



**SNOHOMISH  
SCHOOL  
DISTRICT**

**Board of Directors:**

*Jay Hagen  
Shaunna Ballas  
Josh Seek  
Dr. Sara Fagerlie  
Sarah Adams*

[www.sno.wednet.edu](http://www.sno.wednet.edu)

360-563-7280 • 1601 Avenue D • Snohomish WA 98290

# Student/Parent Handbook 2023-2024

**Hard copies of this handbook are printed at the beginning of the school year. Policy revisions made after 9/6/23 will be reflected in the online PDF file, which can be viewed at the District website:**

**[www.sno.wednet.edu](http://www.sno.wednet.edu)**

# School District Contact Numbers

Superintendent - Kent Kultgen, ED.D..... 360-563-7280  
Deputy Superintendent – Shawn Stevenson..... 360-563-7282

## Executive directors

Monica Bauer	Teaching & Learning Services.....	360-563-7257
Tom Laufmann	Business Services.....	360-563-7240
Darryl Pernat	Human Resource Services .....	360-563-7285
Dave Sage	Operations .....	360-563-7230
Wendy McCulloch	Special Education Services.....	360-563-7299

## Directors

Brian Burdon	Career & Technical Education.....	360-563-7317
Kristin Foley	Communications .....	360-563-7263
David Greene	Elementary & K-12 Categorical Programs...	360-563-7245
Jennifer Harlan	Secondary & Instructional Technology.....	360-563-7375
Will Kahn	Secondary Special Education.....	360-563-7309
Edson Rodriguez	Technology.....	360-563-7275
Wil Johnson	Equity & Inclusion.....	360-563-7260
Jennifer Zadow	Elementary Special Education .....	360-563-7312

## Schools

Aim High School	Doug Plucker .....	360-563-3401
Glacier Peak High School	Brenda Conrad .....	360-563-7500
Snohomish High School	Nate DuChesne.....	360-563-4000
Centennial Middle School	Josh Rosenbach .....	360-563-4525
Valley View Middle School	Eric Cahan .....	360-563-4225
Cascade View Elementary	Ryan Painter .....	360-563-7000
Cathcart Elementary	Mike Anderson.....	360-563-7075
Central/Emerson Elementary	Sam Hanson (Central Campus) .....	360-563-4600
Central/Emerson Elementary	Sam Hanson (Emerson Campus).....	360-563-7150
Dutch Hill Elementary	Cory Taylor .....	360-563-4450
Little Cedars Elementary	Anne Nielsen .....	360-563-2900
Machias Elementary	Shawn Ryan.....	360-563-4825
Riverview Elementary	Derek Larsen .....	360-563-4375
Seattle Hill Elementary	Mica Harasek.....	360-563-4675
Totem Falls Elementary	Craig Church.....	360-563-4750
Parent Partnership	Doug Plucker .....	360-563-3401
ECEAP	Britta Grass.....	360-563-4641

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*The Snohomish 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: Civil Rights Coordinator, Title IX Coordinator and ADA – Darryl Pernat, 1601 Avenue D, Snohomish, WA 98290, 360-563-7285, [darryl.pernat@sno.wednet.edu](mailto:darryl.pernat@sno.wednet.edu); Section 504 Coordinator and Harassment, Intimidation and Bullying – Shawn Stevenson, 1601 Avenue D, Snohomish, WA 98290, 360-563-7314, [shawn.stevenson@sno.wednet.edu](mailto:shawn.stevenson@sno.wednet.edu).*

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## **INSTRUCTION**

### **Electronic Resources and Internet Safety**

The Board of Directors recognizes that an effective public education system develops students who are globally aware, civically engaged, and capable of managing their lives and careers. The Board also believes that students need to be proficient and safe users of information, media, and technology to succeed in a digital world. A successful public education system develops students who are well prepared.

The District will develop and use electronic curriculum resources and communication resources (such as Email) as a powerful and compelling means for students to learn core subjects and applied skills in relevant and rigorous ways, and for staff to educate them in such areas of need. It is the District's goal to provide students with rich and ample opportunities to use technology for important purposes in schools just as individuals in workplaces and other real-life settings use these tools. The District's technology will enable educators and students to communicate, learn, share, collaborate and create; to think and solve problems; to manage their work; and to take ownership of their lives.

### **Internet Safety**

To help ensure student safety and citizenship with electronic resources, students will be educated about appropriate online behavior, including interacting with other individuals, on social networking platforms, other websites, and cyberbullying awareness and response. Additionally, the District maintains software systems that filters internet content accessible through the District network.

To promote Internet safety and appropriate online behavior of students and staff as they use electronic resources and access material from the Internet, the Superintendent or designee is authorized to develop or adopt Internet safety procedures, acceptable use guidelines, and, for students, related instructional materials for every grade level. In developing such procedures, guidelines, and instructional materials the District should take into account District electronic resources, community norms, privacy rights, responsible use, and issues of concern with student or staff use of electronic resources.

As a component of District Internet safety measures, all electronic resources, including computer networks, in all District facilities capable of accessing the Internet will use filtering software to prevent access to obscene, racist, hateful or violent material. However, given the ever-changing nature of the Internet, the District cannot guarantee that a student will never be able to access objectionable material.

Further, when students use the Internet from school facilities for educational purposes, District staff will make a reasonable effort to supervise student access and use of the internet. If

material is accessed that violates District policies, procedures or student guidelines for electronic resources or acceptable use, District staff may instruct the person to cease using that material and/or implement sanctions consistent with District policies, procedures, guidelines, or student codes of conduct.

Cross References: Policy No. 2025 Copyright Compliance  
Policy No. 2020 Course Design, Selection & Adoption of Instructional Materials  
Policy No. 3207 Prohibition of Harassment, Intimidation and Bullying  
Policy No. 3231 Student Records  
Policy No. 3241 Student Discipline  
Policy No. 4040 Public Access to District Records  
Policy No. 4400 Election Activities  
Policy No. 5281 Disciplinary Action and Discharge

Legal References: 18 USC 2510-2522 Electronic Communications Privacy Act  
Pub. L. No. 110-385 Protecting Children in the 21<sup>st</sup> Century Act  
Chapter 28A.650.RCW – Education technology  
RCW 28A.150.210 – Basic Education – Goals of school districts  
RCW 28A.655.075 – Essential academic learning requirements and grade level expectations for educational technology and technology fluency

Priority: Priority

Adoption Date: October 25, 1995  
Revision Dates: September 12, 2001  
February 13, 2013  
May 25, 2016  
August 22, 2018

## **Instruction**

### **Electronic Resources and Internet Safety Procedures**

#### **Acceptable Use Guidelines/Internet Safety Requirements**

These procedures are written to support the Electronic Resource and Internet Safety Policy of the district and are to promote positive and effective digital citizenship among students and staff. Digital citizenship includes the norms of appropriate, responsible, and healthy behavior related to current technology use, including digital and media literacy, ethics, etiquette, and security. The term also includes the ability to access, analyze, evaluate, develop, produce, and interpret media, as well as internet safety and cyberbullying prevention and response. Successful technologically-fluent digital citizens recognize and value the rights, responsibilities, and opportunities of living, learning, and working in an interconnected digital world. They cultivate and manage their digital identity and reputation and are aware of the permanence of their actions in the digital world. Expectations for student and staff behavior online are no different from face-to-face interactions.

#### **Use of Personal Electronic Devices**

In accordance with all district policies and procedures, students and staff may use personal electronic devices (e.g. laptops, mobile devices and e-readers) to further the educational and research mission of the district. School staff will retain the final authority in deciding when and how students may use personal electronic devices on school grounds and during the school day. Personal devices used for school activities (on or off school premises) are subject to the same procedures as district provided services.

#### **Network**

The district network includes wired and wireless devices and peripheral equipment, files and storage, e-mail and Internet content (such as blogs, websites, collaboration software, social networking sites, wikis, etc.). This also applies to district provided devices (such as laptops, tablets, and hot spots) for student's use outside of the school premises.

All use of the network, and its components, must support education and research and be consistent with the mission of the district.

#### **General Requirements**

1. Use of the district network has been established for specific and directed educational purposes and school-related business and operations. The term "educational purpose" includes classroom activities, career development, and research.
2. The district restricts the use of district network resources to authorized users, and equipment. The district network has not been established as a public forum. The district

has the right to place reasonable restrictions on the material accessed or posted through the district network.

- a. District resources are provided “as is” for personal devices.
  - b. The district does not warrant personal devices that use district resources from damage, or loss of data, introduction of malicious software, or corruption of software.
3. Users of the district network must first agree to the appropriate Acceptable Use Agreement. The user’s acceptance of the electronic version of the Agreement signifies the user’s acknowledgement and agreement to abide by the Acceptable Use Agreement. Users may be required to agree to the respective Acceptable Use Agreement more than once each year. A hard copy of the Acceptable Use Agreement is located in the student handbook and is available at the school or on the district website in Policy and Procedure Section 2022.
4. Individuals with district network user accounts are responsible for all activity conducted on or through the district network via their user account. Each district network user account is to be used only by the authorized holder of the account for the authorized purpose(s). The district will provide ways for users to maintain required privacy of information, such as through screen locking or similar processes.
5. The district reserves the right to prioritize use of, and access to the system. The district may limit or exclude users’ ability to access parts or functions of the district network and other resources that can be accessed through the district network.
6. Any use of the district network must comply with state and federal law and other district policies, procedures, and guidelines regarding computer and internet use.

### **Unacceptable Use**

Doing or assisting any of the following activities via the district network is prohibited:

1. Engaging in any activity that violates local, state, and/or federal laws.
2. Interfering with or disrupting other district network users, services or equipment. This includes distribution of unsolicited advertising, propagation of malicious code and viruses, denial of service types of attacks, and/or using the district network to attempt or make unauthorized entry into any other resource accessible via the district network.
3. Making unauthorized copies of or changes to files or other data not their own.
4. Using the district network to access confidential student, employee, or other information that the user is not specifically authorized to access.

5. Vandalizing, altering, dismantling, disfiguring, preventing rightful access to or otherwise interfering with the integrity of the district network or any computer-based information and/or information resources accessible via the district network. In this context, “vandalism” means to harm, materially inhibit, or destroy any such items, or to attempt to do any of those things.
6. Using the district network in a manner that violates the district’s prohibition against harassment, intimidation, and bullying in Policy 3207 and Procedure 3207P.
7. Using the district network for personal or private gain, personal business, commercial solicitation, or personal compensation of any kind.
8. Supporting or opposing political candidates, ballot measures, or any other political activity.
9. Using the district network to access, upload, post, store, transmit, publish, or display harassing, intimidating, bullying, defamatory, libelous, scandalous, intentionally inaccurate, discriminatory, abusive, profane, sexually oriented, or threatening content of any form, including materials, language, photographs, videos, or messages, either public or private.
10. Downloading, installing or using unlicensed or unauthorized software, files, or other applications on the District network or devices or on personal devices while connected to the district network.
11. Engaging in plagiarism or violation of copyright laws or other intellectual property rights.

### **District Rights**

The Snohomish School District reserves the right to:

1. Monitor and manage all activity on the district network.
2. Notify parents of their students’ activity on the district network, subject to any restrictions of applicable law.
3. Determine acceptable use standards for the district network and enforce disciplinary consequences for any breach of Procedure 2022P. Disciplinary action, if any, for students, staff, and other users will be consistent with the district’s policies, procedures, and standard practices. Consequences may include revocation of access privileges, suspension of access to the district network, computers, or other devices, other school disciplinary action, and/or appropriate legal action. Specific disciplinary measures will be determined on a case- by-case basis.
4. Prohibit or prevent unauthorized devices from accessing the district network.



## **No Expectation of Privacy**

The district reserves the right to monitor, inspect, copy, review, and store, without prior notice, information about the content of usage of:

- A. The district network, including when accessed on personal electronic devices and on devices provided by the district, including laptops, netbooks, and tablets;
- B. User files and disk space utilization;
- C. Applications and bandwidth utilization;
- D. User document files, folders, and electronic communications;
- E. Email;
- F. Internet access; and
- G. Any and all information transmitted or received in connection with network and email.

No student or staff user should have any expectation of privacy when using the district's network. The district reserves the right to disclose any electronic messages to law enforcement officials or third parties as appropriate. All documents or records are subject to the public records disclosure laws of the State of Washington.

## **District Limitation of Liability**

The district makes no warranties of any kind, either express or implied, that the functions or the services provided by or through the district network will be error-free or without defect. The district will not be responsible for any damage users may suffer, including theft or loss of data or interruptions of service. The district is not responsible for the accuracy or quality of the information obtained through or stored on the district network. The district will not be responsible for financial obligations arising from unauthorized use of the district network. The district will not be responsible for any damage to personal computing devices that intentionally or unintentionally access the District network.

## **District Network Code of Conduct**

Individuals who use the district network or resources must abide by the following Code of Conduct:

1. I will protect my logon and personal information from others. I will never give out personal information via the district network, such as my home addresses/phone numbers, credit card number, Social Security number or drivers' license number.
2. I will respect the privacy of other users. I will not use others' passwords.
3. I will always use the internet responsibly. I will not use the district network to access pornographic or otherwise inappropriate material. I will immediately inform my teachers,

parents or a district administrator if I encounter any information that is inappropriate, discriminatory, harassing, hateful or obscene.

4. Unless I have specific permission from the district, I will make sure that anything I publish using the district network is done in my name only, and not on behalf of the district. If I upload content using the district network, I will make sure that I have the authority to make it available to others.
5. I will follow appropriate online behavior, including interacting with other individuals on shared documents, social networking websites, and in chat rooms,
  - a. I will not access, send, or post inappropriate, hateful, discriminatory, harassing, or obscene messages.
  - b. I will not develop or distribute programs or messages that harass other users or infiltrate a computer. I will not “hack” the district network (e.g., by introducing or transmitting viruses, worms, “chain letters,” global mailings, etc.).
  - c. I will not modify or copy files/data of other users without their consent.
  - d. I will not click on links embedded in e-mails from unknown senders, or even in emails that appear to be from someone I know but that are unusual or suspicious to me.
6. I will obey copyright and other intellectual property laws. I will not bind the district to any license or other contract, including any click-to-agree license or other agreement, unless I have express authority from the district to do so.
7. I will follow any district instructions regarding maintenance or care of the district network. I will not delete or add peripheral equipment to the district network without permission. I will not destroy, modify or abuse the district network hardware or software in any way. This includes:
  - a. Installing or running any program I am not authorized to access.
  - b. Reconfiguring system or software settings unless instructed to by district technology staff.
8. I will not use the district network for commercial or political purposes.
9. I understand that the district may restrict or remove my user account if it is determined that I have engaged in unauthorized activity or am violating any part of Procedure 2022P, including this Code of Conduct.

Adoption Date: October 25, 1995

Revision Dates: March 25, 1998  
September 12, 2001  
August 12, 2009  
August 28, 2011  
January 28, 2015  
May 25, 2016  
August 22, 2018  
August 31, 2020

## INSTRUCTION

### **Suicide and Crisis Prevention and Response**

The Snohomish School District Board of Directors recognizes suicide, crisis prevention and promotion of good health of all students and staff to be important. In addition, any suicide or death of a student or staff member is an important and complex issue to be taken seriously. In both cases, the district's actions should be thoughtful, pre-planned, and sensitive to all affected. In the event of any student or staff suicide or death, a coordinated response will be launched to support students, staff, and the community.

While district staff may recognize warning signs and assist with initial risk assessment, the district staff are unable to provide in-depth mental health counseling. Instead, district staff who gain knowledge of a suicide threat are expected to report this information to the building principal or designee, who will notify the affected student's family, unless notification of the parents will jeopardize the student's safety. Appropriate resource information for referral will be provided for further assessment and counseling.

The purpose of this policy is to protect the health and well-being of all district students and staff by having established procedures in place. The district will develop and implement procedures to achieve the board's goals and objectives regarding suicide, crisis prevention and response.

Cross References:	3211 - Transgender Students
	3207 - Prohibition of Harassment, Intimidation and Bullying
Legal References:	2140 - Guidance and Counseling
	RCW 28A.410.226 Washington professional educator standards board — Training program on youth suicide screening —
	Certificates for school nurses, social workers, psychologists, and
	counselors — Adoption of standards.
	RCW 28A.410.043 School Counselor Certification
	RCW 28A.320.1271 Model school district plan for recognition,
	initial screening, and response to emotional or behavioral
	distress in students.
	RCW 28A.320.127 Plan for recognition, screening, and response
	to emotional or behavioral distress in students.

Adoption Date: March 14, 2018

Classification: Priority

## INSTRUCTION

### **Suicide and Crisis Prevention and Response Procedures**

#### **A. Suicide and Crisis Prevention**

Suicide prevention strategies may include, but are not limited to, efforts to promote a positive school climate that enhance students' feelings of connectedness with the school and each other, and is characterized by respectful relationships among students and staff.

The district recognizes the need to offer mandatory training per RCW 28A.410.226 for school personnel who will respond to a student in crisis. The suicide, crisis prevention and response training will include information regarding risk and protective factors, a review of district policy and procedures, and the sharing of confidential information. The district will also provide a health education program.

##### **1. Student Responsibility**

The district will encourage students to notify a staff member when they experience suicidal thoughts, or intentions, or when they suspect, or have knowledge of another student's despair and/or suicidal thoughts or intentions.

##### **2. Staff Training**

The district's suicide prevention training will help staff identify and respond to students at risk for suicide. The training will be offered under the direction of a district counselor/psychologist and/or in cooperation with one or more community mental health or public health agencies and may include information on:

- a. Identifying risk factors such as previous suicide attempts, history of depression or mental illness, substance use problems, bullying and harassment, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability and other factors;
- b. Warning signs that may indicate suicidal intentions, including changes in students' appearance, personality or behavior;
- c. School and community resources/services; and
- d. District procedures for intervening when a student attempts, threatens, discloses the desire to commit suicide or displays other indicators.

##### **3. Principal/Designee Prevention Planning**

School administrative teams will designate specific individuals to be promptly contacted regarding a suicide threat including the school counselor, psychologist, nurse, Superintendent or designee, the student's parent/guardian and, as necessary, local law

enforcement or mental health agencies. The student support team will develop a re-entry plan, including a student/staff support plan for use after a suicide attempt.

**B. Intervention**

Whenever a staff member suspects or has knowledge of a student's suicidal intentions he/she will take proper steps to support the student, promptly notify the principal or school counselor and request that appropriate school staff conduct an initial risk interview. The principal or counselor will then notify the student's parents/guardians as soon as possible, unless notification of the parents will jeopardize the student's safety. The district may also refer the student to mental health resources in the community.

**C. Parent Responsibility**

If a student is determined to be at risk, the principal or designee will contact the parent/guardian and:

1. Ask the parent/guardian whether he or she is aware of the student's mental state;
2. Ask the parent/guardian how he/she will obtain mental counseling or appropriate support for the student;
3. Provide names of community counseling resources, and offer to facilitate the referral if appropriate;
4. Determine the parent's/guardian's intent to seek appropriate services for the student; and
5. Discuss the student's re-entry into school.

**D. Post-Event**

In the event that a death happens or a suicide occurs or is attempted, the principal or designee will follow the crisis intervention procedures contained in the school crisis intervention plan. After consultation with the Superintendent or designee and the student's parents/guardians about facts that may be divulged in accordance with the laws governing confidentiality of student record information, the principal or designee may provide students, parents/guardians, and staff with information, counseling and/or referrals to community agencies as needed. School administrators may receive assistance from school counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students and staff. Following a suicide, the district will also assess the impact within all schools and the local community and provide appropriate information and support.

**E. Communications**

The district's suicide prevention policy and procedure and the crisis intervention plan will be available through the student, staff, volunteer and parent/guardian handbooks, on the district website and in school and district offices. All requests for specific information regarding an incident will be directed to the building principal or designee.

**F. Resources**

The district will utilize school counselors, the crisis telephone hotline, physician/health care providers, mental health specialists, coaches and youth leaders, parents and clergy as resources for prevention and intervention. Community resources include:

**1. Prevention Resources:**

- a. Washington Youth Suicide Prevention Program, [www.yspp.org](http://www.yspp.org), 206-297-5922;
- b. Washington State Department of Health, [www.doh.wa.gov/preventsuicide](http://www.doh.wa.gov/preventsuicide); 360-236-2800;
- c. Snohomish County Government, [www.snohomishcountywa.gov/Get-Help-Now](http://www.snohomishcountywa.gov/Get-Help-Now); 1-800-584-3578 or 425-258-4357; and
- d. 211 System – This is an information referral service, it assists with providing resources in your community.

