

GARFIELD STAFF HANDBOOK 2019-2020



Garfield Elementary School
2215 Pine Street
Everett, WA 98201

Garfield Elementary School

Mission Statement

Our Garfield School community has a shared responsibility to increase academic achievement and develop attitudes of mutual respect and cooperation.

Our goal is to enhance the learning environment and to increase achievement in math, science and language arts for all students.

GENERAL BUILDING PROCEDURES

BUILDING MEETINGS

Staff meetings will be held each Wednesday. The purpose of these meetings varies from week to week (See Staff Meeting Guidelines). One meeting each month is devoted to school policies and procedures, while the other meetings are devoted to curriculum, school improvement work and other professional development activities.

STAFF LEAVING BUILDING AT LUNCH TIME

Staff leaving the building during their scheduled lunch time should sign out and inform the office prior to leaving and upon their return.

ROOM CLEAN-UP

All staff is responsible for keeping classrooms, instructional and office spaces neat and orderly. All work spaces should be attractively decorated representing a child-centered focus that reflects diversity. A special effort needs to be made for **total student participation in room clean-up before dismissal time**.

- a) Chairs should be stacked and placed on the tile.
- b) Paper, pencils, crayons, etc. off the floor.
- c) Counters and storage areas should be neat.
- d) Containers, jars, brushes, etc. should not be left in the sinks.
- e) Instructional materials should be put away.

TEACHING SUPPLIES

Materials and supplies are available in the supply room for your use. If you cannot find needed items, please check at any time with the paraeducators or the office manager. Students will not be allowed in the supply room at any time. Our budget continues to be tightened, so please take only what you need.

OFFICE MACHINES

Any staff member needing in-service on the use of the copy machine, see the paraeducators or the office staff. Only the office staff and paraeducators are authorized to go into the machine to clear a paper jam or add toner. Please go to them for assistance. Office staff and paraeducators will operate the laminator.

INSTRUCTION MATERIALS POLICY

All teachers should be aware that the District is required by law to have a policy and procedure for the selection of and utilization of instructional materials. As employees of the school district we are required to follow the policy and procedures.

SCHOOL ACTIVITIES

All school activities or related activities held in the school, other than the authorized curriculum, must be approved by the principal prior to its being carried through.

CONFERENCES

Regular parent/teacher conferences are scheduled in October and March for grades K through 5. However, teachers are encouraged to maintain close contact with parents through extra conferences, telephone contacts, classroom visits, good news, etc.

ATTENDANCE

Attendance will be done on the computer every day by 9:45. Excuses for absences and tardies are expected from parents or guardians - and are to be turned into the office daily. Tardy students must report to the office for a tardy pass before entering class. To avoid additional phone calls and upset parents, please be sure to report known absences and appointments to the office staff.

TEACHERS RESPONSIBILITIES TO STUDENTS

Teachers must supervise their classes when moving from one area to another, in and out of the building. This includes entering the building in the a.m. as well as recess and lunch. Remember: **All staff at Garfield are responsible for teaching, re-teaching, and monitoring student behavior.**

STUDENT BEHAVIOR AT SCHOOL

All teachers are required to go over the District's Rights and Responsibility Handbook including the policy on Sexual Harassment with students. Teachers should familiarize themselves with the Garfield management plan (*Positive Behavioral Interventions and Support, PBIS*) and use it as a guide with all students. All teachers are responsible for teaching, re-teaching, and monitoring student behavior.

Teachers should discuss with their students rules governing student behavior at school and they should continue to remind them about safety on the way to and from school. Routines and procedures should be taught during the first two weeks of school, and should be reviewed consistently throughout the year.

COUNSELING / DISCIPLINE SUPPORT

The principal, assistant principal and support staff, are available to assist any staff member with counseling and/or discipline needs of students. Emergency situations should be brought to the attention of the principal as soon as possible.

Teachers are to use progressive discipline with interventions as appropriate. If students are sent to the office for disciplinary reasons or for counseling needs, they should be accompanied by the teacher or a signed note from the teacher explaining the reason for sending the student to the office.

