filing information; and 5) any corrective measures the district will take, remedies for the complainant (e.g., sources of counseling, advocacy and other support), and notice of potential sanctions for the perpetrator(s) (e.g., discipline.)

- 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. If the complaint alleges discriminatory harassment by a named party or parties, the coordinator will provide the accused party or parties with notice of the outcome of the investigation and notice of their right to appeal any discipline or corrective action imposed by the district.
- Any corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the superintendent's written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy.
- The district will inform the complainant how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

Level Two – Appeal to Board of Directors

Notice of Appeal and Hearing

- If a complainant disagrees with the superintendent's or designee's written decision, the complainant may appeal the decision to the district board of directors, by filing 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 (20th) 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.

Decision

- 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 will be provided in a language that 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

Filing of Complaint

- 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.
- 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.
- A complaint must be in writing and include: 1) A description of the specific acts, conditions or circumstances alleged to violate applicable anti-sexual harassment 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.

Investigation, Determination and Corrective Action

- 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.

Other Complaint Options

Office for Civil Rights (OCR), U.S. Department of Education

OCR enforces several federal civil rights laws, which prohibit discrimination in public schools on the basis of race, color, national origin, sex, disability, and age. File complaints with OCR within 180 calendar days of the date of the alleged discrimination.

206-607-1600 | TDD: 1-800-877-8339 | OCR.Seattle@ed.gov | www.ed.gov/ocr

Washington State Human Rights Commission (WSHRC)

WSHRC enforces the Washington Law Against Discrimination (RCW 49.60), which prohibits discrimination in employment and in places of public accommodation, including schools. File complaints with WSHRC within six months of the date of the alleged discrimination.

1-800-233-3247 | TTY: 1-800-300-7525 | www.hum.wa.gov

Mediation

At any time during the 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 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.

Training and Orientation

A fixed component of all district orientation sessions for staff, students, and regular volunteers shall introduce the elements of this policy. Staff will be provided information on recognizing and preventing sexual harassment. Staff will be fully informed of the formal and informal complaint processes and their roles and responsibilities under the policy and procedure.

Certificated staff will be reminded of their legal responsibility to report suspected child abuse, and how that responsibility may be implicated by some allegations of sexual harassment. Regular volunteers will get the portions of this component of orientation relevant to their rights and responsibilities.

Students will be provided with age-appropriate information on the recognition and prevention of sexual harassment and their rights and responsibilities under this and other district policies and rules at student orientation sessions and on other appropriate occasions, which may include parents.

As part of the information on the recognition and prevention of sexual harassment staff, volunteers, students and parents will be informed that sexual harassment may include, but is not limited to:

- Demands for sexual favors in exchange for preferential treatment or something of value;
- Stating or implying that a person will lose something if he or she does not submit to a sexual request.
- Penalizing a person for refusing to submit to sexual advance, or providing a benefit to some who does;
- Making unwelcome, offensive or inappropriate sexually suggestive remarks, comments, gestures, or jokes ; or remarks of a sexual nature about a person's appearance, gender, or conduct;
- Using derogatory sexual terms for a person;
- Standing too close, inappropriately touching, cornering or stalking a person; or
- Displaying offensive or inappropriate sexual illustrations on school property.

Policy and Procedure Review

The superintendent or designee, upon board request, will convene an ad hoc committee composed of representatives of certificated and classified staff, volunteers, students and parents to review the use and efficacy of this policy and procedure. The compliance officer will be included in the committee. Based on the review of the committee, the superintendent shall prepare a report to the board including, if necessary, any recommended policy changes. The superintendent shall consider adopting changes to this procedure if recommended by the committee.

Date: January 15, 2003

Revised: September 20, 2006

Revised and renumbered (6590P): January 21, 2015

Revised: April 17, 2019

September 15, 2021

DRUG-FREE SCHOOLS, COMMUNITY AND WORKPLACE

The board has an obligation to staff, students and citizens to take reasonable steps to provide a reasonably safe workplace and to provide safety and high quality performance for the students who the staff serves.

For the purposes of this policy, the “workplace” is defined to mean the site for the performance of work done, which includes work done in connection with a federal grant. The “workplace” includes any district building or any district property; any district-owned vehicle or any other district-approved vehicle used to transport students to and from school or school activities; and off district property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the district, which could also include work on a federal grant.

Prohibited Behavior

To help maintain a drug-free school, community, and workplace, the following behaviors will not be tolerated:

- A. Reporting to work or the workplace under the influence of alcohol, illegal chemical substances or opiates.
- B. Using, possessing, transmitting alcohol, illegal and/or controlled substances including marijuana (cannabis), anabolic steroids, and opiates in any amount or in any manner, and at any time in the workplace.
- C. Any staff member convicted of a crime attributable to the use, possession, or sale of illegal and/or controlled substances, including marijuana (cannabis), anabolic steroids, and opiates will be subject to disciplinary action, including termination.
- D. Using district property or the staff member's position within the district to make or traffic alcohol, illegal chemical substances, including marijuana (cannabis), anabolic steroids, and opiates.
- E. Using, possessing or transmitting illegal and/or controlled substances, including marijuana (cannabis), anabolic steroids, and opiates.

Any staff member who is taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with the safe performance of his/her job. If the use of a medication could compromise the safety of the staff member, other staff members, students or the public, it is the staff member's responsibility to use appropriate personnel procedures (e.g., use leave, request change of duty, or notify his/her supervisor of potential side effects) to avoid unsafe workplace practices. If a staff member notifies his/her supervisor that the use of medication could compromise the safe performance of his/her job, the supervisor in conjunction with the district office then will determine whether the staff member can remain at work and whether any work restrictions will be necessary.

