

Lincoln Academy Middle School
Student Handbook 2023-2024



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LINCOLN ACADEMY MIDDLE SCHOOL STAFF

Ryan Pike	Principal
Christy Thompson	Guidance Counselor
Kjersti Sundberg	Office Manager/Registrar
Rhonda Midthun	Secretary/Attendance
Brett Baugh	Math Teacher
Kionte Brown	Special Education Teacher
Nate Christensen	Language Arts Teacher
Nick Clack	Physical Education, Health & Elective Teacher
David Choe	History Teacher
Alena Eldridge	Science Teacher
Cindy Ray	Special Education Teacher

LINCOLN ACADEMY HEALTH ROOM SUPPORT STAFF

Heather Schutz	Nurse/Church Creek Campus & Stanwood High School Campus
Lindsay Smith	Nurse/Stanwood High School Campus

STANWOOD HIGH SCHOOL ADMINISTRATIVE STAFF

Michael Washington	Principal
Tom Wilfong	Assistant Principal
Corrie Gudgeon	Assistant Principal
Ross Short	Career & Technical Education Director
Lauren Amundson	Athletic Director, Activities Director

TO CONTACT A STAFF MEMBER

E-Mail: All staff have e-mail and can be reached by addressing email with the first letter of their first name followed by their full last name and the ending as follows: Jon Doe would be jdoe@stanwood.wednet.edu. A full staff directory is available on our [website](#)

Bell Schedules

Period	Regular Schedule (M, T, TH)	Wednesday	Period	Friday (Advisory/Assembly)
1	7:40 - 8:35	9:00 - 9:42	1	7:40 - 8:29
2	8:40 - 9:35	9:47 - 10:29	2	8:34 - 9:23
3	9:40 - 10:35	10:34 - 11:16	Advisory / Assembly	9:28 - 10:00
Lunch	10:40 - 11:10	11:19 - 11:49	3	10:05 - 10:54
4	11:15 - 12:10	11:54 - 12:36	Lunch	10:58 - 11:28
5	12:15 - 1:10	12:41 - 1:23	4	11:33 - 12:22
6	1:15 - 2:10	1:28 - 2:10	5	12:27 - 1:16
			6	1:21 - 2:10

Buses arrive around 7:35 a.m. and start leaving at 2:15 p.m.

On Wednesday mornings buses arrive around 8:55 a.m. and start leaving at 2:15 p.m.

All visitors should report to the Lincoln Hill High School/Lincoln Academy Office to check-in.

MISSION STATEMENT

Lincoln Academy provides a smaller, more personalized learning environment providing students with opportunities for success.

OVERVIEW

The Stanwood-Camano School District offers an invitational learning environment at Lincoln Academy. The purpose of the Lincoln Academy is to help each individual student reach their full potential intellectually, emotionally, socially, academically, and vocationally. Lincoln Academy reaches out to students who may struggle or are dissatisfied with a more traditional educational approach.

Students that are interested in enrolling in Lincoln Academy must be eligible to attend schools in the Stanwood-Camano School District. In addition, candidates should follow the enrollment process, consult with their middle school counselor, and meet with the Lincoln Academy Principal. The parent/guardian is encouraged to get involved during the enrollment process and to remain involved by supporting their student's academic efforts.

PROGRAM SUMMARY

The school's main objective is to assist students to make the most out of their education. Lincoln Academy offers a supportive environment for academic progress. **We are a community of learners reflecting a broad range of academic levels, lifestyle choices, and personality types. We are concerned not only with academics but the development of the whole student. There is flexibility in time management and materials used, but the quality of learning and stress on academic success is not compromised.** There is a multidisciplinary approach to much of the curriculum. Continual assessment of the individual student's academic and social progress is emphasized.

LUNCHES: Lunch is available each day. Free and reduced lunch applications are available in the office and also online. Once a student arrives on campus, **students may not leave campus** until the end of the school day. Students are expected to remain on campus during lunch.

ASB CARD: Students wishing to do so may purchase ASB cards from their home middle school.

TRANSPORTATION: Students are issued rules for riding school buses. Student misconduct on a district vehicle may be sufficient reason to discontinue providing district-sponsored transportation to those students involved. Parents must send a signed note to school if they wish to request a bus pass for their student.

ATTENDANCE GUIDELINES

ATTENDANCE: If students are absent for any reason, their absences must be cleared within 72 hours through our electronic form, a written parent/guardian note, through Skyward, or by calling the office at 360-629-1340. Please note that school attendance is mandatory and schools are required to take action when students miss school without a legitimate excuse.

GENERAL INFORMATION FOR ALL STUDENTS:

EXTRA-CURRICULAR ACTIVITIES: LA students are eligible to participate in athletics at their home middle school. LA students are under the same eligibility guidelines as SMS and PSMS students for Extracurricular participation.

BEHAVIOR: Students are expected to behave in a way while on campus that protects the safety and well-being of others and does not disrupt the educational process.

CAFETERIA: The east hallway adjacent to the office is the designated place to eat lunch. Students are responsible to clean up after themselves.

CLOSED CAMPUS: Lincoln Academy is a closed campus. Students are to remain on campus from the time of arrival until the close of the school day. Violation of this policy will result in discipline.

DIRECTORY INFORMATION & RECORDS: The following information may not be released by the school district unless a student's parent (or legal guardian) requests, in writing **on the Family Educational Right to Privacy Act (FERPA) form**, that such information not be released: The student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, photographs and other similar information.

EMERGENCY DRILLS: Lincoln Academy will practice emergency drills at least once a month. In the event of an evacuation due to fire, earthquake, or other emergency, students are required to stay with their assigned teacher at the start of the drill. In the event of an emergency during lunch, or transition students are to find the teacher from the last class they attended at the evacuation destination. In the event of a drill or emergency before a student's first class, students should remain with the first teacher. Staff and students are expected to stay calm and quiet so that everyone can hear instructions from the person in charge of the emergency.

FINES/DAMAGE FINES: Fines are to be paid as soon as possible. In the case of financial hardship, arrangements can be made by contacting the principal. Fines will be assessed at any time for the loss or willful cutting, defacing, or destruction of school materials or property. The student will be accountable for damages and required to pay restitution.

GAMBLING: Any form of gambling is prohibited. Playing cards, dice or games of chance for money or other things of value is prohibited at Lincoln Academy at any time during the school day – this includes passing times and lunch.

GRADES, CREDIT, AND G.P.A.: Progress reports serve as a continuous evaluation of the student's performance. Progress reports will be available when requested by parents. Parents may also monitor academic performance on SKYWARD Family Access. Official grades will be mailed home at the end of each quarter.

GUESTS: Student guests are not allowed on campus during the school day. Guest speakers for classes must check in at the Lincoln Academy/Lincoln Hill High School Office before proceeding to the classroom.

HALL PASSES/TA PASSES: Students who have teacher permission to leave the classroom for any reason, including restroom, library, and nurse's office, are to have a visible and identifiable hall pass.

HARASSMENT/ANTI-BULLYING STATEMENT: It is the policy of the Stanwood-Camano School District to maintain a safe, respectful and secure learning environment that is free from harassment, intimidation, and bullying. Harassment, intimidation, and bullying of students by other students, staff members, volunteers, parents, or guardians are prohibited. Any unwanted behavior should be reported to a counselor, administrator, or other staff members without fear of retaliation.

It shall be a violation of this policy and the District's student discipline policy for any student of the District to harass, intimidate or bully another student through electronic, written, verbal, nonverbal, or physical conduct on school property (or in reasonable proximity thereto), school transportation, or at school-sponsored activities off school property. Such behavior will result in disciplinary action and may be grounds for immediate suspension or expulsion. Refer to the school district policies on the website at www.stanwood.wednet.edu for more information.

THIRD-PARTY HARASSMENT: Be advised that bystanders overhearing offensive conversations or actions are entitled to protection under the harassment law. Students and staff who are offended, threatened, or intimidated by the actions of others have the right to file a harassment complaint as a third-party victim.

IMMUNIZATION: For the protection of every student, a Washington school immunization law requires that each student be properly immunized in order to register for school. This must be done on or before the first day of school. School attendance will be denied to all students, not in compliance with the immunization law.

INSURANCE: It is recommended that all students in school be covered by the school insurance program or have equal insurance coverage. Lincoln Academy and the Stanwood-Camano School District will not be responsible for personal claims and/or liability thereof. Insurance application forms are available in the Main

Office or the Athletic Office.

INTERNET ACCESS: Students must complete the Internet Access Release Form per school board policy to be eligible for Internet access. Violation of the Internet Access Agreement will result in loss of Internet privileges and possible disciplinary action. Violations include, but are not limited to, using a login and password other than your own and accessing inappropriate sites.

MAKEUP WORK POLICY: Students should check with their individual teachers after they have been absent. Assignments and/or activities not completed because of an absence or tardiness may be made up in the manner provided by the teacher.

PERSONAL ELECTRONIC DEVICES: The use of cell phones and other electronic devices is prohibited during class time. Any noise from these devices is considered disruptive to the school environment. Teachers will expect such devices to be silenced and put away during class time. Failure to comply with this will result in the device being brought up to the office and may pick it up at the end of the day.

Office phones are available for student use when needed. Except in an emergency, students are not permitted to leave class to use the phone.

SCHOOL BUSES & PASSES: Students who ride the school bus to and from school are expected to follow all rules and directions of the bus driver. Students are issued rules for riding school buses. Student misconduct on a district vehicle may be sufficient reason to discontinue district-sponsored transportation to those students involved.

Each student is responsible to catch the bus at the designated location and time. Students must get off the bus in the morning at LA and must board the bus in the afternoon at LA. Students who ride the bus to school and then do not attend classes will be reported as truant and bus privileges will be questioned.

Students who need to ride a different bus or get off at a different stop must bring a note signed by a parent to the Office by lunch of the date the bus pass is needed. Bus passes will not be issued at the end of the school day.

SEARCHES OF STUDENT AND PERSONAL PROPERTY: All students shall be free from unreasonable searches of their persons, clothing, and other personal property. However, a student may be subject to search by school officials if reasonable suspicion exists to suspect that the search will yield evidence of a student's violation of the law or school rules governing student conduct. Two (2) adults must be present for all personal searches.

SKATEBOARDS/SKATES: Wheeled vehicles (such as skateboards, scooters, skates, and hee-lies) are not allowed on school grounds at any time, including after school and evening events, or on any school bus or other vehicle unless properly stored in an appropriate skateboard carrying case.

TARDIES: Tardies are defined as arriving to class up to 5 minutes after the second bell rings. Arriving after 5 minutes constitutes an unexcused absence.

TOBACCO: Smoking or possession of cigarettes, electronic cigarette (e-cig, or e-cigarette), personal vaporizer (PV) or electronic nicotine delivery system, or chewing tobacco in school or on school grounds or in view of the school is prohibited.

TECHNOLOGY AND ELECTRONIC RESOURCES AND INTERNET SAFETY

The Stanwood-Camano School District 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.

Technology and Electronic Resources

The district will develop and use technology and electronic resources 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.

The superintendent or designee will: 1) create strong technology and electronic resources and develop related educational systems that support innovative teaching and learning; 2) provide appropriate staff development opportunities regarding this policy; and 3) develop procedures to support this policy. The superintendent or designee is authorized to develop procedures and acceptable use guidelines for staff and students as to use of district technology and electronic resources, including those that access the internet and social media, and to regulate use of personal technology or electronic resources on district property and related to district activities.

Internet Safety

To help ensure student safety and citizenship with technology and electronic resources, all students will be educated about Internet safety. This will include appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response.

To promote Internet safety and appropriate online behavior of students and staff as they use technology and 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. The superintendent or designee in evaluating such procedures and instructional materials should take into account District technology and electronic resources, community norms, privacy rights, responsible use, and issues of concern with student or staff use of technology and electronic resources.

As a component of district Internet safety measures, all district-owned technology or electronic resources, including computer networks and Wi-Fi, in all district facilities capable of accessing the Internet must 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 technology and electronic resources. If material is accessed that violates district policies, procedures or student guidelines for technology and electronic resources or the guidelines for acceptable use, district staff may instruct the student to cease using that material and/or implement sanctions consistent with district policies, procedures, guidelines, or student codes of conduct.

Cross References:

Policy 2020	Curriculum Development and Adoption of Instructional Materials
Policy 2025	Copyright Compliance
Policy 3207	Prohibition of Harassment, Intimidation and Bullying
Policy 3241	Classroom Management, Corrective Actions or Punishment
Policy 4040	Public Access to District Records

Policy 4400 Election Activities
Policy 5281 Disciplinary Action and Discharge

Legal Reference:

18 USC §§ 2510-2522 Electronic Communication Privacy Act
Public Law 110-385 Protecting Children in the 21st Century Act

Management Resources:

Policy News, February 2012
Policy News, June 2008 Electronic Resources
Policy News, June 2001 Congress Requires Internet Blocking at School
Policy News, August 1998 Permission required to review e-mail

Adoption Date: 08.05.03
Stanwood-Camano School District
Revised: 09.18.12; 06.07.16

Technology and Electronic Resources and Internet Safety

Acceptable Use Guidelines/Internet Safety Requirements

These procedures are written to support the Technology and Electronic Resources Policy of the board of directors and to promote positive and effective digital citizenship among students and staff. Digital citizenship represents more than technology literacy. Successful, technologically fluent digital citizens live safely and civilly in an increasingly digital world. They recognize that information posted on the Internet is public and permanent and can have a long-term impact on an individual's life and career. Expectations for student and staff behavior online are no different from face-to-face interactions.

Legal Requirements

The Stanwood-Camano School District is committed to complying with applicable information security requirements and relevant information security standards and protocols. These requirements include, but are not limited to the following:

1. The Family Educational Rights and Privacy Act (FERPA)
2. Children's Internet Protection Act (CIPA)
3. Individuals with Disabilities Education Act (IDEA)
4. Children's Online Privacy Protection Act (COPPA)
5. Health Insurance Portability and Accountability Act (HIPPA)

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.

Network

The district network includes wired and wireless devices and peripheral equipment, files and storage, e-mail and Internet content (blogs, websites, collaboration software, social networking sites, wikis, etc.). The district reserves the right to prioritize the use of, and access to, the network. All use of the network must support education and research and be consistent with the mission of the district.

Acceptable network use by district students and staff includes:

- A. Creation of files, digital projects, videos, web pages and podcasts using network resources in support of education and research.
- B. Participation in blogs, wikis, bulletin boards, social networking sites and groups and the creation of content for podcasts, e-mail and web pages that support education and research.
- C. The online publication of original educational material, curriculum related materials and student work. Sources outside the classroom or school must be cited appropriately.
- D. Staff use of the network for incidental personal use in accordance with all district policies and procedures.
- E. Connection of personal electronic devices (wired or wireless) including portable devices with network capabilities to the district network understanding that the network policies and procedures for non-district hardware is followed which may include confirmation that the device is equipped with up-to-date virus software, compatible network card and is configured properly. Connection of any personal electronic device is subject to all procedures in this document.

Unacceptable network use by district students and staff includes but is not limited to:

- A. Personal gain, commercial solicitation and compensation of any kind.
- B. Actions that result in liability or cost incurred by the district.
- C. Downloading, installing and use of games, audio files, video files, games or other applications

(including shareware or freeware) without permission or approval from the Technology Services Group.

- D. Support for or opposition to ballot measures, candidates and any other political activity.
- E. Hacking, cracking, vandalizing, the introduction of viruses, worms, Trojan horses, time bombs and changes to hardware, software and monitoring tools.
- F. Unauthorized access to other district computers, networks and information systems.
- G. Cyberbullying, hate mail, defamation, harassment of any kind, discriminatory jokes and remarks;
- H. Information posted, sent or stored online that could endanger others (e.g., bomb construction, drug manufacturing).
- I. Accessing, uploading, downloading, storage and distribution of obscene, pornographic or sexually explicit material.
- J. Attaching unauthorized devices to the district network. Any such device will be confiscated and additional disciplinary action may be taken.
- K. Accessing data, a server or an account for any purpose other than conducting official school business, even if you have authorized access, is prohibited.
- L. Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal. The appropriate management should be consulted prior to export of any material that is in question.
- M. Revealing your account password to others or allowing use of your account by others. This includes family and other household members when staff is working at home or if a student is accessing classroom electronic resources outside of the school.
- N. Using a school district technology or electronic resource asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or harassment, intimidation or bullying policies.
- O. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the staff member or student is not an intended recipient or logging into a server or account that the staff member or student is not expressly authorized to access, unless these duties or activities are within the scope of regular duties or activities. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
- P. Port scanning or security scanning is expressly prohibited unless prior notification to the Superintendent or Technology Director is made.
- Q. Executing any form of network monitoring which will intercept data.
- R. Circumventing user authentication or security of any host, network or account.
- S. Interfering with or denying service to any user (for example, denial of service attack).
- T. Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/Intranet/Extranet.
- U. Providing information about, or lists of, Stanwood-Camano School District employees or students to parties outside the Stanwood-Camano School District.

The district will not be responsible for any damages suffered by any user, including but not limited to, loss of data resulting from delays, non-deliveries, miss deliveries or service interruptions caused by his/her own negligence or any other errors or omissions. The district will not be responsible for unauthorized financial obligations resulting from the use of, or access to, the district's computer network or the Internet.

Internet Safety

Personal Information and Inappropriate Content:

- A. Students and staff should not reveal personal information, including a home address and phone number on websites, blogs, podcasts, videos, social networking sites, wikis, e-mail or as content

- on any other electronic medium.
- B. Students and staff should not reveal personal information about another individual on any electronic medium without first obtaining permission.
 - C. No student pictures or names can be published on any public class, school or district website unless the appropriate permission has been obtained according to district policy.
 - D. If students encounter dangerous or inappropriate information or messages, they should notify the appropriate school authority.

