

PRINT STUDENT NAME _____

STUDENT ID#: _____

GRADE: _____



PLEASE SIGN AND RETURN THIS PAGE TO YOUR CHILD'S SCHOOL

I have received and reviewed the Everett Public Schools Student Rights and Responsibilities handbook for the **2017-18** school year, including the Family Educational Rights and Privacy Act (FERPA) form (found on the following page), which I must return by **October 1** if I wish to restrict release of information about my child.

I acknowledge that I am aware of and understand the district's attendance policies and procedures. (See the informational letter in this handbook.)

I also acknowledge that I have received and agree to the conditions for student use of technology as specified in the Student Rights and Responsibilities handbook.

Parent/Guardian Signature

Date

Student Signature

Date

Print Student Name

- This handbook is also available in Arabic, Russian, Spanish and Vietnamese. Contact your school office for copies.
- يتوفر الدليل أيضا باللغة العربية، الروسية، الأسبانية والفيتنامية. اتصل بمكتب المدرسة الخاص بك من أجل النسخ.
- Это руководство также переведено на арабский, русский, испанский и вьетнамский языки. Свяжитесь с офисом вашей школы, чтобы получить экземпляр.
- Este manual también está disponible en árabe, ruso, español y vietnamita. Comuníquese con la oficina de su escuela para obtener copias.
- Cuốn sổ tay hướng dẫn này được dịch ra tiếng Ả-rập, tiếng Nga, tiếng Tây Ban Nha và tiếng Việt. Vui lòng liên hệ với văn phòng trường quý vị để nhận bản dịch.

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THREE reasons you might want to return this form by October 1.

1. You don't want your child's photo or information used as explained in **SECTION 1**
2. You don't want your child to use the Internet at school – **SECTION 2**
3. You have a high school student – **SECTION 3**

1. Your permission to use student's photo, name and student work

The district never releases phone numbers and addresses without your permission. The district does release student photos, names and student work under the following circumstances. If you do not want that information released, write NO in the box provided.

If you leave a box blank or do not return this form, we assume we have your permission to release the information below.

Do you want your child's name and/or photo shared in the following kinds of district and non-district methods?

School newspaper, graduation program, school or district recognitions, print and online media; also parent groups, such as the PTA, which frequently write stories about student accomplishments, school programs and events.



Write "YES" or "NO"

Do you want your child's name and/or photo in your school's yearbook?

Note: Some schools publish their yearbook online and some yearbooks are created by parent groups, such as the PTA.



Write "YES" or "NO"

2. Your permission for your student to use the Internet at school

If you leave this blank, we assume your child has permission to use the Internet at school.

WRITE NO if you don't want your child to use the Internet to learn at school.

3. Your permission to share high school student information with the military and colleges

If you leave an item blank, we assume we have your permission to release the information.

WRITE NO if you don't want your high school student's information shared with:

Military recruiters

Colleges and trade schools

Student Name (please print)

Parent/Guardian Name (please print)

Student ID Number (if currently enrolled student)

Parent/Guardian Signature

Date

If you have any questions, call the Everett Public Schools communications office at 425-385-4040.

Explanations

The federal Family Educational Rights and Privacy Act (FERPA) allows school districts to define “directory information,” and then share only that information **unless** you request that information **not** be shared.

If you write “NO” for an item on the other side of this page, we cannot and will not share the information you specified. When we are asked for “directory information” about a student, we share only the information needed for that purpose. We usually only share the student’s name, age or grade and school.

1. INFORMATION USED IN DISTRICT PUBLICATIONS, ONLINE AND BY OUTSIDE MEDIA

Directory information is: student’s name, grade level, dates of enrollment, degrees and awards, participation in officially recognized activities and sports, weight and height of members of athletic teams, schools attended in the district; school work, and photographs per [Policy 3250](#).

We share good news about student achievement and honors. This includes showing student work in print and online. It can mean displaying student work in a public place, and sharing student achievement information with news outlets. We never knowingly release information about a student to anyone who wants to use it for commercial reasons. We only share student addresses or phone numbers when such requests come from the military or institutions of higher learning (as explained below).

2. INTERNET ACCESS FOR LEARNING AT SCHOOL

Thanks to voter approval of bonds and levies, students can use educational technology as an everyday part of their learning. With technology, learning expands from the four walls of a classroom into the rest of the world. Students use the Internet to explore, research and collaborate. They are able to store documents electronically and retrieve them from home and from school.

If you write “NO” in Section 2, your child will not be able to use the Internet for school learning.

3. INFORMATION FOR MILITARY AND COLLEGES (applies to high school students only)

The military and institutions of higher learning request high school students’ directory information and, by federal law, we must also provide the student’s address and phone number. We provide that information on or about October 15 each year to these groups. If you write “NO” in Section 3 on the other side of this page, and if we receive your form by October 1, we will not release your student’s directory information. If your student’s form is returned **after** October 1, be aware that we may have already released your student’s information per [Policy 3250](#).

All district policies and procedures are available online at www.everettsd.org

- [Policy](#) and [Procedure](#) 3245 – “Technology.” Internet Access information is under section *Student Access and Use of District Technology*.
- [Policy 3250](#) – “Release of Student Directory Information” includes more details about student directory information.
- For more information about directory information, call the communications department at 425-385-4040.



2017-18

**Student Rights and Responsibilities
Policies**

and

Parental Notifications

“Our students will lead and shape the future.”

Everett Public Schools
3900 Broadway
Everett, Washington 98201

2017-18 SCHOOL YEAR PREAMBLE

The board of directors and administration are deeply grateful to the original members of the committee who developed the Student Rights and Responsibilities policies for the Everett School District. The committee of parents, teachers, administrators, students, and interested citizens has made an outstanding contribution to the program of education in this school district. The recommended policies and rules have been adopted by the board of directors on the recommendation of the administration and will certainly foster a learning environment that promotes respect for the rights of all.

This edition is current and supersedes the previous handbook. The “earlier” versions are now out of date due to revision and new state law. These policies are subject to change during the year based on legislative and board policy changes.

Caroline Mason, President
Board of Directors

Dr. Gary Cohn
Superintendent

NOTICE

Pursuant to state law, students who possess or carry onto school premises, school-provided transportation, or areas of facilities being used exclusively by public or private schools any firearms, other dangerous weapons, nun-chu-ka sticks, throwing stars, air guns, or other projectiles **shall be subject to expulsion**. Students who with malice display what appears to be a firearm **shall be subject to suspension or expulsion** of up to one (1) year. Students carrying or possessing a firearm **shall be subject to a one-year mandatory expulsion**. The parent/guardian and appropriate law enforcement agencies will be contacted when there are firearms/dangerous weapons involved. The chief school officer may modify the expulsion of a student on a case-by-case basis. The parent/guardian has the right to appeal a suspension or expulsion.

Pursuant to state law, the district has adopted policy and procedures prohibiting harassment, intimidation and bullying. Students committing acts of bullying will be subject to discipline up to and including expulsion. The policy and procedures are contained within this handbook.

Student use of tobacco and tobacco-like products including e-cigarettes and vapor devices is prohibited in district facilities or vehicles or on district property. Students will be subject to progressive discipline for violations of this policy.

The *Student Rights and Responsibilities Policies* handbook can be found on the district’s website at www.everettsd.org.

The *Student Rights and Responsibilities Policies* handbook is published annually in accordance with State law by the office of Larry Fleckenstein, Assistant Superintendent, Teaching and Learning. For information regarding this handbook, please contact Kellee Newcomb at 425-385-4023.

Everett Public Schools does not discriminate on the basis of sex, race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sexual orientation including gender expression or identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. Designated to handle inquiries about nondiscrimination policies are:

Affirmative Action Officer: Carol Stolz
425-385-4106

cstolz@everettsd.org

ADA District Coordinator: Becky Clifford

425-385-5250

rclifford@everettsd.org

Harassment, Intimidation and Bullying (HIB) Compliance
Officer: Robert Polk

425-385-4260

rpolk@everettsd.org

Title IX Compliance Officer: Randi Seaberg

425-385-4104

rseaberg@everettsd.org

504 Coordinator: Becky Ballbach

425-385-4064

rballbach@everettsd.org

Executive Director Human Resources: Debbie Kovacs

425-385-4100

dkovacs@everettsd.org



PO Box 2098, Everett, WA 98213
www.everettsd.org

Dear Parent:

In Everett Public Schools, we are committed to providing a world-class education to your student. Consistent school attendance supports student learning and achievement. Regular school attendance helps connect children to school, helps them succeed, and prepares them for future success in college and career. Students who do not regularly attend school often fall behind and do not perform as well as their peers.

Chronic absenteeism affects learning

- Starting in kindergarten, more than two absences per month (excused and unexcused) can cause children to fall behind in school.
- Missing 10 percent (or about 18 days per school year) increases the chance that students will not read or master math at the same level as their peers.
- Absences can disconnect students from the classroom and their peers.
- By sixth grade, absenteeism is one of three signs that a student may drop out of high school.
- By ninth grade, regular school attendance is a better predictor of whether or not students will graduate on-time than their eighth grade test scores.

You are an important partner in your child's education, and we appreciate your support in helping your child maintain consistent school attendance.

What to do when your child is absent

If your child is absent, contact the attendance office at your child's school by writing (preferred) or phone to provide an explanation for the absence within 30 calendar days from the date of the absence. Refer to your student handbook or the district website, www.everettsd.org, for more information about the district attendance policy (3122P).

Our promise to you

We know there are a wide variety of reasons why students may be absent from school, from health concerns to transportation challenges. There are many people in our schools prepared to help you if you or your child face challenges getting to school regularly or on time. Please contact your child's school counselor or administrator if you would like to schedule a meeting to discuss any barriers your family is facing that may affect your child's attendance.

School policies and state laws regarding attendance

We want to ensure you are fully informed of school policies (3122) and procedures (3122P), as well as Washington State Law, to ensure your child is successful in school. State law for mandatory attendance, called the Becca Bill, requires children from age eight to 17 to attend a public school, private school, or a district-approved home school program. Children who are six or seven years old are not required to be enrolled in school. However, if parents enroll their six- or seven-year-old child in school, the student must attend full time. Youth who are 16 years

or older may be excused from attending public school if they meet certain requirements, see <http://apps.leg.wa.gov/rcw/default.aspx?cite=28A.225.225>.

The school district is required to take daily attendance and notify you when your child has an unexcused absence.

If your child has three unexcused absences in one month, state law (RCW 28A.225.020) requires the district to schedule a conference with you and your child to identify the barriers and supports available to ensure regular attendance. The district is obligated to develop a plan that may require an assessment to determine how to best meet the needs of your child and reduce absenteeism.

In elementary school, after five excused absences in any month or 10 or more excused absences in the school year, the school district is required to contact you to schedule a conference at a mutually agreeable, reasonable time with at least one district employee, to identify the barriers and supports available to you and your child. A conference is not required if your child has provided a doctor's note, or pre-arranged the absence in writing, and the parent, student, and school have made plans so your child does not fall behind academically. If your child has an Individualized Education Plan (IEP) or a 504 Plan, the team that created the plan will reconvene.

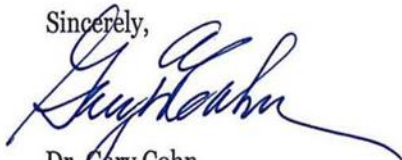
If your child has seven unexcused absences in any month or 10 unexcused absences within the school year, we are required to file a petition with the juvenile court, alleging a violation of RCW 28A.225.010, the mandatory attendance law. The petition may be automatically stayed and your child and family may be referred to a Community Truancy Board, or you and your child may need to appear in Juvenile Court. If your child continues to be truant, you may be required to go to court.

Ways you can support your child's learning

- Set a regular bedtime and morning routine.
- Prepare for school the night before, finishing homework and getting a good night's sleep.
- Send your child to school every day unless they are truly sick.
- Develop back-up plans for getting your child to school on time.
- Keep track of your child's attendance. Missing multiple days of school could put your child at risk of falling behind.
- Establish expectations with your child about the importance of attendance.
- Talk to your child's teachers if you notice sudden changes in behavior.

Working together, we can remove barriers that keep students from the classroom and help each student graduate career, college, and life ready.

Sincerely,



Dr. Gary Cohn
Superintendent

Report it!

3 easy ways

Text or call



855-637-2095



1350@alert1.us



<http://1350.alert1.us>

FOR
EMERGENCIES,
PLEASE CALL
911!

Report:

- bullying
- intimidation
- harassment
- weapons
- drugs
- other



Safety Tip Reporting Service: *SafeSchools Alert*

Safety is one of our district's top priorities. That is why we are now using *SafeSchools Alert*, a tip reporting system that allows students, staff, and parents to submit safety concerns to our administration four different ways:

1. **Phone:** 855-637-2095
2. **Text:** Text your tip to 855-637-2095
3. **Email:** 1350@alert1.us
4. **Web:** <http://1350.alert1.us>

Students, staff and parents can easily report tips on bullying, harassment, drugs, vandalism or any safety issue that they are concerned about. Tips can be submitted anonymously online or by telephone. More information, including the *SafeSchools Alert* Terms of Use and Privacy Policy, is available online at <http://1350.alert1.us>. Thank you in advance for helping to make our district and schools safer places to work and learn! We appreciate your support.

*****NEW THIS YEAR*****

PLEASE PAY PARTICULAR ATTENTION TO THE FOLLOWING CHANGES TO THE 2017-18 STUDENT RIGHTS AND RESPONSIBILITIES HANDBOOK

Policy and Procedure Revisions/Additions:

- Policy & Procedure 3122, Attendance: Our state has recognized the importance of student attendance and through the state legislature revised our state law [RCW 28A.225](#) that concerns compulsory school attendance. These revisions are specific to the role and responsibility of the district concerning absenteeism and the resources available to assist students and families to correct absentee behaviors. Following the revised state law, revisions to Procedure 3122P were made to establish and support consistent attendance practices district-wide for excusing absences, recording absences, conducting meetings and communications with parents/guardians to discuss student absences, and parameters for pre-arranged absences for vacation or travel.
- Policy & Procedure 3240, Student Conduct Expectations and Sanctions: Language has been added regarding prohibition of tobacco-like products including e-cigarettes and vapor devices and the language regarding medications at school has been revised.
- Procedure 3245P, Technology: Revisions are in preparation for the roll out of the Everett Public Schools-issued laptops for students for classroom and at-home use. A *Student Technology Use Agreement* form and technology [handbook](#) has been created for students and parents to sign prior to receiving the laptop.
- Procedure 3600P, Student Records: Revisions reflect the amendments made to the Family Education Rights and Privacy Act (FERPA) by the Uninterrupted Scholar's Act of 2013 codified in the U.S. Public Law 112-278, which are exceptions to the general rule that districts may release educational records only with parent or adult student prior written consent. Based on Public Law 112-278, information regarding students in foster care may be released without prior written consent to agency caseworkers or other representatives of state or local child welfare agencies or tribal organizations who are legally responsible for the care and protection of the student, for purposes related to the student's case plan. Also, when a parent is party to a court proceeding involving child abuse or neglect (as defined in federal law) or dependency matters, and an order is issued in that proceeding, the district is not required to provide additional notice to the parent prior to release of the information.

Update on Student Discipline Rulemaking

Last fall we reported that the 2016 Legislature had passed a new law regarding discipline, which became effective June 9, 2016. The new law required districts to adopt policies and procedures with the new language by the beginning of the 2017-18 school year.

The Office of the Superintendent of Public Instruction has now confirmed that the rulemaking process has been extended into the summer of 2017 so that it can conduct a more comprehensive review of [Chapter 392-400 WAC](#). As a result, the discipline updates will not be issued in time to be included in the printing of this handbook. The final rule adoption and effective dates are now estimated to occur sometime this fall.

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Part I

Policies and Rules Affecting the Status and Conduct of Students

Attendance

3122

Regular, consistent, timely attendance is essential to school success, student learning and future employment habits. Life-long attendance behaviors begin with entry into school at the pre-school or kindergarten level, and continue through middle school and into high school until the student graduates. When students arrive in the classroom, it is expected that they will immediately begin to prepare for the start of the day or the period, and be ready to engage in the learning process when the school day or period officially begins.

Students are expected to attend all assigned classes each day on time. Upon enrollment and at the beginning of each school year, the district shall inform students and their parents/guardians of attendance expectation, the benefits of regular school attendance, the consequences of truancy, the role and responsibility of the district in regard to truancy, and resources available to assist the student and their parents/guardians in correcting truancy. The district will make this information available online or, upon parent request, in writing. The district will make reasonable efforts to enable parents to request and receive this information in a language they can understand. Parents will be required to date and acknowledge review of this information either online or in writing at the time of enrollment and at the beginning of each school year.

It is recognized that there are rare occasions that necessitate a late arrival, early departure or legitimate excused student absence. Teachers will keep a record of student absences and tardiness. Determination as to whether an absence is a tardy, excused or unexcused absence is made by the school in accordance with law and policy. The role of the parent or guardian is to ensure that his/her children attend school and to verify that the student's absence was for an excusable reason.

It shall be the responsibility of principals and certificated staff to enforce the district's attendance policies and procedures.

Procedure

3122P

Absence Definitions

To establish common attendance practices within and across all school levels, the following definitions will determine the appropriate category for absence reporting.

Excused and Unexcused Absences

Excused Absences

The following are valid excuses for absences and tardiness and describe the process to have an absence or tardy excused.

- A. **Participation in a district or school-approved activity or instructional program:** To be excused this absence must be authorized by a staff member and the affected teacher(s) must be notified prior to the absence unless it is clearly impossible to do so.
- B. **Illness, health condition or medical appointment** including, but not limited to, medical, counseling, dental or optometry. If the student is confined to home or hospital for an extended period, the school will arrange for the accomplishment of assignments at the place of confinement whenever practical. If the student is unable to do his/her schoolwork, or if there are major requirements of a particular course which cannot be accomplished outside of class, the student may be required to take an incomplete or withdraw from the class without penalty.
- C. **Family emergency** including but not limited to a death or illness in the family.
- D. **Religious or cultural purposes** including observance of a religious or cultural holiday or participation in religious or cultural instruction.
- E. **Court, judicial** proceeding or serving on a jury.
- F. **Post-secondary, technical school or apprenticeship program** visitation, or scholarship interview.
- G. **State-recognized search and rescue activities** consistent with [RCW 28A.225.055](#).
- H. Absence directly related to the **student's homeless status**.
- I. Absences related to deployment activities of a parent or legal guardian who is an active duty member consistent with [RCW 28A.705.010](#).

- J. **Absence resulting from a disciplinary/corrective action** (e.g., short-term suspension, or long-term suspension, emergency expulsion): As required by law, students who are removed from a class or classes as a disciplinary measure, or students who have been placed on short-term suspension, will have the right to make up assignments or exams missed during the time they were denied entry to the classroom if the effect of the missed assignments will be a substantial lowering of the course grade.
- K. **Principal (or designee) and parent/guardian mutually agreed upon approved activity**: This category of absence will be counted as excused for purposes agreed to by the principal (or designee) and the parent/guardian or emancipated youth.

For items B-I, the parent/guardian is expected to contact their school attendance office in writing *or* by phone to provide an explanation for a student absence within thirty (30) calendar days from the date of the absence.

To Contact the School in Writing

Parents/guardians may contact the school in writing to provide an explanation for a student absence. Such parent/guardian written contact can be in the form of a hand-written note, sent from the parent/guardian email address, or sent by fax. The written note should contain the following information:

- Student ID number and/or name
- Date(s) of the absence
- Reason for the absence
- Parent/guardian name
- Parent/guardian signature (for hand-written notes)
- Parent/guardian phone number

To Contact the School by Phone

Parents/guardians may contact the school by phone to provide an explanation for a student absence. Such parent/guardian contact will be recorded in writing by school office staff to excuse the absence. Parents/guardians needing language assistance to provide a written note may use the district's Communication Line for Non-English Speaking Families by calling 425-385-4011.

The principal (or designee) has the authority to determine if an absence meets the above criteria for an excused absence.

Unexcused Absences

Any absence from school for the majority of hours or periods in an average school day is unexcused unless it meets one of the criteria for an excused absence. Unexcused absences occur when:

1. The parent/guardian or adult student submits an excuse statement that does not constitute an excused absence as defined above; or
2. The parent/guardian or adult student fails to submit any type of excuse statement.

Length of Absence

The length of a student's daily absence per the definitions below determines if the absence will be recorded as a tardy, part day or full day absence.

Tardy/Part Day Absence

Students are tardy if they arrive after the published start time or leave before the published end time for school or class.

Elementary

At the elementary level, a student's attendance will be recorded as a part day absence from school if the student is more than thirty (30) minutes late or if the student leaves thirty (30) minutes or more early.

Secondary (Middle and High Schools)

At the secondary level, a student's attendance will be recorded as a period absence if the student arrives five (5) minutes or more late to class or leaves five (5) minutes or more early.

Full Day Absence

A full day absence is defined as a student failing to attend the majority of hours or periods they are scheduled to attend on that school day.

Elementary

At the elementary level, a student's attendance will be recorded as a full day absence when the student misses more than 50% of the instructional minutes scheduled for that school day. On a regularly scheduled school day, there are 6.5 total hours per day.

Secondary (Middle and High Schools)

At the secondary level, a student's attendance will be recorded as a full day absence when the student misses more than 50% of the instructional minutes or periods scheduled for that student's school day. On a regularly scheduled school day, there are seven (7) periods in middle school and six (6) periods in high school.

Prearranged Absences

Families should not schedule vacations or travel while school is in session. If a family vacation or travel must occur while school is in session, it must be prearranged prior to the absence and approved by the principal (or designee). Pursuant to item K above, the principal (or designee) may excuse up to five (5) school days for a prearranged absence per student each school year. Assignments requested for a prearranged absence will be provided to the student or parent if requested five (5) school days prior to the absence.

Response to Student's Failure to Attend School**A. Notice to Parent/Guardian**

If a student fails to attend school, the student's parent/guardian will be informed by a notice in writing or by telephone whenever the child has failed to attend school after one (1) unexcused absence within any month during the current school year. The school shall inform the parent/guardian of the potential consequences of additional unexcused absences. If the parent/guardian is not fluent in English, the school must make reasonable efforts to provide this information in a language in which the parent/guardian is fluent.

B. Required Conference for Elementary School Students

If an elementary school student has five (5) or more excused absences in a single month during the current school year or ten (10) or more excused absences in the current school year, the district will schedule a conference with the parent/guardian and student at a reasonably convenient time.

The conference is intended to identify barriers to the student's regular attendance and to identify supports and resources so the student may regularly attend school.

A conference is not required for students with five (5) or more excused absences if:

- (a) Written notice of the prearranged excused absence was provided to the principal (or designee); or
- (b) If a doctor's note was provided and an academic plan was in place to ensure the student did not fall behind while absent.

If a regularly scheduled parent-teacher conference day is to take place within thirty days (30) of the absences, the district may schedule the conference on that day. If the student does not have an Individualized Education Program (IEP) or a Section 504 Plan, the conference must include at least one (1) district employee, such as a nurse, counselor, social worker, teacher or community human services provider. If the student has an IEP or a Section 504 Plan, the team that created that program must reconvene.

C. Required Conferences for All Students relating to Unexcused Absences

After two (2) unexcused absences within any month, a conference will be held between the parent/guardian, student and school official to analyze the causes of the student's absenteeism. If a regularly scheduled parent-teacher conference is scheduled to take place within thirty (30) calendar days of the second unexcused absence, the district may schedule the attendance conference on the same day.

The district will designate a staff member to apply the Washington Assessment of the Risks and Needs of Students (WARNS) and, where appropriate, provide the student with best practice or research-based interventions consistent with WARNS. As appropriate, the district will also consider:

1. Adjusting the student's school, program or course assignments;
2. Providing the student more individualized or remedial instruction;
3. Providing appropriate vocational courses or work experience;

4. Requiring the student to attend an alternative school or program;
5. Assisting the student or parent/guardian to obtain supplementary services that might eliminate or ameliorate the causes of absence; or
6. Referring the student to a community truancy board.

If the parent/guardian does not attend the conference, the conference may be conducted with the student and the school official. The parent/guardian will be notified of the steps the school has decided to take to eliminate or reduce the student's absences.

D. After Five (5) Unexcused Absences

Not later than a student's fifth unexcused absence in a month, the district will:

1. Enter into an agreement with the student and parents/guardians that establishes school attendance requirements;
2. Refer the student to a community truancy board; or
3. File a petition with juvenile court (see below).

E. Petition to Juvenile Court

For students under the age of seventeen (17), no later than the seventh unexcused absence within any month during the current school year, or upon the tenth unexcused absence during the current school year, the district will file a petition and supporting affidavit for a civil action in juvenile court alleging violation of the State's school attendance laws.

The petition will contain the following:

1. A statement that the student has unexcused absences in the current school year;
2. An attestation that actions taken by the district have not been successful in substantially reducing the student's absences from school;
3. A statement that court intervention and supervision are necessary to assist the district to reduce the student's absences from school;
4. A statement that [RCW 28A.225.010](#) has been violated by the parent/guardian, student or parent/guardian and student;
5. The petition will include the student's name, date of birth, school, address, gender, race and ethnicity, and the names and addresses of the student's parents/guardians, the languages in which the student and parent/guardian are fluent, whether there is an existing individualized education program (IEP), and the student's current academic status in school;
6. A list of all interventions that have been attempted, a copy of any previous truancy assessment completed by the student's current school/district, the history of approved best practices or research-based intervention(s) previously provided to the student by the district, and a copy of the most recent truancy information document signed by the parent/guardian and student;
7. Facts that support the above allegations; and
8. The relief requested.

Petitions may be served by certified mail, return receipt requested, but if such service is unsuccessful, personal service is required. At the district's choice, it may be represented by a person who is not an attorney at hearings related to truancy petitions.

If the allegations in the petition are established by a preponderance of the evidence, the court grants the petition and enters an order assuming jurisdiction to intervene for a period of time determined by the court, after considering the facts alleged in the petition and the circumstances of the student, to most likely cause the student to return to and remain in school while the student is subject to the court's jurisdiction.

If the court assumes jurisdiction, the school district shall periodically report to the court any additional unexcused absences by the student, actions taken by the school district, and an update on the student's academic status in school at a schedule specified by the court. The first report must be received no later than three (3) months from the date that the court assumes jurisdiction.

Students Found Dependent Pursuant to [RCW 13.34](#)

A district representative or staff member will review unexpected or excessive absences with a student who has been found dependent under the [Juvenile Court Act](#) and the adults involved with that student. Adults includes the student's caseworker, educational liaison, attorney if one is appointed, parents/ ~~or~~ guardians, foster parents or the person providing placement for the student. The purpose of the review is to determine the cause of the absences, taking into account: unplanned school transitions, periods of running from care, in-patient treatment, incarceration, school adjustment, educational gaps, psychosocial issues, and the student's unavoidable appointments that occur during the school day. The district representative or staff member must proactively support the student's management of their school work so the student does not fall behind and to avoid suspension or expulsion based on truancy.

Students Six or Seven Years Old

Students six (6) or seven (7) years of age, who have been enrolled in the district, are required to attend school and their parents/guardians are responsible for ensuring that they attend. Parents/guardians who wish to withdraw their children before the age of eight (8), and against whom no truancy petition has been filed, may withdraw the students from school. When a six (6) or seven (7)-year-old student has unexcused absences, the district will follow the steps described above under Response to Student's Failure to Attend School.

Discipline and Corrective Action

Any student who presents false evidence, with or without the consent of his/her parent/guardian, in order to wrongfully qualify for an excused absence will be subject to the same corrective action that would have occurred had the false excuse not been used.

All sanctions imposed for failure to comply with the attendance policies and procedures will be implemented in conformance with state and district regulations regarding discipline or corrective action.

Student Transfers

In the case of a student who transfers from one district to another during the school year, the receiving district will include the unexcused absences accumulated at the previous district. The sending district will provide this truancy information to the receiving district, together with a copy of the WARNS assessment and any interventions previously provided to the student. The information will include the online or written acknowledgment by the parent/guardian and student.

Community Truancy Board

A "community truancy board" means a board established pursuant to a memorandum of understanding (MOU) between a juvenile court and the district and composed of members of the local community in which the student attends school. Prior to the 2017-18 school year, the district will enter into an MOU with the Snohomish County Juvenile Court to establish and operate a community truancy board.