As a condition of employment, each employee will notify his or her supervisor of a conviction under any criminal drug statute violation occurring in the workplace. Such notification will be provided no later than 5 days after such conviction. The district will inform the federal government within ten days of such conviction, regardless of the source of the information.

Disciplinary Action

Each employee will be notified of the district's policy and procedures regarding employee drug activity at work. Any staff member who violates any aspect of this policy will be subject to disciplinary action, which may include termination. As a condition of eligibility for reinstatement, an employee may be required to satisfactorily complete a drug rehabilitation or treatment program approved by the district, at the employee's expense. Nothing in this policy will be construed to guarantee reinstatement of any employee who violates this policy, nor does the district incur any financial obligation for treatment or rehabilitation ordered as a condition of eligibility for reinstatement.

At their discretion, the district may notify law enforcement agencies regarding a staff member's violation of this policy or take other actions, as the district deems appropriate.

Cross References:	Board Policy 5203 Board Policy 5280	Staff Assistance Program Separation from Employment
Legal References:	41 USC §§ 8143 20 USC §§ 7101-7117 21 U.S.C. 812 RCW 69.50.435	Drug Free Workplace Requirements for Federal Grant Recipients Safe and Drug-Free Schools and Communities Act Controlled Substance Act Violations committed on school bus or in or near school grounds or school bus route stop
Management Resources:	Policy News, February 1999 <i>Policy News</i> , December 2011 <i>Policy News</i> , December 2015	Bus drivers still tested for marijuana

Adoption Date: August 8, 1991
Revised and Renumbered (5258): April 21, 2004
Revised: May 15, 2019

MAINTAINING PROFESSIONAL STAFF/STUDENT BOUNDARIES

Purpose

This policy provides all staff, students, volunteers and community members with information about their role in protecting children from inappropriate conduct by adults. This policy applies to all district staff and volunteers. For purposes of this policy and its procedure, the terms “district staff,” “staff member” and “staff” also include volunteers.

General Standards

The board expects all district staff to maintain the highest professional, standards when they interact with students. District staff are required to maintain an atmosphere conducive to learning by consistently maintaining professional boundaries.

Professional staff/student boundaries are consistent with the legal and ethical duty of care that district employees have for students.

The interactions and relationships between district staff and students should be based upon mutual respect and trust, and commitment to the professional boundaries between staff and students in and outside of the educational setting, and consistent with the educational mission of the district.

District staff will not intrude on a student’s physical and emotional boundaries unless the intrusion is necessary to serve demonstrated educational purpose. An educational purpose is one that relates to the staff member’s duties in the district. Inappropriate boundary invasions can take various forms. Any type of sexual conduct with a student is an inappropriate boundary invasion.

Additionally, staff members are expected to be aware of the appearance of impropriety in their own conduct and the conduct of other staff when interacting with students. Staff members will notify and discuss issues with their building administrator or supervisor whenever they suspect or question whether their own or another staff member’s conduct is inappropriate or constitutes a violation of this policy.

The board recognizes that staff may have familial and pre-existing social relationships with parents or guardians and students. Staff members should use appropriate professional judgement when they have a dual relationship to students to avoid violating this policy, the appearance of impropriety, and the appearance of favoritism. Staff members shall proactively discuss these circumstances with their building administrator or supervisor.

Use of Technology

The board supports the use of technology to communicate for educational purposes. However, when the communication is unrelated to school work or other legitimate school business district staff are prohibited from communicating with students by phone, e-mail, text, instant messenger, or other forms of electronic or written communication. District staff members are prohibited from engaging in any conduct on social networking websites that violates the law, district policies or procedures, or other generally recognized professional standards. This prohibition includes prohibiting staff from “friending” and/or “following” students on social media.

Staff whose conduct violates this policy may face discipline and/or termination, consistent with the district’s policies and procedures, acceptable use agreement and collective bargaining agreements, as applicable.

The superintendent or designee will develop protocols for reporting and investigating allegations and develop procedures and training to accompany this policy.

Legal References: Title IX of the Education Amendments of 1972

Chapter 9A.44, RCW	Sex Offences
Chapter 9A.88, RCW	Indecent Exposure - Prostitution
RCW 28A.400	Crimes against children
RCW 28A.405.470	Crimes against children - Mandatory termination of certificated employees - Appeal - Recovery of salary or compensation by district.
RCW 28A.405.475	Termination of certificated employee based on guilty plea or conviction of certain felonies - Notice to superintendent of public instruction - Record of notices.
RCW 28A.410.090	Revocation or suspension of certificate or permit to teach - Criminal basis - Complaints - Investigation - Process.
RCW 28A.410.095	Violation or noncompliance - Investigatory powers of superintendent of public instruction - Requirements for investigation of alleged sexual misconduct towards a child - Court orders - Contempt - Written findings required.
RCW 28A.410.100	Revocation of authority to teach - Hearings.
Chapter 28A.640, RCW	Sexual Equality
Chapter 28A.642, RCW	Discrimination Prohibition Chapter 49.60, RCW Washington State Law Against Discrimination
WAC 181-87	Professional Certification - Acts of Unprofessional Conduct
WAC 181-88	Sexual Misconduct, Verbal and Physical Abuse - Mandatory Disclosure - Prohibited Agreements

Cross References: 3205 – Sexual Harassment of Students Prohibited
 3207 – Prohibition of Harassment, Intimidation and Bullying
 3210 – Nondiscrimination
 3421 – Child Abuse, Neglect, and Exploitation Prevention

Management Resources: 2015 – October Issue
 2019 - March Issue

Adoption Date: April 20, 2011
Revised: April 18, 2018
December 16, 2020

Procedure -Maintaining Professional Staff /Student Boundaries

Many educators or volunteers who cross the line of professional boundaries may not consciously begin with predatory motivation in mind. Instead, they allow themselves to develop a special relationship with a student that results in situations where their professionalism is compromised. Sometimes, this leads to sexual misconduct. All of this can be prevented by maintaining professional boundaries with students.