DISMISSAL

Upon dismissal, the students are to leave the school grounds and go directly home. Exceptions will be made for patrols, students assigned to special tasks, activities or projects.

*All early dismissals must be cleared through the office; and all students must be picked up by parent/guardian from the office. Parents that appear at your door, without a Visitor's pass, must be sent to the office.

STUDENTS AFTER SCHOOL

*Teachers must do the following when keeping a student after school:

- a) Get approval from the parent by phone or note ahead of time.
- b) Make sure the student has a safe way home.
- c) Do not keep any student longer than forty minutes.

SUPERVISION

Garfield staff should follow all duty assignments as scheduled. This is a part of the over-all school program.

*Assigned supervisory staff should see that all students are in the building before returning to their classroom.

*All teachers are to pick up and escort their students into the building. Students are to enter and leave building in an orderly manner.

*All teachers must supervise their classes when moving from one area to another, in and out of the building. This includes recess and lunch times. During lunch, teachers are expected to stay with their students until there is adequate supervision. In addition, all teachers are expected to stay with their students in the cafeteria until their assigned lunch time. All staff is expected to assist with hall supervision during the school day.

LUNCH AND PLAYGROUND SUPERVISORS

Please assist the playground and lunchroom supervisors whenever possible. It is important to be sure each child knows what is expected of him in regard to behavior and rules and regulations. It is also critical that all students understand that the **playground supervisors have the same authority as teachers on the playground.**

STUDENTS STAYING IN AT RECESS

"All" students are to go outside during recess and lunch, unless they have a note from a parent that is approved by the principal/designee, which indicates the student must remain indoors for health reasons. Students assigned to detention will be supervised by a specified staff person. Students coming to the office for health reasons should bring a book to read or other class work to keep them occupied.

In no case should students remain in the classroom unsupervised. You are liable in the event of an accident. When weather is inclement, as determined by noon supervisors, students will play under the covered play area and/or the gym.

Students should always report to their rooms after recesses, etc. and should come to the office only when directed by a teacher or supervisor in the event of an emergency.

ILL STUDENTS - STUDENTS NEEDING FIRST AID

Students who are ill or are in need of first aid should be sent to the office with a note. In cases where students are injured or become seriously ill, the health room or school office is to be notified. It is the responsibility of the assigned duty person to fill out an accident report form when necessary.

Teachers are encouraged to use their best judgment in referring students to the health room. **Please only send students who are sick or injured.**

The check out procedure for students being sent home from school, before dismissal time, due to illness, etc. is as follows:

- a) The health room assistant or the office staff will notify the parent or emergency designee on the enrollment form.
- b) The student will be sent back to class to get their things and have the teacher initial the pass. This lets the office know that you are aware that the student is going home.
- c) The student must bring the pass back to the office and then wait in the office or health room for a parent.
- d) The parent must sign the child out at the office desk before leaving the building.

ACCIDENTS

If an accident of a serious nature occurs during any of these duty situations it will be the responsibility of the assigned person to fill out an accident report regarding the accident. The accident forms may be obtained in the office. Notify the office of anything of a serious nature.

****All** staff accidents should be reported to the office.

STUDENT PASS

Hall passes should be issued to **all students** when they are running special errands, completing unscheduled activities and visiting the office and/or health room. Students using the bathroom are expected to sign out within the classroom.

TELEPHONE

Students will not be allowed to use the phone during the day unless there is an emergency. If a student needs to use the phone, please send his/her to the office, as this keeps the office staff in the loop when return phone calls come back. Arrangements for visiting friends after school are not considered important and should be made at home.

Classroom phones – If students will be answering your classroom phone, please train them how to answer your phone appropriately.

FORGOTTEN ITEMS FROM HOME

Parents/Guardians should deliver forgotten lunches, coats, etc. to the office rather than disturbing a class in session.

MONEY

No money should be left at school overnight. Also, it should not be left in student desks during the day. Students should only bring enough money for lunch to school. Money for field trips or special activities must be collected in the morning and turned in to the office daily.