**2. Crisis Response Resources:**

- a. Emergency Response: 911
- b. Local Crisis Hotline: Snohomish County Government, [www.snohomishcountywa.gov/Get-Help-Now](http://www.snohomishcountywa.gov/Get-Help-Now); 1-800-584-3578 or 425-258-4357
- c. National LifeLine: 1-800-273 and Talk (8255)
- d. Local Community Mental Health Center: Community Health Center of Snohomish County, 425-789-3789

Adoption Date: March 14, 2018

## **Students**

### **Excused and Unexcused Absences**

#### **Definition of Absence**

1. Pursuant to WAC 392-401-015, a student is absent from in-person learning when they are:
  - a. Not physically present on school grounds; and
  - b. Not participating in the following activities at an approved location:
    - i. Instruction;
    - ii. Any instruction-related activity; or
    - iii. Any other district or school approved activity that is regulated by and instructional/academic accountability system, such as participation in district-sponsored sports.

Pursuant to WAC 392-401-016, a student is absent from remote learning as follows:

- a. A student is absent from synchronous online instruction when the student does not login to the synchronous meeting/class; or
  - b. A student is absent from asynchronous instruction when there is evidence that the student accessed the planned asynchronous activity. Evidence of student participation in remote learning may include, but is not limited to:
    - i. Daily logins to learning management systems;
    - ii. Daily interactions with the teacher to acknowledge attendance (including messages, emails, phone calls or video chats); and
    - iii. Evidence of participation in a task or assignment.
2. Students will not be absent if:
    - a. They have been suspended, expelled, or emergency expelled pursuant to Chapter 392-400 WAC;
    - b. Are receiving educational services as required by RCW 28A.600.015 and Chapter 392-400 WAC; or
    - c. The student is enrolled in qualifying “course of study” activities as defined in WAC 392-121-107.
  3. As used in this Policy and accompanying Procedure 3122P, a “full day” absence is when a student is absent for fifty percent or more of their scheduled day.
  4. As used in this Policy and accompanying Procedure 3122P, a “tardy” is non-attendance for less than a full instructional hour for elementary students or less than a full class period for secondary students. The district will not convert or combine tardies into absences that contribute to a truancy petition.
  5. A student will be considered absent if they are on school grounds but not in their assigned setting.



## **Excused and Unexcused Absences**

Students are expected to attend all assigned classes each day. Upon enrollment and at the beginning of each school year, the district will inform students and their parent/guardian of this expectation, the benefits of regular school attendance, the consequences of truancy; the potential effects of excessive absenteeism, whether excused or unexcused, on academic achievement, and graduation and dropout rates; the schools expectations of the parent/guardian to insure regular attendance by the child; the role and responsibility of the school, and the resources available to assist the student and their parent/guardian. The district will also make this information available online and will take reasonable steps to ensure parents/guardians are able to request and receive such information in a language in which they are fluent. Parent/guardian will be required to date acknowledge review of this information online or in writing before or at the time of enrollment of the child at a new school and at the beginning of each school year.

### **Excused Absences**

Regular school attendance is necessary for mastery of the educational program provided to students of the district. Students at times may appropriately be absent from class. School staff will keep a record of absences and tardiness, including a record of excuse statements submitted by a parent/guardian, or in certain cases, students, to document a student's excused absences. Absences due to the following reasons will be excused:

1. Physical or mental health symptoms, illness, health condition or medical appointment for the student or person for whom the student is legally responsible. Examples of symptoms, illness, health conditions or medical appointments include, but not limited to, medical, counseling, mental health wellness, dental, optometry, pregnancy, and behavior health treatment (which can include in-patient or out-patient treatment for chemical dependency or mental health);
2. Family emergency including, but not limited to, a death or illness in the family;
3. Religious or cultural purpose including observance of a religious or cultural holiday or participation in religious or cultural instruction;
4. Court, judicial proceeding, court-ordered activity, or jury service;
5. Post-secondary, technical school or apprenticeship program visitation, or scholarship interview;
6. State-recognized search and rescue activities consistent with RCW 28A.225.055;
7. Absence directly related to the student's homeless or foster care/dependency status;
8. Absences related to deployment activities of a parent or legal guardian who is an active duty member consistent with RCW 28A.705.010;

9. Absences due to suspension, expulsions or emergency expulsions imposed pursuant to Chapter 392-400 WAC if the student is not receiving educational services and is not enrolled in qualifying “course of study” activities as defined in WAC 392-121-107:
10. Absences due to a student’s safety concerns, including absences related to threats, assaults, or bullying;
11. Absences due to a student’s migrant status;
12. Absences due to the student’s lack of necessary instructional tools, including internet access and connectivity; and
13. Absences due to an approved activity that is consistent with district policy and is mutually agreed upon by the principal or designee and a parent/guardian, or emancipated youth.

A school principal or designee has the authority to determine if an absence meets the above criteria for an excused absence.

In the event of emergency school facility closure due to COVID-19, other communicable disease outbreak, natural disaster, or other event when districts are required to provide synchronous and asynchronous instruction, absences due to the following reasons must be excused:

1. Absences related to the student’s illness, health condition , or medical appointments due to COVID-19 or other communicable disease;
2. Absences related to caring for a family member who has an illness, health condition, or medical appointment due to COVID-19, other communicable disease, or other emergency health condition related to school facility closures;
3. Absences related to the student’s family obligations during regularly schedule school hours that are temporarily necessary because of school facility closures, until other arrangements can be made; and
4. Absences due to the student’s parent’s work schedule or other obligations during regularly scheduled school hours, until other arrangements can be made.

If an absence is excused, the student will be permitted to make up all missed assignments outside of class under reasonable conditions and time limits established by the appropriate teacher. If a student misses a participation-type class, they can request an alternative assignment that aligns with the learning goals of the activity missed where reasonable.

An excused absence must be verified by a parent/guardian or an adult, emancipated or appropriately aged student, or school authority responsible for the absence. If attendance is taken electronically, either for a course conducted online or for students physically within the district, and absence will default to unexcused until such time as an excused absence may be verified by a

parent/guardian or other responsible adult. If a student is to be released for health care related to family planning or abortion, the student may require that the district keep the information confidential. Students thirteen and older have the right to keep information about drug, alcohol or mental health treatment confidential. Student fourteen and older have the same confidentiality rights regarding HIV and sexually transmitted diseases.

### **Unexcused Absences**

1. An absence is unexcused if it does not meet the criteria above for an excused absence.
2. A student whose absence is not excused may experience the consequences of their absence. A student's grade may be affected if a graded activity or assignment occurs during the period of time when the student is absent.
3. The district's procedures for addressing and attempting to ameliorate unexcused absences is set forth in Procedure 3122P.

### **Students dependent pursuant to Chapter 13.34, RCW**

A school district representative or school employee will review unexpected or excessive absences with a student who is subject to dependency proceedings (as defined by RCW 26A.150.510) and the adults involved with the student. This includes the student's caseworker(s), educational liaison(s), attorney(s) if appointed, parent/guardian, foster parents and/or the person providing placement for the student. The purpose of the review is to determine the cause of the absences, taking into account unplanned school transitions, periods of running from care, in-patient treatment, incarceration, school adjustment, educational gaps, psychosocial issues, and the student's unavoidable appointments that occur during the school day. The representative or staff member must proactively support the student's management of their school work so the student does not fall behind.

### **Migrant Students**

The district, parent/guardian and student are encouraged to work to create an Extended Absence Agreement with the school to decrease the risk of an adverse effect on the student's educational progress.

The Superintendent or designee will enforce the district's attendance policies and procedures. Because the full knowledge and cooperation of students and parents/guardians are necessary for the success of the policies and procedures, they will be disseminated broadly and made available to parents/guardians and students annually.

Cross References:	Board Policy 2342	Religious Holidays and Observances
	Board Policy 2420	Grading and Progress Reports
	Board Policy 3120	Enrollment
	Board Policy 3230	Student Privacy and Searches
	Board Policy 3241	Student Discipline

Board Policy 4218 Language Access Plan

Legal References:	RCW 13.34.300	Relevance of failure to cause juvenile to attend school to neglect petition
	Chapter 28A.225 RCW	Compulsory School Attendance and Admission
	Chapter 392-401WAC	Statewide definition of excused and unexcused absences.

Classification: Essential

Adoption Date: June 24, 1992

Revised Date: December 13, 1995

Revised Date: May 28, 1997

Revised Date: April 13, 2011

Revised Date: January 11, 2012

Revised Date: January 25, 2017

Revised Date: August 14, 2019

Revised Date: August 10, 2022

## STUDENTS

### Excused and Unexcused Absences Procedures

Students are expected to attend all assigned classes each day. School staff will keep a record of absences and tardiness, including a call log and/or records of excused statement submitted by a parent/guardian or, in certain cases, students, to document a student's excused absences.

#### Excused Absence

The following procedures govern certain excused absences defined in Policy 3122.

**1. Notice of Absence:**

To obtain an excused absence for one of the approved reasons set forth in Policy 3122, when possible, the parent/guardian is expected to notify the school office on the morning of the absence by phone, email, or written note, and to provide the excuse for the absence. If no excuse is provided with the notification, the parent / guardian will submit an excuse via phone, email or written note upon the student's return to school. Adult students (those over eighteen) and emancipated students (those over sixteen who have been emancipated by court action) will notify the school office of their absences with a note of explanation. Students fourteen (14) years old or older who are absent from school due to testing or treatment for sexually transmitted disease must notify the school of their absence with a signed note of explanation, which will be kept confidential. Students thirteen (13) years and older may do the same for mental health, drug or alcohol treatment; and all students have that right for family planning and abortion.

- 2. Absence for parental-approved activities.** This category of absence will be counted as excused for purposes agreed to by the principal or designee and the parent/guardian. An absence may not be approved if it causes a serious adverse effect on the student's educational progress. The student may not be able to achieve the objectives of the unit of instruction as a result of absence from the class. In such a case, a parent/guardian approved absence would have an adverse effect on the student's educational progress, including the grade for the course.
- 3. Absence Resulting from Disciplinary Action.** As required by law, students who are removed from a class or classes as a disciplinary measure or students who have been suspended or expelled will have the opportunity to make up assignments or exams missed during the time they were removed from class, suspended, or expelled.
- 4. Extended Illness or Physical Disability.** If a student is unable to attend school for an estimated period of at least four (4) weeks due to an illness or disability, the district will provide the student with home or hospital instruction. To receive such services, the parent/guardian must request the services and provide a written statement to the district from a qualified medical practitioner that states the student will not be able to attend school for an estimated period of at least four (4) weeks.

5. **Excused Absence for Chronic Health Condition.** Students with a chronic health condition which interrupts regular attendance may qualify for placement in a limited attendance and participation program. The student and the student's parent or guardian will apply to the principal or counselor, and a limited program will be written following the advice and recommendations of the student's medical advisor. The recommended limited program will be approved by the principal. Staff will be informed of the student's needs, though the confidentiality of medical information will be respected at the parent's/guardian's request.

### **Required conference for elementary school students**

If an elementary school student has five (5) or more excused absences in a single month during the current school year or ten (10) or more excused absences in the current school year, the district will schedule a conference with the student and their parent/guardian at a reasonable convenient time. The conference is intended to identify barriers to the student's regular attendance and to identify supports and resources to the student is able to regularly attend school.

The conference must include at least one school district employee, preferably a nurse, counselor, social worker, teacher or community human service provider, and may occur on the same day as the scheduled parent-teacher conference, provided it takes place within thirty (30) days of the absences. If the student has an Individualized Education Program or a Section 504 Plan, the team that created the program must reconvene. A conference is not required if prior notice of the excused absences was provided to the district or if a doctor's note has been provided and a plan is in place to ensure the student will not fall behind in their coursework.

### **Unexcused Absences**

As used in this procedure, a "unexcused absence" means that a student has failed to attend the majority of hours or periods in an average school day, has failed to comply with a more restrictive school district policy on absences, or has failed to comply with alternative learning experience program attendance requirements. Unexcused absences occur when:

1. The parent/guardian or adult student submits an excuse that does not meet the definition of an excused absence as defined above; or
2. The parent/guardian, or adult student fails to submit any type of excuse statement, whether by phone, e-mail, or in writing, for an absence.

**Each unexcused absence within any month** will be followed by a letter or phone call to the parent/guardian informing them of the potential consequences of additional unexcused absences. If the parent/guardian is not fluent in English, the school will make reasonable efforts to provide this information in a language in which that parent or guardian is fluent. A student's grade will not be affected if no graded activity is missed during such an absence.

**After three (3) unexcused absences within any month**, the school will hold a conference with the principal/designee, student and parent/guardian to identify the causes of the student's

absenteeism. If a regularly scheduled parent-teacher conference is scheduled to take place within thirty (30) days of the third (3<sup>rd</sup>) unexcused absence, the district may schedule the attendance conference on the same day. If the student's parent/guardian does not attend the scheduled conference, the school may hold the conference with the student and principal/designee. However, the school will notify the parent/guardian of the steps to eliminate or reduce the student's absences.

**At some point after the second (2<sup>nd</sup>) and before the seventh (7<sup>th</sup>) unexcused absence**, the district will take data-informed steps to eliminate or reduce the student's absences. In middle and high school, these steps will include application of the Washington Assessment of Risks and Needs of Students (WARNS) or other assessment by the district's designated employee.

The data informed steps will include:

- a. Providing the student with an available approved best practice or researched-based interventions consistent with the WARNS profile or other truancy assessment, if given;
- b. Adjusting the student's school program or course assignment;
- c. Providing the student more individualized or remedial instruction;
- d. Providing appropriate vocational courses or work experience;
- e. Requiring the student to attend an alternative school or program;
- f. Assisting the parent/guardian or student to obtain supplementary services that might eliminate or ameliorate the causes for the absence from school; or
- g. Referring the student to a community engagement board.

A "community engagement board" means a board established pursuant to a memorandum of understanding (MOU) between a juvenile court and the district and composed of members of the local community in which the student attends school.

For any student with an existing Individualized Education Program (IEP) or Section 504 Plan, these steps will include convening the student's IEP team or Section 504 team, including a behavior specialist or mental health specialist where appropriate, to consider the reasons for the student's absences. If necessary, and if the parent/guardian provides consent, a functional behavior assessment to explore the function of the absence behavior will be conducted and a detailed behavior plan completed. Time should be allowed for the behavior plan to be initiated and data tracked to determine progress.

For any student who does not have an IEP or Section 504 Plan, but who is reasonably believed to have a mental or physical disability or impairment, these steps will include informing the student's parent/guardian of the right to obtain an appropriate evaluation at no cost to the parent/guardian to determine whether the student has a disability or impairment and needs accommodations, special education services, or related services. This includes students with suspected emotional or behavioral disabilities. If the school obtains consent to conduct an evaluation, time should be allowed for the evaluation to be completed, and if the student is found to be eligible for accommodations, special education services, or related services, a plan will be developed to address the student's needs.

**Not later than a student's seventh (7<sup>th</sup>) unexcused absence in a month**, the district will:

- a. Enter into an agreement with the student and parent/guardian that establishes school attendance requirements;
- b. Refer the student to a community engagement board; or
- c. File a petition to juvenile court (see below).

**Not later than a student's seventh (7<sup>th</sup>) unexcused absence within any month during the current school year, or fifteenth (15<sup>th</sup>) unexcused absence during the current school year**, if the district's attempts to substantially reduce a student's absences have not been successful and if the student is under the age of seventeen (17), the district will file a petition and supporting affidavit for a civil action in juvenile court.

The petition will contain the following:

1. A statement that the student has unexcused absences in the current school year. Unexcused absences accumulated in another school or school will be counted when preparing the petition;
2. An attestation that actions taken by the school district have not been successful in substantially reducing the student's absences from school;
3. A statement that court intervention and supervision are necessary to assist the school district to reduce the student's absences from school; and
4. All other required components set forth in RCW 28A.225.030 and 035 .

Petitions may be served by certified mail, return receipt requested, but if such service is unsuccessful or the return receipt is not signed by the addressee, personal service is required. The petition may be filed by a school district employee who is not an attorney.

## **Transfers**

In the case of a student who transfers from one district to another during the school year, the sending district will provide to the receiving district the unexcused absences accumulated at the sending district, together with a copy of any WARNS or other truancy assessment, history of any best practices or research-based interventions previously provided to the student, and a copy of the most recent truancy information for that student. The information will include the online or written acknowledgment by the parent/guardian and student. The sending district will use the standard choice transfer form for releasing a student to a nonresidential school district for the purposes of accessing an Alternative Learning Experience program.

Adoption Date: June 24, 1992

Revision Dates: March 17, 1993  
November 9, 1994  
December 13, 1995



May 28, 1997  
October 8, 1997  
June 17, 1998  
March 28, 2000  
June 13, 2011  
January 11, 2012  
December 5, 2013  
January 8, 2014  
January 25, 2017  
August 14, 2019  
August 10, 2022

## **Students**

### **Rights, Responsibilities, and Authority of Students**

Each year, the Superintendent or designee will develop handbooks pertaining to student rights, conduct, and discipline, and make the handbooks available to all students, their parents, and staff.

The school principal and certificated building staff will confer at least annually to develop and/or review student conduct standards and the uniform enforcement of those standards as related to the established student handbooks. They will seek to develop precise definitions for common problem behaviors and build consensus on what constitutes manifestation of those problem behaviors. The definitions will also address differences between major and minor manifestations of problem behaviors to identify those problem behaviors that teachers and other classroom staff can generally address and those problem behaviors that are so severe that an administrator needs to be involved. This work will also help district staff identify and address differences in the perception of subjective misbehaviors and reduce the effect of implicit bias.

All students who attend the district's schools will comply with the written policies, rules, and regulations of the schools, will pursue the required course of studies, and will submit to the authority of staff of the schools, subject to such discipline, including other forms of discipline as the school officials will determine.

Cross Reference:      Policy 3241      Student Discipline

Legal References:	RCW 28A.150.240	Certificated teaching and administrative staff as accountable for classroom teaching – scope – Responsibilities - Penalty
	RCW 28A.400.110	Principal to assure appropriate student discipline – building discipline standards – classes to improved classroom management skills
	RCW 28A.405.060	Course of study and regulations – Enforcement – Withholding salary warrant for failure
	RCW 28A.600.010	Enforcement of rules of conduct – Due process guarantees – Computation of days for short-term and long-term suspensions
	RCW 28A.600.020	Exclusion of student from classrooms – Written disciplinary procedures – long term suspension or expulsion
	RCW 28A.600.040	Pupils to comply with rules and regulations

Chapter 392-168 WAC Special service programs – Citizen complaint  
procedure for certain categorical federal programs

Classification: Encouraged

Adoption Date: August 12, 2020

## STUDENTS

### Rights, Responsibilities, and Authority of Teachers and Principals

#### I. Rights, Responsibilities and Authority of Teachers

A. **Teacher Responsibilities.** Teachers and other non-supervisory certificated personnel (collectively referred to as "teachers" in this paragraph I) will have the following responsibilities with respect to the discipline of students:

1. Each teacher will enforce the prescribed school District rules for student conduct.
2. Each teacher will comply with school District and building rules and guidelines relating to the methods of student control.
3. Each teacher will maintain good order in the classroom, in the hallways and on the playgrounds or other common areas of the school.
4. Each teacher assigned to classroom duties will keep and maintain accurate attendance records of students.
5. Each teacher will set an appropriate example of personal conduct and will avoid making any statement to any student that may be demeaning or personally offensive to any student or group of students.

B. **Teacher Authority.** Subject to the limitations set forth in RCW 28A.600.020 and WAC Chapter 392-400 and District Policies No. 3240 and No. 3241, all teachers will have the authority to implement discipline (corrective action, exclusion and detention) for any student for any disruptive or disorderly conduct or other violation of rules for student conduct which may occur in the presence of the teacher or when the student is under the teacher's supervision. Teachers may also recommend the suspension or expulsion of students to the proper school authorities.

C. **Teacher Rights.** Teachers will have the following rights with the respect to methods of student control:

1. Each teacher will be entitled to appropriate assistance and support from building administrators in connection with problems relating to students.

2. Each teacher will be promptly advised of any complaint made to the principal or other school District administrator regarding the teacher's method of student control. The teacher will be given the opportunity to present his or her version of the incident and to meet with the complaining party in the event that a conference with the complaining party is arranged.

## **II. Rights, Responsibilities, and Authority of Principals**

A. **Principal Responsibilities.** Principals and other building administrators (collectively referred to as "principals" in this paragraph II) will have the following responsibilities with respect to the methods of student control:

1. Each principal will be responsible for the enforcement of the prescribed School District policy for student conduct and for the compliance with school District and building procedures relating to the methods of student control.
2. Each principal will develop written rules for his or her building. The building rules will be consistent with School District policy and procedures and with regulations of the State Board of Education relating to methods of student control and will provide for early involvement of parents in attempts to improve a student's behavior.
3. The principal and staff members in a school building will confer at least annually in order to develop and/or review the building rules to promote the uniform enforcement of those rules throughout the school as well as within each classroom.
4. At the beginning of each school year principals will make available to each teacher, student and parents or guardians of students a copy of school District policy and procedures (or summary thereof) together with any building rules developed pursuant to paragraph II.A.2. herein.
5. Each principal will set an appropriate example of personal conduct.
6. Each principal will provide appropriate assistance and support to teachers in connection with methods of control relating to students.
7. The principal and the teachers will confer annually to establish criteria for determining when certificated employees must complete classes to improve classroom management skills.