The district will designate and identify to the juvenile court a staff member to assist in the recruitment of community truancy board members, coordinate district efforts to address excessive absenteeism and truancy, including outreach and conferences, establishing protocols and procedures with the court, coordinating training for members of the community truancy board, and sharing evidence-based and culturally appropriate promising practices. The district will also identify a person at each school to serve as a contact regarding excessive absenteeism and truancy.

Child Custody

3610

The board presumes that the person who enrolls a student in school is the custodial parent of the student. Parents or guardians have the two-fold right to receive information contained in the school records concerning their child and to forbid or permit the disclosure of such information to others subject to the authority granted to the custodial parent.

The board, unless informed otherwise, assumes that there are no restrictions regarding the non-custodial parent's right to be kept informed of the student's school progress and activities. If restrictions are made relative to the above rights, the custodial parent will be requested to submit a certified copy of the court order, which curtails this right(s).

Releases

In the absence of a court order on file with the district that restricts or prohibits any parent or other person from contact with or picking up a student from school, the student will be released to the custodial parent(s) or non-custodial parent(s) or the "contacts/release" person(s) as authorized on enrollment or update forms.

Procedure**3610P**

1. Non-custodial parents have the right to access their child's classroom or school-sponsored activities for the purpose of observing the class procedure, teaching materials, and class conduct, provided this does not disrupt the classroom procedure or learning activity. If the purpose of the classroom visitation is to observe learning and teaching activities, the visitor may be asked to confer with the teacher before or after the observation to enhance understanding of the activities.
2. If restrictions are made relative to the rights of the non-custodial parent to be kept informed of his/her student's school progress and activities, the custodial parent will submit a certified copy of the court order, which curtails this right(s). If the other parent questions these rights, the parent(s) must return to the courts for resolution.
3. Unless there are court-imposed restrictions, the non-custodial parent, upon request, will be given grade reports, notices of school activities, reports of disciplinary actions, or notices of teacher or principal conferences or summaries and will be allowed access to other educational records of the student as requested under Everett Public Schools' Records [Policy 3600](#).
4. Unless the custodial parent provides the school with a certified copy of a court order restricting or prohibiting the student's contact with the non-custodial parent, a student shall be released to the custodial parent(s) or the non-custodial parent(s) or the "contacts/release" person(s) as authorized on enrollment or update forms.

Visits

Absent court-ordered restrictions, the non-custodial parent may interact with his/her child during a visit to the school provided there is no disruption to the educational process or school procedures. The principal is responsible for verifying the parent's identity. Preferred identification is an entry in the student records system and picture identification. As a courtesy, the principal should notify the custodial parent as soon as practical if such a visit occurred.

Releases

Written guidelines pertaining to rights of non-custodial parents should be readily accessible to direct staff if a non-custodial parent appears without prior notice to meet with the teacher of his/her child, to visit with his/her child, or to remove his/her child from the school premises. ([RCW 28A.605.010](#)—Removing child from school grounds during school hours.)

Compulsory Attendance**3120**

Parents/guardians of any child eight years of age and under eighteen years of age shall cause such child to attend school and such child shall have the responsibility to and therefore shall attend for the full time when such school may be in session unless the child is attending an approved private school or education center or is receiving home-based instruction.

Exceptions may be granted by the superintendent for a child who is sixteen years of age or older if the child:

- A. Is regularly and lawfully employed and the parent agrees the child should not be required to attend school,
- B. Has met graduation requirements, or
- C. Has received a certificate of educational competence.

As required by law, the district shall notify a child's parent/guardian and petition the court when a child required to attend school fails to attend school without valid justification. The district shall inform students and parents annually about these compulsory attendance requirements.

Distribution of Materials**3222**

Publications or other materials may be distributed on school premises in accordance with procedures developed by the superintendent. Such procedures may impose limits on the time, place, and manner of distribution.

Students responsible for the distribution of material which leads to a substantial disruption of school activities or otherwise materially interferes with school operations shall be subject to corrective action, including suspension or expulsion, consistent with student discipline policies.

Materials shall not be distributed on school grounds by non-students, non-employees of the district, or non-school-related groups.

Procedure**3222P**

Distribution of materials shall not cause a substantial disruption of school activities or materially interfere with school operations. Students responsible for distribution of materials will be subject to corrective action, including suspension or expulsion, depending on the nature of the disruption or interference resulting from distribution of materials.

The following guidelines are in effect in each school building:

- A. Materials may be distributed before or after the school day at points of entry/exit of school buildings.
- B. Students may also seek permission from the school principal or assistant principal to distribute materials at other times and locations.

Freedom of Assembly**3223**

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

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

Freedom of Expression**3220**

The free expression of student opinion is an important part of education in a democratic society. Students' verbal and written expression of opinion on school premises is encouraged so long as it does not substantially disrupt the operation of the school. Students are expressly prohibited from the use of vulgar and/or offensive terms in classroom or assembly settings.

The superintendent shall develop guidelines assuring that students are able to enjoy free expression of opinion while maintaining orderly conduct of the school.

Procedure**3220P**

Students shall enjoy the privilege of free verbal and written expression providing such expression does not disrupt the operation of the school. The principal shall have the authority to monitor student verbal and written expression. Students who violate the standards for verbal and written expression shall be subject to corrective action or punishment.

For purposes of verbal and written expression, the following guidelines should be in effect:

- A. Distribution of written materials or presentation of an oral speech in an assembly or classroom setting may be restricted:
 - 1. where there is evidence which reasonably supports a forecast that the expression is likely to cause material and substantial disruption of, or interference with, school activities, when disruption or interference cannot be prevented by reasonably available, less restrictive means; or
 - 2. where such expression unduly impinges upon the rights of others.

In order for a student publication or speech to be disruptive, there must exist specific facts upon which it would be reasonable to forecast that a clear and present likelihood of an immediate, substantial disruption to normal school activity would occur if the material were published and distributed. Disruption includes, but is not necessarily limited to: student riots, destruction of property, widespread shouting, or boisterous conduct, or substantial student participation in a school boycott, sit-in, stand-in, walk-out or other related form of activity.

- B. Distribution of written material or presentation of an oral speech which are construed to be obscene shall not be permitted. Rules for determining obscenity should be consistent with those as applied to instructional materials. Obscene material is what the average person, applying contemporary community standards, would find that the work taken as a whole, appeals to prurient interests; that the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; or, that the work, taken as a whole lacks serious literary, artistic, political, or scientific value.
- C. Libelous material or speech may be prohibited. Libelous material shall be defined to include defamatory falsehoods about public figures or governmental officials. In order to be libelous, the defamatory falsehood must be made with actual malice; that is, with knowledge that it is false, or with reckless disregard of whether it was false or not.
- D. Material may be considered profane when the language does not meet the standards of professional journalism as evidenced by the daily newspapers commonly distributed in the district. Sanctions may be imposed on a student when he/she engages in offensively "lewd and indecent speech."

- E. Publications may not "invade the privacy" of individuals. Such occurrences may include: exploitation of one's personality, publications of one's private affairs with which the public has no legitimate concern or, wrongful intrusion into one's private activities in a manner that can cause mental suffering, shame, or humiliation to a reasonable person of ordinary sensibilities.
- F. Publications or oral speeches which criticize school officials or advocate violation of school rules may be prohibited when there is evidence which supports a forecast that substantial disruption of school may develop.
- G. Publications or oral speeches which advocate racial, religious, or ethnic prejudice or discrimination or seriously disparage particular racial, religious, or ethnic groups are prohibited.

Harassment**3205****I. Statement of Policy**

It is the policy of Everett School District to maintain a learning environment for students that is free from all forms of discrimination, including harassment based on any legally protected status or characteristic, including the presence of any physical, sensory or mental disability, race, color, religion, creed, sex, national origin, sexual orientation, gender expression, gender identity, veteran or military status, disability, or the use of a trained dog guide or service animal by a student with a disability.

The district will not tolerate any form of harassment as defined by this policy. It shall be a violation of this policy and the district's student discipline policy for any student of the district to harass another student, staff member, volunteer, vendor, visitor, parent, or guardian. This policy also prohibits harassment of students by staff members, volunteers, vendors, visitors, parents, or guardians. Violations of the policy should be immediately reported by the student or anyone with knowledge of the harassing conduct to the building Title IX officer, a building administrator, the district Title IX officer, or the executive director of human resources.

All complaints of harassment, whether formal or informal, will be addressed and appropriate corrective, disciplinary, and remedial actions will be taken, up to and including suspension and/or expulsion, against any student found to have violated this policy.

This policy is intended to prevent harassment of, and by, students and is not intended to confer any rights upon or otherwise protect a person who engages in harassment.

II. Harassment Defined

Generally, prohibited harassment is conduct or communication that is directed against an individual based on the individual's protected status or characteristic if the conduct (1) is unwelcome; (2) has the purpose or effect of creating an intimidating, hostile or offensive educational environment; and (3) is sufficiently severe or pervasive to substantially interfere with a student's education.

III. Complaints**A. Receipt of Complaints**

The district will take complaints of harassment seriously and will act to address all complaints. Any student who believes that he or she has been subjected to harassment in the educational environment is encouraged to bring his or her complaint to the immediate attention of a member of the teaching, counseling, or administrative staff for assistance in resolving the matter. Other students and staff members with knowledge that a student is being harassed are expected to immediately report such behavior to the building Title IX officer in accordance with [Procedure 3205P](#). Complaints shall be handled in the manner specified in [Procedure 3205P](#).

B. False Reports

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

C. Non-retaliation

Students shall not be retaliated against by other students or staff for making a complaint of harassment or for providing testimony and/or assisting in the investigation of such a complaint. Any student who believes that he or she has been retaliated against for bringing forward a complaint or participating in an investigation, should promptly notify one of the persons designated in [Procedure 3205P](#) for the receipt of complaints.

D. Confidentiality

The district will respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible, consistent with the district's legal obligations and the necessity to investigate allegations of harassment and take disciplinary action when harassment has occurred.

IV. Harassment as Sexual Abuse

Under certain circumstances, sexual harassment may constitute child abuse under Washington State's criminal statutes.

Nothing in this policy will prohibit the district from taking appropriate action to protect victims of alleged child abuse. (Refer to Child Abuse Reporting [Policy/Procedure 3421](#).)

V. Harassment by a District Staff Member, Volunteer, Vendor, Visitor, Parent or Guardian

Harassment of a student by a district staff member, volunteer, vendor, visitor, parent or guardian is prohibited. Such behavior should be immediately reported by the student or anyone with knowledge of such behavior to the building principal and/or building Title IX officer and the executive director of human resources for investigation and, where appropriate, disciplinary action up to and including discharge of a staff member.

VI. Corrective Actions

The district will take such disciplinary or other corrective action it deems necessary and appropriate to end harassment and to prevent its recurrence. Documentation and record of complaints and action taken shall be maintained.

Procedure**3205P****I. Dissemination of the Policy**

Reasonable efforts shall be made to inform all students and their parents of the district's harassment policy and procedures. These efforts shall include publication of the policy and procedures in the *Student Rights and Responsibilities Policies Handbook*, posting the policy and procedures in each school building, and discussion of the policy and procedures at each school.

The name and telephone numbers of the building Title IX Officer, as well as the district Title IX/Civil Rights Compliance Officer, and executive director of human resources, shall be posted in such locations in buildings as to be commonly and easily viewed by students and staff.

II. Types of Harassment

Sexual harassment is one form of prohibited harassment. Conduct that may constitute sexual harassment includes repeated, unsolicited verbal comments, gestures, or physical conduct of a sexual nature which is unwelcome, personally offensive and interferes with a student's education. Examples of such conduct include:

- a. unwelcome sexual advances; or
- b. requests for sexual favors; or
- c. sexually motivated physical conduct; and
- d. other verbal or physical conduct or communication of a sexual nature, when that conduct or communication has the purpose or effect of substantially or unreasonably interfering with a student's education or creating an intimidating, hostile or offensive educational environment.

Examples of behavior which may be considered sexual harassment include without limitation:

- staring or leering that has sexual overtones;
- unwanted sexual comments;
- suggestive gestures;
- sexually demeaning jokes, statements or comments;
- spreading sexual gossip;
- unwanted physical contact of a sexual nature, including feigned "accidental" contact as well as pinches, embraces, slaps or pats;
- pressure for sexual activity;
- displaying pornographic or sexually explicit materials;
- offering benefits, favors or rewards in exchange for sexual contact.

These same principles apply to prohibited conduct based on an individual's legally protected status or characteristic other than sex. Examples of other types of prohibited harassment include the following:

- Verbal abuse, slurs and jokes. This includes oral or written ethnic and racial jokes and slurs and comments that stereotype individuals based on their race, color, religion, national origin, sexual orientation, disability or other legally protected status or characteristic.
- Graffiti, cartoons or other graphic materials. This includes written materials, pictures and other depictions that are demeaning or hostile and that are based on the race, color, religion, national origin, sexual orientation, disability or other legally protected status or characteristic of an individual or group.
- Threats, pranks or vandalism. This includes intimidating comments and/or conduct directed at individuals based on their race, color, religion, national origin, sexual orientation, disability or other legally protected status or characteristic.

III. The Complaint Process

To ensure fairness and consistency, the following procedure is to be used with regard to problems covered by state and federal equal educational opportunity laws.

Informal Complaints

At the student and parent/guardian's option, attempts will be made to resolve complaints of discriminatory harassment informally, expeditiously and at the closest point of administrative responsibility to the alleged offense. Informal complaints of discriminatory harassment of students shall be reported to the building principal or designee. The building principal or designee will be responsible for investigation and resolution of informal complaints. The building principal or designee may seek assistance or guidance from the district's Title IX/Civil Rights Compliance Officer. The building principal or designee must notify the complainant of his/her right to file a formal complaint under this policy.

The notice shall 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 of 1964.

Formal Complaints

- A. The district's Title IX/Civil Rights Compliance Officer, executive director of human resources or designee shall be responsible for monitoring and coordinating the district's compliance with [WAC 392-190](#) and related procedures and ensuring that all complaints communicated to the district are promptly investigated and resolved.

The Title IX/Civil Rights Compliance Officer ("Compliance Officer") is:

Randi Seaberg
Everett School District No. 2
3900 Broadway
P.O. Box 2098
Everett, WA 98201
rseaberg@everettsd.org
Phone: (425) 385-4104

The Executive Director of Human Resources is:

Debra Kovacs
Everett School District No. 2
3900 Broadway
P.O. Box 2098
Everett, WA 98201
dkovacs@everettsd.org
Phone: (425) 385-4100

The Compliance Officer or designee will receive and investigate formal complaints that involve only students. The Executive Director of Human Resources or designee will receive and investigate formal complaints when allegations of discriminatory harassment are brought against employees or other adults. School or district administrators who receive a formal complaint of discriminatory harassment will promptly notify the Compliance Officer or Executive Director of Human Resources and forward a copy of the complaint.

- B. The allegations of discriminatory harassment shall:
1. be written;
 2. be signed by the complainant;
 3. describe the specific acts, conditions, or circumstances alleged to violate the district's policies or obligations with regard to discrimination; and

4. be filed with the compliance officer or executive director of human resources within one (1) year after the occurrence that is the subject of the complaint, unless the delay is due to specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint or the district withheld information that was required to be provided under [WAC 392-190](#) or related guidelines.
- C. Upon receipt of the complaint, the district's compliance officer, the executive director of human resources, or designee will provide the complainant a copy of [Procedure 3210P](#) in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency, in accordance with Title VI. The district will promptly and thoroughly investigate the complaint. Following completion of the investigation, the compliance officer or the executive director of human resources shall provide the superintendent or designee with a full written report of the complaint and the results of the investigation, unless the matter is resolved to the satisfaction of the complainant without an investigation or prior to the submission of a written report.
- D. The superintendent or designee shall respond in writing to the complainant within thirty (30) calendar days after the district received the written complaint by the district, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. If an extension is needed, the district will notify the complainant in writing of the reasons for the extension and the anticipated response date in a language the complainant can understand, which may require language assistance for complainants with limited English proficiency, in accordance with Title VI. At the time the district responds to the complainant, the district will send a copy of the response to the Office of the Superintendent of Public Instruction.
- E. The response by the superintendent or designee will include:
 1. A summary of the results of the investigation;
 2. Whether the district failed to comply with [WAC 392-190](#) or related guidelines;
 3. If the district failed to comply with [WAC 392-190](#) or related guidelines, the corrective measures deemed necessary to correct the noncompliance; and
 4. Notice of the complainant's right to appeal under [WAC 392-190-005](#), including where and with whom the appeal should be filed.

The district's response to the complaint 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.
- F. Corrective measures necessary to correct any noncompliance shall be instituted as expeditiously as possible, but no later than thirty (30) calendar days after the district's written response to the complainant, unless otherwise agreed to by the complainant.
- G. A complainant may appeal the superintendent or designee's decision to a hearing officer designated by the district to hear the appeal by filing a written notice of appeal with the superintendent on or before the tenth (10th) calendar day from the date the complainant received the superintendent or designee's response. The hearing officer shall not have been involved in the initial complaint or investigation.
- H. Upon receipt of an appeal, the hearing officer shall provide a written appeal decision to the complainant in a timely manner, not to exceed thirty (30) calendar days from the date the district received the appeal, unless otherwise agreed to by the complainant. The appeal decision will include notice of the complainant's right to file a complaint with the superintendent of public instruction under [WAC 392-190-075](#). The decision of the hearing officer 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. The decision of the hearing officer will include notice of the complainant's right to file a complaint with the Office of the Superintendent of Public Instruction. The district will send a copy of the appeal decision to the Office of the Superintendent of Public Instruction.
- I. In the event a complainant disagrees with the appeal decision of the hearing officer or if the district fails to comply with the procedures in [WAC 392-190-065](#) or [392-190-070](#), the complainant may file a complaint with the Office of the Superintendent of Public Instruction under [WAC 392-190-075](#). A complaint must be received by the Office Superintendent of Public Instruction within twenty (20) calendar days after the complainant received the hearing officer's written appeal decision.

Mediation of Complaints

- A. The district may offer mediation, at its expense, to resolve a complaint at any time during the complaint procedure. Mediation:
 1. Must be voluntary;
 2. Requires the agreement of the district and the complainant;
 3. May be terminated by either party during the mediation process;

4. Cannot be used to deny or delay a complainant's right to utilize the complaint procedure; and
 5. Be conducted by a qualified and impartial mediator, who is not an employee of the district or providing services to a student who is the subject of the mediation.
- B. If the parties resolve the complaint through mediation, the parties may execute a legally binding agreement that:
1. Sets forth the resolution;
 2. States that all discussions that occurred during the mediation process will remain confidential and not be used as evidence in any future complaint, due process hearing, or civil proceeding; and
 3. Is signed by both the complainant and a district representative.
- C. The complainant and district may agree to extend the complaint timelines to pursue mediation.

IV. Discipline and Corrective Action

The district will take such disciplinary action as it deems necessary and appropriate to end harassment and to prevent its reoccurrence. Such disciplinary action will be consistent with state and federal law. When deemed appropriate by the district, the district shall provide support and/or assistance for individuals who have been subjected to harassment in the district's educational environment.

V. Reports to the Board

Annually, in conjunction with the report to the board of directors on the district's Affirmative Action Plan, the Title IX/Civil Rights Compliance Officer will review the use and efficacy of the harassment policy and procedures.

Interscholastic Athletics/Activities

2151

The board recognizes the value of a program of interscholastic activities as an integral part of the total school experience for all students of the district and the community. A program of interscholastic activities shall be established which includes games, sport competitions or exhibitions for eligible individual students or teams of eligible students. Eligible students and teams may compete with others from this or other districts. Participation in interscholastic activities is a privilege and not a right. Students may be excluded from participation for violations of program rules or requirements.

All interscholastic activities and events shall be in compliance with the rules and regulations of the Washington Interscholastic Activities Association (WIAA). The eligibility requirements for student participation shall meet or exceed WIAA standards. The schools of the district shall not participate in any out-of-season athletics that are not sanctioned by the WIAA. The district shall not be responsible or liable for non-school-sponsored programs or for programs that are organized, promoted or participated in by staff members without school approval. The district shall not be responsible for or incur liability for summer and/or out-of-season activities unless specifically sponsored by the school district.

The superintendent or designee shall develop procedures for the conduct of the interscholastic activities program including, but not limited to, academics; use, possession, or distribution of alcoholic beverages; use, possession, or distribution of tobacco; use, possession, or distribution of illegal chemical substances (including marijuana/cannabis) or drugs not prescribed by a physician for the user; curfew; unsportsmanlike conduct; absence from practice; gambling; or any infraction of civil or criminal law. Rules and disciplinary actions related to rule violations shall be distributed to each participant and his/her parents prior to the beginning of an interscholastic activity season. Rules and consequences for drug, alcohol and tobacco use, possession, or distribution shall be in effect year round.

Procedure

2151P

The interscholastic athletic program, including cheerleading and dance (collectively referred to in this procedure as "athletes"), of the Everett School District is designed to help our students become better school, community, state and national citizens and leaders. While the academic programs of our schools are of paramount importance, we believe participation in an athletic program affords opportunities, training and experience not ordinarily obtainable in the regular curriculum.

All students are invited and encouraged to take part in this voluntary program. Because it is a privilege to represent a school in interscholastic activities, the school shall have the authority to revoke the privilege when students do not meet the standards set forth. Because the program is voluntary, all students desiring the advantages of participation in the interscholastic athletic program, including cheerleaders and dancers, should be prepared to follow all rules and regulations as determined by the coaching staff, school administration and school board. Those who fail to comply with rules and regulations will not be permitted to participate in the program.

Nondiscrimination

The district will not exclude any person from participation in the interscholastic program, deny any person the benefits of such a program or otherwise discriminate against any person in any interscholastic program on the basis of the categories identified in [Policy 3210](#), Nondiscrimination.

The district will provide necessary funds for co-curricular and athletic activities for both sexes, although the aggregate expenditures are not required to be equal for members of each sex and expenditures for separate male and female teams are not required to be equal.

When individual students with disabilities are unable to participate in existing activities even when offered reasonable modifications and necessary accommodations, aids or services, the district may offer opportunities for students with disabilities to participate in separate or different recreational or athletic activities.

The district may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport. However, when the district operates or sponsors a team in a particular sport for members of one sex but not the other and athletic opportunities for members of that sex have previously been limited, members of the excluded sex must be allowed to try out for the team offered.

The district will provide equal athletic opportunities for both sexes within each school for interscholastic, club or intramural athletics. In determining whether equal athletic opportunities for both sexes are being provided, the district will consider the following factors:

1. Whether the selection of sports and levels of competition effectively accommodate the interests and abilities of members of both sexes;
2. Provision of equipment and supplies;
3. Scheduling of games and practice time, including the use of playfields, courts, gyms and pools;
4. Travel and per diem allowances, if any;
5. Opportunity to receive coaching and academic tutoring;
6. Assignment and compensation of coaches, tutors, and game officials;
7. Provision of locker rooms and practice and competitive facilities;
8. Provision of medical and training facilities and services, including the availability of insurance;
9. Provision of housing and dining facilities and services, if any; and
10. Publicity and awards.

Annual Athletic Program Evaluation

The district will evaluate its intramural and interscholastic program in each school at least once each year to ensure that equal opportunities are available to members of both sexes with respect to participation in interscholastic and/or intramural programs. The evaluation will include consideration for the factors listed in the above paragraph, Nondiscrimination.

Student Athletic Interest Survey

Every three (3) years, the district will administer to each school that operates interscholastic, intramural and other athletics the survey developed by the office of the superintendent of public instruction to determine male and female student interest in participation in specific sports. The district will consider the survey results when planning and developing co-curricular and athletic activities offered by the district and when determining whether equal opportunities are available to members of both sexes.

Medical Insurance

Each student participating in the interscholastic athletic program or cheerleading or dance is required to have or obtain medical insurance for expenses incurred as a result of injuries sustained while participating in the program. Students shall provide evidence of coverage with a minimum coverage of \$25,000 in medical expenses or shall obtain such coverage through the insurance plan offered to all students participating in the district's athletic program. No student will be denied the opportunity to participate solely because the student's family, by reason of low income, is unable to pay the premium for such insurance. The superintendent or his or her designee may approve partial or full waiver of the premiums to permit all students to obtain the required medical insurance.

Physical Examination

Due to the physical and mental rigors associated with participation in athletic programs, all athletes must show evidence of having a current physical examination before participating.

Risks of Participation

Certain risks are associated with participation in interscholastic athletics, cheerleading and dance. While the district will strive to prevent injuries and accidents to students, each athlete and his/her parent(s) or guardian(s) will be required to sign a statement which indicates that the parent(s) or guardian(s) and the student acknowledge the risks of injuries resulting from such participation and give assurance that the student will follow the instructions of the coach.

Equipment and Facilities

Coaches shall issue properly maintained and fitted equipment to interscholastic athletics participants. All district facilities and equipment utilized in the interscholastic athletic program shall be inspected on a regular basis by the building athletic coordinator and coaches. Students will return all school issued equipment in good condition. Fines shall be assessed to students for failure to return equipment or for returning equipment damaged in excess of normal use.

The district will provide separate facilities (e.g., showers, toilets, and training rooms) for male and female students or schedule the facilities equitably for separate use.

Athletic User Fees

Prior to the first contest of the season, athletes must pay an athletic user fee to subsidize program costs. Students on free or reduced lunch will have this fee waived. Families may request that the building athletic coordinator partially waive the fee or be placed on a payment plan if the fee poses a financial hardship. The hardship may include the fact that the family has multiple students participating in the same season.

Refunds will be determined on a case-by-case basis. Refunds will **not** be given if a student quits the team after the first contest or if the student is dismissed for disciplinary reasons.

Payment of this fee does not guarantee playing time or a letter award at the end of the season.

Eligibility Exceptions

Athletes and/or their parent (s) or guardian(s) may request exceptions to the WIAA eligibility regulations through their building athletic coordinator or designated assistant principal in cases involving hardship or extenuating circumstances. Students and/or their parent(s) or guardian(s) may request a hearing before the Northwest District 1 Eligibility Committee in order to contest the reason(s) for any alleged ineligibility under the standards established by the WIAA. Any student aggrieved by a decision of the Eligibility Committee may appeal to the Executive Board of WIAA.

Ejection from Contest

First ejection of the season from a contest by a game official shall result in the ejected person (athlete, coach, other school representative) being ineligible until after the next two (2) contests of the school at the same level of competition from which the person was ejected. Ineligibility from the second contest may be appealed to the building athletic coordinator.

Second ejection in the same sport and season shall result in ineligibility of the athlete, coach, or school representative for the remainder of the season of that sport. The severity of the penalty may be appealed to the WIAA Executive Director within two (2) school days from the second ejection upon presentation of rationale and written documentation signed by the WIAA member school principal or superintendent desiring and supporting penalty modification.

Team Selection

When selecting members of a team, coaches consider the following criteria:

1. Physical strength, coordination and/or size, which, in the opinion of the coach, would endanger the safety and health of the athlete or other participants.
2. Athletic skill.
3. Available facilities, coaches, and the nature of the competition which may require a limited number of positions on a team or squad.
4. Attitude, conduct or citizenship.

Supervision of Athletes While Away from Campus

It is the responsibility of coaches and staff members to supervise athletes at all times during a trip off campus.

1. All athletes participating in off campus trips shall be under the supervision of a staff member or athletic coach employed by the district during the entire trip. On overnight trips, responsibility for the athletes shall be 24 hours per day throughout the duration of the trip.
2. The staff member in charge shall be available to students at all times while away from school.
3. The staff member in charge shall be responsible for training and assigning specific duties and responsibilities to adult volunteers on the trip, per district policy.
4. Adult volunteers shall complete the district's volunteer information packet and be cleared to supervise students prior to departure to the event.
5. Adult volunteers will only supervise students in groups of two or more.

A written report from the staff member in charge will be submitted to the principal as requested or whenever any unique situation occurs such as an accident, injury, major incident, etc.