BICYCLES

Children in grades 3, 4 and 5 may ride bicycles to school. They are to be walked across all patrol crossings and while on the school grounds. Students who ride their bikes to school will be required to register their bikes in the school office, and must wear a helmet and have a bike lock.

FIELD TRIP NOTICES

It is the responsibility of the teacher scheduling the trip to see that all permission forms have been completed for each student prior to going on the trip. Only written permission signed by the parent or guardian will be accepted. Completed field trip permission forms are required for all field trips (even walking trips). All field trip information, including an itinerary, should be sent home with students in a timely manner.

Building Information

Voice Mail

To facilitate communication with parents, teachers are requested to update their voice mail regularly and to check their voice mail on a daily basis. Remember to answer voice mail within 24 hours of receipt.

Mailboxes in Office

Teachers are requested to check their mailbox before and after school. Only emergency messages will be delivered to the classroom. Teachers should not send students to the office to retrieve mail.

Email

Email is considered a central form of communication in the Everett Public Schools. "All messages on the Everett Public Schools email system are considered to be Public Records. No privacy is guaranteed for any message sent on this system. Never send a message that you would not want to see appear in the newspaper, court records, etc.

All staff are to check their email each day.

Garfield Staff Bulletin

The Garfield Staff Bulletin is published on the first working day of the week and is sent via email. Staff members are responsible to read the newsletter carefully each week before the start of the school day. Schedules for the week, calendar changes, important news and other critical information is included. The information in the Staff Bulletin is for staff only; students and parents should not have access to this information. Please keep your copies in a secure location.

Garfield Tiger News- Parent Newsletter

Students take home our school newsletter to their parents on the 1st Tuesday of every month. Information you wish to have included in a newsletter should be emailed to Dawnita Healas.

Visitors

All visitors must sign in and out through the front office. Please advise the front office staff if you are expecting a visitor to your classroom. For complete information, refer to the policies

Lesson Plans

Each teacher shall make adequate daily and long-term preparations and shall have adequate plans available for use by substitutes (See below)

Student Intervention Team (SIT)

The Student Intervention Team meets once a week. The primary purpose of the team is to make decisions / recommendations about the students who are struggling at Garfield Elementary School. If teacher intervention produces unsuccessful results, students are referred by the teacher to the student's counselor.

Lamination

There is one lamination machine available at Garfield located in the work room. Due to the high cost

of laminating materials and maintenance cost, all lamination is completed by Teresa Cecil. Please communicate Teresa Cecil for any lamination questions.

Work Day

According to state law, district policy, and as stated in the Collective Bargaining Agreement [Section 9.01 A], “The normal working day for full-time employees shall be seven and one-half (7 ½) hours, inclusive of the duty-free lunch period, as assigned by the District.

At Garfield Elementary School, the normal work day for certificated staff is from 8:25 to 3:55 pm, except for those days with modified work schedules or when a work day extension has been scheduled.

Keys and Badges

If you do not have a key to get into the building, please see the Office Manager and keys will be issued to you with the approval of an administrator. Please follow these guidelines for school keys carefully:

1. Always keep your building keys with you. Keys are never to be given to students.
2. Sign a record for each key issued to you.
3. In the event of a lost key, the principal should be notified immediately. The principal is responsible for notifying the maintenance department immediately upon the report of a lost key.
4. Do not duplicate keys. This is a serious violation of district procedures.
5. Return all keys when you no longer have assigned school responsibilities for the areas of the campus for which you were issued keys.
6. Staff may request to retain their keys during the summer break, but must verify the numbers of their keys with the Office Manager annually.
7. Electronic Entry Badges: Your electronic entry badge is considered a key and should be treated as such using the above guidelines. See the Office Manager if your badge needs to be updated. Nothing identifying “Garfield”, such as a lanyard, should be attached to your badge.

Substitutes/Guest Teachers

Guest Teachers are a critical part of the smooth operation of the education program at Whittier Elementary School. Staff are expected to carefully prepare for any absence, whether pre-arranged or sudden. You should speak frequently with your students concerning your expectations for behavior and activity at any time when the class is being taught by a guest teacher.