- B. **Principal Authority.** All building and school district administrators will have the authority to discipline, suspend or expel, on a regular or emergency basis, any student for any violation of rules for student conduct.
- C. **Principal Rights.** Each principal will be promptly advised of any complaint made to any other school District administrator regarding the principal's method of student control. The principal will be given the opportunity to present his or her version of the incident and to meet with the complaining party in the event that a conference with the complaining party is arranged.

Cross Reference: Policy 3200 Student Responsibilities  
Policy 3241 Student Discipline

Legal References:	RCW	4.24.190	Action against parent for willful injury to property by minor
		28A.600.010	Government of schools, pupils, employees, rules and regulations for—Due process guarantees—Enforcement
		28A.150.240	Basic Education Act of 1977—Certificated teaching and administrative staff as accountable for classroom teaching—Scope—Responsibilities—Penalty
		28A.600.020	Government of schools, pupils, employees, rules and regulations for—Aim—Exclusion of student by teacher—Written procedures developed for administering discipline, scope
		28A.600.040	Pupils to comply with rules and regulations
		28A.400.110	Principal to assure appropriate discipline
		28A.635.060	Defacing or injuring school property—Liability of pupil, parent, guardian—Withholding grades, diploma, or transcripts
	WAC	Chapter 392-400	

Adoption Date: June 24, 1992  
Revised: June 17, 1998  
August 22, 2018

## **Students**

### **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, including conduct defined in WAC 392-190-056.

Sexual harassment can occur adult to student, student to student or can be carried out by a group of students or adults. Sexual harassment will be investigated 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.

Examples of “sexual harassment” include:

- 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 educational environment;
- Unwelcome sexual advances;
- Unwelcome requests for sexual favors;
- Sexual demands when submission is a stated or implied condition of obtaining an educational benefit; or
- Sexual demands where submission or rejection is a factor in an academic, or other school-related decision affecting a student.

For the purpose of this policy, a “hostile educational environment” has been created when sexual harassment is sufficiently severe, persistent, or pervasive that it limits or denies a student’s ability to participate in or benefit from any of the district’s course offerings, including any educational program or activity. The more severe the conduct, the less need there is to demonstrate a repetitive series of incidents. 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 informal or formal reports, complaints and grievances alleging sexual harassment. that come 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 and/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 including, restricted access to school property or activities , 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 timelines 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 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 will 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 or designee 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 or designee 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.

Cross References:       3207 - Prohibition of Harassment, Intimidation and Bullying  
                                  3210 - Nondiscrimination  
                                  3211 - Transgender Students  
                                  3241 – Student Discipline  
                                  5010 - Nondiscrimination and Affirmative Action  
                                  5011 - Sexual Harassment of District Staff Prohibited

Legal References:       20 U.S.C. 1681-1688  
                                  WAC 392-190-058 Sexual harassment  
                                  RCW 28A.640.020 Regulations, guidelines to eliminate discrimination —  
                                  Scope — Sexual harassment policies 34 C.F.R 106

Essential

Adoption Date:       August 22, 2018

Revised Date:       January 12, 2022

## **Students**

### **Sexual Harassment of Students Prohibited Procedures**

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 at least 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.

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 complainants or respondents in general or individually, and must receive training on the definition of sexual harassment under Title IX, the scope of the district’s education program or activity, how to conduct an investigation and grievance process and informal resolution process, and how to serve impartially. The decision-maker must also receive training on any technology to be used during hearings if the district provides for a hearing, on issues of relevance of questions and evidence, and on how to create an investigative report that fairly summarizes relevant evidence.

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 will 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 or make these materials available upon request for inspection by members of the public.

## **Notice**

- Information about the district's sexual harassment policy will be easily understandable and conspicuously posted throughout each school building, be reproduced in each student, staff, volunteer and parent handbook.
- 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 the Resource Service Center at 1601 Avenue D, Snohomish, WA 98290.

## **Staff Responsibilities**

- 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.
- 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 student(s) and their parents/guardians 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 Coordinator (Executive Director of Human Resource Services) for evaluation.
- The Title IX 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 individual 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 (“complainant”), 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, State Requirements**

Anyone may use informal procedures to report and resolve complaints of sexual harassment. Informal reports may be made to any staff member. Staff will notify complainants of their right to file a formal complaint and the process for same. Staff also will direct potential complainants to Title IX Coordinator at [Human.Resources@sno.wednet.edu](mailto:Human.Resources@sno.wednet.edu). 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).

### **I. Informal Complaint Process**

Informal remedies may include:

1. 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;
2. A statement from a student to the alleged harasser that the alleged conduct is not appropriate and could lead to action by the district if proven or repeated;
3. A general public statement from an administrator in a building reviewing the District sexual harassment policy without identifying the complainant;
4. Developing a safety plan;
5. Separating students; or
6. Providing staff and/or student training.

Informal complaints may become formal complaints at the request of the complainant, parent/guardian, or because the district believes the complaint needs to be more thoroughly investigated.

The district will inform the complainant and the student’s 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 will promptly respond and

appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

### **Formal Complaint Process**

The complainant may initiate a formal complaint of sexual harassment, even if the informal complaints process is being utilized. 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**

1. 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.
2. 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.
3. Complaints may be submitted by mail, fax, email or hand-delivery to the district Title IX Coordinator, Executive Director of Human Resource Services at Human.Resouces@sno.wednet.edu or mailed to the Resource Service Center, 1601 Avenue D, Snohomish, WA 98290.

#### **Investigation and Response**

1. The Title IX Coordinator will receive and investigate all formal, written complaints of sexual harassment and/or other 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 provide the complainant a copy of this procedure.
2. 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. Complaints 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.

## **Sexual Harassment Complaint under Title IX**

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 federal law, 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).

## **Supportive measures under Title IX**

Once any district employee knows, or in the exercise of reasonable care should know, about possible sexual harassment, the Title IX Coordinator must contact the complainant and offer to provide the complainant with supportive measures. 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 also may 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, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

## **When Additional Title IX Procedures are Required**

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 must respond promptly in a manner that is not deliberately indifferent. "Deliberately indifferent" means that the district's response is clearly unreasonable in light of the known circumstances. The district's investigation and determination regarding responsibility must be completed within 30 calendar days unless the parties agree to a different timeline.

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

- Notice of the complaint, investigation, and grievance processes;
- 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; and
- Notice of any provision in student conduct policies and procedures that prohibits false statements or submitting false information.

### **Title IX Informal Resolution Process**

At any time prior to a determination regarding responsibility for alleged sexual harassment as defined by Title IX regulations, 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, 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.

### **Title IX Formal Resolution Process**

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 recipient 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.

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

- 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; and
- 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.

At the conclusion of the investigation, the decision-maker (Superintendent or designee) must issue a written determination of responsibility regarding the alleged sexual harassment. The district may choose whether the decision-maker will apply a preponderance of the evidence standard or a clear and convincing evidence standard in Title IX investigations, provided that the same standard will apply to all investigations whether the respondent is a student or an employee.

The Superintendent's or designee'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;
- Conclusions regarding the application of the district's code of conduct policies to the facts;

- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary 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
- The procedures and bases for appealing the Superintendent's or designee's determination.

### **Title IX Investigation Appeals**

The district must offer both parties an appeal from the Superintendent's determination regarding responsibility or from the district's dismissal of any allegations contained in a formal complaint, in addition to the complainant's right to appeal under state requirements and the respondent's potential appeal rights under student discipline provisions of district policy and state law.

A party may appeal the determination regarding responsibility on the following bases:

- Procedural irregularity affecting the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility was made that could affect the outcome of the matter;
- The Title IX coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or individually that affected the outcome of the matter; or
- Additional bases as determined by the district.

Regarding appeal, the district must:

- Provide written notice to the other party when an appeal is filed;
- Implement appeal procedures equally for both parties;
- 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;
- Ensure that the decision-maker for the appeal has received the training required for decision-makers as required by this procedure;
- Provide both parties with a reasonable, equal opportunity to submit a written statement in support of or challenging the outcome of the initial determination; and
- Issue a written decision describing the result of the appeal and the rationale for the result.

## **Appeal to Board of Directors, State Requirements**

### **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;
- 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; and
- 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 Office of the Superintendent of Public Instruction.

## **Complaint to the Superintendent of Public Instruction (OSPI)**

### **Filing of Complaint, State Requirements**

- 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, and the school the student attends.

### **Investigation, Determination and Corrective Action, State Requirements**

- Upon receipt of a complaint, the Office of the Superintendent of Public Instruction (OSPI) 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; and
- 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.

### **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](mailto:OCR.Seattle@ed.gov) | [www.ed.gov/ocr](http://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](http://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.

## **IX. Training and Orientation**

A fixed component of all District orientation sessions for staff, students and regular volunteers will 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/guardians.

As part of the information on the recognition and prevention of sexual harassment, staff, volunteers, students and parents will be informed that examples of "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.

Adoption Date: August 22, 2018  
Revised Date: October 21, 2019  
Revised Date: January 12, 2022

## **STUDENTS**

### **Prohibition of Harassment, Intimidation and Bullying**

The District 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.542.010 (race, color, creed, religion, ancestry, national origin, honorably discharged veteran or military status, sex, gender, sexual orientation including gender expression or identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by the person with the disability) or other distinguishing characteristics, when the act:

1. Physically harms a student or damages the student’s property; or
2. Has the effect of substantially interfering with a student’s education; or
3. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
4. 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**

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 will be implemented in conjunction with comprehensive training of staff and volunteers.

Any school employee, student, or volunteer who has witnessed, or has reliable information that a student has been subjected to, harassment, intimidation, or bullying, whether electronically, written, verbal or physical, should report such incident to an appropriate school official.

### **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 perpetrator, 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 Individualized Education Plans or Section 504 Plans**

If a student with an Individual Education Program (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 Superintendent is authorized to direct the implementation of procedures addressing the elements of this policy.



Cross References: Policy 2161

Policy 3201

Policy 3205

Policy 3210

Policy 3211

Policy 3241

Special Education and Related Services for Eligible Students

Rights, Responsibilities & Authority of Teachers and Principal

Sexual Harassment of Students Prohibited

Nondiscrimination

Transgender Students

Student Discipline

Legal References:

Chapter 194,

RCW 28A.600

RCW 28A.600.480

RCW 28A.640

RCW 28A.642

RCW 49.60

WAC 392-190

WAC 392-190-059

Laws of 2019

Prohibition of Harassment, Intimidation, or Bullying

Reporting of harassment, intimidation, or bullying – Retaliation prohibited – Immunity

Sexual Equality

Discrimination Prohibition

Discrimination – Human Rights Commission

Equal Educational Opportunity- Unlawful Discrimination Prohibited

Harassment, intimidation and bullying prevention policy and procedure – School districts

Classification: Essential

Adoption Date: June 25, 2003

Revision Dates: October 13, 2010

August 10, 2011

August 28, 2019

## STUDENTS

### Prohibition of Harassment, Intimidation and Bullying Procedures

#### A. Introduction

The Snohomish 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, creed, religion, ancestry, national origin, honorably discharged veteran or military status, sex, gender, sexual orientation, including gender expression or identity, the presence of any sensory, mental or physical disability, or the use of a trained dog guide or service animal by the person with the disability or service animal by the person with the 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.

#### B. 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:

1. Physically harms a student or damages the student's property; or
2. Has the effect of substantially interfering with a student's education; or
3. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
4. 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.

Incident Reporting Forms may be used by students, families, or staff to report incidents of harassment, intimidation or bullying (3207F1).

**Retaliation** occurs an aggressor harasses, intimidates, or bullies a student who has reported incidents of bullying.

**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.

#### C. **Relationship to Other Laws**

This procedure applies only to the prohibition of harassment, intimidation and bullying required by RCW Chapter 28A.600. 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:

1. RCW 28A.300.285 – Harassment, Intimidation and Bullying
2. RCW 28A.640.020 – Sexual Harassment
3. RCW 28A.642 – Prohibition of Discrimination in Public Schools
4. RCW 49.60 – 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.

#### D. **Prevention**

1. **Dissemination** – Posted in each school and on the district's website is 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 and in the student handbook. The district will provide language assistance for students and parents/guardians with limited English proficiency under Title VI of the Civil Right Act of 1964, if necessary. Form 3207F1 Incident Reporting Form will also be available on the district's website. The posted information will be reviewed annually.

2. Education – Annually students will receive age-appropriate information on the recognition and prevention and reporting of harassment, intimidation or bullying at student orientation sessions and on other appropriate occasions.
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 (3207F1).
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.

#### E. **Compliance Officer**

The district compliance officer will:

1. Serve as the primary contact between the district, the Office of the Education Ombuds, and the Office of the Superintendent of Public Instruction (OSPI) regarding the district’s policy and procedure prohibiting harassment, intimidation and bullying.
2. Provide support and assistance to the principal or designee in resolving complaints;
3. Receive copies of all formal and informal complaints relating to harassment, intimidation and bullying. Incident Reporting Forms, discipline referral forms, and letters to parents providing the outcomes of investigations.
4. Communicate with the district employees responsible for monitoring district compliance with RCW 28A.642 prohibiting discrimination, and the primary contact regarding the district’s policy and procedure related to transgender students. If a written report of harassment intimidation or bullying indicates a potential violation of the district’s nondiscrimination policy (Policy 3210), the compliance officer must promptly notify the district’s civil rights compliance coordinator;
5. 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;
6. Ensure implementation of Policy 3207 and Procedure 3207P by overseeing the investigative processes, including ensuring that investigations are prompt, impartial, and thorough;
7. Assess the training needs of staff and students to ensure successful implementation throughout the district, and ensure staff receive annual fall training;

8. Provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis by August 15<sup>th</sup>; and
9. 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.

**F. Staff Intervention**

All staff members will 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.

**G. Filing an Incident Reporting Form**

Any student who believes they have 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.

If the allegations in a written report of harassment intimidation or bullying indicate a potential violation of the district's nondiscrimination policy (Policy 3210) the HIB compliance officer must promptly notify the district's civil rights compliance coordinator. Alternatively, during the course of an investigation of harassment, intimidation or bullying, the district becomes aware of a potential violation of the district's nondiscrimination policy (Policy 3210), the district employee investigating the report must promptly notify the district's civil rights compliance coordinator.

Upon receipt of this information, the district's civil right compliance coordinator must notify the complainant that their complaint will proceed under the discrimination complaint procedure in district Procedure 3210P and WAC 392-190-065 through WAC 392-190-075, in addition to the procedures in 3207P. In these cases, the investigation and response timeline set forth in WAC 392-190-065 begins when the district knows or should have known that a written report of harassment, intimidation or bullying involves allegations that the district has violated its nondiscrimination policy.

**H. Addressing Bullying – Report**

**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 (3207F1). The form may be filed anonymously, confidentially, or the student may choose to disclose his or her identity (non-confidential).

### **Status of Reporter**

- i. **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.
- ii. **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.
- iii. **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. Any staff who receives an informal or formal complaint relating to harassment, intimidation, or bullying must provide a copy of the complaint to their principal or designee who then must submit the complaint to the HIB compliance officer. Whenever possible staff who initially receive an oral or written report of harassment, intimidation or bullying will 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 (3207F1) 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.

1. Upon receipt of the Incident Reporting Form (3207F1) 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.
2. 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.
3. Within two (2) school days after receiving the Incident Reporting Form, the school principal or 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.
4. 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 the student's 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.
5. The investigation will include, at a minimum:
  - i. An interview with the complainant;
  - ii. An interview with the alleged aggressor;
  - iii. A review of any previous complaints involving either the complainant or the alleged aggressor; and
  - iv. Interviews with other students or staff members who may have knowledge of the alleged incident.
6. The principal or designee may determine that other steps must be taken before the investigation is complete.
7. 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.

8. No later than two (2) school days after the investigation has been completed and submitted to the compliance officer, the principal or designee will respond in writing or in person to the parent/guardian of the complainant and the alleged aggressor stating:
  - i. The results of the investigation;
  - ii. Whether the allegations were found to be factual;
  - iii. Whether there was a violation of policy; and
  - iv. 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 will request assistance from the district.

#### **Step 4: Corrective Measures for the Aggressor**

After completion of the investigation, the principal or 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 Policy 3241 Student Discipline. If the accused 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 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 designee by filing a written notice of appeal within five (5) school days of receiving the written decision. The Superintendent or 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<sup>TH</sup>) school day following the date upon which the complainant received the Superintendent's written decision.
3. An appeal before the School Board must be heard on or before the tenth (10<sup>TH</sup>) school day following the filing of the written notice of appeal to the School Board. The School Board will review the record and render a written decision on the merits of the appeal on or before the fifth (5<sup>th</sup>) school day following the termination of the hearing, and will provide a copy of the decision letter to all parties involved. The Board'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 - Student Discipline.

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, the district 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 will be addressed and remedied as appropriate.

#### **I. 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.

#### **J. 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. A harassment, intimidation or bullying complaint may also be reported to the following state or federal agencies:

- a. OSPI Equity and Civil Rights Office
- b. Washington State Human Rights Commission
- c. Office for Civil Rights, U.S. Department of Education, Region IX
- d. Department of Justice Community Relations Service
- e. Office of the Education Ombudsman
- f. OSPI Safety Center

#### **K. 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 in this policy but which are, or may be, prohibited by other district or school rules.

Adoption Date: August 10, 2011  
Revised: August 28, 2019

## STUDENTS

### Nondiscrimination

The District will provide equal educational opportunity and treatment for all students in all aspects of the academic and activities program without discrimination based on sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression or identity, 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 by the Boy Scouts of America and other designated youth groups listed in Title 36 of the United States Code as a patriotic society. District programs will be free from sexual harassment.

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 be considered discriminatory harassment and will not be tolerated. When a District employee knows, or reasonably should know, that discrimination or discriminatory harassment is occurring or has occurred, the employee is expected to report such information to a District official to facilitate. The District will take prompt and effective steps reasonably calculated to end the discrimination or discriminatory harassment, prevent its recurrence and remedy its effects.

The District's nondiscrimination statement will be included in notices and other publications made available to students and parents.

The Superintendent will designate a staff member to serve as 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 discrimination based on the protected classes identified in this policy.

Cross References:	Policy 2020	Adoption Course Design, Selection and Adoption of Instructional Materials
	Policy 2140	Guidance and Counseling
	Policy 2150	Co-Curricular Program
	Policy 2030	Service Animals in School Buildings
	Policy 2151	Interscholastic Activities
	Policy 3211	Transgender Students
	Policy 4217	Effective Communication
	Policy 4260	Use of School Facilities

Legal References:    RCW 28A.640      Sexual equality  
                             RCW 28A.642      Discrimination prohibition  
                             RCW 49.60        Discrimination – Human rights commission  
                             WAC 392-190      Training- Staff responsibilities – Bias awareness  
                             WAC 392-400-215 Student rights  
                             Section 504 of the Rehabilitation Act of 1973  
                             Title IX of the Civil Rights Act of 1964  
                             Title IX of the Education Amendments of 1974  
                             20 U.S.C 7905 Boy Scouts of America Equal Access Act  
                             U.S.C Title 36  
                             Title II of the Americans with Disabilities Act

Classification:        Essential

Adoption Date:        June 24, 1992

Revision Dates:        January 26, 1994  
                             March 25, 1998  
                             January 29, 2014  
                             August 22, 2018

## **STUDENTS**

### **Nondiscrimination**

Any student or parent may file a complaint via this procedure alleging violation of District Policy 3210 or applicable anti-discrimination laws concerning student(s). This complaint procedure is designed to assure that the resolution of real or alleged violations are directed towards a just solution that is satisfactory to the complainant, the administration and the Board of Directors. This grievance procedure will apply to the general conditions of nondiscrimination policy (No. 3210), applicable laws prohibiting discrimination, and more particularly to policies dealing with guidance and counseling (No. 2140), co-curricular program (No. 2150), service animals in schools (No. 2030) and instructional materials (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.

A "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 administrator, school staff member 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.

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

### **A. Informal Review Procedures**

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 this issue at this meeting, the complainant may submit a written complaint to the compliance officer (using form 3210F1). During the course of the informal process, the District must notify the complainant of their right to file a formal complaint.

## **B. Level One – Formal Review**

The complaint must set forth the specific acts, conditions or circumstances alleged to be in violation. Upon receipt of the complaint, the compliance office will provide the complainant a copy of this procedure. The compliance officer will investigate the allegations within thirty (30) calendar days of receiving the complaint.

The District and complainant may agree to resolve the complaint in lieu of an investigation. The compliance 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 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 (OSPI).

