

# Student Rights and Responsibilities Handbook

2020-21



Our students will lead and shape the future.



View handbook online: [www.everettsd.org/domain/1493](http://www.everettsd.org/domain/1493)



**Everett Public Schools**  
3900 Broadway, Everett, WA 98201  
425-385-4000 • [www.everettsd.org](http://www.everettsd.org)

# A message from the Superintendent



We believe in the power and potential of each child.

Dear Everett Public Schools families:

When you send your child to our schools, we know you are entrusting us with your family's most precious gift. We believe in the power and the potential of each child. It is our responsibility to inspire, educate and prepare every student for a successful future.

We promise to do so through an equity lens, knowing that each child is unique and requires different supports to succeed. We are committed to providing the culture, climate, systems and instruction that will ensure our students feel safe, supported, engaged and inspired to learn.

Your partnership in this work is critical. Thank you for entrusting us with your children and for partnering in this; the world's most important work. Together, we can pave the way for student success in school and life and be the catalyst for success in the future.

## As your partner, I ask you to ...

- ☐ Talk to your students about the importance of regular attendance and being on time.
- ☐ Keep track of your child's attendance, and talk to counselors or administrators if your family faces difficulties getting a child to school regularly.
- ☐ Set a regular bedtime and morning routine to establish good habits – for school and life success.
- ☐ Help your student prepare for school the night before, finishing homework and getting a good night's sleep.
- ☐ Send your child to school every day unless he or she is truly ill.
- ☐ Talk to your child's teachers if you notice sudden changes in behavior or attitudes about school.

## I promise ...

- ☐ We will use every minute of the time your student is with us to inspire learning in schools which are equitable and provide safe spaces to learn, work and grow.
- ☐ Schools will alert you when your student is absent and work with you on ways to inspire consistent and timely attendance in school.
- ☐ Schools will model and set consistent expectations for behavior and performance to reinforce good habits and responsible behavior in school and in life.
- ☐ School staff will inspire learning every day in schools which also spark creativity, are inclusive, clean and safe and serve healthy food.
- ☐ We will talk to you when we notice sudden changes in learning momentum, behavior or attitude. We know you care about your student's welfare and success; we do too!

As my second year begins as your school district superintendent, I know nothing is more important in your family than your children. This district's more than 20,000 precious individuals are the most important part of my job and I look forward to seeing them learn, grow and succeed in the year ahead.

Sincerely,

Dr. Ian Saltzman  
Superintendent

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# Why this handbook?

It's all about good communication and mutual understanding. Much of this handbook includes the legal language every school district is required to share with school families. It's a "good thing" for schools and families to have equal access to the laws of the land – even though you might not read through or ever need to know all those laws. Having this document handy might be helpful if you have a question about your school and its responsibilities for helping students learn and for keeping them safe.

This handbook also includes information about what's new this year. It explains the philosophy of Multi-Tiered Systems of Support (MTSS) and how MTSS will help improve student learning, reduce discipline issues and support students' social and emotional wellbeing.

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*This handbook has evolved over the years, based upon the good work of a parent, student, staff and administrator committee who help develop the rights and responsibilities policies for students, families and staff.*

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Policies have been approved by the school board based upon those policies' support of each student's learning and fostering school environments that promote respect and safety for all.

This handbook supersedes all others which are now out of date. Policies included here may change during the school year, based upon legislative and board policy changes; those changes will be reflected in an updated version for the next school year.



## Handbook information

The Student Rights and Responsibilities Handbook can be found on the district's website at [www.everettsd.org/domain/1493](http://www.everettsd.org/domain/1493).

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

## Notice

Pursuant to state law ([RCW 9.41.280](#)), students who possess or carry onto school premises, district/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 ([RCW 28A.600.477](#)), the district has adopted policies and procedures prohibiting harassment, intimidation and bullying. Students committing acts of bullying will be subject to discipline up to and including expulsion. The policies 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.



## Please pay particular attention to the following changes to the 2020-21 student rights and responsibilities handbook

### Policy and procedure revisions/additions

- △ [Policy 3204](#) and [Procedure 3204P](#), Prohibition of Harassment, Intimidation or Bullying: The state legislature implemented a number of changes to the required harassment, intimidation and bullying (HIB) policies and procedures, now codified under [RCW 28A.600.477](#). Revisions also included changing the title from “Prohibition of Harassment, Intimidation and Bullying,” to “Prohibition of Harassment, Intimidation or Bullying.”
- △ [Policy 3213](#) and [Procedure 3213P](#), Gender-Inclusive Schools: Revisions comply with House Bill (HB) 5689 which helps to ensure all students are free from mistreatment. Many of the revisions add or revise key definitions and terms to align with those used in OSPI’s training. Other revisions address questions that have arisen regarding name and pronoun use for school identification cards and diplomas. Revisions also include changing the title from “Transgender Students,” to “Gender-Inclusive Schools.”
- △ [Policy 3600](#) and [Procedure 3600P](#), Student Records: Revisions are to comply with HB 5324 and HB 5325 related to students experiencing homelessness. Clarifying language has been added to rectify the possibility of misunderstanding the provisions of the above-mentioned house bills.



# Safety tip reporting service

## Report it!

- Bullying
- Intimidation
- Harassment
- Weapons
- Drugs
- Other

### 4 easy ways:



#### Phone

855-637-2095



#### Text

Text your tip to  
855-637-2095



#### Email

1350@alert1.us



#### Web

<http://everett-wa.safeschoolsalert.com>

### 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://everett-wa.safeschoolsalert.com>

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://everett-wa.safeschoolsalert.com>. Thank you in advance for helping to make our district and schools safer places to work and learn! We appreciate your support.

**FOR EMERGENCIES PLEASE CALL 911**

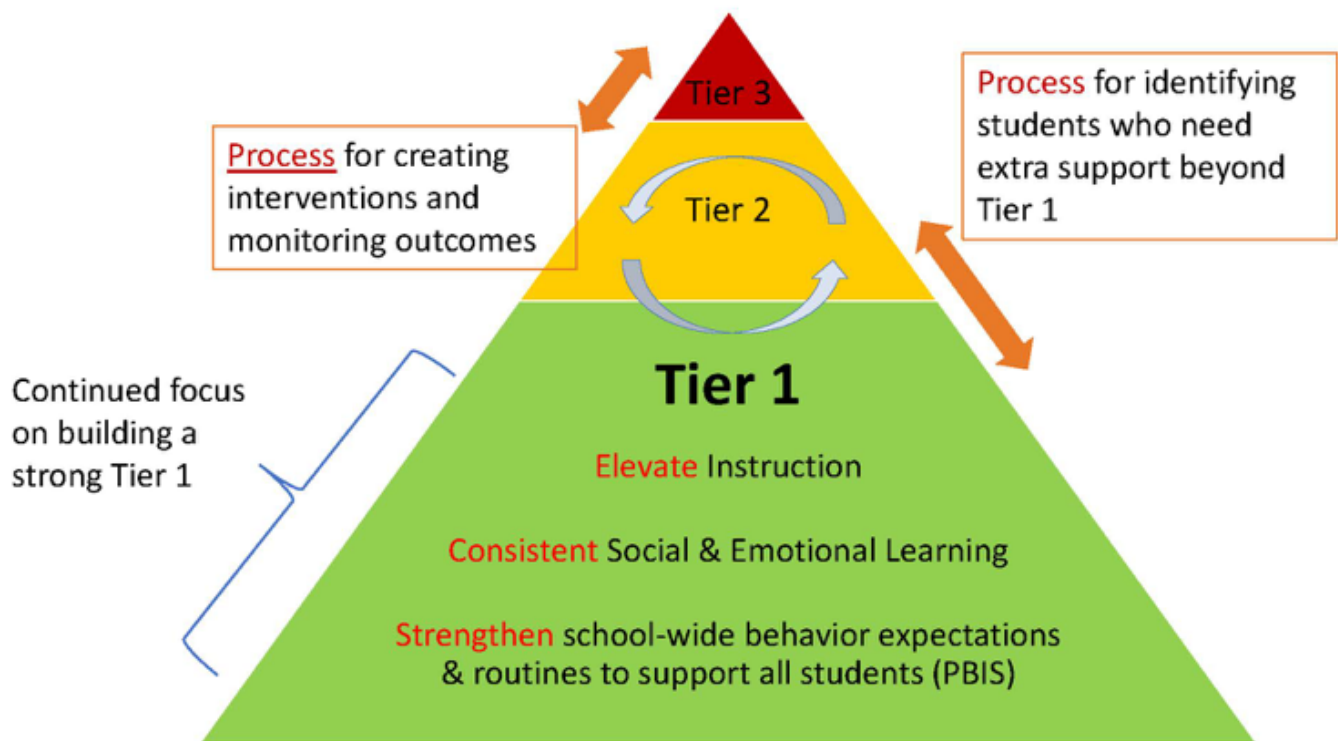


# Multi-Tiered Systems of Student Support

Everett Public Schools believes that with support, and collaboration with families, every student can achieve growth and gain the college, career, and life readiness skills needed to sustain a bright future. Educators in all Everett schools use a variety of instructional practices anchored to core standards in order to create grade level appropriate lessons. Since students develop at varying rates and sometimes need additional support to help them be successful, Everett Public Schools has implemented a Multi-Tiered System of Supports (MTSS) to aid schools in developing site specific-systems and strategies to meet the needs of each student.

Within an MTSS framework, schools focus on developing robust Tier 1 supports with core instruction in all areas of academics, social and emotional learning and behavior by teaching school-wide expectations and routines. Schools monitor Tier 1 data and use teaming structures to collaboratively make decisions about how to support students needing extra assistance to learn and grow.

## MTSS Framework



Differentiation = Accommodations, Modifications and Interventions = Tier 1 Support

## Academics

Within Tier 1, all students receive rigorous instruction aligned to common core standards across all content areas. Core academics delivered at the Tier 1 level requires the coordination of various departments including Curriculum and Assessment, Categorical Programs and Special Services.

Everett Public Schools adheres strictly to policies and procedures to determine resources used for core academic content (Tier 1) and continually uses data and feedback from stakeholders to monitor needs for supplemental resources (Tier 2 and Tier 3).

### Tier 1 Academics

MTSS Tier 1 Academics involves the coordination of high-level instructional strategies, rigorous and aligned curriculum and systematic formative and summative assessments.

Everett implements curriculum aligned to Common Core Standards for ELA, and Math and the Washington State Science and Learning Standards for Science. For detailed information about Tier 1 Core Academics, visit the content specific information in Canvas by following the instructions on our Learning Management System parent access page.

### Tier 2 Academics

Some students may need extra support and will engage in Tier 2 interventions which may include small group instruction, reteaching, and reassessing. Tier 2 supports may be delivered in the classroom by the classroom teacher

or by a Literacy or Math Coach, or skilled paraprofessional depending on the needs of the student and site-specific resources. As part of Everett's MTSS process, school teams regularly review student needs using assessment data to determine students who would benefit from Tier 2 Supports.

### Tier 3 Academics

A few students may require more intensive supports which may include individualized instructions in the form of an Individualized Education Plan (IEP) or accommodations/modifications to the core Tier 1 content delivery which may include a 504 or other short-term plan to get the student on track for success.

### Who to Contact?

If you believe your student needs Tier 2 Academic Support, please contact your student's teacher to better understand your student's classroom performance. Other building contacts include your student's counselor and building administrators.

### Social and Emotional Learning (SEL)

We believe that supporting social and emotional learning for all students and adults is critical for student success. Therefore, we have made SEL a key element in our MTSS framework. Everett provides SEL supports aligned to the Collaborative for Academic and Social and Emotional Learning (CASEL) framework which informs our Tier 1 and Tier 2 supports for all students.

## SOCIAL AND EMOTIONAL LEARNING (SEL) COMPETENCIES

### SELF-AWARENESS

The ability to accurately recognize one's own emotions, thoughts, and values and how they influence behavior. The ability to accurately assess one's strengths and limitations, with a well-grounded sense of confidence, optimism, and a "growth mindset."

- IDENTIFYING EMOTIONS
- ACCURATE SELF-PERCEPTION
- RECOGNIZING STRENGTHS
- SELF-CONFIDENCE
- SELF-EFFICACY

### SOCIAL AWARENESS

The ability to take the perspective of and empathize with others, including those from diverse backgrounds and cultures. The ability to understand social and ethical norms for behavior and to recognize family, school, and community resources and supports.

- PERSPECTIVE-TAKING
- EMPATHY
- APPRECIATING DIVERSITY
- RESPECT FOR OTHERS

### RESPONSIBLE DECISION-MAKING

The ability to make constructive choices about personal behavior and social interactions based on ethical standards, safety concerns, and social norms. The realistic evaluation of consequences of various actions, and a consideration of the well-being of oneself and others.

- IDENTIFYING PROBLEMS
- ANALYZING SITUATIONS
- SOLVING PROBLEMS
- EVALUATING
- REFLECTING
- ETHICAL RESPONSIBILITY

### SELF-MANAGEMENT

The ability to successfully regulate one's emotions, thoughts, and behaviors in different situations — effectively managing stress, controlling impulses, and motivating oneself. The ability to set and work toward personal and academic goals.

- IMPULSE CONTROL
- STRESS MANAGEMENT
- SELF-DISCIPLINE
- SELF-MOTIVATION
- GOAL SETTING
- ORGANIZATIONAL SKILLS

### RELATIONSHIP SKILLS

The ability to establish and maintain healthy and rewarding relationships with diverse individuals and groups. The ability to communicate clearly, listen well, cooperate with others, resist inappropriate social pressure, negotiate conflict constructively, and seek and offer help when needed.

- COMMUNICATION
- SOCIAL ENGAGEMENT
- RELATIONSHIP BUILDING
- TEAMWORK



## Tier 1 Social and Emotional Learning

Students are directly taught key SEL aligned to the CASEL through Second Step curriculum developed by the Committee for Children. Second Step lessons explore all the key competencies within the CASEL framework and provide students with opportunities to problem-solve social scenarios, relationship skills and emotional regulation with the context of classroom-based lessons rich in student discussion. These lessons are taught by the classroom teacher and may be supported by the school-counselor. Explore Second Step K-5 and Middle School SEL.

## Tier 2 Social and Emotional Learning

While all students receive classroom based SEL lessons taught by the classroom teacher, some students may benefit from extra support in the form of small group lessons to reinforce, reteach or practice SEL competencies. These students may be recommended for Tier 2 interventions such as a short-term targeted SEL group.

## Who to Contact?

If you believe your student would benefit from Tier 2 support, please contact your student's teacher and/or school counselor to discuss your concerns and observations.

## Behavior

### What PBIS is

**Positive Behavioral Intervention Supports** help ensure schools are safe places to learn, work and grow together. PBIS practices help schools be welcoming places for each student's learning, social development and life-long success.

PBIS schools encourage good behavior through prevention, not punishment. In PBIS schools, students learn about positive, successful behavior, just as they do about math, science, reading and other academic subjects. In a PBIS school hallway, you might see brightly colored signs calling out positive behaviors – RESPECT, BE ON TIME, LISTEN, BE COURTEOUS, for example.

In PBIS schools, everyone knows what positive behavior looks like at all times and in all places – in a classroom, in the hallways, on the school bus, in the lunchroom. Behavior expectations are the same for each student. PBIS schools balance individual rights with civic responsibilities by setting expectations for behavior which will help students be successful in school, in our communities and in society as future responsible citizens.

Those who have studied PBIS schools report using PBIS practices improves the way all students behave, and it cuts down the number of detentions and suspensions. Students get better grades. Some studies show PBIS may reduce bullying.

## What PBIS is not

PBIS is a "framework," not a curriculum. This means the basic philosophy of encouraging, supporting and teaching positive behavior can be adapted to work in different schools in different areas and at different grade levels.

Staff in Everett Public Schools have been working for two years to personalize our framework so it works in our schools, with our students and our families. Specific practices, strategies, or rewards may be different in different schools and at different grade levels, but the goal is the same. Our schools are to be safe places in which students can learn and grow together to become successful, responsible citizen leaders of the future.

## How does PBIS work?

PBIS includes three tiers:

- 1. In Tier 1**, everyone, students and staff learn basic behavior expectations – for example being respectful and kind to each other. Good behavior is called out and recognized, and it may come with rewards. Support for "doing the right thing" is positive.
- 2. Tier 2**, is an extra layer of support for students who might struggle to understand or consistently do "the right thing." A student who repeatedly interrupts others might get specific instruction in social skills and effective communication as a Tier 2 support strategy. Before PBIS, that student might have been sent to the principal's office, reprimanded and then sent back to class with no instruction about why interruption is harmful to learning or how to stop doing it.
- 3. Tier 3** is the most intensive level. Students and families in this level work with school staff in specific, individualized services to overcome behavior issues.

## Common Tier 2 Interventions

While each school will have a myriad of Tier 2 interventions to support students, some common Tier 2 interventions will be implemented across all Everett schools. The goal of Tier 2 interventions is to provide students with the right support to help them self-regulate and engage in the classroom environment. Schools work within a Tier 2 team system to identify students who would benefit from short-term Tier 2 supports and to determine which intervention best matches the student's need.

## Who to Contact?

If you believe your student would benefit from Tier 2 interventions, please contact your school's administrator and/or counselor for more information about the Tier 2 process at your student's school.



# Multi-Tiered Systems of Support (MTSS)

*A layered continuum of behavioral, academic, and social/emotional support to meet each learner's needs*

## Tier 1

### Behavioral

- Behavior expectations are defined, taught, and retaught
- Expected behaviors are acknowledged
- Behavior errors are corrected proactively
- Communication with family about student's behavior is ongoing

### Academic

- State standards, 21st century & technology skills, and organizational strategies are taught
- The EPS continuous improvement model (8-Step) is implemented
- Self-monitoring strategies are developed
- Assignments broken into smaller chunks
- Support is provided to all students
- Response is evaluated to identify students who may be at risk

### Social/Emotional

- Five overarching competencies are integrated into instruction:
  - ✓ Self-awareness
  - ✓ Self-management
  - ✓ Social awareness
  - ✓ Relationship management
  - ✓ Responsible decision-making
- Second step curriculum is taught K-8
- Bullying prevention is implemented
- Panorama data inform next steps

## Tier 2

### Behavioral

- Check & Connect
- Check in/Check Out (CICO)
- Class Pass/Break Pass
- Social Skills Development Group
- Behavior Pacts (agreements)
- Self-Monitoring
- Communication with family about student's behavior is on-going

### Academic

- Intensive interventions specific to the identified need are selected
- Small group interventions occur in or out of the classroom
- Progress monitoring and evaluating student response is ongoing

### Social/Emotional

- Social skills are taught
- Social/academic groups with individualized features are ongoing
- Referrals are made to resources in or out of the school
- Frequent feedback and reinforcement for engaging inappropriate behavior is provided

## Tier 3

### Behavioral

- **Functional Behavioral Assessment/ Behavior Intervention Plan** is made
- Community resources are utilized to support the student
- Consider alternatives to suspension
- Personalized schedules are built
- Conflict resolution and social skills are taught
- Communication with family about student's behavior is ongoing

### Academic

- Implement intensive individually designed intervention
- Deliver intervention daily for a minimum of 30 minutes
- Consult with interventionists and special education staff
- Progress monitoring and evaluating student response is ongoing

### Social/Emotional

- Intensive, individualized interventions are implemented
- Family members actively participate in the development of goals
- Intensive school and community interventions with school support
- Support plans that include individualized therapeutic supports

**Universal**

**Targeted**

**Intensive**

MORE SUPPORT NEEDED

MORE SUPPORT NEEDED

MORE SUPPORT NEEDED



# The district's core values

## Guiding student success

In 2009, we launched a districtwide, community based process to write a new strategic plan – one that would build on past solid foundations and position students for success in a rapidly changing world.

The district's Core Values arose and were defined in this community process. These values have shaped our schools' and district cultures for a decade. They represent the heart and soul of what our school district stands for. They are the basis for school and district decisions and for policies set by the school board.

These values and strategic plan are revisited annually to ensure they reflect the current needs of our students and to ensure the plan is being equitably implemented.

*Core values guide how school staff and students interact together and with each other, and they are the basis for our interactions with family and community.*

Ultimately, they are a foundational part of each student's academic and social success in school and after graduation.

We present this handbook in the spirit of those core values and in the interest of open communication and partnership with you as a part of our school family.