1. Each teacher will complete a substitute procedure form to be kept in the office. Location of lesson plans, current seating charts, class lists and other pertinent information should be clearly available.
2. All staff shall maintain up-to-date seating charts for each class and keep them in a place where a guest teacher can locate them easily.
3. Teachers shall make adequate plans to assist guest teachers in conducting learning experiences appropriate to their subject and the instructional goals.
4. Preferred guest teachers can be requested through the district’s automated substitute calling program. Staff with questions about this system should ask for help from Darcy Anderson.

Staff are responsible for informing the district of any absence by calling the Automated Sub System or by logging in to the system from the district website. (See Appendix.) Staff must log in or call in to the system personally; the office cannot call a substitute for you.

Late Start Procedures for Weather or Other Emergencies

Staff are expected to make all safe efforts to arrive at work at the usual time in the case of a late start.

Notification of Late Start Schedule

Staff members will receive phone call notification if school will be starting late at Garfield.

When inclement weather or other emergency conditions delay the start of the school day or cause a school cancellation, we highly recommend that you listen to the major area radio and TV stations.

Most radio and television stations will announce any school schedule change or cancellation every 15 to 30 minutes.

Early Dismissal Procedures for Weather or Other Emergencies

In the case of an early dismissal from school for weather or other emergencies, staff are required by contract to remain on campus until all students have been safely dismissed.

Committees / Teams

Evaluation Team

Tara Anderson – Resource
Wendy McDermott – Extended Resource
Stephanie Vincent - Psychologist
Megan Woodworth – Extended Resource

PBIS Committee

Molly Barrow
Barb Dubin
Allison Hannan
Kate Jatón
Erika Moore
Brent Radcliff
Jordyn Randall
Kathy Stilwell
Stephanie Vincent
Jan Woebke
Megan Woodworth

Safety Committee

Dion Doton
Allison Hannan
Brent Radcliff
Kathy Stilwell
Robin Stoll
Erin Lemke

School Instructional Leadership Team

Tara Anderson
Amy Candland
Jade Baker
Barb Dubin
Kris Green
Sue Hollenbeck
Wendi Youngren
Brent Radcliff
Kika Sleeper
Kathy Stilwell
Monica Wagenhoffer
Jan Woebke

Student Intervention Team (SIT)

Kendra Drake
Kris Green
Allison Hannan
Sue Hollenbeck
Kate Jatón
Monica Wagenhoffer

Social Committee

Dawnita Heelas
Teresa Cecil
Stacey Ayers



District Policies and Procedures

District policies are adopted by the Everett Public Schools Board of Directors, based on laws and regulations. Procedures are developed by administrative staff to implement Board adopted policies.

The following pages provide nondiscrimination, harassment, and complaint policies and procedures, as well as some of the most frequently referenced policies and procedures, and include an example of how the policy/procedure might apply in a specific situation.

Table of Contents

NONDISCRIMINATION, HARASSMENT, AND COMPLAINT POLICIES AND PROCEDURES

Policy 2152/Procedure 2152P Nondiscrimination on the Basis of Sex in Education Programs and Activities and Title IX..... 15

Policy 3204 Prohibition of Harassment, Intimidation and Bullying 17

Procedure 3204P Prohibition of Harassment, Intimidation and Bullying 17

Policy 3205 Sexual Harassment of Students 28

Procedure 3205P Sexual Harassment of Students 31

Policy 3210/Procedure 3210P Nondiscrimination 37

Policy 3213/Procedure 3213P Transgender Students 44

Policy 4312/Procedure 4312P Complaints to Board Members Concerning Staff 49

Policy 5010 Affirmative Action and Nondiscrimination 50

Procedure 5010P Affirmative Action and Nondiscrimination 50

Policy 5160 Sexual Harassment 54

Procedure 5160P Sexual Harassment 55

Policy 5253 Maintaining Professional Staff/Student Boundaries 60

Procedure 5253P Maintaining Professional Staff/Student Boundaries 62

SERIES 1000 – BOARD OF DIRECTORS

Schedule 1400S Board Meeting Schedule 66

SERIES 2000 – INSTRUCTION

Procedure 2125P Web-based Resources and Other Online Educational Services 66

Procedure 2145P Suicide Prevention 66

Procedure 2150P Co-Curricular Program..... 66

Procedure 2151P Interscholastic Athletics/Activities 66

Procedure 2153P Student Group Meetings (Limited Open Forum) 68

Procedure 2210P Special Education and Related Services for Eligible Students 68

Policy 2211/Procedure 2211P Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973..... 68