The decision of the Superintendent or designee will include:

1. A summary of the results of the investigation;
2. Whether the District or a third person 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 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 Board of Directors by filing a written notice of appeal with the secretary of the Board by the tenth (10) calendar day 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 other information 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 the appeal and will 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 form complaints 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 the Superintendent of Public Instruction (OSPI) 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 – Appeal to the Office of 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.

- A. A complaint must be received by the Office of the Superintendent of Public Instruction on or before the twentieth (20) day following the date upon which the complainant received written notice of the Board's 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.
- B. A complaint must be in writing and include information required by OSPI.

### **C. Preservation of Records**

The files containing copies of all records collected, including 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 Title IX compliance officer for a period of six (6) years.

Revision Dates:   June 24, 1992  
                          March 25, 1998  
                          February 12, 2014  
                          August 22, 2018

## **STUDENTS**

### **Student Dress**

Preserving a beneficial learning environment and assuring the safety and well-being of all students are primary concerns of the Snohomish School District. Students' choices in matters of dress should be made in consultation with their parents. Student dress will only be regulated, when, in the judgement of school administration, there is a reasonable expectation that:

1. A health or safety hazard will be presented by the student's dress or appearance;
2. Damage to school property will result from the student's dress; or
3. A material and substantial disruption of the educational process will result from the students' dress.

For the purpose of this policy, a material and substantial disruption of the educational process may be found to exist when a student's dress is inconsistent with the educational mission of the school district. Students must wear:

- Clothing including both a shirt with pants or skirt, or the equivalent and shoes.
- Shirts and dresses must have fabric that covers the front, back, mid-drift and sides.
- Clothing must cover undergarments.
- Fabric covering all private parts must not be see through.
- Clothing must be suitable for all scheduled classroom activities including physical education, science labs, wood shop, and other activities where unique hazards exist.
- Courses that include attire as part of the curriculum (for example, professionalism, public speaking and job readiness) may include assignment-specific clothing.

Prohibited dress includes:

- Offensive images or language, including profanity, hate speech and pornography.
- Images or language depicting or advocating violence or the use of tobacco, vaping, alcohol or drugs.
- Attire that intentionally shows private parts.
- Apparel identified by local law enforcement as belonging to or identifying with of any gang, violent or criminal group.

The uniforms of nationally recognized youth organizations, and clothing worn in observance of a student's religion are not subject to this policy.



Dress code enforcement will not:

- Create disparities, reinforce or increase marginalization of any group, nor will it be more strictly enforce against student because of racial identity, ethnicity, gender identity, gender expression, gender nonconformity, sexual orientation, cultural or religious identity, household income, body size/type, or body maturity.
- Result in unnecessary barrier to school attendance.

The Superintendent will establish procedures applicable to all district schools providing guidance to students, parents and staff regarding appropriate student dress in school or while engaging in extracurricular activities.

Cross Reference:	Board Policy No. 3220	Freedom of Expression
Legal References:	RCW 28A.320.140	Schools with special standards – dress codes
	WAC 392-400-215	Student rights
	WAC 392-400-225	School district rules defining misconduct – Distribution of Rules
Classification:	Discretionary	
Adoption Date:	June 24, 1992	
Revised:	June 17, 1998	
Revised:	March 25, 2020	

## **STUDENTS**

### **Student Dress Procedures**

The student and parent may determine the student's personal dress and grooming standards, provided that the student's dress and grooming does not:

1. Disrupt, interfere with, disturb, or detract from the school environment or activity and/or educational objectives as determined by school officials;
2. Create a health or other hazard to the student's safety or to the safety of others;
3. Create an atmosphere in which a student, staff, or other person's well-being is hindered by undue pressure, behavior, intimidation, overt gesture or threat of violence; or
4. Display apparel or garments that identify with any gang, violent or criminal group as defined by local law enforcement.

If the student's dress or grooming is objectionable under these provisions and staff involvement is necessary:

- Intervention should be done in a way that is the least restrictive and disruptive to the student's school day.
- Any school dress code enforcement actions should not be done publicly in front of other students and should minimize the potential loss of educational time. Students should not be forced to wear clothing that is not their own when they are in violation of the dress code.
- The principal will request that the student make appropriate corrections.

For dress code violations:

- The student can either remove the item immediately if it is not a primary piece of clothing (i.e.: hat, sweatshirt, jewelry); or
- If the student has appropriate clothing available to change into, the student may change and return to class; or
- The student may call their parent/guardian to bring them appropriate clothing to change into.

If the student refuses, the principal will notify the parents, if reasonably possible, and request that the parent make the necessary correction. If both the student and parent refuse, the principal will take appropriate disciplinary action according to policy 3241 and procedure 3241P.

Students who violate provisions of the dress code relating to extracurricular activities may be removed or excluded from the extracurricular activity for such period as the principal may determine. All students will be afforded due process safeguards before any corrective action may be taken.

Revised: June 24, 1992  
March 25, 2020

## **Students**

### **School Based Threat Assessment**

The Board is committed to providing a safe and secure learning environment for students and staff. This policy establishes a school-based threat assessment program to provide for timely and methodical school-based threat assessment and management.

Threat assessment best occurs in school climates of safety, respect and emotional support. Student behavior rather than a student's demographic or personal characteristics will serve as the basis for a school-based threat assessment.

The threat assessment process is distinct from student discipline procedures. The mere fact that the district is conducting a threat assessment does not by itself necessitate suspension or expulsion and the district will not impose suspension or expulsion, including emergency expulsion, solely for the purpose of investigating student conduct or conducting a threat assessment. However, nothing in this policy precludes district personnel from acting immediately to address an imminent threat, including imposing an emergency expulsion, if the district has 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.

### **Structure of Threat Assessment Teams**

The Superintendent will establish and ensure the training of a multidisciplinary, multiagency threat assessment team or more than one such team to serve district schools. As the threat assessment team must be multidisciplinary and multiagency, it might include persons with expertise in:

- Counseling, such as a school counselor, a school psychologist and/or social worker;
- Law enforcement, such as a school resource officer;
- School administration, such as a principal or other senior administrator;
- Other district school staff;
- Community resources;
- Special education teachers;
- Practicing educational staff member.

Not every multidisciplinary team member needs to participate in every threat assessment. When faced with a potential threat by, or directed towards, a student receiving special education services, the threat assessment team must include a team member who is a special education teacher.

Although parents, guardians, or family members are often interviewed as part of the threat assessment process, neither the student nor the student's family members are part of the threat assessment team. This does not diminish the district's commitment to make every

reasonable attempt to involve parents and the student in the resolution of the student's behavioral violations, consistent with Policy and Procedure 3241 and 3241P on Student Discipline.

### **Function of the Threat Assessment Team**

Each threat assessment team member, whether a teacher, counselor, school administrator, other school staff, contractor, consultant, volunteer, or other individual, functions as a "school official with a legitimate educational interest" in educational records controlled and maintained by the district. The district provides the threat assessment team access to educational records as specified by the Family Educational Rights and Privacy Act (FERPA). No member of a threat assessment team, including district/school-based members and community resource/law enforcement members, will use any student record beyond the prescribed purpose of the threat assessment team or re-disclose records obtained by being a member of the threat assessment team, except as permitted by FERPA.

The threat assessment team:

- Identifies and assesses the behavior of a student that is threatening, or potentially threatening, to self, other students, staff, school visitors, or school property. Threats of self-harm or suicide unaccompanied by threats of harm to others should be promptly evaluated according to Policy 2145 – Suicide Prevention;
- Gathers and analyzes information about the student's behavior to determine a level of concern for the threat. The threat assessment team may interview the person(s) who reported the threat, the recipient(s) or target(s) of the threat, other witnesses who have knowledge of the threat, and where reasonable, the individual(s) who allegedly engaged in the threatening behavior or communication. The purpose of the interviews is to evaluate the individual's threat in context to determine the meaning of the threat and intent of the individual. The threat assessment team may request and obtain records in the district's possession, including student education, health records, and criminal history record information. The purpose of obtaining information is to evaluate situational variables, rather than the student's demographic or personal characteristics;
- Determines the nature, duration, and level of severity of the risk and whether reasonable modifications or policies, practices, or procedures will mitigate. The threat assessment team makes an individualized assessment, based on reasonable judgment, best available objective evidence, or current medical evidence as applicable;
- Communicates lawfully and ethically with each other, school administrators, and other school staff who have a need to know particular information to support the safety and well-being of the school, its student and its staff; and
- Timely reports its determination to the Superintendent or designee.

Depending on the level of concern determined, the threat assessment team develops and implements intervention strategies to manage the student's behavior in ways that promote a safe, supportive teaching, and learning environment, without excluding the student from school.

In cases where the student whose behavior is threatening or potentially threatening also has a disability, the threat assessment team aligns intervention strategies with the student's individualized education program (IEP) or the student's plan developed under Section 504 of the Rehabilitation Act of 1973 (Section 504 Plan) by coordinating with the student's IEP team or Section 504 Plan team. Although some of the functions of a school-based threat assessment may run parallel to the functions of a student's IEP team or 504 Plan team, school-based threat assessment remains distinct from those teams and processes.

### **Data Collection, Review and Reporting**

The Superintendent or designee will establish procedures for collecting and submitting data related to the school-based threat assessment program that complies with OSPI's monitoring requirements, processes, and guidelines.

### **Other Tasks of the Threat Assessment Team**

The threat assessment team may also participate in other tasks that manage or reduce threatening or potentially threatening behavior and increase physical and psychological safety. This may include:

- Providing guidance to students and staff regarding recognition of behavior that may represent a threat to students, staff, school, the community, or the individual;
- Providing informational resources for community services boards or health care providers for medical evaluation or treatment, as appropriate;
- Assessing individuals other than students whose behavior poses a threat to the safety of students or staff and notify the Superintendent or designee of such an individual.

Cross References:	Policy No. 2121	Substance Abuse Program
	Policy No. 2145	Suicide Prevention
	Policy No. 2161	Special Education and Related Services for Eligible Students
	Policy No. 2162	Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973
	Policy No. 3143	District Notification of Juvenile Offenders
	Policy No. 3231	Student Records
	Policy No. 3432	Emergencies
	Policy No. 3241	Student Discipline

Policy No. 4210	Regulation of Dangerous Weapons on School Premises
Policy No. 4310	District Relationships with Law Enforcement and other Government Agencies
Policy No. 4314	Notification of Threats of Violence of Harm

Legal References    Chapter 28A.300 RCW  
                             Chapter 28A.320 RCW  
                             CFR 24, Part 99,      Family Educational Rights and Privacy Act Regulations

Classification:      Priority

Adoption Date: August 26, 2020

## Students

### School Based Threat Assessment

#### Definitions

A **School-based threat assessment** means the formal process, established by a school district, of evaluating the threatening, or potentially threatening, behavior of a student, and the circumstances surrounding the threat, to uncover any facts or evidence that the student or other actor is likely to carry out the threat.

**School-based threat management** means the development and implementation of a plan to manage or reduce the threatening, or potentially threatening, behavior of a student in a way that increases the physical and psychological safety of students, staff, and visitors, while providing for the education of all students.

A **threat** is an expression of an intent to cause physical harm to self or others. The threat may be expressed or communicated behaviorally, orally, visually, in writing, electronically, or through any other means; and is considered a threat regardless of whether it is observed by or communicated directly to the target of the threat or observed by or communicated to a third party; and regardless of whether the target of the threat is aware of the threat. Threats may be direct, such as “I am going to beat you up” or indirect, such as, “I’m going to get him.”

A **low risk threat** is one in which it is determined that the individual or situation does not appear to pose a threat of serious harm to one’s self or others, and any exhibited issues or concerns can be resolved easily.

A **moderate risk threat** is one in which the person or situation does not appear to pose a threat of violence, or serious harm to one’s self or others, at this time; but exhibits behaviors that indicate a continuing intent and potential for future violence or serious harm to one’s self or others; and/or exhibits other concerning behavior that requires intervention.

A **high-risk threat** is one in which the person or situation appears to pose a threat of violence, exhibiting behaviors that indicate both a continuing intent to harm one’s self or others and efforts to acquire the capacity to carry out the plan, and may also exhibit other concerning behavior that requires intervention.

An **imminent threat** exists when the person or situation appears to pose a clear and immediate threat of serious violence toward one’s self or others that requires containment and action to protect identified or identifiable target(s); and may also exhibit other concerning behaviors that require intervention.

#### Identifying and Reporting Threats

Timely reporting of expression to harm is crucial to an effective school-based threat assessment program.



Anyone, including students, families, and community members may report communication or behavior that appears to be threatening or potential threatening to the building administrator, any school staff or through the district tip line at [www.sno.wednet.edu](http://www.sno.wednet.edu).

All school district employees, volunteers, and contractors should report immediately to their supervisor or principal any expression that may be interpreted as an intent to harm another person, concerning communications, or concerning behaviors that suggest an individual may intent to commit an act of violence.

### **Assessing Threats**

A school-based threat assessment is distinct from law enforcement investigation (if any). The goal of the threat assessment process is to take appropriate preventive or corrective measures to maintain a safe and secure school environment, to protect and support potential victims and to provide assistance, as needed, to the individual being assessed. School-based threat assessment is also distinct from student discipline procedures. However, the functions of school-based threat assessment may run parallel to student discipline procedures.

### **Triage**

The Superintendent or designee will designate a team leader for each threat assessment team(s), such as a school principal or a district administrator. If it is not feasible for all team members to be involved with the screening of initial reports referred to the team, the threat assessment team leader may designate a subset of team members to triage cases and determine their appropriateness for review and/or action by the full team. If a team implements a triage process, at least two members of the team will review initial reports and determine if the full team should further assess and manage the situation. All triaged cases must be shared with all members of the assessment team to ensure the cases were adequately addressed. All threat assessment team members must be trained to triage cases effectively.

### **Imminent**

Upon notification of threatening behavior or communications, the school administrator, threat assessment team, or the triage team will be the first to determine if an imminent threat is believed to exist. If the individual appears to pose an imminent threat of serious violence to themselves or to others in the school, the administrator or assessment team will notify law enforcement.

### **Moderate or High-Risk Threat**

If the threat assessment team cannot determine with a reasonable degree of confidence that the alleged threat is not a threat, or is a low risk threat, then the threat assessment team will undertake a more in-depth assessment to determine the nature and degree of any safety concerns and to develop strategies to prevent violence and reduce risk, as necessary.

Upon a determination that a student poses a threat of violence or physical harm to self or others, a threat assessment team will immediately report its determination to the

Superintendent or designee. The Superintendent or designee will immediately attempt to notify the student's parent or legal guardian. The district will ensure that the notice is in a language the parent or guardian understands, which may require language assistance for parents or guardians with limited English proficiency under Title VI of the Civil Rights Act of 1964.

In instances where the threat is deemed a moderate risk or high risk, or requires further intervention to prevent violence or serious harm, the school administrator must notify the parent or guardian of any student who is the target/recipient of a threat as well as the parent or guardian of any student who made the threat. See Policy and Procedure 4314 and 4314P – Notification of Threats of Violence or Harm. The district will ensure that the notice is in a language the parents or guardians understands, which may require language assistance for parents or guardians with limited English proficiency under Title VI of the Civil Rights Act of 1964.

If the threat assessment team determines that an individual poses a threat of violence, based on the information collected, the threat assessment team develops, implements, and monitors intervention strategies to address, reduce, and mitigate the threat and assistance to those involved, as needed. If these strategies include disciplinary consequences, the district will provide notice to the student and their parent or legal guardian consistent with Policy and Procedure 3241 and 3241P – Student Discipline.

The threat assessment team may assist individual(s) within the school to access appropriate school and community-based resources for support and/or further intervention. This includes assisting those who engaged in threatening behavior or communication, and any impacted staff or students.

In cases where the student whose behavior is threatening or potentially threatening also has a disability, the threat assessment team must align intervention strategies with the student's individualized education program (IEP) or the student's plan developed under Section 504 of the Rehabilitation Act of 1973 by coordinating with the student's IEP team or Section 504 plan team.

#### **No Identifiable Threat or Low Risk Threat**

If the threat assessment team concludes that no further assessment is necessary to determine the reported possible threat is not identifiable or constitutes a low threat of violence or harm to self or others, the threat assessment team need not intervene or take further steps.

#### **Data Collection, Review and Reporting**

The procedure for collecting and submitting data related to the school-based threat assessment program will comply with OSPI's monitoring requirement, processes, and guidelines.

Adoption Date: August 26, 2020

## **STUDENTS**

### **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 in which they have legitimate educational interests.

Parents and adult students have the right to inspect and review the student's education records. A parent or adult student may request amendment of any information in a student's education record that the parent or adult student believes to be inaccurate, misleading or in violation of the student's privacy rights.

The District will not release a student's education records or personally identifiable information from those records without written consent from the parent or adult student except as authorized by RCW 28A.600.475 and the Family Educational Rights and Privacy Act of 1974 (FERPA), or as otherwise provided by law.

The District will release student transcripts to persons other than the student or the student's parents/guardians only upon the written authorization of the student or the student's parents/guardians, or as set forth in the Family Educational Rights and Privacy Act of 1974 (FERPA) and subsequent amendments. Except as provided in the paragraph below, the District will provide or make available to students upon request complete copies of their high school transcripts, with graduation noted thereon, within forty-five calendar days following the student's graduation from high school.

If any property of the District, a District employee, or another student has been lost or willfully cut, defaced, or injured, the District may withhold the grades, diploma, and transcripts of the student responsible for the damage or loss until the student or his or her parent/guardian pay for the damages.

If the student and parent/guardian are unable to pay for the damages, the District will provide a program of voluntary work for the student in lieu of paying monetary damages. Upon completion of the voluntary work, the student's grades, diploma, and transcripts will be released. The student's parent/guardian is liable for damages as otherwise provided by law.

When a student graduates and requests an official transcript, or if a student transfers to another school District that has requested the student's records, but the student has an outstanding fee or fine, not limited to lunch balances, class fees and field trip fees, the District may withhold the student's official transcript until the fee or fine is discharged. In the case of a student transferring to another school, the enrolling school will be notified that the official

transcript is being withheld due to an unpaid fee or fine. However, the District will transmit information about the student's academic performance, special placement, immunization records, records of disciplinary actions, and history of violent behavior or behaviors listed in RCW 13.04.155 to the enrolling school. The content of those records will be communicated to the enrolling District within two school days and copies of the records will be sent as soon as possible. The records of a student who meets the definition of a child of a military family in transition under Article II of RCW 28A.705.010 will be sent within ten days after receiving the request.

When the District or a District employee releases information in compliance with state and federal law, the District and District employee are immune from civil liability for damages unless it is shown that the District or District employee acted with gross negligence or in bad faith.

The Superintendent will establish procedures governing the content, management and control of student records.

Cross Reference:	Policy No. 2100	Educational Opportunities for Military Children
	Policy No. 3211	Transgender Students
	Policy No. 3520	Student Fees, Fines, Charges
	Policy No. 4020	Confidential Communications
	Policy No. 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
	RCW 28A.150.510	Transmittal of education records to DSHS - Disclosure of educational records – Data sharing Agreements – Comprehensive needs requirement Document – report
	RCW 28A.225.151	Reports
	RCW 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
	RCW 28A.230.120	High school diplomas—Issuance—Option to receive final transcripts—Notice
	RCW 28A.230.180	Access to campus and student information Directories by official recruiting and representatives – Informing students of educational and career opportunities

RCW 28A.600.475	Exchange of information with law enforcement and juvenile court officials – Notification of parents and students
RCW 28A.605.030	Student education records – Parental review – release of records - procedure
RCW 28A.635.060	Defacing or injuring school property—Liability of pupil, parent or guardian—Withholding grades, diploma or transcripts—Suspension and restitution - Voluntary work program as alternative—Rights protected
RCW 40.24.030	Address Confidentiality Program—Application—Certification
Chapter 246-105	WAC Immunization of child care and school Children against certain vaccine-preventable Diseases
Chapter 392-172A	WAC Rules for the provision of special education
Chapter 392-182 WAC	Student Health Records.
Chapter 392-415-WAC	Secondary Education – standardized high school Transcripts
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 391-122-228	Alternative learning experiences for Juvenile Students incarcerated in adult jail facilities
WAC 392-500-025	Pupil tests and records—Pupil personnel records—School district policy in writing

Classification: Essential

Adoption Date: July 29, 1992  
Revised: January 11, 1995  
October 25, 1995  
April 24, 1996  
November 12, 1997  
August 22, 2018

## STUDENTS

### Student Records

Student records will be managed by the District records custodians in the following manner:

#### Types of Records

Student records will be divided into two categories:

***Cumulative Folder*** – The cumulative folder may contain all information about a student which is collected and maintained on a routine basis, such as identifying information (name, birth date, sex, year in school, address, telephone number, parent's name, ethnic classification, emergency information (parent's place of employment, family doctor, babysitter, siblings), attendance records including date of entry and withdrawal; grades and other student progress reports; results of tests of school achievement, aptitude, interests, hearing and vision; health and immunization status reports; records of school accomplishments and participation in school activities; verified reports of misconduct, including a record of disciplinary action taken; and such other information as shall enable staff to counsel with students and plan appropriate activities. Identifying information may be limited if the student is a participant in the state Address Confidentiality Program.