Caroline Mason, President  
Everett Public Schools Board of Directors

**Students are at the center of all district decisions which are guided by core values of:**

- » Learning
- » Equity
- » Passion
- » Integrity
- » Respect
- » Diversity
- » Collaboration



# Resolution No. 1237

## EVERETT SCHOOL DISTRICT NO. 2

# Affirming our Commitment to Condemning Racism and Supporting Peaceful Protest

**A RESOLUTION** of the Board of Directors of Everett Public Schools in response to the death of George Floyd, condemning racism and supporting peaceful protest.

**WHEREAS**, on May 25, 2020 the life of George Floyd was tragically taken by four Minneapolis police officers; and

**WHEREAS**, the unjust death of George Floyd has highlighted the continued racism and unequal justice that still exists in our nation; and

**WHEREAS**, the students of Everett Public Schools have been exposed to this traumatic event through graphic visual displays of people in positions of authority committing violent crimes; and

**WHEREAS**, the subsequent public displays of both peaceful and violent demonstrations throughout our country, as well as displays of unprovoked violence by law enforcement at those demonstrations, have impacted the students and staff of Everett Public Schools; and

**WHEREAS**, the Board of Directors recognizes its responsibility to provide an environment which educates and teaches our students that we can and must uphold the rights and dignity of all members of our communities, and we must never enable those who would act otherwise; and

**WHEREAS**, as educators and educational leaders we are committed to action in assisting the Everett Public Schools community to process these events within our core values of Equity, Diversity, Collaboration, Respect, Integrity, Passion and Learning; and

**WHEREAS**, as we move forward and continue striving for social justice and racial equity, let these words by Rev. Martin Luther King Jr. be on the forefront of our minds “Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that.”

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors reemphasizes the importance of its board policies and the associated administrative procedures focused on each student’s equitable access to education:

1. Mourns the death of George Floyd and joins the call for justice;
2. Supports Black students, staff and families during this time of turmoil;
3. Supports those in Everett Public Schools who wish to protest peacefully without fear of intimidation;
4. Does not support returning hate with hate or violence with violence;
5. Condemns acts of violence and damage to public and private property;

6. Commits to finding actionable ways to make our school district more just for everyone; and
7. Stands proudly for racial equality and safety for all of our students and staff; and

**BE IT FURTHER RESOLVED**, does hereby charge the superintendent to strengthen anti-racism and equity policies and training for all staff and students.

**ADOPTED** this 9th day of June, 2020, and authenticated by the signatures affixed below.

**ATTESTED BY:**

  
\_\_\_\_\_  
**Ian B. Saltzman**

*Secretary, Board of Directors*

**EVERETT SCHOOL DISTRICT NO. 2**

**Snohomish County, Washington**

  
\_\_\_\_\_  
**Caroline Mason, President**

  
\_\_\_\_\_  
**Pam LeSesne, Vice President**

  
\_\_\_\_\_  
**April Berg, Director**

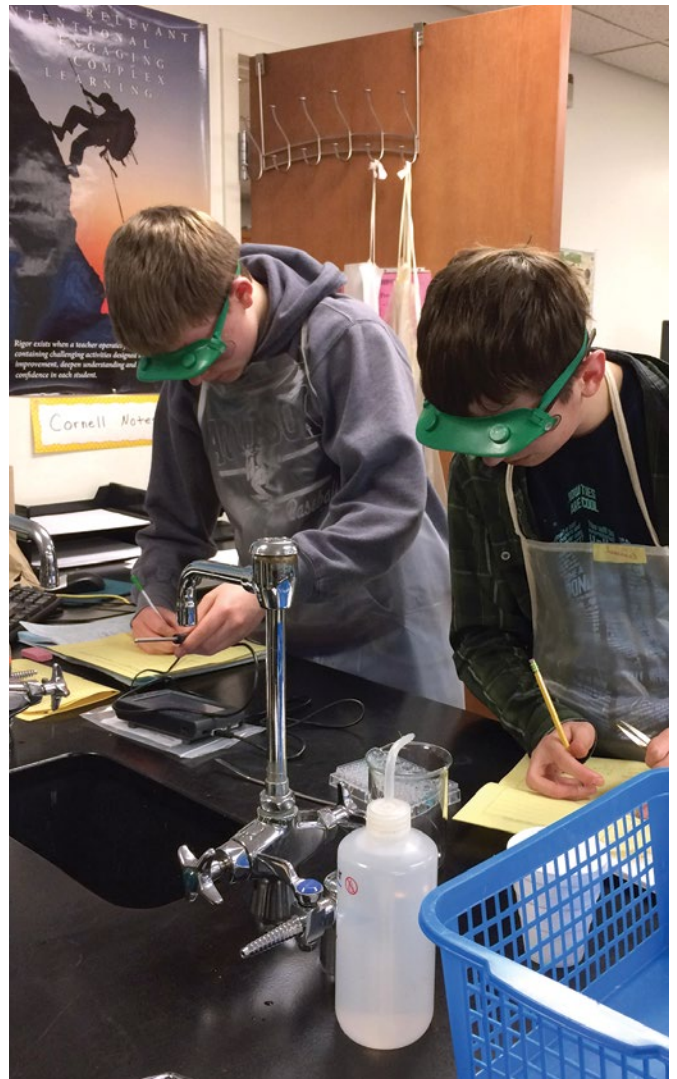
  
\_\_\_\_\_  
**Traci Mitchell, Director**

  
\_\_\_\_\_  
**Andrew Nicholls, Director**



3900 Broadway, Everett, WA 98201  
425-385-4000 • [www.everettsd.org](http://www.everettsd.org)

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# Why school attendance matters

Students who attend school regularly are the most successful in school. Being in school builds relationships with teachers and other students. It helps students succeed academically and socially, and it prepares them for future success in life, education or training after high school and in their careers. Students who do not regularly attend school often fall behind and don't do as well as students who are in school consistently. Students with frequent absences are also less likely to graduate from high school.

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

Students might miss school for good reasons – from health issues to transportation difficulties. Many school staff can help you with the challenges of getting to school regularly or on time. Please contact your child's school counselor or administrator to talk about any barriers your family is facing that might affect your child's attendance.

## What to do when your child is absent

Contact the attendance office at your child's school in writing (preferred) or phone to explain the absence within 30 calendar days from the date of the absence. Refer to this student handbook or visit the district website, [www.everettsd.org](http://www.everettsd.org), for more information about the district's attendance procedures (3122P).

## School policies and state laws about attendance

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 do enroll their six- or seven-year-old child in school, the student must attend full time. Students 16 years or older may be excused from attending public school if they meet certain requirements, see <https://app.leg.wa.gov/RCW/default.aspx?cite=28A.225.225> for details.

## State law requires the district to take attendance every day and to notify you when your child has an unexcused absence

The legal information below only applies if your child misses certain numbers of school days. Laws and legal language can seem unfriendly. However, these laws and legal steps are designed to help schools and families work together to help students succeed.

**If your child has three unexcused absences in one month**, state law ([RCW 28A.225.020](http://www.wa.gov/leg/slides/RCW/28A.225.020)) requires the district to schedule a conference with you and your child and the principal or a designee of the principal. Together, in the conference, you will talk about the reasons for unexcused absences and how to overcome them. The district must also develop a plan about how to best meet your child's educational needs and to overcome absenteeism. That plan may include an assessment of your child.

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

**If your child has seven unexcused absences in any month or 10 unexcused absences within the school year**, the district is required to file a petition with the juvenile court, alleging a violation of [RCW 28A.225.010](http://www.wa.gov/leg/slides/RCW/28A.225.010), the mandatory state school 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.

As you can see, "showing up" is important. Hillary Clinton once said, "Showing up is not all of life, but it counts for a lot." Showing up for school is not all that matters, but it is a key part of school success.



# PART I.

## Policies and rules affecting the status and conduct of students

### Attendance

#### Policy 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/guardian request, in writing. The district will make reasonable efforts to enable parents/guardians to request and receive this information in a language they can understand. Parents/guardians 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 set forth in [WAC 392-401-015](#) will determine the appropriate category for absence reporting.

#### Absent

1. A student is absent when they are:
  - a. Not physically present on school grounds; and
  - b. Not participating in the following activities at an approved location:
    - i. Instruction;
    - ii. Any instruction-related activity; or
    - iii. Any other district or school approved activity that is regulated by an instructional/academic accountability system, such as participation in district-sponsored sports.
2. Students shall not be absent if:
  - a. They have been suspended, expelled, or emergency expelled pursuant to [Chapter 392-400 WAC](#);
  - b. Are receiving educational services as required by [RCW 28A.600.015](#) and [Chapter 392-400 WAC](#); and
  - c. The student is enrolled in qualifying "course of study" activities as defined in [WAC 392-121-107](#).
3. A full day absence is when a student is absent for 50% or more of their scheduled day.
4. A school or district shall not convert or combine tardies into absences that contribute to a truancy petition.

## Excused and unexcused absences

### Excused absences

Absences due to the following reasons must be excused:

1. Illness, health condition or medical appointment including, but not limited to, medical, counseling, dental, optometry, pregnancy, and in-patient or out-patient treatment for chemical dependency or mental health for the student or person for whom the student is legally responsible.
  - a. Extended illness or health condition. If a student is confined to home or a facility for an extended period of time, the school will arrange for the accomplishment of assignments at the place of confinement whenever practical. If the student is unable to do their schoolwork, or if there are academic 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.
  - b. Excused absence for chronic health condition. Students with a chronic health condition that interrupts regular attendance may qualify for placement in a limited attendance and participation program. The student and the student's parent/guardian will apply to the principal or counselor, and a limited program will be written following the advice and recommendations of the student's medical advisor. The recommended limited program will be reviewed and approved or denied by the principal. If the recommended limited program is denied, the principal will work with the student, their parent/guardian and medical advisor to revise the program for approval. Staff will be informed of the student's needs, though the confidentiality of medical information will be respected at the parent's/guardian's request.
2. Family emergency including but not limited to a death or illness in the family.
3. Religious or cultural purposes including observance of a religious or cultural holiday or participation in religious or cultural instruction.
4. Court, judicial proceeding, court-ordered activity, or jury service.
5. Post-secondary, technical school or apprenticeship program visitation, or scholarship interview.
6. State-recognized search and rescue activities consistent with [RCW 28A.225.055](#).
7. Absence directly related to the student's homeless or foster care/dependency status.

8. Absences related to deployment activities of a parent or legal guardian who is an active duty member consistent with [RCW 28A.705.010](#).
9. Absences due to suspensions, expulsions or emergency expulsions imposed pursuant to [Chapter 392-400 WAC](#) if the student is not receiving educational services and is not enrolled in qualifying "course of study" activities as defined in [WAC 392-121-107](#).

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 or long-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.
10. Absences due to student safety concerns, including absences related to threats, assaults, or bullying;
11. Absences due to a student's migrant status; and
12. An approved activity that is consistent with district policy and is mutually agreed upon by the principal or designee and a parent/guardian or emancipated youth.

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

With the exception of item 9, the parent/guardian is expected to contact their student's 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.

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

An excused absence will be verified by a parent/guardian or an adult, emancipated or appropriately aged student, or school authority responsible for the absence. If attendance is taken electronically, either for a course conducted online or for students physically within the district, an absence will default to unexcused until such time as an excused absence may be verified by a parent/guardian or other responsible adult. If a student is to be released for health care related to family planning or abortion, the student may require that the district keep the information confidential. Students thirteen (13) and older have the right to keep information about drug, alcohol or mental health treatment confidential. Students fourteen (14) and older have the same confidentiality rights regarding HIV and sexually transmitted diseases.

## 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:

1. Student ID number and/or name
2. Date(s) of the absence
3. Reason for the absence
4. Parent/guardian name
5. Parent/guardian signature (for hand-written notes)
6. 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.

## Unexcused absences

Any absence from school is unexcused unless it meets one of the criteria for an excused absence set forth above ([WAC 392-401-020](#)).

A student will receive an unexcused absence when:

1. The parent/guardian or adult student submits an excuse statement that does not constitute an excused absence as set forth above;
2. The parent/guardian or adult student fails to submit any type of excuse statement, whether by phone, fax, email or in writing, for an absence; or
3. The parent/guardian or adult student submits an excuse statement more than thirty (30) calendar days after the absence.

## 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, a partial day absence or a full day absence.

## Tardy

Students are expected to be in their classrooms, in their seats, and ready to participate at the beginning of each class. Students are tardy if they arrive after the published start time or leave before the published end time for school or class. A student who is marked tardy to class is not absent unless the student otherwise meets the criteria for an absence.

## Partial day or period absence

### Elementary (kindergarten through fifth grade)

At the elementary level, a tardy becomes a partial day absence if the student has missed more than thirty (30) minutes and less than 50% of their school day.

### Secondary (middle and high schools)

At the secondary level, if the student arrives late to class or leaves early they will be marked as tardy. A tardy becomes a period absence if the student has missed 50% or more of the instructional minutes of the period.

## Full day absence

A full day absence is defined as a student missing 50% or more of their scheduled school day.

### Elementary

At the elementary level, a student's attendance will be recorded as a full day absence when the student has missed 50% or more of their scheduled school day. On a regularly scheduled school day, there are 6.5 total hours per day.

### Secondary

At the secondary level, a student's attendance will be recorded as a full day absence when the student has missed 50% or more of their scheduled periods for that 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 for vacations or travel

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 12 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/guardian if requested five (5) school days prior to the absence.

## Response to student's failure to attend school

### 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.

### Required conference for elementary school students

In the event that a student in elementary school is required to attend school under [RCW 28A.225.010](#) or [RCW 28A.225.015\(1\)](#) and 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 shall schedule a conference or conferences with the parent/guardian and student at a reasonably convenient time for all persons included for the purpose of identifying barriers to the student's regular attendance and the supports and resources that may be made available to the family so that the student may regularly attend school. The conference must include at least one (1) district employee such as a nurse, counselor, social worker, teacher, or community human services provider, except in those instances regarding the attendance of a child who has an individualized education program (IEP) or a plan developed under section 504 of the rehabilitation act of 1973, in which case the reconvening of the team that created the program or plan is required.

A conference is not required if:

1. Written notice of the prearranged excused absence was provided to the principal (or designee); or
2. 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.

### Required conferences for all students relating to unexcused absences

After one unexcused absence within any month during the current school year, the school shall inform the student's parent/guardian by a notice in writing or by telephone whenever the student has failed to attend school and 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.

After three (3) unexcused absences within any month of the current school year, the school shall hold a conference with the principal or designee, parent/guardian, and student 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 third unexcused absence, the district may schedule the attendance conference on the same day. If the parent/guardian does not attend the scheduled conference, the school may hold the conference with the student and principal. However, the school shall notify the parent/guardian of the steps to eliminate or reduce the student's absences.

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

For any student with an existing IEP or 504 plan, these steps must include convening the student's IEP team or 504 team, including a behavior specialist or mental health specialist where appropriate, to consider the reasons for the student's absences. If necessary, and if the student's parent/guardian gives consent, the district will conduct a functional behavior assessment and will complete a detailed behavior plan to explore the function of the absence behavior.

For any student who does not have an IEP or 504 Plan, but who is reasonably believed to have a mental or physical disability or impairment, these steps will include informing the student's parent/guardian of the right to obtain an appropriate evaluation at no cost to the parent/guardian to determine whether the student has a disability or impairment and needs accommodations, special education services, or related services.

This includes students with suspected emotional or behavioral disabilities. If the school obtains consent to conduct an evaluation, time should be allowed for the evaluation to be completed, and if the student is found to be eligible for accommodations, special education services, or related services, a plan will be developed to address the student's needs.

The district will designate a staff member to apply the 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.

### **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).

### **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 provided to the parent/guardian;
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 of 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/guardians, foster parents or the person providing placement for the student.

The purpose of the review is to determine the cause(s) 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.

## Migrant students

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

## Students six or seven years old

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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

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Any student who presents false evidence, with or without the consent of their 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

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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 for the current school year to the receiving district, together with a copy of the WARNS assessment, any truancy documentation previously provided to the parent/guardian, and any other truancy interventions previously provided to the student. The information will include the online or written acknowledgment by the parent/guardian and student. The sending district will use the standard choice transfer form for releasing a student to a nonresident school district for the purposes of accessing an alternative learning experience program.

## Community truancy board

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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.

The district will designate and identify to the juvenile court and to the Office of the Superintendent of Public Instruction 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

### Policy 3610 ▼

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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

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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 ▼

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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

## Policy 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:

1. Is regularly and lawfully employed and the parent agrees the child should not be required to attend school,
2. Has met graduation requirements, or
3. 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

## Policy 3222 ▼

Students may distribute student publications or other materials 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 that 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.

Persons other than students may not distribute materials on school grounds.

## Procedure

### 3222P ▼

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

The following guidelines are in effect in each school building:

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

## Freedom of Assembly

### Policy 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 places and at times designated by the principal so as to maintain order and safety on the school campus, to avoid interference with school operations, and to avoid obstructing the ingress to and egress from school facilities or school roadways.

## Freedom of Expression

### Policy 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 or otherwise violate district policy or procedure. 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. Such procedures shall impose limits on the time, place, and manner of such expression.

Students whose expression causes 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.

## Procedure

### 3220P ▼

The principal shall have the authority and responsibility to monitor student oral and written expression. Students who violate the standards established by [Policy 3220](#) and this procedure or [Chapter 28A.600 RCW](#) will be subject to corrective action.

The following guidelines will apply.

1. Student expression will be restricted:
  - a. 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
  - b. Where such expression unduly impinges upon the rights of others.
  - c. The forecast shall be based on specific facts, including past experience in the school and current events influencing student behavior, and not on undifferentiated fear or apprehension.
2. Student expression will not be permitted if it would be in violation of the federal communications act or applicable federal communication commission rules or regulations, or otherwise in violation of district policies regarding lewd, vulgar, obscene, profane, and indecent conduct or communication.
3. Libelous or slanderous student expression is 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.



4. Student expression that involves an unwarranted invasion of privacy will not be permitted. 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 may cause mental suffering, shame or humiliation to a reasonable person of ordinary sensibilities.
5. Student expression that advocates or incites the commission of unlawful acts on school premises, the violation of law, or the violation of lawful district policies and procedures is prohibited.
6. Student expression that constitutes discriminatory disparagement under [Chapter 28A.642 RCW](#) or violates the district's policy or procedure related to the prohibition of harassment, intimidation or bullying or nondiscrimination is discrimination or prohibited.

Locations and times for student expression or distribution of publications shall be predetermined by the principal at each school building so as to maintain order and safety on the school campus, to avoid interference with school operations, and to avoid obstructing the ingress to and egress from school facilities or school roadways. In the absence of such a designation, the locations will be at points of entry/exit of school buildings before or after the school day.

## Gender-Inclusive Schools

### Policy 3213 ▼

In order to foster an educational environment that is safe and free of discrimination for all students, regardless of gender expression, gender identity, or sex, the board recognizes the importance of an inclusive approach toward transgender and gender-expansive students with regard to key terms, communication and the use of names and pronouns, student records, confidential health and education information, communication, restroom and locker room use and accessibility, sports and physical education, dress codes, and other school activities, in order to provide these students with an equal opportunity for learning and achievement.

This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful and inclusive learning community and will be implemented in conjunction with comprehensive training of staff and volunteers. Specific training requirements are included in the accompanying procedure. The superintendent will appoint a primary contact to receive copies of all formal and informal complaints

and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the district. The district HIB compliance officer will participate in at least one mandatory training opportunity offered by OSPI.

This policy and its procedure will support that effort by facilitating district compliance with local, state and federal laws concerning harassment, intimidation, bullying, and discrimination.

## Procedure

### 3213P ▼

The principal or designee, or an appropriate, designated school employee, is encouraged to request a meeting with a transgender or gender-expansive student upon the student's enrollment in the district or in response to a currently enrolled student's change of gender expression or identity. Before contacting a student's parents/guardians, the school will consult with the student about the student's preferences regarding family involvement and honor those preferences.

The goals of the meeting are to:

- ☐ Develop understanding of that student's individual needs with respect to their gender expression or identity, including any accommodations that the student is requesting or that the district will provide according to [Policy 3213](#) and this procedure and under state and federal law; 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 their 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 3213](#) and this procedure, and state and federal law regarding gender expression or identity.

## Key Definitions/Terms

**Assigned sex at birth:** The sex a person was given at birth, usually based on anatomy or chromosomes (e.g., male, female, intersex, etc.).

**Cisgender:** A term used to describe people whose assigned sex matches their gender identity and/or gender expression (e.g., someone who was assigned female at birth and whose gender identity and/or gender expression is also female.)