Filtering and Monitoring

Filtering software is used to block or filter access to visual depictions that are obscene and all child pornography in accordance with the Children's Internet Protection Act (CIPA). Other objectionable material could be filtered. The determination of what constitutes "other objectionable" material is a local decision.

- A. Filtering software is not 100 percent effective. While filters make it more difficult for objectionable material to be received or accessed, filters are not a solution in themselves. Every user must take responsibility for his/her use of the network and Internet and avoid objectionable sites.
- B. Any attempts to defeat or bypass the district's Internet filter or conceal Internet activity are prohibited (e.g., proxies, https, special ports, modifications to district browser settings and any other techniques designed to evade filtering or enable the publication of inappropriate content).
- C. E-mail inconsistent with the educational and research mission of the district will be considered SPAM and blocked from entering district e-mail boxes.
- D. The district will provide appropriate adult supervision of Internet use. The first line of defense in controlling access by minors to inappropriate material on the Internet is deliberate and consistent monitoring of student access to district devices.
- E. Staff members who supervise students, control electronic equipment or have occasion to observe student use of said equipment online, must make a reasonable effort to monitor the use of this equipment to assure that student use conforms to the mission and goals of the district.
- F. Staff must make a reasonable effort to become familiar with the Internet and to monitor, instruct and assist effectively.
- G. The district will provide a procedure for students and staff members to request access to internet websites blocked by the district's filtering software. A staff member or student may request access from the building principal who will contact the Technology Director. The requirements of the Children's Internet Protection Act (CIPA) will be considered in evaluation of the request.

Personal Telecommunication and Electronic Devices

Preserving a beneficial learning environment and assuring the safety and well being of all staff and students are primary concerns of the Board of Directors. To this end, inappropriate use of personal telecommunication and electronic devices shall be prohibited as described in this policy and its procedures.

The term "telecommunication and electronic devices" shall refer to, but not be limited to, devices which transmit a signal, receive a signal, create a sound or display visual media, capture photography digitally or conventionally, or capture sound digitally or conventionally, and which include, but are not limited to: computers, telephones (wired, cellular, wifi), fax machines, text messaging devices, digital cameras, video cameras, film cameras, portable gaming systems, or portable music players.

Students who engage in inappropriate use of personal telecommunication and electronic devices may be referred to law enforcement and shall be subject to disciplinary action including, but not limited to: losing the privilege to bring the device onto school property, confiscation of the device (which shall only be returned to the student's parent or guardian), and/or discipline/suspension/expulsion. The principal, his/her designee, and the classroom instructor will prohibit or limit the use of or confiscate electronic devices if used contrary to this policy and procedure.

Students are responsible for the safety and security of their personal telecommunication and electronic devices. The District assumes no responsibility in any circumstance for the loss / destruction / damage or theft of telecommunication and electronic devices. Inappropriate use of telecommunication and electronic devices includes, but is not limited to the following:

- A. Using telecommunication and electronic devices for texting, instant messaging, or conversation during class time unless expressly authorized by a school administrator or staff member.
- B. Using telecommunication and electronic devices in classrooms, locker rooms, restrooms, or other non-public areas of the building unless expressly authorized by a school administrator or staff member.
- C. Using telecommunication and electronic devices to take or produce photographs or recordings without the knowledge of the person or persons being photographed or recorded and without express authorization of a school administrator or staff member.
- D. Using telecommunication and electronic devices in a manner, which interferes with the educational environment, or to annoy or offend others.
- E. Using telecommunication and electronic devices to commit (or conspire to commit) or aid or abet an act of harassment, intimidation or bullying regardless of where initiated (i.e. at a residence, public place, or on school property) and when initiated (i.e. during school hours or outside school hours) provided such use causes substantial disruption to the educational process or environment.
- F. Using telecommunication and electronic devices during any type of assessment unless expressly authorized by a certificated staff member.
- G. Using telecommunication and electronic devices in a way that violates other Board Policy.

Internet Safety Instruction

All students will be educated about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyber bullying awareness and response:

- A. Age appropriate materials will be made available for use across grade levels; and
- B. Training on online safety issues and materials implementation will be made available for administration, staff and families.

Copyright

Downloading, copying, duplicating and distributing software, music, sound files, movies, images or other copyrighted materials without the specific written permission of the copyright owner is generally prohibited. However, the duplication and distribution of materials for educational purposes is permitted when such duplication and distribution falls within the Fair Use Doctrine of the United States Copyright Law (Title 17, USC) and content is cited appropriately.

Ownership of Work

All work completed by employees as part of their employment will be considered property of the district. The District will own any and all rights to such work including any and all derivative works, unless there is a written agreement to the contrary.

All work completed by students as part of the regular instructional program is owned by the student as soon as it is created, unless such work is created while the student is acting as an employee of the school system or unless such work has been paid for under a written agreement with the school system. If under an agreement with the district, the work will be considered the property of the District. Staff members must obtain a student's permission prior to distributing his/her work to parties outside the school.

Network Security and Privacy

Passwords are the first level of security for a user account. System logins and accounts are to be used only by the authorized owner of the account for authorized district purposes. Students and staff are

responsible for all activity on their account and must not share their account password. The following procedures are designed to safeguard network user accounts:

- A. Passwords
 - a. Change passwords according to district guidelines.
 - b. Do not share passwords with anyone.
 - c. All passwords are to be treated as sensitive, confidential information.
 - d. Passwords should never be written down or stored on-line without encryption.
 - e. Do not reveal a password in email, chat, or other electronic communication.
 - f. Do not speak about a password in front of others.
 - g. Do not hint at the format of a password (e.g., "my family name").
 - h. Do not reveal a password on questionnaires or security forms.
 - i. If someone demands a password, refer them to this document and direct them to the Technology Services Group.
 - j. Always decline the use of the "Remember Password" feature of applications or Internet browsers (e.g., Safari, Chrome, Firefox).
- B. Email Security
 - a. All use of email must be consistent with Stanwood-Camano School District policies and procedures of ethical conduct, safety, compliance with applicable laws and proper business practices.
 - b. School email accounts should be used primarily for school and educationally related purposes; personal communication is permitted on a limited basis, but non-related school district commercial uses are prohibited.
 - c. Email that is identified as a record shall be retained according to the school district's Record Retention Schedule.
 - d. The Stanwood-Camano School District's email system shall not be used for the creation or distribution of any disruptive or offensive messages, including offensive comments about age, creed, religion, race, color, national origin, sex, marital status, sexual orientation including gender expression or identity, honorably discharged veteran or military status, or the presence of any sensory, mental or physical disability. Students or staff who receive any emails with this content, should report the matter to their teacher or supervisor immediately.
 - e. Users are prohibited from automatically forwarding email to a third party email system unless written permission is given by the Superintendent or Technology Director.
 - f. Users are prohibited from using third-party email systems and storage servers such as Google, Yahoo, and MSN Hotmail, Live, iCloud, etc. to conduct school business, to create or memorialize any binding transactions, or to store or retain email on behalf of the school district. Such communications and transactions should be conducted through proper channels using Stanwood-Camano School District approved documentation.
 - g. Using a reasonable amount of Stanwood-Camano School District resources for personal emails is acceptable, but non-work related email shall be saved in a separate folder from work related email. Sending chain letters or joke emails from a school district email account is prohibited.
 - h. There is no expectation of privacy in anything that a staff or student stores, sends or receives on the company's email system.
 - i. Stanwood-Camano School District may monitor messages without prior notice. Stanwood-Camano School District is not obliged to monitor email messages.
 - j. Extreme caution must be used when opening email attachments received from unknown senders, which may contain malware, viruses etc.

Workstation and Hardware Security

To ensure that all sensitive/confidential materials are secure within the technology and electronic resources, staff and students must secure the technology or electronic resources they are using or assigned to.

- A. All workstations should be shut down and secure before leaving at the end of the school or workday.
- B. Laptops are to be locked away when not in use.
- C. If a staff member or student leaves his/her area, one should lock the screen or log off if leaving the computer. This is one of the top strategies to utilize when trying to reduce the risk of security breaches.
- C. Computer workstations must be locked when the workspace is unoccupied.
- D. Staff who are assigned laptops are responsible for the security of that hardware. The laptop must be either locked with a locking cable or locked away in a drawer.
- E. Lock away portable computing devices such as laptops and tablets when these devices are traveling outside of school district property.
- F. Do not leave portable computing devices in a school or personal vehicle.
- G. Printouts containing sensitive information should be immediately removed from the printer.
- H. Treat mass storage devices such as CD ROM, DVD or USB "flash" drives as sensitive and secure them in a locked drawer.
- I. Staff have the responsibility to promptly report the theft, loss or unauthorized disclosure of hardware or secure information.
- J. Passwords must not be left on sticky notes posted on or under a computer, nor may they be left written down in an accessible location.

Student Data is Confidential

District staff must maintain the confidentiality of student data in accordance with the Family Educational Rights and Privacy Act (FERPA).

No Expectation of Privacy

The district provides the network system, e-mail and Internet access as a tool for education and research in support of the district's mission. The district reserves the right to monitor, inspect, copy, review and store without prior notice information about the content and usage of:

- A. The network,
- B. user files and disk space utilization,
- C. user applications and bandwidth utilization,
- D. user document files, folders and electronic communications,
- E. E-mail,
- F. internet access, and
- G. any and all information transmitted or received in connection with network and e-mail use.

For security and network maintenance purposes, authorized individuals within Stanwood-Camano School District may monitor equipment, systems and network traffic at any time. The school district reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

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 are subject to the public records disclosure laws of the State of Washington.

Archive and Backup

Backups are made of all district e-mail correspondence for purposes of public disclosure and disaster recovery. Barring power outage or intermittent technical issues, staff and student files are backed up on district servers regularly. Refer to the district retention policy for specific records retention requirements.

Disciplinary Action

All users of the district's technology and electronic resources are required to comply with the district's

policy and procedures and agree to abide by the provisions set forth in the Informed Consent Agreement Form for Students. Violation of any of the conditions of use explained in the district's user agreement, Technology and Electronic Resources policy or in these procedures could be cause for disciplinary action, including suspension or expulsion from school and suspension or revocation of network and computer access privileges.

For school district staff, violation of the Stanwood-Camano School District's expectations for use of technology and electronic resources may be cause for disciplinary action up to, and including, termination and reporting to the Office of Superintendent of Public Instruction's Office of Professional Practices.

SEXUAL HARASSMENT OF STUDENTS PROHIBITED

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

Definitions

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

The term "sexual harassment" may 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 environment;
- unwelcome sexual advances;
- unwelcome requests for sexual favors;
- sexual demands when submission is a stated or implied condition of obtaining an educational benefit;
- sexual demands where submission or rejection is a factor in an academic, or other school-related decision affecting an individual.

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

Investigation and Response

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

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

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

Retaliation and False Allegations

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

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

Staff Responsibilities

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

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

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

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

Notice and Training

The superintendent will develop procedures to provide age-appropriate information and education to district staff, students, parents and volunteers regarding this policy and the recognition and prevention of sexual harassment. At a minimum sexual harassment recognition and prevention and the elements of this policy will be included in staff, student and regular volunteer orientation. This policy and the procedure, which includes the complaint process, will be posted in each district building in a place available to staff, students, parents, volunteers and visitors. Information about the policy and procedure will be clearly stated and conspicuously posted throughout each school building, provided to each employee and reproduced in each student, staff, volunteer and parent handbook. Such notices will identify the District's Title IX coordinator and provide contact information, including the coordinator's email address.

Policy Review

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

Cross References:	Policy 3207	Prohibition of Harassment, Intimidation and Bullying
	Policy 3210	Nondiscrimination
	Policy 3211	Transgender Students
	Policy 3240	Student Conduct
	Policy 3241	Student Discipline

Policy 5010 Nondiscrimination and Affirmative Action
Policy 5011 Sexual Harassment

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

Management Resources: 2020 August Issue
2015 July Policy Alert
2014 December Issue
2010 October Issue

Adoption Date: 06.19.01
Stanwood-Camano School District
Revised 12.17.13; 12.04.18; 10.20.20

Sexual Harassment of Students Prohibited

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

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

Title IX Coordinator, Investigator and Decision-Maker

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

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

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

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

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

District decision-makers must also receive training on any technology to be used during hearings if the district provides for a hearing, and on issues of relevance of questions and evidence, including the

requirement that questions and evidence about a complainant's sexual predisposition or prior sexual conduct are not relevant unless 1) such questions and evidence is offered to prove that someone other than the respondent committed the alleged conduct or 2) questions and evidence concerning specific incidents of the complainant's prior sexual behavior with respect to the respondent is offered to prove consent.

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

Notice of Sexual Harassment Policy and Procedure

- Information about the district's sexual harassment policy and complaint procedure will be easily understandable and conspicuously posted throughout each school building, be reproduced in each student, staff, volunteer, and parent handbook. This notice will be provided in a language that each parent and guardian can understand.
- In addition to the posting and reproduction of this procedure and Policy 3206, the district will provide annual notice to employees that complaints pursuant to this procedure may be filed at the Stanwood-Camano School District Administrative Resource Center at 26920 Pioneer Highway, Stanwood, WA 98292.

Responding to Notice of Sexual Harassment

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

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

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

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

Examples of supportive measures may include:

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

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

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

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

Confidentiality

The district will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures.

If a complainant requests that his or her name not be revealed or asks that the District not investigate or seek action against the respondent, the request will be forwarded to the Title IX Coordinator for evaluation. The Title IX Coordinator will inform the complainant that honoring the request may limit the district's ability to respond fully to the incident, including pursuing disciplinary action against the respondent.

If the complainant still requests that his or her name not be disclosed to the respondent or that the District not investigate or seek action against the respondent, the District will need to determine whether 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.

Non-Retaliation

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

Formal Complaint Process

I. Level One – Complaint to District

Anyone may initiate a formal complaint of sexual harassment, even if the Informal complaint process is already being used.

A. Filing of Complaint

A formal complaint will be in writing and will set forth the specific acts, conditions or circumstances alleged to have occurred and to constitute sexual harassment. The Title IX Coordinator may draft the complaint based on the report of the complainant for the complainant to review and approve. The Title IX Coordinator may also conclude that the District needs to conduct an investigation based on information in his or her possession, regardless of the complainant's interest in filing a formal complaint.

The time period for filing a complaint is one year from the date of the occurrence that is the subject matter of the complaint. However, a complaint filing deadline may not be imposed if the complainant was prevented from filing due to: 1) Specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint; or 2) Withholding of information that the district was required to provide under WAC 392-190-065 or WAC 392-190-005.

Complaints may be submitted by mail, fax, e-mail or hand-delivery to the district Title IX Coordinator. Any District employee who receives a complaint that meets these criteria will promptly notify the Title IX Coordinator.

Determining Whether to Incorporate Additional Title IX Complaint Procedures

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

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

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

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

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

If the formal complaint is determined to meet the criteria for a Title IX complaint, the district will conduct the investigation implementing the additional Title IX procedures.

Skip to Standard Complaint Process with Additional Title IX Requirements.

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

Continue to Standard Complaint Process.

STANDARD COMPLAINT PROCESS

Acknowledging a Complaint - Standard Complaint Process

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

Investigating a Formal Complaint - Standard Complaint Process

- Investigations will be carried out in a manner that is prompt, thorough, reliable, and impartial. During the investigation process, the complainant and respondent(s), if the complainant has identified an accused harasser(s), will have an equal opportunity to present witnesses and relevant evidence. Complainants, respondents, and witnesses may have a trusted adult with them during any district-initiated investigatory activities. The school district and complainant may also agree to resolve the complaint in lieu of an investigation.
- When the investigation is completed, the investigator will compile a full written report of the complaint and the results of the investigation.

Mediation - Standard Complaint Process

At any time during the complaint procedure set forth in WAC 392-190-065 through 392-190-075, a district may, at its own expense, offer mediation. The complainant and the district may agree to extend the complaint process deadlines in order to pursue mediation.

The purpose of mediation is to provide both the complainant and the district an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator. Mediation must be voluntary and requires the mutual agreement of both parties. It may be

terminated by either party at any time during the mediation process. It may not be used to deny or delay a complainant's right to utilize the complaint procedures.

Mediation must be conducted by a qualified and impartial mediator who may not:

1) Be an employee of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the subject of the complaint being mediated; or 2) Have a personal or professional conflict of interest. A mediator is not considered an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.

If the parties reach agreement through mediation, they may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the course of mediation will remain confidential and may not be used as evidence in any subsequent complaint, due process hearing or civil proceeding. The agreement must be signed by the complainant and a district representative who has authority to bind the district.

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

- The superintendent or their designee will respond in writing to the complainant and the respondent within thirty (30) calendar days of receipt of the complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the parties in writing of the reason for the extension and the anticipated response date. At the time the district responds to the complainant, the district must send a copy of the response to the office of the superintendent of public instruction.
- The response of the superintendent or designee will include: 1) a summary of the results of the investigation; 2) a statement as to whether a preponderance of the evidence establishes that the complainant was sexually harassed; 3) if sexual harassment is found to have occurred, the corrective measures the district deems necessary, including assurance that the district will take steps to prevent recurrence and remedy its effects on the complainant and others, if appropriate; 4) notice of the complainant's right to appeal to the school board and the necessary filing information; and 5) any corrective measures the district will take, remedies for the complainant (e.g., sources of counseling, advocacy and academic support), and notice of potential sanctions for the perpetrator(s) (e.g., discipline).
- The superintendent's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964. If the complaint alleges discriminatory harassment by a named respondent or respondent(s), the coordinator will provide the respondent(s) with notice of the outcome of the investigation and notice of their right to appeal any discipline or corrective action imposed by the district.
- Any corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the superintendent's mailing of a written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy.
- The district will inform the complainant and their parent/guardian how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if

there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

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

STANDARD COMPLAINT PROCESS WITH ADDITIONAL TITLE IX REQUIREMENTS

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

Acknowledging a Formal Title IX Complaint

The Title IX Coordinator will receive and investigate all formal, written complaints of sexual harassment or information in the coordinator’s possession that they believe requires further investigation. The Title IX 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 Title IX Coordinator will offer supportive measures to both parties.