Educators, volunteers, students, parents, and other concerned adults are the key to stopping unprofessional conduct against students. Hence, the following information will help you to help protect students, your school, and the profession.

Reporting Violations

All school staff members or volunteers must promptly notify the supervisor of a staff member or volunteer suspected of engaging in a boundary invasion toward a student.

Staff members should:

- Not wait before reporting suspicious behavior or try to determine whether there is an innocent explanation;
- Not confront or discuss the matter with the staff member at issue or with anyone else, but maintain confidentiality to protect privacy and avoid rumors; and
- Document for their own records, that they notified an administrator, including to whom and what they reported

Students and their parents/guardians are strongly encouraged to notify the principal (or other administrator) if they believe a staff member or volunteer may be engaging in inappropriate boundary invasion conduct with a student.

Boundary Invasion

A Boundary Invasion is an act or pattern of behavior by a staff member or volunteer that does not have a bone fide health, safety, or educational purpose for the student. Such situations are the opposite of maintaining professional boundaries with students. Staff members and volunteers shall not engage in boundary invasions of students, which include, but are not limited to the following:

- A. Any type of inappropriate physical or sexual conduct with a student or any other conduct that violates the board's policies regarding student welfare, the educational environment, or conduct toward current or former students. Inappropriate physical conduct includes hugging, kissing, or being "overly touchy" with students without any legitimate educational or professional purpose;
- B. Showing intimate or unduly revealing photos to a student or asking a student to provide intimate or unduly revealing photos; taking inappropriate photographs of a student, or taking an inordinate number of photographs of a student;
- C. Any kind of flirtatious or sexual communications with a student;
- D. Singling out a particular student or students for personal attention and friendship beyond the professional staff-student relationship. This includes, but is not limited to, favoring one or more students with special privileges, allowing them to remain in the classroom

- during non-class times, unilaterally removing a student from another class or activity, or engaging in “peer like” behavior with one or more students’
- E. Providing alcohol, drugs or tobacco to students or failing to report their use of these substances;
 - F. For non-guidance/counseling staff, allowing or encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members shall refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student’s school performance;
 - G. Sending students on personal errands unrelated to any educational purpose;
 - H. Banter, allusions, jokes or innuendos of a sexual nature with students;
 - I. Favorable commenting on a student’s appearance if it is unduly revealing or if the comments have no educational value;
 - J. Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
 - K. Addressing students, or permitting students to address staff members or volunteers with personalized terms of endearment, pet names, or otherwise in an overly familiar manner;
 - L. Maintaining personal contact (including “friending” or “following”) a student on any social networking application or device;
 - M. Sending phone, email, text, instant messenger, or other forms of written or electronic communication to students when the communication is unrelated to school work or other legitimate school business. If staff members have educational or legitimate school business to conduct, they shall include a parent/guardian and a school administrator on the communication. If staff members receive a student’s communication, the staff member shall reply by including the student’s parent/guardian and an administrator. Staff members should use school e-mail addresses and phone numbers and the parents’ phone numbers for communications with students, except in an emergency situation;
 - N. Exchanging personal gifts, cards or letters with an individual student;
 - O. Socializing or spending time with students (including but not limited to activities such as going out for beverages, meals or movies, shopping, traveling, and recreational activities) outside of school-sponsored events, except as participants in organized community activities;
 - P. Giving a student a ride alone in a vehicle in a non-emergency situation or failing to timely report that occurrence;
 - Q. Providing a student with information or views about other students or staff members without a legitimate professional purpose;
 - R. Asking a student to keep a secret or not to disclose any inappropriate communications or conduct;
 - S. Unnecessarily invading a student’s privacy, (e.g. walking in on the student in the bathroom or a hotel room on a field trip);
 - T. Being alone with an individual student out of the view of others; and or
 - U. Any home visits unless other adults are present, the student(s) are invited for an activity related to school, and the student’s parent/guardian and an administrator are informed and have consented.

Investigation and Documentation

When an administrator receives information that a boundary invasion has occurred or might have occurred, the administrator must document, in writing, the concern and provide a copy of the

documentation to their supervisor(s). The supervisor(s) will see that the matter is investigated and documented, and if a boundary invasion has occurred without a legitimate educational or safety purpose, that appropriate action is taken and documented. The supervisor(s) will maintain a file documenting reports, letters of direction, and discipline relating to professional boundary investigations.

Reminder About Reporting Sexual Abuse

In some situations, the person engaging in boundary invasions with a student may also have engaged in child abuse or sexual abuse, which is defined in Board Policy 3421 - Child Abuse, Neglect, and Exploitation Prevention. Remember that according to law (RCW 26.44.020) and Board Policy 3421, all school personnel who have reasonable cause to believe that a student has experienced sexual abuse by an adult or student are required to make a report to Child Protective Services and/or law enforcement. (See Board Policy 3421.) Reporting suspected abuse to the building principal or supervisor does not relieve professional school personnel from their reporting responsibilities and timelines.