***Supplementary Records*** – Supplementary records about a student may be collected and maintained by the District. These may include confidential health information; information related to the assessment or identification of a student under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act; special education records; or other confidential records related to a student that are not maintained in a student's cumulative folder. Records created by a staff member that are kept in the sole possession of that staff member, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for that staff member are not considered student records.

#### Accessibility of Student Records

Information contained in the cumulative folder and/or supplementary records will be provided as follows:

1. **Parents** – Parents have the right to inspect and review their child's educational records.
  - a. The District will comply with a request for access to records within a reasonable period of time, but not more than 45 days after it received the request.
  - b. Parents may request to examine their student's records with professionally competent personnel who are able to interpret and assist in the analysis of the records.

- c. If a student's education records contain information about other students, the parent or adult student may only inspect and review or be informed of the specific information about their child or themselves.
  - d. Inspection and review will be conducted during normal working hours. If this effectively prevents a parent or adult student from inspecting and reviewing the student's education record, the District will: 1) provide the parent or adult student with a copy of the records requested; or (2) make other arrangements for the parent or adult student to inspect and review requested records. Although records must remain within District control, they may be copied or reproduced for the parent/guardian or adult student at the parent/guardian or adult student's own expense.
2. **Students** – Information from the cumulative folder will be interpreted to the student upon his/her request. Information contained in supplementary records will be interpreted to the student upon his/her request and with the consent of the parent. An adult student may inspect his/her cumulative folder and supplementary records. The right of access granted to the parent or adult student includes the right to be provided a list of the types of student-related education records maintained by the school and the District. Upon graduation from high school, a student may request to receive a final transcript in addition to the diploma.

The District will annually notify parents of students currently in attendance and students over 18 years of age ("adult students") currently in attendance of their other rights under the Family Education Rights and Privacy Act (FERPA) and its implementing regulations. The notice will inform parents and adult students that they have the right to:

- Inspect and review the student's education records within 45 days of the day the District receives a request for access. Parents or eligible students should submit to the District records custodian at the student's school a written request that identifies the record(s) they wish to inspect. The records custodian at the student's school will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- Request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights. Parents or eligible students should submit a written request to the school principal that clearly identifies the part of the record they want changed, and specifies why it is inaccurate, or misleading or in violation of the student's privacy rights. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
- Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA and its implementing regulations authorize disclosure without consent. The District may disclose information in education

records without consent to school officials, including teachers, who the District has determined to have legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a contractor, consultant, volunteer, or other party to whom the District has outsourced District services or functions (such as an attorney, hearing officer, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

- File a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue S.W.  
Washington, D.C. 20202-4605

3. **Other Districts** - Other Districts will be provided with records upon official request from the District, unless the student has an outstanding fee or fine, not limited to lunch balances, class fees or field trip fees. In those instances, only records pertaining to the student's academic, special placement, immunization history, and discipline records will be communicated to the enrolling District within two (2) school days and copies of the records will be sent as soon as possible; but the official transcript will be withheld until the fee or fine, including lunch balances, class fees and field trip fees is discharged. The enrolling School District will be notified that the transcript is being withheld due to an outstanding fee or fine. However, the District will transmit information about the student's academic performance, special placement, immunization records, records of disciplinary actions, and history of violent behavior or behaviors listed in RCW 13.04.155. At the time of transfer of the records, the parent or adult student may receive a copy of the records at his/her expense if requested and will have an opportunity to challenge the contents of the records. Parents will be advised through the annual Student/Parent Rights and Responsibilities Handbook that student records will be released to another school where the student has enrolled or intends to enroll.

The records of a student who meets the definition of a child of a military family in transition under Article II of RCW 28A.705.010 will be sent within ten days of receiving the request. Upon request the District will furnish a set of unofficial educational records to the parent/guardian of a student who is transferring out of state and who meets the definition of a child of a military family in transition under Article II of RCW 28A.705.010. The District may charge the parent/guardian the actual cost of providing the copies of records.



If a special education student is enrolled or is going to enroll in a private school that is not located in the District, parental consent must be obtained before any personally identifiable information about the student is released between the School District where the private school is located and the District, unless the parent is part-time enrolling the student in the District pursuant to chapter 392-134 WAC.

4. **Other Persons and Organizations** - Prospective employers may request to review the transcript of a student. Each student will be advised at least annually that such request will be honored only upon a signed release of the student. Information contained in the cumulative folder and supplementary records of the student will be released to persons and organizations other than the student, parent, staff and other Districts only with the written consent of the parent or adult student (Form 3231F1 or Form 3231F2, Consent to Release Educational, Psychological, and Medical Records), with the following exceptions:
- a. Directory information may be released at the discretion of the District without parental consent, upon the condition that the parent or adult student be notified annually of the school's intention to release such information and be provided the opportunity to indicate that such information is not to be released without prior consent. Such information will not be released for commercial reasons. Directory information is defined as the student's name, photograph, address (physical and e-mail), telephone number (home and cell), date and place of birth, dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diplomas and awards received, and the most recent previous school attended. The actual residential addresses of participants in the state Address Confidentiality Program will not be available for release as directory information. Social security numbers, student identification numbers (with authentication factors such as a secret password or personal identification number) or other personally identifiable information is not considered directory information.
  - b. Notwithstanding its authority to disclose directory information without consent, the District may elect not to disclose such information in instances where disclosure may compromise the health or safety of students or may lead to a disruption of the educational environment or orderly operation of the District, or in similar circumstances.
  - c. In instances where directory information is disclosed, such disclosure does not reflect the District's approval or endorsement of the activities or viewpoints of the recipient for such information.
  - d. Information may be released to authorized representatives of the comptroller general of the United States, the commissioner of education, and/or an administrative head of an education agency or state education authorities in connection with the audit and evaluation of federally supported education programs or in connection with the enforcement of the federal legal requirements for such programs.

- e. Information may be released to state and local officials to whom such information is specifically required to be reported or disclosed pursuant to Washington state statute (examples: reporting child abuse or referrals to juvenile court for truancy).
- f. Information may be released to organizations conducting studies for educational agencies for the purpose of developing, validating or administering predictive tests or improving instruction, if such studies are conducted in such a manner as will not permit the personal organizations and if such information will be destroyed when no longer needed for the purpose for which it has been gathered.
- g. Information may be released in compliance with a judicial order or lawfully issued subpoena, upon condition that a reasonable effort was made to notify the parent or adult student in advance of such compliance.
- h. Information may be released to appropriate persons and agencies in connection with an emergency to protect the health or safety of the student or other persons. When information from a student's record, other than directory information, is released to any person or organization other than staff, a record of such release will be maintained as part of the specific record involved. Telephone requests for information about students will not be honored unless the identity of the caller is known, and the caller is authorized to receive the information under provisions of these procedures. Written documentation will be made of any such release of information and placed in the student's cumulative folder. Such access will include date of access, name of the party granted access, the legitimate educational interest of the party granted access.
- i. If the Department of Social and Health Services (DSHS) request records of a child within its custody or the custody of a child-placing agency licensed by DSHS, the records will not be withheld for non-payment of school fees or any other reason.

### **Confidential Health Records**

All health records should be stored in a secure area accessible only to the school health care provider or other staff who require access to the records to perform their job duties. Health records will only be disclosed in accordance with Chapter 70.02 RCW unless an appropriately executed release under Ch. 70.02 has been obtained. Such records are also covered by the Family Education Rights and Privacy Act (FERPA). There are additional confidentiality and disclosure requirements for records pertaining to HIV, sexually transmitted diseases, drug or alcohol treatment, mental health treatment, family planning or abortion. The releases for information regarding sexually transmitted diseases, HIV and drug or alcohol treatment may be more restrictive than other medical releases.

### **Challenges and Hearings**

A parent or adult student who believes that the student's education records contain information that is inaccurate, misleading, or in violation of the student's privacy rights may request that the District amend the records. The request should be submitted to the Principal

of the student's school. The Principal or designee will decide whether to amend the records as requested within a reasonable time after receiving the request.

If the Principal or designee decides not to amend the records as requested, the parent or adult student may request an informal hearing before the Superintendent or designee. The hearing will be held within ten (10) school days of the receipt of such request, unless otherwise agreed by the District and parent or adult student. During the hearing the Superintendent or designee will review the facts as presented by the parent or adult student and the Principal or designee will decide whether or not to amend the records as requested. The Superintendent or designee will send his/her written decision to the parent or adult student within ten (10) school days of the hearing.

Upon denial of correction or deletion by the Superintendent, the parent or adult student may request in writing a hearing before the Board, which hearing will be conducted at its next regular meeting. During such hearing, which will be closed to the public, the Board will review the facts as presented by the parent or adult student and Principal or designee and decide whether or not to order the demanded correction or deletion. The Board will send its written decision to the parent or adult student within ten (10) school days of the hearing.

If, as a result of the hearing, the District decides the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the parents or adult students may place a written statement in the record commenting on the contested information in the records or stating why he or she disagrees with the District's decision, or both.

### **Maintenance and Disposition of Student Records**

The District will maintain and dispose of education records in compliance with the Local Government Common Records Retention Schedule (CORE) and the School Districts and Educational Service Districts Records Retention Schedule, and relevant state and federal law. The student's permanent records card will be retained in perpetuity by the District.

The permanent student record will serve as the record of the student's school history and academic achievement. Permanent records filed in the student's cumulative folder are to be extracted and retained before disposition of the folder.

When a student transfers to another school in the District, all records including the permanent student record will be transmitted to the other school. When a student transfers to a school outside the District, the custodian of records will purge the cumulative folder of all non-official, extraneous information. The cumulative folder for an elementary or middle school student who leaves the District will be maintained for two (2) after discontinuance of enrollment in the District.

The District will inform parents of students with disabilities under the individuals with Disabilities Education Act (IDEA) and adult students with disabilities when personally identifiable information collected, maintained, or used in compliance with the IDEA and related

Washington law is no longer needed to provide educational services to the student, or is no longer required to be retained under state or federal law. The information will thereafter be destroyed at the request of the parent or adult student. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

Adoption Date: July 29, 1992

Revision Dates: January 11, 1995  
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June 17, 1998  
May 15, 2001  
Aug. 17, 2011  
May 3, 2012  
August 22, 2018

## **Students**

### **Student Discipline**

The Board of the Snohomish School District focuses on the educational achievement of each and every student. The district holds high expectations for all students and gives all students the opportunity to achieve personal and academic success. As used in this policy and accompanying procedure, “discipline” means any action taken by the school district in response to behavioral violations, including exclusionary as well as positive and supportive forms of discipline.

The purposes of this policy and accompanying procedure include:

- Engaging with school personnel, students, families, and the community in decisions related to the development and implementation of discipline policies and procedures;
- Supporting students in meeting behavioral expectations, including providing for early involvement of parents/guardians;
- 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 to complete their education without disruption;
- Facilitating collaboration between school personnel, students, and parents/guardians to support successful reentry into the classroom following a suspension or expulsion;
- Ensuring fairness, equity and due process in the administration of discipline;
- Implementing culturally responsive discipline that provides every student the opportunity to achieve personal and academic success; and
- Providing a safe environment for all students and for district employees.

### **Rights and Responsibilities/District Commitment**

The Board is committed to:

- Identifying and addressing discipline policies and practices that perpetuate educational opportunity gaps; and
- Proactively implementing discipline practices that support student in meeting behavioral expectations without losing access to instruction.

The district will observe students’ fundamental rights and will administer discipline in a manner that does not:

1. Unlawfully discriminate against a student on the basis of sex, race, creed, religion, color, national origin, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog guide or service animal;
2. Deprive a student of the student’s constitutional right to freedom of speech and press, the constitutional right to peaceable assemble and to petition the government and its representatives for a redress of grievances, the constitutional right to the free exercise of religion and to have the student’s school free from sectarian control or influence, subject to reasonable limitations upon the time, place, and manner of exercising the right;

3. Deprive a student of the student's constitutional right to be secure in the student's person, papers, and effects against unreasonable searches and seizures;
4. Unlawfully interfere in a student's pursuit of an education while in the custody of the school district; or
5. Deprive a student of the student's right to an equal educational opportunity, in whole or in part, by a school district without due process of law.

The district's student discipline policy and procedure are designed to provide students with a safe, healthy, and educationally sound environment. Students are expected to be aware of and comply with this policy and procedure, including behavioral expectations that respect the rights, person, and property of others. Students and staff are expected to work together to develop a positive climate for learning.

### **Development and Review**

The district will collect data on disciplinary actions administered in each school, as required by RCW 28A.300.042, and any additional data required under other district policies and procedures.

The district will ensure that school principals confer with certificated building employees at least annually to develop and/or review building discipline standards and review the fidelity of implementation of those standards.

School principals will ensure teachers and other school personnel receive adequate support to effectively implement a continuum of identified best practices and strategies that:

1. Focus on prevention to reduce the use of exclusionary discipline practices;
2. Allow the exercise of professional judgement and skill sets; and
3. May be adapted to individual student needs in a culturally responsive manner.

School principals will confer with certificated building employees at least annually to establish criteria for when certificated employees must complete classes or training to improve classroom management skills.

The district will periodically review and further develop this policy and procedure with the participation of school personnel, students, parents, families, and the community. As part of this development and review process, the district will use disaggregated data collected under RCW 28A.300.042 to monitor the impact of student discipline practices as well as to improve fairness and equity in the administration of school discipline. Discipline data must be disaggregated as set forth by law.

The district will support each school to:

- Set at least one goal annually for improving equitable student outcomes;
- Create action plan(s);
- Evaluate previous goals and action plans; and
- Revise goals and action plans, based on evaluation

Schools will share identified goals and action plans with all staff, students, parents, families, and the community.

#### **Distribution of policies and procedures**

The district will make the current version of this policy and procedures available to families and the community. The district will annually provide this policy and procedure to all district personnel, students, parents, and families, which may require language assistance for students and parents with limited English proficiency under Title VI of the Civil Rights Act of 1964.

The district will ensure district employees and contractors are knowledgeable of this student discipline policy and procedure. Schools are encouraged to provide discipline training developed under RCW 28A.415.410 to support implementation of this policy and procedure to all school staff as feasible.

#### **Behavior Agreements**

The district is authorized to enter into behavior agreements with students and parents/guardians in response to behavioral violations, including agreements to reduce the length of a suspension conditioned on participation in treatment services, agreements in lieu of suspension or expulsion, or agreements holding a suspension or expulsion in abeyance. The district will ensure that any behavior agreement entered with a student does not waive that student's opportunity to participate in a reengagement meeting or to receive educational services during the period of suspension or expulsion. Behavior agreements will not exceed the length of an academic term and will not preclude the district from administering discipline for behavioral violations that occur after the entry of the behavior agreements.

#### **Application**

This policy and accompany procedure will be construed in a manner consistent with Washington law.

Cross Reference:	Policy 2121	Substance Abuse Program
	Policy 2161	Special Education and Related Services for Eligible Students
	Policy 2162	Education of Students with Disabilities Under Section 504 of the Rehabilitation Action of 1973
	Policy 3122	Excused and Unexcused Absences
	Policy 3210	Nondiscrimination
	Policy 3244	Prohibition of Corporal Punishment
	Policy 3520	Student Fees, Fines, or Charges

Policy 4210 Regulation of Dangerous Weapons on School Premises  
Policy 4218 Language Access Plan

Legal References: RCW 9A.16.100 Use of force on children – Policy – Actions presumed unreasonable  
RCW 9A.41.280 Possessing dangerous weapons on school facilities – Penalty - Exceptions  
RCW 28A.150.240 Certificated teaching and administrative staff as accountable for Classroom teaching – Scope – Responsibilities – Penalty  
Chapter 28A.225, RCW Compulsory school attendance and admission  
Chapter 28A.320, RCW Provisions applicable to all districts  
RCW 28A.400.100 Principals and vice principals – Employment of – Qualifications – Duties  
RCW 28A.400.110 Principal to assure appropriate student discipline – Building Discipline standards – Classes to improve classroom management skills  
Chapter 28A.600 RCW, Students  
WAC 392-190-048 Access to course offerings – Student discipline  
Chapter 392-400 WAC Pupils  
34 CFR Part 100.3 Regulations implementing Civil Rights Act of 1964  
42 USC 2000d et seq. Civil Rights Act of 1964

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## Students

### Student Discipline – Procedures

The purpose of this student discipline procedure is to implement the district's student discipline policy as adopted by the Board. These procedures are consistent with the student discipline policy, as well as applicable federal and state laws.

#### I. Definitions

For purposes of the student discipline policy and procedures, the following definitions apply:

- A. **Behavioral violation** means a student's behavior that violates the district's discipline policies and procedures.
- B. **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) 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.
- C. **Culturally responsive** has the same meaning as "cultural competency" in RCW 28A.410.270.
- D. **Discipline** means any action taken by a school district in response to behavioral violations.
- E. **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.
- F. **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.
- G. **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.
- H. **Length of an academic term** means the total number of school days in a semester, as defined by the School Board.

- I. **Other forms of discipline** mean actions used in response to 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.
- J. **Parent** has the same meaning as in WAC 392-172A-01125.
- K. **School Board** means the governing board of directors of the local school district.
- L. **School business day** means any calendar day, except Saturdays, Sundays, or any federal, state or school holiday, 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.
- M. **School day** means any day or partial day that students are in attendance at school for instructional purposes.
- N. **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.
  - (a) **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.
  - (b) **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.
  - (c) **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.

## II. **Engaging with Families & Language Assistance**

The district will provide for early involvement of parents in efforts to support students in meeting behavioral expectations. Additionally, school personnel will make every reasonable attempt to involve the student and parent in the resolution of behavioral violations.

The district will ensure that it provides all discipline related communication (oral and written) in a language the student and parent(s) understand. This may require language assistance for students and parents with limited English proficiency under Title VI of the Civil Rights Act of 1964 and accommodations for parents and students with communication disabilities. For parents who are unable to read any language, the district

will provide written material orally.

### **III. Supporting Student with Other Forms of Discipline**

The administration of other forms of discipline may involve the use of best practices and strategies included in the state menu for behavior available online at: <https://www.k12.wa.us/student-success/support-programs/learning-assistance-program-lap/menus-best-practices-strategies/behavior-menu-best-practices-strategies>.

In accordance with WAC 392-400-110(1)(e), the district has identified the following other forms of discipline that school personnel should administer before or instead of exclusionary discipline to support students in meeting behavioral expectations:

- Parent/guardian notification of behavioral violations;
- Conference with student and/or parent/guardian;
- Changes to schedule/classes/seating in an effort to improve the student's behavior;
- Social skills instruction;
- Use of de-escalation strategies;
- Detention before school, during recess and/or after school. Detention will not extend beyond the time of departure of the bus upon which the student rides unless the student's parent/guardian has received prior notification;
- Special assignments;
- Restriction of school-related activities;
- Behavior contracts or agreements;
- Counseling in behavior expectations and potential consequences for behavior violations;
- Requiring restitution and/or an apology;
- Mentoring of student to assist in meeting behavior expectations;
- Mediation;
- Restorative justice practices; or
- Confiscation of inappropriate items.

All school personnel are authorized to implement other forms of discipline identified above. At least annually, school personnel at each district school will review the identified best practices and strategies for other forms of discipline.

### **IV. 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 school transportation. Staff have the responsibility to provide a safe and supportive

learning environment for all students during school-related activities. In accordance with the student discipline policy, district staff will administer discipline in ways that respond to the needs and strengths of students, support students in meeting behavioral expectations, and keep students in the classroom to the maximum extent possible.

Staff members will seek early involvement of parents in efforts to support students in meeting behavioral expectations. The Superintendent or designee has general authority to administer discipline, including all exclusionary discipline. The Superintendent designates disciplinary authority to impose in-school suspension, short-term suspension, long-term suspension, expulsion and emergency expulsion to school principals and their administrative designees and district administrators who have direct control over student programs.

### **Exclusions from transportation or extra-curricular activities and detention**

The Superintendent authorizes principals and their administrative designees to administer other forms of discipline that exclude a student from transportation services or extracurricular activities or impose detention. For students who meet the definition of homeless, the district will provide transportation according to 3115 –Students Experiencing Homelessness.

The district will not administer other forms of discipline 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. The district will not exclude a student from transportation services without providing access to alternative transportation the student needs to participate fully in regular educational services or educational services provided during suspension or expulsion.

Students and parents may challenge the administration of other forms of discipline, including exclusions from transportation or extra-curricular activities and detentions using the district's grievance procedures.