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

- A copy of the complaint procedure in a language the parties can understand.
- Notice of the allegations of sexual harassment with sufficient time for the parties to prepare a response before any initial interview and with sufficient detail. Such sufficient detail includes the identities of the parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known.
- Notice that the parties may have an advisor of their choice who may be an attorney or non-attorney, and who may inspect and review evidence of the alleged sexual harassment.
- Notice that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility for alleged sexual harassment is made at the conclusion of the grievance process.
- Notice of any provision in student conduct policies and procedures that prohibits false statements or submitting false information.

Investigation of a Title IX Formal Complaint

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

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

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

- Include a prompt and thorough investigation into the allegations in the complaint.
- Ensure that the district bears the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility for the alleged sexual harassment. The district may not access, consider, disclose, or otherwise use a party’s records that are

made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting or assisting in their professional capacity and made and maintained in connection with the provision of treatment to the party unless the district obtains the party's voluntary, written consent to do so.

- Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- Provide the parties with the same opportunities to have others present during any grievance proceeding; including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be an attorney or non-attorney. The district will apply any restrictions regarding the extent to which an advisor may participate equally to both parties.
- Provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all hearings, interviews, or other meetings, with sufficient time for the parties to prepare to participate.
- Prior to the completion of an investigative report, provide an equal opportunity for the parties to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. This includes evidence that the district does not intend to rely on in reaching a determination of responsibility for the alleged sexual harassment, regardless of the source of the evidence. The parties will have at least ten (10) days to submit a written response for the investigator to consider prior to completion of the investigative report.
- At least ten (10) days prior to a determination regarding responsibility, create an investigative report that fairly summarizes relevant evidence, and send the investigative report in an electronic or hard copy format to each party and each party's advisor for their review and written response.
- After transmitting the investigative report to the parties, but before reaching a final determination regarding responsibility, the decision-maker must give each party the opportunity to submit written, relevant questions that a party wants asked to any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant unless they are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or unless they concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant.

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

Discipline and Emergency Removals for Alleged Sexual Harassment under Title IX

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

These additional Title IX sexual harassment procedures do not preclude the district from removing a student from school on an emergency basis consistent with Policy and Procedure 3241.

Title IX Informal Resolution Process

At any time prior to a determination in a Formal Title IX complaint, the district may permit a complainant to waive the formal complaint grievance process in favor of an informal resolution process not involving a full investigation and adjudication, provided that the district obtains the parties' voluntary, written consent; the district does not offer informal resolution of sexual harassment allegations against a respondent who is an employee of the district, the district provides reasonably prompt time frames for the informal resolution process; and the district provides the parties with written notice disclosing the allegations, the requirements for the informal resolution process, and the circumstances in which the parties would be precluded from continuing with a formal resolution process for the same allegations.

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

Superintendent's Response to a Formal Title IX Complaint

At the conclusion of the investigation, the decision-maker (superintendent or designee) must issue a written determination of responsibility regarding the alleged sexual harassment within thirty (30) calendar days of receipt of the complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the parties in writing of the reason for the extension and the anticipated response date.

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

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

The superintendent's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964.

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

Any corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the superintendent's mailing of a written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy.

Level Two - Appeal to Board of Directors

Notice of Appeal and Hearing

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

Board Decision

- Unless otherwise agreed to by the complainant, the decision maker on appeal will render a written decision within thirty (30) calendar days following the filing of the notice of appeal and provide the complainant with a copy of the decision.
- The written decision will describe the result of the appeal and the rationale for the result.
- The decision will include notice of the complainant's or respondent's right to appeal to 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.
- The decision will be provided in a language that the complainant can understand, which may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act.

Level Three - Complaint to the Superintendent of Public Instruction Filing of Complaint

- If a complainant or respondent disagrees with the decision of the Board, or if the District fails to comply with this procedure, the complainant may file a complaint with the Office of the Superintendent of Public Instruction (OSPI).
- A complaint must be received by OSPI on or before the twentieth (20) calendar day following the date upon which the complainant or respondent received written notice of the Board's decision, unless OSPI 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 for the student, and the name of the school and school district the student attends.

Investigation, Determination and Corrective Action

- Upon receipt of a complaint, 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.

A complaint may be resolved at any time when, before the completion of the investigation, the District voluntarily agrees to resolve the complaint. OSPI may provide technical assistance and dispute resolution methods to resolve a complaint.

Level Four - Administrative Hearing, State Requirement

A complainant or school district that desires to appeal OSPI's written decision may file a written notice of appeal with OSPI within thirty (30) calendar days following the date of receipt of that office's written decision. OSPI will conduct a formal administrative hearing in conformance with the Administrative Procedures Act, Chapter 34.05, RCW.

Other Complaint Options

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

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

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

Washington State Human Rights Commission (WSHRC)

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

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

Recordkeeping

- The district will maintain, for a period of seven years, records of all sexual harassment investigations.
- The district will maintain, for a period of seven years, records of each Title IX sexual harassment investigation, including any determination regarding responsibility and any audio or audiovisual recording or transcript; any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant; and any appeal from the result of a determination regarding responsibility.
- The district will maintain, for a period of seven years, records of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment under Title IX.

Training and Orientation

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

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

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

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

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

Policy and Procedure Review

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

Adoption Date: 12.17.13
Stanwood-Camano School District
Revised: 12.04.18; 8.3.21; 3.15.23

PROHIBITION OF HARASSMENT, INTIMIDATION, AND BULLYING

The board is committed to a safe and civil educational environment for all students, employees, parents/legal guardians, volunteers, and community members that is free from harassment, intimidation, or bullying." As defined in legislation, "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 RCW28A.640.010 and 28A 642.010, or other distinguishing characteristics, when the act:

- A. Physically harms a student or damages the student's property;
- B. Has the effect of substantially interfering with a student's education;
- C. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
- D. 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 individual's choice to engage in the act rather than the ultimate impact of the action(s).

Behaviors/Expressions

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

Harassment, intimidation, or bullying can take many forms including, but not limited to, slurs, rumors, jokes, innuendoes, 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. Specific training requirements are included in the accompanying procedures.

Prevention

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

Interventions

Interventions will be designed to address the impact of harassment, intimidation, and bullying on the targeted student(s) and others impacted by the violation, to change the behavior of the aggressor, and to restore a positive school climate.

The district will consider the frequency of incidents, developmental age of the student, and severity of the conduct in determining intervention strategies. Interventions will range from counseling, correcting behavior and discipline, to law enforcement referrals.

Students with Individual Education Plans or Section 504 Plans

If allegations are proven that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the aggressor or 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 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 against those who report or participate in an investigation of harassment, intimidation and bullying and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting harassment, intimidation, or bullying, or participating in an investigation.

Knowingly reporting false allegations of harassment, intimidation and bullying is prohibited. 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 harassment, intimidation, and bullying incident report forms and to ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the district. The district compliance officer will participate in at least one mandatory training opportunity offered by OSPI.

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

Cross References:	Policy 2161	Special Education and Related Services For Eligible Students
	Policy 3200	Rights and Responsibilities
	Procedure 3206P	Sexual Harassment of Students
	Procedure 3207P	Prohibited Procedures
	Policy 3210	Prohibition of Harassment, Intimidation, and Bullying Procedures
	Policy 3211	Nondiscrimination
	Policy 3241	Transgender Student Student Discipline
Legal Reference:	RCW 28A.300.285	Harassment, Intimidation, and Bullying Prevention Policies-Model policy and procedure-Training Materials-Posting on web site- Rules-Advisory Committee

WAC 392-190-059

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

Management Resources:

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

Adoption Date: 05.20.03
Stanwood-Camano School District
Revised: 03.07.06; 09.02.08; 04.17.11; 07.05.11; 02.18.14; 05.05.15;12/03/19

PROHIBITION OF HARASSMENT, INTIMIDATION, AND BULLYING

A. Introduction

The Stanwood Camano 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. Students(s) will not be harassed because of their race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression, gender identity mental or physical disability, or other distinguishing characteristics.

Any school staff who observes, overhears, or otherwise witnesses harassment, intimidation, or bullying, or to whom such actions have been reported must take prompt and appropriate action to stop the harassment, intimidation, or bullying, 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;
2. Has the effect of substantially interfering with a student's education;
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, or bullying may take many forms, including, but not limited to: slurs, rumors, jokes innuendos, demeaning comments, drawings, cartoons, pranks, ostracism, physical attacks or threats, gestures, or acts relating to an individual or group whether electronic, written, oral or physically transmitted messages or images. There is no requirement that the targeted student actually possess the characteristic that is the basis for the harassment, intimidation, or bullying.

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

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

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

C. Behaviors / Expressions

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

D. Relationships to Other Laws

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

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

1. RCW28A.300.285- Harassment, Intimidation and Bullying
2. RCW 28A .640.020- Sexual Equality
3. RCW28A.642- Prohibition of Discrimination in Public Schools
4. RCW 49.60.010- The Law Against Discrimination

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

D. Prevention

1. Dissemination

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

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

Additional distribution of the policy and procedure is subject to the requirements of chapter 392-405 WAC

2. Education

Annually students will receive age-appropriate information on the recognition and prevention of harassment, intimidation or bullying at student orientation sessions and on other appropriate occasions. The information will include a copy of the Incident Reporting Form or a link to a web-based form.

3. Training

The district compliance officer will participate in at least one mandatory training opportunity offered by OSPI. Staff will receive annual training on the school district's policy and procedure, including at a minimum, staff roles and responsibilities, how to monitor common areas and the use of the district's Incident Reporting Form.

4. Prevention Strategies

The district will implement a range of strategies including individual, classroom, school, and district-level approaches, to prevent harassment, intimidation and bullying.

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 district's primary contact for harassment, intimidation, or bullying. If the allegations in a written report of harassment, intimidation, or bullying indicates a potential violation of Policy 3207, the district staff member who receives the report must promptly notify the district compliance officer.
2. Provide support and assistance to the principal or designee in resolving complaints;
3. Receive copies of all Incident Reporting Forms, Discipline Referral Forms, and letters to parents providing the outcomes of investigations.
4. Communicate with the school district's designated civil rights compliance coordinator. If a written report of harassment, intimidation, or bullying indicates a potential violation of the district's nondiscrimination policy (Policy 3210), or if during an investigation, the district becomes aware of a potential violation of the district's nondiscrimination policy, the compliance officer must promptly notify the district's civil rights compliance coordinator. At that time, the compliance officers must promptly notify the complainant that their complaint will proceed under both this policy / procedure and the nondiscrimination policy / procedure. The investigation and response timeline for the nondiscrimination procedure begin when the school district knows or should have known that a written report or investigation of Harassment, Intimidation, or Bullying involves a potential violation of the district's nondiscrimination policy;
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 the policy and procedure 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; 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. A sample student safety plan is available on the OSPI website: www.k12.wa.us/SafetyCenter/default.aspx.

F. Staff Intervention

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

G. Filing an Incident Reporting Form

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

Any student or students who believe 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.

H. Addressing Harassment, Intimidation, or Bullying- Reports

Step 1: Filing an Incident Report Form

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

Status of Reporter

a. **Anonymous**

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

b. **Confidential**

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

c. **Non-Confidential**

Individuals may 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 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 Report Form

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

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

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

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

- a. Upon receipt of the Incident Report Form that alleges unresolved, severe, or persistent harassment, intimidation or bullying, the school or district designee will begin an investigation. If there is potential for clear and immediate physical harm to the complainant, the district will immediately contact law enforcement and inform the parent/guardian.
- b. During the 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 (<https://www.k12.wa.us/student-success/health-safety/school-safety-center/safety-planning-toolkit>) for the student(s) involved. The plan may include changing seating arrangements for the complainant and/or the alleged aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a safe person for the complainant; altering the alleged aggressor's schedule and access to the complainant, and other measures.

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

- c. Within two (2) school days after receiving the Incident Report Form, the school designee will notify the families of the students involved that a complaint was received and direct the families to the district's policy and procedure on harassment, intimidation and bullying.
- d. In rare cases, where after consultation with the student and appropriate staff (such as a psychologist, counselor, or social worker) the district has evidence that it would threaten the health and safety of the complainant or the alleged aggressor to involve his or her parent/guardian, the district may initially refrain from contacting the parent/guardian in its investigation of harassment, intimidation and bullying. If professional school personnel have reasonable cause to believe that a student is subject to child abuse or neglect, they must follow district policy for reporting such cases to Child Protective Services or the police.
- e. The investigation shall include, at a minimum:
 - An interview with the complainant ;

- An interview with the alleged aggressor ;
 - A review of any previous complaints involving either the complainant or the alleged aggressor ; and
 - Interviews with other students or staff members who may have knowledge of the alleged incident.
- f. The principal or designee may determine that other steps must be taken before the investigation is complete.
- g. The investigation will be completed as soon as practical but generally no later than five (5) school days from the initial complaint . If more time is needed to complete an investigation, the district will provide the parent/guardian and/or the student with weekly updates.
- h. No later than two (2) school days after the investigation has been completed and submitted to the compliance officer, the principal or designee shall respond in writing or in person to the parent/guardian of the complainant and the alleged aggressor stating:
- The results of the investigation;
 - Whether the allegations were found to be factual;
 - Whether there was a violation of policy; and
 - The process for the complainant to file an appeal if the complainant disagrees with results.

Because of the laws 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 complainant 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 have reasonable cause to believe that a student is subject to child abuse or neglect, as mandatory reporters they must follow district policy for reporting such cases to Child Protective Services or the police.

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

Step 4: Corrective Measures for the Aggressor

- a. After completion of the investigation, the school or district designee will institute any corrective measures necessary.
- b. Corrective measures will be instituted as soon as possible, but in no event more than five (5) school days after contact has been made with the families or guardians regarding the outcome of the investigation.
- c. Corrective measures that involve student discipline will be implemented according to district Policy 3241 – Student Discipline. If the accused aggressor is appealing the imposition of discipline, the district may be prevented by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.
- d. If in an investigation a principal or principal's designee finds 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

- a. If the complainant or his or her parent/ guardian is dissatisfied with the results of the investigation, they may appeal to the superintendent or his or her designee by filing a written notice of appeal with the superintendent within five (5) school days of receiving the written decision. The superintendent or his or her designee will review the investigative report and issue a written decision on the merits of the appeal within five (5) school days of receiving the notice of appeal.
- b. If the targeted student remains dissatisfied after the initial appeal to the superintendent, the student or his or her parent/ guardian may appeal by filing a written notice of appeal with the secretary of the school board within five (5) school days of receiving the superintendent's written decision.
- c. An appeal before the school board or disciplinary appeal council must be heard within ten (10) school days of receipt of the written notice of appeal. The school board or disciplinary appeal council will review the record and render a written decision on the merits of the appeal within five (5) school days following the termination of the hearing and shall provide a copy of the decision to all parties involved. The board 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 the 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 school should strongly consider school wide training or other activities to address the incident.

If a staff member has been found to be in violation of this policy and procedure, the district may impose disciplinary action, up to and including termination of employment. If a certificated employee 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 impose disciplinary action on a certificate, up to and including revocation. Contractor violations of this policy may result in the loss of contracts.

Step 7: Support for the Targeted Student

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

I. Immunity/Retaliation

A staff member, student, or other member of the school community who promptly reports an incident of harassment, intimidation, or bullying to an appropriate school official, and who makes this report in compliance with the district's policy and procedure relating to harassment, intimidation and bullying is immune from a cause of action for damages arising from any failure to remedy the reported incident.

No staff member, student, or other member of the school community may engage in reprisal or retaliation against a 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 or bullying.

Nothing in this procedure prevents a student, parent/guardian, school, or district from taking action to remediate discrimination or harassment based on a student'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:

- <https://www.k12.wa.us/policy-funding/equity->
- Washington State Human Rights Commission
800.233.3247
www.hum.wa.gov/index.html
- Office for Civil Rights, U.S. Department of Education, Region IX
206.607.1600
Email: OCR.Seattle@ed.gov
www.ed.gov/about/offices/list/ocr/index.html
- Department of Justice Community Relations Service
877.292.3804
www.justice.gov/crt/
- Office of the Education Ombudsman
866.297-2597
Email: oeoinfo@gov.wa.gov
www.governor.wa.gov/oeo/default.asp <http://oeo.wa.gov/>
- OSPI Safety Center
360.725.6044
<https://www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx>

K. Other District Policies and Procedures

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

Cross Reference: Board Policy 3207 Prohibition of Harassment, Intimidation, and Bullying

Adopted: 07.05.11
Stanwood-Camano School District
Revised: 03.07.06; 09.02.08; 09.03.14; 05.05.15; 01.02.20

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 race, religion, creed, color, national origin, age, honorably-discharged veteran or military status, sex, sexual orientation, gender expression or identity, economic status, marital status, pregnancy, the presence of any sensory, mental or physical disability, or the use of a trained dog guide or service animal by a person with a disability. The district will provide equal access to school facilities to the Boy Scouts of America and all other designated youth groups listed in Title 36 of the United States Code as a patriotic society. District programs will be free from sexual harassment. Auxiliary aids and services will be provided upon request to individuals with disabilities.