Travel Regulations

1. Students will use district transportation to events when provided. Students transported to events on district transportation will return on district transportation. When parents or guardians wish to transport their own child from the event, they must provide, to an adult supervisor, a signed and dated document to that effect.
2. A parent or guardian who wishes to have their student transported by another adult must make such request, in writing, and be granted approval from building administration in advance.
3. All events taking place prior to 4:15 PM on school days will require district transportation for all students.
4. If an away contest takes place in the Everett School District after 4:15 PM, students may be asked by their coach to meet at the event site. Event sites include Mariner, Kamiak, Lynnwood and Glacier Peak High Schools. Students must go directly from their homes to the event site.
5. Students may transport themselves to off-site practice facilities with written permission of the parent or guardian (per [Policy 3241](#)).
6. All private vehicle travel authorization forms will be submitted to the building athletic coordinator or activities coordinator and kept on file in the respective office for six (6) years.
7. Staff will not direct or allow students to transport other students.

Athletic Code

The following student rules (the "Athletic Code") shall apply to all students who participate in the district's athletic, cheer or dance programs (collectively referred to in this procedure as "athletes"). Athletes are subject to the provisions of the Athletic Code for a one-year period commencing with their participation in an athletic season. For purposes of the Athletic Code, the seasons will be determined as follows: Each season begins with the first day of scheduled participation as determined by the Washington Interscholastic Activities Association (WIAA) calendar or school program calendar and continues until the beginning of the next sport or activity season as determined by the same WIAA or school program calendar.

I. BASIC CONDUCT EXPECTATIONS FOR ATHLETES

Because athletes perform and represent their schools in public, they are expected to conduct themselves at all times in a manner that will reflect the high standards and ideals of their activity, team, school and community and to demonstrate their non-use and non-tolerance of harmful substances. The district is committed to promoting the well-being, personal development and successful performance of all of their students.

Any athlete who willfully performs any act which materially interferes with or is detrimental to the orderly operation of a school's athletic program (including, but not limited to, all misconduct specifically prohibited by these rules, as well as other illegal or serious misconduct) shall be subject to Athletic Code discipline. Such acts may include school or non-school activity performed either on or off campus and the discipline may include permanent removal of a participant from the athletic program.

II. BASIC RULES

- A. For an athlete's violation of district and school rules, the athlete will be treated as any other student. **In addition**, the athlete will be penalized in accordance with the Athletic Code. Students suspended or expelled from school may not participate in athletics during the period of school exclusion.
- B. The following rules apply to athletes. Rules 6 and 7 concerning drugs, alcohol, and tobacco apply throughout the year and are in effect even when athletes have completed their season and are not currently participating in a particular sport. Rules 6 and 7 also extend to an athlete's conduct at all times, both on and off campus.

1. WIAA Compliance

Athletes shall comply with official WIAA rules.

2. Team Rule Compliance

Athletes shall abide by the team/squad rules and shall obey the reasonable and lawful directives of coaches. Team/squad rules will be approved by each school's principal or designated assistant principal and distributed by coaches at the start of each season.

3. Pre-participation Requirements

To be eligible to try out for a team/squad, students must have been in regular school attendance as a full-time student during the semester/trimester immediately preceding the season of competition. A full-time student is a student enrolled in a minimum of five (5) of six (6) classes (high school) or six (6) of seven (7) classes (middle school). Running Start and home instruction students shall meet the eligibility requirements outlined in the WIAA handbook. All other requirements, e.g., current physical exam, medical insurance, ASB membership, completion of forms and Athletic Code contract, and compliance with residence and other WIAA and school rules, must also be met.

4. Academic Requirements

To be eligible to compete/perform, students must:

- For purposes of determining initial academic eligibility, the most recent semester or trimester shall be the determining grade used. The athlete must have passed five (5) of six (6) classes in the previous semester or six (6) of seven (7) classes in the previous trimester.
- Be registered for, attending, and passing all classes.
- A non-passing grade is any grade where credit is not granted.
- During the season, frequent grade checks will be conducted. Athletes must be passing all classes or face academic probation or suspension. Athletes on academic probation will be permitted to practice and compete. Athletes on academic suspension will be permitted to practice, but will not be permitted to compete until they have met academic requirements.

5. Illegal Substances

Athletes shall not be under the influence, possess, sell, deliver and/or use alcohol, any form of tobacco or illegal substances (including marijuana/cannabis). Athletes also shall not be in the presence of, or remain in the vicinity of, others illegally using alcohol or using illegal drugs or controlled substances. Athletes arriving at a party, function or other location where illegal drugs or controlled substances (including marijuana/cannabis) are being used, sold or delivered or substances (such as alcohol) are being illegally used, sold or delivered shall immediately leave the premises. Failure to immediately leave the premises will result in the same discipline as actual use.

6. Illegal Activity and Other Serious Misconduct

Athletes may not engage in other misconduct that violates the law or brings dishonor to their team/squad, e.g., criminal violations, harassment, bullying, hazing, fighting and cheating.

III. PENALTIES FOR VIOLATION OF THE CODE**A. Imposition of Discipline**

Penalties for violation of Rule II.B.3, team rules, may be imposed by head coaches in consultation with the principal or designated assistant principal. All other discipline must be imposed by the principal or designated assistant principal. Exclusion from a team/squad for the remainder of a season shall be approved by the principal or designated assistant principal.

B. Pre-participation Requirements

Penalties for violations of Rule II.B.4 shall be as follows:

- The student is not eligible to try out, practice, compete, perform, or otherwise take part in the athletic program.

C. Academic Requirements

Penalties for violations of Rule II.B.5 requirements shall be as follows:

- An athlete not satisfying Rule II.B.5 at the end of each semester/trimester shall be on **academic suspension** for the succeeding semester/trimester and shall, during this time, be ineligible from competitions/performance through the last Saturday in September in the fall, or for five (5) academic weeks in the spring, (high school) or three (3) academic weeks (middle school). If, at the end of the suspension period, the athlete shall be passing in the required number of classes, he or she may then be reinstated for practices and competition. Athletes returning from academic suspension must maintain compliance with Rule II.B.5 to maintain eligibility.

An athlete not satisfying Rule II.B.5 as a result of school-administered grade checks during a season shall be placed on **academic probation** on the Monday following the date grades are checked. The athlete will remain eligible for practices and competitions/performance during the probationary period provided the athlete participates in daily study sessions before attending practices. After one week, the probationary athlete's grades will be checked again. If the athlete is passing all classes, the athlete will be removed from probation. If the athlete is still not passing all classes, the athlete shall be placed on **academic suspension**. The athlete will remain eligible for practices, provided the athlete participates in daily study sessions before attending practice, but not eligible for competitions or performances. **The athlete shall remain on suspension until a minimum of one game suspension is served AND the athlete is passing all classes.**

At the conclusion of a trimester/semester, the student will maintain full academic eligibility if the student passed six (6) classes (middle school) or five (5) classes (high school).

D. Drug and Controlled Substance Violations (WIAA Rule 18.26.2)**First Violation**

An athlete shall be immediately ineligible for interscholastic competition in the current sports program for the remainder of the season. Ineligibility shall continue until the next sports season in which the participant wishes to participate unless the student accesses an assistance program. All athletes violating this rule shall have two options:

1. The athlete will be ineligible for participation in contests for the remainder of that sports season and must meet with the school eligibility committee to be eligible for the next sports season. The school eligibility committee will make a recommendation to the principal or designated assistant principal. The principal or designated assistant principal will have the final authority regarding the student's participation in further sports programs.
2. The athlete may choose to seek and receive help for a problem with use of drugs. Successful utilization of school and/or community assistance programs may allow him/her to have eligibility reinstated in that athletic season, pending recommendation by the school eligibility committee and principal or designated assistant principal. Minimum suspension periods are outlined in the Alcohol Violations section of this code.

Second Violation

The penalty shall be ineligibility from all interscholastic athletic participation for a period of one (1) calendar year from the date of the second violation.

Third Violation

The penalty shall be permanent ineligibility from all interscholastic athletic participation for the remainder of the athlete's high school career (WIAA Rule 18.22.0).

E. Alcohol Violations

First Violation

A first violation of Rule II.B.6 discovered through an investigation shall result in immediate suspension for forty-two (42) calendar days or the remainder of the season, whichever is longer. This ineligibility also carries into the next season (as previously defined) in which the student participates. A student who admits wrong doing and cooperates honestly in the investigation may have their suspension reduced to twenty-eight (28) calendar days. A student who self-reports a violation prior to any investigation or inquiry may have his/her suspension reduced to fourteen (14) calendar days. All violations carry a minimum one game suspension. The building principal may reinstate the athlete if the athlete follows the process in III.F.

Second Violation

The penalty for a second violation of Rule II.B.6 shall be removal from all athletic participation for a period of one calendar year. The building principal may reinstate the athlete if the athlete follows the process in III.F.

Third Violation

The penalty for a third violation of Rule II.B.6 shall be permanent removal from all athletic participation for the remainder of the athlete's high school career and in the case of drugs, permanent ineligibility at all WIAA institutions for the remainder of the athlete's high school career (WIAA Rule 18.22.O).

F. Tobacco Violations

First Violation

The penalty for a first violation of Rule II.B.6 shall be immediate suspension for fourteen (14) calendar days. This may be reduced to seven (7) days if the student self-reports prior to an investigation. The building principal may reinstate the athlete if the athlete follows the process in III.F.

Second Violation

The penalty for a second violation of Rule II.B.6 shall be immediate suspension for twenty-eight (28) calendar days. The building principal may reinstate the athlete if the athlete follows the process in III.F.

Third and Subsequent Violations

The penalty for a third and subsequent violations of Rule II.B.6 shall be immediate suspension for forty-two (42) calendar days. The building principal may reinstate the athlete if the athlete follows the process in III.F.

G. Reinstatement Process:

An athlete may apply for reinstatement following any form of athletic discipline by submitting to the following to the principal:

1. Letter of intent and purpose of reinstatement.
2. Drug, alcohol and/or tobacco assessment by an individual agency that is acceptable to the school district. (Recommendations of approved agencies will be provided to the parent.) Results will be shared with family and school administration.
3. Proof that a drug, alcohol and/or tobacco counseling or preventative education program has been completed.
4. Treatment recommendations must be followed as a condition for reinstatement.
5. The principal may waive any or all of the requirements above if deemed appropriate. The school principal has sole discretion regarding the reinstatement of a student.

H. Out of Season Violations

If an athlete violates the athletic code out of season, the suspension will be served in the next season in which they participate on an athletic team provided that the athlete participated on that sports team the prior year. In order for a suspension for a partial season to be deemed validly served, the athlete must complete the season, in which the suspension is served, in good standing.

I. Accumulation of Violations

Any penalty assigned a participant in middle school for violation of Rule II.B.6. shall not be carried over to high school. Violations of Rule II.B.6 shall accumulate in grades 7-8 and then again in grades 9-12.

J. Illegal Activity and Other Serious Misconduct Violations

Athletes who violate Rule II.B.7 by committing criminal violations (other than drugs, alcohol, and tobacco violations) or engaging in other serious misconduct (e.g., harassment, bullying, hazing, fighting, cheating) may be excluded from participation in the athletic program for a period consistent with the seriousness of the offense. Any serious criminal behavior may be the basis for final exclusion from the athletic program for the remainder of a student's career.

IV. ATHLETIC DISCIPLINE APPEALS

Any athlete, parent, or guardian who is aggrieved by the imposition of discipline, including exclusion from participation in athletics, shall have the right to an informal conference with the building principal or his/her designee for the purpose of resolving the grievance. The conference must be requested within three (3) school days of the time the parent receives oral or written notice of the discipline. The employee whose action is being grieved shall be notified of the initiation of a grievance as soon as reasonably possible. During the informal conference the student, parent, or guardian shall be subject to questioning by the building principal or his/her designee and shall be entitled to question school personnel involved in the matter being grieved. Subsequent to the building level grievance meeting, the student, parent, or guardian, upon two (2) school business day's prior notice, shall have the right to present a written or oral grievance to the District Athletic Director. If the grievance is not resolved, the student, parent, or guardian, upon two (2) school business day's prior notice, shall have the right to present a written or oral grievance to the Disciplinary

Appeals Council. The Council shall notify the student, parent, or guardian of its response to the grievance within ten (10) school business days after the date of the meeting. The decision of the Council is final.

The discipline action shall continue notwithstanding the implementation of the grievance procedure set forth in this section unless the principal or his/her designee elects to postpone such action.

V. STUDENT ATHLETIC PROGRAM CONTRACT

At least once a year, each athlete shall, as a precondition to participation, sign a contract covering all athletic programs. This contract applies to all athletic programs (including cheer and dance) and is in effect for a period of one calendar year from the date of signature.

Nondiscrimination

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The district shall provide equal educational opportunity and treatment for all students in all aspects of the academic and activities program without regard to race, color, national origin, creed, religion, sex, sexual orientation, gender expression, gender identity, veteran or military status, the presence of any physical, sensory or mental disability or the use of a trained dog guide or service animal by a student with a disability.

District students shall be free from harassment based on legally protected attributes or characteristics.

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 affirmative action/Title IX compliance officer for this policy. The compliance officer will be responsible for investigating any discrimination complaints communicated to the district.

The district will offer or provide training to administrators and certificated and classroom personnel on their responsibility to raise awareness of and to eliminate bias based on the categories identified in this policy.

The superintendent or designee shall provide for the annual evaluation, periodic surveys, annual notice and complaint procedures as required by law to ensure that there is in fact equal opportunity and treatment for all students in the district.

Procedure**3210P****Procedures for Resolving Equal Educational Opportunity Complaints/Grievances**

To ensure fairness and consistency, the following review procedure is to be used with regard to issues covered by state and federal equal educational opportunity laws, including Title VII of the Civil Rights Act of 1964, as amended, Title IX of the Civil Rights Act of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, [RCW 28A.640.010](#) governing sexual equality in public schools, and [RCW 28A.642](#) prohibiting discrimination. This grievance procedure applies to complaints alleging discrimination or discriminatory harassment by employees, other students, or third parties against students based on race, color, national origin, creed, religion, sex, sexual orientation, gender expression, gender identity, veteran or military status, the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a student with a disability.

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 real or alleged violations are directed toward a just solution that is satisfactory to the complainant, the administration and the board of directors. As used in this procedure:

- Grievance means a complaint which has been filed by a complainant relating to the alleged violations of any state or federal anti-discrimination laws.
- Complaint means a written, signed charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. Complaints may be submitted by mail, fax, email or hand-delivery to any district or school administrator, or to any employee designated under [WAC 392-190-060](#), 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.

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.

Informal Complaints

At the student and parent/guardian's option, attempts will be made to resolve complaints of discrimination or discriminatory harassment informally, expeditiously and at the closest point of administrative responsibility to the alleged offense. Informal complaints of discrimination or discriminatory harassment of students shall be reported to the building principal/designee. The building principal/designee will be responsible for investigation and resolution of informal complaints. The building principal/designee may seek assistance or guidance from the district's Title IX/Civil Rights Compliance Officer. The building principal/designee must notify the complainant of his/her right to file a formal complaint under this policy. The notice shall 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 of 1964.

Formal Complaints**Level One – Complaint to the District**

- A. The district's Title IX/Compliance officer, executive director of human resources or designee shall be responsible for monitoring and coordinating the district's compliance with [WAC 392-190](#) and related procedures and ensuring that all complaints communicated to the district are promptly investigated and resolved.

The Title IX/Compliance officer is:

Randi Seaberg
Everett School District No. 2
3900 Broadway
P.O. Box 2098
Everett, WA 98201
rseaberg@everettsd.org
Phone: 425-385-4104

The executive director of human resources is:

Debra Kovacs
 Everett School District No. 2
 3900 Broadway
 P.O. Box 2098
 Everett, WA 98201
 dkovacs@everettsd.org
 Phone: 425-385-4100

The Title IX/Compliance officer or designee will receive and investigate formal complaints that involve only students. The executive director of human resources or designee will receive and investigate formal complaints when allegations of discrimination are brought against employees or other adults. School or district administrators who receive a formal complaint of discrimination or discriminatory harassment will promptly notify the Title IX/Compliance officer or executive director of human resources and forward a copy of the complaint.

- B. The allegations of discrimination or discriminatory harassment shall:
 1. be written;
 2. be signed by the complainant;
 3. describe the specific acts, conditions, or circumstances alleged to violate the district's policies or obligations with regard to discrimination; and
 4. be filed with the Title IX/Compliance officer or executive director of human resources within one (1) year from the date of the occurrence that is the subject of the complaint, unless the delay is due to specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint or the district withheld information that was required to be provided under [WAC 392-190](#) or related guidelines.
- C. Upon receipt of the complaint, the district's Title IX/Compliance officer, the executive director of human resources, or designee will provide the complainant a copy of [Procedure 3210P](#) in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency, in accordance with Title VI. The district will promptly and thoroughly investigate the complainant. Following completion of the investigation, the Title IX Compliance officer or the executive director of human resources shall provide the superintendent/designee with a full written report of the complaint and the results of the investigation, unless the matter is resolved to the satisfaction of the complainant without an investigation or prior to the submission of a written report.
- D. The superintendent/designee shall respond in writing to the complainant within thirty (30) calendar days after the district received 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. If an extension is needed, the district will notify the complainant in writing of the reasons for the extension and the anticipated response date in a language the complainant can understand, which may require language assistance for complainants with limited English proficiency, in accordance with Title VI. At the time the district responds to the complainant, the district will send a copy of the response to the office of the superintendent of public instruction.
- E. The response by the superintendent/designee will include:
 1. A summary of the results of the investigation;
 2. Whether the district failed to comply with [WAC 392-190](#) or related guidelines;
 3. If the district failed to comply with [WAC 392-190](#) or related guidelines, the corrective measures deemed necessary to correct the noncompliance; and
 4. Notice of the complainant's right to appeal under [WAC 392-190-005](#), including where and with whom the appeal should be filed.
- F. The district's response to the complaint 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.
- F. Corrective measures necessary to correct any noncompliance shall be instituted as expeditiously as possible, but no later than thirty (30) calendar days after the district's written response to the complainant, unless otherwise agreed to by the complainant.

Level Two

- A. A complainant may appeal the superintendent's/designee's decision to a hearing officer designated by the superintendent to hear the appeal by filing a written notice of appeal with the superintendent on or before the tenth (10th) calendar day from the date the complainant received the superintendent/designee's response. The hearing officer shall not have been involved in the initial complaint or investigation.
- B. Upon receipt of an appeal, the hearing officer shall provide a written appeal decision to the complainant in a timely manner, not to exceed thirty (30) calendar days from the date the district received the appeal, unless otherwise agreed to by the complainant. The appeal decision will include notice of the complainant's right to file a complaint with the superintendent of public instruction under [WAC 392-190-075](#). The decision of the hearing officer 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.

The decision of the hearing officer will include notice of the complainant's right to file a complaint with the office of the superintendent of public instruction. The district will send a copy of the appeal decision to the office of the superintendent of public instruction.

Level Three – Complaint to the Superintendent of Public Instruction

- I. In the event a complainant disagrees with the appeal decision of the hearing officer or if the district fails to comply with the procedures in [WAC 392-190-065](#) or [WAC 392-190-070](#), the complainant may file a complaint with the office of the superintendent of public instruction under [WAC 392-190-075](#). A complaint must be received by the office of the superintendent of public instruction within twenty (20) calendar days after the complainant received the hearing officer's written appeal decision, unless the superintendent of public instruction grants an extension for good cause. Complaints may be submitted by mail, fax, email or hand delivery.
1. A complaint must be in writing and include:
 - A description of the specific acts, conditions or circumstances alleged to violate applicable anti-discrimination laws;
 - The complainant's name and contact information, including address;
 - The name and address of the district subject to the complaint;
 - A copy of the district's complaint and appeal decision, if any; and
 - A proposed resolution of the complaint or relief requested.

If the allegations involve 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.
 2. Upon receipt of a complaint, the office of the superintendent of public instruction may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the superintendent or board. Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with [RCW 28A.642.010](#) or [WAC 392-190](#), and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.

All corrective actions must be completed within the timelines established by OSPI in the written decision unless OSPI grants an extension. If timely compliance is not achieved, OSPI may take action including but not limited to referring the district to appropriate state or federal agencies empowered to order compliance.

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

Level Four – Administrative Hearing

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

NOTE: The complaint procedure outlined above does not prohibit the processing of a complaint in an informal manner and without investigation if the complainant so desires.

Mediation of Complaints

- A. The district may offer mediation, at its own expense, to resolve a complaint at any time during the complaint procedure. Mediation must be voluntary and requires the mutual agreement of the district and the complainant. It may be terminated by either party at any time during the mediation process. It cannot be used to deny or delay a complainant's right to utilize the complaint procedure.

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 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.
- B. If the parties resolve the complaint through mediation, the parties may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the mediation process will remain confidential and not be used as evidence in any future complaint, due process hearing, or civil proceeding. The agreement must be signed by both the complainant and a district representative who has authority to bind the district.
- C. The complainant and district may agree to extend the complaint timelines to pursue mediation.

Preservation of Records

The files containing copies of all correspondence relative to each complaint communicated to the district and the disposition, including any corrective measures instituted by the district, shall be retained in the office of the Title IX/Compliance officer for a period of six (6) years after resolution or closure of the complaint.

Nondiscrimination on the Basis of Sex in Education Programs and Activities and Title IX**2152**

Everett Public Schools shall not discriminate on the basis of sex in its educational programs or activities. The district is required by Title IX of the 1972 Educational Amendments and by regulations promulgated thereunder not to discriminate on the basis of sex against students, student activities, applicants or employees.

Consistent with the requirements of Title IX, Everett Public Schools is committed to provide opportunities in interscholastic athletics for female and male students in the district, which equally and effectively accommodate the athletic interests and abilities of members of both sexes. The district will develop procedures to determine if it is meeting the requirements of Title IX and how the addition of an interscholastic sport may be requested and processed.

Any person having an inquiry concerning Everett Public Schools' implementation of the state and federal statutes and regulations should contact the district's Title IX Officer or the district administrator in charge of student athletics.

The superintendent is authorized to develop administrative procedures to implement this policy.

Procedure**2152P**

Consistent with the requirements of Title IX, Everett Public Schools is committed to provide opportunities in interscholastic athletics for female and male students in the district, which equally and effectively accommodate the athletic interests and abilities of members of both sexes. These procedures were developed to assist Everett Public Schools in meeting the requirements of Title IX.

Title IX Program/Activity Evaluation

To provide equal educational opportunity in its programs, including athletic programs, the Title IX officer, in cooperation with the district's administrator for athletics, shall be responsible for providing ongoing monitoring to assure that the district's athletic program effectively accommodates the athletic interests and abilities of both sexes. The Title IX officer shall annually report to the superintendent regarding participation opportunities for students and will recommend any changes needed for program compliance.

Determination of Effective Accommodation

The district will provide participation opportunities in interscholastic athletics for female and male students, which equally and effectively accommodate the athletic interests and abilities of members of both sexes. In determining the district's compliance with the requirements of Title IX, the following three-prong test will be utilized in determining accommodation:

1. Provide interscholastic participation opportunities for male and female students in numbers substantially proportionate to their respective enrollments; or
2. Show a history and continuing practice of program expansion, which is demonstrably responsive to the developing interests, and abilities of both sexes; or
3. Demonstrate that the program has fully and effectively accommodated the interests and abilities of both sexes.

Student Interest Survey

The district will conduct a formal written survey of every student in all grades that offer interscholastic activities regarding their interests and abilities. The student interest survey will be conducted every three years and will include:

1. At a minimum, all interscholastic sports currently offered by the district and those sponsored by the Washington Interscholastic Activities Association (WIAA) by sport season; and
2. A space for the student to indicate interest in additional sports not currently offered by the district and/or not currently sponsored by the WIAA by sport season.

The results of the survey and information from other sources will help determine if program additions, modifications or changes are needed to the existing program to assist the district in program compliance.

Student Requests for Modifications of Existing Programs or Additional Sports

Students may make a formal request for modifying an existing program or adding a new sport. Request forms are available at the district athletic office and will be turned in to the district's administrator for athletics for processing. The administrator will work with the appropriate building principal to determine if the request can be approved. The athletic administrator will respond back in writing to the requesting party within 20 days of receipt. If the request is not approved, the submitting party may request that it be forwarded to the district's Title IX officer for consideration during the Title IX officer's annual report to the superintendent. The Title IX officer will review each request and respond back to the submitting party in writing within 20 days of receipt. If the request is subject to further review, the district's response shall provide a date of final response.

Annual Building Program Review

Each building will participate in an annual building program review and submit it to the Title IX officer for processing. The content and format of this review will be established by the district's Title IX officer. The results will be used in the Title IX officer's annual report to the superintendent.

Record Retention

All information gathered and requested by the Title IX officer and presented in the yearly report to the superintendent will be retained for five years. This would include student interest surveys, building program reviews and requests for modification of existing programs or adding of additional sports.

Information and Inquiry

Information about Policy 2152 and Procedure 2152P will be published initially and as needed in the Student Rights and Responsibilities Handbook.

Any person having an inquiry concerning Everett Public Schools implementation of the state and federal statutes and regulations should contact the district's Title IX Officer or the district administrator in charge of student athletics.

Pregnant Students

3211

The Everett School District shall not exclude any student therein from attendance in the regular school program solely on the grounds of pregnancy. The school district shall develop and make available, at the student's option, alternative educational programs designed to benefit a pregnant student's scholastic needs. A high school student who is about to become or is a teen parent may choose to attend any high school in the state without a tuition charge provided that he/she is accepted by the non-resident high school. A pregnant student may be required to produce a physician's statement as to the condition of her health relative to her continued presence in the regular school program. If the statement indicates that the pregnant student's health and physical well-being mandates her withdrawal from regular school attendance, the district shall require a suitable alternative educational program.

Prohibition of Harassment, Intimidation and Bullying

3204

Everett Public Schools maintains a safe, respectful and secure learning environment for all students that is free from harassment, intimidation and bullying. Our district's core values include our commitment to value differences among people and treat one another respectfully. Harassment, intimidation and bullying of students by other students, by staff members, by volunteers, by parents or by guardians is prohibited.

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 while in or on school property (or in reasonable proximity thereto), school transportation, or at school-sponsored activities off school property.

Prevention

The district will provide students with strategies designed to prevent 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 that harassment, intimidation and bullying has on victims and upon others impacted by the violation. Interventions will also be designed to change the behavior of the perpetrator, and to restore a positive school climate.

The district will consider the frequency of incidents, developmental age of the student, and severity of the conduct to determine intervention strategies. Interventions may include counseling, correcting behavior and discipline, to law enforcement referrals.

Students with Individual Education Plans or Section 504 Plans

If allegations are made that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the target of harassment, intimidation or bullying, the school will convene the student's IEP or Section 504 team to determine whether the incident had an impact on the student's ability to receive a free, appropriate public education (FAPE). The meeting will 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, behavior issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE, as a result of the harassment, intimidation or bullying incident, the district will provide all necessary additional services and supports, 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

Retaliation against those who report or participate in an investigation of harassment, intimidation and bullying is prohibited. Such retaliation will result in appropriate discipline.

False Allegations

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 superintendent is authorized to direct the development and implementation of procedures to carry out this policy.

Procedure**3204P**

Harassment, intimidation and bullying (HIB) means any intentional electronic, written, verbal or physical act including but not limited to one shown to be motivated by race, color, religion, ancestry, national origin, gender, sexual orientation, including gender expression or identity, mental, sensory, or physical disability or other distinguishing characteristics, when the intentional electronic, written, verbal or physical act:

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

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

"Other distinguishing characteristics" may include, but are not limited to: physical appearance, clothing or other apparel, socio-economic status and weight.

"Intentional" refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

Behaviors/Expressions

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

A. Definitions

Perpetrator is a student, staff member, or other member of the school community who engages in the harassment, intimidation and bullying of a student.

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.

Retaliation is when a student, staff member, or other member of the school community takes adverse action or reprisal against a student because the student has reported incidents of harassment, intimidation and bullying, or because the student has participated in an investigation of harassment, intimidation and bullying.

School community includes students, staff members, school board members, contractors, volunteers, parents and guardians, patrons, and other visitors.

Staff member 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 is a student against whom harassment, intimidation, and bullying has allegedly been perpetrated.

B. Prevention**1. Dissemination**

In each school and on the district’s website the district will prominently post information on reporting harassment, intimidation and bullying; the name and contact information for making a report to a school administrator; and the name and contact information for the district compliance officer.

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.