**Gender Expansive:** A wider, more flexible range of gender identities or expressions than those typically associated with the binary gender system.

**Gender Expression:** The external ways in which a person expresses their gender to the world, such as through their behavior, emotions, mannerisms, dress, grooming habits, interests, and activities.

**Gender Identity:** A person's internal and deeply-felt sense of being female, male, both, non-binary, gender-expansive, or other—regardless of the gender assigned at birth.

**Transgender:** A term often used to describe a person whose gender identity or expression, or both, are different from those traditionally associated with their sex assigned at birth.

**Transitioning:** The process in which a person goes from living and identifying as one gender to living and identifying as another.

## Communication and Use of Names and Pronouns

An appropriate school employee will privately ask known transgender or gender-expansive 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. However, the student's legal name should be accessible by only necessary staff members—it should not be visible to teachers or other staff who have access to the electronic records system.

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 their 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 their gender identity.

When communicating with transgender or gender expansive 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 or gender expression. Before communicating with parents of transgender or gender expansive students, it's important to ask the student how school employees should refer to the student when talking with their parents and guardians. For families who are supportive, using the student's name and pronoun could be affirming for the student. For parents who are not supportive, or who are not aware

of the student's transition at school, referring to their name and pronoun could be very dangerous. The district will not condone the intentional or persistent refusal to respect a student's gender identity or gender expression, or inappropriate release of information regarding a student's transgender or gender-expansive status.

## Official Records

The standardized high school transcript is the only official record that requires a student's legal name. School staff should adopt practices to avoid the inadvertent disclosure of the student's transgender or gender-expansive status.

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 the student has exercised a common-law name change and has changed their name for all intents and purposes and that the change has not been made for fraudulent reasons.

Schools may change a student's official gender designation upon parent/guardian or student request pursuant to the Office of the Superintendent of Public Instruction's (OSPI's) process found at <https://www.k12.wa.us/sites/default/files/public/cedars/pubdocs/2018-19cedarsreportingguidance.pdf>. The process should not be overly cumbersome, and the district may not require verification from a physician.

When a former student asks for their 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.

The school must use the name and gender by which the student identifies on all other records, including but not limited to school identification cards, classroom seating charts, athletic rosters, yearbook entries, diplomas, and directory information.

## Confidential Health or Educational Information

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Information about a student's gender identity, legal name, or assigned sex 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 expansive 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.

## Restroom Accessibility

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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 their gender identity. Any student—regardless of gender identity—who requests greater privacy should be given access to an alternative restroom. However, schools may not require a student to use an alternative restroom because of their transgender or gender-expansive status.

## Locker Room Accessibility

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Use of locker rooms by transgender or gender expansive students will be assessed on a case-by-case basis, with the goal of maximizing transgender or gender expansive 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. The district will take an approach that conforms with OSPI's guidelines. 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 additional 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).

No student will be required to use a locker room that conflicts with their gender identity.

## Sports and Physical Education Classes

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

A student may seek review of their eligibility for participation in interscholastic athletics by working through the Gender Identity Participation procedure set forth in the Washington Interscholastic Activities Association ([WIAA](#)) handbook.

## Dress Codes

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The district will allow students to dress in a manner that is consistent with their gender identity and/or gender expression within the constraints of the dress codes adopted at their 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). School dress codes will be gender-neutral and will not restrict a student's clothing choices on the basis of gender. The district will take an approach that conforms with OSPI's guidelines.

## Other School Activities

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In any school activity or other circumstance involving separation by gender (i.e., class discussions, field trips, and overnight 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

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The district will designate one (1) person to be the primary contact regarding Policy 3213 and this procedure relating to transgender or gender expansive students. The primary contact must participate in at least one (1) mandatory training opportunity offered by OSPI. 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 bullying and cyber-bullying; and
- District and staff responsibilities under applicable laws and district policies regarding harassment, discrimination, gender identity, and gender expression issues.

## Discrimination and Harassment Complaints

Discrimination and harassment on the basis of sex, gender identity, or gender expression are prohibited within the district. It is the responsibility of each school, the district, and all staff to ensure that all students, including transgender and gender expansive 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 person designated as the primary contact relating to transgender or gender expansive students. The primary contact will communicate with the district's Title IX / Civil Rights Compliance Officer.

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 harassment complaints. This includes investigating the incident and taking age and developmentally appropriate corrective action. Anyone may file a complaint alleging a violation of [Policy 3213](#). Complaints of discrimination based on gender identity or expression will follow the complaint process outlined in the district's Nondiscrimination [Procedure 3210P](#).

The district will share [Policy 3213](#) and this procedure with students, parents/guardians, employees, and volunteers.

## Interscholastic Athletics/Activities

### Policy 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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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 5 and 6 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 5 and 6 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:

- a. 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.
- b. Be registered for, attending, and passing all classes.
- c. A non-passing grade is any grade where credit is not granted.
- d. 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.2, 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.3 shall be as follows:

1. 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.4 requirements shall be as follows:

1. An athlete not satisfying Rule II.B.4 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/performances 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.4 to maintain eligibility.
2. An athlete not satisfying Rule II.B.4 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/performances 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.



3. 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)**

1. **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:
  - a. 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.
  - b. 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.
3. **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.
4. **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.o).

**E. Alcohol Violations**

1. **First Violation:**  
A first violation of Rule II.B.5 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 wrongdoing

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.G.

2. **Second Violation:**  
The penalty for a second violation of Rule II.B.5 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.G.
3. **Third Violation:**  
The penalty for a third violation of Rule II.B.5 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**

1. **First Violation:**  
The penalty for a first violation of Rule II.B.5 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.G.
2. **Second Violation:**  
The penalty for a second violation of Rule II.B.5 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.G.
3. **Third and Subsequent Violations:**  
The penalty for a third and subsequent violations of Rule II.B.5 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.G.

**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.5 shall not be carried over to high school. Violations of Rule II.B.5 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.6 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.

## 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.

## 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.

# Maintaining Professional Staff/ Student Boundaries

**Policy 5253 ▼**

## Purpose

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

## General standards

The board expects all district staff to maintain the highest professional standards when they interact with students. All district staff are required to maintain an atmosphere conducive to learning by consistently maintaining professional boundaries.

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

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

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

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

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

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

## Use of technology

The board supports the use of technology to communicate for educational purposes. However, when the communication is unrelated to school work or other legitimate school business, district staff are prohibited from communicating with students by phone, email, text, instant messenger, or other forms of electronic or written communication. District staff members are prohibited from engaging in any conduct on social networking websites that violates the law, district policies or procedures, or other generally recognized professional standards. This prohibition includes prohibiting staff from "friending" and/or "following" students on social media.

Staff whose conduct violates this policy may face discipline and/or termination consistent with the district's policies and procedures, acceptable use agreement, and collective bargaining agreements, as applicable.

The superintendent or designee will develop protocols for reporting and investigating allegations of a failure to maintain professional boundaries and develop procedures and training to accompany this policy.

## Procedure

5253P ▼

School employees and volunteers are required to maintain professional and appropriate boundaries in their relationships with students that are consistent with legal and ethical standards of care.

## Reporting violations

All school staff members or volunteers must promptly notify the supervisor of a staff member or volunteer suspected of engaging in a boundary invasion toward a student.

Staff members should:

- ☐ Not wait before reporting suspicious behavior or try to determine whether there is an innocent explanation;
- ☐ Not confront or discuss the matter with the staff member at issue or with anyone else, but maintain confidentiality to protect privacy and avoid rumors; and
- ☐ Document for their own records that they notified an administrator, including to whom and what they reported.

Students and their parents/guardians are strongly encouraged to notify the principal or designee if they believe a staff member or volunteer may be engaging in inappropriate boundary invasion conduct with a student.

## Boundary invasion

A boundary invasion is an act or pattern of behavior by a staff member or volunteer that does not have a bona fide health, safety, or educational purpose for the student. Staff members and volunteers shall not engage in boundary invasions of students, which include, but are not limited to, the following:

- A. Any type of inappropriate physical or sexual conduct with a student or any other conduct that violates the board's policies regarding student welfare, the educational environment, or conduct toward current or former students. Inappropriate physical conduct includes hugging, kissing, or being "overly touchy" with students without any legitimate educational or professional purpose;
- B. Showing intimate or unduly revealing photos to a student or asking a student to provide intimate or unduly revealing photos, taking inappropriate photographs of a student, or taking an inordinate number of photographs of a student;

- C. Any kind of flirtatious or sexual communications with a student;
- D. Singling out a particular student or students for personal attention and friendship beyond the professional staff/student relationship. This includes, but is not limited to, favoring one or more students with special privileges, allowing them to remain in the classroom during non-class times, unilaterally removing a student from another class or activity, or engaging in “peer like” behavior with one or more students;
- E. Providing alcohol, drugs, or tobacco to students or failing to report their use of these substances;
- F. For non-guidance/counseling staff, allowing or encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members shall refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student’s school performance;
- G. Sending students on personal errands unrelated to any educational purpose;
- H. Banter, allusions, jokes, or innuendos of a sexual nature with students;
- I. Commenting on a student’s appearance in a flirtatious or sexual nature, or if the comments have no educational value;
- J. Disclosing personal, sexual, family, or employment concerns or other private matters to one or more students;
- K. Addressing students or permitting students to address staff members or volunteers with personalized terms of endearment, pet names, or otherwise in an overly familiar manner;
- L. Maintaining personal contact (including “friending” or “following”) a student on any social networking application or device;
- M. Sending phone, email, text, instant messenger, or other forms of written or electronic communication to students when the communication is unrelated to school work or other legitimate school business. If staff members have educational or legitimate school business to conduct, they shall include a parent/guardian and a school administrator on the communication. If staff members receive communication from a student, the staff member shall reply by including the student’s parent/guardian, unless doing so would jeopardize the safety, health or welfare of the student, and an administrator. Staff members should use school email addresses and phone numbers and the parents’/guardians’ phone numbers for communications with students, except in an emergency situation;
- N. Exchanging or providing personal gifts, cards, or letters with an individual student;
- O. Socializing or spending time with students (including but not limited to activities such as going out for beverages, meals or movies, shopping, traveling and recreational activities) outside of school-sponsored events, except as participants in organized community activities;
- P. Giving a student a ride alone in a vehicle in a non-emergency situation or failing to timely report that occurrence;
- Q. Providing a student with information or views about other students or staff members without a legitimate professional purpose;
- R. Asking a student to keep a secret or not to disclose any inappropriate communications or conduct;
- S. Unnecessarily invading a student’s privacy, (e.g., walking in on the student in the bathroom or a hotel room on a field trip);
- T. Being alone with an individual student out of the view of others; and/or
- U. Any home visits unless other adults are present, the student(s) are invited for an activity related to school, and the student’s parent/guardian and an administrator are informed and have consented.

## Investigation and documentation

When an administrator receives information that a boundary invasion has occurred or might have occurred, the administrator must document, in writing, the concern and provide a copy of the documentation to the appropriate regional superintendent, the district Title IX / Civil Rights Compliance Officer, and general counsel. The Title IX / Civil Rights Compliance Officer will investigate and document the matter, and if a boundary invasion has occurred without a legitimate educational or safety purpose, ensure that appropriate action is taken and documented. The district will maintain a file documenting reports, letters of direction, and discipline relating to professional boundary investigations.



## Reminder about reporting sexual abuse

All school personnel who have reasonable cause to believe that a student has experienced sexual abuse by an adult or another student are required to make a report to Child Protective Services and/or law enforcement. Reporting suspected abuse to the building principal or supervisor does not relieve professional school personnel from their reporting responsibilities and timelines.

## Disciplinary action

Staff member or volunteer violations of this procedure may result in disciplinary action up to and including dismissal. Violations may occur by ignoring professional boundaries, as well as by failing to report another staff member or volunteer who is ignoring professional boundaries. In any disciplinary situation, the superintendent or designee should consider whether the conduct violates the code of professional conduct in [Chapter 181-87 WAC](#) and whether a report to the Office of Professional Practices is warranted.

## Training

All new staff members and volunteers will receive training on appropriate staff/student boundaries within three (3) months of employment or beginning of service. Such initial training may be on-line training. Site administration and classified employee supervisors shall see to it that more detailed, live training covering this entire procedure shall occur every two (2) years for all schools and work sites. Site administration and classified employee supervisors will also address professional boundaries at staff meetings early in the year.

## Dissemination of policy and reporting protocols

[Policy 5253](#) and this procedure will be included on the district website and in all employee, student, and volunteer handbooks. Annually, all administrators and staff will receive copies of the district's reporting protocol.

# Nondiscrimination

## Policy 3210 ▼

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 / Civil Rights 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 Title IX / Civil Rights Compliance Officer for this policy. The Title IX/Civil Rights 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 [Chapter 28A.642 RCW](#) 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

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 is:

Mary O'Brien  
Everett School District No. 2  
3900 Broadway  
P.O. Box 2098  
Everett, WA 98201  
mo'brien@everettsd.org  
Phone: 425-385-4106

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 / Civil Rights 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 / Civil Rights Compliance Officer or executive director of human resources and forward a copy of the complaint.

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 / Civil Rights 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 [Chapter 392-190 WAC](#) or related guidelines.

Upon receipt of the complaint, the district's Title IX / Civil Rights 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 Title IX / Civil Rights 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.

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.

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 [Chapter 392-190 WAC](#) or related guidelines;
3. If the district failed to comply with [Chapter 392-190 WAC](#) 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.

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 – Appeal**

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.

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

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. A description of the specific acts, conditions or circumstances alleged to violate applicable anti-discrimination laws;
  - b. The complainant's name and contact information, including address;
  - c. The name and address of the district subject to the complaint;
  - d. A copy of the district's complaint and appeal decision, if any; and
  - e. 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 [Chapter 392-190 WAC](#), and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.

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

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

### Level four – Administrative hearing

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

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.

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.

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 / Civil Rights 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

### Policy 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 / Civil Rights Compliance 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 / Civil Rights Compliance 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 / Civil Rights Compliance 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

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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 / Civil Rights Compliance Officer for consideration during the Title IX / Civil Rights Compliance Officer's annual report to the superintendent. The Title IX / Civil Rights Compliance 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

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

## Record retention

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All information gathered and requested by the Title IX / Civil Rights Compliance 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

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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 / Civil Rights Compliance Officer or the district administrator in charge of student athletics.

# Non-District Provided Transportation

Policy 3241 ▼

## Student driving/bicycles/wheeled recreational devices

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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.

## Student use of ridesharing services (e.g., Uber, Lyft)

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The board recognizes that parents/guardians with busy schedules may be turning to rideshare programs, such as Uber and Lyft, to transport their students to and from school. However, students and parents/guardians should be aware that both Uber and Lyft have policies that prohibit people under the age of eighteen (18) from using their services; anyone under the age of eighteen (18) must be accompanied by an adult. When utilizing these services, the district cannot ensure the safety or security of its students. The district has no ability to conduct background checks on the drivers for these services or certify that the driver has a proper driver's or business license.

The board takes the safety and security of its students seriously, and therefore prohibits students from leaving district campuses during the school day or school sponsored events (e.g., after-school clubs, extracurricular activities, and athletics) using third-party ridesharing services, unless the student is accompanied by a parent/guardian. The district will not allow a student under the age of eighteen (18) to leave school using such a service under any circumstance, unless accompanied by a parent/guardian or by a person duly authorized in accordance with district Procedure 3441P. When a student must leave school in situations where no parent/guardian is available to transport a student home, or in emergency situations, a school administrator will arrange district-approved transportation for that student.

## 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 discipline ([Procedure 3300P](#)).

## Communication

These procedures will be communicated to students and parents annually.

## Personal Electronic Devices

### Policy 3246 ▼

Everett Public Schools provides students with the technology they need during the school day to access digital and online learning experiences. However, students may use personal electronic devices (PEDs), such as cell phones, tablets, and other mobile devices while on school property or while attending school-sponsored or school-related activities subject to procedures established by the superintendent.

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.

Use of personal electronic devices while on district property is considered a privilege and not a right and may be revoked at any time by a principal, assistant principal, or principal's designee. All authorized use at school shall be in compliance with district policy, school rules and applicable laws. Students will observe the following conditions:

1. Students shall not use a PED in a manner that poses a threat to academic integrity, disrupts the learning environment or violates the privacy rights of others. Disrupting the learning environment means any intentional gesture, any intentional electronic communication or any intentional written, verbal or physical act or statement initiated, occurring, transmitted or received by a student at school that a reasonable person under the circumstance should know will have the effect of:
  - a. Insulting, mocking or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school; or
  - b. Creating an intimidating, threatening, hostile or abusive educational environment for a student, group of students, or staff members through substantially severe, persistent or pervasive behavior;

2. Students shall not send, share, view or possess pictures, text messages, emails or other materials depicting sexually explicit conduct, as defined in [RCW 9.68A.011](#), in electronic or any other form on a PED, while the student is on school grounds, at school sponsored events or on school buses or vehicles provided by the district;
3. When a school administrator has reasonable suspicion, based on objective and articulable facts, that a student is using a PED in a manner that violates the law, district policy, or school rules, the administrator may confiscate the PED, which will only be returned to the student's parent/guardian;
4. When a school administrator has reasonable suspicion, based on objective and articulable facts, that a search of a student's PED will reveal a violation of the law, district policy, or school rules, an administrator may conduct a search. The scope of the search will be limited to the violation of which the student is accused. Content or images that violate state or federal laws will be referred to law enforcement; and
5. Students who violate this policy will be subject to disciplinary action.
6. The superintendent shall develop procedures for the appropriate use of PEDs in Everett Public Schools.

## Procedure

**3246P ▼**

Students will be advised at the beginning of the school year as to proper use of Personal Electronic Devices (PED) on district property.

### Elementary and middle school students

Elementary and middle school students who choose to bring cell phones and other PEDs to school may only use them before or after the school day. During the school day, all cell phones and other PEDs must be powered off and stored (e.g., in the student's backpack, locker, other district provided storage).

### High school students

High school students who choose to bring cell phones and other PEDs to school may only use their cell phones and other PEDs during transition periods, at lunch and before/after the school day. Students are expected to silence their cell phones and other PEDs before entering a classroom.

## Exceptions

Students having an IEP, 504 Plan or Individual Health Care Plan (IHP) that includes specific accommodations for assistive technology may use a cell phone and/or PED during the school day following the process outlined in the student's IEP, 504 Plan or IHP.

## Disciplinary actions

Students whose behavior is in violation of district policy will be subject to disciplinary actions up to and including suspension or expulsion and may lose the privilege of bringing a PED onto district property, including but not limited to, attending school-sponsored or school-related activities.

Law enforcement will be notified when student conduct using a PED may violate criminal laws.

## Incident reporting and complaint process

Any student, staff member, parent/guardian or community member who has knowledge of conduct in violation of [Policy 3246](#), or any student who feels that they have been a victim of harassment, menacing, retaliation or reprisal in violation of district policy will immediately report the concerns to the building principal/designee or any district staff member. District staff shall follow the procedures for incident reporting and complaint processes in [Policy 3204/Procedure 3204P](#) Prohibition of Harassment, Intimidation and Bullying, [Policy 3205/Procedure 3205P](#) Sexual Harassment, or [Policy 3210/Procedure 3210P](#) Nondiscrimination.

## Pregnant Students

**Policy 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 or Bullying

## Policy 3204 ▼

The board is committed to a safe and civil educational environment for all students, employees, parents/legal guardians, volunteers and community members that is free from harassment, intimidation, or bullying (HIB). Our district's core values include our commitment to value differences among people and treat one another respectfully. HIB of students by other students, by staff members, by volunteers, by parents or by guardians is prohibited.

As defined in legislation, "Harassment, intimidation or bullying" means any intentional electronic, written, verbal, or physical act including but not limited to, one shown to be motivated by any characteristic in [RCW 28A.640.010](#) and [RCW 28A 642.010](#), or other distinguishing characteristics, when the act:

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

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

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

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

### Behaviors/expressions

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

HIB can take many forms, including but not limited to, slurs, rumors, jokes, innuendos, demeaning comments, drawings, cartoons, pranks, gestures, physical

attacks, threats or other written, oral, or physical or electronically transmitted messages or images.

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

### Training

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

### Prevention

The district will provide students with strategies designed to prevent HIB. 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 remediate the impact on the targeted student(s) and upon others impacted by the violation. Interventions will also be designed to change the behavior of the aggressor, and to restore a positive school climate.