Disciplinary Action

Staff member or volunteer violations of this policy may result in disciplinary action up to and including dismissal. Violations of this policy may occur by ignoring professional boundaries as well as failing to report another staff member or volunteer who is ignoring professional boundaries. In any disciplinary situation, the Superintendent should consider whether the conduct violates the Code of Professional conduct in WAC 181-87 and whether a report to the Office of Professional Practices is warranted.

Training

All new staff members and volunteers will receive training on appropriate staff/student boundaries within three months of employment or beginning of service. Such initial training may be on-line training. Site administration and classified employee supervisors shall see to it that more detailed, live training covering this entire procedure shall occur every two years for all schools and work sites. Site administration and classified employee supervisors will also address professional boundaries at staff meetings early in the year.

Dissemination of Policy and Reporting Protocols

This policy and procedure shall be included on the district website and in all employee, student and volunteer handbooks. Annually, all administrators and staff will receive copies of the district's reporting protocol. The district shall also provide a copy of this policy and procedure to students and their parents during each school year.

Management Resources: *October 2015 Policy News*

Date: April 20, 2011

Revised: April 18, 2018

December 16, 2020

Maintaining Professional Staff/Student Boundaries

Additional Guidelines

A. Prevent One-on-One Access to Students

1. Classroom doors should have windows; windows should not be covered except in lockdown situations
2. When an educator meets in the classroom alone with a student, the door should be open
3. Discourage educators from one-on-one contact with students in private settings
4. Require educators and students to meet in places observable by others, such as offices with windows or outdoors, if privacy is needed
5. When a counselor or administrator meets alone with a student, the door should have windows that are not covered
6. Assign at least two educators to monitor bathrooms and locker rooms of their gender, when possible
7. When dealing with a toileting incident, two adults should assist the student if possible
8. Assign at least two educators to be present to assist students with activities such as putting on bathing suits and taking showers
9. Encourage educators to include another adult in electronic communications with students
10. Prohibit educators from:
 - Taking a student without another adult to private areas, such as storage closets, athletic training rooms, hotel rooms, or personal vehicles
 - Sleeping in the same room overnight with students, unless the student's parent or guardian is present
 - Taking a student into the educator's home, unless the student's parent or guardian is present
11. Require educators to:
 - Inform a program supervisor before moving students out of the program area or to a different location on or off campus
 - Use separate bathrooms, locker rooms, and showers from student or, if separate facilities are not available, schedule separate usage times
 - Release students only to an authorized parent, legal guardian, or other adult specifically authorized by the custodial parent or guardian and only after confirming their identification

B. Enforce Professional Boundaries with Supervision

1. Require that supervisors:
 - Receive training on professional boundaries
 - Make periodic unannounced visits in class and during activities to observe whether educators are following professional boundaries
 - Document specific observations about how educators interact with students
 - Correct and provide prompt feedback to educators regarding their adherence to professional boundaries
 - Stop any interaction with a student that appears suspicious

- Discontinue any adult's participation in activities or programs involving students if someone suspects or alleges an inappropriate boundary invasion
- 2. Train all staff members, volunteers, and students, on how to report suspected professional boundary violations
- 3. Require that educators report suspected violations of professional boundaries
- 4. Encourage parents or legal guardians to report any suspected professional boundary violations

C. Coaching Sports

1. In coaching any sport, be mindful of touching involved from coaches, and seek ways to mitigate.
2. Coaches should inform players that coaching generally involves physical touch for the purpose of teaching the sport, but anyone uncomfortable can ask not to be touched and the coach will strive to respect the student's wishes. Students should have the opportunity to tell the coach privately that they do not want coaching to include touch, and coaches should not publicly reveal such communication, but should share it with any assistant coaches.
3. If possible, assign two coaches or a second adult at practices.
4. Wrestling coaches should not demonstrate holds on student wrestlers unless there has been a meeting that school year with parents and the student and parent agree to a specific coach demonstrating with the student. Coaches should permit parents to attend wrestling practices.

D. Reporting

When an administrator receives a report that an employee, volunteer, or contractor has perpetrated sexual misconduct against a student or a suspicion of such, the administrator will follow the district's reporting protocol. Based on the circumstances, the administrator might need to inform:

- The Title IX coordinator
- The district's legal counsel
- The district's head of compliance
- Campus police or the district's student protection officer

The administrator should consider whether state or local laws require informing the local police and /or state or local child protection authorities. The administrator should take immediate steps to prevent further harm to the alleged victim or other students, such as removing the alleged abuser from the program or activity or limiting that individual's contact with students pending resolution of the matter.

Adoption Date: December 16, 2020

REPORTING IMPROPER GOVERNMENTAL ACTION (Whistleblower Protection)

The district encourages the reporting, consistent with the district's procedures, of improper governmental actions by any district officers or employees and will protect employees against retaliatory employment actions for reporting improper governmental actions when the reports are made in compliance with this policy and related procedure.

District officers and employees are prohibited from taking retaliatory action against an employee because the employee has in good faith reported alleged improper governmental action in accordance with this policy and related procedure.

The superintendent/designee will establish procedures for receiving and acting on employee reports of improper governmental actions and responding to allegations of retaliation.