2. Education

Annually students will receive age-appropriate information on the recognition and prevention of harassment, intimidation and bullying at student orientation sessions and on other appropriate occasions. The information will include a process to [report HIB](#) via the internet, email, text message and phone.

3. Training

Staff will receive annual training on the school district’s policy and procedure, including staff roles and responsibilities, how to monitor common areas and the use of the [district’s reporting website](#).

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.

C. Staff Intervention

Any school staff member who observes, overhears, or otherwise witnesses harassment, intimidation and bullying or to whom such actions have been reported must take prompt and appropriate action to stop the harassment and to prevent its reoccurrence. Minor incidents that staff are able to resolve immediately, or incidents that do not meet the definition of harassment, intimidation and bullying, may require no further action under this procedure.

D. Compliance Officer

The district compliance officer will:

1. Serve as the district's primary contact for harassment, intimidation and bullying.
2. Provide support and assistance to the principal or designee in resolving complaints.
3. Receive copies of all HIB reports, discipline referral forms relating to HIB, and letters to parents providing the outcomes of investigations.
4. Be familiar with the use of the student information system. The compliance officer may use this information to identify patterns of behavior and areas of concern.
5. Ensure the implementation of the policy and procedure by overseeing the investigative processes, including ensuring that investigations are prompt, impartial, and thorough.
6. Assess the training needs of staff and students to ensure successful implementation throughout the district, and ensure staff receive annual fall training.
7. Provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis.
8. In cases where, despite school efforts, a targeted student experiences harassment, intimidation and 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.

E. Incident Reporting

If the HIB incident report allegations indicate discriminatory harassment under Procedure 3210P (such as race, sex, or disability-based harassment) or if such allegations arise during the course of the district's investigation, the principal will promptly notify the district's Title IX/Civil Rights Compliance Officer and the complaint will be investigated under Procedure 3210P, as well as the HIB complaint procedure. The Title IX/Civil Rights Compliance Officer will notify the complainant that his/her complaint will also proceed under Procedure 3210P in a language that the complainant understands.

Step 1: Filing an Incident Report

An individual need not reveal his or her identity when reporting HIB. The report may be filed anonymously, confidentially, or the individual may choose to disclose his or her identity (non-confidential). Staff members should report incidents of HIB via the reporting website or phone number.

Status of Reportera. 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.

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 perpetrator 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. Anonymous

Individuals may file a report without revealing their identity. No disciplinary action will be taken against an alleged perpetrator 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 Report Form dropped on a teacher's desk led to the increased monitoring of the boys' locker room in 5th period.)

Step 2: Receiving an Incident Report

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 and 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 and 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 the district reporting website 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 and bullying will be investigated with reasonable promptness. To aid in the investigation in the case of alleged cyberbullying, a request may be made to the reporter to allow access to the social media or internet site(s) on which the cyberbullying is occurring. Any student may have a trusted adult with them throughout the reporting and investigative process.

- a. Upon receipt of the incident report that alleges unresolved, severe, or persistent harassment, intimidation and bullying, the school or district designee will begin an investigation. If there is potential for clear and immediate physical harm to the targeted student, the district will immediately contact law enforcement and inform the parent/guardian.
- b. During the course of the investigation, the district will take reasonable measures to ensure that no further incidents of harassment, intimidation and bullying occur between the targeted student and the alleged perpetrator. If necessary, the district will implement a safety plan for the student(s) involved. The plan may include changing seating arrangements for the targeted student and/or the alleged perpetrator in the classroom, at lunch, or on the bus; identifying a staff member who will act as a safe person for the targeted student; altering the alleged perpetrator's schedule and access to the targeted student, and other measures.
- c. Within two (2) school days after receiving the incident report, 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 targeted student or the alleged perpetrator 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 targeted student;
 - An interview with the alleged perpetrator;
 - A review of any previous complaints involving either the targeted student or the alleged perpetrator; 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 report. If more time is needed to complete an investigation, the district will provide the parent/guardian and/or the student with weekly updates.
- h. No later than two (2) school days after the investigation has been completed and submitted to the compliance officer, the principal or designee shall respond in writing or verbally to the parent/guardian of the targeted student and the alleged perpetrator 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 targeted student to file an appeal if the targeted student 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 targeted student must be aware of in order to report violations.

If a district chooses to contact the parent/guardian by letter, the letter will be mailed to the parent/guardian of the targeted student and alleged perpetrator 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 targeted student or the alleged perpetrator 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 Perpetrator

- a. After completion of the investigation, the school or district designee will institute appropriate corrective measures.
- 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 3300](#) – Corrective Actions or Punishment. If the accused perpetrator is appealing the imposition of discipline, the district may be prevented by law and policy from imposing the discipline until the appeal process is concluded.
- d. If a principal or principal's designee finds that a student, staff member, or other member of the school community knowingly made a false allegation of harassment, intimidation and bullying, that individual may be subject to corrective measures, including discipline.

Step 5: Targeted Student's Right to Appeal

- a. If the targeted student 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 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 to the school board by filing a written notice of appeal with the superintendent within five (5) school days of receiving the superintendent's written decision.
- c. An appeal to the school board must be heard within ten (10) school days of receipt of the written notice of appeal to the school board. The school board will review the record and render a written decision on the merits of the appeal 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's decision will be the final district decision.

Step 6: Discipline/Corrective Action

The district will take prompt and equitable corrective measures within its authority on findings of harassment, intimidation and 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 and 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 3300](#) – Corrective Actions or Punishment.

If the harassment, intimidation and bullying was of a public nature or involved groups of students or bystanders, the school may 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

Students found to have been subjected to harassment, intimidation and bullying will be provided information regarding resources available to them, and the adverse impact of the harassment on the student shall be addressed. In addition, the safety plan, if any, will be reviewed and modified as appropriate.

F. Immunity/Retaliation

A staff member, student, or other member of the school community who promptly reports an incident of harassment, intimidation and 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 from 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 and bullying. Retaliation is prohibited and will result in appropriate discipline.

G. Other Resources

Students and families should use the district's complaint and appeal procedures as a first response to allegations of harassment, intimidation and bullying.

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 and bullying complaint based on a student's legally protected status may also be reported to the following state or federal agencies:

- OSPI Equity and Civil Rights Office
360.725.6162
Email: equity@k12.wa.us
www.k12.wa.us/Equity/default.aspx
- Washington State Human Rights Commission
800.233.3247
www.hum.wa.gov/index.html
- Office for Civil Rights, U.S. Department of Education, Region IX
206.607.1600
Email: OCR.Seattle@ed.gov
www.ed.gov/about/offices/list/ocr/index.html
- Department of Justice Community Relations Service
877.292.3804
www.justice.gov/crt/
- Office of the Education Ombudsman
866.297-2597
Email: OEInfo@gov.wa.gov
www.governor.wa.gov/oeo/default.asp
- OSPI Safety Center
360.725.6044
www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx

H. 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 and bullying as defined herein, but which are prohibited by other district or school rules.

Release of Student Directory Information

The following directory information may be released by the district for school-related purposes, including media coverage, unless a student's parents (or guardians) request in writing that such information not be released:

- The student's name;
- grade level;

- dates of enrollment;
- degrees and awards received;
- participation in officially recognized activities and sports;
- weight and height of members of athletic teams;
- schools attended in the district;
- work created by the student for school-related publications and purposes; and/or
- photographs of students for school-related publications and purposes.

At least once a year, parents/guardians shall be notified of their right to request that any or all of these categories of information, including personally identifiable photographs, not be released without their prior consent.

In addition, secondary students' addresses and telephone numbers are released, as required by federal law, to military recruiters and institutions of higher learning on or about October 15 each year. Parents or guardians may indicate on the annual notification form or request in writing that such information not be released.

All requests remain in effect for the duration of each student's district enrollment unless changed by parent/guardian.

Release of Student during the School Day**3441**

The board recognizes its responsibility for the proper care of students during school hours. No K-8 student shall be removed from school grounds, any school building or school function during school hours except by a person duly authorized in accordance with district procedures. Before a student is removed or excused, the person seeking to remove the student must present to the satisfaction of the superintendent or principal evidence of his/her proper authority to remove the student. A teacher should not excuse a student from class to confer with non-school personnel unless the request is approved by the principal or designee.

Prior to sending a student to his/her home for illness, discipline or a corrective action, the principal shall attempt to reach the student's parent/guardian to inform him/her of the school's action and to request that he/she come to the school for the child. If the principal cannot reach the parent/guardian, the student shall remain at school until the close of the school day. A student may be released to a law enforcement officer in accordance with the district policy.

The superintendent is directed to establish procedures for the removal of a student during school hours.

Procedure**3441P**

Schools must exercise a high order of responsibility for the care of students while in school. The removal of a student during the school day may be authorized in accordance with the following procedures:

- A. Law enforcement officers, upon proper identification, may remove a student from school without a warrant provided that the law enforcement officer signs a statement that he/she is removing the student from the school. Such authority to take a student into custody is based on the existence of probable cause. Custodial parents should be contacted as soon as possible when a student is taken into custody.
- B. Any other agencies must have a written administrative or court order directing the school district to give custody to them. Proper identification is required before the student shall be released.
- C. Unless the custodial parent provides the school with a certified copy of a court order restricting or prohibiting the student's contact with the non-custodial parent, a student shall be released to the custodial parent(s) or the non-custodial parent(s) or the "contacts/release" person(s) as authorized on enrollment or update forms. School enrollment records will be relied upon because the parents or guardians have the burden of furnishing schools with accurate, up-to-date information.
- D. The school should always make a reasonable effort to notify the residential parent before releasing the student to the non-residential parent.
- E. Prior written authorization from the custodial parent or guardian is required before releasing a student into someone else's custody unless an emergency situation justifies a waiver.
- F. Police should be called if a visitor becomes disruptive or abusive.

Riding School Buses**3244**

The denial of the privilege of riding the bus is reserved for the principal or his designee.

While riding buses to or from school, students shall observe all school rules, in addition to the following specific rules affecting conduct and safety on buses. Denial of the privilege of riding the bus may result from violation of any of these rules.

1. Students must obey the driver promptly and willingly.
2. Students must obey the School Safety Patrol.
3. Outside of ordinary conversation, classroom conduct must be observed.
4. Students are to assist in keeping the bus clean by keeping their waste paper off the floor. Students must also refrain from throwing refuse out of windows.
5. No student shall open a bus window on the school bus without first getting permission from the driver.
6. No student shall at any time extend his or her head, hands, or arms out of the windows whether the school bus is in motion or standing still.
7. Students must see that they have nothing in their possession that may cause injury to another, such as sticks, any type of firearms, straps or pins extending from their clothing.
8. Students must see that their books and personal belongings are kept out of the aisles.
9. No student will be allowed to talk to the driver more than is necessary.
10. Students are to remain seated while the bus is in motion and are not to get on or off the bus until it has come to a full stop.
11. Students must leave the bus in an orderly manner and must obey the orders of the School Safety Patrol on bus duty. They must not cross the highway until given consent by the school bus driver or the School Safety Patrol. When boarding or leaving the bus, students should be in view of the driver at all times.
12. Students must cross the highway only in front of the school bus.
13. Students must not stand or play in the roadway while waiting for the bus.
14. Students who have to walk some distance along the highway to the bus loading zone must walk on the left side facing the oncoming traffic. This will also apply to students leaving the bus loading zone in the evening.
15. The driver should report all cases of disobedience to the proper school authorities.
16. Students removed from a bus for disciplinary reasons cannot ride any bus until given permission by school authorities.
17. Drivers must see that students do not change seats while in route to and from school without his/her permission. Each student may be assigned to a seat by the driver or school authorities.
18. No student may sit in the driver's seat, nor may any student sit to the left nor to the right of the driver interfering with him or her in any manner.
19. In the event of an actual emergency, emergency exit procedures, as established by the emergency exit drills, will be followed.
20. Students are not to run errands between the bus stop and their home.
21. Students are to refrain from eating on the school bus.

Searches of Lockers, Desks, and Storage Areas**3232**

Students may be assigned lockers for storing and securing their books, school supplies, and personal effects. Lockers, desks, and storage areas are the property of the district. Neither right nor expectation of privacy exists for any student as to the use of any space issued or assigned to a student by the school and such lockers and other spaces are subject to search in accordance with district policy.

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

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

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

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

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

Procedure**3232P**

Lockers, desks, and storage areas are the property of the Everett School District. When assigned a locker, desk, or storage area, a student shall be responsible for its proper care. A student may be subject to a fine for any willful damage to school property. Students are requested to keep their assigned lockers closed and locked.

A student's locker, desk, or storage area may be searched by the principal or principal's designee if reasonable grounds exist to suspect that evidence of a violation of the law or school rules will be uncovered. School staff shall report a student's suspicious activity to the principal or principal's designee.

Principals and principals' designees should refer to procedures for conducting searches of students and their property ([Procedure 3231P](#)) for guidance in establishing whether a search is reasonable under the circumstances.

Principals may search all lockers, desks, or storage areas without prior notice given to students and without reasonable suspicion that the search will yield evidence of any particular student's violation of the law or school rules.

Administrative inspections, or health and welfare inspections, may be conducted at any time for the purpose of locating misplaced library books, textbooks, or other school property or to ensure that all lockers, desks, or storage areas are being kept clean and free from potential health or safety hazards.

Periodic inspections of lockers will reinforce the district's ownership of lockers and the minimal expectation of privacy students have in the contents of their lockers.

During a search of all student lockers, if the principal or principal's designee conducting the search discovers any container within the locker which may conceal contraband, the container may be searched according to district procedures governing searches of students and their property. A "container" may include, but is not limited to: a purse, backpack, gym bag, an article of clothing, or any other item in which contraband material may be concealed.

Searches of Students and Their Property**3231**

All students shall be free from unreasonable searches of their persons, clothing, and other personal property. However, a student and a student's possessions are subject to search by the principal, assistant principal, or principal's designee if reasonable grounds exist to suspect that the search will yield evidence of the student's violation of the law or school rules governing student conduct. A search is mandatory if there are reasonable grounds to suspect a student possesses a firearm.

The principal, assistant principal, or principal's designee shall begin by asking that the student consent to the search. A student or his/her parents/guardians on the student's behalf may consent to a search at school. If the student refuses to consent to the search, school officials may proceed to search the student and the student's personal belongings as follows:

- A. Any search of a student and the student's possessions conducted by the principal, assistant principal, or principal's designee must be reasonably related to the discovery of contraband or other evidence of a student's violation of the law or school rules. For the purpose of this policy, "contraband" means items, materials, or substances the possession of which is prohibited by law or district policy, including but not limited to, controlled substances, alcoholic beverages, tobacco products, or any object that can reasonably be considered a firearm or a dangerous weapon.
- B. The principal, assistant principal, or principal's designee shall conduct searches in a manner which is not excessively intrusive in light of age and sex of the student and the nature of the suspected infraction. No student shall be subject to a strip search or body cavity search by school officials.
- C. The principal, assistant principal, or principal's designee shall determine in his/her discretion if a student's parent/guardian should be contacted prior to conducting a search. If not previously notified, a student's parent/guardian shall be contacted following a search. Advance notification of the student's parent/guardian is not required, however, and is at the discretion of the principal, assistant principal or principal's designee.

Searches of Students and Their Property (cont.)**3231**

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

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

Procedure**3231P**

A student is subject to search by a principal or principal's designee if reasonable grounds exist to suspect that evidence of a violation of the law or school rules will be uncovered. School staff shall report a student's suspicious activity to the principal or principal's designee.

Establishing Reasonable Grounds

The following review of the basis for the search should occur before conducting a search:

- A. Identify 1) the student's suspicious conduct, behavior, or activity; 2) the source of the information; and 3) the reliability of the source of such information.
- B. If suspicion could be confirmed, would such conduct be a violation of the law or school rules?
- C. Is the student likely to possess or have concealed any item, material, or substance which is itself prohibited or which would be evidence of a violation of the law or a school rule?

Conducting the Search

If the principal or principal's designee determines that reasonable grounds exist to search a student's clothing, personal effects, desk, locker, assigned storage area, or automobile, the search shall be conducted as follows:

- A. If evidence of criminal activity is suspected to be present and criminal prosecution will be recommended if criminal activity is confirmed by the search, consult law enforcement officials regarding the appropriateness of a search by a law enforcement officer.

If evidence of violation of a school rule is suspected, and if confirmed by the search will be handled solely as a student discipline action, proceed to search by asking the student to remove all items from pockets, purses, handbags, backpacks, gym bags, etc.

Student Dress**3224**

Preserving a beneficial learning environment and assuring the safety and wellbeing of all students are primary concerns of the board.

Students' choices in matters of dress should be made in consultation with their parents/guardians.

Student dress shall only be regulated when, in the judgment of school administrators, there is a reasonable expectation that:

- A. a health or safety hazard shall be presented by the student's dress or appearance;
- B. damage to school property shall result from the student's dress; or
- C. a material and substantial disruption of the educational process will result from the students' dress or appearance.

For the purpose of this policy, a material and substantial disruption of the educational process may be found to exist when a student's conduct is inconsistent with any part of the educational mission of the school district. Prohibited conduct includes the use of obscene, sexual, drug, alcohol or tobacco-related messages, or gang-related apparel. The superintendent shall establish procedures providing guidance to students, parents and staff regarding appropriate student dress in school or while engaging in extracurricular activities. Such procedures shall ensure that any student wearing, carrying, or displaying gang-related apparel, or exhibiting behavior or gestures which symbolize gang membership, or causing and/or participating in activities which intimidate or affect the attendance of another student shall be asked, with notice to his or her parents, to make appropriate corrections and subject to discipline if the corrections are not undertaken.

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

Procedure**3224P**

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

- A. Lead school officials to reasonably believe that such dress or grooming shall disrupt, interfere with, disturb, or detract from the school environment or activity and/or educational objectives;
- B. Create a health or other hazard to the student's safety or to the safety of others;
- C. Create an atmosphere in which a student, staff, or other person's well-being is hindered by undue pressure, behavior, intimidation, overt gesture or threat of violence; or
- D. Imply gang or identifiable hate group membership or affiliation by written communication, marks, drawing, tattoos, painting, design, and/or emblem upon any school or personal property or one's person.

The principal, in connection with the sponsor, coach, or other person in charge of an extracurricular activity, may regulate the dress and grooming of students who participate in the activity if the principal reasonably believes that the student's dress or grooming:

- A. Creates a hazard to the student's safety or to the safety of others.
- B. Shall prevent, interfere with or adversely affect the purpose, direction, or effort required for the activity to achieve its goals.

If the student's dress or grooming is objectionable under these provisions, the principal shall request the student to make appropriate corrections. If the student refuses, the principal shall notify the parent and request that person to make the necessary correction. If both the student and parent refuse, the principal shall take appropriate corrective action. Students may be suspended, if circumstances so warrant. Students who violate provisions of the dress code relating to extracurricular activities may be removed or excluded from the extracurricular activity for such period as the principal may determine. All students shall be accorded due process safeguards before any corrective action may be taken.

School authorities may communicate to students and parents the apparel, identifying symbols and/or behavior that are associated with identifiable hate groups and/or gangs that may become a hazard to a student's safety or the safety of others.

Student Driving/Bicycles/Wheeled Recreational Devices**3241**

The board regards the use of motor vehicles, bicycles and wheeled recreational devices for travel to and from school as an assumption of responsibility by parents/guardians and students. The superintendent shall develop procedures governing the use of these vehicles on school property or while engaged in non-athletic, school activities and shall disseminate those procedures to all students so affected.

Procedure**3241P**

High school students may drive motor vehicles to and from school. Vehicles may not be driven during the school day for school related activities without the consent of the parent and principal. Students may not transport another student during the school day unless consent has been granted by both driver and passenger's parents.

A student may use the school parking lot subject to the following conditions:

- A. The student must possess a valid Washington driver's license or intermediate license and must register the car in the school office.
- B. Students may not occupy a vehicle (without school permission) during the school day.
- C. In terms of student conduct rules, "possession" of alcoholic beverages, illegal chemical substances or opiates, firearms or a dangerous weapon shall also extend to a student's vehicle.

When transportation is provided by the district during the school day for non-athletic, school-related activities, the student is required to use it. When transportation is not provided and the student chooses to transport himself/herself, a Private Vehicle to and from District Activities form ([3241P](#), Page 2 of 2) must be completed and submitted to the school office, e.g., job shadows, internships, and Running Start students who leave campus and return during the student day.

If the driver of the private vehicle possesses an intermediate license, he/she must have been licensed for at least six months and may transport no more than three passengers who are under the age of twenty.

Bicycles, Scooters, Skateboards, Hoverboards and other Wheeled Recreational Devices

Students in grades three and above are allowed to ride bicycles to and from school. Skateboards, hoverboards, scooters, roller blades and similar devices may not be ridden on district property and the district cannot be responsible for the loss or theft of these devices or any other student property. Each building will develop its own rules and procedures for disposition of wheeled recreational devices, including wheeled shoes that are brought onto the campus during school hours.

Conformance with Rules

A student who does not conform to the above rules shall be subject to corrective action.

Communication

These procedures will be communicated to students and parents annually.

Student Privacy**3230**

At certain ages, students attain the right to decide for themselves what records will remain confidential, even from their parents, and what activities the student will participate in. At age eighteen (18) students become legal adults and must approve any disclosure of information about themselves from school records, except directory information if a request for confidentiality has not been filed. Students at age eighteen (18) may also sign releases, authorizations or permission slips to participate in school activities, and may sign themselves out of school and authorize their own absences. Students between sixteen (16) and eighteen (18) who have been granted legal emancipation from their parents or guardians have the same rights as eighteen-year-old students. Students over fourteen (14) years of age have the right to keep private from everyone any district records indicating that they have been tested or treated for a sexually transmitted disease. Students thirteen (13) years and older have confidentiality rights in records regarding drug, alcohol or mental health treatment. All students have confidentiality rights in family planning or abortion records.

Personal privacy is a fundamental aspect of individual liberty. All students possess the constitutional right to be secure in their persons, papers, and effects against unreasonable searches and seizures. Staff shall take particular care to respect students' privacy. However, no right nor expectation of privacy exists for any student as to the use of any locker or space issued or assigned to a student by the school district and the locker or space shall be subject to search in accordance with board policy.

The board is committed to protecting the health and welfare of all students, maintaining the security of the schools, and promoting the effective operation of the schools.

School officials have authority to maintain order and discipline in the schools and to protect students from exposure to illegal drugs, weapons, and contraband.

The superintendent, the principal, and other staff designated by the superintendent shall have the authority to conduct reasonable searches on school property as provided by board policy.

Student Publications**3221**

Student publications produced as part of the school's curriculum or with the support of the associated student body fund are intended to serve both as vehicles for instruction and student communication. They are operated and substantively financed by the district.

Material appearing in such publications should reflect all areas of student interest, including topics about which there may be controversy and dissent. Controversial issues may be presented provided that they are treated in depth and represent a variety of viewpoints. Such materials may not: be libelous, obscene or profane; cause a substantial disruption of the school, invade the privacy of others; demean any race, religion, sex, or ethnic group; or, advocate the violation of the law or advertise tobacco products, liquor, illicit drugs, or drug paraphernalia.

The superintendent shall develop guidelines to implement these standards and shall establish procedures for the prompt review of any materials which appear not to comply with the standards.

Procedure**3221P**

The student publications instructor or advisor shall have the primary responsibility for supervising student publications and to see that provisions incorporated into the policy and procedures are met. The principal may request to review any copy prior to its publication. Such copy shall be returned to the student editors within 24 hours after it has been submitted for review.

Any dispute that cannot be resolved at the building level shall be submitted to the superintendent for further consideration. When appropriate, the superintendent shall seek legal counsel. If the complaint cannot be resolved at that level, the board, upon request, shall consider the complaint at its next regular meeting.

While the district believes that students should be encouraged to exercise good judgment in the content of the student publication program, such expressive writing must be in keeping with the school's instructional mission and values. Material must be free of content that: runs counter to the instructional program; invades the privacy of individuals; demeans or otherwise damages individuals or groups; supports the violation of school rules or, is inappropriate for the maturity level of the students. Such publication activities must also teach respect for the sensitivity of others and standards of civility, as well as the elements of responsible journalism. (See [Procedure 3220P](#) – Freedom of Expression)

Student Records**3600**

The district shall maintain those student records necessary for the educational guidance and/or welfare of students, for orderly and efficient operation of schools and as required by law. All information related to individual students shall be treated in a confidential and professional manner. The district will use reasonable methods to ensure that teachers and other school officials obtain access to only those education records in which they have legitimate educational interests. When information is released in compliance with state and federal law the district and district employees are immune from civil liability unless they acted with gross negligence or in bad faith.

Student records are the property of the district but shall be available in an orderly and timely manner to students and parents/guardians, as well as to the state Department of Social and Health Services when a minor student has been found dependent and placed in state custody. A parent/guardian or adult student may challenge any information in a student record believed inaccurate, misleading or in violation of the privacy or other rights of the student.

The district will retain records in compliance with the current, approved versions of the [Local Government Common Records Retention Schedule \(CORE\)](#) and [School Districts and Educational Service Districts \(ESDs\) Records Retention Schedule](#), both of which are published on the Secretary of State's website.

Student records shall be forwarded to other school agencies upon written request from the school agency. A high school student may grant authority to the district which permits prospective employers to review the student's transcript. Parent/guardian or adult student consent shall be required before the district may release student records other than to a school agency or organization, except as otherwise provided by law.

A grade report, transcript, or diploma shall not be released until a student has made restitution for damages assessed as a result of losing or damaging school materials or equipment. If a student has transferred to another school district that has requested the student's records, but that student has an outstanding fee or fine, only records pertaining to the student's academic performance, special placement, immunization history and discipline actions shall be sent to the enrolling school. The content of those records shall be communicated to the enrolling district within two school days and copies of the records shall be sent as soon as possible. The official transcript will not be sent until the outstanding fee or fine is discharged. The enrolling school shall be notified that the official transcript is being withheld due to an unpaid fee or fine.

The superintendent shall establish procedures governing the content, management and control of student records.

Procedure**3600P**

Student records shall be managed by the records custodian in the following manner:

Type of Records

Student records shall be divided into two categories: the cumulative folder and supplementary records.

A. Cumulative Folder

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

B. Supplementary Records

Supplementary records about a student may be collected and maintained in connection with special school concerns about the student, such as confidential health information or reports connected with assessment and placement of a student who is formally identified as a "focus of concern;" reports from non-school persons and organizations such as physicians, psychologists and clinics, except for general screening purposes; reports pertaining to specific problems associated with the student; and current reports of psychological tests and progress reports related to a student's disabling condition. All such reports included in records shall be dated and signed.

For the purpose of this procedure, working notes of staff are defined as those records about students which are maintained in the sole possession of the writer and are not accessible or revealed to any other person except a substitute for that staff member. Working notes are not considered student records within the purview of this procedure.

Accessibility of Student Records

Information contained in the cumulative folder and/or supplementary records shall be provided to persons and agencies as follows:

A. Parents/Guardians

Parents/guardians of dependent children have the right to inspect the cumulative folder and/or supplementary records of their children.

1. The parent/guardian shall be provided analysis and interpretation by qualified staff of all information in the cumulative folder and supplementary records. This action may be initiated by the parent/guardian or a staff member. The review shall occur within five (5) school business days after a request is received unless a written explanation for the failure to do so is supplied by the custodian of records. In no case shall the review occur later than forty-five (45) days after the request is made.
2. Inspection and review shall be conducted during normal working hours, unless the custodian (teacher, counselor, nurse, psychologist, principal) consents to other arrangements. Custodians shall provide assistance in the interpretation and analysis of student records as needed. Although records must remain within district control, they may be copied or reproduced by or for the parent/guardian or eligible student at their own expense.

B. The Student

Information from the cumulative folder shall be interpreted to the student upon his/her request. Information contained in supplementary records shall be interpreted to the student upon his/her request and with the consent of the parent/guardian. A student who is age eighteen (18) or older ("adult student") may inspect his/her cumulative folder and supplementary records. The right of access granted the parent/guardian or adult student includes the right to be provided a list of the types of student-related education records maintained by the school and the district. The parent/guardian and adult student shall have the right to inspect or to be informed of the content of any record containing personally identifiable information regarding more than one student, provided that the right to access shall apply only to that portion of the record or document which relates to the student. Upon graduation from high school, a student may request to receive a final transcript in addition to the diploma.