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

### Students with individual education plans or Section 504 plans

If allegations are proven that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the aggressor or target of HIB, the school will convene the student's IEP or Section 504 team to determine whether the incident had an impact on the student's ability to receive a free, appropriate public education (FAPE). The meeting should occur regardless of whether the HIB 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 HIB incident, the district will provide additional services and supports

as deemed necessary, such as counseling, monitoring and/or reevaluation or revision of the student's IEP or Section 504 plan, to ensure the student receives a FAPE.

## Retaliation/False allegations

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting HIB, or participating in an investigation.

It is also a violation of district policy to knowingly report false allegations of HIB. 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 informal complaints ([HIB Incident Report Forms](#)) and to ensure policy implementation. The name and contact information for the HIB compliance officer will be communicated throughout the district. The district HIB compliance officer will participate in at least one (1) mandatory training opportunity offered by OSPI.

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

## Procedure

3204P ▼

### Introduction

Everett Public Schools strives to provide students with optimal conditions for learning by maintaining a school environment where everyone is treated with respect and no one is physically or emotionally harmed.

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

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

## Definitions

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

**Harassment, intimidation or bullying (HIB)** means any intentional electronic, written, verbal, or physical act that:

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

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

Conduct that may rise to the level of HIB may take many forms, including, but not limited to: slurs, rumors, jokes, innuendos, demeaning comments, drawings, cartoons, pranks, ostracism, physical attacks or threats, gestures, or acts relating to an individual or group whether electronic, written, oral, or physically transmitted messages or images. Nothing in this section requires the targeted student to actually possess a characteristic that is a basis for HIB.

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

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

**Targeted student** means a student against whom HIB has allegedly been perpetrated.

## Behaviors/Expressions

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

## Relationship to other laws

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

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

1. [RCW 28A.300.285](#) – Harassment, Intimidation and Bullying
2. [RCW 28A.640.020](#) – Regulations, guidelines to eliminate discrimination—Scope—Sexual Harassment policies
3. [RCW 28A.642](#) –Discrimination Prohibition
4. [RCW 49.60.010](#) – The “law against discrimination”

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

## Prevention

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### Dissemination

In each school and on the [district’s website](#) the district will prominently post information on reporting HIB; the name and contact information for making a report to a school administrator; and the name and contact information for the district HIB compliance officer. The district’s policy and procedure will be available in each school in a language that families can understand.

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

Additional distribution of the policy and procedure is subject to the requirements of [Chapter 392-405 WAC](#).

### Education

Annually students will receive age-appropriate information on the recognition and prevention of HIB at student orientation sessions and on other appropriate occasions. The information will include a copy of the [Incident Reporting Form](#) or a link to a [web-based process](#).

### Training

The district HIB compliance officer will participate in at least one (1) mandatory training opportunity offered by OSPI. Staff will receive annual training on the district’s policy and procedure, including, at a minimum, staff roles and responsibilities, how to monitor common areas and the use of the district’s [Incident Reporting Form](#).

### Prevention strategies

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

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

## Compliance officer

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The district HIB compliance officer will:

- ☐ Serve as the district’s primary contact for HIB. If the allegations in a written report of HIB indicate a potential violation of [Policy 3204](#), the district staff member who receives the report must promptly notify the district HIB compliance officer.
- ☐ Provide support and assistance to the principal or designee in resolving complaints.
- ☐ Receive copies of all [Incident Reporting Form](#), discipline referral forms relating to HIB, and letters to parents providing the outcomes of investigations.
- ☐ Communicate with the district’s designated Title IX / Civil Rights Compliance Officer. If a written report of HIB indicates a potential violation of the district’s nondiscrimination policy ([Policy 3210](#)), or if during the course of an investigation of HIB, the district becomes aware of a potential violation of the district’s nondiscrimination policy, the compliance officer must promptly notify

the district's Title IX / Civil Rights Compliance Officer. At that time, the compliance officers must promptly notify the complainant that their complaint will proceed under both [Policy 3204](#) and this procedure, and [Policy 3210](#) and [Procedure 3210P](#). The investigation and response timeline for the nondiscrimination procedure begin when the district knows or should have known that a written report or investigation of HIB involves a potential violation of the district's nondiscrimination policy.

- ☐ 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.
- ☐ Ensure the implementation of the policy and procedure by overseeing the investigative processes, including ensuring that investigations are prompt, impartial, and thorough.
- ☐ Assess the training needs of staff and students to ensure successful implementation throughout the district, and ensure staff receive annual fall training.
- ☐ Provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis.
- ☐ In cases where, despite school efforts, a targeted student experiences HIB that threatens the student's health and safety, the HIB compliance officer will facilitate a meeting between district staff and the child's parents/guardians to develop a safety plan to protect the student. A sample student safety plan is available on the OSPI website: [www.k12.wa.us/SafetyCenter/default.aspx](http://www.k12.wa.us/SafetyCenter/default.aspx).

## Staff Intervention

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

## Filing an incident reporting form

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

Any student or students who believe they have been the target of unresolved, severe, or persistent HIB, or any other person in the school community who observes or receives notice that a student has or may have been the target of unresolved, severe, or persistent HIB may report incidents verbally or in writing to any staff member.

## Addressing Harassment, Intimidation, or Bullying – Reports

### Step 1: Filing an incident reporting form

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

Status of reporter:

#### A. Anonymous:

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

#### B. Confidential:

Individuals may ask that their identities be kept secret from the accused and other students. Like anonymous reports, no disciplinary action will be taken against an alleged aggressor based solely on a confidential report. (Example: A student tells a playground supervisor about a classmate being bullied near the basketball court but asks that nobody know who reported the incident. The supervisor says, "I can start monitoring the basketball court more closely and keep an eye out for your classmate and any problems that might crop up, but I can't take any disciplinary action against the bully(ies) unless you or someone else who saw it is willing to let me use their names.")

#### C. Non-confidential:

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

The district will, however, fully implement the anti-retaliation provision in [Policy 3204](#) of this policy and this procedure to protect complainants and witnesses.



## Step 2: Receiving an incident report form

All staff members are responsible for receiving oral and written reports. Whenever possible, staff members who initially receive an oral or written report of HIB 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 HIB, no further action may be necessary under this procedure.

All reports of unresolved, severe, or persistent HIB will be recorded on a district [Incident Reporting Form](#) and submitted to the principal or designee, unless the principal or designee is the subject of the complaint.

## Step 3: Investigations of unresolved, severe, or persistent HIB

All reports of unresolved, severe, or persistent HIB will be investigated with reasonable promptness. Any student may have a trusted adult (e.g., parent/guardian, relative, mentor, staff member) with them throughout the report and investigation process.

1. Upon receipt of the [Incident Reporting Form](#) that alleges unresolved, severe, or persistent HIB, the school or district designee will begin an investigation. If there is potential for clear and immediate physical harm to the complainant, the district will immediately contact law enforcement and inform the parent/guardian.

During the course of the investigation, the district will take reasonable measures to ensure that no further incidents of HIB occur between the complainant and the alleged aggressor. If necessary, the district will implement a safety plan (<https://www.kiwa.us/student-success/health-safety/school-safety-center/safety-planning-toolkit>) for the student(s) involved. The plan may include changing seating arrangements for the complainant and/or the alleged aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a safe person for the complainant; altering the alleged aggressor's schedule and access to the complainant, and other measures.

If, during the course of an investigation, the district employee conducting the investigation becomes aware of a potential violation of the [Policy 3210](#), Nondiscrimination, the investigator will promptly notify the district's Title IX / Civil Rights Compliance Officer. Upon receipt of this information, the Title IX / Civil Rights Compliance Officer must notify the complainant that their complaint will proceed under the discrimination complaint procedure in [WAC 392-190-065](#) through [WAC 392-190-075](#), as well as the HIB complaint procedure. The notice must be provided in a language that the complainant can understand.

The investigation and response timeline for the discrimination complaint procedure will follow that set forth in [WAC 392-190-065](#) and begins when the district knows or should have known that a written report of HIB involves allegations of a violation of the district's nondiscrimination policy.

2. Within two (2) school days after receiving the [Incident Reporting Form](#), the school designee will notify the families of the students involved that a complaint was received and direct the families to the district's policy and procedure on HIB.
3. In rare cases, where after consultation with the student and appropriate staff (such as a psychologist, counselor, or social worker) the district has evidence that it would threaten the health and safety of the complainant or alleged aggressor to involve their parent/guardian, the district may initially refrain from contacting the parent/guardian in its investigation of HIB. If professional school personnel suspect that a student is subject to abuse and neglect, they must follow district [Policy 3241](#) for reporting such cases to Child Protective Services or law enforcement.
4. The investigation shall include, at a minimum:
  - a. An interview with the targeted student complainant;
  - b. An interview with the alleged perpetrator aggressor;
  - c. A review of any previous complaints involving either the targeted student complainant or the alleged perpetrator aggressor; and
  - d. Interviews with other students or staff members who may have knowledge of the alleged incident.
6. The principal or designee may determine that other steps must be taken before the investigation is complete.
7. The investigation will be completed as soon as practicable but generally no later than five (5) school days from the initial complaint or report. If more time is needed to complete an investigation, the district will provide the parent/guardian and/or the student with weekly updates.
8. No later than two (2) school days after the investigation has been completed and submitted to the HIB compliance officer, the principal or designee shall respond in writing or in person to the parent/guardian of the complainant and the alleged aggressor stating:
  - a. The results of the investigation;
  - b. Whether the allegations were found to be factual;
  - c. Whether there was a violation of policy; and

- d. The process for the complainant to file an appeal if the complainant disagrees with results.

Because of the laws regarding the confidentiality of student records (FERPA), 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 the district chooses to contact the parent/guardian by letter, the letter will be mailed to the parent/guardian of the complainant and alleged aggressor by United States Postal Service with return receipt requested unless it is determined, after consultation with the student and appropriate staff (psychologist, counselor, social worker) that it could endanger the complainant or the alleged aggressor to involve their family.

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

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

#### **Step 4: Corrective measures for the aggressor**

After completion of the investigation, the school or district designee will institute any corrective measures necessary.

Corrective measures will be instituted as 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.

Corrective measures that involve student discipline will be implemented according to district [Policy 3300](#) – Student Discipline. If the accused aggressor is appealing the imposition of discipline, the district may be prevented by due process considerations or lawful order from imposing the discipline until the appeal process is concluded.

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

#### **Step 5: Targeted student's right to appeal**

1. If the complainant or parent/guardian is dissatisfied with the results of the investigation, they may appeal to the superintendent or designee by filing a written notice of appeal within five (5) school days of receiving the decision. The superintendent or designee will review the investigative report and issue a written decision on the merits of the appeal within five (5) school days of receiving the notice of appeal.

2. If the targeted student remains dissatisfied after the initial appeal to the superintendent, the student may appeal to the school board by filing a written notice of appeal with the superintendent on or before the fifth (5th) school day following the date upon which the complainant received the superintendent's written decision.
3. An appeal to the school board or discipline appeal council must be heard on or before the tenth (10th) school day following the filing of the written notice of appeal to the school board. The school board or discipline appeal council will review the record and render a written decision on the merits of the appeal on or before the fifth (5th) school day following the termination of the hearing, and shall provide a copy of the decision to all parties involved. The board or council's decision will be the final district decision.

#### **Step 6: Discipline/corrective actions**

The district will take prompt and equitable corrective measures within its authority on findings of HIB. 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 HIB 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](#) – Student Discipline.

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

If staff have been found to be in violation of [Policy 3204](#) and this procedure, the district may impose employment disciplinary action, up to and including termination. If a certificated educator is found to have committed a violation of [Chapter 181-87 WAC](#), 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 [Policy 3204](#) may include the loss of contracts.

#### **Step 7: Support for the targeted student**

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

## Immunity/retaliation

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

## Other resources

Students and families should use the district's complaint and appeal procedures as a first response to allegations of HIB. However, 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 HIB 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  
(for discrimination complaints)  
360.725.6162  
Email: [equity@k12.wa.us](mailto:equity@k12.wa.us)  
<https://www.k12.wa.us/policy-funding/equity-and-civil-rights>

Washington State Human Rights Commission  
800.233.3247  
<http://www.hum.wa.gov/>

Office for Civil Rights, U.S. Department  
of Education, Region IX  
206.607.1600  
Email: [OCR.Seattle@ed.gov](mailto:OCR.Seattle@ed.gov)  
[www.ed.gov/about/offices/list/ocr/index.html](http://www.ed.gov/about/offices/list/ocr/index.html)

Department of Justice Community Relations Service  
877.292.3804  
[www.justice.gov/crt/](http://www.justice.gov/crt/)

Office of the Education Ombudsman  
866.297-2597  
Email: [OEInfo@gov.wa.gov](mailto:OEInfo@gov.wa.gov)  
<http://oeo.wa.gov/>

OSPI Safety Center  
360.725.6044  
<https://www.k12.wa.us/student-success/health-safety/school-safety-center>

## Other district policies and procedures

Nothing in [Policy 3204](#) or this procedure is intended to prohibit discipline or remedial action for inappropriate behaviors that do not rise to the level of HIB as defined herein, but which are prohibited by other district or school rules.

# Release of Student Directory Information

## Policy 3250 ▼

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

## Policy 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:

1. 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.
2. 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.

3. 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.
4. The school should always make a reasonable effort to notify the residential parent before releasing the student to the non-residential parent.
5. 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.
6. Police should be called if a visitor becomes disruptive or abusive.

# Searches of Lockers, Desks, and Storage Areas

## Policy 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

### Policy 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:

1. 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.
2. 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.
3. 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.

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:

1. Identify:
  - a. the student's suspicious conduct, behavior, or activity;
  - b. the source of the information; and
  - c. the reliability of the source of such information.
2. If suspicion could be confirmed, would such conduct be a violation of the law or school rules?
3. 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:

1. 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.

## Sexual Harassment of Students

### Policy 3205 ▼

It is the policy of Everett School District to maintain a learning environment for students that is free from all forms of discrimination, including sexual harassment. This commitment extends to all students involved in academic, educational, extracurricular, athletic, and other programs or activities of the school, whether that program or activity is in a school facility, on school transportation or at a class or school training held elsewhere.

### Definitions

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

Under federal and state law, the term sexual harassment may include:

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

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

## Investigation and response

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

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

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

## Retaliation and false allegations

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

Knowingly reporting false allegations of sexual harassment 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.

## Staff responsibilities

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

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

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

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

## Notice and training

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The superintendent or designee will develop procedures to provide age-appropriate information and education to district staff, students, parents and volunteers regarding this policy and the recognition and prevention of sexual harassment. At a minimum sexual harassment recognition and prevention and the elements of this policy will be included in staff, student, and regular volunteer orientation. This policy and [Procedure 3205P](#), which includes the complaint process, will be posted in each district building in a place available to staff, students, parents, volunteers, and visitors. Information about the policy and procedure will be clearly stated and conspicuously posted throughout each school building, provided to each employee and reproduced in each student, staff, volunteer, and parent handbook. Such notices will identify the district's Title IX / Civil Rights Compliance Officer and provide contact information, including the officer's email address.

## Policy review

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The superintendent or designee will make an annual report to the board reviewing the use and efficacy of this policy and [Procedure 3205P](#). Recommendations for changes to this policy, if applicable, will be included in the report. The superintendent or designee is encouraged to involve staff, students, volunteers, and parents in the review process.

## Sexual harassment of students

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

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

## Notice

Reasonable efforts shall be made to inform all students and their parents of the district's sexual harassment policy and procedure. Information about the district's sexual harassment policy and procedure will be reproduced in the Student Rights and Responsibilities Policies Handbook, in each schools' student/parent handbook, staff handbook, and volunteer handbook, posting the policy and procedure in each school building, and discussion of the policy and procedure at each school.

The name and telephone numbers of the building Title IX / Civil Rights Compliance 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.

## Staff responsibilities

In the event of an alleged sexual assault, the school principal will immediately inform:

1. the Title IX/Civil Rights Compliance Officer so that the district can appropriately respond to the incident consistent with its own grievance procedures; and
2. law enforcement.

The principal will notify the targeted student(s) and their parents/guardians of their right to file a criminal complaint and a sexual harassment complaint simultaneously.

## Confidentiality

If a complainant requests their name not be revealed to the alleged aggressor or asks that the district not investigate or seek action against the alleged aggressor, the request will be forwarded to the district Title IX / Civil Rights Compliance Officer for evaluation.

The district Title IX / Civil Rights Compliance Officer should inform the complainant that honoring the request may limit its ability to respond fully to the incident, including pursuing disciplinary action against the alleged aggressor.

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

## Retaliation

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



## Informal complaint process

Anyone may use informal procedures to report and resolve complaints of sexual harassment. Informal complaints of sexual 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 the right to file a formal complaint. 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.

During the course of the informal complaint process, the district will take prompt and effective steps reasonably calculated to end any harassment and to correct any discriminatory effects on the complainant. If an investigation is needed to determine what occurred, the district will take interim measures to protect the complainant before the final outcome of the district's investigation (e.g., allowing the complainant to change academic or extracurricular activities or break times to avoid contact with the alleged aggressor).

Informal remedies may include:

- ☐ An opportunity for the complainant to explain to the alleged harasser that the conduct is unwelcome, offensive or inappropriate, either in writing or face-to-face;
- ☐ A statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;
- ☐ A general public statement from an administrator in a building reviewing the district sexual harassment policy without identifying the complainant;
- ☐ Developing a safety plan;
- ☐ Separating students; or
- ☐ Providing staff and/or student training.

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

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

## Formal complaint process

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 [Chapter 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:

Mary O'Brien  
Everett School District No. 2  
3900 Broadway  
P.O. Box 2098  
Everett, WA 98201  
mo'brien@everettsd.org  
Phone: (425) 385-4106

The Executive Director of Human Resources, Equity and Access 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 sexual harassment are brought against employees or other adults. School or district administrators who receive a formal complaint of sexual harassment will promptly notify the compliance officer or executive director of human resources and forward a copy of the complaint.

The allegations of sexual 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 [Chapter 392-190 WAC](#) or related guidelines.

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.

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.

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 [Chapter 392-190 WAC](#) or related guidelines;
3. If the district failed to comply with [Chapter 392-190 WAC](#) 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.

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.

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.

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.

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

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.

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.

The complainant and district may agree to extend the complaint timelines to pursue mediation.

## Disciplinary 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.

## Training and orientation

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

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

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

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

- ☐ Demands for sexual favors in exchange for preferential treatment or something of value;
- ☐ Stating or implying that a person will lose something if the person does not submit to a sexual request;
- ☐ Penalizing a person for refusing to submit to a sexual advance, or providing a benefit to someone who does;

- ☐ Making unwelcome, offensive or inappropriate sexually suggestive remarks comments, gestures, or jokes; or remarks of a sexual nature about a person's appearance, gender or conduct;
- ☐ Using derogatory sexual terms for a person;
- ☐ Standing too close, inappropriately touching, cornering or stalking a person; or
- ☐ Displaying offensive or inappropriate sexual illustrations on school property.

## 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 sexual harassment policy and procedures.

## Policy and procedure review

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

## Student Dress

### Policy 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:

1. A health or safety hazard shall be presented by the student's dress or appearance;
2. Damage to school property shall result from the student's dress; or
3. 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:

1. 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;
2. Create a health or other hazard to the student's safety or to the safety of others;
3. Create an atmosphere in which a student, staff, or other person's well-being is hindered by undue pressure, behavior, intimidation, overt gesture or threat of violence; or
4. 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:

1. Creates a hazard to the student's safety or to the safety of others.

2. 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 student discipline 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 Privacy

**Policy 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

### Policy 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 financed and operated by the district. Student editors of school-sponsored media, such as student newspapers, are responsible for determining the news, opinion, features, and advertising content of the media, in accordance with [Chapter 28A.600 RCW](#). Student expression in school-sponsored media is not to be deemed an expression of school or district policy.

Material appearing in student publications may reflect various areas of student interest, including topics about which there may be controversy and dissent. When engaging with a controversial issue, student publications should strive to provide in depth treatment and represent a variety of viewpoints.