Legal References: RCW 42.41.010-060

Local Government Whistleblower
Protection

Management Resources: *Policy News*, October 2015

Adoption Date: July 17, 1996

Revised and Renumbered (5241, 6510): April 21, 2004

Revised: May 15, 2019

Reporting Improper Governmental Action

Definitions: As used in this policy and procedure, the following terms shall have the meanings indicated.

- A. "Improper governmental action" means any action by a district officer or employee:
1. That is undertaken in the performance of the officer or employee's official duties, whether or not the action is within the scope of the employee's job; and
 2. That (i) is in violation of any federal, state or local law or rule, (ii) is an abuse of authority, (iii) is of substantial and specific danger to the public health or safety, or (iv) is a gross waste of public funds.
 3. Improper governmental action does not include personnel actions including, but not limited to, employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of the collective bargaining and civil service laws, alleged labor agreement violations, or reprimands.
- B. "Retaliatory action" means any adverse change in the terms and conditions of a staff member's employment.
- C. "Emergency" means a circumstance that if not immediately changed may cause damage to persons or property. Employees are encouraged to report instances which they believe constitute governmental misconduct.

Reporting:

Employees who become aware of actions that they believe constitute improper governmental action should raise the issue first with their supervisor. Where the employee reasonably believes the improper governmental action involves his or her supervisor, the employee may raise the issue directly with the superintendent or the person whom the superintendent has designated to receive reports of improper governmental action. If requested by the supervisor or superintendent/designee, the employee will submit a written report to the supervisor or superintendent/designee, stating in detail the basis for the employee's belief that an improper governmental action has occurred.

In case of emergency where the employee believes that damage to persons or property may result if action is not taken immediately, or where the employee has a legal obligation to report (for instance, where child abuse is suspected), the employee shall report the improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action.

District employees who fail to make a good faith attempt to follow this policy and procedure in reporting improper governmental conduct shall not be eligible for the protection outlined.

Response:

The employee's supervisor, the superintendent or the superintendent's designee shall take prompt action to see that the report of improper governmental action is properly investigated.

District officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employees authorize the disclosure of their identities in writing.

After an investigation has been completed, the reporting employee shall receive a summary of the investigation results, except to the extent that resulting personnel actions must be kept confidential. If a reporting employee reasonably believes that an adequate investigation was not done by the district, that insufficient action has been taken, or that the improper governmental action is likely to recur, the employee may report information about the improper governmental action directly to the appropriate government agency.

Retaliation:

Employees who believe that they have been retaliated against for reporting an improper governmental action should advise their supervisor, the superintendent or the superintendent's designee. Appropriate action to investigate and address complaints of retaliation shall be taken.

If the complaint cannot be informally resolved, the employee shall provide written notice to the superintendent/designee that specifies the alleged retaliatory action and the relief requested by the employee. The written complaint must be filed within thirty days of the alleged retaliation. The district will respond to the complaint within thirty days of receiving the written notice.

If the employee alleging retaliation receives no response from the district or objects to the district's response, the employee may request a hearing before a state administrative law judge. The request for a hearing must be delivered in writing to the superintendent either fifteen days following the district's response, or 45 days after the complaint was filed, if there was no response.

The district will apply for a hearing within five working days to:

Office of Administrative Hearings
P. O. Box 42488
919 Lakeridge Way SW
Olympia, Washington 98504-2488
(360) 664-2031

The district will consider any recommendation provided by the administrative law judge that an employee found to have retaliated against an employee who reported improper governmental action be suspended with or without pay or dismissed.

Administration:

A summary of this policy and procedure will be permanently posted where all employees will have reasonable access to it, the policy and procedure will be made available to any employee who requests them, and the policy and procedure will be given to all new employees.

The following is a list of agencies responsible for enforcing federal, state and local laws and investigating issues involving potential improper governmental action. Employees having questions about these agencies or the procedures for reporting improper governmental action are encouraged to contact their supervisor, the superintendent or designee.

Local City Police Dept or County Sheriff's Office

Local City or County Environmental Protection Office

WA. Attorney General's Office
Fair Practices Division
Highways-Licenses Building
1125 Washington Street
Olympia, Washington 98504-0100
(360) 753-6200

Washington Auditor's Office
Legislative Building
P O Box 40021
Olympia, Washington 98504-0021
(360) 902-0370

Washington Department of Ecology
300 Desmond Drive or P.O. Box 47600
Lacey, Washington 98504-7600
(360) 407-6000

WA. Human Rights Commission
711-South Capitol Way, Suite 402
Olympia, Washington 98504-2490
(800)233-3247

WA. Dept. of Labor & Industries
P.O. Box 4400
Olympia, Washington 98504-4400
(360) 902-5800

WA. Department of Natural Resources
1111 Washington St. SE or P.O. Box 47000
Olympia, Washington 98504-7000
(360) 902-1000

Puget Sound Water Quality Authority
P O Box 40900
Olympia, Washington 98504-0900|
(800) 547-6863 54-SOUND

Local County Prosecutor's Office

Local or County Health Department

U. S. Department of Education
Office of the Inspector General
915 - 2nd Ave., Seattle, WA 98174
Audits: (206) 553-7615

Environmental Protection Agency
Criminal Investigations
300 Desmond Dr. Ste 102
Lacey, WA 98503
(360) 753-9437

Equal Employment. Opportunity Comm.
(EEOC) 909 First Ave., #400
Seattle, WA 98104-1061
(206) 220-6883