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

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

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

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

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

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

Legal References:	Chapter 28A.640 RCW	Sexual equality
	Chapter 28A.642 RCW	Discrimination prohibition

Chapter 49.60 RCW	Discrimination — Human rights commission
WAC 392-190-020	Training—Staff responsibilities—Bias awareness
WAC 392-190-060	Compliance – School district designation of responsible employee - Notification
WAC 392-400-215	Student rights
20 U.S.C. 7905	Boy Scouts of American Equal Access Act
42 U.S.C. 12101-12213	Americans with Disabilities Act

Nondiscrimination

Anyone may file a complaint against the District alleging that the District has violated anti-discrimination laws. This complaint procedure is designed to assure that the resolution of alleged violations are directed toward a just solution that is satisfactory to the complainant, District administration, and the District's Board of Directors. This grievance procedure will apply to the general conditions of the nondiscrimination policy (Policy 3210) and more particularly to policies dealing with guidance and counseling (Policy 2140), co-curricular program (Policy 2150), service animals in schools (Policy 2030) and curriculum development and instructional materials (Policy 2020). As used in this procedure:

- A. **Grievance** means a complaint which has been filed by a complainant relating to alleged violations of any state or federal anti-discrimination law.
- B. **Complaint** means a written charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. The time period for filing a complaint is one year from the date of the occurrence that is the subject matter of the complaint. However, a complaint filing deadline may not be imposed if the complainant was prevented from filing due to: 1) Specific misrepresentations by the District that it had resolved the problem forming the basis of the complaint; or 2) Withholding of information that the District was required to provide under WAC 392-190-065 or WAC 392-190-005. Complaints may be submitted by mail, fax, e-mail or hand-delivery to any District, school or to the District compliance officer responsible for investigating discrimination complaints. Any District employee who receives a complaint that meets these criteria will promptly notify the compliance officer.
- C. **Respondent** means the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.
- D. The District's 504 Coordinator (compliance officer) is:

Robert Hascall
Stanwood-Camano School District No. 401
26920 Pioneer Highway
Stanwood, WA 98292
Phone: (360) 629-1200
rhascall@stanwood.wednet.edu

- E. The District's Title IX Compliance Officer:

Maurene Stanton
Stanwood-Camano School District No. 401
26920 Pioneer Highway
Stanwood, WA 98292
Phone: (360) 629-1213
mstanton@stanwood.wednet.edu

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 Process for Resolution**

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

complaint.

B. Formal Process for Resolution

Level One: Complaint to District

The complaint must set forth the specific acts, conditions or circumstances alleged to be in violation. Upon receipt of a complaint, the compliance officer will provide the complainant a copy of this procedure. The compliance officer will investigate the allegations within 30 calendar days. The District and complainant may agree to resolve the complaint in lieu of an investigation. The officer shall provide the superintendent with a full written report of the complaint and the results of the investigation.

The superintendent or designee will respond to the complainant with a written decision as expeditiously as possible, but in no event later than 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 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 Board and the necessary filing information. The superintendent's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964.

Any corrective measures deemed necessary shall be instituted as expeditiously as possible, but in no event later than 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 by filing a written notice of appeal with the secretary of the Board within ten (10) calendar days following the date upon which the complainant received the response.

The Board shall schedule a hearing to commence by the twentieth (20th) calendar day following the filing of the written notice of appeal, unless otherwise agreed to by the complainant and the superintendent or for good cause. Both parties shall be allowed to present such witnesses and testimony as the Board deems relevant and material. Unless otherwise agreed to by the complainant, the board will render a written decision within thirty (30) calendar days following the filing of the notice of appeal and provide the complainant with a copy of the decision. The decision of the Board will be provided in a language the complainant can understand, which may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act. The decision will include notice of the complainant's right to appeal to OSPI and will identify where and to whom the appeal must be filed. The District will send a copy of the appeal decision to OSPI.

Level Three - Complaint to the Superintendent of Public Instruction

If a complainant disagrees with the decision of the board of directors, or if the District fails to comply with this procedure, the complainant may file a complaint with OSPI.

1. A complaint must be received by OSPI on or before the twentieth (20) calendar day following the date upon which the complainant received written notice of the Board's decision, unless OSPI grants an extension for good cause, complaints may be submitted

by mail, fax, electronic mail, or hand delivery.

2. A complaint must be in writing and include: 1) A description of the specific acts, conditions or circumstances alleged to violate applicable anti-discrimination laws; 2) The name and contact information, including address, of the complainant; 3) The name and address of the District subject to the complaint; 4) A copy of the District's complaint and appeal decision, if any; and 5) A proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information.
3. Upon receipt of a complaint, 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.

A complaint may be resolved at any time when, before the completion of the investigation, the District voluntarily agrees to resolve the complaint. OSPI may provide technical assistance and dispute resolution methods to resolve a complaint.

Level Four - Administrative Hearing

A complainant or school district that desires to appeal OSPI's written decision 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.

C. Mediation

At any time during the discrimination complaint procedure set forth in WAC 392-190-065 through 392-190-075, the District may, at its own expense, offer mediation. The complainant and the District may agree to extend the discrimination complaint process deadlines in order to pursue mediation.

The purpose of mediation is to provide both the complainant and the District an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator. Mediation must be voluntary and requires the mutual agreement of both parties. It may be terminated by either party at any time during the mediation process. It may not be 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 other public or private agency solely because they serve 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.

D. Preservation of Records

The files containing copies of all correspondence relative to each complaint communicated to the District and the disposition, including any corrective measures instituted by the District, will be retained in the office of the compliance officer for a period of six (6) years.

STUDENT DISCIPLINE

“Discipline” means any action taken by the school district in response to behavioral violations. Discipline is not necessarily punitive, but can take positive and supportive forms. Data show that a supportive response to behavioral violation is more effective and increases equitable educational opportunities. The purposes of this policy and accompanying procedure include:

- Engaging with families and the community and striving to understand and be responsive to cultural context
- Supporting students in meeting behavioral expectations, including providing for early involvement of parents
- Administering discipline in ways that respond to the needs and strengths of students and keep students in the classroom to the maximum extent possible
- Providing educational services that students need during suspension and expulsion
- Facilitating collaboration between school personnel, students, and parents, and thereby supporting successful reentry into the classroom following a suspension or expulsion
- Ensuring fairness, equity, and due process in the administration of discipline
- Providing every student with the opportunity to achieve personal and academic success
- Providing a safe environment for all students and for district employees

The Superintendent shall establish and make available rules of student conduct, designed to provide students with a safe, healthy, and educationally sound environment. Students are expected to be aware of the district’s rules of student conduct, including behavior standards that respect the rights, person, and property of others. Students and staff are expected to work together to develop a positive climate for learning.

Minimizing exclusion, engaging with families, and supporting students

Unless a student’s presence poses an immediate and continuing danger to others or an immediate and continuing threat to the educational process, staff members must first attempt one or more forms of other forms of discipline to support students in meeting behavioral expectations before imposing classroom exclusion, short-term suspension, or in-school suspension. Before imposing a long-term suspension or expulsion, the district must first consider other forms of discipline.

These other forms of discipline may involve the use of best practices and strategies included in the state menu for behavior developed under RCW 28A.165.035. The accompanying procedure will identify a list of other forms of discipline for staff use. However, staff members are not restricted to that list and may use any other form of discipline compliant with WAC 392-400-025(9).

School personnel must make every reasonable attempt to involve parents and students to resolve behavioral violations. The district must ensure that associated notices, hearings, conferences, meetings, plans, proceedings, agreements, petitions, and decisions are in a language the student and parents understand; this may require language assistance. Language assistance includes oral and written communication and further includes assistance to understand written communication, even if parents cannot read any language. The district’s use of suspension and expulsion will have a real and substantial relationship to the lawful maintenance and operation of the school district, including but not limited to, the preservation of the health and safety of students and employees and the preservation of an educational process that is conducive to learning.

As described in the procedures, the district will offer educational services to students during suspension or expulsion. When the district administers a long-term suspension or expulsion, the district will timely hold a reengagement meeting and collaborate with parents and students to develop a reengagement plan that is tailored to the student’s individual circumstances, in order to return the student to school successfully. Additionally, any student who has been suspended or expelled may apply for readmission at any time.

Staff authority

District staff members are responsible for supervising students during the school day, during school activities, whether on or off campus, and on the school bus. Staff members will seek early involvement of parents in efforts to support students in meeting behavioral expectations. The Superintendent has general authority to administer discipline, including all exclusionary discipline. The Superintendent will identify

other staff members to whom the Superintendent has designated disciplinary authority. After attempting at least one other form of discipline, teachers have statutory authority to impose classroom exclusion for behaviors that disrupt the educational process. Because perceptions of subjective behaviors vary and include implicit or unconscious bias, the accompanying procedures will seek to identify the types of behaviors for which the identified district staff may administer discipline.

Ensuring fairness, providing notice, and an opportunity for a hearing

When administering discipline, the district will observe all of the student's constitutional rights. The district will notify parents as soon as reasonably possible about classroom exclusion and before administering any suspension or expulsion. The district will provide opportunities for parent participation during an initial hearing with the student. The district will provide parents with written notice, consistent with WAC 392-400-455, of a suspension or expulsion no later than one school business day following the initial hearing. As stated above, language assistance includes oral and written communication and further includes assistance to understand written communication, even if parents cannot read any language. The district has established procedures for review and appeal of suspensions, expulsions, and emergency expulsions, consistent with WAC 392-400-430 through 392-400-530.

The district has also established procedures to address grievances of parents or students related to other forms of discipline, classroom exclusion, and exclusion from transportation or extra-curricular activity. The grievance procedures include an opportunity for the student to share his or her perspective and explanation regarding the behavioral violation.

Development and review

Accurate and complete reporting of all disciplinary actions, including the behavioral violations that led to them, is essential for effective review of this policy; therefore, the district will ensure such reporting. The district will periodically collect and review data on disciplinary actions taken against students in each school. The data will be disaggregated into subgroups as required by RCW 28A.300.042, including students who qualify for special education or Section 504. The data review will include classroom exclusion, in-school and short-term suspensions, and long-term suspensions and expulsions. The district will invite school personnel, students, parents, families, and the community to participate in the data review. The purpose of the data review is to determine if disproportionality exists; if disproportionality is found the district will take action to ensure that it is not the result of discrimination and may update this policy and procedure to improve fairness and equity regarding discipline.

Distribution of policies and procedures

The school district will make its discipline policies and procedures available to families and the community. The district will annually provide its discipline policies and procedures to all district personnel, students, and parents, which may require language assistance for students and parents with limited-English proficiency under Title VI of the Civil Rights Act of 1964. The school district will ensure district employees and contractors are knowledgeable of the discipline policies and procedures.

Cross References: 2121 - Substance Abuse Program
 2161 - Special Education and Related Services for Eligible Students
 2162 - Education of Students With Disabilities Under Section 504 of the
 Rehabilitation Act of 1973
 3122 - Excused and Unexcused Absences
 3200 - Rights and Responsibilities
 3210 - Nondiscrimination
 3244 - Prohibition of Corporal Punishment
 3520 - Student Fees, Fines, or Charges
 3210 - Regulation of Dangerous Weapons on School Premises
 4218 - Language Access Plan

Management Resources: 2019 - April Policy Alert
 2010 - June Issue
 2014 - August Issue
 2014 - December Issue
 2016 - July Policy Issue
 2018 - August 2018 - August Policy Issue

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Stanwood-Camano School District

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Student Discipline

Definitions

- **“Behavioral violation”** means a student’s behavior that violates the District’s discipline policies.
- **“Classroom exclusion”** means the exclusion of a student from a classroom or instructional or activity area for behavioral violations, subject to the requirements of WAC 392-400-330 and 392-400-335. Classroom exclusion does not include action that results in missed instruction for a brief duration when:
 - (a) A teacher or other school personnel attempts other forms of discipline to support the student in meeting behavioral expectations; and
 - (b) The student remains under the supervision of the teacher or other school personnel during such brief duration.
- **“Corrective action”** means discipline, classroom exclusion, suspension, emergency expulsion, or expulsion.
- **“Culturally responsive”** has the same meaning as “cultural competency” in RCW 28A.410.270.
- **“Discipline”** means any action taken by a school district in response to behavioral violations.
- **“Disruption of the educational process”** means the interruption of classwork, the creation of disorder, or the invasion of the rights of a student or group of students.
- **“Emergency expulsion”** means the removal of a student from school because the student's presence poses an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process, subject to the requirements in WAC 392-400-510 through 392-400-530.
- **“Expulsion”** means a denial of admission to the student's current school placement in response to a behavioral violation, subject to the requirements in WAC 392-400-430 through 392-400-480.
- **“Length of an academic term”** means the total number of school days in a single trimester or semester, as defined by the board of directors.
- **“Other forms of discipline”** means actions used in response to behavioral violations, other than classroom exclusion, suspension, expulsion, or emergency expulsion, which may involve the use of best practices and strategies included in the state menu for behavior developed under RCW 28A.165.035.
- **“Parent”** has the same meaning as defined in WAC 392-172A-01125, and means a biological, adoptive, or foster parent, or a guardian generally authorized to act as parent or specifically authorized to make education decisions, an individual acting in the place of a biological or adoptive parent including a grandparent, stepparent, or other relative with whom the student lives or an individual who is legally responsible for the student’s welfare, or a legally appointed surrogate parent. The definition of parent does not include the state, if the student is a ward of the state. When more than one party meets the qualifications to act as a parent, the biological or adoptive parent must be presumed to be the parent unless they do not have legal authority to make educational decisions for the student or if a judicial decree or order identifies a specific person or persons.
- **“School board”** means the governing board of directors of a local school district.
- **“School business day”** means any calendar day except Saturdays, Sundays, and any federal and school holidays upon which the District’s office of the superintendent is open to the public for business. A school business day concludes or terminates upon the closure of the superintendent’s office for the calendar day.
- **“School day”** means any day or partial day that students are in attendance at school for instructional purposes.
- **“Suspension”** means the denial of attendance in response to a behavioral violation from any subject or class, or from any full schedule of subjects or classes, but not including classroom exclusions, expulsions, or emergency expulsions. Suspension may also include denial of admission to or entry upon, real and personal property that is owned, leased, rented, or controlled by the District.

- **In-school suspension** means a suspension in which a student is excluded from the student's regular educational setting but remains in the student's current school placement for up to ten consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475.
- **Short-term suspension** means a suspension in which a student is excluded from school for up to ten consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475.
- **Long-term suspension** means a suspension in which a student is excluded from school for more than ten consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475.

Purpose

The District will administer student discipline to maintain a safe and supportive school environment that is conducive to student learning. The methods employed in administering the rules of student conduct involve professional judgment. Such judgment should:

- Provide due process to students and parents;
- Implement the District's policy and procedure in a culturally responsive manner;
- Ensure fairness and equity in the administration of discipline;
- 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;
- Facilitate collaboration between school personnel, students, and families to ensure successful reentry into the classroom following a suspension or expulsion; and
- Provide a safe and supportive learning environment for all students.

No form of discipline will be administered in such a manner as to prevent a student from accomplishing specific academic grade, subject, or graduation requirements. Appeal procedures have been established in order to provide for an opportunity for every corrective action to be reviewed by someone in authority and to instill confidence among students and parents as to the essential fairness of staff.

Fundamental rights

When administering discipline under this chapter, the District must not unlawfully:

1. Discriminate against a student 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;
2. Deprive a student of the student's constitutional right to freedom of speech and press, the constitutional right to peaceably 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. Interfere in a student's pursuit of an education while in the District's custody; 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.

Rights and responsibilities of staff

Superintendent authority

The superintendent will have the authority to impose corrective action against, discipline, suspend, or expel students. The superintendent will:

- Identify the conditions under which a teacher may exclude a student from their class; and
- Designate which staff members have the authority to initiate or to impose discipline, suspensions, or expulsions.

No student will be expelled, suspended, or disciplined in any manner for the 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 the educational process.

Certificated staff will have the right to:

- Expect students to comply with school rules;
- Participate in the development and review of building rules relating to student conduct and behavioral expectations at least once each year. Building rules will be consistent with District rules relating to student conduct;
- Receive any complaint or grievance regarding corrective action of students. Certificated staff will be given the opportunity to present their version of the incident and to meet with the complaining party, in the event that a conference is arranged;
- Use such reasonable action as is necessary to protect themselves, a student, or others from physical abuse or injury;
- Detention will be assigned in collaboration with parent and student.

Teachers have the right to exclude any student from their classroom, instructional area, or activity area for behavioral violations that disrupt the educational process while the student is under the teacher's immediate supervision, subject to the requirements of WAC 392-400-335 and the **Classroom Exclusions** section below.

Behavior interventionist have the right to exclude a student from a classroom with the consent of the Teacher and in the absence of the building principal.

Certificated staff will have the responsibility to:

- Observe the rights of students;
- Supervise student behavior and enforce the rules of student conduct fairly, consistently, and without discrimination. Any infractions will be reported orally and in writing to the principal as soon as possible, regardless of any corrective actions taken by the teacher;
- Maintain good order in the classroom, in the hallways, on the playgrounds, or other common areas of the school, and on school buses (i.e., during field trips);
- Maintain accurate attendance records and report all cases of truancy;
- Set an appropriate example of personal conduct and avoid statements that may be demeaning or personally offensive to any student or group of students; and
- Meet with a parent(s) within five (5) school days upon request to hear a complaint regarding the use of classroom materials or teaching strategies that are used in the classroom.

Principals (includes Assistant Principals and Deans of Students) will have the responsibility to:

- Impose discipline, suspensions, or expulsions when appropriate;
- Notify parents related to disciplinary and corrective action, as defined in this procedure; and
- Confer with certificated staff at least once per year to develop and review rules of conduct to be employed in the school, and corrective actions that may be used in the event of rule infractions.

District staff members are responsible for supervising students immediately before and after the school day; during the school day; during school activities (whether on or off campus); on school grounds before or after school hours when a school group or school activity is using school grounds; off school grounds, if the actions of the student materially or substantially affect or interferes with the educational process; and on the school bus.

Staff members will seek early involvement of parents in efforts to support students in meeting behavioral expectations. The Superintendent has general authority to administer discipline, including all

exclusionary discipline. The Superintendent designates disciplinary authority to impose short-term suspension to school principals, assistant principals and deans of students. Long term suspensions may be imposed by school principals, assistant principals and assistant superintendents. Expulsions may be imposed by school principals, assistant, principals and assistant superintendent. Emergency expulsions may be imposed by principals, assistant principals and assistant superintendents.