The district prohibits student expression in school-sponsored media that:

- ☐ Is libelous or slanderous;
- ☐ Is an unwarranted invasion of privacy;
- ☐ Is obscene or profane, such that it would violate federal or state laws, rules or regulations or incites others to violate federal or state laws, rules or regulations, including the standards established by the federal communications act or applicable federal communication commission rules or regulations;
- ☐ Causes a material and substantial disruption of the orderly operation of the school;

- ☐ Violates district policy or procedure related to harassment, intimidation or bullying, nondiscrimination, or other district policy or procedure or incites the violation of such policy or procedure;
- ☐ Violates other district policies or procedures or incites the violation of such;
- ☐ Violates federal or state laws, rules, regulations, or incites the violation of such laws; or
- ☐ Advertises tobacco products, liquor, illicit drugs, or drug paraphernalia.

The superintendent shall develop guidelines assuring that students are able to exercise freedom of expression so long as it does not present a material and substantial disruption of the orderly operation of the school, implementing the standards above, and establishing procedures for the prompt review of any media that appears not to comply with the standards.

## Procedure

### 3221P ▼

The student publications teacher or advisor shall have the primary responsibility for supervising student publications and ensuring that students comply with district policy and procedure and state and federal law. The teacher or advisor will also have the primary responsibility for teaching professional standards of English and journalism to the student journalists. Publication activities should instill respect for the sensitivity of others and standards of civility, as well as the elements of responsible journalism.

Student editors of school-sponsored media are responsible for determining the news, opinion, feature, and advertising content of the media subject to the limitations of district policy and procedure and state and federal law.

School-sponsored media for purposes of [Policy 3221](#) and [Procedure 3221P](#) means media that is prepared, substantially written, published, or broadcast by student journalists to members of the student body and that is prepared under the direction of a teacher or advisor. It does not include media that is intended for distribution or transmission solely in the classrooms in which they are produced.

Political expression by students in school-sponsored media shall not be deemed the use of public funds for political purposes pursuant to [RCW 42.17A.550](#).

Student expression in school-sponsored media is not necessarily the expression of school policy. Pursuant to [Chapter 28A.600 RCW](#), neither a

school official nor the governing board of the school or district may be held responsible in any civil or criminal action for any expression made or published by students in school-sponsored media.

The principal may request to review any copy prior to its publication. The principal will return such copy 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. In addition, any student enrolled in a district high school, individually or through his or her parent or guardian, may file an appeal of an alleged violation of [Chapter 28A.600 RCW](#) related to school-sponsored media under [Chapter 28A.645 RCW](#).

## Student Records

### Policy 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. However, for students who meet the definition of homeless, the district will make all the student's records readily available to the enrolling school regardless of outstanding fees or fines.

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.

#### 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.

## 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:

### 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.

## 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.

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

## 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.

## 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. However, for students who meet the definition of homeless, the district will make all the student's records readily available to the enrolling school regardless of outstanding fees or fines. 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.

## 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

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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

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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 Executive Director 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:

1. Maintain only those records authorized by these procedures;
2. Safeguard student records from unauthorized use and disposition;
3. Maintain access records;
4. Honor access requests for parent/guardian or adult student;
5. Delete or correct records upon approval of the senior custodian or upon order of the superintendent or designee or the board; and
6. Follow the records review schedule and procedures established by the senior custodian.

Senior custodians may assume the duties of custodians and shall:

1. Request student records from other schools;
2. Maintain security of student records;
3. Transfer, destroy and expunge records as permitted;
4. Supervise activities of their custodians;
5. Conduct informal hearings and grant or deny approval of corrections or deletions requested by parents/guardians or adult student;
6. 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.);
7. 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

8. Certify to the district records custodian by June 30 of each year the following:
  - a. Only records pertinent to educational program placement are being maintained, unless otherwise authorized by law, and
  - b. 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

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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

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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

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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>.)

# Students Riding School Buses or Other District-Provided Transportation

## Policy 3244 ▼

The rules of conduct and behavior expectations that apply to students in schools and classrooms ([Policy 3240](#), Student Conduct Expectations and Sanctions) also apply to students riding school buses and other district-provided transportation.

Student misconduct on a school bus or other district-provided transportation may be grounds for imposition of corrective action. The denial of the privilege of riding the school bus or other district-provided transportation will be made by the principal or designee.

The superintendent or designee may establish additional written rules of conduct for students riding school buses or other district-provided transportation.

## Procedure

### 3244P ▼

The following rules and expectations have been established for the safety of students riding school buses or other district-provided transportation. Any reference to “bus” in this procedure shall include other district-provided transportation.

A copy of these rules will be provided to each student in the [Student Rights and Responsibilities Handbook](#).

Students who violate any of these rules/expectations may be subject to corrective action, up to and including suspension and/or denial of the privilege of riding the bus. Students may also be subject to corrective action under [Policy 3240](#), Student Conduct Expectations and Sanctions.

### Prior to loading the bus

1. Students are to be at their assigned bus stop no less than five (5) minutes prior to the scheduled bus arrival time.
2. While waiting for the bus, students are to stand a safe distance from the roadway and avoid unsafe activities that could injure themselves or others. Students are to form a single line as the bus approaches.

3. Students are expected to respect the rights and property of others.
4. Students who must cross the roadway to board the bus should do so in front of the bus, never behind the bus, and only after the driver has signaled that it is safe to do so. Students should not approach the bus until it has come to a full stop and the door is opened.

### While on the bus

1. Students are under the supervision and authority of the bus driver when boarding, riding, or leaving the bus. Disrespectful or defiant behavior, disruptive conduct, and/or obscene language or gestures toward the driver or other riders may result in corrective action. Harassment, intimidation and bullying of any kind is prohibited.
2. Students are expected to identify themselves promptly and willingly when asked by the bus driver. A student may be assigned a seat in which he/she will be expected to remain at all times while on the bus.
3. Students are to observe the same rules of conduct on the bus as in the classroom. Students should conduct themselves in a manner that will not distract the driver and not disturb other riders on the bus. Quiet conversation is acceptable.
4. Use of technology 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 and on the bus shall be in compliance with [Procedure 3245P](#), Technology, and [Policy 3246](#) and [Procedure 3246P](#), Personal Electronic Devices, and school rules.
5. Students are expected to get on and off the bus in a safe and orderly manner. When getting on the bus, students are to go directly to their seats and remain seated while the bus is in motion. In preparation for getting off the bus, students should remain seated and not stand up until the bus has come to a full stop.
6. Items not allowed in schools are also not allowed on the bus including, but not limited to: all forms of animal life (except service animals), firearms, weapons, drugs, alcohol, tobacco and tobacco-like products, flammables, breakable containers, lasers, and all other items which could adversely affect the safety of the bus and passengers.

Items that are heavy, sharp or bulky (such as large musical instruments) or other items which may be hazardous in the event of an accident



or an emergency stop (such as basketballs or other sports equipment not carried in a sports/gym bag) may not be transported unsecured in the passenger area of the bus.

7. Students should only open bus windows with the permission of the bus driver. Students shall not extend any part of their body out of the bus window. Objects shall not be thrown out or passed through open bus windows or doors.
8. Unless otherwise prearranged by the parent/guardian and permission granted by the principal/designee, students are to ride their assigned bus and get off the bus at their assigned bus stop.

## Bus cleanliness

1. Students are to assist in school bus cleanliness by picking up after themselves before getting off the bus, and taking all their belongings with them as they exit the bus.
2. Eating and drinking while on the bus shall be avoided, unless permission to do so has been given by the bus driver.

## Emergency procedures

1. A copy of the emergency procedures will be located on each school bus. The driver will conduct emergency exit drills for students annually as required by [Policy 6605](#), Student Safety Riding School Buses.
2. In the event of an emergency, students must follow emergency exit procedures as established by the emergency exit drills. Students are to refrain from tampering with emergency doors and/or equipment.
3. When the bus stops at a railroad crossing, students should remain quiet to avoid distracting the driver.

## Video security on school buses

District buses may be equipped with video security cameras per [Policy 6505](#) and [Procedure 6505P](#), Video Security on School District Grounds or Property. Security cameras installed on district buses are to:

1. Ensure the safety of students and staff;
2. Protect district property; and
3. Aid in the enforcement of district policies, procedures and rules.

# Technology

## Policy 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 ▼

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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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.



# Video Security on School District Grounds or Property

## Policy 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

1. 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.
2. Video security cameras shall not be placed to monitor areas where there is a reasonable expectation of privacy, including locker rooms and restrooms.
3. Only personnel authorized by the superintendent shall install or adjust video security cameras or related equipment.
4. 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.
5. 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

1. Video Monitoring and Viewing:
  - a. 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.
  - b. Video monitoring should be in controlled access areas wherever possible.
  - c. Recordings shall be viewed on a need-to-know basis only, and in such a manner as to avoid public viewing.
2. 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

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1. Signs advising users of the presence of video security equipment will be posted.
2. Students and their parents shall be informed in writing by the district each year that the district may monitor activity at designated monitoring points.
3. 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

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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

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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

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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

#### Policy 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 discipline imposed 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 or event conducted on or off campus and while on school-provided transportation.

Students are expected to:

1. Conform to reasonable standards of socially acceptable behavior;
2. Respect the rights, person and property of others;
3. Pursue the required course of study;
4. Preserve the degree of order necessary for a positive climate for learning; and
5. Comply with district rules and regulations; and
6. 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 as set forth under [Policy 3300](#) and [Procedure 3300P](#) by authorized district authorities. Parents/guardians will be notified in all circumstances in a language they can understand.

1. The commission of any criminal act under the laws of the state of Washington including, but not limited to, the following:
  - a. **ARSON:** The intentional setting of a fire or explosion.
  - b. **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.)
  - c. **BURGLARY:** The act of entering or remaining unlawfully in a building with the intent to commit a crime.
  - d. **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.
  - e. **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.
  - f. **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.
  - g. **GAMBLING:** Risking something of monetary value for the chance to win a prize.
  - h. **THEFT:** Stealing from a person or institution.
  - i. **MALICIOUS MISCHIEF:** Property damage.
  - j. **ROBBERY:** Stealing by force or threat of force.
  - k. **SALE, DELIVERY, USE, OR POSSESSION OF ALCOHOLIC BEVERAGES or ILLEGAL DRUGS.**
  - l. **TRESPASS:** Being present in an unauthorized place or refusing to leave when ordered to do so.
  - m. **THREATS TO BOMB or INJURE PROPERTY:** Falsely reporting a fire or bombing.
  - n. **GANG INTIMIDATION:** Threatening of another person with bodily injury because the person refuses to join or has attempted to withdraw from a gang.
2. Being under the influence of alcohol or a controlled substance not prescribed by a physician for the student.

3. 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.
4. 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.
5. Refusal to identify self. All students must, upon request, identify themselves to proper school authorities.
6. 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.
7. 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.
8. 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.
9. Any lewd, indecent, or obscene conduct or expression.
10. Belonging to a gang and/or identifiable hate group and/or engaging in gang-related or hate group-related activities.
11. Fighting or encouraging or supporting fighting behavior.
12. 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.
13. Inappropriate use of technology.
14. 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.
15. 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 following the procedures set out in Procedure 3300P for student discipline.

### 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 may 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 may be subject to discipline (Procedure 3300P). 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

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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.

### 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 may be grounds for a long-term suspension. Before administering a long-term suspension, district personnel will consider other forms of discipline to support the student in meeting behavior expectations, and must determine that if the student returned to school before completing a long-term suspension, (1) the student would pose an imminent danger to students or school personnel, or (2) the student would pose an imminent threat of material and substantial disruption of the education process. 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 may be grounds for reinstating the long-term suspension.

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

### 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.

Before administering a short-term suspension, district personnel will attempt one (1) or more other forms of discipline to support the student in meeting behavior expectations.

Before administering a long-term suspension, district personnel will consider other forms of discipline to support the student in meeting behavior expectations and must determine that if the student returned to school before completing a long-term suspension, (1) the student would pose an imminent danger to students or school personnel, or (2) the student would pose an imminent threat of material and substantial disruption of the education process.

Before administering an expulsion, district personnel will consider other forms of discipline to support the student in meeting behavior expectations and must determine that if the student returned to school before completing an expulsion the student would pose an imminent danger to students or school personnel.

Sale or delivery of all drugs, alcohol, controlled substances or purported controlled substances may 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

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Alteration of records—Any student who falsifies, alters, or destroys a school record or any communication between home and school shall be subject to discipline in accordance with [Policy 3300](#) and [Procedure 3300P](#).

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. Any student who cheats may be subject to discipline in accordance with [Policy 3300](#) and [Procedure 3300P](#).

## Damage or theft of property

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A student shall not steal or intentionally, with gross carelessness, damage school or private property. Any student who steals or intentionally damages school property shall be subject to discipline in accordance with [Policy 3300](#) and [Procedure 3300P](#).

## 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.

Any student who engages in disruptive conduct may be subject to discipline in accordance with [Policy 3300](#) and [Procedure 3300P](#).

## 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.

Any student who extorts, assaults or intentionally causes physical injury to another shall be subject to discipline in accordance with [Policy 3300](#) and [Procedure 3300P](#).

## 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

Any student who engages in gang activity shall be subject to discipline in accordance with [Policy 3300](#) and [Procedure 3300P](#).

## Harassment, intimidation or bullying

Per [Policy 3204](#) and [Procedure 3204P](#), 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.

Any student who harasses, intimidates and/or bullies another shall be subject to discipline in accordance with [Policy 3300](#) and [Procedure 3300P](#).

## 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

Medication should be administered before or after school hours by the parent/guardian. Medication should be given at school only when absolutely necessary. Whenever possible the parent/guardian and licensed health care professional (LHCP) are urged to design a schedule for giving the medication outside of school hours. With the exception of medical marijuana, a parent/guardian may administer medication to their child at school.

If a student must receive medication during school hours or when the student is under the supervision of school officials, [Procedure 3416P](#) must be followed including providing a completed Medication Authorization Order form signed by the LHCP and the parent/guardian.

## Student self-carry and self-administration of medication

The process for requesting medication to be self-carried and/or self-administered is the same as the process for school staff administered medication. A LHCP and the parent/guardian must complete a Medication Authorization Order [form](#) applicable for that medication. Once a LHCP and the student's parent/guardian authorize that a student be permitted to carry their own medication and/or be permitted to self-administer the medication, the RN may grant permission.

Before authorizing a student to self-carry and/or self-administer medication at school, the principal and registered nurse shall take into account 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.

Students must never share their medication with another student. Violations of these conditions by the student permitted 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 or tobacco-like products

Student possession, use or distribution 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, and vapor products, non-prescribed inhalers, and any other smoking equipment, device, material, or innovation.

Any student who uses tobacco or tobacco-like products in schools and other district buildings, on district grounds, or in district vehicles shall be subject to discipline in accordance with [Policy 3300](#) and [Procedure 3300P](#).

## Vulgar or lewd conduct

Any lewd, indecent or obscene conduct or expression is prohibited. Any student who engages in vulgar or lewd conduct may be subject to discipline in accordance with [Policy 3300](#) and [Procedure 3300P](#).

## 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.

Any student who possesses, displays, handles or transmits any object that can reasonably be considered a firearm, air gun, ammunition or weapon in schools and other district buildings, on district grounds, or in district vehicles shall be subject to discipline in accordance with [Policy 3300](#) and [Procedure 3300P](#).



# PART III.

## Policies for handling violations of school rules

### Student Discipline

#### Policy 3300 ▼

**Discipline** means any action taken by the district in response to behavioral violations. Discipline is not necessarily punitive, but can take positive and supportive forms. The purposes of this policy and accompanying procedure include:

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

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

### Minimizing exclusion, engaging with families, and supporting students

Unless a student's presence poses an immediate and continuing danger to others or an immediate and continuing threat to the educational process, staff members must first attempt one (1) or more forms of other forms of discipline to support students in meeting behavioral expectations before imposing classroom exclusion, suspension, expulsion, or emergency expulsion.

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

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

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



## Staff authority

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District staff members are responsible for supervising students during the school day, during school activities, whether on or off campus, and on district provided transportation. Staff members will seek early involvement of parents/guardians in efforts to support students in meeting behavioral expectations. The superintendent or designee has general authority to administer discipline, including all exclusionary discipline. The superintendent or designee will identify other staff members to whom the superintendent or designee has designated disciplinary authority. After attempting at least one (1) other form of discipline, teachers have statutory authority to impose classroom exclusion for behaviors that disrupt the educational process. Because perceptions of subjective behaviors vary and may include implicit or unconscious bias, the accompanying procedure will seek to identify the types of behaviors for which the identified district staff may administer discipline.

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

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When administering discipline, the district will observe all of the student's constitutional rights. The district will notify parents/guardians as soon as reasonably possible about classroom exclusion and before administering any suspension or expulsion. The district will provide opportunities for parent/guardian participation during an initial hearing with the student. The district will provide parents/guardians with written notice, consistent with [WAC 392-400-455](#), of a suspension or expulsion no later than one (1) school business day following the initial hearing. As stated above, language assistance includes oral and written communication and further includes assistance to understand written communication, even if parents/guardians cannot read any language. The district has established procedures for review and appeal of suspensions, expulsions, and emergency expulsions, consistent with [WAC 392-400-430](#) through [WAC 392-400-530](#).

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

## Development and review

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Accurate and complete reporting of all disciplinary actions, including the behavioral violations that led to them, is essential for effective review of this policy; therefore, the district will ensure such reporting.

The district will periodically collect and review data on disciplinary actions taken against students in each school. The data will be disaggregated into subgroups

as required by [RCW 28A.300.042](#), including students who qualify for special education or Section 504. The data review will include classroom exclusion, in-school and short-term suspensions, and long-term suspensions and expulsions. The district will invite school personnel, students, parents/guardians, families, and the community to participate in the data review. The purpose of the data review is to determine if disproportionality exists; if disproportionality is found the district will take action to ensure that it is not the result of discrimination and may update this policy and its accompanying procedure to improve fairness and equity regarding discipline.

## Distribution of policies and procedures

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

## Procedure

3300P ▼

## Definitions

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For purposes of all disciplinary policies and procedures, the following definitions will apply:

**Behavioral violation** means a student's behavior that violates the district's discipline policies.

**Classroom exclusion** means the exclusion of a student from a classroom or instructional or activity area for behavioral violations, subject to the requirements of [WAC 392-400-330](#) and [WAC 392-400-335](#). Classroom exclusion does not include action that results in missed instruction for a brief duration when:

1. a teacher or other school personnel attempts other forms of discipline to support the student in meeting behavioral expectations; and
2. the student remains under the supervision of the teacher or other school personnel during such brief duration.

**Culturally responsive** has the same meaning as "cultural competency" in [RCW 28A.410.270](#), which states "cultural competency" includes knowledge of student cultural histories and contexts, as well as family norms and values in different cultures, knowledge and skills in accessing

community resources and community and parent outreach, and skills in adapting instruction to students' experiences and identifying cultural contexts for individual students.

**Discipline** means any action taken by a school district in response to behavioral violations.

**Disruption of the educational process** means the interruption of classwork, the creation of disorder, or the invasion of the rights of a student or group of students.

**Emergency expulsion** means the removal of a student from school because the student's presence poses an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process, subject to the requirements in [WAC 392-400-510](#) through [WAC 392-400-530](#).

**Expulsion** means a denial of admission to the student's current school placement in response to a behavioral violation, subject to the requirements in [WAC 392-400-430](#) through [WAC 392-400-480](#).

**Length of an academic term** means the total number of school days in a single trimester or semester, as defined by the board of directors.

**Other forms of discipline** means actions used in response to behavioral violations, other than classroom exclusion, suspension, expulsion, or emergency expulsion, which may involve the use of best practices and strategies included in the state menu for behavior developed under [RCW 28A.165.035](#).

**Parent** has the same meaning as in [WAC 392-172A-01125](#), and means

- a. a biological or adoptive parent of a child;
- b. a foster parent;
- c. a guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the student, but not the state, if the student is a ward of the state;
- d. an individual acting in the place of a biological or adoptive parent, including a grandparent, stepparent, or other relative with whom the student lives, or an individual who is legally responsible for the student's welfare; or a surrogate parent who has been appointed in accordance with [WAC 392-172A.05130](#). If the biological or adoptive parent is attempting to act as the parent and more than one (1) party meets the qualifications to act as a parent, the biological or adoptive parent must be presumed to be the parent unless they do not have legal authority to make educational decisions for the student. If a judicial decree or order identifies a specific person or persons to act as the "parent" of a child or to make educational decisions on behalf of a child, then that person or persons shall be determined to be the parent for purposes of [Policy 3300](#) and this procedure.

**School board** means the governing board of directors of the local school district.

**School business day** means any calendar day except Saturdays, Sundays, and any federal and school holidays upon which the office of the superintendent is open to the public for business. A school business day concludes or terminates upon the closure of the superintendent's office for the calendar day.