Federal Emergency Mgmt. Agency (FEMA)
Region X email: _mike.howard@fema.gov
Bothell, WA
(425) 487-4610

U S Department of Labor
Occupational Safety and Health
1111 - 3rd Avenue, Suite 715
Seattle, Washington 98101-3212
(800) 475-4020

National Transportation Safety Board
Washington, DC
(202) 314-6230

U S Department of Transportation
Office of Inspector General
915 - 2nd Avenue
Seattle, Washington 98178
(800) 424-9071

WA Superintendent of Public Instruction
Old Capitol Building
P O Box 47200
Olympia, Washington 98504-7200
(360)_753-6738

Date: February 1993

Revised and Renumbered (6510P): March 17, 2003

Revised: May 15, 2019

STAFF SAFETY

The board recognizes that safety and health standards should be incorporated into all aspects of the operation of the district. Rules for safety and prevention of accidents shall be posted in compliance with OSHA and WISHA requirements. All hazardous chemicals will be identified and properly labeled. Staff members will be trained in the use of these chemicals specific to their respective jobs. Proper records will be maintained to verify that all of the preventive and safety measures are in place. Injuries and accidents shall be reported to the district office.

The district shall have at least one staff member at each school and work site in the district who holds a valid certificate of first aid training from the department of labor and industries, U.S. Bureau of Mines or the American Red Cross or equivalent training provided by the district nurses. Each school and work site shall have first aid supplies readily accessible and if the work site has more than fifty employees a first-aid station shall be established.

The superintendent shall develop necessary safety and health standards to comply with Department of Labor requirements.

Cross Reference: Board Policy 6510
 Board Policy 6512

Safety
Infection Control Program

Legal References: RCW 49.17

Washington Industrial Safety and Health
Act

Staff Safety

The supervisor of each school and/or work site in the district is responsible for:

General Safety

1. Maintaining a log and summary of all recordable occupational injuries and illnesses occurring at the work site. (A recordable occupational injury or illness is any injury or illness which results in an occupational fatality, lost workdays, need for transfer to a new job, or medical treatment beyond first aid.)
2. Providing training programs to improve the skill and competency in the safe use of powered materials handling equipment, use of machine tool operations, use of toxic material, and operation of utility systems prior to assignment to jobs involving such exposures.
3. Implementing an accident prevention program which describes how to report unsafe conditions, how to use protective equipment, how to respond to emergencies and how to report injuries.
4. Forming a safety and health committee composed of representative of management and employees, which shall review safety and health inspections to assist in correction of identified unsafe conditions or practices and to evaluate accident investigations and recommend improvements where needed. (Minutes of the committee shall be recorded and shall be retained for one year.)
5. Maintaining a safety bulletin board sufficient in size to post and display safety bulletins, newsletters, posters, accident statistics and other safety educational material.
6. Assuring that a person who holds a valid certificate of first aid training is present or available at all times.
7. Maintaining a well-marked first aid kit, or first aid station if the work site has more than fifty employees.
8. Furnishing a work place free of safety hazards and containing such safety devices and safeguards as are consistent with Labor and Industries requirements.

Chemical Safety

1. Chemical Hazard Communication Program

To insure that the information about the dangers of all hazardous chemicals used by the Nine Mile Falls School District are known by all affected employees, the following hazardous information program has been established. All employees of the Nine Mile Falls School District will participate in the hazard communication program. This written program will be available in the staff lounge for review by any interested employee.

2. Container Labeling

- A. The building custodian will verify that all building maintenance chemical containers received for use will be clearly labeled as to the contents, the appropriate hazard warning, and list the name and address of the manufacturer. The building custodian will verify that a current MSDS sheet is on file for the product. If the product is new to the system, the building custodian is responsible for proper chemical safety instruction to workers under his supervision, and responsible for **forwarding the new product MSDS sheet to the safety program manager.**

The building custodian will ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label, or with labels that have the product identity and appropriate hazard warning. The building custodian will inspect all secondary containers for proper labeling on a daily basis.

- B. The chemical hygiene manager will verify that all chemicals received for instructional purposes will be clearly labeled as to the contents, the appropriate hazard warning, and list the name and address of the manufacturer. The chemical hygiene manager will verify that a current MSDS sheet is on file for the product. If the chemical is new to the system, the chemical hygiene manager is responsible for a peer review of safety procedures, and **forwarding the new MSDS sheet to the safety program manager.**

The chemical hygiene manager will ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label, or with labels that have the product identity and appropriate hazard warning. The chemical hygiene manager will inspect all secondary containers for proper labeling on a quarterly basis. All science teachers with chemical inventories will report to the chemical hygiene manager.

- C. The food service director will verify that all food service chemical cleaning containers received for use will be clearly labeled as to the contents, the appropriate hazard warning, and list the name and address of the manufacturer. The food service director will verify that a current MSDS sheet is on file for the product. If the product is new to the system, the food service director is responsible for proper chemical safety instruction to workers under his supervision, and responsible for **forwarding the new product MSDS sheet to the safety program manager.**

The food service director will ensure that all secondary containers are labeled with either an extra copy of the original manufacturers label, or with labels that have the product identity and appropriate hazard warning. The food service director will inspect all secondary containers for proper labeling on a daily basis.