### **Classroom exclusions**

In accordance with this procedure, teachers have authority to exclude a student from the teacher's classroom or instructional or activity area for behavioral violations that disrupt the educational process while the student is under the teacher's immediate supervision. in accordance with this policy and procedure and building discipline standards. Additionally, the district authorizes principals and their administrative designees, and district administrators to administer classroom exclusion with the same authority and limits of authority as classroom teachers.

Unless 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 teacher or other school personnel

must first attempt one or more other forms of discipline to support the student in meeting behavioral expectations. A classroom exclusion may be administered for all or any portion of the balance of the school day. If the student is excluded for longer than the balance of the school day or the student is removed from school, the district will provide notice and due process for a suspension, expulsion, or emergency expulsion, as appropriate.

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 other forms of discipline or 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 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 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:

1. The teacher or other school personnel must immediately notify the principal or the principal's designee; and
2. 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 district's following grievance procedures set forth below.

## **V. Grievance Process for Other Forms of Discipline and Classroom Exclusion**

Any student or parent/guardian who is aggrieved by the administration of classroom exclusion and/or other forms of discipline, including discipline that excludes a student from transportation or extra-curricular activities and detention, has the right to an informal conference with the principal or designee to attempt resolve the grievance. Such request must be made within ten (10) school business days of the imposition of the other form of discipline or classroom exclusion. If the grievance pertains to the

actions of an employee, the employee will be notified of the initiation of a grievance as soon as reasonably possible.

During the conference, the student and parent/guardian will have the opportunity to share the student's perspective and explanation regarding the behavioral violation. Staff members will have the opportunity to respond to the issues and questions related to the grievance matter. Additionally, the principal or designee will have the opportunity to address issues and questions raised and to ask questions of the parent/guardian, student and staff members.

If after exhausting this remedy the grievance is not resolved, the parent and student will have the right, upon (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 this grievance process will not impede or postpone the disciplinary action unless the principal or Superintendent elects to postpone such action.

## **VI. Suspension and Expulsion - General Conditions**

- A. 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.
- B. The district will not administer discipline, including suspension and expulsion, in any manner related to 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.
- C. The district will not administer any discipline including suspension or expulsion, 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 requirement.
- D. The district will provide the parent(s)/guardian(s) opportunity for involvement to support the student and resolve behavioral violations before administering suspension or expulsion. Additionally, the Superintendent or designees identified in this procedure must consider the student's individual circumstance and the nature of the violation before administering any suspension or expulsion to determine whether the suspension or expulsion, and the length of the exclusion, is warranted.

- E. 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 of the discipline.
- F. 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 discipline in a manner that prevents a student from completing subject, grade-level, or graduation requirements.
- G. 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 in accordance with WAC [392-400-610](#). The district will not suspend or expel a student from school for absences or tardiness.
- H. 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:
  - 1. The Superintendent or designee grants a petition to extend a student's expulsion under WAC [392-400-480](#);
  - 2. The change of setting is to protect victims under WAC [392-400-810](#); or
  - 3. Other law precludes the student from returning to their regular educational setting.

## **VII. Short-Term and In-School Suspensions – Conditions and Limitations**

Before considering administering an in-school or short-term suspension, designated staff members must have first attempted one or more other forms of discipline to support the student in meeting behavioral expectations.

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. Additionally, the district will not administer a short-term or in-school suspension beyond the school year in which the behavioral violation occurred.

When administering an in-school suspension, school personnel will 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 will 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.

In accordance with the other provisions in this procedure, the types of behavioral violations for which the district may administer a short-term or in-school suspension include the following categories of behaviors, among other behavioral violations, including those set forth in RCW 28A.600.015(6)(a)-(d):

- Arson;
- Assault;
- Being under the influence of drugs, alcohol and mind-altering substances or other violations related to such substances, including possession, sale or delivery;
- Bomb threats or false alarms that cause a disruption to the school process;
- Cheating or disclosure of exams;
- Conduct which knowingly creates a disturbance, including but not limited to: occupying a school building or school grounds in order to deprive others of its use; blocking the entrance or exit of any school building or room in order to deprive others of passing through; preventing students from attending a class or school activity; blocking normal pedestrian or vehicular traffic on a school campus; interfering seriously with the conduct of any class or activity;
- Criminal activity;
- Defaming another person;
- Destruction of property;
- Disruptive dress and appearance;
- Endangering self, other students or staff;
- Engaging in extortion, blackmail or coercion;
- Fighting including instigating, promoting, or escalating a fight, and failure to disperse from a fight, regardless of who initiated the fight;
- Gang-related activity;
- Harassment, intimidation or bullying;
- Lewd conduct;
- Lying;
- Making false statements or accusations that undermine the health, safety and security of the community;
- Refusing to cease prohibited behavior or follow the lawful instructions of school personnel;
- Sexual misconduct that could constitute sexual assault or harassment;
- Theft;
- Threats of violence or to kill another person;
- Trespassing or refusing to leave when ordered to do so;
- Verbal abuse;



- Use, possession, sale or delivery of tobacco substances including, but not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, electronic smoking/vapor devices and vapor products, non-prescribed inhalers, nicotine delivery 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;
- Use of motor vehicles on school property in a way that jeopardizes safety;
- Use or possession of weapons or explosives; and
- Violation of terms of suspension.

This list does not reflect all types of behavioral violations for which the district may administer discipline. The district is not required to administer a short-term or in-school suspension for the above behavioral violations and may administer appropriate discipline as allowed in this procedure after consideration of the individual circumstances involved.

## **VIII. Long-Term Suspensions and Expulsions – Conditions and Limitations**

### **A. Imposition of Long-Term Suspensions and Expulsions:**

Before administering a long-term suspension or 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.

The district may determine that long-term suspension or expulsion is appropriate only for behavioral violations that meet the definitions provided under RCW 28A.600.015(6)(a)-(d) set forth below:

1. Having a firearm on school property or school transportation in violation of RCW 28A.600.420;
2. Any of the following offenses listed in RCW 13.04.155, including:
  - a. Any violent offense as defined in RCW 9.94A.030
  - b. Any felony that Washington law defines as a class A felony or an attempt, criminal conspiracy, or solicitation to commit a Class A felony;
  - c. Manslaughter;
  - d. Indecent liberties committed by forcible compulsion;
  - e. Kidnapping;
  - f. Arson;
  - g. Assault in the second degree;
  - h. Assault of a child in the second degree;
  - i. Robbery;

- j. Drive-by shooting; and
  - k. 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;
- 3. 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;
  - 4. Unlawful possession or delivery , or both , of a controlled substance violation of chapter 69.50 RCW;
  - 5. Any weapons violation of chapter 9.41 RCW, including having a dangerous weapon at school in violation of RCW 9.41.280;
  - 6. Two or more violations of the following within a three-year period:
    - (a) Criminal gang intimidation in violation of RCW 9A.46.120, (b) Gang activity on school grounds in violation of RCW 28A.600.455; (c) Willfully disobeying school administrative personnel in violation of RCW 28A.635.020; and (d) Defacing or injuring school property in violation of RCW 28A.635.060.
  - 7. Any student behavior that adversely impacts the health or safety of other students or educational staff. As used in this policy, the district defines the phrase “student behavior that adversely impacts the health or safety of other students or educational staff” as including, but not limited to, the following examples:
    - a. Criminal acts; inconsistent with medical directives;
    - b. The commission or conspiracy to commit physical or verbal intimidation;
    - c. Behavior that constitutes harassment, intimidation and bullying under Policy 3207 where such acts adversely impact health and safety as determined by district administration;
    - d. An act (or acts) of theft where such acts adversely impact health and safety as determined by district administration; and
    - e. Student behavior that constitutes a substantial and ongoing disruption to the educational process or environment and adversely impacts the health and safety of other students and educational staff.

The district may only administer long-term suspension or expulsion after determining that the student would pose an imminent danger to others or, in the case of long-term suspension, an imminent threat of material and substantial disruption of the educational process should they return to school before an imposed length of exclusion.

**B. Duration of Long-Term Suspensions and Expulsions:**

A long-term suspension will not exceed the length of an academic term, as defined by the School Board. A long-term suspension may not be administered 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 per the procedure set forth in the section below titled **Petition for Extension of Expulsion**. An expulsion may be administered beyond the school year in which the behavioral violation occurs.

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.

Except for a firearm violation 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 policy and procedure 2161 – Special Education and Related Services for Eligible Students as well as this student discipline policy and procedure.

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.

**C. Suspensions and Expulsions – Notice**

Before administering any suspension or expulsion, the district will attempt to notify the student's parent(s)/guardian(s) as soon as reasonably possible regarding the behavioral violation and the principal or designee will conduct an informal initial hearing with the student to hear the student's perspective. At the initial hearing, the principal or designee must provide the student an opportunity to contact their parent(s)/guardian(s), or, in the case of long-term suspension or expulsion, the principal or designee must make a reasonable attempt to contact their parent(s)/guardian(s) to provide an opportunity for the parents/guardian(s) to participate in the initial hearing in person or by telephone. The district must hold the initial hearing in a language the student and parent(s)/guardian(s) 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 their perspective and provide explanation regarding the behavioral violation.

Following the initial hearing, the principal or designee will 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 parent(s)/guardian(s) in person, by mail, or by email in a language and form the student and parent(s)/guardian(s) 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)/guardian(s) to an informal conference with the principal or designee;

- f. The right of the student and parent(s)/guardian(s) to appeal the suspension or expulsion; and
- g. For any long-term suspension or expulsion, the opportunity for the student and parent(s)/guardian(s) to participate in a reengagement meeting.

## **IX. Emergency Expulsions -Conditions and Limitations**

### **A. Imposition of an Emergency Expulsion:**

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:

1. An immediate and continuing danger to other students or school personnel; or
2. 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:

1. 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
2. School personnel have exhausted reasonable attempts at administering other forms of discipline to support the student in meeting behavioral expectations.

### **B. Duration of an Emergency Expulsion:**

An emergency expulsion may not exceed ten (10) consecutive school days. An emergency expulsion must end or be converted to another form of discipline within ten (10) school days from its start.

If the district converts an emergency expulsion to a suspension or expulsion, the district must:

- a. Apply any days the student was emergency expelled before the conversion to the total length of the suspension or expulsion; and
- b. Provide the student and parent/guardian with notice and due process rights under WAC 392-400-430 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.

**C. Notice Requirements for Emergency Expulsions:**

After an emergency expulsion, the district must attempt to notify the student's parent/guardian, 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 educational process.

Within twenty-four (24) hours after an emergency expulsion, the district will provide written notice to the student and parent/guardian in person, by mail, or by email. The written notice must include:

1. The reason the student's statements or behaviors pose 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;
2. The duration and conditions of the emergency expulsion, including the date on which the emergency expulsion will begin and end;
3. The opportunity to receive educational services during the emergency expulsion;
4. The right of the student and parent/guardian to an informal conference with the principal or designee; and
5. The right of the student and parent/guardian to appeal the emergency expulsion, including where and to whom the appeal must be requested.

**X. Appeal and Reconsideration of Suspensions and Expulsions**

The following procedures apply to the appeal and review and reconsideration of short-term suspensions, long-term suspensions, expulsions and emergency expulsions.

**A. Optional Informal Conference with Principal for all Suspensions and Expulsions**

If a student or the parent/guardian disagree with the district's decision to suspend, expel or emergency expel the student, the student or parent/guardian may request an informal conference orally or in writing with the principal or designee to resolve the disagreement.

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/guardian.

During the informal conference, the student and parent/guardian will have the opportunity to share the student's perspective and explanation regarding the behavioral violation and the events that led to the exclusion. The student and parent/guardian 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 and discuss other forms of discipline that may be administered.

An informal conference will not limit the right of the student or parent/guardian to appeal the suspension, expulsion or emergency expulsion, or to participate in a reengagement meeting, or petition for readmission.

**B. Appeals of all Suspensions and Expulsions**

A student or parent/guardian may appeal a suspension, expulsion or emergency expulsion to the Superintendent or designee orally or in writing.

**Timing:** For suspensions or expulsions, the request for appeal must be made within five (5) school business days from when the district provided the student and parent/guardian with written notice.

For emergency expulsions, the request for appeal must be made within three (3) school business days from when the district provided the student and parent/guardian with written notice.

**C. Appeal of In-School and Short-term Suspensions:**

**Process:** The Superintendent or designee will provide the student and parent/guardian the opportunity to share the student's perspective and explanation regarding the behavioral violation giving rise to the short-term suspension orally or in writing.

**Decision:** The Superintendent or designee must deliver a written appeal decision to the student and parent/guardian in person, by mail, or by email within two (2) school business days after receiving the appeal. The written decision must include:

1. The decision to affirm, reverse, or modify the suspension;
2. The duration and conditions of the suspension, including the beginning and ending dates;
3. The educational services the district will offer during the suspension; and
4. Notice of the student and parents'/guardians' right to request review and reconsideration of the appeal decision, including where and to whom to make such a request.

**D. Appeal of Long-Term Suspensions, Expulsions or Emergency Expulsions**

**Notice:** For long-term suspensions, expulsions or emergency expulsions, the Superintendent or designee will provide the student and parent/guardian 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:

1. The time, date, and location of the appeal hearing;
2. The name(s) of the official(s) presiding over the appeal;
3. The right of the student and parent/guardian to inspect the student's education records;
4. The right of the student and parent/guardian to inspect any documentary or physical evidence and a list of any witnesses that will be introduced at the hearing;
5. The rights of the student and parent/guardian to be represented by legal counsel at the student and parents'/guardians' own expense; question witnesses; share the student's perspective and explanation; and introduce relevant documentary, physical, or testimonial evidence; and
6. For long-term suspensions and expulsions, whether the district will offer a reengagement meeting before the appeal hearing. The student, parent/guardian and district may agree to hold such meeting and develop a reengagement plan before the appeal hearing. The student, parent/guardian, and district may mutually agree to postpone the appeal



hearing while participating in the reengagement process.

**Timing:** For long-term suspensions or expulsions, 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/guardian.

For emergency expulsions, the district will hold an appeal hearing within two (2) school business days after the Superintendent or designee received the appeal request, unless otherwise agreed to by the student and parent/guardian.

**Hearing Procedures:** The appeal hearing will be conducted by a hearing officer designated by the Superintendent to hear and decide appeals pursuant to this procedure. The hearing officer will not have been involved in the student's behavioral violation or decision to suspend or expel the student and will be knowledgeable about the discipline rules and the district's discipline policies and procedures.

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)/guardian(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 their 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.

Upon request, the student, parent/guardian or their legal representative and district may inspect any documentary or physical evidence and list of any witnesses that will be introduced at the appeal hearing. This information will be

made 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/guardian 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 may excuse the witness' nonappearance if the district establishes that:

1. The district made a reasonable effort to produce the witness; and
2. The witness' failure to appear is excused by fear of reprisal or another compelling reason.

At the hearing, the student and parent/guardian have the right to be represented by legal counsel at the student and parents'/guardians' own expense; question witnesses; share the student's perspective and provide explanation regarding the behavioral violation; and introduce relevant documentary, physical or testimonial evidence.

**Recording:** The district will record the appeal hearing by manual, electronic, or other type of recording device and upon request of the student or parent/guardian provide them a copy of the recording.

**Decision:** For appeals of long-term suspensions or expulsions, 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/guardian in person, by mail, or by email within three (3) school business days after the appeal hearing. The written decision must include:

1. The findings of fact;
2. A determination whether (a) the student's behavior violated district policy; (b) the behavioral violation reasonably warrants the suspension or expulsion and the length of the suspension or expulsion; and (c) the suspension or expulsion is affirmed, reversed, or modified;
3. The duration and conditions of suspension or expulsion, including the beginning and ending dates;
4. Notice of the right of the student and parent/guardian to request a review and reconsideration of the appeal decision. The notice will include where

and to whom to make such a request; and

5. Notice of the opportunity for a reengagement meeting and contact information for the person who will schedule the meeting.

For emergency expulsion, the district will provide a written decision to the student and parent/guardian in person, by mail, or by email within one (1) school business day after the appeal hearing. The written decision must include:

1. The findings of fact;
2. A determination whether the student's statements or behaviors continue to pose (a) an immediate and continuing danger to students or school personnel; or (b) an immediate and continuing threat of material and substantial disruption of the educational process;
3. 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/guardian notice and due process consistent with the disciplinary action to which the emergency expulsion was converted; and
4. Notice of the right of the student and parent/guardian to request a review and reconsideration of the appeal decision. The notice will include where and to whom to make such a request.

**Discipline Pending Appeal:** 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:

1. The suspension or expulsion is administered for no more than ten (10) consecutive school days from the initial hearing or until the appeal is decided, whichever is earlier;
2. 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
3. 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.

**E. Reconsideration of Appeal for all Suspensions, Expulsions or Emergency Expulsion**

The student or parent/guardian may request the School Board review and reconsider the district's appeal decision for all suspensions and expulsions and emergency expulsions. This request may be either orally or in writing.

**Timing:** For suspensions or expulsions, the student or parent/guardian must request review within ten (10) school business days from when the district provided the student and parent/guardian with the written appeal decision.

For emergency expulsions, the student or parent/guardian must request a review within five (5) school business days from when the district provided the student and parent/guardian with the written appeal decision.

**Process:** In reviewing the district's decision, the School Board must consider all documentary and physical evidence from the appeal hearing related to the behavioral violation; any records from the appeal hearing; relevant state law; and the district's discipline policies and procedures. Any meeting of the Board to review the district's decision is quasi-judicial in nature and not subject to the Open Public Meetings Act.

The School Board may request to meet with the student and parent/guardian, 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 members who were not involved in (a) the behavioral violation; (b) the decision to suspend or expel the student; or (c) the appeal decision.

**Decision:** For review of suspensions or expulsions, the School Board will provide a written decision to the student and parent/guardian 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:

1. Whether the School Board affirms, reverses, or modifies the suspension or expulsion;
2. The duration and conditions of the suspension or expulsion, including the beginning and ending dates of the suspension or expulsion; and
3. For long-term suspensions and expulsions, notice of the opportunity to participate in a reengagement meeting.

For review of emergency expulsions, the School Board will provide a written decision to the student and parent/guardian 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:

1. Whether the School Board affirms or reverses the district's decision that the student's statements or behaviors posed (a) an immediate and continuing danger to students or school personnel; or (b) an immediate and continuing threat of material and substantial disruption of the educational process.
2. 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 parents'/guardians' notice and due process under WAC 392-400-430 through 392-400-480 consistent with the disciplinary action to which the emergency expulsion was converted.

#### **XI. Petition to Extend an Expulsion**

- A. 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.

- B. 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.

- C. 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)/guardian(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;

- D. Review and Reconsideration of extension of expulsion

The student or parent(s)/guardian(s) may request that the School Board review and reconsider the decision to extend the student's expulsion. The student or parent(s)/guardian(s) 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)/guardian(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)/guardian(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 (OSPI).

## **XII. Educational Services During Suspension, Expulsion or Emergency Expulsion**

The district will offer educational services to enable a student who is suspended, expelled or emergency expelled that allow the student to:

1. Continue to participate in the general education curriculum;
2. Meet the educational standards established within the district; and
3. Complete subject, grade-level, and graduation requirements.

When providing a student, the opportunity to receive educational services during exclusionary discipline, the school must consider:

1. Meaningful input from the student, parent/guardian, and the student's teachers;
2. 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
3. Access to any necessary technology, transportation, or resources the student needs to participate fully in the educational services.

The district may provide educational services in an alternative setting or modify the suspension or expulsion on a case-by-case basis. 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 parent/guardian 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, the district will provide:

1. Course work, including any assigned homework, from all of the student's regular subjects or classes;
2. 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
3. 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:

1. Course work, including any assigned homework, from all of the student's regular subjects or classes;
2. An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency expulsion; and
3. 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 parent/guardian 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:
  - a. 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
  - b. Communicate with the student, parent/guardian, 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, the district will provide educational services in accordance with WAC 392-121-107.

### **XIII. Readmission**

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 the student 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, the student will submit the written application to the Superintendent or designee. 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 or designee will advise the student and parent of the decision within seven (7) school days of the receipt of such application.

### **XIV. Reengagement Plan**

After imposing a long-term suspension or expulsion, the district will collaborate with the student and parent(s)/guardian(s) 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 parent(s)/guardian(s), or school personnel in taking action to remedy the circumstances that resulted in the suspension or expulsion and preventing similar circumstances from recurring.

A reengagement meeting must be held:

- a. 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 returns to school; or
- b. As soon as reasonably possible, if the student or parent(s)/guardian(s) request a prompt reengagement meeting.

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.