**School day** means any day or partial day that students are in attendance at school for instructional purposes.

**Suspension** means the denial of attendance in response to a behavioral violation from any subject or class, or from any full schedule of subjects or classes, but not including classroom exclusions, expulsions, or emergency expulsions. Suspension may also include denial of admission to or entry upon, real and personal property that is owned, leased, rented, or controlled by the district.

**In-school suspension** means a suspension in which a student is excluded from the student's regular educational setting but remains in the student's current school placement for up to ten (10) consecutive school days, subject to the requirements in [WAC 392-400-430](#) through [WAC 392-400-475](#).

**Short-term suspension** means a suspension in which a student is excluded from school for up to ten (10) consecutive school days, subject to the requirements in [WAC 392-400-430](#) through [WAC 392-400-475](#).

**Long-term suspension** means a suspension in which a student is excluded from school for more than ten (10) consecutive school days, subject to the requirements in [WAC 392-400-430](#) through [WAC 392-400-475](#).

## Engaging with families and language assistance

The district will provide for early involvement of parents/guardians in efforts to support students in meeting behavioral expectations. Additionally, the district will make every reasonable attempt to involve the student and parent/guardian in the resolution of behavioral violations. Unless an emergency circumstance exists, providing opportunity for engagement of the parent/guardian is required before administering a suspension or expulsion.

The district will take all reasonable steps to ensure that it provides all discipline related communications (oral and written) required in connection with [Policy 3300](#) and this procedure in a language the student and parents/guardians understand. These discipline-related communications include notices, hearings, conferences, meetings, plans, proceedings, agreements, petitions, and decisions. This effort may require language assistance for students and parents/guardians with limited-English proficiency under Title VI of the Civil Rights Act of 1964. For parents/guardians who are unable to read any language, the district will provide written material orally.

## Other forms of discipline and classroom exclusions

### Supporting Students with Other Forms of Discipline

Unless a student's presence poses an immediate and continuing danger to others, or a student's presence poses an immediate and continuing threat to the educational process, staff members must first attempt one (1) or more forms of other forms of discipline to support students in meeting behavioral expectations before imposing classroom exclusion, suspension, or expulsion.

The types of behaviors for which the staff members may use other forms of discipline include any violation of the rules of conduct, as set forth in [Policy 3240](#). In connection with the rules of conduct in [Policy 3240](#), school principals and certificated building staff will confer at least annually to develop precise definitions and build consensus on what constitutes manifestation of problem behaviors. The purpose of developing definitions and consensus on manifestation of a problem behavior is to address the differences in perception of subjective behaviors and reduce the effect of implicit or unconscious bias.

These other forms of discipline may involve the use of best practices and strategies included in the state menu for behavior available online at: <http://www.k12.wa.us/SSEO/pubdocs/BehaviorMenu.pdf>. The following are identified for use as other forms of discipline, including but not limited to:

- ☐ Behavior monitoring;
- ☐ Mentoring;
- ☐ Peer mediation;
- ☐ Restorative justice practices;
- ☐ Social skills instruction/redirection;
- ☐ De-escalation techniques; and
- ☐ Trauma-informed approaches.

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

### After-school detention

Additionally, staff may use after-school detention as another form of discipline. Before assigning after-school detention, the staff member will inform the student of the specific behavior prompting the detention and provide the student with an opportunity to explain or justify the behavior. At least one (1) professional staff member will directly supervise students in after-school detention.

Administering other forms of discipline cannot result in the denial or delay of the student's nutritionally adequate meal or prevent a student from accomplishing a specific academic grade, subject, or graduation requirement.

Students and parents/guardians may challenge the administration of other forms of discipline, including the imposition of after-school detention using the grievance process below.

### Staff authority and exclusionary discipline

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

Staff members will seek early involvement of parents/guardians in efforts to support students in meeting behavioral expectations. The superintendent has general authority to administer discipline, including all exclusionary discipline. The superintendent designates disciplinary authority to impose short-term suspensions, long-term suspensions, expulsions, and emergency expulsions to principals and assistant principals.

### Classroom exclusions

After attempting at least one (1) other form of discipline, as set forth above, teachers may impose classroom exclusion. Classroom exclusion means the exclusion of a student from the classroom or instructional activity area based on a behavioral violation that disrupts the educational process. As stated above, the superintendent or designee, principals, assistant principals, and certificated staff will work together to develop definitions and consensus on what constitutes behavior that disrupts the educational process to reduce the effect of implicit or unconscious bias.

Classroom exclusion may be for all or any portion of the balance of the school day. Classroom exclusion does not encompass removing a student from school, including sending a student home early or telling a parent/guardian to keep a student at home, based on a behavioral violation. Removing a student from school constitutes a suspension, expulsion, or emergency expulsion and must include the notification and due process as stated in the section below.

Classroom exclusion cannot result in the denial or delay of the student's nutritionally adequate meal or prevent a student from accomplishing a specific academic grade, subject, or graduation requirement.

The school will provide the student an opportunity to make up any assignments and tests missed during a classroom exclusion.

Following the classroom exclusion of a student, the teacher (or other school personnel as identified) must report the classroom exclusion, including the behavioral violation that led to the classroom exclusion, to the principal or designee as soon as reasonably possible. The principal or designee must report all classroom exclusions, including the behavioral violation that led to it to the superintendent or designee. Reporting of the behavioral violation that led to the classroom exclusion as "other" is insufficient.

The teacher, principal or designee must notify the student's parents/guardians regarding the classroom exclusion as soon as reasonably possible. As noted above, the district will take all reasonable steps to ensure that this notification is in a language and form (i.e. oral or written) the parents/guardians understand.

When the teacher or other authorized school personnel administers a classroom exclusion because the student's presence poses an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process:

1. The teacher or other school personnel must immediately notify the principal or designee; and
2. The principal or designee must meet with the student as soon as reasonably possible and administer appropriate discipline.

The district will address student and parent grievances regarding classroom exclusion through the grievance procedures below.

### **Grievance process for other forms of discipline and classroom exclusion**

Any parent/guardian or student who is aggrieved by the imposition of other forms of discipline and/or classroom exclusion has the right to an informal conference with the principal or designee for resolving the grievance. If the grievance pertains to the action of an employee, the district will notify that employee of the grievance in accordance with the applicable collective bargaining agreement.

At such conference, the student and parent/guardian will have the opportunity to voice issues and concerns related to the grievance and ask questions of staff members involved in the grievance matter. Staff members will have opportunity to respond to the issues and questions related to the grievance matter. Additionally, the principal or designee will have opportunity to address issues and questions raised and to ask questions of the parent/guardian, student, and staff members.

If after exhausting this remedy the grievance is not yet resolved, the parent/guardian and student will have the right, upon two (2) school days prior notice, to present a written and/or oral grievance to the superintendent or designee. The superintendent or designee will provide the parent/guardian and student with a written copy of its response to the grievance within ten (10) school days. Use of the grievance process will not impede or postpone the disciplinary action, unless the principal or superintendent or designee elects to postpone the disciplinary action.

Discipline that may be grieved under this section includes all forms of discipline, including after-school detention, classroom exclusion, removal or suspension from athletic activity or participation, and removal or suspension from school-provided transportation.

## **Suspensions and expulsions**

### **General conditions and limitations**

The district's use of suspension and expulsion will have a real and substantial relationship to the lawful maintenance and operation of the district, including but not limited to, the preservation of the health and safety of students and employees and the preservation of an educational process that is conducive to learning. The district will not expel, suspend, or discipline in any manner for a student's performance of or failure to perform any act not related to the orderly operation of the school or school-sponsored activities or any other aspect of preserving the educational process. The district will not administer any form of discipline in a manner that would prevent a student from accomplishing a specific academic grade, subject, or graduation requirement.

As stated above, the district will provide the parents/guardians an opportunity for involvement to support the student and resolve behavioral violations before administering suspension or expulsion. Additionally, the principal or assistant principal will consider the student's individual circumstances and the nature of the violation before administering a short-term or in-school suspension.

The principal or assistant principal at each school must report all suspensions and expulsions, including the behavioral violation that led to the suspension or expulsion, to the superintendent or designee within twenty-four (24) hours after the administration of such suspension or expulsion. Reporting the behavioral violation that led to the suspension or expulsion as "other" is insufficient.

An expulsion or suspension of a student may not be for an indefinite period and must have an end date. After suspending or expelling a student, the district will make reasonable efforts to return the student to the student's regular educational setting as soon as possible. Additionally, the district will allow the student to apply for readmission at any time.

When administering a suspension or expulsion, the district may deny a student admission to, or entry upon, real and personal property that the district owns, leases, rents, or controls. The district will provide an opportunity for students to receive educational services during a suspension or expulsion (see below). The district will not suspend or expel a student from school for absences or tardiness.

If during a suspension or expulsion the district enrolls a student in another program or course of study, the district will not preclude the student from returning to the student's regular educational setting following the end of the suspension or expulsion, unless one (1) of the following applies:

- ☐ The superintendent or designee grants a petition to extend a student's expulsion under [WAC 392-400-480](#);



- ☐ The change of setting is to protect victims under [WAC 392-400-810](#); or
- ☐ Other law precludes the student from returning to the students regular educational setting.

In accordance with [RCW 28A.600.420](#), the district must expel a student for no less than one (1) year if the district has determined that the student has carried or possessed a firearm on school premises, school-provided transportation, or areas of facilities while being used exclusively by public schools. The superintendent or designee may modify the expulsion on a case-by-case basis.

The district may also suspend or expel a student for up to one (1) year if the student acts with malice (as defined under [RCW 9A.04.110](#)) and displays an instrument that appears to be a firearm on school premises, school-provided transportation, or areas of facilities while being used exclusively by public schools. These provisions do not apply to students while engaged in a district authorized military education, a district authorized firearms convention or safety course, or district authorized rifle competition.

### **In-school suspension and short-term suspension**

The superintendent designates the school principal and assistant principal with the authority to impose in-school and short-term suspensions. Before administering an in-school or short-term suspension, staff members must have first attempted one (1) or more other forms of discipline to support the student in meeting behavioral expectations and considered the student's individual circumstances. The district will not administer in-school suspension that would result in the denial or delay of the student's nutritionally adequate meal.

Circumstances that may result in an in-school or short-term suspension include those listed below and in [Policy 3240](#), Student Conduct Expectations and Sanctions:

- ☐ Being intoxicated or under the influence of controlled substance, alcohol or marijuana at school or while present at school activities;
- ☐ Bomb scares or false fire alarms that cause a disruption to the school program;
- ☐ Cheating or disclosure of exams;
- ☐ Commission of any crime on school grounds or during school activities;
- ☐ Dress code violations that the student refuses to correct ([Policy 3224](#) and [Procedure 3224P](#) Student Dress);

- ☐ Fighting and instigating, promoting, or escalating a fight, as well as failure to disperse. Engaging in any form of fighting where physical blows are exchanged, regardless of who initiated the fight. This prohibition includes hitting, slapping, pulling hair, biting, kicking, choking, and scratching or any other acts in which a student intentionally inflicts or attempts to inflict injury on another;
- ☐ Gang-related activity;
- ☐ Harassment, intimidation, and bullying (HIB);
- ☐ Intentional deprivation of student and staff use of school facilities;
- ☐ Intentional endangerment to self, other students, or staff, including endangering on district provided transportation;
- ☐ Intentional injury to another;
- ☐ Intentionally defacing or destroying the property of another;
- ☐ Intentionally obstructing the entrance or exit of any school building or room in order to deprive others of passing through;
- ☐ Possession, use, sale, or delivery of illegal or controlled chemical substances;
- ☐ Preventing students from attending class or school activities;
- ☐ Refusal to cease prohibited behavior;
- ☐ Refusal to leave an area when repeatedly instructed to do so by school personnel;
- ☐ Sexual misconduct that could constitute sexual assault or harassment on school grounds, at school activities, or on school provided transportation;
- ☐ Substantially and intentionally interfering with any class or activity;
- ☐ Threats of violence to other students or staff; and
- ☐ Use or possession of weapons prohibited by state law and [Policy 3240](#).

### **Initial hearing**

Before administering any in-school or short-term suspension, the district will attempt to notify the student's parents/guardians as soon as reasonably possible regarding the behavioral violation. Additionally, the principal or designee will conduct an informal initial hearing with the student to hear the student's perspective. The principal or designee will provide the student an opportunity to contact the student's parents/guardians regarding the initial hearing. The district will hold the initial hearing in a language that the parent/guardian and student understand. At the initial hearing, the principal or designee will provide the student:

1. Notice of the student's violation of this policy;
2. An explanation of the evidence regarding the behavioral violation;
3. An explanation of the discipline that may be administered; and
4. An opportunity for the student to share the student's perspective and provide explanation regarding the behavioral violation.

## Notice

Following the initial hearing, the principal or designee will inform the student of the disciplinary decision regarding the behavioral violation, including the date when any in-school or short-term suspension will begin and end.

No later than one (1) school business day following the initial hearing with the student, the district will provide written notice of the in-school or short-term suspension to the student and parents/guardians in person, by mail, or by email in a language and form the student and parents/guardians will understand. The written notice will include:

1. A description of the student's behavior and how the behavior violated [Policy 3300](#);
2. The duration and conditions of the in-school or short-term suspension, including the dates on which the in-school or short-term suspension will begin and end;
3. The other forms of discipline that the district considered or attempted, and an explanation of the district's decision to administer the in-school or short-term suspension;
4. The opportunity to receive educational services during the in-school or short-term suspension;
5. The right of the student and parents/guardians to an informal conference with the principal or designee; and
6. The right of the student and parents/guardians to appeal the in-school or short-term suspension.

For students in kindergarten through fourth grade, the district will not administer an in-school or short-term suspension for more than ten (10) cumulative school days during any academic term.

For students in grades five through twelve, the district will not administer an in-school or short-term suspension for more than fifteen (15) cumulative school days during any single semester, or more than ten (10) cumulative school days during any single trimester. Additionally, the district will not administer an in-school or short-term suspension for students in any grade beyond the school year in which the behavioral violation occurred.

The district will not administer in-school or short-term suspensions in a manner that would result in the denial or delay of a nutritionally adequate meal to a student.

When administering an in-school suspension, school personnel must ensure they are physically in the same location as the student to provide direct supervision during the duration of the in-school suspension. Additionally, school personnel must ensure they are accessible to offer support to keep the student current with assignments and course work for all of the student's regular subjects or classes.

## Long-term suspensions and expulsions

Before administering a long-term suspension or an expulsion, district personnel must consider other forms of discipline to support the student in meeting behavioral expectations. The district must also consider the other general conditions and limitations listed above.

Unless otherwise required by law, the district may, but is not required to, impose long-term suspensions or expulsions only for student behaviors listed in [RCW 28A.600.015](#) (6)(a) through (d), which include:

1. Having a firearm on school property or school transportation in violation of [RCW 28A.600.420](#);
2. Any of the following offenses listed in [RCW 13.04.155](#), including any violent offense as defined in [RCW 9.94A.030](#), any felony that Washington law defines as a class A felony or an attempt, criminal conspiracy, or solicitation to commit a class A felony, which includes:
  - a. manslaughter, indecent liberties committed by forcible compulsion, kidnapping, arson, assault in the second degree, assault of a child in the second degree, robbery, drive-by shooting, vehicular homicide or vehicular assault caused by driving a vehicle while under the influence of intoxicating liquor or any drug, or by operating a vehicle in a reckless manner;
  - b. any sex offense as defined in [RCW 9.94A.030](#), which includes any felony violation of [Chapter 9A.44 RCW](#) (other than failure to register as a sex offender in violation of [RCW 9A.44.132](#)), including rape, rape of a child, child molestation, sexual misconduct with a minor, indecent liberties, voyeurism, and any felony conviction or adjudication with a sexual motivation finding;
  - c. inhaling toxic fumes in violation of [Chapter 9.47A RCW](#);
  - d. any controlled substance in violation of [Chapter 69.50 RCW](#);
  - e. any liquor violation of [RCW 66.44.270](#);
  - f. any weapons violation of [Chapter 9.41 RCW](#), including having a dangerous weapon at school in violation of [RCW 9.41.280](#);

- g. any violation of [Chapter 9A.36 RCW](#), including assault, malicious harassment, drive-by shooting, reckless endangerment, promoting a suicide attempt, coercion, assault of a child, custodial assault, and failing to summon assistance for an injured victim of a crime in need of assistance;
  - h. any violation of [Chapter 9A.40 RCW](#), including kidnapping, unlawful imprisonment, custodial interference, luring, and human trafficking;
  - i. any violation of [Chapter 9A.46 RCW](#), including harassment, stalking, and criminal gang intimidation; and
  - j. any violation of [Chapter 9A.48 RCW](#), including arson, reckless burning, malicious mischief, and criminal street gang tagging and graffiti.
3. Two (2) or more violations of the following within a three (3)-year period:
- a. criminal gang intimidation in violation of [RCW 9A.46.120](#);
  - b. gang activity on school grounds in violation of [RCW 28A.600.455](#);
  - c. willfully disobeying school administrative personnel in violation of [RCW 28A.635.020](#); and
  - d. defacing or injuring school property in violation of [RCW 28A.635.060](#); and
4. Any student behavior that adversely affects the health or safety of other students or educational staff.

In addition to being a behavior specified in [RCW 28A.600.015](#), before imposing a long-term suspension, district personnel must also determine that if the student returned to school before completing a long-term suspension the student would pose an imminent danger to students, school personnel, or pose an imminent threat of material and substantial disruption to the educational process.

Before imposing an expulsion, district personnel must also determine that if the student returned to school before completing an expulsion the student would pose an imminent danger to students or school personnel.

## Behavior agreements

Staff may enter into behavior agreements with students and parents/guardians in response to behavioral violations, including agreements to reduce the length of a suspension conditioned on participation in treatment services, agreements in lieu of suspension or expulsion, or agreements holding a suspension or expulsion in abeyance. Behavior agreements will also describe district actions planned to support behavior changes by the students. The district will provide any behavior agreement in a language and form the student and parents/guardians understand.

A behavior agreement does not waive a student's opportunity to participate in a reengagement meeting or to receive educational services. The duration of a

behavior agreement must not exceed the length of an academic term. A behavior agreement does not preclude the district from administering discipline for behavioral violations that occur after the district enters into an agreement with the student and parents/guardians.

## Initial hearing

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

1. Notice of the student's violation of [Policy 3300](#);
2. An explanation of the evidence regarding the behavioral violation;
3. An explanation of the discipline that may be administered; and
4. An opportunity for the student to share the student's perspective and provide explanation regarding the behavioral violation.

Following the initial hearing, the principal or designee will inform the student of the disciplinary decision regarding the behavioral violation, including the date when any long-term suspension or expulsion will begin and end.

## Notice

No later than one (1) school business day following the initial hearing with the student, the district will provide written notice of the long-term suspension or expulsion to the student and parents/guardians in person, by mail, or by email in a language that the parent/guardian and student can understand. If the parents/guardians cannot read any language, the district will provide language assistance. The written notice will include:

1. A description of the student's behavior and how the behavior violated [Policy 3300](#);
2. The duration and conditions of the long-term suspension or expulsion, including the dates on which the suspension or expulsion will begin and end;
3. The other forms of discipline that the district considered or attempted, and an explanation of the district's decision to administer the long-term suspension or expulsion;
4. The opportunity to receive educational services during the long-term suspension or expulsion;

5. The right of the student and parents/guardians to an informal conference with the principal or designee;
6. The right of the student and parents/guardians to appeal the long-term suspension or expulsion; and
7. The opportunity for the student and parents/guardians to participate in a reengagement meeting.

Other than for the firearm exception under [WAC 392-400-820](#), the district will not impose a long-term suspension or an expulsion for any student in kindergarten through fourth grade.

If a long-term suspension or expulsion may exceed ten (10) days, the district will consider whether the student is currently eligible or might be deemed eligible for special education services. If so, the principal or designee will notify relevant special education staff of the long-term suspension or expulsion so that the district can ensure it follows its special education discipline procedures, as well as its general education discipline procedures.

## **Divergence between long-term suspension and expulsion**

A long-term suspension may not exceed the length of an academic term. The district may not administer a long-term suspension beyond the school year in which the behavioral violation occurred.

An expulsion may not exceed the length of an academic term, unless the superintendent grants a petition to extend the expulsion under [WAC 392-400-480](#). The district is not prohibited from administering an expulsion beyond the school year in which the behavioral violation occurred.