- D. The head of maintenance will verify that all maintenance chemical containers received for use will be clearly labeled as to the contents, the appropriate hazard warning, and list the name and address of the manufacturer. The head of maintenance will verify that a current MSDS sheet is on file for the product. If the product is new to the system, the head of maintenance is responsible for proper chemical safety instruction to workers under his supervision, and responsible for **forwarding the new product MSDS sheet to the safety program manager.**

The head of maintenance will ensure that all secondary containers are labeled with either an extra copy of the original manufacturers label, or with labels that have the product identity and appropriate hazard warning. The head of maintenance will inspect all secondary containers for proper labeling on a daily basis.

- E. **ANY OTHER STAFF MEMBER RECEIVING AN MSDS SHEET MUST SEND IT DIRECTLY TO THE SAFETY PROGRAM MANAGER VIA THE DISTRICT MAIL SYSTEM.**

3. Material Safety Data Sheets (MSDS)

The safety program manager is responsible for establishing and monitoring the district MSDS program. He will make sure procedures are developed to obtain the necessary

MSDS sheets, and will review incoming MSDS for new or significant health and safety information. He will assure that any new information has been passed on by the building custodian to his workers, the food service director to his workers, the maintenance director to his workers, and the chemical hygiene manager to his peers.

Copies of MSDS sheets for all hazardous chemicals are located in the staff lounge.

MSDS sheets are available to all employees 24 hours a day. If a MSDS sheet is not available, immediately contact the safety program manager. (370-3270 or fax 4249)

4. Employee Training and Information

Prior to starting work, each new employee of the Nine Mile Falls School District will attend a health and safety orientation that includes some or all of the following information and training:

The building principal is responsible for training employees who do not handle chemicals. This would include teachers, administrators, aides, and clerical workers. He will ensure that program elements **A, B, C, D**, specified below are carried out. He will report to the safety program manager.

The food service director is responsible for training his workers. He will ensure that **all** program elements specified below are carried out. He will report to the safety program manager.

The building custodian is responsible for training his workers. He will ensure that **all** program elements specified below are carried out. He will report to the safety program manager.

The chemical hygiene manager is responsible for training teachers who handle instructional chemicals. He will ensure that **all** program elements specified below are carried out. He will report to the safety program manager.

The head of maintenance is responsible for training his workers. He will ensure that **all** program elements specified below are carried out. He will report to the safety program manager.

Program Elements

- a. An overview of the requirements contained in the Hazard Communication Standard.
- b. Hazardous chemicals present at his/her workplace.
- c. How to read labels and review MSDS sheets to obtain hazard or first aid information.
- d. Location of MSDS file and written hazard communication program.
- e. Physical and health risks of the hazardous chemicals.
- f. The symptoms of overexposure.
- g. How to determine the presence or release of hazardous chemicals in his/her work area.
- h. Steps the district has taken to reduce or prevent exposure to hazardous chemicals.
- i. Procedures to follow if employees are overexposed to hazardous chemicals.

Prior to introducing a new chemical into any work area in this District, each employee in that work area will be given information and training as outlined above for the new chemical hazard.

5. Hazardous Non-Routine Tasks

Periodically, employees are required to perform hazardous non-routine tasks. Some examples of non-routine tasks are: confined space entry, scaffolding erection. Prior to starting work on such projects, each affected employee will be given information by supervisors listed in section 4 above to include chemical hazards, protective and safety measures the employee can use, and steps the district is using to reduce the hazards, including ventilation, respirators, presence or another employee and emergency procedures.

6. Multi-Employer Work Places (Contractors)

It is the responsibility of the safety program manager to provide contractors with copies of MSDS sheets covering hazardous chemicals they may be exposed to in their work area. The safety program manager will also inform contractors of any precautionary measures that need to be taken to protect their employees during normal operation conditions or in foreseeable emergencies, and provide an explanation of the labeling system that is used at the work site.

Date:

Revised and Renumbered (8301P): June 16, 2004

Revised: January 5, 2005

WORKPLACE VIOLENCE PREVENTION

The district does not tolerate violence in the workplace and will work to prevent violent incidents from occurring by implementing a workplace violence prevention program. All employees of the district are responsible for implementing and maintaining the violence prevention program. The workplace violence prevention program establishes and requires adherence to work practices that are designed to make the workplace more secure. It also reinforces the ban on verbal threats or physical actions by employees that create a security hazard for others.

Additionally, the district does not tolerate domestic violence including harassment of any employee or other person while in the district’s buildings or vehicles, while on district property, or while engaged in school or work-related activities. The district is committed to working with employees who are victims of domestic violence to prevent abuse and harassment from occurring in the workplace. No employees will be penalized or disciplined solely for being a victim of domestic violence. The district will provide appropriate support and assistance to employees who are victims of domestic violence. Any employee who threatens, harasses, or abuses someone in the district or from their workplace using district resources such as work time, district tele-phones, fax machines, mail, or e-mail shall be subject to disciplinary action up to and including discharge. Corrective action or discharge may also be taken against employees who are arrested, convicted, or permanently enjoined as a result of domestic violence when such action is directly related to their position with the district.

All violent incidents shall be reported and investigated, whether or not a physical injury has occurred. There will be no discrimination against victims of workplace violence. Copies of this policy and support materials are readily available to all employees. The Superintendent or designee is directed to adopt procedures to implement this policy, including creation of the workplace violence prevention group which will: assess the district’s vulnerability to workplace violence, recommend preventive actions and employee training programs, and review the program annually for possible adjustments.