Parents/guardians and adult students will be notified annually of their right to inspect and review the records of their children and their other rights under the Family Education Rights and Privacy Act through the Student Rights and Responsibilities Handbook.

Schools will continue to communicate with parents/guardians of adult students absent a court order of emancipation or proof that the student is no longer listed as a dependent on his/her parents' income tax returns. In cases of emancipation, the district will communicate with the emancipated student only. In cases where an adult student remains dependent on his/her parents/guardians, the parents/guardians shall have access to the student's records and the student's consent is not needed.

The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

1. The right to inspect and review the student's education records within forty-five (45) days of the day the district receives a request for access. Parents/guardians or eligible students should submit to the district records custodian a written request that identifies the record(s) they wish to inspect. The records custodian will make arrangements for access and notify the parent/guardian or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent/guardian or eligible student believes is inaccurate or misleading. Parents/guardians or eligible students may ask the district to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the district decides not to amend the record as requested by the parent/guardian or eligible student, the district will notify the parent/guardian or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/guardian or eligible student when notified of the right to a hearing.
3. Parents/guardians or eligible students have a right to inspect or review information including when the student is a dependent under IRS tax code, when the student has violated a law or the school rules regarding alcohol or substance abuse (and the student is under 21), and when the information is needed to protect the health or safety of the student or other individuals.
4. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. Exceptions which permit disclosure without consent are: disclosure deemed by the district as necessary to protect the health or safety of the student or other individuals and disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the district has contracted to perform a special task (such as an attorney, hearing officer, auditor, medical consultant, or therapist); or a parent/guardian or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the district discloses educational records without consent to officials of another school district in which a student seeks or intends to enroll.

5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue S.W.
Washington, D.C. 20202-8520

C. Staff

Staff or other school officials who have a legitimate, educational interest in a student shall have access to the cumulative folder and any supplementary records.

D. Districts

Other districts shall be provided with records upon official request from the district, unless the student has an outstanding fee or fine. In those instances, the enrolling school will be provided with the student's academic performance, special placement, immunization history and discipline records within two school days, but the official transcript will be withheld until the fee or fine is discharged. The enrolling school shall be notified that the official transcript is being withheld due to an outstanding fee or fine. At the time of transfer of the records, the parent/guardian or adult student may receive a copy of the records at his/her expense if requested and shall have an opportunity to challenge the contents of the records. Parents/guardians shall be advised through the annual Student Rights and Responsibilities Handbook that student records shall be released to another school where the student has enrolled or intends to enroll.

E. Other Persons and Organizations

Prospective employers may request to review the transcript of a student. Each parent/guardian or adult student shall be advised at least annually that such requests shall be honored only upon a signed release of the parent/guardian or adult student. Information contained in the cumulative folder and supplementary records of a student shall be released to persons and organizations other than the student, parent/guardian, staff and other districts only with the written consent of the parent/guardian or adult student with the following exceptions:

1. Directory information may be released publicly without consent upon the condition that the parent/guardian or adult student be notified annually of the school's intention to release such information and be provided the opportunity to indicate that such information is not to be released without prior consent. Such information shall not be released for commercial reasons.

Directory information is defined as the student's name; dates of enrollment; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees; honors, and awards received; schools attended in the district, work created by the student for school-related publications and purposes; and/or photographs of students for school-related publications or purposes. The actual residential addresses of participants in the state Address Confidentiality Program will not be available for release as directory information. Social security numbers, student identification numbers (with authentication factors such as a secret password or personal identification number) or other personally identifiable information is not considered directory information.

2. Information may be released to authorized representatives of the comptroller general of the United States, the commissioner of education, and/or an administrative head of an education agency or state education authorities in connection with the audit and evaluation of federally supported education programs or in connection with the enforcement of the federal legal requirements for such programs.
3. Information may be released to state and local officials to whom such information is specifically required to be reported or disclosed pursuant to Washington state statute (examples: reporting child abuse or referrals to juvenile court for truancy or a local Community Truancy Board).
4. Information may be released to organizations conducting studies for educational agencies for the purpose of developing, validating or administering predictive tests or improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents/guardians by persons other than the representatives of such organizations and if such information shall be destroyed when no longer needed for the purpose for which it has been gathered.
5. Information may be released in compliance with a judicial order or lawfully issued subpoena including ex parte court orders under the USA Patriot Act, upon condition that a reasonable effort was made to notify the parent/guardian or adult student in advance of such compliance unless such notice is not allowed by the court order or subpoena. In compliance with the federal Uninterrupted Scholar's Act of 2013, when a parent is a party to a court proceeding involving child abuse or neglect (as defined in Section 3 of the child Abuse and Prevention and Treatment Act (42 U.S.C. 5101) or dependency matters, and the order is issued in the context of that proceeding, the district is not required to provide additional notice (i.e., in addition to the court's notice) to the parent prior to release of the information.
6. Information may be released to appropriate persons and agencies in connection with an emergency to protect the health or safety of the student or other persons. The district will take into account the totality of the circumstance and determine if there is an articulable and significant threat to the health or safety of the student or other individuals. When information from a student's record, other than directory information, is released to any person or organization other than staff, a record of such release shall be maintained as part of the specific record involved. Telephone requests for information about students shall not be honored unless the identity of the caller is known and the caller is authorized to receive the information under provisions of these procedures. A record shall be made of any such release of information and placed in the student's cumulative folder. This record of access shall include date of access, name of the party granted access and the legitimate educational interest of the party granted access (Form: Record of Access to Student Records).
7. In compliance with the federal Uninterrupted Scholar's Act of 2013, information regarding students in foster care may be released without prior written consent of the parent or eligible student to agency caseworkers or other representatives of state or local child welfare agencies or tribal organizations who are legally responsible for the care and protection of the student, for purposes related to the student's case plan.
8. A high school student and/or parent/guardian may grant authority to the district permitting prospective employers to review the student's transcript.

Confidential Health Records

Confidential health records should be stored in a secure area accessible only to the principal/designee and/or school nurse, unless an appropriately executed release under [RCW 70.02, Medical records—health care information access and disclosure](#), has been obtained. Such records are also covered by FERPA, permitting parent/guardian access to review and otherwise exercise FERPA rights regarding the records. There is a higher standard of confidentiality and minor student's rights of privacy for records pertaining to HIV, sexually transmitted diseases, drug or alcohol treatment, mental health treatment, family planning or abortion. The releases for information regarding sexually transmitted diseases, HIV and drug or alcohol treatment are more restrictive than ordinary medical releases.

Challenges and Hearings

Schools and departments shall inform the parent/guardian or adult student of his/her rights regarding student records by providing notice of the following items:

- A. Types of records maintained;
- B. Name of custodian;
- C. Person other than parent/guardian or adult student having access to records and the purposes for such access;
- D. Inspection, review, challenge and hearing rights;
- E. Concurrent rights of minor students;
- F. Costs for copying records; and
- G. Directory information categories.

Forms used in connection with these procedures shall contain information required by law to notify parents/guardians, adult students and others of their respective rights and duties.

At the time of inspection and review the parent/guardian or adult student granted access to records may challenge the appropriateness and accuracy of any record directly related to the student and may demand correction or deletion. Custodians (teacher, counselor, nurse, psychologist) may honor such demands by correcting or deleting records which are misleading, violative of privacy or inaccurate, provided that the senior custodian (principal or department head) concurs.

If the demanded correction or deletion is denied by the senior custodian, the parent/guardian or adult student may request an informal hearing before the superintendent or designee which hearing shall be held within ten (10) school days of the receipt of such request. During the hearing the superintendent or designee shall review the facts as presented by the parent/guardian or adult student and the custodian and decide whether or not to order the demanded correction or deletion. The superintendent or designee shall send his/her written decision to the parent/guardian or adult student within ten (10) school days of the hearing.

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

Parents/guardians or adult student challenging the appropriateness and accuracy of student records may insert a written explanation of their objections in such records.

Maintenance of Student Records

The student's principal, counselor or teacher shall be the custodian of the cumulative folder and supplementary records. The coordinator of special services shall be the custodian of the supplementary records for special education students. Duplicate copies of all guidance case study reports and reports from non-school agencies contained in a student's supplementary record may be maintained in the district office under the supervision of the superintendent or designee.

Custodians shall:

- A. Maintain only those records authorized by these procedures;
- B. Safeguard student records from unauthorized use and disposition;
- C. Maintain access records;
- D. Honor access requests for parent/guardian or adult student;
- E. Delete or correct records upon approval of the senior custodian or upon order of the superintendent or designee or the board; and
- F. Follow the records review schedule and procedures established by the senior custodian.

Senior custodians may assume the duties of custodians and shall:

- A. Request student records from other schools;
- B. Maintain security of student records;
- C. Transfer, destroy and expunge records as permitted;
- D. Supervise activities of their custodians;
- E. Conduct informal hearings and grant or deny approval of corrections or deletions requested by parents/guardians or adult student;
- F. Establish records review schedules and procedures for their respective schools or departments in accordance with procedures for governing records disposition (Psychological test scores shall be reviewed annually to determine their relevance to the continuing educational needs of the student.);
- G. Upon transfer of the student to the next level (elementary to middle school, middle school to high school) or upon graduation or transfer outside the district, remove for retention, preservation or destruction in accordance with applicable disposition procedures any records no longer pertinent to educational program placement; and
- H. Certify to the district records custodian by June 30 of each year the following:
 - 1. Only records pertinent to educational program placement are being maintained, unless otherwise authorized by law, and
 - 2. Required reviews have been accomplished.

The district records custodian shall provide overall supervision of student records management and control and shall enforce the student records policy and the administrative procedures.

The district will use an array of methods to protect records, including passwords, physical controls (such as locked cabinets), technological controls (such as role-based access controls for electronic records) and administrative procedures.

Disposition of Student Records

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

Within ten (10) days after receiving a request, the district will furnish a set of unofficial educational records to the parent/guardian of a student transferring out of state who meets the definition of a child of a military family in transition. When a student transfers to another school in the district, all records including the permanent student record shall be transmitted to the other school. When a student transfers to a school outside of the district, the senior custodian shall purge the cumulative folder of all non-official, extraneous information. A copy of all records will be sent to the requesting school, unless the student has an outstanding fee or fine. In those instances, the enrolling school will be provided with the student's academic performance, special placement, immunization history and discipline records within two (2) school days, and the records will be sent as soon as possible. The official transcript will be withheld until the fee or fine is discharged. The enrolling school shall be notified that the official transcript is being withheld due to an outstanding fee or fine. The student's cumulative folder shall be maintained for three (3) years after the student graduates or withdraws from the district. In all cases, the student's permanent record shall be retained by the district for 100 years.

Contents of a student's supplementary records shall be maintained for three (3) years. Special education student records shall be maintained for six (6) years after the student graduates or separates from the program. At the time a student graduates from school or ceases to need special educational services, the parent/guardian or adult student shall be informed that record information regarding the disabling condition is no longer needed.

In informing the parent/guardian or adult student about his/her rights regarding such records, the district shall advise the parent/guardian or adult student that information may be needed by the student or the parent/guardian to establish eligibility for certain adult benefits, e.g., social security AND that the parent/guardian/adult student should ensure that they possess the necessary documentation, or request copies of certain records from the district BEFORE the district records are destroyed in six (6) years. At the parent's/guardian's or adult student's request, the record information relating to the disabling condition shall be destroyed but ONLY after the records have met their six (6) year retention requirement pursuant to the School Districts and Educational Districts Records Retention Schedule. The district may, in its discretion, choose to retain these records for a longer period of time for business purposes.

A parent/guardian or adult student, at his/her expense, may receive a copy of all records to be transmitted to another district.

Large Scale Destruction of Student Records

After exercising care in accordance with that contained in the previous section (Disposition of Student Records), the senior custodian shall bundle all records and send them to the district office. Each bundle shall be plainly marked: "Student Records—for Destruction," dated and signed by the senior custodian. A summary sheet shall be completed and retained in the office. The sheet shall indicate: "As of this date, I have determined that the following records may be destroyed in accordance with district and state requirements and have submitted them for destruction." The summary sheet shall be dated and signed by the senior custodian.

Electronic Records

Electronic records (including email and web content) created and received by the district in the transaction of public business are public records for the purposes of [RCW 40.14](#) and will be managed consistent with all of the laws and regulations governing the retention, disclosure, destruction and archiving of public records. The district will manage electronic records according to the same provisions as paper documents as set forth in the records retention schedules. Electronic records will be retained in electronic format and remain usable, searchable, retrievable and authentic for the length of the designated retention period. The district will retain electronic records designated as archival in the original format along with the hardware and software required to read the data, unless the data has been successfully migrated to a new system. (The district will retain records in compliance with the General Records Retention Schedule for School Districts and Educational Service Districts in Washington State found at <http://www.sos.wa.gov/archives/RecordsManagement/Records-Retention-Schedules-for-School-Districts-and-Educational-Service-Districts.aspx>.)

Technology**3245**

The board of directors recognizes the importance of technology in providing quality education and opportunities for students. The board believes that access to technology resources and the skills students develop play an important part in the learning process and the success of students in the future.

The superintendent shall develop procedures that encourage student use of technology and the school district's computer networks, while establishing reasonable controls for its lawful, efficient and appropriate use.

To help ensure student safety and citizenship in appropriate, ethical online activities, students will be educated about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response.

Procedure**3245P****Technology**

Students using technology in the educational process is an everyday occurrence. It is a goal of Everett Public Schools to provide students access to information, technology, and to develop technological skills. Technology is an integral part of the curriculum, physical environment and delivery of instruction. For the purposes of this policy, "technology" includes, but is not limited to, computers, hardware, software, the network, Internet access, scanners, copiers, facsimile machines, cameras, and personal electronic devices (PEDs)

Additionally, Everett Public Schools has a vested interest in and encourages the use of PEDs (e.g., smartphones, tablets, slates, notebooks, laptops, personal computers, cellular phones, and other similar electronic devices.) Refer to [Procedure 3246P](#) for information on appropriate use of PEDs. A PED can play a positive role in furthering our students' learning. The Everett Public Schools' wireless network permits students with a district network account and a PED to access the Internet. For purposes of this procedure, the "network" includes, but is not limited to, a set of devices connected via a wired or wireless network owned and operated by the district to give authorized users the ability to share, store, and access digital resources and content located on another connected computer, network device, or online service.

Equitable Access

1. Schools throughout the district will have equitable access to technologies and provide educational opportunities to use those technologies.
2. Students with special needs, including those with identified disabilities, benefit greatly from the use of technology. In many cases, technology can remove barriers to learning.

Appropriate Use

1. It is the expectation of the district that students effectively and appropriately use available technology.
2. Appropriate safeguards are established to ensure the security of district and student data.
3. All users of technology shall comply with current copyright laws.
4. Filtering services are in use on all computers with access to the Internet. The system is designed to block or filter access to Internet content the district deems inappropriate, including pornography and any depictions that are inappropriate, obscene, or are harmful to minors.
5. No user will attempt to breach or modify device hardware and software security measures. Students and staff will immediately notify the site technician if tampering with the device is suspected.
6. No user will attempt to modify the physical appearance or operating system of any technology equipment. This includes, but is not limited to, unauthorized software updates, and copying or installing non-district licensed software.

Student Care of Equipment

Students are responsible for the care and safekeeping of the district-provided laptop that is assigned to them. Students must follow the guidelines and recommendations included in the [Technology Handbook for Students and Parents](#) to ensure their technology is always in working order and is not damaged. Damage to the device must be reported immediately to school administration following the process outlined in the [Technology Handbook for Students and Parents](#).

General Use of Everett Public Schools Technology

1. Users must make diligent efforts to conserve system resources; e.g., system storage, network bandwidth, software licenses, etc.
2. Before users are given access to the system, the district will endeavor to provide appropriate training.

Personal Security

1. Users of technology shall maintain the confidentiality of personal information such as complete names, addresses and telephone numbers, and identifiable photos should remain confidential. Students should never reveal confidential information without permission from their teacher and parent(s)/guardian(s). No user may disclose, use or disseminate any personally identifiable information about others without authorization.
2. Students should never make appointments without parent/guardian permission to meet in person people whom students have contacted using technology.
3. Students should report to a school administrator, teacher, or security staff any dangerous or inappropriate information or messages on the Internet, in e-mail, instant messages, blogs, online forums, social media sites, or other electronic media.

Student Access to and Use of Technology

Students are expected to exercise good judgment and use network resources in an appropriate manner. All use of the network must support education and research and be consistent with the mission of the district. Use of electronic resources provided by the district is a privilege.

In order to maintain the privilege, students must learn and comply with all of the provisions included in this Student Technology Use Agreement. Violation of any of the conditions of use may be cause for revocation of the student's privilege of network access and/or disciplinary action in accordance with district policies and procedures. In addition, violations of this use agreement may result in referral to law enforcement.

1. Schools shall collect an acknowledgment signed by parent(s)/guardian(s) indicating that those parent(s)/guardian(s) have received and agreed to the conditions for student use of technology as specified in the [Technology Handbook for Students and Parents](#).
2. Student access to and use of technology, including Internet access, is granted on a continuing basis unless a parent/guardian chooses to revoke permission or access is revoked by the district. Parents/guardians may notify the school of their intent to withdraw permission for use of technology by notifying the school in writing.

Internet Safety

Students will be educated about appropriate online behavior, including interacting with individuals on social media sites and in online forums, and cyberbullying awareness and response.

1. The Everett Public Schools' wireless network will provide filtered Internet access. Everett Public Schools is not responsible for or liable for student access to any other network accessed while the device is operated on district property or at any school-sponsored activity or event off school property (including Internet service provided by any commercial service provider.)
2. A PED shall not be used in a manner that disrupts the educational process, including but not limited to, posing a threat to academic integrity.
3. Devices shall not be used to violate the confidentiality or privacy rights of another individual, including but not limited to, taking photographs or audio or video recordings of others without their permission or sharing, posting, or publishing photographs, videos or recordings of others without their permission.

Acceptable Use Guidelines

When a student is using district technology or when a student is using a PED while on district property or at a school-sponsored activity or event off school property, access to and use of technology is authorized, provided the student adheres to the following Student Technology Use Agreement at all times.

Student Technology Use Agreement

1. All use of technology must be in support of education, classroom learning and Everett Public Schools' operations and must be consistent with the mission of Everett Public Schools. The district reserves the right to prioritize use and access to the system.
2. Any use of technology must conform to state and federal law, technology use policies, and Everett Public Schools' policies, procedures and directives. It should be recognized and understood that a PED may not be compatible with district systems. District support staff will provide technical support on a best effort basis. Access to Everett Public Schools' network with a PED is not guaranteed.
3. Using the district network for personal or private gain or benefit, commercial solicitation, or compensation of any kind is prohibited.
4. Using the district network for political purposes in violation of federal, state, or local laws is prohibited. Technology constitutes public facilities and may not be used to support or oppose political candidates or ballot measures.
5. There is no expectation of privacy for any user of the district's technology, including but not limited to Internet use and e-mail. Materials created, stored, sent, or received on district technology are subject to review by the district and may be subject to a public records request under the state Public Records Act.
6. Subscriptions to mailing lists, bulletin boards, online forums, commercial online services and other information services must be directly related to classroom curriculum.
7. Diligent effort must be made to conserve technology resources.
8. Technology shall not be used to disrupt the operation and use of technology by others; technology system components, including hardware or software, shall not be destroyed, modified, removed or abused in any way.
9. Use of technology to harass others or gain unauthorized access to any service or information and/or damage the components of a service or information is prohibited.
10. Users are responsible for the appropriateness of the material they transmit or publish using technology. Hate mail, harassment, intimidation, bullying, discriminatory remarks or other antisocial or uncivil behaviors are prohibited.
11. Use of any technology on district property or at any school-sponsored activity or event off school property, including PEDs, to access, store or distribute inappropriate, obscene or pornographic material is prohibited.
12. Use of cameras, including those in cell phones or other PEDs, is prohibited in restrooms, locker rooms, or any other location where there is a reasonable expectation of personal privacy.
13. Connecting or attaching any computer or networking equipment or components to the Everett Public Schools' network via network ports and/or communications closets, by anyone other than a network technician or other individuals expressly authorized by the district's chief information officer or designee is prohibited. Unauthorized computer or networking equipment or components will be removed without notice.

Copyright

Downloading, copying, duplicating or distributing software, music, sound files, movies, images or other copyrighted materials without the specific written permission of the copyright owner is 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 ([Board Policy 2312](#) and [Procedure 2312P](#), Copyright Compliance).

Ownership of Work

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 district or unless such work has been paid for under a written agreement with the district. If created while an employee of the district or 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 a student's work to parties outside of a school or the district.

Security

1. System log-ins or accounts are to be used only by the authorized owner of the account for authorized purposes.
2. Users may not share their system, computer or software passwords with others or leave an open file or session unattended or unsupervised. Account owners are responsible for all activity under their account.
3. Users shall not seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users, misrepresent other users or attempt to gain unauthorized access to any data or entity on specific computers or the network.
4. Communications may not be encrypted so as to avoid district security review.
5. Users will maintain security practices as determined by the district or as necessary to maintain security.

Privacy

It is the policy of Everett Public Schools that district technology be used only for district-related educational purposes. Students will have no expectation of privacy when utilizing district technology. When responding to a public records request under the Washington Public Records Act, the district will access all district technology to provide a complete response.

The district reserves the right to inspect, without notice, to review, monitor, and log, as appropriate, all activity using district technology.

District Responsibilities

Everett Public Schools shall:

1. Review, monitor, and log, as appropriate, all technology activity for responsible and acceptable use consistent with the terms of the policies and procedures.
2. Make determinations on whether specific uses of technology are consistent with its Student Technology Use Agreement.
3. Remove a user's access to technology, with or without notice, at any time the district suspects that the user is engaged in unauthorized activity or violations of this procedure. In addition, further disciplinary or corrective action(s) may be imposed for such activity or violations in accordance with district policies and procedures.
4. Cooperate fully with law enforcement investigations concerning, or relating to, any suspected or alleged inappropriate technology activities.
5. Under prescribed circumstances, non-student or non-staff use of technology may be permitted provided such individuals demonstrate that their use furthers the purpose and goals of the district and **is** authorized by a district administrator.

Liability

The district cannot guarantee the availability of technology resources and will not be responsible for any data that may be lost, damaged, or unavailable due to technical or other difficulties. The district cannot ensure that all electronic transmissions are secure and private and cannot guarantee the accuracy or quality of information obtained. The district will employ technology protection measures to comply with federal and state requirements to filter or block material the district deems inappropriate. However, no known process can control or censor all illegal, defamatory, or potentially offensive materials that may be available to the user on information systems accessible through the use of district resources.

Transgender Students

In order to foster an educational environment that is safe and free of discrimination for all students, regardless of sex, sexual orientation, gender identity or gender expression, the board recognizes the importance of an inclusive approach toward transgender students in order to provide these students with an equal educational opportunity. This policy and its procedure will support that effort by facilitating district compliance with local, state and federal laws concerning transgender students.

The principal or designee is encouraged to request a meeting with a transgender student and his or her parent/guardian upon the student's enrollment in the district or in response to a currently enrolled student's change of gender expression or identity. The goals of the meeting are to:

- Develop understanding of that student's individual needs with respect to his or her gender expression or identity; and
- Develop a shared understanding of the student's day-to-day routine within the school so as to foster a relationship and help alleviate any apprehensions the student may have with regard to his or her attendance at school.

The principal or designee may not require the student to attend a meeting as a condition of providing them with the protection to which they are entitled under Policy and Procedure 3213, and state and federal law regarding gender expression or identity.

Definitions/Terms

- **Gender Expression** is how a person expresses his or her gender, often through behavior, emotional expression, mannerisms, dress, grooming, interests, and activities.
- **Gender Identity** refers to one's deeply felt internal sense of being female, or male, or both, or neither, regardless of the gender assigned at birth.
- **Gender Nonconforming** describes a person whose gender expression differs from stereotypical expectations about how the person should look or act based on the gender assigned at birth. This term includes people who identify outside traditional gender categories or identify as both genders, or as gender neutral.
- **Biological Sex/Sex** refers to a person's internal and external anatomy, chromosomes, and hormones.
- **Transgender** is a general term often used to describe a person whose gender identity and/or expression is different from that traditionally associated with the person's gender assigned at birth.
- **Transitioning** refers to the process in which a person goes from living and identifying as one gender to living and identifying as another.

Official Records

The district is required to maintain a permanent student record which includes the student's legal name and the student's gender. The district will change a student's official records to reflect a change in legal name or gender upon receipt of:

1. Documentation that the student's legal name or gender has been changed pursuant to a court order or through amendment of state or federally-issued identification; or
2. A written, signed statement explaining that a student over the age of eighteen (18) has exercised a common-law name change and has changed his or her name for all intents and purposes and that the change has not been made for fraudulent reasons.

When a former student asks for his or her official student transcript to be changed to reflect a different name or gender:

- Document the transaction (request for the change, proof of identity, certificate, court papers, etc.);
- Issue a new record; and
- Retain (1) the original record; (2) the newly issued record; and (3) the documentation of the transaction.

To the extent that the district is not legally required to use a student's legal name and biological sex on school records or documents, the district should use the name and gender by which the student identifies. In situations where school employees are required by law to use or report a student's legal name or gender, such as for standardized testing, school staff should adopt practices to avoid the inadvertent disclosure of the student's transgender or gender nonconforming status. More information is available online at [Washington Law Help and Northwest Justice Project](#).

Confidential Health or Educational Information

Information about a student's gender status, legal name, or gender assigned at birth may constitute confidential medical or educational information. Disclosing this information to other students, their parents, or other third parties may violate privacy laws, such as the federal Family Education Rights and Privacy Act (FERPA) ([20 U.S.C. §1232; 34 C.F.R. Part 99](#)). Therefore, to ensure the safety and well-being of the student, school employees should not disclose a student's transgender or gender nonconforming status to others, including the student's parents and/or other school personnel, unless the school is (1) legally required to do so, or (2) the student has authorized such disclosure.

Communication and Use of Names and Pronouns

An appropriate school employee will privately ask known transgender or gender nonconforming students how they would like to be addressed in class, in correspondence to the home, and at conferences with the student's parent/guardian. That information will be included in the electronic student record system along with the student's legal name in order to inform teachers and staff of the name and pronoun by which to address the student. When appropriate or necessary, this information will be communicated directly with staff to facilitate the use of proper names and pronouns. A student is not required to change his or her official records or obtain a court-ordered name and/or gender change as a prerequisite to being addressed by the name and pronoun that corresponds to his or her gender identity.

When communicating with transgender or gender nonconforming students regarding particular issues such as conduct, discipline, grades, attendance or health, school employees will focus on the conduct or particular issues rather than making assumptions regarding the student's actual or perceived gender identity. When communicating with parents/guardians of transgender or gender nonconforming students, school employees will refrain from the use of gender pronouns and refer to the student by name whenever practicable. The district will not condone the intentional and persistent refusal to respect a student's gender identity, or inappropriate release of information regarding a student's transgender status.

Restroom Accessibility

Students will be allowed to use the restroom that corresponds to the gender identity consistently asserted at school. No student will be required to use a restroom that conflicts with his or her gender identity.

Locker Room Accessibility

Use of locker rooms by transgender or gender nonconforming students will be assessed on a case-by-case basis, with the goal of maximizing transgender or gender nonconforming student social integration, providing an equal opportunity to participate in physical education classes and athletic opportunities, ensuring the student's safety and comfort, and minimizing stigmatization of the student. In most cases, the district should provide the student access to the locker room that corresponds to the gender identity consistently asserted at school. Any student who has a need or desire for increased privacy, regardless of the underlying reason, should be provided with a reasonable alternative changing area, such as:

- Use of a private area (e.g., nearby restroom stall with a door, an area separated by a curtain, an office in the locker room, or a nearby health room office restroom); or
- A separate changing schedule (i.e., utilizing the locker room before or after the other students).

Any alternative arrangement will be provided in a manner that allows the student to keep his or her transgender or gender nonconforming status private. No student, however, will be required to use a locker room that conflicts with his or her gender identity.

Sports and Physical Education Classes

The district will provide all students, including transgender students, the opportunity to participate in physical education and athletic programs/opportunities in a manner that is consistent with his or her gender identity.

A student may seek review of his or her eligibility for participation in interscholastic athletics by the procedure set forth in the Washington Interscholastic Activities Association ([WIAA](#)) handbook.