## **Emergency expulsions**

The district may immediately remove a student from the student's current school placement, subject to the following requirements. The district must have sufficient cause to believe that the student's presence poses:

1. An immediate and continuing danger to other students or school personnel; or
2. An immediate and continuing threat of material and substantial disruption of the educational process.

The district may not impose an emergency expulsion solely for investigating student conduct.

For purposes of determining sufficient cause for an emergency expulsion, the phrase "immediate and continuing threat of material and substantial disruption of the educational process" means:

1. The student's behavior results in an extreme disruption of the educational process that creates a substantial barrier to learning for other students across the school day; and

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

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

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

## **Notice**

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

1. The reason the student's presence poses an immediate and continuing danger to students or school personnel, or poses an immediate and continuing threat of material and substantial disruption of the educational process;
2. The duration and conditions of the emergency expulsion, including the date on which the emergency expulsion will begin and end;
3. The opportunity to receive educational services during the emergency expulsion;
4. The right of the student and parents/guardians to an informal conference with the principal or designee; and
5. The right of the student and parents/guardians to appeal the emergency expulsion, including where and to whom the appeal must be requested.

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

1. Apply any days that the student was emergency expelled before the conversion to the total length of the suspension or expulsion; and
2. Provide the student and parents/guardians with notice and due process rights under [WAC 392-400-455](#) through [WAC 392-400-480](#) appropriate to the new disciplinary action.

All emergency expulsions, including the reason the student's presence poses an immediate and continuing danger to other students or school personnel, must be reported to the superintendent or designee within twenty-four (24) hours after the start of the emergency expulsion.



## Appeal, reconsideration, and readmission

### Optional informal conference with the principal

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

The principal or designee must hold the conference within three (3) school business days after receiving the request, unless otherwise agreed to by the student and parents/guardians.

During the informal conference, the student and parents/guardians will have the opportunity to share the student's perspective and explanation regarding the events that led to the behavioral violation. The student and parent/guardian will also have the opportunity to confer with the principal or designee and school personnel involved in the incident that led to the suspension or expulsion. Further, the student and parent/guardian will have the opportunity to discuss other forms of discipline that the district could administer.

An informal conference will not limit the right of the student or parents/guardians to appeal the suspension or expulsion, participate in a reengagement meeting, or apply for readmission.

## Appeals

### Requesting an appeal

The appeal provisions for long-term suspension and expulsion differ from those for in-school and short-term suspension. The appeal provisions for long-term suspension or expulsion and emergency expulsion have similarities but the timelines differ.

A student or parents/guardians may appeal a suspension, expulsion, or emergency expulsion to the superintendent or designee orally or in writing. For suspension or expulsion, the request to appeal must be within five (5) school business days from when the district provided the student and parent/guardian with written notice. For emergency expulsion, the request to appeal must be within three (3) school business days from when the district provided the student and parent/guardian with written notice.

When an appeal for long-term suspension or expulsion is pending, the district may continue to administer the long-term suspension or expulsion during the appeal process, subject to the following requirements:

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

2. The district will apply any days of suspension or expulsion occurring before the appeal is decided to the term of the student's suspension or expulsion and may not extend the term of the student's suspension or expulsion; and
3. If the student returns to school before the appeal is decided, the district will provide the student an opportunity to make up assignments and tests missed during the suspension or expulsion upon the student's return.

### In-school and short-term suspension appeal

For in-school and short-term suspensions, the superintendent or designee will provide the student and parents/guardians the opportunity to share the student's perspective and explanation regarding the behavioral violation orally or in writing.

The superintendent or designee must deliver a written appeal decision to the student and parents/guardians in person, by mail, or by email within two (2) school business days after receiving the appeal. The written decision will include:

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

### Long-term suspension or expulsion and emergency expulsion appeal

For long-term suspension or expulsion and emergency expulsions, the superintendent or designee will provide the student and parents/guardians written notice in person, by mail, or by email, within one (1) school business day after receiving the appeal request, unless the parties agree to a different timeline. Written notice will include:

1. The time, date, and location of the appeal hearing;
2. The name(s) of the official(s) presiding over the appeal;
3. The right of the student and parents/guardians to inspect the student's education records;
4. The right of the student and parents/guardians to inspect any documentary or physical evidence and a list of any witnesses that will be introduced at the hearing;

5. The rights of the student and parents/guardians to be represented by legal counsel, question witnesses, share the student's perspective and explanation, and introduce relevant documentary, physical, or testimonial evidence; and
6. Whether the district will offer a reengagement meeting before the appeal hearing.

For long-term suspension or expulsion, the student, parents/guardians and district may agree to hold a reengagement meeting and develop a reengagement plan before the appeal hearing. The student, parents/guardians, and district may mutually agree to postpone the appeal hearing while participating in the reengagement process.

## Hearings

A hearing to appeal a long-term suspension or expulsion or emergency expulsion is a quasi-judicial process exempt from the Open Public Meetings Act (OPMA). To protect the privacy of students and others involved, the district will hold a hearing without public notice and without public access unless the student and/or the parents/guardians or their counsel requests an open hearing. Regardless of whether the hearing is open or closed, the district will make reasonable efforts to comply with the Family Educational Rights and Privacy Act (FERPA) concerning confidentiality of student education records.

When multiple students are charged with violating the same rule and have acted in concert and the facts are essentially the same for all students, a single hearing may be conducted for them if the hearing officer believes that the following conditions exist:

1. A single hearing will not likely result in confusion; and
2. No student will have their interest substantially prejudiced by a group hearing.

If the official presiding over the hearing finds that a student's interests will be substantially prejudiced by a group hearing, the presiding official may order a separate hearing for that student. The parent/guardian and student have the right to petition for an individual hearing.

For long-term suspension or expulsion, the district will hold an appeal hearing within three (3) school business days after the superintendent or designee received the appeal request, unless otherwise agreed to by the student and parents/guardians.

For emergency expulsion, the district will hold an appeal hearing within two (2) school business days after the superintendent or designee received the appeal request, unless the student and parents/guardians agree to another time.

A hearing officer will be designated to hear and decide long-term suspension or expulsion, or emergency expulsion appeals. The presiding official may not have been involved in the student's behavioral violation or the decision to suspend or expel the student.

Upon request, the student and parents/guardians or their legal representative may inspect any documentary or physical evidence and list of any witnesses that the district will introduce at the appeal hearing. The district must make the information available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing. The district may also request to inspect any documentary or physical evidence and list of any witnesses that the student and parents/guardians intend to introduce at the appeal hearing. The student and parents/guardians must make this information available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.

Upon request, the student and parents/guardians may review the student's education records. The district will make the records available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.

If a witness for the district cannot or does not appear at the appeal hearing, the presiding official may excuse the witness' nonappearance if the district establishes that:

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

The district will record the appeal hearing by manual, electronic, or other type of recording device and upon request of the student or parents/guardians provide them a copy of the recording.

For long-term suspension or expulsion, the presiding official must base the decision solely on the evidence presented at the hearing. The presiding official will provide a written decision to the student and parents/guardians in person, by mail, or by email within three (3) school business days after the appeal hearing. The written decision must include:

1. The findings of fact;
2. A determination whether
  - a. the student's behavior violated [Policy 3300](#),
  - b. the behavioral violation reasonably warrants the suspension or expulsion and the length of the suspension or expulsion, and
  - c. the long-term suspension or expulsion is affirmed, reversed, or modified;
3. The duration and conditions of long-term suspension or expulsion, including the beginning and ending dates;
4. Notice of the right of the student and parents/guardians to request a review and reconsideration of the appeal decision. The notice will include where and to whom to make such a request; and

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

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

1. The findings of fact;
2. A determination whether the student's presence continues to pose
  - a. an immediate and continuing danger to students or school personnel, or
  - b. an immediate and continuing threat of material and substantial disruption of the educational process;
3. Whether the district will end the emergency expulsion or convert the emergency expulsion to a suspension or expulsion. If the district converts the emergency expulsion to a suspension or expulsion, the district will provide the student and parents/guardians notice and due process consistent with the disciplinary action to which the emergency expulsion was converted; and
4. Notice of the right of the student and parents/guardians to request a review and reconsideration of the appeal decision. The notice will include where and to whom to make such a request.

## Reconsideration of appeal

The student or parents/guardians may request the discipline appeal council review and reconsider the district's appeal decision for suspension, expulsion, and emergency expulsion. This request may be either oral or in writing.

For suspension or expulsion, the student or parents/guardians may request a review within ten (10) school business days from when the district provided the student and parents/guardians with the written appeal decision.

For emergency expulsion, the student or parents/guardians may request a review within five (5) school business days from when the district provided the student and parents/guardians with the written appeal decision.

1. In reviewing the district's decision, the discipline appeal council must consider
  - a. all documentary and physical evidence from the appeal hearing related to the behavioral violation,
  - b. any records from the appeal hearing,
  - c. relevant state law, and
  - d. [Policy 3300](#).

2. The discipline appeal council may request to meet with the student and parents/guardians, the principal or designee, witnesses, and/or school personnel to hear further arguments and gather additional information.
3. The decision of the discipline appeal council will be made only by discipline appeal council members who were not involved in
  - a. the behavioral violation,
  - b. the decision to suspend or expel the student, or
  - c. the appeal decision. If the discipline appeal council presided over the appeal hearing, the board will conduct the review and reconsideration.

For suspension or expulsion, the discipline appeal council will provide a written decision to the student and parents/guardians in person, by mail, or by email within ten (10) school business days after receiving the request for review and reconsideration. The written decision must identify:

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

For emergency expulsion, the discipline appeal council will provide a written decision to the student and parents/guardians in person, by mail, or by email within five (5) school business days after receiving the request for review and reconsideration. The written decision must identify:

1. Whether the discipline appeal council affirms or reverses the district's decision that the student's presence posed:
  - a. an immediate and continuing danger to students or school personnel, or
  - b. an immediate and continuing threat of material and substantial disruption of the educational process.
2. If the emergency expulsion has not yet ended or been converted, whether the district will end the emergency expulsion or convert the emergency expulsion to a suspension or expulsion. If the district converts the emergency expulsion to a suspension or expulsion, the district will provide the student and parents/guardians notice and due process under [WAC 392-400-455](#) through [WAC 392-400-480](#) consistent with the disciplinary action to which the emergency expulsion was converted.

## Petition to extend an expulsion

When risk to public health or safety warrants extending a student's expulsion, the principal or designee may petition the superintendent or designee for authorization to exceed the academic term limitation on an expulsion. The petition must inform the superintendent or designee of:

1. The behavioral violation that resulted in the expulsion and the public health or safety concerns;
2. The student's academic, attendance, and discipline history;
3. Any nonacademic supports and behavioral services the student was offered or received during the expulsion;
4. The student's academic progress during the expulsion and the educational services available to the student during the expulsion;
5. The proposed extended length of the expulsion; and
6. The student's reengagement plan.

The principal or designee may petition to extend an expulsion only after the development of a reengagement plan under [WAC 392-400-710](#) and before the end of the expulsion. For violations of [WAC 392-400-820](#) involving a firearm on school premises, school-provided transportation, or areas of facilities while being used exclusively by public schools, the principal or designee may petition to extend an expulsion at any time.

### Notice

The district will provide written notice of a petition to the student and parents/guardians in person, by mail, or by email within one (1) school business day from the date the superintendent or designee received the petition. The written notice must include:

1. A copy of the petition;
2. The right of the student and parents/guardians to an informal conference with the superintendent or designee to be held within five (5) school business days from the date the district provided written notice to the student and parents/guardians; and
3. The right of the student and parents/guardians to respond to the petition orally or in writing to the superintendent or designee within five (5) school business days from the date the district provided the written notice.

The superintendent or designee may grant the petition only if there is substantial evidence that, if the student were to return to the student's previous school of placement after the length of an academic term, the student would pose a risk to public health or safety. The superintendent or designee must deliver a written decision to the principal

or designee, the student, and the student's parents/guardians in person, by mail, or by email within ten (10) school business days after receiving the petition.

If the superintendent or designee does not grant the petition, the written decision must identify the date when the expulsion will end.

If the superintendent or designee grants the petition, the written decision must include:

1. The date on which the extended expulsion will end;
2. The reason that, if the student were to return before the initial expulsion end date, the student would pose a risk to public health or safety; and
3. Notice of the right of the student and parents/guardians to request a review and reconsideration. The notice will include where and to whom to make such a request;

### Review and reconsideration of extension of expulsion

The student or parents/guardians may request that the discipline appeal council review and reconsider the decision to extend the student's expulsion. The student or parents/guardians may request the review orally or in writing within ten (10) school business days from the date the superintendent or designee provides the written decision.

The discipline appeal council may request to meet with the student or parents/guardians or the principal to hear further arguments and gather additional information.

The decision of the discipline appeal council may be made only by discipline appeal council members who were not involved in the behavioral violation, the decision to expel the student, or the appeal decision.

The discipline appeal council will provide a written decision to the student and parents/guardians in person, by mail, or by email within ten (10) school business days after receiving the request for review and reconsideration. The written decision must identify:

1. Whether the discipline appeal council affirms, reverses, or modifies the decision to extend the student's expulsion; and
2. The date when the extended expulsion will end.

Any extension of an expulsion may not exceed the length of an academic term.

The district will annually report the number of petitions approved and denied to the Office of Superintendent of Public Instruction.



## Educational services

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The district will offer educational services to enable a student who is suspended or expelled to:

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

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

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

After considering the factors and input described above, the district will determine a student's educational services on a case-by-case basis. The types of educational services the district will consider include alternative schools, one-on-one tutoring (when available), and online learning. Any educational services in an alternative setting should be comparable, equitable, and appropriate to the regular educational services a student would have received in the absence of exclusionary discipline.

As soon as reasonably possible after administering a suspension or expulsion, the district will provide written notice to the student and parents/guardians about the educational services the district will provide. The notice will include a description of the educational services and the name and contact information of the school personnel who can offer support to keep the student current with assignments and course work.

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

1. Course work, including any assigned homework, from all of the student's regular subjects or classes;
2. Access to school personnel who can offer support to keep the student current with assignments and course work for all of the student's regular subjects or classes; and

3. An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency expulsion.
4. For students subject to suspension or emergency expulsion for six (6) to ten (10) consecutive school days, a school must provide at least the following:
5. Course work, including any assigned homework, from all of the student's regular subjects or classes;
6. An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency expulsion; and
7. Access to school personnel who can offer support to keep the student current with assignments and course work for all of the student's regular subjects or classes. School personnel will make a reasonable attempt to contact the student or parents/guardians within three (3) school business days following the start of the suspension or emergency expulsion and periodically thereafter until the suspension or emergency expulsion ends to:
  - a. Coordinate the delivery and grading of course work between the student and the student's teachers at a frequency that would allow the student to keep current with assignments and course work for all of the student's regular subjects or classes; and
  - b. Communicate with the student, parents/guardians, and the student's teachers about the student's academic progress.

For students subject to expulsion or suspension for more than ten (10) consecutive school days, a school will make provisions for educational services in accordance with the "Course of Study" provisions of [WAC 392-121-107](#).

## Readmission

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### Readmission application process

The readmission process is different from and does not replace the appeal process. Students who have been suspended or expelled may make a written request for readmission to the district at any time. If a student desires to be readmitted to the district, the student will submit a written application to the superintendent's designee, who shall recommend admission or non-admission to the superintendent. The application will include:

1. The reasons the student wants to return and why the request should be considered;
2. Any evidence that supports the request; and
3. A supporting statement from the parent/guardian or others who may have assisted the student.

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

## Reengagement

### Reengagement meeting

The reengagement process is distinct from a written request for readmission. The reengagement meeting is also distinct from the appeal process, including an appeal hearing, and does not replace an appeal hearing. The district must convene a reengagement meeting for students with a long-term suspension or expulsion.

Before convening a reengagement meeting, the district will communicate with the student and parents/guardians to schedule the meeting time and location. The purpose of the reengagement meeting is to discuss with the student and the student's parents/guardians a plan to reengage the student. The reengagement meeting must occur:

1. Within twenty (20) calendar days of the start of the student's long-term suspension or expulsion, but no later than five (5) calendar days before the student's return to school; or
2. As soon as reasonably possible, if the student or parents/guardians request a prompt reengagement meeting.

### Reengagement plan

The district will collaborate with the student and parents/guardians to develop a culturally-sensitive and culturally-responsive reengagement plan tailored to the student's individual circumstances to support the student in successfully returning to school. In developing a reengagement plan, the district must consider:

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

The district must document the reengagement plan and provide a copy of the plan to the student and parents/guardians. The district must take reasonable steps to ensure that both the reengagement meeting and the reengagement plan are in a language the student and parents/guardians understand.

## Exceptions for protecting victims

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

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

## Discipline of Special Education Students

### Policy 3318 ▼

Notwithstanding any other provision of [Policy 3300](#) and [Procedure 3300P](#), 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 [Policy 3300](#) and [Procedure 3300P](#).

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 per [Procedure 2211P](#).

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 in is not related to the student's disability and that the student is not in need of a change of placement or reassessment, [Policy 3300](#) and Procedure 3300P 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 and those set forth in [Policy 3300](#) and Procedure 3300P, 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](#). The notice shall also conform with the required procedures set forth under Procedure 3300P and advise of hearing rights available under [Policy 3300](#) and Procedure 3300P, and any hearing rights available under [WAC 392-172A-05160-05170](#).

## Discipline Appeal Council

### Policy 3320 ▼

The board of directors delegates its authority to hear and decide discipline grievance appeals, not including long-term suspensions, expulsions or emergency expulsions, to a discipline 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. All council members shall be knowledgeable about the discipline rules set forth in [Chapter 392-400 WAC](#), *et seq.* and of the district's discipline policies and procedures.

Any decision by the discipline appeal council to impose or to affirm, reverse, or modify the imposition of discipline 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 discipline appeal council.

## Use of Physical Restraint and Isolation with Students

### Policy 3319 ▼

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.

### 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.

### Definitions

The following definitions shall apply to Policy 3319 and this procedure.

1. 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.
2. 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.
3. 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.
4. Imminent: The state or condition of being likely to occur at any moment or near at hand, rather than distant or remote.
5. 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.

6. Physical force: The use of bodily force or physical restriction that substantially immobilizes or reduces the freedom of movement of a student.

### 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.

## Special education and Section 504 students

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.

Consistent with provisions found in [Chapter 392-172A WAC](#), 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.

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.

### 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.

#### 1. Provisions

- a. 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.
- b. These recommendations in no way detract from any district employee's lawful use of force, as defined in [RCW 9A.16.020](#).
- c. 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).

- d. 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.

## 2. When to Use Most Restrictive Isolation Procedures

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

For the purposes of [Policy 3310](#) and this procedure, a “violent criminal offense” means:

- ☐ Assault—physical harm [RCW 9A.36](#)
- ☐ Harassment [RCW 9A.46](#)
- ☐ Kidnapping, unlawful imprisonment, custodial interference, luring, trafficking and coercion of involuntary servitude [RCW 9A.40](#)
- ☐ Sex offenses [RCW 9A.44](#)
- ☐ Theft and robbery [RCW 9A.56](#)
- ☐ Arson, reckless burning, and malicious mischief [RCW 9A.48](#)

For purposes of [Policy 3310](#) and this procedure, a “victim of a violent criminal offense” shall mean a student who has been the victim of a violent offense which may be punishable by expulsion according to district policy or has been the victim of one of the offenses listed above as defined by the Washington State Criminal Code and as verified by a local law enforcement officer or judicial officer.

## Victims of Criminal Offenses

### Policy 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.

## Procedure

### 3310P ▼

A student who is a victim of a violent criminal offense while in or on the grounds of the district school he or she attends will be offered the opportunity to transfer to another district school that is not identified by the State as “persistently dangerous.” This offer shall be extended to the student within ten school business days of the district’s determination that the student has been the victim of such an offense.