## **XV. Behavior Agreements**

The district authorizes administrators, principals and vice-principals to enter into behavior agreements with students and a parent/guardian in response to behavioral violations, including agreements to reduce the length of a suspension conditioned on 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 students in meeting behavioral expectations. Behavior agreements may be supplemental to but will not replace best practices and strategies implemented at the classroom level to support students in meeting behavioral expectations. Behavioral agreements entered into with student's and parent(s)/guardian(s) under this section may not replace or negate provisions within a student's Individual Education Plan (IEP), 504 Plan, or Behavioral Intervention Plan (BIP). The district will provide any behavior agreement in a language and form the student and parent(s)/guardian(s) understand, which may require language assistance for student and parents with limited English proficiency under Title VI of the Civil Rights Act of 1964.

Any behavior agreement entered with a student does not waive that student's opportunity to participate in a reengagement meeting or to receive educational services during the period of suspension or expulsion. Behavior agreements will not exceed the length of an academic term and will not preclude the district from administering discipline for behavioral violations that occur after the district enters into a behavior agreement with the student and parent(s)/guardian(s).

Among other behavioral violations, the district may, but is not required to, enter behavior agreements with students and parents/guardians related to tobacco, drug and alcohol offenses.

## **XVI. Exceptions for the Purpose of 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:

1. A student committing an offense under RCW 28A.600.460(2), when the activity is directed toward a teacher, will 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;
2. 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.

Revision Dates: July 29, 1992  
July 2, 1996  
November 12, 1997  
May 27, 1998  
July 26, 2006  
January 14, 2009  
August 24, 2016  
July 11, 2018  
August 28, 2019  
August 24, 2022

## **COMMUNITY RELATIONS**

### **Civility**

In order to provide a climate where issues and concerns regarding the operation and delivery of educational services of the Snohomish School District can be resolved in an orderly fashion, this policy is written to articulate the behavioral expectations by all affected parties in the conduct of affairs.

It is the intent of the Snohomish School District to promote mutual respect, civility, and orderly conduct between and among students, staff, volunteers, parents and the public in all modes of interaction. The intent of this policy is to maintain, to the greatest extent reasonably possible, a safe, respectful workplace for students, staff, parents, and other members of the community. School District staff members will treat students, parents, and other members of the public with courtesy and respect. Students, parents, and other members of the public will treat Snohomish School District staff members with courtesy and respect.

Conduct that violates this policy will be addressed through policies and procedures applicable to the situation, including but not limited to: Prohibition of Harassment, Intimidation and Bullying (3207), Nondiscrimination (3210), Student Conduct Expectations and Reasonable Sanctions (3240), Classroom Management, Discipline and Corrective Action (3241), Visits to Schools and District Facilities (4311), Complaints Concerning Staff or Programs (4220), Safe and Orderly Learning Environment (4200), Distribution of Materials (4060), Notification of Threats of Violence or Harm (4314), Maintaining Professional Staff and Student Boundaries (5253), Sexual Harassment of Students Prohibited (3205) and Sexual Harassment of District Staff Prohibited (5011).

Cross References:     Policy 3207 Prohibition of Harassment, Intimidation and Bullying  
                             Policy 3210 Nondiscrimination  
                             Policy 3241 Student Discipline  
                             Policy 4311 Visits to Schools and District Facilities  
                             Policy 4220 Complaints Concerning Staff or Programs  
                             Policy 4200 Safe and Orderly Learning Environment  
                             Policy 4060 Distribution of Materials  
                             Policy 4314 Notification of Threats of Violence or Harm  
                             Policy 5253 Maintaining Professional Staff/ Student Boundaries  
                             Policy 3205 Sexual Harassment of Students Prohibited  
                             Policy 5011 Sexual Harassment of District Staff Prohibited

Legal References:      RCW 28A.635.010 Abusing or insulting teachers, liability for  
Penalty.  
RCW 28A.635.020 Willfully disobeying school administrative  
personnel or refusing to leave public property, violations, when –  
Penalty.  
RCW 28A.635.030 Disturbing school, school activities or meetings  
– Penalty.  
RCW 28A.635.090 Interference by force or violence--Penalty  
RCW 28A.635.100 Intimidating any administrator, teacher,  
classified employee, or student by threat of force or violence  
unlawful—Penalty  
RCW 28A.635.110 Violations under RCW.28A.635.090 and  
28A.635.100—Disciplinary authority exception

Adoption Date: March 28, 2007  
Revision Date: April 25, 2018

## COMMUNITY RELATIONS

## Safe and Orderly Learning Environment

## Contact with Staff

The learning environment and the staff's time for students will be free from unnecessary interruption. Except in emergencies, staff will not be interrupted during instructional time. Other staff members, parents, and community members are encouraged to leave brief messages or voicemails so as to permit the staff member to respond when available. Students and community members are urged to make appointments with staff to assure an uninterrupted scheduled 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/guardians, community members, and interested educators. There are established guidelines governing school visits in policy and procedure 4311 and 4311P to insure orderly operation of the educational process and the safety of students and staff.

## Disruption of School Operations

The Superintendent or authorized designee will direct a person to immediately leave any motor vehicle, building, grounds, or other property that is owned, operated, or controlled by the school district if the person is:

- A. Under the influence of controlled substances, including marijuana (cannabis) or alcohol; or
- B. Disrupting or obstructing any school program, activity, or meeting; or
- C. Committing, threatening to imminently commit; or inciting another to imminently commit any act which would disturb or interfere with or obstruct any lawful task, function, process or procedure of the school district or of any student, official, employee or invitee of the school district.

If such a person refuses to leave, the Superintendent or authorized designee will promptly call for the assistance of a law enforcement officer.

Cross Reference: 3510 – Associated Student Bodies  
3124 – Removal-Release of Student During School Hours  
4311 – Visits to Schools and District Facilities

Legal References: RCW 28A.605.020 Parents' access to classroom or school sponsored Activities - Limitation

RCW 28A.635.010 Abusing or insulting teachers, liability for- Penalty  
28A.635.020 Willfully disobeying school administrative  
personnel or refusing to leave public property,  
violations, when—Penalty  
28A.635.030 Disturbing school, school activities, or meetings  
28A.635.090 Interfering by force or violence-Penalty  
28A.635.100 Intimidating any administrator, teacher, classified  
Employee, or student by threat of force or violence  
unlawful – Penalty  
20 U.S.C. 7908 No Child Left Behind Act, Military Recruiter  
Provision

Classification: Discretionary

Adoption Date: November 18, 1992

Revised Date: February 13, 2019

## **COMMUNITY RELATIONS**

### **Safe and Orderly Learning Environment Procedure**

#### **Disruption at School**

The following procedures are basic security measures to prevent/reduce disruptive activities in the school:

- A. During school operations, all visitors are required to check into the office upon entering a school building or desiring to use school grounds to obtain a visitor's badge;
- B. A visitor's badge will be worn conspicuously at all times;
- C. Staff members are responsible for monitoring hallways and playgrounds. Unfamiliar persons are to be directed to the office;
- D. Guidelines pertaining to the rights of noncustodial parents should be readily accessible to direct staff about what to do if a noncustodial parent shows up demanding to:
  - 1. Meet with the teacher of his/her child;
  - 2. Visit with his/her child;
  - 3. Remove his/her child from the school premises.

Adoption Date: February 13, 2019



## **COMMUNITY RELATIONS**

### **Regulation of Firearms and Dangerous Weapons on School Premises or District Owned Facilities**

It is a violation of District policy and state law for any person to carry a firearm or dangerous weapon onto or possess a firearm or dangerous weapons on school premises, school-provided transportation or areas of other facilities being used exclusively for school activities unless specifically authorized by state law. 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 a criminal offense.

The Superintendent or designee is directed to see that all schools facilities post “Gun-Free Zone” signs, and that all violations of this policy and RCW 9.41.280 are reported annually to the Office of the Superintendent of Public Instruction (OSPI).

### **Dangerous Weapons**

The term “dangerous weapons” under state law RCW 9.41.280 and RCW 9.41.250 includes:

- Any firearm;
- Any device commonly known as “nun-chu-ka 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 which 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:
  - o Any dirk or dagger;
  - o Any knife with a blade longer than three inches;
  - o Any knife with a blade which is automatically released by a spring mechanism or other mechanical device;
  - o 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
  - o Any razor with an unguarded blade;
- Any pistol or revolver;
- 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 which 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 which 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**

An appropriate school authority will promptly notify the student's parents or guardians and the appropriate law enforcement agency of any allegation of known or suspected violations of this policy.

Students who are determined to have possessed or used a dangerous weapon in violation of this policy and/or Board Policy 3241 will be subject to discipline, up to and including long-term suspension or expulsion. Any student who is determined to have carried or possessed a firearm in violation of this policy will be expelled from school for not less than one year pursuant to RCW 28A.600.420. The Superintendent may modify the expulsion of a student on a case-by-case basis. 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 an instrument that appears to be a firearm on school premises, school-provided transportation or areas of other facilities being used exclusively for school activities.

### **Exceptions to State Law and this Policy**

The prohibition against carrying a firearm onto, or possessing a firearm on school property does not apply to:

- A. Persons engaged in military, law enforcement, or School District security activities;
- B. Persons involved in a convention, showing, demonstration, lecture or firearm safety course authorized by school authorities in which the firearms of collectors or instructors are handled or displayed;
- C. Students while involved in a convention, showing demonstration, lecture, or firearm safety course authorized by school authorities in which the rifles of collectors or instructors are handled or displayed, but not other firearms;
- D. Students participating in a rifle competition authorized by school authorities;

- E. Persons participating in firearm or air gun competitions authorized by the school or School District;
- F. Any person in possession of a pistol who has been issued a license under RCW 9.41.070, or is exempt from the licensing requirement by RCW 9.41.060, while picking up or dropping off a student;
- G. Any nonstudent who is at least eighteen years of age legally in possession of a firearm or dangerous weapon that is secured within an attended vehicle or concealed from view within a locked unattended vehicle while conducting legitimate business at the school;
- H. Any nonstudent who is at least eighteen years of age who is in lawful possession of an unloaded firearm, secured in a vehicle while conducting legitimate business at the school; and
- I. Any federal, state or local law enforcement officer

### **Personal Protection Spray**

Persons over 18 years of age and persons between 14 and 18 years of age with prior written parental or guardian permission, and with approval of the principal or designee, may possess personal protection spray devices on school property. No one under 18 years of age may deliver such devices, nor may anyone 18 years or older deliver a spray device to anyone under 14, or to anyone between 14 and 18 who does not have written 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 on District property under any other circumstances is a violation of District policy. Any student who violates this Policy and/or Board Policy 3241 will be subject to discipline, up to and including long term suspension or expulsion.

Cross References:	Policy No. 3241	Student Discipline
	Policy No. 4260	Use of School Facilities
Legal References:	RCW 9.41.010	Terms defined
	RCW 9.41.250	Dangerous weapons -Penalty
	RCW 9.41.280	Dangerous Weapons on facilities – Penalty - Exceptions
	RCW 9A.16.020	Use of Force—When Lawful
	RCW 9.91.160	Personal Protection Spray Devices
	RCW 9.94A.825	Deadly weapon special verdict - definition
	RCW 28A.320.130	Weapons Incidents – Reporting
	RCW 28A.600.010	Enforcement of rules of conduct – Due process guarantees – Computation of days for short-term and long-term suspensions – Emergency expulsions- Discretionary discipline

RCW 28A.600.420      Firearms on School Premises, Transportation, or  
Facilities—Penalty—Exemptions

Classification:      Essential

Adoption Date:      October 25, 1995

Revision Dates:      January 14, 2009  
April 8, 2009  
August 22, 2018

## Community Relations

### 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 and officers of the school district and all members of the community must refrain from the use of tobacco and vapor products on school property at all times. Tobacco and vapor products include, but are not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, electronic smoking/vapor devices, non-prescribed inhalers, nicotine delivery 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.

All use of tobacco and vapor products by staff, students, parents/guardians, visitors and community members is prohibited on district property and within five hundred feet of schools. District property includes all district buildings, on school grounds, in personal vehicles on school grounds, and in district-owned vehicles. Possession by or distribution of tobacco or vapor 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, parents/guardians and community members of this policy will be posted in appropriate locations in all school buildings and at other district facilities as determined by the Superintendent or designee and will be included in the employee and student handbooks. Employees and students are subject to discipline for violations of this policy, and district employees are responsible for the enforcement of the policy.

#### Cross References:

Policy No. 3200	Rights and Responsibilities of Students
Policy No. 3241	Student Discipline
Policy No. 3416	Medication at School
Policy No. 5201	Drug-Free Schools, Community and Workplace
Policy No. 5281	Disciplinary Action and Discharge
Policy No. 5280	Separation from Employment

Legal Reference:	RCW 28A.210.260	Public and private schools – Administration of medication – Conditions.
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RCW 28A.210.270      Public and private schools – Administration of  
                                 medication – Immunity from liability –  
                                 Discontinuance, procedure.  
RCW 28A.210.310      Prohibition on use of tobacco products on  
                                 school property  
RCW 70.345.150        Use of products in public places – When prohibited  
Chapter 70.155, RCW Tobacco- Access to Minors  
Chapter 70.160 RCW   Smoking in Public Places

Classification:        Essential

Adoption Date:        February 22, 1995

Revised Date:         January 13, 1999

Revised Date:         August 26, 2020

## COMMUNITY RELATIONS

### Visits to Schools and District Facilities

The Snohomish School District Board of Directors is responsible for the organization, management, and orderly conduct of the total educational process. The board recognizes the rights of non-students to be aware of the district's goals, purposes and educational programs through observation of the operations and/or management of schools. The board welcomes visits to schools or district facilities by parents/guardians, community members and students. Visitors are required to make arrangements with the principal or designee to assure uninterrupted disruptions during the school day.

Procedures are to be followed concerning the authorization of non-students to exercise visitation rights.

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; or
- B. Is disrupting or obstructing any school program, activity, or meeting; or
- C. Threatens to imminently disrupt any school program, activity or meeting; 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.

Legal References:	RCW 28A.605.020	Parents' access to classroom or school sponsored activities—Limitation
	RCW 28A.635.020	Willfully disobeying school administrative personnel or refusing to leave public property, violations, when—Penalty
	RCW 28A.635.030	Disturbing school, school activities, or meetings—Penalty
	RCW 28A.635.090	Interfering by force or violence—Penalty

RCW 28A.635.100

Intimidating any administrator, teacher,  
classified employee, or student by threat of  
force or violence unlawful—Penalty  
No Child Left Behind Act, Military Recruiter  
Provision

20 U.S.C. § 7908

Adoption Date: November 18, 1992  
Revised: March 22, 2017



## **COMMUNITY RELATIONS**

### **Visits to Schools and District Facilities**

#### **A. Non-Student Visitation**

1. Non-students shall request permission to visit any aspect of an educational program or operation from the administrator with immediate management authority.
2. The non-student shall state the specific educational process they desire to visit and the reason for their visitation.
3. The administrator shall grant permission for non-student visitation except in instances that would violate the rights of others to privacy, endanger the health and safety of students or employees, create a disruption to the operation and/or management of the program, or violate a properly served court order.
4. The principal may withhold approval if, in his/her perception, the on-site visit interferes with the educational process. Similarly, if a visitors' presence becomes disruptive, the principal may withdraw approval. In either case, the principal shall give reasons for the action.
5. The principal or designee can determine that a visitor should be ordered to leave the facility immediately. The principal or designee can determine if his/her future access will be restricted, and shall attempt to communicate that information to the visitor in person or by telephone. Additionally, the principal or designee may issue a trespass notice in written form. A copy of the notice should be provided to the Superintendent or designee within 24 hours of its issuance.
6. In the event that a non-student is denied the right to visit the operation and/or management of a school program, they may request a hearing within five business days with the district Superintendent for the purpose of resolving the grievance. The Superintendent will schedule a hearing within five business days. The Superintendent or his/her designee will examine all relative information and render a decision at the close of the hearings.
7. If the grievance is not resolved at step 6, the individual requesting visitation rights may petition the board of directors. The board will examine all relevant information and render a decision at the next regular board meeting following the request.
8. All visitors must register at the office upon their arrival at school. A visitor's badge will be worn conspicuously.

9. Non-students are not allowed to be on the grounds to utilize fields, tracks and other facilities without permission of the school administrator during school hours.
10. No one shall solicit funds or conduct private business on school grounds, during school hours, including one-half hour before staff time and one-half hour after staff time, unless approved by the principal or his/her designee.

Revised: November 18, 1992  
Revised: April 22, 1998  
Revised: March 22, 2017

## Community Relations

### Notification of Threats of Violence or Harm

Students and school employees who are subjects of threats of violence or harm will be notified of the threats in a timely manner. Parents will be included in notifications to students who are subjects of threats of violence or harm. If there is a specific and significant threat to the health or safety of a student or other individuals, the district may disclose information from education records to appropriate parties whose knowledge of the information is necessary. Timing and details of the notice will be consistent with the federal Family Educational Rights and Privacy Act (FERPA) and, other applicable laws.

"Threats of violence or harm" means direct or indirect communications by any means of the intent to inflict physical harm upon a specific individual or individuals or that place a person in fear of the imminent likelihood of serious harm.

The district will assess and address potential threats of violence or harm in a manner consistent with the district's threat assessment policy, other safety policies and comprehensive safe school plans.

If the district determines a person poses a threat of violence or harm to district property, students, employees, volunteers, community members or visitors the district may administer relevant district discipline policies and procedures and may refer to appropriate community agencies including law enforcement and mental health services. District staff will work with in-district and community-based professionals and services in all relevant areas of expertise to address threats of violence or harm, those threatened and those making the threats. Necessary information about the person making the threat will be communicated by the principal to teachers and staff, including security personnel.

State law provides the district administrators and district staff with immunity from liability for providing notice of threats in good faith. Persons who make a knowingly false notification of a threat are subject to appropriate district discipline and may be referred for prosecution.

The Superintendent or designee is directed to develop and implement procedures consistent with this policy.

Cross References:	Policy No. 2161	Special Education and Related Services for Eligible Students
	Policy No. 2162	Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973
	Policy No. 3143	District Notification of Juvenile Offenders
	Policy No. 3207	Prohibition of Harassment, Intimidation and Bullying
	Policy No. 3241	Student Discipline
	Policy No. 3225	Threat Assessment
	Policy No. 5281	Disciplinary Action or Discharge
	Policy No. 6513	Workplace Violence Prevention

Legal References: RCW 28A.320.128 Notice and disclosure policies-Threats of violence-  
 student conduct-Immunity for good faith notice-Penalty  
 WAC 392-400 Pupils  
 20 U.S.C. § 1232g Family Educational Rights and Privacy Act  
 34 C.F.R. Part 99 FERPA Regulations  
 34 C.F.R. § 99.36 Disclosure of Information for Health/Safety Reasons

Classification: Essential

Adoption Date: February 8, 2012

Revision Date: June 25, 2014  
 August 22, 2018  
 August 26, 2020

## **Community Relations**

### **Notification of Threats of Violence or Harm**

Staff, students, volunteers, and others involved in school activities have the responsibility to report to school officials any threats of violence or harm. Based on the significance and credibility of the threat, it may also be reported to law enforcement. As appropriate, the principal may involve a multi-disciplinary team of professionals in evaluating the threat and the needs of the person making the threat. Consultation with or referrals to community-based professionals and services will be directed where deemed appropriate by the principal after consultation with district administration.

Under the Family Educational Rights and Privacy Act (FERPA), the district may release student records only with permission from the parent or the adult student (a student who is over the age of 18) unless it is a health or safety emergency. For that reason, the district will identify students who have made threats of violence or harm when notifying the subjects of the threats, under the following conditions:

- A. The parent or adult student has given permission to disclose the student's identity or other information to the subject of the student's threat;
- B. The identity of the student and the details of the threat are being disclosed to relevant district staff who have been determined to have legitimate educational interest in the information;
- C. The identity of the student or the details of the threat are being released because the release of the information is necessary to protect the health or safety of the student or other individuals. In making this determination, school officials will use their best judgment, and may take into account the "totality of the circumstances" pertaining to the safety or health of a student or other individuals; or
- D. The district is responding to a court order or subpoena. The district must make a reasonable effort to notify the parents of the student or adult student of the subpoena in advance of complying, so that the family can seek protective action, unless the court order or subpoena expressly forbids such notification.

Relevant information about the threat will be provided to the subject of the threat. The subject will be advised that, if law enforcement has been involved in the matter, the law enforcement agency may have more information that can be shared with the subject.

To promote the safety of all concerned, the principal will consider determine the extent of information to be shared., Subject to the confidentiality provisions cited above, principals will determine if classroom teachers, school staff, school security, and others working with the student(s) involved in the threat circumstance, should be notified. Principals must provide information received about the student's conviction, adjudication, or diversion agreement to

every teacher of the student for the offenses listed in Policy 3143 - District Notification of Juvenile Offenders.

When considering the appropriate response to a student's threat of violence or harm, the student's individual circumstances will be taken into account. Emergency expulsion may be considered, if the district has 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.