Cross Reference:	Board Policy 4210 Board Policy 5281 Board Policy 6511	Regulation of Dangerous Weapons on School Premises Disciplinary Action and Discharge Staff Safety
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Workplace Violence Prevention

The workplace violence prevention group will consist of employees from the primary, elementary, and secondary grades, as well as from the classified work groups. If appropriate, workplace violence prevention groups shall be established at each school and major work site. The workplace violence prevention group is responsible for making recommendations in the following areas:

- Assessing district/building practices for potential hazards or improved security practices;
- Efforts to inform all employees about the workplace violence prevention program;
- Assuring that all employees comply with security measures;
- Recognizing employees who perform work practices that promote security in the workplace;
- Training and counseling programs to enhance awareness of workplace violence issues;
- Including workplace violence prevention in new employee orientation;
- Annual review and update of the workplace violence prevention program;
- A system for notifying the district about workplace security hazards or threats of violence; and
- Processes for protecting employees who report threats from possible retaliation.

When possible, the district will provide the following assistance to employee victims of domestic violence: resources and referral information; work schedule adjustments or leave as needed to obtain medical, law enforcement, legal, or judicial assistance; and workplace relocation. To the extent possible the district will maintain the confidentiality of employee victims of domestic violence, while taking necessary steps to protect the workplace and other employees from possible violence.

SCHOOL DISTRICT'S RESPONSIBILITY FOR PRIVATELY-OWNED PROPERTY

The district shall not assume responsibility for the maintenance, repair, or replacement of any privately-owned property brought to a school or district function except as addressed in labor contracts, or unless the use or presence of such property has been specifically requested in writing by the administration.

The district shall not make reimbursement for loss or damage to a staff member's personal equipment or material brought to school unless evidence can be shown that it was necessary or highly desirable for use in the school program. Evidence of loss or damage must show that the loss was not due to any negligence or fault of the staff member. The following guidelines shall apply:

- A. Leaving items of obvious value at the school over a weekend or vacation period should be avoided.
- B. The district shall not reimburse for loss of money or personal effects.
- C. The use of personal equipment for instructional purposes must have the prior written approval of the principal or supervisor.
- D. The staff member must verify that no personal insurance coverage is applicable to the loss or damage.
- E. Claims for loss must be filed within 5 days after the damage or loss. Claimants must attest to a notary public as to the nature of the loss and the value of the item.
- F. Proper documentation shall accompany the requisition for reimbursement.

PESTICIDE NOTIFICATION, POSTING AND RECORD KEEPING

Upon request, the district will provide notification to staff and parents of the district's pest control policies, methods and its posting and notification requirements.

The Superintendent is directed to develop procedures to assure that the District complies with the requirements of law regarding pesticide notification, posting and record keeping.

The District's procedures for notification will include posting of sites of pesticide applications; and record keeping, including an annual summary report of pesticide usage.

Legal References: RCW 17.21

Washington Pesticide Application Act

Management Resources: *Policy News*, June 2002
Policy News, February 2011

Pesticide Policies Required by July 1st
Pesticide Notification, Posting, and
Record Keeping

Adoption Date: July 21, 2004
Revised: August 15, 2012

Pesticide Notification, Posting and Record Keeping Requirements

The district may employ hired staff or outside contractors for the application of pesticides to control plants or pests on district property. All pesticides will be applied within guidelines provided by the manufacturer and will be used only to the extent necessary to ensure safety for students, patrons, and staff or to ensure grounds are maintained in a neat and orderly manner. Pesticides will be applied in quantities and methods that provide for the safety and well being of all users of district facilities. Except in emergencies, pesticides will not be applied indoors when buildings are occupied or outdoors where district activities are conducted.

The district will comply with all legal requirements for record keeping regarding the application of pesticides to school grounds or school facilities. This includes creation of an annual summary report of pesticide usage and compliance with state department of agriculture rules regarding record keeping. Such records will be available on request by interested persons under the state Public Records Act and other laws.

Procedure 6895 will be printed and distributed annually upon request to employees, students and parents.

At least 48 hours before the application of a pesticide to school facilities or school grounds, the District will notify parents and staff of the planned application in writing, including the heading, "Notice: Pesticide Application." This notice will be posted in a prominent place in the building office in addition to being provided to parents and staff upon their request. Parents and staff may make written request to the District to receive this advance notice by e-mail. This pre-notification is not required if the school grounds or facilities will not be occupied by students for two days following the application of the pesticide. If the application is not made within 48 hours of the notification, another notification will be made prior to the application. This pre-notification is not required in the case of any emergency application of pesticides to a school facility, such as an application to control stinging pests, but full notification shall be made as soon as possible after the application.

Following the application of a pesticide to school facilities (structures and vehicles) a sign shall be posted at the location of the application. The notice will be at least 8.5 x 11 inches in size, will include the heading, "Notice: Pesticide Application," and will state the product name; date, time and specific location of the application; the pest for which the application was made; and a contact name and telephone number. The notice will remain posted for 24 hours, or longer if required by the label of the pesticide.

Following the application of a pesticide to school grounds notice will be posted at the location of the application and at each primary point of entry to the grounds. The notice will be at least 4 x 5 inches in size and state that the landscape recently has been treated with a pesticide and provide a contact name and telephone number. The notice will remain posted for 24 hours, or longer if required by the label of the pesticide.

These notices are not required for the application of antimicrobial pesticides (substances used to sanitize or disinfect for microbial pests: viruses, bacteria, algae and protozoa). These notices are not required for the placement of insect or rodent bait that are not accessible to children.

Date: July 21, 2004
July 22, 2009
August 15, 2012