# PART IV.

## Teacher responsibilities and rights

### Teacher Responsibilities and Rights

#### Policy 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, themselves, 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.
- B. Classroom exclusion: The teacher may impose classroom exclusion of a student in accordance with [Policy 3300](#) and [Procedure 3300P](#).
- C. When a teacher deems it necessary, they may recommend to the principal that a student receive discipline or exclusion from the teacher's classroom. Before implementing a suspension or expulsion, staff must follow the procedures set forth in [Procedure 3300P](#).
- D. Each teacher shall be promptly advised of any complaint made to the principal or other district administrator regarding the teacher's discipline of students. The teacher 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 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 non-supervisory staff shall have the right to:

1. Expect students to comply with school rules.
2. Participate in the review and/or development of school rules relating to student conduct and behavioral expectations at least once each year. School rules shall be consistent with district policies and procedures relating to student conduct expectations.
3. Exclude a student from the teacher's classroom for violations of student conduct and behavioral expectations that disrupt the educational process in accordance with [Policy 3300](#) and [Procedure 3300P](#). Prior to excluding a student, the teacher must attempt one (1) or more other forms of discipline to support the student in meeting behavioral expectations, unless the student's presence poses an immediate and continuing danger to other students or of the educational process. A classroom exclusion may be administered for all or any portion of the balance of the school day in which the student was excluded from the student's classroom or instructional or activity area.

#### Procedures

- A. The teacher shall have the right and it shall be the teacher's 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.



4. Receive any complaint or grievance regarding disciplinary action 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:

1. Observe the rights of students.
2. Supervise student behavior and enforce the rules of student conduct and behavior expectations fairly, consistently, and without discrimination. Any student infractions shall be reported orally and in writing to the principal as soon as possible regardless of any discipline taken by the teacher.
3. Maintain good order at all times in the classroom, in the hallways, and on the playgrounds or other common areas of the school, or while riding on school buses or other district-provided transportation (e.g., field trips, school related activities).
4. Maintain accurate attendance records and report all cases of truancy.
5. Set an appropriate example of personal conduct and avoid statements which may be demeaning or personally offensive to any student or group of students ([Policy 5253](#)/[Procedure 5253P](#)).
6. Meet with a parent(s)/guardian(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:

1. Use such reasonable action as is necessary to protect themselves, a student, or others from physical abuse or injury.
2. Exclude a student from the teacher's classroom or instructional or activity area in accordance with [Policy 3300](#) and [Procedure 3300P](#).
3. Principals may impose discipline, including suspension or expulsion when appropriate and in accordance with [Policy 3300](#) and [Procedure 3300P](#).





# PART V.

## Principal responsibilities and rights

### Principal Responsibilities and Principal and Assistant Principal Authority and Rights

#### Policy 3333 ▼

#### Principal responsibilities

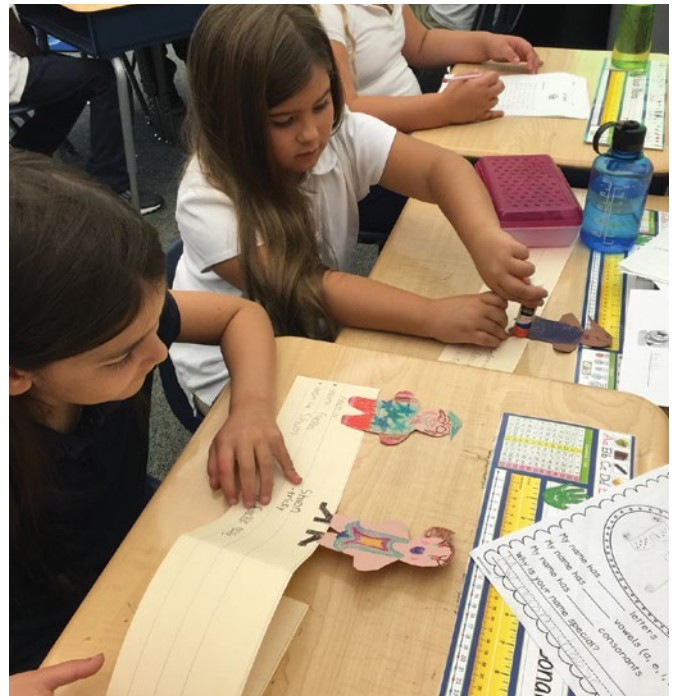
- A. Each principal shall be responsible for the enforcement of the prescribed district rules for student conduct and for the compliance with district and building guidelines relating to the discipline of students.
- B. Each principal may develop such building guidelines relating to student discipline as may be appropriate. Such building guidelines shall be consistent with 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 ([Policy 5253/Procedure 5253P](#)).
- 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.
- F. Principals shall distribute to students, parents and staff a publication pertaining to student rights, conduct, and discipline.
- G. Principals shall notify parents when students are suspended or expelled in accordance with [Policy 3300](#) and [Procedure 3300P](#).

#### 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 any student for any violation of rules for student conduct in accordance with [Policy 3300](#) and [Procedure 3300P](#). 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

The principal and assistant principal shall be promptly advised of any complaint made to any other 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 their version of the incident and to meet with the complaining party in the event that a conference with the complaining party is arranged.



# PART VI.

## Specialized programs, medical / health information and other notifications

### Specialized programs and services

#### Challenging options

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

##### High school

Honors, Advanced Placement, College in High School, and Running Start are some of the challenging options available. 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, contact your students' school counselor or visit the district's website [www.everettsd.org/Page/5961](http://www.everettsd.org/Page/5961).

##### Middle school

Middle school Advanced Pathways include English Language Arts and Mathematics. These classes are for students who are achieving at high academic levels and are motivated learners. Teachers, parents and students may refer students for the program. Selection for these courses is based on parents' and teachers' thoughtful consideration of the characteristics of students likely to succeed in advanced pathways. For more information, contact your students' school counselor or visit the district's website [www.everettsd.org/Page/5961](http://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. Parent referral packets are used to refer students to be considered for placement into the Highly Capable classes. Teachers and community members may also refer a student, but only a parent or guardian can give permission to test. For more information, contact your students' teacher or visit the district's website [www.everettsd.org/Page/5961](http://www.everettsd.org/Page/5961).

#### Kids in Transition (KIT) programs for homeless students

The KIT program supports Everett Public Schools students who qualify as homeless under the federal McKinney-Vento Act. Students who lack a fixed, regular, and adequate nighttime residence may qualify. The KIT program helps eliminate barriers to students' enrollment, academic success and extra-curricular participation. We ensure eligible students have school meals at no cost, school supplies and may provide tutoring or facilitate student participation in extended day or summer school classes. We help students participate in activities such as field trips, sports, and clubs by paying required fees. KIT may provide transportation to maintain school stability, even when staying outside of the regular service area. For more information or to see if you may qualify, please visit [www.everettsd.org/kit](http://www.everettsd.org/kit), contact your school counselor, or call the KIT office at 425-385-4032.

#### Foster education program

Students in state, federal or tribal foster care as described by OSPI and includes "Foster care means twenty-four hours per day temporary, substitute care for the child placed away from the child's parents or guardians, and for whom the Department of Children Youth and Their Families (DCYF) or a licensed or certified child placing agency has placement and care responsibility." These students are supported through the Foster Education Program as implemented under the Every Student Succeeds Act (ESSA) which provides support similar to KIT. To learn more visit [www.everettsd.org/Page/27519](http://www.everettsd.org/Page/27519). For support, help with student enrollment, accessing transportation and more, please contact your school counselor or call Categorical Programs at 425-385-4030.

#### Title I and Learning Assistance Program

##### Title I program

Title I is a federal program designed to provide children significant opportunity to receive a fair, equitable, and high-quality education to close educational achievement gaps. Title I program funding supports early learning, students experiencing homelessness, foster, and six elementary schools with the highest percentage of poverty. The program provides support to meet the specific needs of educationally at-risk children at qualifying schools. Students attending qualifying schools receive additional support to meet standards.

## Learning Assistance Program (LAP)

The LAP program is state funded and provides supplemental services for students scoring below grade-level standard in English language arts (ELA) and mathematics. These services focus on accelerating student growth to make progress towards grade level. This may include academic readiness, skill development, or behavior supports. These services address barriers preventing students from accessing core instruction. The intent is for LAP students to increase academic growth during the period of time they are provided services. LAP emphasizes research-based best practices designed to increase student achievement.

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>.

## Online high school

Online learning is provided for high school students to take online courses including core courses, elective, 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](mailto: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 are enrolled in Everett Public Schools and have a written student learning plan that includes site-based and remote classes overseen by a certificated teacher. 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](http://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](http://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 CTE credits on the student's transcript and may be eligible for course equivalencies in other subject areas. For more information, contact Sno-Isle Technical Skills Center at 425-348-2220 or visit their website at [www.snoisletech.com](http://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](http://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 / health information

### Medication at school

If a student must receive medication 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 delegated to and trained by an RN, and who has successfully completed medication administration training can administer medication;
- ☐ The medication to be given at school must have a completed Medication Authorization Order form, signed by the Licensed Healthcare Provider (LHCP) and the parent/guardian; and
- ☐ The medication must be in the original, properly labeled container, including any OTC medication and samples.

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

## Life-threatening health conditions

Washington State law defines how children with life-threatening health conditions will be served. A life-threatening health condition means a condition “that will put the child in danger of death during the school day if a medication and treatment order, providing authority to a registered nurse, 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 prior to the child’s attendance at 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, Life-Threatening Allergies, Asthma and Seizures)

## Required immunization documentation

Immediately upon enrollment in the district, the student’s parent or legal guardian must provide proof of the required immunizations as specified by the Washington Department of Health with a completed Certificate of Immunization Status (CIS) form approved by the Washington Department of Health (DOH), and/or an exemption with a completed Certificate of Exemption (COE) form approved by the DOH. The student cannot start attending school until the completed CIS and/or COE is on file at the school or the Conditional Immunization Status conditions have been met. Students experiencing homelessness, including migratory and refugee children and children in out-of-home (foster) care, who have not provided the required documentation will be allowed to enroll, attend classes, and participate fully, despite being out of compliance with immunization requirements.

### Exemptions from Immunization

The district will allow for exemptions from immunization requirements only as allowed for by [RCW 28A.210.090](#) and [WAC 246-105-050](#).

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](http://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 ([Policy/Procedure](#) 3413, Immunizations and Life-Threatening Health Conditions).

## Meningococcal and human papillomavirus diseases

In accordance with [RCW 28A.21.080](#), schools in Washington must make information available to parents/guardians of all students entering grades 6-12 on Meningococcal and Human Papillomavirus diseases and their vaccines.

## What is meningococcal disease?

Meningococcal disease is a very serious illness caused by bacteria. It can lead to brain damage, disability, and death. It usually causes two types of infections: swelling of the covering of the brain and spinal cord (meningitis) and blood infections (septicemia).

There are five types (serogroups) of meningococcal bacteria that cause most disease worldwide: A, B, C, W, and Y. Serogroups B, C, and Y cause most of the illness seen in the United States. [There are vaccines to protect against all five of these strains.](#)

## What are the symptoms of meningococcal disease?

Meningitis is the most common form of meningococcal disease (50 percent of cases). Symptoms of meningitis include sudden onset of fever, headache, stiff neck, nausea, vomiting, sensitivity to light, and confusion.

Meningococcal septicemia (bloodstream infection) is the second most common type of meningococcal infection (40 percent of cases). Symptoms of septicemia include fever, fatigue, vomiting, severe aches or pain, rapid breathing, diarrhea, cold chills, and in the later stages, a dark purple rash on the legs and arms.

If a person has symptoms of meningococcal disease, they usually appear anywhere from 3 to 4 days after exposure. Some people are carriers of meningococcal bacteria, but they have no symptoms of disease. Carriers can spread the disease to other people through direct contact with saliva.

Newborns and babies may not have the classic symptoms. Instead, babies may be slow or inactive, irritable, vomiting, or feed poorly. In young children, doctors may also look at the child’s reflexes for signs of meningococcal disease, specifically meningitis.

## Is meningococcal disease contagious?

Yes, meningococcal disease is contagious. It requires close or lengthy contact to spread. It’s spread to other people by respiratory droplets, saliva or spit, or direct contact, such as coughing, kissing, or sharing anything by mouth with an infected person, like straws, silverware, lip balm, or toothbrushes.

Although it is rare, people can get meningococcal disease more than once. A previous infection does not offer lifelong protection from future infections. The risk of reinfection is one of the reasons why the Centers for Disease Control and Prevention recommends that all preteens and teens get vaccinated against meningococcal disease.

## What makes meningococcal disease a serious illness?

Even with antibiotic treatment, 10 to 15 in 100 people infected with meningococcal disease will die. About 11 to 19 in 100 survivors will have long-term disabilities, such as loss of limb(s), deafness, nervous system problems, or brain damage.



## Who is at risk for meningococcal disease?

Anyone can get meningococcal disease, but rates of disease are highest in children younger than 1 year of age, followed by a second peak in adolescence. Among teens and young adults, those 16 through 23 years old have the highest rates of meningococcal disease. Adults age 65 years and older have higher rates of disease as well.

Some people are at greater risk for getting meningococcal disease and include those who:

- ☐ Are children less than 5 years of age, adolescents and young adults 16-21 years of age, and adults 65 and older
- ☐ Have a rare type of autoimmune disorder (complement component deficiency)
- ☐ Are taking the medicine called eculizumab (Soliris®)
- ☐ Have asplenia (a damaged spleen or their spleen has been removed), including sickle cell disease
- ☐ Have HIV
- ☐ Are traveling to or living in countries where the disease is common
- ☐ Are part of a group of people identified to be at increased risk because of a meningococcal disease outbreak
- ☐ Are a microbiologist who is routinely exposed to the meningococcal bacteria *Neisseria meningitidis*
- ☐ Are college students living in a residence hall
- ☐ Are a military recruit

Other factors that may increase risk for meningococcal disease include household crowding, smoking, and having a viral infection that occurs before meningococcal infection.

## What is the best way to prevent meningococcal disease?

The best way to protect yourself against meningococcal disease is to get vaccinated before you are exposed. Two types of vaccines can protect against several kinds of meningococcal disease: meningococcal conjugate vaccine (protect against serogroups A, C, W, and Y) and meningococcal B vaccine (protect against serogroup B).

Meningococcal conjugate vaccine is a routine recommendation for all children aged 11 to 12 years, with a booster shot for teens at 16 years of age. Travelers to certain countries, and people aged 2 months and older who are at increased risk for meningococcal disease should also get the vaccine. People who are at increased risk for meningococcal disease should get revaccinated every 5 years with meningococcal conjugate vaccine as long as they remain at increased risk.

Meningococcal B vaccine may be given at 10 years of age and older to people with certain health conditions, are at increased risk because of a meningococcal B disease outbreak, or work with meningococcal bacterial in a lab. This vaccine is given in 2 or 3 doses.

## What should I do if I have been exposed to someone with meningococcal disease or get sick with meningococcal disease?

If you are exposed to someone with meningococcal disease or get sick with it, go to the emergency room for treatment as soon as possible. Then call your healthcare provider or local health department.

Many antibiotics are effective for treating meningococcal disease. It is important that treatment starts as soon as possible. Antibiotics help reduce the risk of dying, and are most effective when given immediately after symptoms begin.

Anyone who has been in close contact with someone who is sick with meningococcal disease should also seek treatment and begin antibiotics within 24 hours, even if they have been vaccinated before.

## HPV Vaccine is Cancer Prevention

Human papillomavirus (HPV) is a very common virus that causes genital, oral, and skin infections. It is spread easily through intimate skin-to-skin contact. People of all genders can get HPV, and spread it to others without realizing they have the virus. HPV infection is most commonly acquired in the late teens and early 20s.

There are many types of HPV. Most of them are harmless and do not cause infections or symptoms. However, some types of HPV can cause cancer of the cervix, vagina, vulva, penis, anus, and back of the throat. Other types of HPV can cause genital warts. The good news is that most of these types of cancers and warts can be prevented with a vaccine against HPV infection. [Learn more about HPV, cancers caused by HPV, and the vaccine for HPV.](#)

## Doctors and nurses recommend the HPV vaccine for children at age 11 to 12

[As this infographic shows, the HPV vaccine provides long-lasting protection against the most common cancers caused by HPV. \(PDF\)](#) Doctors and nurses recommend the vaccine for preteens of all genders at age 11 or 12; however, the two-dose series can be started as early as age 9. The HPV vaccine is most effective at this age because it produces the most infection-fighting cells, or antibodies, when given during the preteen years. Getting the vaccine at this age also ensures immunity is already in place before they are exposed to the virus. However, if your teen hasn't received the vaccine, it is not too late. Talk to their doctor or nurse about getting them immunized as soon as possible. The vaccine is recommended up through age 26. [The HPV vaccine also may be given to adults age 27 through age 45](#), so if you fall in this age range, talk with your healthcare provider to see if you should get the HPV vaccine.

## HPV vaccine is available at no cost to adolescents less than 19 years of age

The Washington State [Childhood Vaccine Program](#) provides all recommended vaccines at no cost for children through age 18, and they're available from healthcare providers across the state. Healthcare providers may charge an office visit fee and an administration fee for the vaccine. However, if you cannot afford the administration fee, you may ask your provider to waive it. And most health insurance plans cover the vaccine for adults who are recommended to get it.

## Parents: Did you know you have the power to protect your kids from certain cancers?

Parents and guardians have an important role in protecting adolescents from HPV. Talk with your child's doctor or nurse about the HPV vaccine. [HPV vaccine is cancer prevention](#). HPV vaccines are safe and highly effective in preventing infection with the types of HPV they target when given before a person is exposed to the virus. Make an appointment today to protect your child from several cancers caused by HPV.

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

### State resources

Washington State Department of Health  
[www.doh.wa.gov](http://www.doh.wa.gov)

Office of Immunization and Child Profile  
[www.doh.wa.gov/AboutUs/ProgramsandServices/PreventionandCommunityHealth/OfficeofImmunizationandChildProfile](http://www.doh.wa.gov/AboutUs/ProgramsandServices/PreventionandCommunityHealth/OfficeofImmunizationandChildProfile)

Disease and prevention  
[www.doh.wa.gov/YouandYourFamily/InfantsChildrenandTeens/DiseasePrevention.aspx](http://www.doh.wa.gov/YouandYourFamily/InfantsChildrenandTeens/DiseasePrevention.aspx)

### Federal/national resources

Centers for Disease Control and Prevention  
[www.cdc.gov/std/hpv/](http://www.cdc.gov/std/hpv/)

Meningococcal vaccine information  
[www.cdc.gov/vaccines/hcp/vis/vis-statements/mening.html](http://www.cdc.gov/vaccines/hcp/vis/vis-statements/mening.html)

Disease information  
[www.cdc.gov/meningococcal/about/index.html](http://www.cdc.gov/meningococcal/about/index.html)

Pre-teen immunizations  
[www.cdc.gov/vaccines/who/teens/index.html](http://www.cdc.gov/vaccines/who/teens/index.html)

Vaccines & Immunizations  
<https://www.cdc.gov/vaccines/>

National Meningitis Association  
[www.nmaus.org](http://www.nmaus.org)

American Sexual Health Association  
[www.ashasexualhealth.org/parents/](http://www.ashasexualhealth.org/parents/)

American Cancer Society  
[www.cancer.org](http://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)

## Family rights and legal notifications

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>.

## 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.

## 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 office of General Counsel. Records can be requested by writing that office at 3900 Broadway, Everett WA 98201 or by email [publicrecords@everettsd.org](mailto:publicrecords@everettsd.org). ([Policy/Procedure](#) 4340, Public Access to District Records)

## On-bus cameras

For the safety of our employees and students, Everett Public Schools and Durham School Services reserve the right to monitor and document student behavior on buses utilizing recording devices. There is no reasonable expectation of privacy on board Everett Public Schools or 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 Everett Public Schools and Durham School Services. ([Policy/Procedure](#) 3244, Students Riding School Buses or Other District-Provided Transportation)

## 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.

## 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.

## 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.



# 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.***

|                                       |  | WHEN SCHOOL IS<br>CANCELLED FOR A DAY ▼   | WHEN SCHOOL STARTS 2<br>HOURS LATE ▼   | MORE INFORMATION<br>AVAILABLE ▼  |
|---------------------------------------|--|---|--|--|
| PROGRAMS IMPACTED BY SCHEDULE CHANGES | 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.   |



## Notes



## **Everett Public Schools**

3900 Broadway, Everett, WA 98201  
425-385-4000 • [www.everettsd.org](http://www.everettsd.org)

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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.

Designated to handle inquiries about nondiscrimination policies are:

Title IX / Civil Rights Compliance Officer – Mary O'Brien, [mo'brien@everettsd.org](mailto:mo'brien@everettsd.org), 425-385-4106  
504 Coordinator – Dave Peters, [dpeters@everettsd.org](mailto:dpeters@everettsd.org), 425-385-4063  
ADA Coordinator – Randi Seaberg, [rseaberg@everettsd.org](mailto:rseaberg@everettsd.org), 425-385-4104