Discipline of students for making threats of violence or harm will be consistent with district policy and procedure regarding student discipline (see Policy 3241 and Procedure 3241P - Student Discipline) and state laws and regulations. Discipline of students eligible for special education services or with disabilities will be consistent with district policy and procedures (see Policy 2161 – Special Education and Related Services for Eligible Student and Policy 2162 Education of Students with Disabilities under Section 504 of the Rehabilitation Act of 1973) and the associated legal requirements.

Discipline of district staff for making threats of violence or harm will be consistent with district policy and procedure regarding staff discipline (see Policy 5281 – Disciplinary Action and Discharge), and any relevant collective bargaining requirements.

Adoption Date: February 8, 2012

Revision Date: June 25, 2014

August 22, 2018

August 26, 2020

## PERSONNEL

### **Maintaining Professional Staff and Student Boundaries**

The purpose of this policy is to provide all staff, students, volunteers and community members with information to increase their awareness of their roles in protecting children from inappropriate conduct by adults. This policy applies to all district staff and volunteers.

The board expects all staff members to maintain the highest professional, moral and ethical standards in their interaction with students. District Staff members are required to maintain an atmosphere conducive to learning, through consistently and fairly applied discipline and established and maintained professional boundaries. Staff members are expected to set examples for students by appropriate conduct and behavior.

The interactions and relationships between staff members, agency personnel and students should be based upon mutual respect and trust, an understanding of the appropriate boundaries between adults and students inside and outside of the educational setting, and consistency with the educational mission of the District.

Staff members and agency personnel will not intrude on a student's physical and emotional boundaries. Additionally, staff members and agency personnel are expected to be sensitive to the appearance of impropriety in their own conduct and the conduct of other staff when interacting with students. Staff members and agency personnel will notify and discuss issues with their building administrator or supervisor whenever they suspect or are unsure whether conduct is inappropriate or constitutes a violation of this policy. All staff members are expected to continue to meet their obligations to report to law enforcement or Child Protective Service in a timely manner when they have reasonable cause to believe that a child has been subject to abuse or neglect.

The board recognizes that staff may have familial and pre-existing social relationships with parents or guardians and students. Staff members are expected to use appropriate professional judgment when they have a dual relationship to students in order to avoid violating this policy, or create the appearance of impropriety or favoritism. Staff members shall pro-actively 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, District employees are prohibited from inappropriately communicating with students on-line or from engaging in any conduct on social networking web sites that violates the law, District policies or other generally recognized professional standards. Employees whose conduct violates this policy may face discipline up to and including termination, consistent with the District's policies, acceptable use agreement and collective bargaining agreements, as applicable.

The Superintendent or designee will develop staff protocols for reporting and investigating allegations and develop procedures and training to accompany this policy.

Cross References:           3205 – Sexual Harassment of Students Prohibited  
                                      3207 – Prohibition of Harassment, Intimidation and Bullying  
                                      3210 – Nondiscrimination

Legal References:           Title IX of the Education Amendments of 1972  
                                      Chapter 9A.44, RCW – Sex offenses  
                                      Chapter 9A.88, RCW – Indecent exposure - Prostitution  
                                      RCW 28A.400.320 – Crimes against children – Mandatory  
  termination of classified employees – Appeal – Recovery  
  of salary or compensation by district  
                                      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, Sexual Equality  
                                      Chapter 28A.642, RCW Discrimination Prohibition  
                                      Chapter 49.60, RCW – Washington State Law Against  
  Discrimination  
                                      Chapter 181-88 WAC Definitions of sexual misconduct, verbal and  
  physical abuse – Mandatory disclosure – Prohibited agreements

Adoption Date: August 26, 2015  
Revised Date:   September 27, 2017  
Classification:   Priority



## **PERSONNEL**

### **Maintaining Professional Staff and Student Boundaries**

The purpose of this procedure is to provide all staff, agency personnel, contractors, students, volunteers and community members with information to increase their awareness of their role in protecting children from inappropriate conduct by adults. In a professional staff/student relationship, school employees maintain boundaries that are consistent with the legal and ethical duty of care that school personnel have for students.

A boundary invasion is an act, omission, or pattern of behavior by a school employee that violates professional staff/student boundaries, does not have an educational purpose, and has the potential to abuse the staff/student relationship.

### **Unacceptable Conduct**

Examples of inappropriate boundary invasions by staff members include but are not limited to the following:

- A. Any type of inappropriate physical contact or communication with a student or any other conduct that might be considered harassment under the board's policies on Non-Discrimination, Sexual Harassment of Students, Prohibition of Harassment, Intimidation and Bullying, Title IX of the Education Amendments of 1972, or the Washington State Law Against Discrimination (Chapter 49.60 RCW), or that constitutes misconduct under RCW 28A.640 and .642 or WAC 181-88-060; or any conduct between staff and students that would constitute a violation of Chapter 9A.44 or 9A.88 RCW;
- B. Showing pornography to a student;
- C. Singling out a particular student or students for personal attention and friendship beyond the professional staff-student relationship;
- D. Socializing where students are consuming alcohol, drugs or tobacco;
- E. Providing alcohol, drugs or tobacco to students;
- F. For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to maintain a direct connection between staff involvement and the student's school performance;
- G. Sending or taking students on personal errands;

- H. Banter, jokes or innuendos of a sexual nature with students;
- I. Disclosing personal, sexual, family, employment concerns or other private matters to one or more students;
- J. Addressing students or permitting students to address staff members with personalized terms of endearment, pet names, or otherwise in an overly familiar matter;
- K. Maintaining personal contact with a student outside of school by phone, e-mail, social media, communication applications, chat rooms, or letters (beyond homework or other legitimate school business);
- L. Exchanging personal gifts, photographs, cards or letters with a student that are not directly related to school activities;
- M. Socializing or spending time with a student in person or virtually (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;
- N. Giving a student a ride alone in a vehicle in a non-emergency situation;
- O. Unnecessarily invading a student's privacy;
- P. Soliciting phone, email, text messages or other forms of written or electronic communication to/from students; and
- Q. Any other conduct that fails to maintain professional staff/student boundaries.

### **Appearances of Impropriety**

The following activities can create an impropriety or the appearance of impropriety. Whenever possible, staff should avoid these situations. If unavoidable, these activities should be pre-approved by the appropriate administrator. If not pre-approved, the staff member must report such occurrences to the appropriate administrator as soon as possible.

- A. Being alone with an individual student out of the view of others;
- B. Inviting or allowing individual students to visit the staff member's home;
- C. Visiting a student's home;
- D. Sending e-mails, text messages or other electronic communications to the student, even when the communication relates to school business, except where the parent or

guardian has consented to such communications and receives a copy of the communication. Staff should use school e-mail address and phone numbers and the parents' phone numbers for communications with students, except in an emergency situation;

- E. Social networking with students for non-educational purposes, in person or virtually; and
- F. Staff shall not initiate or respond by way of an individual text message(s) with a student without including a parent, administrator, colleague, or teammate.

### **Reporting Violations**

Students and their parents/guardians are strongly encouraged to notify the principal or supervisor if they believe a staff member, agency personnel, contractor, or volunteer may be engaging in conduct that violates this policy or procedure.

Staff members are required to promptly notify the principal or supervisor of the staff member, agency personnel, contractor, or volunteer suspected of engaging in inappropriate conduct that violates this policy or procedure.

The administrator to whom a boundary invasion concern is reported must promptly notify the Executive Director of Human Services, and Human Services will maintain a file documenting reports of this nature which are made.

### **Reporting Sexual Abuse**

All school personnel who have reasonable cause to believe that a student has experienced sexual abuse by a staff member, volunteer, agency personnel, or contractor working in the District are required to make a report to Child Protective Services or law enforcement pursuant to Policy 3421 – Child Abuse, Neglect and Exploitation Prevention, and RCW 26.44. Reporting suspected abuse to the building principal or supervisor does not relieve school personnel from their reporting responsibilities and timelines.

### **Disciplinary Action**

Staff violations of this policy may result in disciplinary action up to and including dismissal. The violation will also be reported to the state Office of Professional Practices. Violations involving sexual or other abuse will also result in referral to Child Protective Services and/or law enforcement in accordance with the Board's policy on Reporting Child Abuse and Neglect.

### **Training**

All new employees will receive training on appropriate staff/student boundaries within 90 days of employment or service. Continuing employees will receive training every three years.

### **Dissemination of Policy and Reporting Protocols**

Policy 5253 and Procedure 5253P will be included on the District website and in all employee, student and volunteer handbooks. Annually, all administrators and staff will review the district's reporting protocol.

Adoption Date: August 26, 2015  
Revised Date: September 27, 2017

## **Management Support**

### **Student Safety - Walking, Biking and Riding Buses**

The District will have a school trip safety plan that addresses bus safety, walking and biking routes, vehicle access to the school, circulation and parking at the school, pedestrian circulation on and around the school campus and safety education and enforcement.

#### **A. Bus Safety**

The Superintendent will develop written rules establishing the procedures for bus safety and emergency exit drills and for student conduct while riding on buses.

The bus driver is responsible for the safety of his/her passengers, particularly for those who cross a roadway after leaving the bus. No bus driver will order or allow a student to disembark at other than his/her customary boarding or alighting place, unless so authorized by the Superintendent or designee. In order to assure the safety of all, the bus driver may hold students accountable for their conduct during the course of transportation and may recommend corrective action against a student. Bus drivers are expressly prohibited from using corporal punishment. Bus drivers are expressly prohibited from allowing anyone to Board the bus who is not a student, or a person authorized to ride the bus by the Superintendent or his /her designee(s).

When a teacher, coach or other staff member is assigned to accompany students on a bus, such person will be primarily responsible for the behavior of the students in his/her charge. The bus driver will have final authority and responsibility for the behavior of students on the bus and will report/refer incidents to the principal of the school where students attend. When the District utilizes charter buses or excursion carriers, the driver will not have unsupervised access to children and the children will be supervised by a responsible employee of the District. Every contract between the School District and charter bus or excursion carrier will contain a carrier profile from the Washington utilities and Transportation Commission.

#### **B. Emergencies**

In the event of an accident or other emergency, the bus driver will follow the emergency procedures developed by the Superintendent. A copy of the emergency procedures will be located in each bus. To ensure the success of such emergency procedures, each bus driver will conduct an emergency evacuation drill within the first six weeks of each school semester. The District will conduct such other drills and procedures as may be necessary.

#### **C. Student Conduct on Buses**

The Superintendent or designee will establish written rules of conduct for students riding school buses. Such rules will include as a minimum the requirements of WAC 392-145-016

and will be reviewed annually by the Superintendent and revised if necessary. If the rules are substantially revised, they will be submitted to the Board for approval.

A copy of the rules of conduct for students riding buses will be provided to students at the beginning of the year. The classroom teacher and/or bus driver will review the rules with the students at or near the beginning of each school year. A copy of the rules will be posted in each bus and will be available upon request at the District office.

Cross References:      Policy No. 3241      Student Discipline

Legal References: RCW 28A.600.010	Enforcement of rules of conduct—Due process guarantee—Computation of days for short-term and long-term suspensions
RCW 46.61.385	School patrol – Appointment – Authority-Finance – Insurance
WAC 392-144	School Bus Driver Qualifications
WAC 180- 392-400	School District rules defining misconduct—Distribution of rules
WAC 392-145-021	General operating regulations
WAC 392-145-016	Rules for students riding school buses
WAC 392-144	School Bus Driver Qualifications

Classification:      Priority

Adoption Date:      September 22, 1993

Revised Date:      August 22, 2018

## **NONINSTRUCTIONAL OPERATIONS**

### **Student Safety – Walking, Biking, and Riding Buses**

#### **Student Conduct on Buses**

##### **Overview**

If the transportation system of the Snohomish School District is to function safely and effectively, parents and students must assume an obligation to the program and to the people responsible for its operation; primarily to the drivers of the buses. This obligation involves an understanding of the basic rules for school bus riders and a cooperative endeavor to see that these rules are followed. The Snohomish School District views the bus as an extension of the classroom. Therefore, the expectations we have for classroom and school behavior are applicable to bus behavior.

All students in the Snohomish School District who ride a school bus to and from school and on special activity trips are subject to rules and regulations as published by the State Superintendent of Public Instruction, the chief of the Washington State Patrol, the Director of Highways, and the Snohomish School District Board of Directors. These rules pertain to regular bus drivers, substitute drivers and all passengers while on the bus. Riding a Snohomish School District bus is a privilege extended to all students of the district commensurate with the following specific guidelines and rules. This privilege may be withdrawn for violation of these rules.

##### **Guidelines**

Any misconduct by a student, which in the opinion of the bus driver or bus supervisor, is detrimental to the safe operation of the bus will be sufficient cause for the principal to suspend the transportation privilege.

##### **Rules of conduct for students riding buses:**

1. Students will obey the driver and any aide assigned to the bus by the District. The driver is in full charge of the bus and passengers and will be obeyed. If an aide is assigned to the bus by the District, he/she will be primarily responsible for the safe student conduct on the bus. When transporting classes or teams, the teacher or coach will be primarily responsible for the behavior of the students. Students will obey both the driver and the aide, teacher, coach or other staff member.
2. Board bus when the driver indicates that it is safe for you to do so. Always cross in front of the bus. Students will never cross the roadway behind a bus.
3. Students will ride only their regularly assigned bus and leave the bus at their regular stop unless with a bus pass or authorized by the school District. To ride another bus or get off at a different stop requires parent/guardian permission and authorization of the school.

4. Students will get on/off the bus in an orderly manner and will obey the instruction of the driver or school safety patrol on duty. There will be no pushing and shoving when boarding or leaving the bus. Once off the bus, students will adhere to rules for pedestrians.
5. Students will stand away from the roadway curb when any bus is approaching or leaving a stop.
6. Students going to and from their bus stops where there are no sidewalks will walk on the left-hand side of the roadway facing oncoming traffic. Students will go directly to their home after leaving the bus.
7. Students will not extend any part of their body out of bus windows at any time.
8. Students will not open bus window without the driver's permission.
9. Aisle ways must be clear including books, personal belongings and body parts
10. Students will not carry or have in their possession items that can cause injury to passengers on the bus. Such items include, but are not limited to, sticks, breakable containers, weapons or firearm, straps or pins protruding from clothing, large, bulky items which cannot be held or placed between legs, etc.
11. Students will not have animals on buses, except for an approved animal providing assistance to a disabled student.
12. Students assigned seats will use only that seat unless permission to change is authorized by the driver.
13. Students will go directly to a seat once inside the bus and remain seated at all times unless the driver instructs otherwise.
14. . Students will observe rules of the classroom conduct while riding on buses. Noise will be kept down to avoid distracting the driver. Students will refrain from the use of obscene language or gestures.
15. Students will refrain from talking to the driver unless necessary.
16. . Students will remain quietly seated, not exhibit disruptive behavior and turn off all noise-making device at highway rail grade crossings.
17. Students will not smoke, vape, or ignite lighters or matches on buses.
18. Students will not eat on buses, except when specifically authorized and supervised by an accompanying teacher, coach or other staff member. Buses will be kept clean.
19. Students will not sit in the driver's seat or to the immediate right or left of the driver.
20. Students will use seat belts on buses when available.
21. Students will follow emergency exit drill procedures as prescribed by the driver.
22. Students will not tamper with emergency doors or equipment.
23. Parents of students identified as causing damage to buses will be charged with the cost of the incurred damage. Students causing the damage may be suspended from transportation.
24. Student misconduct will constitute sufficient reason for suspending transportation privileges.
25. Students will be at the bus stop five (5) minutes before scheduled arrival time and be accountable for their action. Students will follow proper load and unload procedures.
26. When the driver asks, "may I have your attention please", all eyes on the driver and remain silent.



- 27. Seat to seat, back to back.
- 28. Leave valuables at home.
- 29. Respect yourself others and property.

### **Disciplinary Procedures:**

Principals are responsible for correcting students whose abusive behavior results in a bus-incident report or violates the rules above. The principals will receive written reports from the bus drivers or transportation supervisor.

The principal will insure that students comply with the specified regulations. Principals will maintain open lines of communication among school officials, bus drivers and the transportation department.

When waiting for a bus, or going to and from a bus stop, students are responsible for conducting themselves according to the social and legal mores that apply to adults in public. That is, they must not abuse or cause damage to private or public property; they must not use obscene language or gestures; they must not engage in criminal activity. Failure to adhere to these standards may result in formal complaints by citizens which may be forwarded to principals for possible corrective action.

Abusive behavior on part of a student riding a bus may result in a written report when, in the opinion of the driver or bus supervisor, there has been an infraction of the rules applicable to student conduct. The written report is the primary means by which a driver or bus supervisor communicates a student's conduct to the school and transportation department. This report, in most cases, reflects an infraction of rules which is repeated by the student after his/her having received previous oral warnings from the driver or bus supervisor. In order for drivers and bus supervisors to effectively maintain control on their buses, it is expected that action be exercised by principals when receiving such a report.

When a student's conduct constitutes an infraction of the rules, the driver or bus supervisor will complete a written report on the student describing the incident or damage that occurred. The driver or bus supervisor will provide the student with a copy of the report, and the original report to the principal and submit a copy to the transportation supervisor. The copy of the report concerning special education students will be given to the principal for disposition.

The principal upon receiving the report will investigate the circumstances surrounding the incident and take action according to the procedures set forth in the District's policy pertaining to discipline and corrective action (Policy 3241). When investigating the incident, the primary concern must be with respect to the safe transport of students. Corrective action, if necessary will typically be as follows:

- A. **Warning:** When a student's misconduct is of a minor nature which does not jeopardize the safety or welfare of other students or the operation of the bus.

- B. **Suspension from transportation:** When a student's misconduct is deemed to jeopardize the safety of bus passengers and operation, or when repeated warning notices fail to correct behavior, or when a student incurs damage to the bus.
- C. **Expulsion from transportation and/or school:** When a student's misconduct is of such nature that the safety of the bus operation and/or the occupants was willfully and seriously threatened (i.e., e.g. student assaulting the driver).

The action taken by the principal will be annotated on the report and forwarded to the student's parent for signature. The transportation department will be notified.

Bus drivers have the authority to issue bus warnings or citations for minor infractions. The driver or transportation office will call the student's parents and sent home the citation to parents for signature.

Drivers will be advised to file assault and battery charges against students who physically assault them.

The student or parent of a student who has been suspended from receiving transportation may appeal the principal's decision by submitting a written statement to the Superintendent. The Superintendent will render a decision after evaluating the issues and facts involved.

## **Emergencies**

Accidents. In the event of an accident it is essential that certain steps be taken immediately, especially if anyone has been injured. Assuming that he/she is in physical condition to discharge these duties, the driver should:

1. Calm the students, if any, and ask an adult or older student to take charge of them. Keep them in the bus if it has not been badly damaged, is in an upright position, and is not in further danger;
2. Determine if anyone has been injured; if so, administer first aid;
3. Contact emergency services immediately regarding the accident;
4. Put reflectors in front of and in back of the bus as soon as possible;
5. Notify the transportation office as soon as possible, and the transportation office will notify District officials;
6. No matter how minor the accident, obtain the data necessary for making an accident report. Obtain the names and addresses of witnesses, if any;
7. The transportation office will dispatch another bus to transport the students to their destination if necessary;
8. Do not talk to anyone regarding the accident, except to a law enforcement officer and then not in the presence of others;
9. Do not drive the bus from the scene of the accident until authorized by a law enforcement officer or authorized by the transportation supervisor;

10. Go to the transportation department as soon as possible for a urinalysis and breath alcohol test following the accident and fill out the accident report; and
11. The District will contact the parent(s) of all students on the bus.

Emergency Exit Drill Procedures. These practice drills are to be held on school property only. An Emergency Exit Drill will be performed annually. Procedure for the drills is as follows:

1. Shut off motor, set hand brake, have bus in gear and pull keys.
2. The driver will point out the location and explain the operation of emergency equipment as follows:
  - a. Instruct students on opening, closing, and exiting from emergency exit doors and windows. The driver shall personally supervise the exiting of students through the exit door with the assistance of older students or staff standing on each side of the door to assist students exiting the bus. Persons assisting in the drill shall offer a helping hand palm up and shall avoid grasping a student's hand or arm.
  - b. Show students where the extinguishers are located and instruct students on how to remove and operate the fire extinguishers. Fire extinguishers are not to be actually used during the emergency drill.
  - c. Show students where first aid kits are located.
  - d. Show students the location of emergency warning devices and advise them of the proper use of these devices.

During emergency exit drills, students will exit only through the rear exit doors. In an actual emergency they should be instructed to use any and all exit doors that are not blocked.

Only those students whose participation in an exit drill poses a substantial difficulty to themselves or to other passengers will be excused and/or excluded from exit drill participation. Students who are excluded from participation will be given oral instruction in bus safety and exit drills at least three times during the school year.

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