Notification of suspensions of students eligible for special education services

The principal will notify special education staff of any suspensions to be imposed on a student who is currently eligible for special education services or any student who might be deemed eligible for special education. To the extent that suspensions may cumulatively or consecutively exceed ten (10) days in a school year, the principal will notify relevant special education staff so that the District can ensure compliance with special education discipline procedures.

Notification of procedures relating to student behavior

Principals in each school will annually publish and make available to students, parents or guardians, staff, and the community the rules, policies, and procedures of the District that establish misconduct and the written procedures for administering corrective action. The publication will also define student rights and responsibilities relating to student behavior.

Pursuant to the Drug-Free Schools and Communities Act (Amendments of 1989), students and parents will be given annual notice of the standard of conduct the District requires regarding controlled substance and alcohol use, and a statement of the disciplinary sanctions for violations of that standard.

The District will also, in consultation with staff, students, student's families, and the community, periodically review and update the District's rules, policies, and procedures related to student discipline.

Educational Services during suspension, expulsion, or emergency expulsion:

The District will not suspend the provision of educational services as a disciplinary action, nor will schools suspend the provision of educational services to a student in response to behavioral violations. As soon as reasonably possible after administering a suspension or expulsion, the District must provide written notice to the student and parents about the educational services the District will provide. The District must provide the written notice in person, by mail, or by email. The notice must include: (a) A description of the educational services that will be provided; and (b) The name and contact information for the school personnel who can offer support to keep the student current with assignments and course work as required under this section. The District will offer Alternative Learning Experiences, online course work, one-on-one tutoring, or continuation with work assigned by the regular teacher with support and a plan for pick up and return of work. These options will be based on a variety of factors, including student needs, staff availability, and allocations of resources.

Schools will provide the student the opportunity to receive educational services during a suspension, expulsion, or emergency expulsion. The educational services must enable the student to:

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

Such services may be provided in an alternative setting, provided that such setting is comparable, equitable, and appropriate to the regular educational services a student would have received in the absence of exclusionary discipline. Examples of an alternative setting may include, but not be limited to, alternative schools or classrooms, one-on-one tutoring when available, and online learning.

When providing a student the opportunity to receive educational services under this section, the school must consider:

- Meaningful input from the student, parents, and the student's teachers;
- Whether the student's regular educational services include English language development services, special education, accommodations and related services under Section 504 of the Rehabilitation Act of 1973, or supplemental services designed to support the student's academic achievement; and
- Access to any necessary technology, transportation, or resources the student needs to participate fully in the educational services.

Exclusions for up to five days. For students subject to suspension or emergency expulsion up to five (5) days, a school must provide at least the following:

- Course work, including any assigned homework, from all of the student's regular subjects or classes;
- Access to school personnel who can offer support to keep the student current with assignments and course work for all of the student's regular subjects or classes; and
- An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency expulsion.

Exclusions for six to ten days. For students subject to suspension or emergency expulsion for six (6) to ten (10) consecutive school days, a school must provide at least the following:

- Course work, including any assigned homework, from all of the student's regular subjects or classes;
- An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency expulsion; and
- Access to school personnel who can offer support to keep the student current with assignments and course work for all of the student's regular subjects or classes. School personnel will make a reasonable attempt to contact the student or parents within three (3) school business days following the start of the suspension or emergency expulsion and periodically thereafter until the suspension or emergency expulsion ends to:
 - Coordinate the delivery and grading of course work between the student and the student's teacher(s) at a frequency that would allow the student to keep current with assignments and course work for all of the student's regular subjects or classes; and
 - Communicate with the student, parents, and the student's teacher(s) about the student's academic progress.

Long-term suspensions and expulsions. For students subject to expulsion or suspension for more than ten (10) consecutive school days, a school will make provisions for educational services in accordance with WAC 392-121-107.

Unexcused absences and tardiness

Students will not be suspended or expelled from school for absences or tardiness.

Denial or Delay of a Nutritionally-Adequate Meal Prohibited

Students will not be subjected to corrective action in a manner that would result in the denial or delay of a nutritionally-adequate meal to a student.

Language assistance

The District must ensure that the conferences, proceedings, and hearings described in this procedure are held in a language the student and parents understand, 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 must also ensure that any notices and agreements are provided in a language the student and parents understand.

Corporal Punishment

District staff may not administer corporal punishment, including any act that willfully inflicts or willfully causes the infliction of physical pain on a student. Corporal punishment does not include:

- The use of reasonable physical force by a school administrator, teacher, school personnel, or volunteer as necessary to maintain order or to prevent a student from harming themselves, other students, school personnel, or property;
- Physical pain or discomfort resulting from or caused by training for or participation in athletic competition or recreational activity voluntarily engaged in by a student; or
- Physical exertion shared by all students in a teacher-directed class activity, which may include, but is not limited to, physical education exercises, field trips, or vocational educational projects.

Restraint and Isolation

District staff may not use isolation, restraint, or a restraint device on any student, except as provided for in RCW 28A.155.210, 28A.600.485, WAC 392-172A-02105, and 392-172A-02110.

Other Forms of Discipline

Unless a student's on-going behavior poses an immediate and continuing danger to others, or a student's on-going behavior poses an immediate and continuing threat to the educational process, staff members must first attempt one or more forms of other forms of discipline to support students in meeting behavioral expectations before imposing classroom exclusion, short-term suspension, or in-school suspension. Before imposing a long-term suspension or expulsion, the district must first consider other forms of discipline.

The types of behaviors for which the staff members may use other forms of discipline include any violation of the rules of conduct, as developed annually by the Superintendent. In connection with the rules of conduct, school principals and certificated building staff will confer at least annually to develop precise definitions and build consensus on what constitutes manifestation of problem behaviors. *See* Policy 3220 – Rights and Responsibilities. The purpose of developing definitions and consensus on manifestation of a problem behavior is to address the differences in perception of subjective behaviors and reduce the effect of implicit or unconscious bias.

These other forms of discipline may involve the use of best practices and strategies included in the state menu for behavior available online at the OSPI website. The district has identified the following that may be used as other forms of discipline:

- Teaching or re-teaching behavioral expectations
- Parent conferences
- Loss of privileges
- Lunch or school detention
- Behavior contracts
- Counseling or support services
- Community service
- Behavior monitoring, mentoring, peer mediation, social skills instruction, de-escalation, and restorative justice practices may also be considered as well as other interventions.

These interventions are not limiting and other alternatives may be implemented with parental consent which follow the new regulations.

Staff members are not restricted to the above list and may use any other form of discipline compliant with WAC 392-400-025(9).

Staff may assign students detention after school hours for not more than 60 minutes on a given day as another form of discipline. Minutes assigned to detention may be split across multiple days at the staff member's discretion, after considering factors such as the student's transportation

needs and extra-curricular activities. Preceding the assignment of detention, the staff member will inform the student of the nature of the offense charged and of the specific conduct that allegedly constitutes the violation. The student will be afforded an opportunity to explain or justify their actions to the staff member.

Detention will not begin until the parent/guardian has been notified (except in the case of an adult student) for the purpose of informing them of the basis and reason for the detention and to permit them to make arrangements for the transportation of the student, as necessary. Students assigned detention for corrective action will be under the direct supervision of the staff member or another member of the professional staff.

Classroom Exclusions

A teacher may 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. The District may authorize other school personnel to exclude a student from a classroom or instructional or activity area for behavioral violations of the District's discipline policy. The teacher or other school personnel must first attempt one or more other forms of discipline to support the student in meeting behavioral expectations, 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.

A classroom exclusion may be administered for all or any portion of the balance of the school day in which the student was excluded from the student's classroom, instructional area, or activity area. When a student is excluded from the student's classroom, instructional area, or activity area for longer than the balance of the school day, the District will provide the student and the student's family notice and due process for a suspension, expulsion, or emergency expulsion, as appropriate. A student may not be removed from school during a classroom exclusion unless the District provides notice and due process for a suspension, expulsion, or emergency expulsion.

The school will provide the student an opportunity to make up any assignments and tests missed during a classroom exclusion. A classroom exclusion cannot result in the denial or delay of the student's nutritionally adequate meal.

Classroom Exclusion: Notice

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 their 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.

When the teacher or other authorized school personnel administers a classroom exclusion on the grounds 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:

- (a) The teacher or other school personnel must immediately notify the principal or the principal's designee; and
- (b) The principal or the principal's designee must meet with the student as soon as reasonably possible and administer appropriate discipline.

Grievance process for other forms of discipline and classroom exclusion

The District will address student and parent grievances regarding classroom exclusions and other forms of discipline as follows:

- Any parent/guardian or student who is aggrieved by the imposition of a classroom exclusion

or other form of discipline has the right to an informal conference with the principal to resolve the grievance. If the complaint relates to the actions of an employee, the District will provide the employee notice as soon as reasonably possible.

- At the conference, the student and parent/guardian will have the opportunity to voice concerns related to the grievance and ask questions of the staff members involved. Staff members will have the opportunity to respond. The principal may address issues and

questions related to the grievance, and may ask questions of the parent/guardian, student, and staff.

- If this grievance is not resolved, the parent/guardian and student may, upon at least two (2) school business days prior notice, present a written or oral grievance to the Superintendent or their designee. A student's or parents' grievance must be received by the Superintendent or their designee within five (5) school business days from the date of the informal conference. The Superintendent or designee will provide the parent and student with a written copy of its response to the grievance within ten (10) school business days.
- Use of the grievance process will not impede or postpone the disciplinary action, unless the principal or Superintendent elects to postpone the disciplinary action.
- Discipline that may be grieved under this section includes other forms of discipline, including after-school detention; classroom exclusion; removal or suspension from athletic activity or participation; and removal or suspension from school-provided transportation.

Suspensions and Expulsions

General conditions and limitations

- **Parent involvement.** The District must provide for early involvement of parents in efforts to support students in meeting behavioral expectations, and make every reasonable effort to involve the student and parents in the resolution of behavioral violations.
- **Considerations.** Before administering any suspension or expulsion, the District must consider the student's individual circumstances and the nature and circumstances of the behavioral violation to determine whether the suspension or expulsion, and the length of the exclusion, is warranted.
- **Academics.** The District may not suspend the provision of educational services to a student in response to behavioral violations or administer discipline in a manner that would prevent a student from completing subject, grade-level, or graduation requirements. The District must provide an opportunity for students to receive educational services during a suspension or expulsion under WAC 392-400-610.
- **Reporting.** The principal or designee must report all suspensions and expulsions, and the behavioral violation that led to each suspension or expulsion, to the school district superintendent or designee within twenty-four hours after the administration of the suspension or expulsion.
- **Reentry.** After suspending or expelling a student, the District must:
 - Make reasonable efforts to return the student to the student's regular educational setting as soon as possible; and
 - Allow the student to petition for readmission at any time.
- **Access to District property.** When administering a suspension or expulsion, the District may deny a student admission to, or entry upon, real and personal property that is owned, leased, rented, or controlled by the District.
- **End date.**

- An expulsion or suspension of a student may not be for an indefinite period of time and must have an end date.
- If the District enrolls a student in another program or course of study during a suspension or expulsion, the District may not preclude the student from returning to the student's regular educational setting following the end date of the suspension or expulsion, unless:
 - The superintendent or their designee grants a petition to extend a student's expulsion under WAC 392-400-480;
 - The student is excluded from the student's regular educational setting in accordance with WAC 392-400-810; or
 - The student is otherwise precluded under law from returning to the student's regular educational setting.
- **Discipline appeal council.** A school board may designate a discipline appeal council to hear and decide appeals or to review and reconsider the District's appeal decisions. A discipline appeal council must consist of at least three (3) persons appointed by the school board for fixed terms. All members of the discipline appeal council must be knowledgeable about the Washington regulations related to student discipline and the District's discipline policies and procedures.

In-school suspension

Other forms of discipline. Before administering an in-school suspension, staff must first attempt one or more other forms of discipline to support the student in meeting behavioral expectations. Administering other forms of discipline may involve the use of best practices and strategies included in the state menu for behavior developed under RCW 28A.165.035.

Initial notice. Before administering any suspension or expulsion, the District must attempt to notify the student's parents or guardians, as soon as reasonably possible, regarding the behavioral violation.

Initial hearing. Before administering any suspension or expulsion, the principal or designee must conduct an informal initial hearing with the student for the purpose of hearing the student's perspective. At the initial hearing, the principal or designee must provide the student:

- a. Notice of the student's violation of the school district's discipline policy;
- b. An explanation of the evidence regarding the behavioral violation;
- c. An explanation of the discipline that may be administered; and
- d. An opportunity for the student to share the student's perspective and provide explanation regarding the behavioral violation.

Parent participation. At an initial hearing in which the principal or designee is considering administering an in-school suspension, the principal or designee must provide the student an opportunity for the student to contact the student's parents.

Administrative decision. Following the initial hearing, the principal or designee must inform the student of the decision regarding the behavioral violation, including the date on which any suspension or expulsion will begin and end.

Written notice. No later than one school business day following the initial hearing with the student, the District must provide written notice of the suspension or expulsion to the student and parents in person, by mail, or by email. The written notice must include:

- a. A description of the student's behavior and how the behavior violated the school district's 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 student's and parents' right to an informal conference with the principal or designee; and

- f. The student's and parents' right to appeal the suspension or expulsion, including where and to whom the appeal must be requested.

Length of exclusion. The District may not administer an in-school suspension beyond the school year in which the behavioral violation occurred.

Grade-level limitations.

- Staff may not administer an in-school suspension for a student in kindergarten through fourth grade for more than ten cumulative school days during any academic term;
- Staff may not administer an in-school suspension for a student in grades five through twelve: (i) for more than fifteen cumulative school days during any single semester; or (ii) for more than ten cumulative school days during any single trimester.

School Personnel. When administering an in-school suspension, school personnel must ensure that they: (a) Are physically in the same location as the student to provide direct supervision during the duration of the in-school suspension; and (b) 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 as required under WAC 392-400-610.

Guidelines. Suggested guidelines for in-school suspension are as follows:

- A student who is assigned to in-school suspension will agree to the conditions specified by the school principal.
- In-school suspension is designed to encourage learning. Students will be expected to work on their classroom assignments at all times.
- A student in in-school suspension will attend a single subject or class or any full schedule of subjects or classes in a separate location on school property from their regular subject or class or schedule or classmates.
- The student will be denied the opportunity to participate in any school activities while in in-school suspension.
- While in-school suspended, the student and staff may develop a behavior agreement as discussed below.
- Any behavioral violation may result in imposition of other corrective action.
- After a student is placed back into the regular classroom(s), the principal or designee or school counselor will monitor the student's progress on a daily basis. The student will be encouraged to maintain a relationship with the school counselor as a means of dealing with any problems that arise.
- Specific rules and building procedures will be developed by the building principal.

Appeals

- A. **Optional conference with principal.** If the student or parents disagree with the District's decision to suspend the student, the student or parents may request an informal conference with the principal or designee to resolve the disagreement. The request for an informal conference may be made orally or in writing.
 - Timing. The principal or designee must hold the conference within three school business days after receiving the request, unless otherwise agreed to by the student and parents.

- Conference. During the informal conference, the principal or designee must provide the student and parents the opportunity to:
 - a. Share the student's perspective and explanation regarding the behavioral violation;
 - b. Confer with the principal or designee and school personnel involved in the incident that led to the suspension or expulsion; and
 - c. Discuss other forms of discipline that may be administered.
- Right to appeal. An informal conference does not limit a student's or parents' right to appeal the suspension or expulsion, participate in a reengagement meeting, or petition for readmission.

B. Appeal

- Requesting an appeal. A student or the parents may appeal a suspension to the District superintendent or designee orally or in writing.
- Time limit. A student's or parents' appeal of a suspension must be received by the District within five (5) school business days from the date the District provides written notice of the disciplinary decision following the initial hearing.
- Process.
 - a. The superintendent or designee must provide the student and parents the opportunity to share the student's perspective and explanation regarding the behavioral violation orally or in writing.
 - b. The superintendent or designee must deliver a written appeal decision to the student and parents in person, by mail, or by email within two school business days after receiving the appeal. The written decision must include:
 - i. The decision to affirm, reverse, or modify the suspension;
 - ii. The duration and conditions of the suspension, including the dates on which the suspension will begin and end;
 - iii. The educational services the District will offer to the student during the suspension; and
 - iv. Notice of the student's and parents' right to request review and reconsideration of the appeal decision, including where and to whom to make the request.
- Pending appeal. If the student or parents request an appeal under this section, the District may temporarily continue to administer the suspension or expulsion during the appeal period subject to the following requirements:
 - a. The District may temporarily continue to administer the suspension or expulsion for no more than ten (10) consecutive school days from the initial hearing or until the appeal is decided, whichever is earlier;
 - b. Any days that the student is temporarily suspended or expelled before the appeal is decided must be applied to the term of the student's suspension or expulsion and may not extend the term of the student's suspension or expulsion;
 - c. If the student who is temporarily suspended or expelled returns to school before the appeal is decided under this section, the District must provide the student an opportunity to make up assignments and tests missed during the suspension or expulsion upon the student's return.

C. Review and reconsideration. The student or parents may request that the school board or discipline appeal council review and reconsider the appeal decision. The student or parents may request the review orally or in writing.

- Time limit. A student's or parents' request to review and reconsider an appeal

decision must be received by the District within ten (10) school business days from the date the District provides the written appeal decision to the students and parents.