Dress Codes

The district will allow students to dress according to the gender with which they consistently identify, within the constraints of the dress codes adopted at his or her school site and within the constraints of the district guidelines for dress as they relate to health and safety issues (e.g., prohibitions on wearing gang-related apparel).

Other School Activities

In any school activity involving separation by gender (i.e., class discussions, field trips), students will be permitted to participate in accordance with the gender identity they consistently assert at school. Teachers and other school employees will make every effort to separate students based on factors other than gender where practicable.

Training and Professional Development

When practical, the district will conduct staff training and ongoing professional development as needed in an effort to build the skills of all staff members to prevent, identify and respond to harassment and discrimination. The content of such professional development should include, but not be limited to:

- Terms and concepts related to gender identity, gender expression, and gender diversity in children and adolescents;
- Appropriate strategies for communicating with students and parents about issues related to gender identity and gender expression, while protecting student privacy;

- Strategies for preventing and intervening in incidents of harassment and discrimination, including cyber-bullying; and
- District and staff responsibilities under applicable laws and district policies regarding harassment, discrimination, and gender identity and expression issues.

Discrimination and Harassment Complaints

Discrimination and harassment on the basis of sex, sexual orientation, or gender identity or expression are prohibited. It is the responsibility of each school, the district and all staff to ensure that all students, including transgender and gender nonconforming students, have a safe school environment. The scope of this responsibility includes ensuring that any incident of discrimination or harassment is given immediate attention and/or reported to the district's Civil Rights Compliance Coordinator.

Complaints alleging discrimination or harassment based on a person's actual or perceived gender identity or expression are to be taken seriously and handled in the same manner as other discrimination and/or harassment complaints. This includes investigating the incident and taking age and developmentally-appropriate corrective action. Complaints of discrimination based on gender identity or expression will follow the complaint process outlined in the district's Nondiscrimination Procedure 3210P.

Use of Personal Electronic Devices**3246**

Personal electronic devices (PEDs), such as cell phones, tablets, and other mobile devices are integral tools in our society. They serve as a means of communication (telephone, email, text, etc.), a calendar, camera, organizational tool, a clock, information gathering/research tool, electronic book, note taker, dictation device, music provider, a student engagement tool and many other purposes. It is recognized that many of these purposes are useful in an educational setting. The use of PEDs to benefit student learning is authorized and encouraged.

The superintendent shall develop procedures for the appropriate use of PEDs by students in the classroom.

Procedure**3246P**

Students will be advised at the beginning of the school year as to proper cell phone and other Personal Electronic Devices (PED) etiquette at school. Students are responsible for the PEDs they bring to school. Everett Public Schools shall not be responsible for loss, theft, damage or destruction of devices brought onto school property or to school-sponsored activities or events off school property.

Elementary and Middle School Students

Elementary and middle school students will follow the guidelines published in their school handbooks.

High School Students

We encourage staff to allow the use of student PEDs when appropriate to the instructional target and learning experience. High school students may use their cell phones and other PEDs for personal use during transition periods, at lunch and before/after school. Students are expected to silence their PEDs when entering a classroom. Headset device usage within the classroom will not be allowed unless specifically authorized by the teacher.

Use of personal electronic devices at Everett Public Schools is considered a privilege and not a right and may be revoked by a principal, assistant principal, or principal's designee. All authorized use at school shall be in compliance with district policy and school rules.

The following steps will generally be taken if the student violates district policy or school rules regarding PEDs.

- Step 1 Warning from classroom teacher to the student.
- Step 2 Warning and teacher calls home or emails the parent/guardian of the student informing them that the next step will be a referral to the office.
- Step 3 Teacher informs student he/she is writing a referral to the office. Teacher calls home or emails parent/guardian of the student to inform them a referral to the office has been made. The student will be given an after school detention or other appropriate consequence.
- Step 4 If violation of school rules regarding PEDs persists, school discipline policies will be followed.

Acceptable Use Guidelines for Electronic Devices

1. A principal, assistant principal, or principal's designee may search a student's PED if the principal, assistant principal, or designee has reasonable grounds to suspect that the search will yield evidence of the student's violation of the law or school rules. Search of a student's PED may reasonably include social media or cloud-based applications being used on that device at or around the time of the search. The search must be reasonably related to the objectives of the search and the nature of the suspected infraction.
2. Everett Public Schools will not be held liable for commercial service charges that occur from the use of a student's PED. It is the parent's responsibility to make sure their student understands the usage options that are available to them and whether a student's service plan includes Internet access and all related costs.
3. A PED shall not be used in a manner that disrupts the educational process, including but not limited to, device tethering or posing a threat to academic integrity.
4. Devices shall not be used to violate the confidentiality or privacy rights of another individual, including but not limited to, taking photographs or audio or video recordings of others without their permission or sharing, posting, or publishing photographs, videos or recordings of others without their permission.
5. Students shall comply with any additional school and/or district rules developed concerning the appropriate use and storage of PEDs.
6. Students who violate these conditions of use will be subject to disciplinary action, including losing the privilege of bringing PEDs onto school property, suspension, or expulsion. In addition, a principal, assistant principal, or principal's designee may confiscate the student's PED where appropriate, such as when it poses a threat or danger, is used to cheat on assessments and exams, or contains evidence of violation of district policies or school rules. In this instance, the PED shall be returned only to the student's parent/guardian.

Video Security on School District Grounds or Property**6505**

The Everett School District is committed to maintaining a safe and positive environment for students, staff and visitors. The board recognizes that it is necessary to use video security on its property to ensure the safety of school staff, students and visitors; to protect district property; and to aid in the enforcement of district policies, procedures and rules. Toward that end, monitoring activity on district property, including by video security, is authorized.

The superintendent shall develop procedures regarding the use of video security.

Procedure**6505P****Camera Location, Operation and Control**

- A. School district grounds, buildings and property including buses used for district purposes may be equipped with video security cameras. Equipment may be placed in areas where there is not a reasonable expectation of privacy, such as parking lots, entrances, exits, hallways, front offices, gymnasiums, cafeterias, libraries, and other public shared, or common spaces.
- B. Video security cameras shall not be placed to monitor areas where there is a reasonable expectation of privacy, including locker rooms and restrooms.
- C. Only personnel authorized by the superintendent shall install or adjust video security cameras or related equipment.
- D. Only individuals authorized by the superintendent or designee shall have access to video security cameras, monitors, or monitoring tools and be permitted to operate the controls.
- E. Video security cameras shall monitor and/or record only video images. In accordance with federal and/or state laws, audio shall not be monitored or recorded by video security cameras except on school buses.

Requests to use video security shall be submitted to the superintendent for review and approval. The request to use such equipment should be set forth in writing and explain:

- Why the equipment is needed, including supporting data;
- The time period the equipment would be used;
- The date of the request; and
- The name, title, and signature of the requester.

The superintendent shall consult with the regional supervisor in matters involving students and with the executive director of human resources in matters involving employees. Collective bargaining agreements should be reviewed and any use of video security cameras shall follow such agreements.

Use of Video Recordings

The district may use video security cameras and the resulting recordings for:

1. The promotion of a safe school environment;
2. Student and employee discipline proceedings;
3. The protection of district property;
4. Adherence to all district legal and administrative directives; and
5. Inquiries and proceedings relating to law enforcement.

The district shall not use video security cameras for other purposes unless expressly authorized by the superintendent.

Protection of Information and Disclosure

A. Video Monitoring and Viewing:

1. Only the district or school administration, campus security staff and members of law enforcement shall have access to video monitoring devices while they are in operation.
2. Video monitoring should be in controlled access areas wherever possible.
3. Recordings shall be viewed on a need-to-know basis only, and in such a manner as to avoid public viewing.

B. Release of Security Video to Individual or Entity Outside of the School District

A person requesting release of a video recording shall submit to the district's public records officer a request consistent with the provisions of the public records act. Such requests will be considered on a case-by-case basis.

Notice of Use of Video Systems

- A. Signs advising users of the presence of video security equipment will be posted.
- B. Students and their parents shall be informed in writing by the district each year that the district may monitor activity at designated monitoring points.
- C. All staff shall be informed of the district's video security policy and procedures by district or school administration.

Custody, Control, Retention and Disposal of Video Records/Recordings

The district will retain custody and control of all original video recordings not provided to law enforcement. With the exception of records retained for criminal, safety, or security investigations or evidentiary purposes, the district will not maintain recordings for more than thirty (30) days. The district will make reasonable efforts to ensure the security of recordings in its custody and ensure their safe and secure disposal.

Applicability

This procedure does not apply where a law enforcement agency presents a search warrant authorizing the agency's installation of video or audio security on district property.

This procedure does not apply to the monitoring of use of the district's technology system, which is governed by board Policies and Procedures [3245](#), [3245P](#), [5225](#) and [5225P](#).

Review

The effectiveness of the video security operations shall be reviewed on a regular basis by the superintendent or designee. This procedure replaces all prior procedures or protocols.

Part II

Student Conduct

Student Conduct Expectations and Sanctions

3240

The board acknowledges that conduct and behavior is closely associated to learning. An effective instructional program requires a wholesome and orderly school environment. The board requires that each student adhere to district and school rules of conduct and submit to corrective action taken as a result of conduct violations. The rules of conduct are applicable on school property (or in reasonable proximity thereto) at all times, as well as during any school activity conducted on or off campus and while on school-provided transportation.

Students are expected to:

- A. Conform to reasonable standards of socially acceptable behavior;
- B. Respect the rights, person and property of others;
- C. Pursue the required course of study;
- D. Preserve the degree of order necessary for a positive climate for learning; and
- E. Comply with district rules and regulations; and
- F. Submit to the authority of staff and reasonable discipline imposed by district employees and respond accordingly.

The superintendent will develop written rules of conduct which will carry out the intent of the board and establish procedures necessary to implement this policy.

The following acts or commissions by a student while on school property (or in reasonable proximity thereto) or at any school-sponsored activity or event off school property, including school provided transportation, field trips, and out of town athletic events, are prohibited and shall constitute cause for discipline, suspension or expulsion by authorized district authorities. Parents/guardians will be notified in all circumstances.

- A. The commission of any criminal act under the laws of the state of Washington including, but not limited to, the following:
 - 1. ARSON: The intentional setting of a fire or explosion.
 - 2. ASSAULT/BATTERY: Physical threats or violence to persons. (A physical attack upon the body of another person may be made with any instrument including, but not limited to, weapons, body parts, food products, or bodily secretions.)
 - 3. BURGLARY: The act of entering or remaining unlawfully in a building with the intent to commit a crime.
 - 4. EXPLOSIVES, PYROTECHNICS, and FIREWORKS: Manufacture, purchase, sale, transfer, offer for sale, use, discharge, possession, transport or storage of any pyrotechnics, fireworks, explosives, improvised devices, or components that are intended to be assembled into an explosive.
 - 5. EXTORTION OR COERCION: Obtaining or attempting to obtain money, property or services by threats or forcing someone to do something against his/her will by force or threat of force.
 - 6. FIREARMS/AMMUNITION/DANGEROUS WEAPONS: Firearms, ammunition and dangerous weapons are not permitted. Students carrying or possessing a firearm or dangerous weapon shall be expelled for a period of not less than one (1) year. Appropriate law enforcement agencies will be contacted if there are violations of the firearms/dangerous weapons statute.
 - 7. GAMBLING: Risking something of monetary value for the chance to win a prize.
 - 8. THEFT: Stealing from a person or institution.
 - 9. MALICIOUS MISCHIEF: Property damage.
 - 10. ROBBERY: Stealing by force or threat of force.
 - 11. SALE, DELIVERY, USE, OR POSSESSION OF ALCOHOLIC BEVERAGES or ILLEGAL DRUGS.
 - 12. TRESPASS: Being present in an unauthorized place or refusing to leave when ordered to do so.
 - 13. THREATS TO BOMB or INJURE PROPERTY: Falsely reporting a fire or bombing.
 - 14. GANG INTIMIDATION: Threatening of another person with bodily injury because the person refuses to join or has attempted to withdraw from a gang.

- B. Being under the influence of alcohol or a controlled substance not prescribed by a physician for the student.
- C. Use or possession of alcohol, a controlled substance not prescribed by a physician for such student, a purported controlled substance, drug paraphernalia, and tobacco or tobacco-like products including matches/lighters, e-cigarettes, and vapor devices.
- D. The sale or delivery of alcohol, tobacco or tobacco-like products, a controlled substance or purported controlled substance, or over-the-counter medications to another person.
- E. Refusal to identify self. All students must, upon request, identify themselves to proper school authorities.
- F. Any act or conduct directly or indirectly causing substantial or material disruption or obstruction of any school function or operation. Continuously and intentionally acting in any manner so as to interfere seriously with the teacher's ability to conduct his/her class.
- G. Failure to comply with district policies or school rules or with the directions of district personnel during any period of time the student is properly under the authority of school personnel.
- H. The known possession, display, handling or transmission of any object which can reasonably be considered a weapon. Use of a light or laser pen in a manner that could harm another person is also prohibited.
- I. Any lewd, indecent, or obscene conduct or expression.
- J. Belonging to a gang and/or identifiable hate group and/or engaging in gang-related or hate group-related activities.
- K. Fighting or encouraging or supporting fighting behavior.
- L. Alteration of Records and Cheating. Falsifying, altering, and/or destroying a school record or any communication between home and school. Knowingly submitting the work of others represented as his or her own. Aiding and abetting the cheating of others.
- M. Inappropriate use of technology.
- N. Harassment, Intimidation and Bullying. Any intentional electronic, written, verbal or physical threat to cause bodily injury, physical damage, or physical restraint of another, or maliciously threatening to do any other act intended to substantially harm the physical or mental health of another in any manner, interfere with a student's education, or substantially disrupt the orderly operation of school.
- O. Sale, delivery, use or possession of non-authorized over-the-counter medications is prohibited in accordance with district procedure.

Procedure**3240P****Student Conduct Expectations and Sanctions**

This procedure sets forth conduct expectations for students, along with the sanctions that may be imposed for violations of such expectations.

Respect for the Law and the Rights of Others

The student is responsible as a citizen to observe the laws of the United States, the state of Washington, and local ordinances and laws. The student shall respect the rights of others while in school, on school property (or reasonable proximity thereto), at all school activities, on district provided transportation or otherwise under school authority. Students who involve themselves in criminal acts on school property, off school property at school-supervised events, or off school property—and which acts have a detrimental effect upon the maintenance and operation of the schools or the district—are subject to disciplinary action by the school and prosecution under the law. Students with disabilities have certain disciplinary protections.

Compliance with Rules

All students shall comply with the written rules and regulations established for the orderly operations of the district and the reasonable requests, instructions, and directives of district personnel. For the purposes of [Board Policy 3240](#) and this procedure, the term “district personnel” shall include but not be limited to administrators, teachers, substitute teachers, paraeducators, campus security officers, school resource officers, custodians, nurses, counselors, bus drivers, cooks, secretaries, librarians, lunchroom supervisors, assistant principals or principals. Failure to do so shall be cause for disciplinary action.

Attendance

Regular attendance at school and in classes is essential for student learning success. A student shall not be absent or tardy from classes without a valid excuse. It is expected that all students will be consistently in class and arrive on time. Students who do not consistently attend will be subject to corrective actions ([Procedure 3122P](#)). Furthermore, enrolled students from the age of six (6) to eighteen (18) are subject to compulsory attendance requirements ([Board Policy 3120](#)).

Alcohol and Chemical Substances

The district recognizes the dual responsibility to establish disciplinary procedures in relation to student alcohol and drug use and to support other alternatives for helping students and their families, such as staff training, and community education/awareness activities related to alcohol and drug education. The district provides drug and alcohol interventionists and school counseling services and referrals to community agencies providing substance abuse testing, monitoring and treatment.

These guidelines are intended to provide a measure of consistency among all schools, while permitting flexibility to impose alternatives as circumstances warrant.

I. First Offense:

Being under the influence of alcohol or a controlled substance, possession of drug paraphernalia, possession and/or use of alcohol, controlled substances not prescribed for the student, purported controlled substances, marijuana or other substances intended to alter mood will be grounds for a long-term suspension. At the high school level, long-term suspension will not exceed ninety (90) days, the length of the academic term.

At the middle school level, long-term suspension will not exceed ninety (90) days, the length of the academic term. At both the high school and middle school levels, the long-term suspension may be reduced to a short-term suspension of no fewer than five (5) days if the student provides evidence of having scheduled and undergone, at the earliest possible date, a drug assessment and having complied with all health care recommendations. The long-term suspension may be accompanied by one or more of the following:

- A. Referral to law enforcement agency;
- B. Referral to in-building care team;
- C. Assignment to community service or alternative learning experience;
- D. Behavioral contracting; and/or
- E. Other appropriate alternatives.

Failure to complete alternatives to suspension and to comply with all health care recommendations shall be grounds for reinstating the long-term suspension.

At the elementary school level, for a first offense, students will receive a short-term suspension or alternative corrective action plan.

II. Second Offense:

A second possession or use offense may result in:

- A. Expulsion.
- B. Short- or long-term suspension.
- C. Referral to law enforcement agency.
- D. Implementation of additional alternatives.
- E. Extension of alternatives for first offense.

III. Sale or delivery of all drugs, alcohol, controlled substances or purported controlled substances shall be cause for referral to a law enforcement agency, emergency expulsion, and recommendation for discipline, up to and including expulsion.**Alteration of Records and Cheating**

Alteration of records—Any student who falsifies, alters, or destroys a school record or any communication between home and school shall be subject to corrective action.

Cheating—Any student who knowingly submits work of others represented as his/her own shall be considered to have cheated. Cheating also includes the aiding and abetting of cheating by others.

Damage or Theft of Property

A student shall not steal or intentionally, with gross carelessness, damage school or private property.

Disruptive Conduct

A student shall not intentionally cause a substantial or material disruption of any school operations. The following illustrate the kinds of offenses that are prohibited:

- A. occupying a school building or school grounds in order to deprive others of its use;
- B. blocking the entrance or exit of any school building or room in order to deprive others of passing through;
- C. preventing students from attending a class or school activity;
- D. blocking normal pedestrian or vehicular traffic on a school campus;
- E. interfering seriously with the conduct of any class or activity;
- F. gambling or encouraging other students to gamble;
- G. setting fire to or substantially damaging school property;
- H. using or threatening to use, firearms, explosives or other weapons, including light or laser pens, on the school premises;
- I. fighting or encouraging or supporting fighting; and
- J. inappropriate use of technology.

Extortion, Assault or Causing Physical Injury

A student shall not extort anything of value, threaten injury or attempt to cause physical injury or intentionally behave in such a way as could reasonably be expected to cause physical injury to any person.

Fragrances

While many students choose to wear fragrances to school, fragrances should be worn in moderation so as not to distract, disrupt, or offend others. In addition, some members of the school community have health conditions that are negatively affected by fragrances worn by others. In those circumstances, students will be asked to refrain from wearing fragrances to school.

Gang Activity

A student shall not engage in gang activity on school grounds. A gang is a group of three or more persons with identifiable leadership which on an ongoing basis, regularly conspires and acts in concert mainly for criminal purposes.

A student shall not claim membership in, association with, affiliation with, or participation in a gang or in gang-related activities at school or during school-related functions. A gang is a self-formed association of peers with one or more of the following characteristics:

- A gang name and recognizable symbols;
- Identifiable leadership;
- A geographic territory;
- A regular or recurrent meeting pattern;
- Identification by law enforcement as a gang; **and/or**
- Collective actions to engage in criminal or violent behavior.

The type of dress, apparel, activities, acts, behavior, or manner of grooming displayed, reflected, or participated in by a student shall not:

- lead school officials to reasonably believe that such dress, apparel, activities, acts, behavior, grooming or other attributes are gang-related, and would disrupt or interfere with the school environment or activity, and/or educational objectives
- present a safety hazard to self, students, or staff

- create an atmosphere in which a student, or other person's well-being is hindered by undue pressure, behavior, intimidation, overt gesture, or threat of violence
- imply gang membership or affiliation by written communication, marks, drawings, tattoos, painting, design, and/or emblem upon any school or personal property, or one's person

Harassment, Intimidation and Bullying

A student shall not harass, intimidate or bully another student through verbal, nonverbal, or physical conduct on school property (or in reasonable proximity thereto), school transportation, or at school-sponsored activities off school property.

A student shall not harass a staff member, volunteer, parent or guardian through verbal or physical conduct.

Leaving Campus During School Hours

A student shall not leave the school campus during the school day unless excused by the school office or in accordance with school procedures regarding lunch time authorizations.

Loitering

A student shall be expected to leave school property and grounds in reasonable proximity thereto, at the official close of the school day unless permission to do otherwise has been granted.

Medications

Prescribed and non-prescribed (commonly referred to as "over the counter") medication should be dispensed before or after school hours by the parent/guardian. If it is absolutely necessary for a student to receive medication during school hours or the hours in which the student is under the supervision of school officials, the parent/guardian must submit a Medication Authorization Order form ([Procedure 3416P](#)) accompanied by written instructions from a licensed health care professional.

To request permission for a student to self-carry and/or self-administer prescribed or non-prescribed medication, the parent/guardian must complete a Medication Authorization Order form ([Procedure 3416P](#)). Once a request has been made, the building registered nurse in consultation with the building principal may grant permission. The age, developmental level, and capability of the student; the nature of the medication; the circumstances under which the student will or may have to self-administer the medication and other issues relevant in the specific case will be taken into account.

Students must never share their medication with another student. Violations of these conditions by the student granted permission to self-carry and/or self-administer their own medication may result in termination of that permission, as well as the imposition of discipline when appropriate.

Tobacco Products

Student possession or use of tobacco and tobacco-like products is prohibited in schools and other district buildings, on district grounds, and in district vehicles at all times. "Tobacco and tobacco-like products" includes, but are not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, liquid nicotine, nicotine delivery devices, electronic cigarettes, vapor devices, vapor pens, non-prescribed inhalers, and any other smoking equipment, device, material, or innovation. Violations of this rule will result in progressive discipline.

Vulgar or Lewd Conduct

Any lewd, indecent or obscene conduct or expression is prohibited.

Weapons, Ammunition and Dangerous Instruments

A student shall not possess, display, handle, or transmit any object that can reasonably be considered a firearm, air gun, ammunition or weapon. The appropriate law enforcement agency will be contacted if there are violations of the firearms/dangerous weapons statute.

Part III

Policies for Handling Violations of School Rules

Appeal Process for Expulsion

3325

If an expulsion is imposed, the parent/guardian and student shall have the right to appeal the hearing officer's decision by filing a written notice of appeal at either the office of the school district superintendent or at the office of the hearing officer within three (3) school business days after the date of receipt of the decision.

The board or district disciplinary appeal council shall schedule and hold an informal conference to review the matter within ten (10) school business days from receipt of such appeal. The purpose of the meeting shall be to meet and confer with the parties in order to decide upon the most appropriate means of handling the appeal. At that time the student, parent/guardian, and/or counsel shall be given the right to be heard and shall be granted the opportunity to present such witnesses and testimony as the board or council deems reasonable. Prior to adjournment, the board or council shall agree to one of the following procedures:

- A. Study the hearing record or other materials submitted and render its decision within ten (10) school business days;
- B. Schedule and hold a special meeting to hear further arguments based on the record before the board or council and render its decision within fifteen (15) school business days; or
- C. Hear and try the case anew before the board within ten (10) school business days.

Any decision by the board or district disciplinary appeal council to impose or to affirm, reverse or modify the imposition of the expulsion upon a student shall be made only by:

- A. Those board or council members who have heard or read the evidence,
- B. Those board or council members who have not acted as a witness in the matter, and
- C. A majority vote at a meeting at which a quorum of the board or council is present.

An appeal from any decision of a school board or disciplinary appeal council to impose or to affirm the imposition of a long-term suspension or an expulsion shall be to the courts. Whether or not the decision of a school board or disciplinary appeal council shall be postponed pending an appeal to superior court shall be discretionary with the school board or disciplinary appeal council except as ordered otherwise by a court.

Appeal Process for Long-Term Suspension

3324

If a long-term suspension is imposed, the parent/guardian and student shall have the right to appeal the hearing officer's decision by filing a written notice of appeal at either the office of the school district superintendent or at the office of the hearing officer within three (3) school business days after the date of receipt of the decision.

The board or district disciplinary appeal council shall schedule and hold an informal conference to review the matter within ten (10) school business days from receipt of such appeal. The purpose of the meeting shall be to meet and confer with the parties in order to decide upon the most appropriate means of handling the appeal. At that time the student, parent/guardian, and/or counsel shall be given the right to be heard and shall be granted the opportunity to present such witnesses and testimony as the board or council deems reasonable. Prior to adjournment, the board or council shall agree to one of the following procedures:

- A. Study the hearing record or other materials submitted and render its decision within ten (10) school business days;
- B. Schedule and hold a special meeting to hear further arguments based on the record before the board or council and render its decision within fifteen (15) school business days; or
- C. Hear and try the case anew before the board or council within ten (10) school business days.

Any decision by the board or district disciplinary appeal council to impose or to affirm, reverse or modify the imposition of the suspension upon a student shall be made only by:

- A. Those board or council members who have heard or read the evidence,
- B. Those board or council members who have not acted as a witness in the matter, and
- C. A majority vote at a meeting at which a quorum of the board or council is present.

Appeal Process for Long-Term Suspension (cont.)**3324**

An appeal from any decision of a school board or disciplinary appeal council to impose or to affirm the imposition of a long-term suspension or an expulsion shall be to the courts. Whether or not the decision of a school board or disciplinary appeal council shall be postponed pending an appeal to superior court shall be discretionary with the school board or disciplinary appeal council except as ordered otherwise by a court.

Appeal Process for Short-Term Suspension**3322**

Any student, parent or guardian who is aggrieved by the imposition of a short-term suspension shall have the right to an informal conference with the building principal or designee for the purpose of resolving the grievance. The employee whose action is being grieved shall be notified of the initiation of a grievance as soon as reasonably possible. At such conference the student and parent or guardian shall be subject to questioning by the building principal or designee and shall be entitled to question school personnel involved in the matter being grieved.

Any student, parent, or guardian, after exhausting this remedy, shall have the right, upon two (2) school business day's prior notice, to present a written and/or oral grievance to the superintendent or designee.

If the grievance is not resolved, the student, parent or guardian, upon two (2) school business day's prior notice, shall have the right to present a written and/or oral grievance to the Disciplinary Appeal Council. Said grievance shall be heard in a closed session. The council shall notify the student, parent or guardian of its response to the grievance within ten (10) school business days after the date of the meeting in which the grievance was presented. The short-term suspension shall continue notwithstanding implementation of the grievance procedure unless the principal or designee elects to postpone such action.

Corrective Actions**3300**

All students shall submit to the rules of the district and the school they attend. Refusal to comply with written rules and regulations established by the district and the school shall be grounds for discipline, suspension or expulsion. Staff shall use their professional judgment in enforcing the district and school rules. Such judgment should be:

- A. consistent from day-to-day and student-to-student;
- B. take into account the severity of the misconduct;
- C. appropriate to the student and the student's prior behavior;
- D. fair; and
- E. effective.

As a general rule no student shall be suspended for a short or long term unless other forms of corrective action reasonably calculated to modify his/her conduct have previously been imposed upon the student as a consequence of misconduct of the same nature. However, a student may be suspended for exceptional misconduct, other than absenteeism, when such misconduct is of such frequent occurrence or is so serious in nature and/or is so serious in terms of the disruptive effect upon the operations of the school as to warrant immediate resort to suspension. The district shall not use corporal punishment as a means of discipline.

Prior to the imposition of corrective action-upon a special education student, the school principal and special education staff who have knowledge of the student's disability will determine if there is a causal relationship between the disability and the misconduct giving rise to the corrective action. When a relationship is found to exist, special education programming procedures shall be employed.

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

The superintendent shall have the authority to discipline, suspend or expel students. The superintendent shall identify the conditions under which a teacher may exclude a student for all or any portion of a school day and shall also designate which staff have the authority to initiate or to impose discipline, suspensions or expulsions. The principal shall confer with certificated staff at least once per year to develop and/or review building disciplinary standards and uniform enforcement of those standards, and to establish criteria for determining when certificated staff must complete classes to improve classroom management skills.