Procedure 2311P Selection and Adoption of Instructional Materials 68

Procedure 2320P Field Trips 69

Procedure 2321P Guest Speakers..... 69

Policy 2331/Procedure 2331P Controversial Issues 69

Procedure 2340P Religious-Related Activities and Practices 70

Policy 2410/Procedure 2410P High School Graduation Requirements 70

SERIES 3000 – STUDENTS

Procedure 3122P Attendance 70

Policy 3200 Student Rights and Responsibilities..... 70

Policy 3204/Procedure 3204P Prohibition of Harassment, Intimidation and Bullying 70

Policy 3205/Procedure 3205P Sexual Harrassment of Students..... 72

Policy 3210/Procedure 3210P Nondiscrimination 72

Policy 3213/Procedure 3213P Transgender Students 72

Policy 3224/Procedure 3224P Student Dress 72

Procedure 3231P Searches of Students and Their Property 72

Procedure 3232P Searches of Lockers, Desks, and Storage Areas 73

Policy 3244/Procedure 3244P Students Riding School Buses or Other District Provided
Transportation..... 73

Policy 3245/Procedure 3245P Technology 73

Procedure 3246P Personal Electronic Devices 73

Policy 3300/Procedure 3300P Student Discipline..... 74

Policy 3318 Discipline of Special Education Students..... 74

Policy 3319/Procedure 3319P Use of Physical Restraint and Isolation with Students..... 74

Policy 3332/Procedure 3332P Teacher Responsibilities and Rights 74

Policy 3400/Procedure 3400P Student Welfare 74

Policy 3416/Procedure 3416P Medication at School 75

Policy 3418/Procedure 3418P Animals in Schools 75

Policy 3421/Procedure 3421P Child Abuse, Neglect and Exploitation 75

Policy 3530/Procedure 3530P Student Fundraising Activities..... 75

Procedure 3600P Student Records..... 75

Procedure 3610P Child Custody..... 76

SERIES 4000 – COMMUNITY RELATION

Procedure 4131P Confidential Communications 77

Policy 4205 Use of Tobacco or Tobacco-Like Products on School Property..... 77

Policy 4207 Regulation of Firearms and Dangerous Weapons on School District Property..... 77

Policy 4310 Contact with School/District Staff 77

Procedure 4312P Complaints to Board Members Concerning Staff 77

Policy 4314/Procedure 4314P Visitors and/or Disruption of School Operations..... 77

Procedure 4316P Notification of Threats of Violence or Harm..... 78

Policy 4340/Procedure 4340P Public Access to District Records 79

Policy 4411/Procedure 4411P Working Relationships with Law Enforcement, Child Protective Services and the County Health Department..... 79