- Review procedure.
 - a. In reviewing the District's decision, the school board or discipline appeal council must consider all documentary and physical evidence related to the behavioral violation, any records from the appeal, relevant state law, and the District's discipline policy.
 - b. The school board or discipline appeal council may request to meet with the student or parents, the principal, witnesses, or school personnel to hear further arguments and gather additional information.
 - c. The decision of the school board or discipline appeal council must be made only by board or council members who were not involved in the behavioral violation, the decision to suspend or expel the student, or the appeal decision. If the discipline appeal council presided over the appeal, the review and reconsideration decision must be made by the school board.
- Decision. The school board or discipline appeal council must provide a written decision to the student and parents 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:
 - a. Whether the school board or discipline appeal council affirms, reverses, or modifies the suspension or expulsion;
 - b. The duration and conditions of the suspension or expulsion, including the dates on which the suspension or expulsion will begin and end; and
 - c. For long-term suspensions or expulsions, notice of the opportunity to participate in a reengagement meeting.

Short-term suspension

Other forms of discipline. Before administering a short-term suspension, staff must first attempt one or more other forms of discipline to support the student in meeting behavioral expectations. Administering other forms of discipline may involve the use of best practices and strategies included in the state menu for behavior developed under RCW 28A.165.035.

Initial notice. Before administering any suspension or expulsion, the District must attempt to notify the student's parents or guardians, as soon as reasonably possible, regarding the behavioral violation.

Initial hearing. Before administering any suspension or expulsion, the principal or designee must conduct an informal initial hearing with the student for the purpose of hearing the student's perspective. At the initial hearing, the principal or designee must provide the student:

- e. Notice of the student's violation of the school district's discipline policy;
- f. An explanation of the evidence regarding the behavioral violation;
- g. An explanation of the discipline that may be administered; and
- h. An opportunity for the student to share the student's perspective and provide explanation regarding the behavioral violation.

Parent participation. At an initial hearing in which the principal or designee is considering administering a short-term suspension, the principal or designee must provide the student an opportunity for the student to contact the student's parents.

Administrative decision. Following the initial hearing, the principal or designee must inform the student of the decision regarding the behavioral violation, including the date on which any suspension or expulsion will begin and end.

Written notice. No later than one school business day following the initial hearing with the student, the District must provide written notice of the suspension or expulsion to the student and parents in person, by mail, or by email. The written notice must include:

- a. A description of the student's behavior and how the behavior violated the school district's 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 student's and parents' right to an informal conference with the principal or designee; and
- f. The student's and parents' right to appeal the suspension or expulsion, including where and to whom the appeal must be requested.

Length of exclusion. The District may not administer a short-term suspension beyond the school year in which the behavioral violation occurred.

Grade-level limitations.

- Staff may not administer a short-term suspension for a student in kindergarten through fourth grade for more than ten cumulative school days during any academic term;
- Staff may not administer a short-term suspension for a student in grades five through twelve: (i) for more than fifteen cumulative school days during any single semester; or (ii) for more than ten cumulative school days during any single trimester.

Appeals

- A. **Optional conference with principal.** If the student or parents disagree with the District's decision to suspend the student, the student or parents may request an informal conference with the principal or designee to resolve the disagreement. The request for an informal conference may be made orally or in writing.
 - Timing. The principal or designee must hold the conference within three school business days after receiving the request, unless otherwise agreed to by the student and parents.
 - Conference. During the informal conference, the principal or designee must provide the student and parents the opportunity to:
 - d. Share the student's perspective and explanation regarding the behavioral violation;
 - e. Confer with the principal or designee and school personnel involved in the incident that led to the suspension or expulsion; and
 - f. Discuss other forms of discipline that may be administered.
 - Right to appeal. An informal conference does not limit a student's or parents' right to appeal the suspension or expulsion, participate in a reengagement meeting, or petition for readmission.
- B. **Appeal**
 - Requesting an appeal. A student or the parents may appeal a suspension to the District superintendent or designee orally or in writing.
 - Time limit. A student's or parents' appeal of a suspension must be received by the District within five (5) school business days from the date the District provides written notice of the disciplinary decision following the initial hearing.

- Process.
 - a. The superintendent or designee must provide the student and parents the opportunity to share the student's perspective and explanation regarding the behavioral violation orally or in writing.
 - b. The superintendent or designee must deliver a written appeal decision to the student and parents in person, by mail, or by email within two school business days after receiving the appeal. The written decision must include:
 - v. The decision to affirm, reverse, or modify the suspension;
 - vi. The duration and conditions of the suspension, including the dates on which the suspension will begin and end;
 - vii. The educational services the District will offer to the student during the suspension; and
 - viii. Notice of the student's and parents' right to request review and reconsideration of the appeal decision, including where and to whom to make the request.
- Pending appeal. If the student or parents request an appeal under this section, the District may temporarily continue to administer the suspension or expulsion during the appeal period subject to the following requirements:
 - d. The District may temporarily continue to administer the suspension or expulsion for no more than ten (10) consecutive school days from the initial hearing or until the appeal is decided, whichever is earlier;
 - e. Any days that the student is temporarily suspended or expelled before the appeal is decided must be applied to the term of the student's suspension or expulsion and may not extend the term of the student's suspension or expulsion;
 - f. If the student who is temporarily suspended or expelled returns to school before the appeal is decided under this section, the District must provide the student an opportunity to make up assignments and tests missed during the suspension or expulsion upon the student's return.
- C. **Review and reconsideration.** The student or parents may request that the school board or discipline appeal council review and reconsider the appeal decision. The student or parents may request the review orally or in writing.
 - Time limit. A student's or parents' request to review and reconsider an appeal decision must be received by the District within ten (10) school business days from the date the District provides the written appeal decision to the students and parents.
 - Review procedure.
 - a. In reviewing the District's decision, the school board or discipline appeal council must consider all documentary and physical evidence related to the behavioral violation, any records from the appeal, relevant state law, and the District's discipline policy.
 - b. The school board or discipline appeal council may request to meet with the student or parents, the principal, witnesses, or school personnel to hear further arguments and gather additional information.
 - c. The decision of the school board or discipline appeal council must be made only by board or council members who were not involved in the behavioral violation, the decision to suspend or expel the student, or the appeal decision. If the discipline appeal council presided over the appeal, the review and reconsideration decision must be made by the school board.

- **Decision.** The school board or discipline appeal council must provide a written decision to the student and parents 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:
 - d. Whether the school board or discipline appeal council affirms, reverses, or modifies the suspension or expulsion;
 - e. The duration and conditions of the suspension or expulsion, including the dates on which the suspension or expulsion will begin and end; and
 - f. For long-term suspensions or expulsions, notice of the opportunity to participate in a reengagement meeting.

Readmission

The District will allow any student who has been short-term suspended to make application for readmission at any time in accordance with District policy and procedure. (See also Readmission Application Process and Reengagement, below)

Reporting

Principals will report all short-term suspensions and the reasons therefor to the superintendent or designee within twenty-four (24) hours after the imposing the short-term suspension.

Long-term suspension

Other forms of discipline. Before administering a long-term suspension, a school district must consider other forms of discipline to support the student in meeting behavioral expectations. Administering other forms of discipline may involve the use of best practices and strategies included in the state menu for behavior developed under RCW 28A.165.035.

Initial notice. Before administering any suspension or expulsion, the District must attempt to notify the student's parents or guardians, as soon as reasonably possible, regarding the behavioral violation.

Initial hearing. Before administering any suspension or expulsion, the principal or designee must conduct an informal initial hearing with the student for the purpose of hearing the student's perspective. At the initial hearing, the principal or designee must provide the student:

- a. Notice of the student's violation of the school district's discipline policy;
- b. An explanation of the evidence regarding the behavioral violation;
- c. An explanation of the discipline that may be administered; and
- d. An opportunity for the student to share the student's perspective and provide explanation regarding the behavioral violation.

Parent participation. At an initial hearing in which the principal or designee is considering administering a long-term suspension, the principal or designee must make a reasonable attempt to contact the student's parents to provide an opportunity for the parents to participate in the initial hearing in person or by telephone.

Administrative decision. Following the initial hearing, the principal or designee must inform the student of the decision regarding the behavioral violation, including the date on which any suspension or expulsion will begin and end.

Written notice. No later than one school business day following the initial hearing with the student, the District must provide written notice of the suspension or expulsion to the student and parents in person, by mail, or by email. The written notice must include:

- a. A description of the student's behavior and how the behavior violated the school district's 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 student's and parents' right to an informal conference with the principal or designee;
- f. The student's and parents' right to appeal the suspension or expulsion, including where and to whom the appeal must be requested; and
- g. For a long-term suspension or expulsion, the opportunity for the student and parents to participate in a reengagement meeting.

Limitations on long-term suspensions. The District may only administer a long-term suspension:

- For behavioral violations under RCW 28A.600.015(6)(a) through (d); and
- After the District has determined that, if the student returned to school before completing a long-term suspension: (i) the student would pose an imminent danger to students or school personnel; or (ii) the student would pose an imminent threat of material and substantial disruption of the educational process.

Behavioral violations. A long-term suspension may be imposed, subject to the limitations in this procedure, for the following behavioral violations:

- A. Having a firearm on school property or school transportation in violation of RCW 28A.600.420;
- B. Any of the following offenses listed in RCW 13.04.155, including:
 1. Any violent offense as defined in RCW 9.94A.030, including:
 - a. Any felony that Washington law defines as a class A felony or an attempt, criminal conspiracy, or solicitation to commit a class A felony;
 - b. Manslaughter;
 - c. Indecent liberties committed by forcible compulsion;
 - d. Kidnapping;
 - e. Arson;
 - f. Assault in the second degree;
 - g. Assault of a child in the second degree;
 - h. Robbery;
 - i. Drive-by shooting; and
 - j. 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;
 2. Any sex offense as defined in RCW 9.94A.030, which includes any felony violation of chapter 9A.44 RCW (other than failure to registered 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;
 3. Inhaling toxic fumes in violation of chapter 9.47A RCW;
 4. Any controlled substance violation of chapter 69.50 RCW;
 5. Any liquor violation of RCW 66.44.270;
 6. Any weapons violation of chapter 9.41 RCW, including having a dangerous weapon at school in violation of RCW 9.41.280;

7. Any violation of chapter 9A.36 RCW, including assault, malicious harassment, drive-by shooting, reckless endangerment, promoting a suicide attempt, coercion, assault of a child, custodial assault, and failing to summon assistance for an injured victim of a crime in need of assistance;
 8. Any violation of chapter 9A.40 RCW, including kidnapping, unlawful imprisonment, custodial interference, luring, and human trafficking;
 9. Any violation of chapter 9A.46 RCW, including harassment, stalking, and criminal gang intimidation; and
 10. Any violation of chapter 9A.48 RCW, including arson, reckless burning, malicious mischief, and criminal street gang tagging and graffiti;
- C. Two or more violations of the following within a three-year period:
1. Criminal gang intimidation in violation of RCW 9A.46.120;
 2. Gang activity on school grounds in violation of RCW 28A.600.455;
 3. Willfully disobeying school administrative personnel in violation of RCW 28A.635.020; and
 4. Defacing or injuring school property in violation of RCW 28A.635.060; and
- D. Any student behavior that adversely impacts the health or safety of other students or educational staff.

Unless otherwise required by law, school administrators are not required to impose a long-term suspension or expulsion for the misconduct listed above, and whenever reasonable, school administrators should first consider alternative forms of corrective action.

Length of exclusion. A long-term suspension may not exceed the length of an academic term, and the District may not administer a long-term suspension beyond the school year in which the behavioral violation occurred.

Grade-level limitations. Except for behavioral violations related to firearms (WAC 392-400-820), the District may not administer a long-term suspension for any student in kindergarten through fourth grade.

Appeals

- A. **Optional conference with principal.** If the student or parents disagree with the District's decision to long-term suspend the student, the student or parents may request an informal conference with the principal or designee to resolve the disagreement. The request for an informal conference may be made orally or in writing.
- **Timing.** The principal or designee must hold the conference within three school business days after receiving the request, unless otherwise agreed to by the student and parents.
 - **Conference.** During the informal conference, the principal or designee must provide the student and parents the opportunity to:
 - a. Share the student's perspective and explanation regarding the behavioral violation;
 - b. Confer with the principal or designee and school personnel involved in the incident that led to the suspension or expulsion; and
 - c. Discuss other forms of discipline that may be administered.
 - **Right to appeal.** An informal conference does not limit a student's or parents' right to appeal the suspension or expulsion, participate in a reengagement meeting, or petition for readmission.

B. Appeal

- Requesting an appeal. A student or the parents may appeal a long-term suspension to the District superintendent or designee orally or in writing.
- Time limit. A student's or parents' appeal of a long-term suspension must be received by the District within five (5) school business days from the date the District provides written notice of the disciplinary decision following the initial hearing.
- Process.
 - Within one school business day after receiving the appeal request, unless otherwise agreed to by the student and parents, the superintendent or designee must provide the student and parents written notice in person, by mail, or by email of:
 - i. The time, date, and location of the appeal hearing;
 - ii. The name(s) of the official(s) presiding over the appeal;
 - iii. The student's and parents' rights to inspect the student's education records;
 - iv. The student's and parents' rights to inspect any documentary or physical evidence and a list of any witnesses that will be introduced at the hearing;
 - v. The student's and parents' rights under this subsection; and
 - vi. Whether the District will offer to hold a reengagement meeting before the appeal hearing.
 - Reengagement. Before the appeal hearing, the student, parents, and District may agree to hold a reengagement meeting and develop a reengagement plan. The student, parents, and District may mutually agree to postpone the appeal hearing while participating in the reengagement process.
 - Appeal hearing. The District must hold an appeal hearing within three (3) school business days from the date the superintendent or designee received the appeal request, unless otherwise agreed to by the student or parents.
 - Presiding officials. The school board may designate the superintendent, a hearing officer, or a discipline appeal council, if established, to hear and decide appeals under this section. The presiding official(s) may not be involved in the student's behavioral violation or decision to suspend or expel the student and must be knowledgeable about the Washington regulations related to discipline and the District's discipline policies and procedures.
 - Evidence and witnesses.
 - i. Upon request, the student, parents, and District may inspect any documentary or physical evidence and a list of any witnesses that will be introduced at the appeal hearing. The District, student, or parents must make the information available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.
 - ii. Upon request, the student and parents may review the student's education records. The District must make the records available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.

- iii. If a witness for the District cannot or does not appear at the appeal hearing, the presiding official(s) may excuse the witness's nonappearance if the District establishes that: (A) The District made a reasonable effort to produce the witness; and (B) The witness's failure to appear is excused by fear of reprisal or another compelling reason.
- o Student and parent rights. During the appeal hearing, the student and parents have the right to:
 - i. Be represented by legal counsel;
 - ii. Question witnesses;
 - iii. Share the student's perspective and provide explanation regarding the behavioral violation; and
 - iv. Introduce relevant documentary, physical, or testimonial evidence.
- o Recording of Hearing. The appeal hearing must be recorded by manual, electronic, or other type of recording device. The District must provide the recording to the student or parents upon request.
- o Appeal decision. The presiding official(s) must base the decision solely on the evidence presented at the hearing. The presiding official(s) must provide a written decision to the student and parents in person, by mail, or by email within three school business days after the appeal hearing. The written decision must include:
 - i. The findings of fact;
 - ii. A determination whether:
 - a. The student's behavior violated the school district's discipline 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;
 - iii. The duration and conditions of the suspension or expulsion, including the dates on which the suspension or expulsion will begin and end;
 - iv. Notice of the student's and parents' right to request review and reconsideration of the appeal decision, including where and to whom to make the request; and
 - v. Notice of the opportunity to participate in a reengagement meeting and the contact information for the person who will coordinate scheduling of the reengagement meeting.
- Pending appeal. If the student or parents request an appeal under this section, the District may temporarily continue to administer the suspension or expulsion during the appeal period subject to the following requirements:
 - g. The District may temporarily continue to administer the suspension or expulsion for no more than ten (10) consecutive school days from the initial hearing or until the appeal is decided, whichever is earlier;
 - h. Any days that the student is temporarily suspended or expelled before the appeal is decided must be applied to the term of the student's suspension or expulsion and may not extend the term of the student's suspension or expulsion;
 - i. If the student who is temporarily suspended or expelled returns to school before the appeal is decided under this section, the District must provide the student an opportunity to make up assignments and tests missed during the suspension or expulsion upon the student's return.

- C. **Review and reconsideration.** The student or parents may request that the school board or discipline appeal council review and reconsider the appeal decision. The student or parents may request the review orally or in writing.
- Time limit. A student's or parents' request to review and reconsider an appeal decision must be received by the District within ten (10) school business days from the date the District provides the written appeal decision to the students and parents.
 - Review procedure.
 - a. In reviewing the District's decision, the school board or discipline appeal council must consider all documentary and physical evidence related to the behavioral violation, any records from the appeal, relevant state law, and the District's discipline policy.
 - b. The school board or discipline appeal council may request to meet with the student or parents, the principal, witnesses, or school personnel to hear further arguments and gather additional information.
 - c. The decision of the school board or discipline appeal council must be made only by board or council members who were not involved in the behavioral violation, the decision to suspend or expel the student, or the appeal decision. If the discipline appeal council presided over the appeal, the review and reconsideration decision must be made by the school board.
 - Decision. The school board or discipline appeal council must provide a written decision to the student and parents 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:
 - g. Whether the school board or discipline appeal council affirms, reverses, or modifies the suspension or expulsion;
 - h. The duration and conditions of the suspension or expulsion, including the dates on which the suspension or expulsion will begin and end; and
 - i. For long-term suspensions or expulsions, notice of the opportunity to participate in a reengagement meeting.

The principal will notify special education staff of any long-term suspension to be imposed for a student who is currently eligible for special education services or those who might be deemed eligible for special education. To the extent that suspensions may cumulatively or consecutively exceed ten (10) days, the principal will notify relevant special education staff so that the District can ensure that special education discipline procedures are in place, in addition to general education discipline procedures.

Readmission

Any student who has been long-term suspended will be allowed to make application for readmission at any time in accordance with District policy and procedure. (See also Readmission Application Process and Reengagement, below)

Reporting

Principals will report all long-term suspensions and the reasons therefor to the superintendent or designee within twenty-four (24) hours after the imposing the expulsion.