A teacher shall have the authority to exclude a student who creates a disruption of the educational process in violation of district or school disciplinary standards while under the teacher's immediate supervision from his/her classroom and instructional or activity area for all or any portion of the balance of the school day, or until the teacher has conferred with the principal or designee, whichever occurs first. Prior to excluding a student, except in emergency circumstances, the teacher shall have attempted one or more corrective actions. In no case without the consent of the teacher may an excluded student be returned for the balance of that class or activity period from which the student was initially excluded.

Parents and students shall be given notice of the standard of conduct the district requires regarding drug and alcohol use, and a statement of the disciplinary sanctions for violations of that standard.

No student shall be subject to corrective action because of one or more unexcused absence(s) unless the district has first:

- A. Provided notice to the parent/guardian in the primary language of the parent/guardian that the student failed to attend without valid justification, and by other means reasonably necessary to achieve notice of such fact;
- B. Scheduled a conference with the parent/guardian and the student at a reasonably convenient time and place to analyze the cause for the student's absence and to determine by appropriate means whether the student should be made a "focus of concern" for placement in special education or another special program; and
- C. Taken steps to reduce the student's absence which include, when appropriate in the judgment of school officials and where possible discussed with the student and parent/guardian, adjusting the student's school program or course assignment, providing more individualized instruction, preparing the student for employment with specific vocational courses or work experience, or both, changing schools, and assisting the student to obtain supplementary services that might eliminate or ameliorate the causes of absence.

If such action is not successful, upon the seventh (7th) unexcused absence by a student within a month during the current school year or upon the tenth (10th) unexcused absence during the current school year, the district shall petition the juvenile court to assume jurisdiction of the alleged violation by the student and/or parent/guardian, unless the student is at least sixteen (16), employed, and the parent agrees the student should not be required to attend school.

The attendance officer shall report to the Educational Service District twice yearly: (1) the number of petitions filed by the district or by a parent/guardian, (2) the frequency of each intervention attempted prior to filing of a petition, (3) the frequency of supplemental services, and (4) the disposition of cases filed with the juvenile court, including the number of contempt orders issued.

A student's academic grade or credit in a particular subject or course may be adversely affected by reason of tardiness or absences, but only to the extent and upon the basis that:

1. The student's attendance or participation is related to the instructional objectives or goals of the particular subject or course;
2. The student's attendance or participation has been identified by the teacher pursuant to policy of the school district as a basis for grading, in whole or in part, in the particular subject or course; and
3. The circumstances pertaining to the student's inability to attend school have been taken into consideration, including whether the tardiness or absences are directly related to the student's disability under Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, or the Individuals with Disabilities Education Act.

Definitions

As used in Policies [3240](#), [3300](#) through [3331](#), the term:

1. "Discipline" shall mean all forms of corrective action other than expulsion and suspension and shall include the exclusion of a student from a class by a teacher or administrator for a period of time not exceeding the balance of the immediate class period, provided that the student is in the custody of a district employee for the balance of such period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or in behalf of the district.
2. "Suspension" shall mean denial of the right of attendance (other than for the balance of the immediate class period for "discipline" purposes) at any single subject or class, or any full schedule of subjects or classes for a stated period of time. A suspension also may include a denial of admission to entry upon real and personal property that is owned, leased, rented or controlled by the district.
3. "Short-term suspension" shall mean a suspension for any portion of a calendar day up to and not exceeding ten (10) consecutive school days.
4. "Long-term suspension" shall mean a suspension that:
 - (a) exceeds ten (10) school days;
 - (b) cannot be imposed in such a manner that causes the student to lose academic grades or credit in excess of one semester during the same school year; and
 - (c) cannot be imposed beyond the school year in which the alleged misbehavior occurs.
5. "Temporary suspension" shall mean a long-term suspension or non-emergency expulsion that is temporarily imposed by the district after an initial hearing before a hearing officer for no more than ten (10) consecutive school days or until the appeal is decided, whichever is the shortest period.

6. "Emergency expulsion" shall mean an emergency removal from school for up to, and not exceeding, ten consecutive school days from the student's current school placement by a school district superintendent or a designee of the superintendent. The superintendent or designee must have good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to other students or school staff or an immediate and continuing threat of substantial disruption of the educational process. An emergency expulsion must end or be converted to another form of corrective action within ten school days from the date of the emergency removal from school.
7. "Expulsion" shall mean a denial of attendance period of time up to, but not longer than, one (1) calendar year from the time a student is removed from his or her current school placement by the superintendent or designee. An expulsion also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented or controlled by the school district.
8. "School business day" shall mean any calendar day, exclusive of Saturdays, Sundays, and any federal and school holidays, upon which the office of the Superintendent is open to the public for the conduct of business. A school business day shall be concluded or terminated upon the closure of said office for the calendar day.
9. "School day" shall mean a calendar day, except school holidays, on which students enrolled in the school district are afforded the opportunity to be engaged in educational activity which is planned, supervised, and conducted by or under the supervision of district certificated staff, and on which day all or any portion of the students enrolled in the program actually participate in such educational activity.
10. "Reengagement meeting" shall mean a meeting held between the district and the student and parent and/or guardian to discuss how to return a long-term suspended or expelled student to an education setting as soon as possible.
11. "Reengagement plan" shall mean a written plan developed between the district and a student and his/her parent or guardian designed to aid the student in taking the necessary steps to remedy the situation that led to the student's suspension or expulsion and return the student to the educational setting as soon as possible.
12. An ad hoc committee composed of parents and community members has determined that "exceptional misconduct" shall mean student misconduct which is so serious in nature and/or so serious in terms of the disruptive effect upon the operation of the school(s) as to warrant an immediate resort to suspension. "Exceptional misconduct" includes the following:
 - a. Possession or use of alcohol or any controlled substance not prescribed by a physician for such possessor or user, or purported controlled substance;
 - b. Sale or delivery of alcohol or any controlled substance or purported controlled substance to another person;
 - c. Possession of drug paraphernalia;
 - d. Being under the influence of alcoholic beverages or illegal drugs;
 - e. Possession or use of tobacco or tobacco-like products, including lighters and matches. "Tobacco and tobacco-like products" includes, but is not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, liquid nicotine, nicotine delivering devices, electronic cigarettes, vapor devices, vapor pens, non-prescribed inhalers, chemicals or devices that produce the same flavor or physical effect of nicotine substances, and any other smoking equipment, device, material, or other tobacco innovation;
 - f. Falsely reporting a fire or bomb on school property;
 - g. Belonging to a gang and knowingly engaging in gang activity;
 - h. Possessing or displaying an instrument that is or appears to be a firearm;
 - i. Possession, use of, displaying or transmission of a weapon or an object that can be reasonably considered a weapon and/or ammunition;
 - j. Commission of any criminal act classified as a felony or misdemeanor under the laws of the State of Washington;
 - k. Assault/battery
 - l. Fighting;
 - m. Harassment, intimidation, bullying;
 - n. Other acts including:
 - i. arson;
 - ii. manufacture, purchase, sale, transfer, offer for sale, use, discharge, possession, transport or storage of any pyrotechnics, fireworks, explosives, improvised, devices, or components that are intended to be assembled into an explosive;

Definitions (cont.)**3309**

- iii. theft/burglary/robbery; and
 - iv. gang intimidation.
 - o. Cheating, alteration of records; or
 - p. Inappropriate use of technology.
13. Dangerous weapons include nun-chu-ka sticks, throwing stars, any air gun (BB, pellet or other projectile), metal knuckles, spring blade knife, dagger, dirk or other instruments covered by [RCW 9.41.250](#) or [9.41.280](#).

Detention**3312**

For minor infractions of school rules or regulations, or for minor misconduct, staff may detain students. Preceding the assignment of such corrective action, the staff member shall inform the student of the nature of the offense charged and of the specific conduct which allegedly constitutes the violation. The student shall be afforded an opportunity to explain or justify his/her actions to the staff member.

Detention shall not begin until the parent/guardian has been notified (except in the case of the adult student) for the purpose of informing him/her of the basis and reason for the detention and to permit him/her to make arrangements for the necessary transportation of the student when he/she has been detained after school hours for corrective action.

Students detained for corrective action shall be under the direct supervision of the staff member or another member of the professional staff.

The principal or assistant principal shall be responsible for seeing that the time which the student spends for corrective action shall be used constructively.

Discipline Grievance Procedure – Informal Conference**3313**

Any student, parent or guardian who is aggrieved by the imposition of discipline shall have the right to an informal conference with the building principal or designee for the purpose of resolving the grievance. The employee whose action is being grieved shall be notified of the initiation of a grievance as soon as reasonably possible. At such conference the student and parent or guardian shall be subject to questioning by the building principal or designee and shall be entitled to question school personnel involved in the matter being grieved.

Any student, parent, or guardian, after exhausting this remedy, shall have the right, upon two (2) school business days' prior notice, to present a written and/or oral grievance to the superintendent or designee.

If the grievance is not resolved, the student, parent or guardian, upon two (2) school business days' prior notice, shall have the right to present a written and/or oral grievance to the Disciplinary Appeal Council at a meeting held within 30 days. Said grievance shall be heard in a closed session. The council shall notify the student, parent or guardian of its response to the grievance within ten (10) school business days after the date of the meeting in which the grievance was presented. The discipline shall continue notwithstanding implementation of the grievance procedure unless a principal or designee elects to postpone such action.

Discipline of Special Education Students**3318**

Notwithstanding any other provision of Policies 3300-3331, no discipline, suspension, or expulsion shall be imposed upon any special education student for any behavior related to the student's disability unless provision for such discipline has been included in the individualized education program (IEP), except when the student's conduct falls within Policies [3311](#) or [3331](#).

If the behavior of a special education student is likely to lead to a recommendation of suspension or non-emergency expulsion or is of a recurring nature leading to the imposition of repeated discipline, a meeting is to be held within three (3) school days in the manner provided for in the fourth paragraph of Policy 3318. The purpose of such meeting is to determine if the student's recurring behavior warrants disciplinary action or indicates a need for a change of placement or a reassessment.

If a special education student is suspended or expelled, the principal imposing the suspension or expulsion shall promptly notify the executive director of special services in writing.

No special education student shall be subject to a long-term suspension or non-emergency expulsion from school until a meeting has been held with the principal, the student's primary teacher, and district special educational personnel knowledgeable about placement options and about the particular student who is the subject of the contemplated action. The meeting shall take place within three (3) school days after the parents receive notice of the infraction believed to have been committed by the student. The purpose of the meeting shall be to determine whether the student's behavior for which long-term suspension or expulsion is being considered is related to the student's disability, or whether the student's behavior for which the long-term suspension or expulsion is being considered indicates a need for a change of placement or a reassessment. If the staffing process leads to the conclusion that the behavior which the student is alleged to have engaged

Discipline of Special Education Students (cont.)**3318**

in is not related to the student's disability and that the student is not in need of a change of placement or reassessment, Policies 3300-3331 shall apply. The meeting shall be fully documented, and a written report of the results of the meeting shall be submitted promptly to the executive director of special services, the student's primary building administrator, and the student's parent or guardian. The report of the meeting shall include the date, time, and place of the meeting; the participants in the meeting; the sources of information used in reaching the decision(s); and the decisions regarding the relationship of the alleged behavior to the student's disability and whether a reassessment or change of placement is recommended.

If, following all of the procedures set forth in the preceding paragraph, the district determines that a long-term suspension or non-emergency expulsion should be imposed upon a special education student, the student and parent or guardian shall be notified of such long-term suspension or expulsion by a written statement which indicates that such long-term suspension or expulsion is a change of placement and which conforms to the requirements of [WAC 392-172A-05140-05155](#) – DISCIPLINE PROCEDURES. The notice shall also advise of hearing rights available under [Policy 3323](#), paragraph C and any hearing rights available under [WAC 392-172A-05160-05170](#) – DISCIPLINE PROCEDURES.

Disciplinary Appeal Council**3320**

The board of directors delegates its authority to hear and decide discipline and short-term suspension grievance appeals to a disciplinary appeal council. The council shall include a board member at large; other members of the Council shall be recommended by the superintendent for consideration and appointed by the board of directors on a yearly basis.

Any decision by the disciplinary appeal council to impose or to affirm, reverse, or modify the imposition of discipline or a short-term suspension shall be made:

1. only by those council members who have heard or read the evidence;
2. only by those council members who have not acted as a witness in the matter; and
3. only at a meeting at which a quorum of the council is present and by majority vote.

The council shall notify the student and parent or guardian of its response to the grievance within ten (10) school business days after the date of the meeting.

The superintendent will provide a report to the board on an annual basis on the number and types of appeals heard by the disciplinary appeal council.

Emergency Actions**3311****Emergency Removal from a Class**

A student may be removed immediately from a class, subject or activity by a teacher or administrator without other forms of corrective action and sent to the principal or a designated school authority, without first attempting corrective action, provided that the teacher or administrator has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school staff or an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process of the student's school:

The removal shall continue only until:

1. The danger or threat ceases, or
2. Principal or designated school authority acts to impose corrective action.

The principal or designated school authority shall meet with the student as soon as reasonably possible following the student's removal and take or initiate appropriate corrective action. In no case shall the student's opportunity for such meeting be delayed beyond commencement of the school day following the student's emergency removal from a class, subject, or activity. The teacher or administrator who removed the student shall be notified of the action which has been taken or initiated.

Emergency Expulsion**3331**

A student may be excluded from school prior to a hearing if a principal or assistant principal has good and sufficient reason to believe:

1. The student's presence poses an immediate and continuing danger to himself/herself, other students, or school staff, or
2. The student's presence poses an immediate and continuing threat of substantial disruption to the educational process.

Such emergency expulsion must end or be converted to another form of corrective action within ten (10) school business days from the date of the student's emergency removal from school. The school must provide notice and due process rights if it converts the emergency expulsion to another form of corrective action appropriate to that corrective action.

The provisions governing notice and hearing of regular long-term suspensions or expulsions shall apply except:

- A. Written notice of the emergency expulsion shall be sent by certified letter deposited in the U.S. mail within twenty-four (24) hours of the expulsion or by hand delivery to the student's parent(s) or guardian(s) within twenty-four (24) hours of the expulsion and documenting delivery by obtaining his or her signature acknowledging receipt or the written certification of the person making the delivery. If the notice is by certified mail, reasonable attempts shall be made to notify the student and parent(s) or guardian(s) by telephone or in person as soon as reasonably possible;
- B. Such notice shall specify the alleged reasons that the student's presence poses an immediate and continuing danger to students or school staff, or poses an immediate and continuing threat of substantial disruption of the educational process;
- C. The parent/guardian and student shall have three (3) school business days after receipt of the notice during which to submit a written or oral request for a hearing. A schedule of "school business days" potentially applicable to the exercise of such hearing right should be included with the notice;
- D. The hearing shall commence as soon as reasonably possible and not later than the second school business day after receipt of the request for hearing; and
- E. The hearing officer shall render the decision within one (1) school business day after the conclusion of the hearing.

In the event the principal or assistant principal converts a student's emergency expulsion to a short-term suspension or lesser form of discipline prior to hearing, the grievance procedures governing short-term suspensions, [Policy 3322](#), or review of discipline, [Policy 3313](#), shall apply.

Long-Term Suspension and Expulsion**3323****A. Basis for Long-Term Suspension**

A principal or assistant principal may impose a long-term suspension in cases of exceptional misconduct as defined in [Policy 3309](#), where allowed by law, or where:

- 1. The nature and circumstances of the student's violation have been considered and reasonably warrant a long-term suspension; and
- 2. Another form of corrective action or punishment reasonably calculated to modify the student's conduct has been imposed upon the student as a consequence of misconduct of the same nature.

B. Basis for Expulsion

A principal or assistant principal may expel a student in cases where allowed by law or:

- 1. The nature and circumstances of the violation reasonably warrant the harshness of expulsion; and
- 2. Other forms of corrective action or punishment reasonably calculated to modify the student's conduct have failed, or there is good reason to believe that other forms of corrective action would fail if employed.

A long term suspension may not be imposed (a) beyond the school year in which the alleged misbehavior occurs, or (b) in such a manner that causes the student to lose academic grades or credit in excess of one (1) semester during the same school year.

An expulsion of a student may not be for an indefinite period of time and may not exceed one (1) calendar year. Where warranted based on public health or safety, a principal or designee may petition the district's superintendent, pursuant to regulations of the office of the superintendent of public instruction, for authorization to exceed the one (1) calendar year limitation.

Students who carry onto or who possess on school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools any firearms, other dangerous weapons, nun-chu-ka sticks, throwing stars, air guns, or other projectiles shall be subject to expulsion. Students who with malice display what appears to be a firearm shall be subject to suspension or expulsion of up to one (1) year. Students carrying or possessing a firearm shall be expelled for a period of not less than one (1) year.

Appropriate law enforcement agencies will be contacted when there are firearms/dangerous weapons involved.

C. Notice

1. Prior to the long-term suspension or expulsion of a student, written notice to the student and to his or her parent or guardian shall be delivered by certified mail or in person. The notice shall:
 - a. Be provided in the predominant language of the student and/or parent or guardian who predominantly speak a language other than English, in accordance with Title VI;
 - b. Specify the misconduct and the district rule(s) alleged to have been violated;
 - c. Set forth the corrective action or punishment proposed;
 - d. Set forth the right of a student and his or her parent or guardian to a hearing to contest the allegations, including a statement that a written or oral request for a hearing must be received by the designated school authority on or before the expiration of the third school business day after the receipt of the notice of opportunity for a hearing and, further, that the right to a hearing shall be deemed waived and the proposed long-term suspension or expulsion imposed without further opportunity to contest the matter, if the request is not received within the prescribed period of time; and
 - e. Include a schedule of school business days applicable to the exercise of the right to request a hearing.
2. The student and/or parent or guardian shall reply in writing or orally to the notice within three (3) school business days of receipt, indicating whether a hearing is requested. If such request is not received within three (3) school business days, the student and the parent or guardian shall be deemed to have waived the right to a hearing and the proposed long-term suspension or expulsion shall take effect.
3. Once a student is expelled in compliance with district policy, the expulsion shall be brought to the attention of appropriate local and state authorities, including the local juvenile authorities acting pursuant to the statutes dealing with the Basic Juvenile Court Act, in order that such authorities may address the student's educational needs.

D. Pre-Hearing and Hearing Process**1. Scheduling the Hearing**

If a hearing is timely requested, it shall be scheduled to commence within three (3) school business days after the request for hearing was received.

2. Conduct of the Hearing

- a. The student and parent or guardian shall have the right to:
 - i. Inspect in advance of the hearing any documentary and other physical evidence which the district intends to introduce at the hearing;
 - ii. Be represented by legal counsel;
 - iii. Question and confront witnesses unless a school district witness does not appear and the nonappearance of the witness is excused by the person(s) hearing the case based upon evidence of good reason for doing so submitted by the school district. The evidence submitted by the school district must at a minimum establish either:
 - (i) That the district made a reasonable effort to produce the witness and is unable to do so; or
 - (ii) That it is not advisable for the student to appear due to an expectation and fear on the part of the responsible district official(s) or the student of retaliation against the student if he or she appears as a witness;
 - iv. Present his or her explanation of the alleged misconduct; and
 - v. Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.
- b. The designee(s) of the district assigned to present the district's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence which the student and parent or guardian intend to introduce at the hearing.
- c. A tape-recording of the hearing shall be made.
- d. The hearing officer shall not be a witness.
- e. The final decision regarding the imposition of corrective action shall be determined solely on the basis of the evidence presented at the hearing.

- f. A written decision setting forth the findings of fact, conclusions, and the nature and duration of the corrective action to be imposed, if any, shall be provided to the student's legal counsel or, if none, to the student and parent or guardian.
- g. If the hearing officer imposes a long-term suspension or expulsion, the student and parent or guardian shall have the right to appeal such decision to the board or the district disciplinary appeal council by filing a written or oral notice of appeal at either the office of the superintendent or the office of the hearing officer within three (3) school business days after the date of receipt of the decision.
- h. If a timely appeal is not taken, the long-term suspension or expulsion shall take effect on the calendar day following the expiration of the three (3) school business day period.
- i. If timely appeal is taken to the board or district disciplinary appeal council pursuant to [Policy 3324](#) or [Policy 3325](#), the long-term suspension or nonemergency expulsion may be imposed during the appeal period subject to the following conditions and limitations:
 - 1. A long-term suspension or nonemergency expulsion may be temporarily imposed by the district during the appeal period for no more than ten (10) consecutive school days or until the appeal is decided, whichever is the shortest period; and
 - 2. Any days that a student is temporarily suspended or expelled before the appeal is decided shall be applied to the term of the student's suspension or expulsion and shall not limit or extend the term of the student's suspension or expulsion.

E. Multiple Suspensions

- 1. No student in grades kindergarten through four shall be subjected to long-term suspension.
- 2. No student in grades five and above shall be subjected to a single long-term suspension in a manner which causes the student to lose academic grades or credit in excess of one (1) semester during the same school year.

F. Report to Superintendent

All long-term suspensions and expulsions and the reasons therefore shall be reported in writing to the superintendent of the district or designee within twenty-four (24) hours after the imposition of the suspension.

G. Readmission

Any student who has been suspended or expelled shall be allowed to make application for readmission at any time. If a student desires to be readmitted to the school district, the student shall submit a written application to the superintendent's designee, who shall recommend admission or non-admission to the superintendent. The application shall include:

- 1. Reasons the student wants to return and why the request should be considered;
- 2. Evidence which supports the request;
- 3. Actions taken to address the issue and to ensure the student's academic and behavioral success; and
- 4. A supporting statement from the parent/guardian or others who may have assisted the student.

The superintendent shall, in writing, advise the parent/guardian and student of the decision within seven (7) school business days of the receipt of such application.

In-School Suspension

The board supports efforts to bring about a positive learning climate in the school. The district strives to employ staff who are skilled in the most effective instructional techniques and who are sensitive to the unique needs of each individual student.

The need for order in the school and classroom is basic to learning. Rules are established to preserve the integrity of classroom and school in order to accomplish this need. Students who are in violation of school rules not only deprive themselves of the opportunity to learn but they interfere with the progress of others.

The district strives to maintain high standards of attendance. Students who are not in school are denied the opportunity to learn. Corrective actions including suspension and expulsion are reserved to those students who actively threaten other students, staff or the overall school environment.

In-School Suspension (cont.)**3314**

The school, therefore, may create an in-school suspension program which temporarily removes the student from the regular environment but permits the student to maintain his/her educational progress. Students who are assigned to in-school suspension are granted this opportunity as a privilege and are expected to comply with the expectations of staff. The superintendent shall establish guidelines for the operation of the in-school suspension program.

Procedure**3314P**

An in-school suspension is designed to help a student learn a more acceptable mode of behavior without interrupting his or her academic progress.

Guidelines for the in-school suspension program are as follows:

- A. A student who is afforded the opportunity to be assigned to the in-school suspension program as an option to suspension shall agree to the conditions specified by a principal or assistant principal.
- B. The in-school suspension program is designed to encourage learning. Students will be expected to work on their classroom assignments at all times.
- C. Any act of inappropriate conduct may result in denial of this alternative to other corrective actions.
- D. An assignment to the in-school suspension program shall not exceed ten days. As such, the appeal process for a short-term suspension shall be in effect.
- E. The student may develop a behavior contract while in the in-school suspension program. The student, his/her parent or guardian, and a staff member shall sign the contract which defines the expected future behavior of the student.
- F. After a student is placed back into the regular classroom(s); the principal or designee will monitor the student's progress. The student will be encouraged to maintain a relationship with the school counselor as a means of dealing with any problems that arise.
- G. Specific rules and building procedures shall be developed by the building principal.

A successful in-school suspension program should incorporate clear rules and procedures, involve a student and his/her parents, permit the student to progress on his/her academic work, encourage involvement with the school counseling staff, provide a student with opportunity to develop a behavior contract, and encourage monitoring and follow-up to assure that the student benefits from the corrective action.

In the event of an in-school suspension, a principal or assistant principal is to complete the "In-School Suspension" form in triplicate. The original goes to the parent, a copy is kept at the school, and a copy is sent to the appropriate assistant superintendent.

Short-Term Suspension**3321**

A principal or an assistant principal may impose a short-term suspension. In the event the proposed corrective action of a student is to include the denial of the right of school attendance from any single class or full schedule of classes for more than one (1) and up to ten (10) consecutive school days, a conference shall first be conducted with the student as follows:

- A. An oral or written notice of the charges shall be provided to the student.
- B. An oral or written explanation of the evidence in support of the charges shall be provided to the student.
- C. An oral or written explanation of the suspension which may be imposed shall be provided to the student.
- D. The student shall be provided the opportunity to present his/her explanation.
- E. No student in grades kindergarten through four shall be subjected to short-term suspensions for more than ten (10) school days during any single semester, and no loss of academic grades or credit shall be imposed by reason of the suspension of such student.
- F. No student in grades five and above shall be subjected to short-term suspensions for more than a total of fifteen (15) school days during any single semester.
- G. All short-term suspensions and the reasons therefor shall be reported in writing to the superintendent of the district or designee within twenty-four (24) hours after the imposition of the suspension.

The parent/guardian of the student shall be notified of the reason for the suspension and the duration of the suspension orally or by U.S. mail as soon as reasonably possible. Any student subject to a short-term suspension shall be provided the opportunity upon return to make up assignments and tests if:

- A. Such assignments or tests have a substantial effect upon the student's semester grade or grades; or
- B. Failure to complete such assignments or tests would preclude the student from receiving credit for the course or courses.

The district strives to maintain a safe and beneficial learning environment for all students. Physical restraint and isolation of a student should be avoided; however, on occasion it may be necessary to use physical restraint or to isolate a student to preserve the safety of students and staff. Restraint, isolation, and other forms of reasonable force may be used on a student when reasonably necessary to control spontaneous behavior that poses an imminent likelihood of serious harm as defined by [Procedure 2210P](#).

If restraint or isolation as defined by state law is used, school staff will promptly notify the principal or principal's designee, who will verbally notify the parent/guardian of the affected student within 24 hours and will send written notification to the parent/guardian of the affected student within five (5) business days of the use of restraint or isolation. School staff will document the incident in a written report within two (2) business days. The principal or principal's designee will review the incident with the staff member involved and the student and the parent/guardian.

Parents or guardians of students who have individualized education programs (IEPs) or Section 504 plans will be provided a copy of the district's policy and procedure on use of physical restraint and isolation at the time the IEP or plan is created. In addition, the IEP or Section 504 plan will include within the plan procedures for notification of a parent/guardian regarding the use of restraint or isolation.

Procedure**3319P**

- A. **Applicability:** This procedure applies to all students when such students are participating in school-sponsored instruction or activities, including those who have an individualized education program (IEP) or Section 504 plan.
- B. **Definitions:** The following definitions shall apply to Policy 3319 and this procedure.
- **Isolation:** Restricting a student alone within a room or any other form of enclosure from which the student may not leave. It does not include a student's voluntary use of a quiet space for self-calming, or temporary removal of a student from his or her regular instructional area to an unlocked area for purposes of carrying out an appropriate positive behavior intervention plan.
 - **Restraint:** Physical intervention or force used to control a student, including the use of a restraint device to restrict a student's freedom of movement. It does not include appropriate use of a prescribed medical, orthopedic or therapeutic device when used as intended, such as to achieve proper body position, balance or alignment or to permit a student to safely participate in activities.
 - **Restraint device:** The only restraint device approved for use by school district educational personnel is a seat safety harness used to transport a student. Law enforcement personnel may use more restrictive mechanical restraint devices in the regular course of their assigned duties.
 - **Imminent:** The state or condition of being likely to occur at any moment or near at hand, rather than distant or remote.
 - **Likelihood of serious harm:**
 - (a) A substantial risk that:
 - (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself;
 - (ii) Physical harm will be inflicted by a person upon another, as evidenced by behavior that has caused such harm or that places another person or persons in reasonable fear of sustaining such harm; or
 - (iii) Physical harm will be inflicted by a person upon the property of others, as evidenced by behavior that has caused substantial loss or damage to the property of others.
 - (b) The person has threatened the physical safety of another and has a history of one or more violent acts.
 - **Physical force:** The use of bodily force or physical restriction that substantially immobilizes or reduces the freedom of movement of a student.
- C. **Use of Restraint or Isolation**
- Restraint or isolation may be used:
1. When reasonably necessary to control spontaneous behavior that poses an imminent likelihood of serious harm until such time as the likelihood of serious harm has dissipated.
 2. When the restraint or isolation is carefully monitored to prevent harm to the student.
 3. When the least amount of restraint or isolation appropriate to protect the safety of students and staff under the circumstances is applied.
 4. Only by those employees trained and certified by a qualified provider in the use of isolation, restraint, and/or restraint devices, unless trained personnel are not immediately available due to the unforeseeable nature of the emergency.