Emergency expulsion

The District may immediately remove a student from the student's current school placement, subject to the following requirements:

1. **Sufficient cause.** The District must have sufficient cause to believe that the student's presence poses:
 - a. An immediate and continuing danger to other students or school personnel; or
 - b. An immediate and continuing threat of material and substantial disruption of the educational process.
2. **Determination of immediate and continuing threat of disruption.** For purposes of this section, an immediate and continuing threat of material and substantial disruption of the educational process means:
 - a. 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
 - b. School personnel have exhausted reasonable attempts at administering other forms of discipline to support the student in meeting behavioral expectations.
3. **Time limit.** 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 the start of the emergency expulsion.
4. **Conversion.** If the District converts an emergency expulsion to a suspension or expulsion, the District must:
 - a. Apply any days that the student was emergency expelled before the conversion to the total length of the suspension or expulsion; and
 - b. Provide the student and parents notice and due process under as required by the applicable level of discipline.
5. **Reporting.** 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 district superintendent or designee within twenty-four hours after the start of the emergency expulsion.

General limitation. An emergency expulsion may not be imposed solely for the purposes of investigating student conduct.

Initial notice. After an emergency expulsion, the District must attempt to notify the student's parents, as soon as reasonably possible, regarding the reason the District believes the student's presence poses an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process.

Written notice. Within twenty-four hours after an emergency expulsion, the District must provide written notice of the emergency expulsion to the student and parents in person, by mail, or by email. The written notice must include:

- a. The reason the student's presence poses an immediate and continuing danger to students or school personnel, or poses an immediate and continuing threat of material and substantial disruption of the educational process;
- b. The duration and conditions of the emergency expulsion, including the dates on which the emergency expulsion will begin and end;
- c. The opportunity to receive educational services during the emergency expulsion;
- d. The student's and parents' right to an informal conference with the principal or designee; and
- e. The student's and parents' right to appeal the emergency expulsion, including where and to whom the appeal must be requested.

Optional conference with principal

1. **Requesting a conference.** If a student or the parents disagree with the District's decision to administer an emergency expulsion, the student or parents may request an informal

conference with the principal or designee to resolve the disagreement. The request for an informal conference may be made orally or in writing.

2. **Time limit.** 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 parents.
3. **Conference.** During the informal conference, the principal or designee must provide students and parents the opportunity to share the student's perspective and explanation regarding the events that led to the emergency expulsion.
4. **Right to appeal.** An informal conference must not limit a student's or parents' right to appeal the emergency expulsion.

Appeal

1. **Requesting an appeal.** A student or the parents may appeal an emergency expulsion to the District superintendent or designee orally or in writing.
2. **Time limit.** A student's or parents' request to appeal an emergency expulsion must be received by the District within three (3) school business days from the date the District provides the written notice of the emergency expulsion.
3. **Notice.** Within one school business day after receiving the appeal request, unless otherwise agreed to by the student and parents, the superintendent or designee must provide the student and parents written notice in person, by mail, or by email of:
 - a. The time, date, and location of the appeal hearing;
 - b. The name(s) of the official(s) presiding over the appeal;
 - c. The student's and parents' rights to inspect the student's education records;
 - d. The student's and parents' rights to inspect any documentary or physical evidence and a list of any witnesses that will be introduced at the hearing; and
 - e. The student's and parents' rights provided in this section.
4. **Appeal hearing.** The District must hold an appeal hearing as soon as reasonably possible, but no later than two (2) school business days after the date the superintendent or designee received the appeal request, unless otherwise agreed to by the student and parents.
5. **Presiding official(s).** The school board may designate the superintendent, a hearing officer, or a discipline appeal council, if established under WAC 392-400-475, to hear and decide appeals under this section. The presiding official(s) may not be involved in the student's behavioral violation or decision to emergency expel the student and must be knowledgeable about the rules in this chapter and of the school district's discipline policies and procedures.
6. **Evidence and witnesses.**
 - a. Upon request, the student, parents, and District may inspect any documentary or physical evidence and a list of any witnesses that will be introduced at the appeal hearing. The District, student, or parents must make the information available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.
 - b. Upon request, the student and parents may review the student's education records. The District must make the records available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.
 - c. If a witness for the District cannot or does not appear at the appeal hearing, the presiding official(s) may excuse the witness's nonappearance if the district establishes that: (i) The District made a reasonable effort to produce the witness; and (ii) The witness's failure to appear is excused by fear of reprisal or another compelling reason.
7. **Student and parent rights.** The student and parents have the right to:
 - a. Be represented by legal counsel;

- b. Question witnesses;
 - c. Share the student's perspective and provide explanation regarding the events that led to the emergency expulsion; and
 - d. Introduce relevant documentary, physical, or testimonial evidence.
8. **Recording of hearing.** The appeal hearing must be recorded by manual, electronic, or other type of recording device. The District must provide the recording to the student or parents upon request.
9. **Appeal decision.** The District must provide a written decision to the student and parents in person, by mail, or by email within one school business day after the appeal hearing. The written decision must include:
- a. The findings of fact;
 - b. A determination whether the student's presence continues to pose:
 - i. An immediate and continuing danger to students or school personnel; or
 - ii. An immediate and continuing threat of material and substantial disruption of the educational process.
 - c. 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 must provide the student and parents notice and due process under the applicable form of discipline to which the emergency expulsion was converted; and
 - d. Notice of the student's and parents' right to request review and reconsideration of the appeal decision, including where and to whom to make the request.

Review and reconsideration

1. **Requesting review.** The student or parents may request that the school board or discipline appeal council, if established, review and reconsider the District's appeal decision. The student or parents may request the review orally or in writing.
2. **Time limit.** A student's or parents' request to review and reconsider the appeal decision must be received by the District within five (5) school business days from the date the District provides the written appeal decision to the student and parent.
3. **Review procedure.**
 - a. In reviewing the District's decision, the school board or discipline appeal council must consider all documentary and physical evidence related to the events that led to the emergency expulsion, any records from the appeal, relevant state law, and the District's discipline policy.
 - b. The school board or discipline appeal council may request to meet with the student or parents, the principal, witnesses, or school personnel to hear further arguments and gather additional information.
 - c. The decision of the school board or discipline appeal council must be made only by board or council members who were not involved in the events that led to the emergency expulsion, the decision to emergency expel the student, or the appeal decision. If the discipline appeal council presided over the appeal, the decision must be made by the school board.
4. **Decision.** The school board or discipline appeal council must provide a written decision to the student and parents 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:
 - a. Whether the school board or discipline appeal council affirms or reverses the District's decision that the student's presence posed:

- i. An immediate and continuing danger to students or school personnel; or
 - ii. An immediate and continuing threat of material and substantial disruption of the educational process.
- b. 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 must provide the student and parents notice and due process under the applicable form of discipline to which the emergency expulsion was converted.

Expulsion

Other forms of discipline. Before administering an expulsion, the District must consider other forms of discipline to support the student in meeting behavioral expectations. Administering other forms of discipline may involve the use of best practices and strategies included in the state menu for behavior developed under RCW 28A.165.035.

Initial notice. Before administering any suspension or expulsion, the District must attempt to notify the student's parents or guardians, as soon as reasonably possible, regarding the behavioral violation.

Initial hearing. Before administering any suspension or expulsion, the principal or designee must conduct an informal initial hearing with the student for the purpose of hearing the student's perspective. At the initial hearing, the principal or designee must provide the student:

- a. Notice of the student's violation of the school district's discipline policy;
- b. An explanation of the evidence regarding the behavioral violation;
- c. An explanation of the discipline that may be administered; and
- d. An opportunity for the student to share the student's perspective and provide explanation regarding the behavioral violation.

Parent participation. At an initial hearing in which the principal or designee is considering administering an expulsion, the principal or designee must make a reasonable attempt to contact the student's parents to provide an opportunity for the parents to participate in the initial hearing in person or by telephone.

Administrative decision. Following the initial hearing, the principal or designee must inform the student of the decision regarding the behavioral violation, including the date on which any suspension or expulsion will begin and end.

Written notice. No later than one school business day following the initial hearing with the student, the District must provide written notice of the suspension or expulsion to the student and parents in person, by mail, or by email. The written notice must include:

- a. A description of the student's behavior and how the behavior violated the school district's 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 student's and parents' right to an informal conference with the principal or designee;
- f. The student's and parents' right to appeal the suspension or expulsion, including where and to whom the appeal must be requested; and

- g. For a long-term suspension or expulsion, the opportunity for the student and parents to participate in a reengagement meeting.

Limitations on expulsions. The District may only administer an expulsion:

- For behavioral violations under RCW 28A.600.015(6)(a) through (d); and
- After the District has determined that if the student returned to school before completing an expulsion, the student would pose an imminent danger to students or school personnel.

Length of exclusion. An expulsion may not exceed the length of an academic term, unless the principal or designee petitions the District superintendent for extension of an expulsion under WAC 392-400-480, and the petition is granted.

Grade-level limitations. Except for behavioral violations related to firearms (WAC 392-400-820), the District may not administer an expulsion for any student in kindergarten through fourth grade.

Appeals

- A. **Optional conference with principal.** If the student or parents disagree with the District's decision to expel the student, the student or parents may request an informal conference with the principal or designee to resolve the disagreement. The request for an informal conference may be made orally or in writing.
- **Timing.** The principal or designee must hold the conference within three school business days after receiving the request, unless otherwise agreed to by the student and parents.
 - **Conference.** During the informal conference, the principal or designee must provide the student and parents the opportunity to:
 - d. Share the student's perspective and explanation regarding the behavioral violation;
 - e. Confer with the principal or designee and school personnel involved in the incident that led to the suspension or expulsion; and
 - f. Discuss other forms of discipline that may be administered.
 - **Right to appeal.** An informal conference does not limit a student's or parents' right to appeal the suspension or expulsion, participate in a reengagement meeting, or petition for readmission.

B. Appeal

- **Requesting an appeal.** A student or the parents may appeal an expulsion to the school district superintendent or designee orally or in writing.
- **Time limit.** A student's or parents' appeal of an expulsion must be received by the District within five school business days from the date the District provides written notice of the disciplinary decision following the initial hearing.
- **Appeal.**
 - Within one school business day after receiving the appeal request, unless otherwise agreed to by the student and parents, the superintendent or designee must provide the student and parents written notice in person, by mail, or by email of:
 - i. The time, date, and location of the appeal hearing;
 - ii. The name(s) of the official(s) presiding over the appeal;
 - iii. The student's and parents' rights to inspect the student's education records;
 - iv. The student's and parents' rights to inspect any documentary or physical evidence and a list of any witnesses that will be introduced at the hearing;
 - v. The student's and parents' rights under this subsection; and

- vi. Whether the District will offer to hold a reengagement meeting before the appeal hearing.
- o Reengagement. Before the appeal hearing, the student, parents, and District may agree to hold a reengagement meeting and develop a reengagement plan. The student, parents, and District may mutually agree to postpone the appeal hearing while participating in the reengagement process.
- o Appeal hearing. The District must hold an appeal hearing within three school business days from the date the superintendent or designee received the appeal request, unless otherwise agreed to by the student or parents.
- o Presiding officials. The school board may designate the superintendent, a hearing officer, or a discipline appeal council, if established, to hear and decide appeals under this section. The presiding official(s) may not be involved in the student's behavioral violation or decision to suspend or expel the student and must be knowledgeable about the Washington regulations related to discipline and the District's discipline policies and procedures.
- o Evidence and witnesses.
 - i. Upon request, the student, parents, and District may inspect any documentary or physical evidence and a list of any witnesses that will be introduced at the appeal hearing. The District, student, or parents must make the information available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.
 - ii. Upon request, the student and parents may review the student's education records. The District must make the records available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.
 - iii. If a witness for the District cannot or does not appear at the appeal hearing, the presiding official(s) may excuse the witness's nonappearance if the District establishes that: (A) The District made a reasonable effort to produce the witness; and (B) The witness's failure to appear is excused by fear of reprisal or another compelling reason.
- o Student and parent rights. During the appeal hearing, the student and parents have the right to:
 - v. Be represented by legal counsel;
 - vi. Question witnesses;
 - vii. Share the student's perspective and provide explanation regarding the behavioral violation; and
 - viii. Introduce relevant documentary, physical, or testimonial evidence.
- o Recording of Hearing. The appeal hearing must be recorded by manual, electronic, or other type of recording device. The District must provide the recording to the student or parents upon request.
- o Appeal decision. The presiding official(s) must base the decision solely on the evidence presented at the hearing. The presiding official(s) must provide a written decision to the student and parents in person, by mail, or by email within three school business days after the appeal hearing. The written decision must include:
 - i. The findings of fact;
 - ii. A determination whether:

- a. The student's behavior violated the school district's discipline 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;
- iii. The duration and conditions of the suspension or expulsion, including the dates on which the suspension or expulsion will begin and end;
 - iv. Notice of the student's and parents' right to request review and reconsideration of the appeal decision, including where and to whom to make the request; and
 - v. Notice of the opportunity to participate in a reengagement meeting and the contact information for the person who will coordinate scheduling of the reengagement meeting.
- Pending appeal. If the student or parents request an appeal under this section, the District may temporarily continue to administer the suspension or expulsion during the appeal period subject to the following requirements:
 - j. The District may temporarily continue to administer the suspension or expulsion for no more than ten (10) consecutive school days from the initial hearing or until the appeal is decided, whichever is earlier;
 - k. Any days that the student is temporarily suspended or expelled before the appeal is decided must be applied to the term of the student's suspension or expulsion and may not extend the term of the student's suspension or expulsion;
 - l. If the student who is temporarily suspended or expelled returns to school before the appeal is decided under this section, the District must provide the student an opportunity to make up assignments and tests missed during the suspension or expulsion upon the student's return.
- C. **Review and reconsideration.** The student or parents may request that the school board or discipline appeal council review and reconsider the appeal decision. The student or parents may request the review orally or in writing.
- Time limit. A student's or parents' request to review and reconsider an appeal decision must be received by the District within ten (10) school business days from the date the District provides the written appeal decision to the students and parents.
 - Review procedure.
 - a. In reviewing the District's decision, the school board or discipline appeal council must consider all documentary and physical evidence related to the behavioral violation, any records from the appeal, relevant state law, and the District's discipline policy.
 - b. The school board or discipline appeal council may request to meet with the student or parents, the principal, witnesses, or school personnel to hear further arguments and gather additional information.
 - c. The decision of the school board or discipline appeal council must be made only by board or council members who were not involved in the behavioral violation, the decision to suspend or expel the student, or the appeal decision. If the discipline appeal council presided over the appeal, the review and reconsideration decision must be made by the school board.
 - Decision. The school board or discipline appeal council must provide a written decision to the student and parents 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:

- j. Whether the school board or discipline appeal council affirms, reverses, or modifies the suspension or expulsion;
- k. The duration and conditions of the suspension or expulsion, including the dates on which the suspension or expulsion will begin and end; and
- l. For long-term suspensions or expulsions, notice of the opportunity to participate in a reengagement meeting.

Petition to extend expulsion.

1. **Petition.** When risk to public health or safety warrants extending a student's expulsion, the principal or designee may petition the District superintendent or designee for authorization to exceed the academic term limitation on an expulsion. The petition must inform the superintendent or designee of:
 - a. The behavioral violation that resulted in the expulsion and the public health or safety concerns;
 - b. The student's academic, attendance, and discipline history;
 - c. Any nonacademic supports and behavioral services the student was offered or received during the expulsion;
 - d. The student's academic progress during the expulsion and the educational services available to the student during the expulsion;
 - e. The proposed extended length of the expulsion; and
 - f. The student's reengagement plan.
2. **Time limit.** The principal or designee may petition to extend an expulsion only after the development of a reengagement plan and before the end of the expulsion. For violations related to firearms (WAC 392-400-820), the principal or designee may petition to extend an expulsion at any time.
3. **Notice.** The District must provide written notice of the petition to the student and parents in person, by mail, or by email within one school business day from the date the superintendent or designee received the petition. The written notice must include:
 - a. A copy of the petition;
 - b. The student's and parents' right to an informal conference with the District superintendent or designee to be held within five (5) school business days from the date the District provided written notice to the student and parents; and
 - c. The student's and parents' right to respond to the petition orally or in writing to the District superintendent or designee within five (5) school business days from the date the district provided written notice.
4. **Written Decision.** The District 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 District superintendent or designee must deliver a written decision to the principal, the student, and the student's parents in person, by mail, or by email within ten (10) school business days after receiving the petition.
 - a. If the petition is granted, the written decision must include:
 - i. The date on which the extended expulsion will end;
 - ii. 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
 - iii. Notice of the student's or parents' right to request review and reconsideration of the appeal decision, including where and to whom to make the request.
 - b. If the petition is not granted, the written decision must identify the date on which

the expulsion will end.

5. Review and reconsideration

- a. Requesting review. The students or parents may request that the school board or discipline appeal council, if established, review and reconsider the decision to extend the student's expulsion. The student or parents may request the review orally or in writing.
 - b. Time limit. A District may establish a time limit for parents and students to request a review under this subsection. The time limit must be no less than ten (10) school business days from the date the District superintendent or designee provides the written decision related to the petition to extend the expulsion.
 - c. Review procedure.
 - i. The school board or discipline appeal council may request to meet with the student or parents or the principal to hear further arguments and gather additional information.
 - ii. The decision of the school board or discipline appeal council may be made only by board or council members who were not involved in the behavioral violation, the decision to expel the student, or the appeal decision.
 - d. Decision. The school board or discipline appeal council must provide a written decision to the student and parents 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:
 - i. Whether the school board or discipline appeal council affirms, reverses, or modifies the decision to extend the student's expulsion; and
 - ii. The date on which the extended expulsion will end.
 - e. Duration. Any extension of an expulsion may not exceed the length of an academic term.
- 6. Annual reporting**. The District must annually report the number of petitions approved and denied to the office of superintendent of public instruction.