Restraint or isolation will not be used:

1. As a form of discipline or punishment; or
2. When the student is no longer at risk of causing imminent bodily injury to themselves or others.
3. If the employee knows that the student has a health condition that would be exacerbated by the use of such technique; or
4. If the restraint interferes with the student's breathing.

Follow Up After the Use of Physical Restraint or Isolation

1. **Notify:** The principal or principal's designee must make a reasonable effort to verbally inform the student's parent/guardian within 24 hours of the incident and send written notification as soon as practical, but postmarked no later than five (5) business days after the restraint or isolation occurred. If the school or district customarily provides the parent/guardian with school-related information in a language other than English, the written report must be provided to the parent/guardian in that language.
2. **Review:** Following the release of a student from the use of restraint or isolation, the principal or principal's designee must review the incident. This review must include (a) reviewing the incident with the student and the parent/guardian to address the behavior that precipitated the restraint or isolation and the appropriateness of the response, and (b) reviewing the incident with the staff member who administered the restraint or isolation to discuss whether proper procedures were followed and what training or support the staff member needs to help the student avoid similar incidents.
3. **Report:** Any school employee, school resource officer, or school security officer who uses isolation or restraint on a student during school-sponsored instruction or activities must inform the building principal or designee as soon as possible, and within two (2) business days submit a written report of the incident to the district office. The written report must include:
 - a. Date and time of the incident;
 - b. The name and job title of the individual who administered the restraint or isolation;
 - c. A description of the activity that led to the restraint or isolation;
 - d. The type of restraint or isolation used on the student, including the duration; and
 - e. Any physical injury to the student or staff member during the restraint or isolation and any medical care provided.
 - f. Any recommendations for changing the nature or amount of resources available to the student and staff members in order to avoid similar incidents.
4. Beginning January 1, 2016, and by January 1st annually, the district will summarize the written reports received under this procedure and submit summaries to the office of the superintendent of public instruction, including the number of individual incidents of restraint and isolation, the number of students involved in the incidents, the number of injuries to students and staff, and the types of restraint or isolation used.
5. **Resolution of Concerns About the Use of Force Incident**

A student or his/her parent/guardian who has concerns regarding a specific incident involving restraint, isolation or other forms of reasonable force may seek to resolve the concern by using the district's complaint process which is set forth in [Policy](#) and [Procedure](#) 4312, Complaints to Board Members Concerning Staff.

D. Special Education and Section 504 Students

1. A copy of the district policy and procedure on the use of isolation and restraint must be presented to the parent or guardian at the time the IEP or plan is created. The IEP or Section 504 plan must include within the IEP or plan procedures for notification of the parent/guardian regarding the use of restraint or isolation.
2. Consistent with provisions found in [WAC 392-172A](#), nothing in this procedure precludes the use of restraint or isolation as part of a behavior intervention plan in an IEP or a Section 504 plan, provided the student requires more specific advanced educational planning and the parent/guardian agrees to the use of these techniques in writing.
3. If the parent/guardian and district determine that a student requires advance educational planning, they may develop emergency response protocols in accordance with [WAC 392-172A-02015](#) to be used in the case of emergencies that pose an imminent likelihood of serious harm and incorporate them into a student's IEP.

4. Special Education Isolation Procedures

Isolation refers generally to a set of procedures employed to remove an individual from (or to remove from the individual) sources of reinforcement (reward) that are presumed to be fostering or maintaining aggressive, dangerous, destructive or significantly disruptive behaviors. Timeout procedures range from simply requiring a student for a brief period of time to observe rather than participate in an activity, to isolation which means removing the student to a separate safe room until he or she ceases the behavior which resulted in the timeout.

A. Provisions

- i. The recommendations set forth herein, and internal district procedures adopted pursuant hereto, are intended solely for the general guidelines of district personnel. They are not intended to, do not, and may not be relied upon to create a right or benefit, substantive or procedural, enforceable at law by a party to litigation with the district's board of directors, or district personnel.
- ii. These recommendations in no way detract from any district employee's lawful use of force, as defined in [RCW 9A.16.020](#).
- iii. These recommendations are solely intended to provide general guidance for district employees concerning the use of the special education safe room isolation procedures (as defined above).
- iv. Exceptional circumstances may justify a deviation from these guidelines. Whenever possible, supervisory approval shall be sought and obtained before any employee acts contrary to these guidelines. If there is insufficient time to seek and obtain such supervisory authorization, an employee may depart from these guidelines if he or she concludes that it is appropriate to do so. Any exceptional action shall be reported to the administration as soon as is reasonably possible.

B. When to Use Most Restrictive Isolation Procedures

- i. The most restrictive isolation procedures are to be used as a last resort in addressing disruptive and dangerous behavior by severely disabled students.
 1. The district should develop guidelines which set forth a continuum of various isolation responses, which involve varying degrees of restrictions upon the child.
 2. The choice of appropriate isolation responses along the continuum is made with informed discretion.

Victims of Criminal Offenses**3310**

Pursuant to federal law, a student who is a victim of a violent criminal offense while in or on the grounds of the district school that the student attends will be offered the opportunity to attend another district school. The superintendent is directed to develop procedures to implement this policy.

Part IV

Teacher Responsibilities and Rights

Teacher Responsibilities and Rights

3332

General Provisions

- A. It is recognized that every teacher has the right and responsibility to expect acceptable behavior in the maintenance of a sound learning environment on the part of all students.
- B. Discipline shall be enforced fairly and consistently regardless of race, creed, sex or status.
- C. A teacher may use such appropriate action as is necessary to protect a student, himself/herself, or others from physical abuse or injury.
- D. The administration, board, and teachers shall be mutually cooperative in their use of prudent disciplinary measures to maintain discipline and protect the safety and well-being of students, employees and others.
- E. Each teacher shall maintain good order and discipline in the classroom, in the hallways, and on the playgrounds or other common areas of the school.
- F. Each teacher assigned to classroom duties shall keep and maintain accurate attendance records of students.
- G. Each teacher shall set an appropriate example of personal conduct and shall avoid making any statements to any student which may be demeaning or personally offensive to any student or group of students.

Procedures

- A. The teacher shall have the right and it shall be his/her responsibility to maintain good order and discipline in the classrooms at all times. It is recognized that under most circumstances, methods to maintain good order and discipline should be utilized within the classroom setting which cause the least disruption of the educational process for the student and others.
- B. Emergency Removal of Student: The teacher has the right to temporarily remove a student from a classroom in accordance with [Policy 3300](#).
- C. When a teacher deems it necessary, he/she may recommend to the principal a pupil's suspension or expulsion from school and/or removal from that teacher's class on either a temporary or a permanent basis.
- D. Each teacher shall be promptly advised of any complaint made to the principal or other school district administrator regarding the teacher's discipline of students. The teacher shall be given the opportunity to present his/her version of the incident and to meet with the complaining party in the event that a conference with the complaining party is arranged.

Procedure

3332P

Certificated staff shall share responsibility for supervising the behavior of students and for maintaining the standards of conduct which have been established.

Certificated staff shall have the right to:

- A. Expect students to comply with school rules.
- B. Develop and/or review building rules relating to student conduct and control at least once each year. Building rules shall be consistent with district rules relating to student conduct and control.
- C. Exclude a student from class for all or any portion of the period or for the balance of the school day or until the teacher has conferred with the principal, whichever occurs first. Prior to excluding a student, the teacher shall have attempted one or more corrective actions. In no case shall an excluded student be returned for the balance of a period without the consent of the teacher.
- D. Receive any complaint or grievance regarding corrective action or punishment of students. They shall 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.

Certificated staff shall have the responsibility to:

- A. (Principals shall) Distribute to students, parents and staff a publication defining the rights, responsibilities and corrective action or punishment relating to student behavior.
- B. Observe the rights of students.
- C. Enforce the rules of student conduct fairly, consistently, and without discrimination. Any infractions shall be reported orally and in writing to the principal as soon as possible regardless of any corrective actions taken by the teacher.
- D. Maintain good order in the classroom, in the hallways, and on the playgrounds or other common areas of the school, or while riding on school buses (field trip).
- E. Maintain accurate attendance records and report all cases of truancy.
- F. Set an appropriate example of personal conduct and avoid statements which may be demeaning or personally offensive to any student or group of students.
- G. (Principals shall) Notify parents when students are suspended or expelled.
- H. Meet with a parent(s) within five (5) school days upon request to hear a complaint regarding the use of classroom materials and/or teaching strategies that is being employed in the classroom.

Certificated staff shall have the authority to:

- A. Use such reasonable action as is necessary to protect himself/herself, a student, or others from physical abuse or injury.
- B. Remove a student from a class session for sufficient cause.
- C. (Principals shall) Impose suspension or expulsion when appropriate.

Part V

Principal Responsibilities and Rights

Principal Responsibilities and Principal and Assistant Principal Authority and Rights

3333

Principal Responsibilities

- A. Each principal shall be responsible for the enforcement of the prescribed school district rules for student conduct and for the compliance with school district and building guidelines relating to the discipline of students.
- B. Each principal may develop such building guidelines relating to student discipline as may be appropriate. Such building guidelines shall be consistent with school district policies and procedures relating to student discipline.
- C. At the beginning of each school year, principals shall make available to each certificated staff member, student, and parent or guardians of students a copy of this policy (or summary thereof) together with any building guidelines.
- D. Each principal shall set an appropriate example of personal conduct and shall avoid making any statement to any student which may be demeaning or personally offensive to any student or group of students.
- E. The administration, board, and teachers shall be mutually cooperative in their use of prudent disciplinary measures to maintain discipline and protect the safety and well-being of students and employees.

Principal and Assistant Principal Authority

Subject to the limitations set forth in these policies, all principals and assistant principals shall have the authority to discipline, suspend or expel any student for any violation of rules for student conduct. In the absence of the principal and assistant principal, the authority to suspend or expel a student may be delegated to another certificated administrator in the district by the superintendent or superintendent's designee.

Principal and Assistant Principal Rights

Each principal and assistant principal shall be promptly advised of any complaint made to any other school district administrator regarding the principal's or assistant principal's discipline of students. The principal or assistant principal shall be given the opportunity to present his/her version of the incident and to meet with the complaining party in the event that a conference with the complaining party is arranged.

SPECIALIZED PROGRAMS AND SERVICES

Challenging Options

Challenging Options classes provide extra academic challenges for students in grades 2-12.

High School: A variety of options are offered to high school students including: Honors and advanced courses in English, Math and Science, Advanced Placement, College in the High School, Tech Prep, Industry Certifications and Running Start. High school students self-select these classes based upon their interests, skills, and abilities, and with the guidance of parents and school counselors. For more information, refer to the high school course catalog, contact your students' school counselor or visit the district's website www.everettsd.org/Page/5961.

Middle School: Middle school students who are achieving at high academic levels and are motivated learners may qualify for Challenge and accelerated classes that include English/Language Arts, Social Studies, Math, Science and Spanish. Teachers, parents and students may refer students for the program. Selection for these courses is based on student interest, assessment scores and teacher recommendations. For more information, contact your students' school counselor or visit the district's website www.everettsd.org/Page/5961.

Elementary School: Self-contained highly capable classes are offered for elementary students in grades 2-5 who meet the state's criteria for giftedness. Teachers nominate students to be considered for placement into the Highly Capable classes. For more information, contact your students' teacher or visit the district's website www.everettsd.org/Page/5961.

Kids in Transition (KIT) Programs for Homeless Students

Students without a permanent residence can immediately enroll in school without proof of residency, previous immunization or school records. KIT students qualify for free breakfast and lunch, school supplies and transportation, as appropriate. Qualified students include those who are living on the street; in a shelter; with friends or relatives due to lack of affordable housing; in temporary foster care; motels; vehicles or campgrounds. For more information, contact the KIT program facilitator at 425-385-4032, your neighborhood school or visit the district's website www.everettsd.org/Page/5968.

Online High School

Online learning is provided for high school students to take online courses including core courses, elective, Advanced Placement, College in the High School and Career/Technical education classes. Students may take online classes through their high school or enroll full time through Sequoia High School. For more information, contact OnlineHS at 425-385-5100, or email the registrar at OnlineHS@everettsd.org or visit the OnlineHS website at <http://onlinehs.net/>.

Port Gardner Parent Partnership

Port Gardner is a parent partnership program for families who wish to participate in homeschooling. Port Gardner partners with parents of students in kindergarten through twelfth grade to provide the best educational plan for each individual student, and provide families with professional consultation, guidance and curriculum resources. The program is located just west of Sequoia High School on Rucker Avenue and 35th. For more information, contact Port Gardner Parent Partnership at 425-385-5150 or visit the district's website www.everettsd.org/Page/9139.

Sequoia High School

Sequoia High School is an alternative learning program with an educational environment that is positive, recognizes individual differences, and has high expectations for achievement and behavior. Sequoia works to meet the needs of its community through a program that emphasizes goal setting, individual responsibility and choice. For more information, contact Sequoia High School at 425-385-5100 or visit the district's website www.everettsd.org/Domain/11.

Sno-Isle Technical Skills Center

Sno-Isle Technical Skills Center is a career and technical education program offering technical training for high school students for post-high school education, training and employment. Students are transported from their home high school and spend half a day at Sno-Isle and half a day at their home high school. Sno-Isle Technical class credit appears as elective credits on the student's transcript. For more information, contact Sno-Isle Technical Skills Center at 425-348-2220 or visit their website at www.snoisletech.com.

Summer School Programs

Summer School programs for students entering high school include opportunities to strengthen the skills and knowledge required for the district core expectations, repeat courses, extend their interests in academic areas, and take new courses. Tuition-based summer school programs are offered through Online High School and at Cascade High School for current high school (including incoming 9th grade) students in all four district high schools. Tuition assistance is available through the Everett Public Schools Foundation for in-district students demonstrating financial need. For more information, visit the district's website www.everettsd.org/summerschool.

Middle schools determine each spring if summer classes will be available. Contact your student's school counselor for more information.

For Elementary School, check with your child's teacher regarding summer options for your child.

MEDICAL INFORMATION

Life-Threatening Health Conditions

Washington State law defines how children with life-threatening health conditions will be served. A life-threatening health condition is defined as one “that will put the child in danger of death during the school day if a medication or treatment order and a nursing plan are not in place.” Such conditions should include severe reactions to bee stings, food allergies, asthma, diabetes and seizures. An individual health care plan (IHP), including an individual emergency plan element, will be prepared by a district registered nurse. A medication or treatment order from the child’s licensed health care provider is required before the child starts school. Without these, the child will be excluded from school in accordance with federal requirements. Contact your student’s school for more information. ([Policy/Procedure 3409](#), Students with Diabetes and Life-Threatening Allergies)

Immunizations

Under Washington state law, all students must present, or have on file, documentation of their immunization status on or before the first day of attendance. Immunization forms are available at all schools or from the Snohomish Health District. For more information contact your student’s school or the Snohomish Health District at 425-339-5200, or visit the Snohomish Health District website at www.snohd.org/Shd_CD/Immunization.aspx.

The certificate of immunization status must show the month, day, and year the student received all required vaccines. Students may be exempted for medical, religious, philosophical or personal reasons. A licensed health care provider’s signature must accompany an exemption for medical purposes. A parent’s/guardian’s signature is necessary to exempt a student for religious, philosophical or personal reasons.

Prior to kindergarten, please check for required vaccines on the Washington State Department of Health website, www.doh.wa.gov/CommunityandEnvironment/Schools/Immunization/VaccineRequirements.aspx.

For preschool entry, requirements are determined by age when the student enters school. Please check with your student’s school for the number of needed doses of Hepatitis B/DTP/HIB/Polio/PCV/MMR/Varicella.

Medication at School

If a student *must* receive prescribed and non-prescribed medications during school hours or when the student is under the supervision of school officials, the following procedures must be followed:

- Only a staff member designated by the principal who has been trained by the Building RN and who has successfully completed medication administration training can administer prescribed and non-prescribed medication;
- The medication to be given at school must have a completed Medication Authorization Order form, signed by the Licensed Healthcare Provider (LHP) and the parent/guardian; and
- The medication must be in the original, properly labeled container, including any non-prescribed medication and samples.

Everett Public Schools accepts no responsibility for adverse reactions when the medication is dispensed or administered in accordance with the LHP order. ([Policy/Procedure 3416](#), Medication at School)

Meningococcal and Human Papillomavirus Diseases

As of July 2005, schools in Washington must make information available to parents/guardians of all students entering grades 6-12 on Meningococcal and Human Papillomavirus diseases.

Meningococcal Disease and Prevention

Meningococcal disease spreads by direct contact with infected persons by coughing, kissing, or sharing anything by mouth, such as water bottles, eating utensils, lipsticks, or toothbrushes. It can cause pneumonia, bloodstream infection, and meningitis (swelling of the covering of the brain and spinal cord). Severe disease can cause brain damage, loss of hearing or limbs, and death. Fortunately, this life-threatening infection is rare – there are usually only about 30-60 reported cases each year in Washington, including 1 to 8 deaths. Adolescents and young adults are more likely to get meningococcal disease, especially if they live in group settings, like college dorms.

Meningococcal Conjugate Vaccine (MCV4)

MCV4 protects your child against the most common types of bacteria that cause Meningococcal disease. Healthy kids and teens aged 11-18 years should get two doses of the MCV4 vaccine at:

- Age 11-12 years as part of the pre-teen health checkup; and
- Age 16-18 years. This second dose is often called a booster dose.

Teens who did not get their first dose during the pre-teen health checkup should get a dose as soon as possible. A second dose (or booster) is now recommended. Teens should get a booster at age 16 through 18 years or any time before college. Talk to your healthcare provider about this vaccine.

Human Papillomavirus (HPV) Disease and Prevention

HPV is a common virus that spreads primarily through sexual contact. Up to 75 percent of HPV infections occur among people 15 through 24 years old. HPV causes most known cervical cancers, anal cancers, and genital warts. The types of HPV that can cause genital warts are not the same as the types that cause cancer. Some types of HPV can cause penile, anal, oral, head and neck cancers.

Symptoms

Most of the time infected individuals have no symptoms and can spread the virus without knowing it. Some people know they have HPV because they have a symptom like genital warts. Women may find out they have HPV through cervical cancer screening (Pap tests) and HPV testing. Health care providers do not usually test for HPV unless they find abnormal cervical cell changes in a Pap test.

Prevention

The best way to prevent HPV infection is to abstain from all sexual activity. Even people with only one lifetime partner can get HPV if their partner had previous sexual partners. Using condoms during sex offers good protection against sexual infections like HPV. The HPV vaccines offer by far the best protection if given before sexual activity starts – vaccines do not get rid of existing HPV infections. The HPV vaccine can prevent infections from some of the most common and serious types of HPV that cause cervical, oral, and anal cancers, as well as genital warts.

HPV Vaccine

There are two types of HPV vaccines available: HPV4 licensed for males and females, and HPV2 licensed only for females. The Federal Advisory Committee on Immunization Practice (ACIP) recommends routine vaccination for all girls age 11 through 12 years old against HPV. For unvaccinated females, the recommendation goes up through age 26. Health care providers may also give the vaccine to girls as young as 9 years. The ACIP recommends routine vaccination against HPV for all boys age 11 through 12 years of age. For unvaccinated males, the recommendation goes up through age 21. Health care providers may vaccinate boys as young as 9 years and certain men 22 through 26 years of age.

To be up-to-date on this immunization, males and females need three doses of the vaccine. Talk to your health care provider about the vaccine schedule. HPV vaccine is not required for school in Washington.

For more information about meningococcal and human papillomavirus diseases and how to prevent them visit:

State Resources

Washington State Department of Health
Office of Immunization and Child Profile

www.doh.wa.gov/AboutUs/ProgramsandServices/PreventionandCommunityHealth/OfficeofImmunizationandChildProfile
Disease and prevention www.doh.wa.gov/YouandYourFamily/InfantsChildrenandTeens/DiseasePrevention.aspx

Website

www.doh.wa.gov

Federal/National Resources

Centers for Disease Control and Prevention
Meningococcal vaccine information
Disease information
Pre-teen immunizations
College students and young adults
National Meningitis Association
American Social Health Association
American Cancer Society

Website

www.cdc.gov/std/hpv/
www.cdc.gov/vaccines/hcp/vis/vis-statements/mening.html
www.cdc.gov/meningococcal/about/index.html
www.cdc.gov/vaccines/who/teens/index.html
www.cdc.gov/vaccines/adults/rec-vac/college.html
www.nmaus.org
www.ashastd.org
www.cancer.org

Vision and Hearing Screening

Each year, hearing and vision screenings are provided for students in kindergarten and grades one, two, three, five and seven. If a concern is found during screening, parents will immediately be notified of the screening results so that they can follow up with their health care provider. ([Policy](#)/[Procedure](#) 3411, Vision and Hearing Screening)

LEGAL NOTIFICATIONS AND STUDENT AND PARENT RIGHTS

In addition to the state and federally required legal and informational notices that appear below, Everett Public Schools maintains an online collection of its policies and procedures. For more information, visit the district's website <http://docushare.everett.k12.wa.us/docushare/dsweb/View/Collection-189>.

Asbestos notification

Everett Public Schools and its ongoing safety and health program includes the proper management of the maintenance and disposal of asbestos and compliance with applicable Federal and State laws and regulations.

Using qualified and certified inspectors, Everett Public Schools has identified all friable and non-friable asbestos containing building materials located in District facilities. All friable materials that present a potential health hazard have been properly removed. The district has developed a comprehensive Operation and Maintenance Program with a goal of preventing fiber release episodes and the requirements for necessary notifications should an event occur. Each district building maintains an inventory of asbestos containing building materials for that building. The inventory is available for public inspection and can be obtained by checking with the building office. Questions may be directed to the Everett Public Schools Maintenance & Operations Department, at 425-385-5200.

Family Educational Rights and Privacy Act (FERPA) and Protection of Pupil Rights Amendment (PPRA)

PPRA gives parents rights about the district's surveys, collection and use of information for marketing purposes, and certain physical exams.

FERPA gives parents and students over 18 years old, certain rights about the student's education records. These rights are:

1. The right to inspect and review student's education records;
2. The right to request an amendment of the student's education records;
3. The right to opt-out of release of "directory information" as defined in FERPA law and [Policy 3250](#), Release of Student Directory Information; and
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures to comply with FERPA requirements.

Complete details and information are available in [Policy 3250](#), Release of Student Directory Information, and [Policy/Procedure 3600](#), Student Records.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Ave, SW
Washington, D.C. 20202-5920
Phone: 1-800-872-5327

Everett Public Schools does not release student "directory information" for commercial purposes. A release form may be used to deny publication of the student's name or photo in district publications or by the news media; prevent releasing information to military recruiters or colleges; or to withhold permission of Internet access to the student for learning at school. The form is attached to the front of this handbook and is available year-round at all school offices if parents want to make a change.

On-Bus Cameras

For the safety of our employees and students, Durham School Services reserves the right to monitor and document student behavior on buses utilizing recording devices. There is no reasonable expectation of privacy on board Durham buses, and students' actions and words may be monitored with video and/or audio as permitted by federal, state, and local regulations. Student conduct that is recorded and prohibited by regulations or school district policy will result in disciplinary action. This policy will apply to all transportation services provided by Durham School Services. ([Policy/Procedure 3244](#), Riding School Buses)

Integrated Pest Management

Everett Public Schools intends to comply with all Federal, State and Local regulations pertaining to the management of vegetation and/or pests. Through the Integrated Pest Management Program, Everett Public Schools promotes a prudent approach in dealing with environmental concerns and the establishment of levels at which action is taken. The program does not rule out the use of pesticides, but requires their use to be thoughtfully considered. Comments, questions and input are welcome and may be directed to the Maintenance & Operations Department, at 425-385-5200.

Public Records Requests

Many records and documents in the school district are available to the public. Parents and other citizens may ask the school district to view or have copies made of records defined as "public" under state and federal laws including records about discipline of school employees.

Everett Public Schools public records requests are handled by the district's business services office. Records can be requested by writing that office at 3900 Broadway, Everett WA 98201 or by email publicrecords@everettsd.org. ([Policy/Procedure 4340](#), Public Access to District Records)

Special Education Public Information

The public may request district policies, procedures and any required evaluations, plans and reports relating to Part B Special Education Program. For more information, contact special services at 425-385-5250. ([Policy/Procedure 2210](#), Special Education and Related Services for Eligible Students)

Special Needs/Child Find

Child Find locates and identifies children ages birth-21 who are in need of early interventions or special education and related services. Contact your neighborhood school or contact special services at 425-385-5250.

Title I and Learning Assistance Program

Title I Program

The Title I Program is federally funded and provides financial assistance to meet the specific needs of educationally at-risk children at qualifying schools. Students attending qualifying schools receive additional support with reading and math.

Learning Assistance Program (LAP)

The LAP program is state funded and provides financial assistance to support students who are below standard in reading in all elementary schools. These schools receive additional staffing to support teachers with reading interventions, and to provide supplemental instruction in reading for struggling students. The funding supports extended day and summer school classes and parent involvement activities.

For more information about the state and federal requirements for the Title I and LAP program, visit the Office of Superintendent of Public Instruction website <http://www.k12.wa.us/TitleI/default.aspx> or contact categorical programs at 425-385-4030. Information is also available on the district's website <http://www.everettsd.org/Page/4640>.

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****ATTENTION****

**TURN OVER FOR SCHOOL DELAY AND
CLOSURE INFORMATION**

**KEEP IN A LOCATION FOR QUICK
REFERENCE**



SCHOOL DELAY AND CLOSURE INFORMATION

When school is cancelled or starts late, what are the impacts on school programs?

A decision to close or delay school is usually made by 5:30 a.m. In the interest of student and community safety, schools are either closed for an entire day, or start 2 hours later than normal. Those schedule changes can have unique impacts on some school programs or school activities. The chart below helps explain what will happen to those programs or how parents can get more information about programs on days when school is cancelled or delayed. During inclement weather, parents and staff should check the [district website](#), social media, media news reports, or call the Everett Public Schools Information Line at 425-385-4636.

If there is no announcement about school schedules, schools will be in session and start on time.

Programs impacted by schedule changes	When school is cancelled for a day	When school starts 2 hours late	More information available
School bus schedules	School buses do not pick up students	School buses pick up students 2 hours later than usual in the AM. No out-of-district transportation provided.	On district website, social media, TV or call information line 425-385-4636
School ending time	No school all day	Students are dismissed at the regular time	On district website, social media, TV or call information line 425-385-4636
Breakfast program	No breakfast served	Breakfast served when students arrive	
Lunch program	No lunch served	Lunch served at the regular time	
AM ECEAP	No school for any students	AM ECEAP is cancelled	
PM ECEAP	No school for any students	PM ECEAP starts at the regular time.	
Headstart	Headstart		
School-related after school events and athletics (in-district and out-of-district)	Events and activities cancelled unless participants notified otherwise. High school varsity practices may be held but attendance is optional.	Events and activities continue as usual unless participants notified otherwise.	Schools will attempt to notify participants of any changes by 1:00 p.m.
YMCA child care	May be offered at Whittier Elementary School.	YMCA will attempt to operate at regularly scheduled sites and start time. YMCA phone lines will have voicemail message with up-to-date information. School bus transportation in AM will be 2 hours later than the usual time.	All child care programs are operated through arrangements with YMCA. Contact YMCA for program information during school cancellation or late start days.
Cascade Unit Boys & Girls Club child care	Offered at Cascade Unit Boys & Girls Club facility only. Not available at any schools. No school bus transportation.	Offered at normal locations (Emerson & View Ridge). School bus transportation in AM will be 2 hours later than the usual time.	All child care programs are operated through arrangements with Boys & Girls Club. Contact Boys & Girls Club for program information during school cancellation or late start days.
Community (non-school related) activities held in schools	Cancelled	These activities will be held as scheduled unless cancelled later in the day.	Contact community group organizer for information on community activities during school cancellation or late start days.