Once a student is expelled in compliance with District policy, the expulsion will be brought to the attention of appropriate local and state authorities, including, but not limited to, juvenile authorities acting pursuant to the Basic Juvenile Court Act, so that such authorities may address the student's educational needs.

Any elementary or secondary school student who is determined to have carried a firearm onto, or to have possessed a firearm on, public elementary or secondary school premises, public school-provided transportation, or areas of facilities while being used exclusively by public schools, will be expelled from school for not less than one calendar year pursuant to RCW 28A.600.420 with notification to parents/guardians and law enforcement. The superintendent may modify the expulsion of a student on a case-by-case basis.

Firearm Exception

In accordance with RCW 28A.600.420, the 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.

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 facilities while being used exclusively by public schools.

These provisions do not apply to:

- Any student while engaged in military education authorized by the District in which rifles are used;
- Any student while involved in a convention, showing, demonstration, lecture, or firearms safety course authorized by the District; or
- Any student while participating in a rifle competition authorized by the District.

Readmission

Any student who has been expelled will be allowed to make application for readmission at any time in accordance with District policy and procedure. (See also Readmission Application Process and Reengagement, below)

Reporting

Principals will report all long-term suspensions and the reasons therefor to the superintendent or designee within twenty-four (24) hours after the imposing the expulsion.

Board option to delegate authority to hear appeals

The board may delegate its authority to hear and decide long-term suspension and expulsion appeals to a District discipline appeal council established by the board. Members of such councils will be appointed by the board for fixed terms and shall consist of no less than three persons. If such a council is established, the student and/or their parents/guardians have the right to appeal the hearing officer decision to the board or the discipline appeal council.

Appeals to Superior Court (RCW 28A.645.010)

Any parent or student aggrieved by the school board or discipline appeal council's final decision, within thirty days after the rendition of such decision or order or of the failure to act upon the same when properly presented, may appeal the same to the superior court of the county in which the District or part thereof is situated, by filing with the secretary of the school board if the appeal is from board action or failure to act, otherwise with the proper school official, and filing with the clerk of the superior court, a notice of appeal which shall set forth in a clear and concise manner the errors complained of.

Readmission Application Process

Any student who has been suspended or expelled will be allowed to make application for readmission at any time. If a student desires to be readmitted to the school from which they have 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, they will submit the written application to the superintendent. The application will include:

- Reasons the student wants to return and why the request should be considered;
- Evidence which supports the request; and
- A supporting statement from the parent or others who may have assisted the student.

The superintendent will advise the student and parent/guardian of the decision within seven (7) school days of the receipt of such application

Reengagement Meeting and Plan

For any student who has been subjected to a long-term suspension or expulsion, the District will convene a reengagement meeting with the student and their parent(s)/guardian(s) to discuss a plan to reengage the student. The reengagement meeting does not replace an appeal hearing to challenge the suspension or expulsion, nor does it replace a petition for readmission. Before convening a reengagement meeting, the District will communicate with the student and parents to schedule the meeting time and location.

The reengagement meeting must occur:

- Within twenty (20) calendar days of the start of the student's long-term suspension or

- expulsion, but no later than five (5) calendar days before the student's return to school; or
- As soon as reasonably possible, if the student or parents request a prompt reengagement meeting.

The District will collaborate with the student and parents to develop a culturally-sensitive and culturally-responsive reengagement plan tailored to the student's individual circumstances to support the student in successfully returning to school.

In developing a reengagement plan the District must consider:

- The nature and circumstances of the incident that led to the student's suspension or expulsion;
- As appropriate, students' cultural histories and contexts, family cultural norms and values, community resources, and community and parent outreach;
- Shortening the length of time that the student is suspended or expelled;
- Providing academic and nonacademic supports that aid in the student's academic success and keep the student engaged and on track to graduate; and
- Supporting the student parents, or school personnel in taking action to remedy the circumstances that resulted in the suspension or expulsion and preventing similar circumstances from recurring.

The District must document the reengagement plan and provide a copy of the plan to the student and parents.

Behavior Agreements

The District authorizes staff to enter into behavior agreements with students and parents in response to behavioral violations, including agreements to reduce the length of a suspension conditioned on the participation in treatment services, agreements in lieu of suspension or expulsion, or agreements holding a suspension or expulsion in abeyance.

A behavior agreement does not waive a student's opportunity to participate in a reengagement meeting under WAC 392-400-710, or waive the opportunity to receive educational services as provided under WAC 392-400-610. The duration of a behavior agreement must not exceed the length of an academic term. The District is not precluded from administering discipline for behavioral violations that occur after the District enters into an agreement with the student and parents.

Exceptions for protecting victims

The District may preclude a student from returning to the student's regular educational setting following the end date of a suspension or expulsion to protect victims of certain offenses as follows:

- Teacher victim.** A student committing an offense under RCW 28A.600.460(2), when the activity is directed toward the teacher, shall not be assigned to that teacher's classroom for the duration of the student's attendance at that school or any other school where the teacher is assigned;
- Student victim.** A student who commits an offense under RCW 28A.600.460(3), when directed toward another student, may be removed from the classroom of the victim for the duration of the student's attendance at that school or any other school where the victim is enrolled.

Management Resources: 2018 - August Issue
 2016 - July Issue
 2014 - August Issue

Adoption Date: 07.03.17
Stanwood-Camano School
District Revised: 10.02.18;
08.06.19

PUBLIC INFORMATION PROGRAM

The district shall strive to maintain effective two-way communication channels with the public. Such channels shall enable the board and staff to interpret the schools' performance and needs to the community and provide a means for citizens to express their needs and expectations to the board and staff.

The superintendent shall establish and maintain a communication process within the school system and between it and the community. Such a public information program shall provide for news releases at appropriate times, arrange for news media coverage of district programs and events, provide for regular direct communication between individual schools and the patrons they serve and assist staff in improving their skill and understanding in communicating with the public.

Community opinion may be solicited through parent organizations, parent-teacher conferences, open houses and other such events or activities which may bring staff and citizens together. At times, board meetings may be scheduled at neighborhood schools so that residents may express their particular desires to the board. Survey instruments and/or questionnaires may be developed in order to gain a broad perspective of community opinion.

The board is a nonpartisan public body and as such shall not endorse political candidates. Neither staff nor students shall be asked to disseminate candidate's campaign materials from the schools nor shall any of the district's facilities or communications services be used to disseminate such material.

The superintendent shall identify staff who have significant public information responsibilities and establish guidelines for their work. The guidelines shall address such matters as authority for making releases and the nature and content of bulletins to parents.

Collection Of Disciplinary Data

The district will collect data on student disciplinary actions taken in each school, and the information will be available to the public on request. This information may not be personally identifiable, and shall not include a student's name, address or social security number.

District Annual Report

An annual report addressing the activities of the school district and the administration's recommendations for improvement of student learning and district operations shall be prepared by the superintendent and presented to the board as soon as possible after the close of each school year. Upon board approval, the report shall be made available to the public and used as one means for informing parents and citizens, the state education agency, and other districts in the area of the programs and conditions of the district's schools. The district is required to ensure awareness of and compliance with certain statutory requirements as specified in policy #2106. When the district is not in compliance, such deviations shall be incorporated into the annual report.

Cross Reference:

Board Policy 2106 Program Compliance

Legal References:

RCW 28A.150.230 Basic Education Act of 1977 — District school directors as accountable for proper operation of district — Scope — Responsibilities

Public Information Program

Principals are encouraged to initiate media coverage of their school programs and activities. The superintendent shall authorize the release of information when the topic being covered involves more than one building. The following guidelines relate to the public information program:

- A. Media representatives shall be supplied factual information with the request that they not publish or broadcast any facts which are injurious to staff or students or which would serve no constructive purpose.
- B. Media representatives should be kept fully informed on all aspects of the program so that any reporting shall be done on the basis of a complete and accurate overview.
- C. Student should be informed that they have the right to deny an interview or photograph. A release form signed by a parent shall be secured before allowing an individual to photograph and conduct an interview that would "single out" any special education student or identify a student whose parents have signed a form to withhold directory information.
- D. During regular school hours, all media representatives must report to the building office for identification and authorization before going to any part of the building or contacting any individual.
- E. Staff members shall secure authorization from the principal before contacting the media on behalf of the school. This shall not preclude a staff member from contacting the media as a private individual.

Annual District Report

The Annual District Report shall include but not be limited to:

- A. A summary of the student performance towards Washington State Essential Learning Requirements;
- B. Results of district-wide achievement testing;
- C. Budget information, including student enrollment, classroom staff, support staff, administrative staff, and special levy expenditures.

REGULATION OF DANGEROUS WEAPONS ON SCHOOL PREMISES

It is a violation of district policy and state law for any person to carry a firearm or dangerous weapon on school premises, school-provided transportation or areas of other facilities being used exclusively for school activities.

The superintendent is directed to see that all school facilities post "Weapons-Free Zone" signs, and that all violations of this policy and RCW 9.41.280 are reported annually to the superintendent of public instruction.

Dangerous weapons include but are not limited to firearms, sling shots, sand-clubs, metal knuckles, daggers, dirks, spring blade knives, nun-chu-ka sticks, throwing stars, air guns, stun guns, and devices intended to injure a person by an electric shock.

The following persons may carry firearms into school buildings, as necessary, although students engaged in these activities are restricted to the possession of rifles on school premises:

- A. Persons engaged in military, law enforcement, or school district security activities;
- B. Persons involved in a school authorized convention, showing, demonstration, lecture or firearm safety course;
- C. Persons competing in school authorized firearm or air gun competitions; and
- D. Any federal, state or local law enforcement officer.

The following persons over eighteen years of age and not enrolled as students may have firearms in their possession on school property outside of school buildings:

- A. Persons with concealed weapons permits issued pursuant to RCW 9.41.070 who are picking up or dropping off students; and
- B. Persons conducting legitimate business at the school and in lawful possession of a firearm or dangerous weapon if the weapon is secured within an attended vehicle, is unloaded and secured in a vehicle, or is concealed from view in a locked, unattended vehicle.

Persons may bring dangerous weapons, other than firearms, onto school premises if the weapons are lawfully within the person's possession and are to be used in a school-authorized martial arts class.

Persons over eighteen years of age and persons between fourteen and eighteen years of age with written parental or guardian permission may possess personal protection spray devices on school property. No one under eighteen years of age may deliver such devices, nor may anyone eighteen years or older deliver a spray device to anyone under fourteen or to anyone between fourteen and eighteen who does not have parental permission.

Students who violate this policy are subject to district discipline policies, including the due process provisions regarding notification of parents. Students who violate the firearms provisions are subject to a minimum one calendar year expulsion, with possible case-by-case modification by the superintendent. The district shall also comply with federal protections for disabled students in the application of this policy.

The district may 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 for school activities.

Personal protection spray devices may not be used other than in self-defense as defined by state law. Possession, transmission or use of personal protection spray devices under any other circumstances is a violation of district policy.

School officials shall notify the parents/guardians, appropriate law enforcement agency of known or suspected violations of this policy. Students who violate this policy shall be subject to discipline, including a one-year expulsion for a violation involving a firearm. However, the superintendent may modify the one-year expulsion on a case-by-case basis.

Cross References:	Policy 3240 Policy 3241	Student Conduct Corrective Actions or Punishment
Legal References:	RCW 9.41.280 RCW 9A.16.020 RCW 9.91.160 RCW 28A.600.420	Dangerous weapons on school grounds Use of force--when lawful Personal protection spray devices Firearms on school premises, transportation, or facilities--Penalty—Exemptions
Management Resources:	Policy News, October 1997 - Legislature also addresses “LAL” firearms	

Adoption Date: 12.19.2000
Stanwood-Camano School District
Revised: 12.03.13; 11.06.18

MAINTAINING PROFESSIONAL STAFF/STUDENT BOUNDARIES

The purpose of this policy is to provide all staff, students, volunteers, and community members with information about their role in protecting children from inappropriate conduct by adults. This policy applies to all district staff and volunteers. For purposes of this policy and its procedure, the terms "district staff," "staff member(s)," and "staff" also include volunteers.

General Standards

The Stanwood-Camano board of directors expects all staff members to maintain the highest professional standards when they interact with students. Staff members are required to maintain an atmosphere conducive to learning by consistently maintaining professional boundaries.

Professional staff/student boundaries are consistent with the legal and ethical duty of care that district employees have for students.

The interactions and relationships between district staff and students should be based upon mutual respect, trust, and commitment to the professional boundaries between adults and students in and outside of the educational setting, and consistent with the educational mission of the district.

District staff will not intrude on a student's physical and emotional boundaries unless the intrusion is necessary to serve a demonstrated educational purpose. An educational purpose is one that relates to the staff member's duties in the district. Inappropriate boundary invasions can take various forms. Any type of sexual conduct with a student is an inappropriate boundary invasion.

Additionally, staff members are expected to be aware of the appearance of impropriety in their own conduct and the conduct of other staff when interacting with students. Staff members will notify and discuss issues with their building administrator or supervisor whenever they suspect or question whether their own or another staff member's conduct is inappropriate or constitutes a violation of this policy.

The board recognizes that staff may have familial and pre-existing social relationships with parents or guardians and students. Staff members should use appropriate professional judgment when they have a dual relationship to students to avoid violating this policy, the appearance of impropriety, and the appearance of favoritism. Staff members shall pro-actively discuss these circumstances with their building administrator or supervisor.

Use of Technology

The Stanwood-Camano board of directors supports the use of technology to communicate for educational purposes. However, when the communication is unrelated to schoolwork or other legitimate school business, district staff are prohibited from communicating with students by phone, e-mail, text, instant messenger, or other forms of electronic or written communication.

District staff members are prohibited from engaging in any conduct on social networking websites that violates the law, district policies or procedures, or generally recognized professional standards. This prohibition includes prohibiting staff from "friending" and/or "following" students on social media.

Employees whose conduct violates this policy may face discipline and/or 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 and develop procedures and training to accompany this policy.

- 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.400.320-320 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 certificated employees - Appeal - Recovery of salary or compensation by district.
- RCW 28A.405.475 Termination of certificated employee based on guilty plea or conviction of certain felonies - Notice to superintendent of public instruction - Record of notices.
- RCW 28A.410.090 Revocation or suspension of certificate or permit to teach - Criminal basis - Complaints - Investigation - Process
- RCW 28A.410.095 Violation or noncompliance - Investigatory powers of superintendent of public instruction - Requirements for investigation of alleged sexual misconduct towards a child - Court orders - Contempt - Written findings required
- RCW 28A.410.100 Revocation of authority to teach - Hearings
- Chapter 28A.640, RCW Sexual Equality
- Chapter 28A.642, RCW Discrimination Prohibition
- Chapter 49.60,RCW - Washington State Law Against Discrimination
- WAC 181-87 Professional Certification - Acts of Unprofessional Conduct
- WAC 181-88 Definitions of Sexual Misconduct, Verbal and Physical Abuse - Mandatory Disclosure - Prohibited Agreements

Cross References 3205 - Sexual Harassment of Students Prohibited

 3207 - Prohibition of Harassment, Intimidation and Bullying

 3210 - Nondiscrimination

 3421 - Child Abuse, Neglect, and Exploitation Prevention

Management
Resources: March 2019 Policy Issue
 October 2015 Policy Issue

Adopted: 05.04.2010
Stanwood-Camano School District
Revised: 06.21.22

Maintaining Professional Staff /Student Boundaries

The purpose of this procedure is to provide all staff, 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 or omission by a school employee that violates professional staff/student boundaries and has the potential to abuse the staff/student relationship.

An inappropriate boundary invasion means an act, omission, or pattern of such behavior by a school employee that does not have an educational purpose and results in abuse of the staff/student professional relationship.

Unacceptable Conduct

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

- Inappropriate physical contact with a student or any other conduct that might be considered harassment under the Board's policy on Harassment, Intimidation, and Bullying or Sexual Harassment
- Showing pornography to a student;
- Singling out a particular student or students for personal attention and friendship beyond the professional staff-student relationship;
- Socializing with students where students are consuming alcohol, drugs or tobacco,
- 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 required to refer the student to guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student's school performance;
- Sending students on personal errands unrelated to any educational purpose;
- Comments, jokes or innuendos of a sexual nature to, with, or about students;
- Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
- Addressing students or permitting students to address staff members with personalized terms of endearment, pet names, or otherwise in an overly familiar manner;
- Maintaining personal contact with a student outside of school by phone, email, Instant Messenger or Internet chat rooms, social media, or letters (beyond homework or other legitimate school business) without including the parent/guardian.
- Exchanging personal gifts, cards or letters with an individual student;
- Socializing or spending time with students (including but not limited to activities such as going out for beverages, meals or movies, shopping, traveling, and recreational activities) outside of school-sponsored events, except as participants in organized community activities;
- Giving a student a ride alone in a vehicle in a non-emergency situation; and/or
- Invading a student's privacy, (e.g. walking in on the student in the bathroom)

Appearances of Impropriety

The following activities are boundary invasions and can create an actual 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 person must report the occurrence, to the appropriate administrator, as soon as possible.

- Being alone with an individual student out of the view of others;
- Inviting or allowing individual students to visit the staff member's home;
- Visiting a student's home; and/or
- Social networking with students for non-educational purposes.

Reporting Violations

Students and their parents/guardians are strongly encouraged to notify the principal (or other school administrator) if they believe a teacher or other staff member may be engaging in conduct that violates this policy.

Staff members are required to promptly notify the principal (or other administrator) or the superintendent if they become aware of a situation that may constitute a violation of this policy.

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 and volunteers will receive training on appropriate staff / student boundaries within three months of employment. Continuing employees will receive training every three years.

Dissemination of Policy and Reporting Protocols

This policy and procedure shall be included on the district Web site and in all employee, student and volunteer handbooks.