Policy 4412 Political Relationships with Governmental Agencies 79

SERIES 5000 – HUMAN RESOURCES

Policy 5010/Procedure 5010P Affirmative Action and Nondiscrimination..... 79

Policy 5140 Tobacco or Tobacco-Like Products Use Policy 80

Policy 5150 Drug-Free Workplace 80

Policy 5160/Procedure 5160P Sexual Harassment..... 80

Policy 5161 Civility in the Workplace 80

Policy 5215 Conflicts of Interest..... 80

Policy 5225/Procedure 5225P Technology 80

Policy 5253/Procedure 5253P Maintaining Professional Staff/Student Boundaries 81

Policy 5270 Disciplinary Action and Discharge..... 81

Policy 5320/Procedure 5320P Leaves of Absence..... 82

Policy 5320.9/Procedure 5320.9P Family and Medical Leave 82

Policy 5406/Procedure 5406P Shared Leave Program 82

SERIES 6000 – MANAGEMENT SUPPORT

Procedure 6114P Gifts 82

Procedure 6213P Reimbursement for Travel Expenses 82

Procedure 6225P Food and Beverage Consumption 82

Procedure 6505P Video Security on School District Grounds or Property..... 83

Policy 6531 Care of District Property 84

Procedure 6540P School District’s Responsibility for Privately-Owned Property 84

Procedure 6550P Data Security and Privacy 84

Procedure 6571P Lending of District-Owned Equipment and Books 84

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

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

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

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

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

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

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

Title IX Program/Activity Evaluation

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

Determination of Effective Accommodation

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

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

Student Interest Survey

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

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

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

Student Requests for Modifications of Existing Programs or Additional Sports

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

Procedure 2152P Nondiscrimination on the Basis of Sex in Education Programs and Activities and Title IX (cont.)

Annual Building Program Review

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

Record Retention

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

Information and Inquiry

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

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

Policy 3204 Prohibition of Harassment, Intimidation and Bullying

Everett Public Schools maintains a safe and civil educational environment for all students, employees, parents/legal guardians, volunteers and community members that is free from harassment, intimidation and 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.

It shall be a violation of this policy and the district's sexual harassment policy for any student of the district to harass, intimidate or bully another student through electronic, written, verbal, nonverbal, or physical conduct while in or on school property (or in reasonable proximity thereto), school transportation, or at school-sponsored activities off school property.

Behaviors/Expressions

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

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.

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 address the impact that HIB has on victims 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 to determine intervention strategies. Interventions may include counseling, correcting behavior and discipline, to law enforcement referrals.

Procedure 3204P Prohibition of Harassment, Intimidation and Bullying

Students with Individual Education Plans or Section 504 Plans

If allegations are made that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the target of 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 will 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 all necessary additional services and supports, such as counseling, monitoring and/or reevaluation or revision of the student's IEP or Section 504 plan, to ensure the student receives a FAPE.

Retaliation

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

False Allegations

Knowingly reporting false allegations of HIB is prohibited. Students or employees will not be disciplined for making a report in good faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

Compliance Officer

The superintendent will appoint a compliance officer as the primary district contact to receive copies of all HIB Incident Report Forms and to ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the district.

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

A. 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, including gender expression or identity, mental or physical disability, or other distinguishing characteristics.

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

B. 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, embarrassing 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.

Procedure 3204P Prohibition of Harassment, Intimidation and Bullying (cont.)

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

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

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

“Retaliation” occurs when an aggressor takes adverse action or reprisal against a student because the student has reported incidents of HIB, or because the student has participated in an investigation of HIB.

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

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

“Targeted student” is a student against whom HIB has allegedly been perpetrated.

C. Relationship to Other Laws

The school community should be aware of other laws and procedures that address related issues such as sexual harassment or discrimination, including:

1. [RCW 28A.300.285](#) – Harassment, Intimidation and Bullying
2. [RCW 28A.640.020](#) – Sexual Harassment
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 gender or membership in a legally protected class under local, state, or federal law.

D. Prevention

1. Dissemination

In each school and on the district's website the district will prominently post information on reporting HIB; the name and contact information for making a report to a school administrator; and the name and contact information for the district compliance officer.

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

2. Education

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

3. Training

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

4. Prevention Strategies

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

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.

Procedure 3204P Prohibition of Harassment, Intimidation and Bullying (cont.)

E. Staff Intervention

All staff members who observe, overhear, or otherwise witness HIB or to whom such actions have been reported must take prompt and appropriate action to stop the harassment and to prevent its reoccurrence. Minor incidents that staff are able to resolve immediately, or incidents that do not meet the definition of HIB, may require no further action under this procedure.

F. Compliance Officer

The district compliance officer will:

1. 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 compliance officer. During the course of an investigation of harassment, intimidation or bullying, if the district becomes aware of a potential violation of [Policy 3204](#), the district investigator must promptly notify the compliance officer. In response, the 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](#).
2. Provide support and assistance to the principal or designee in resolving complaints.
3. Receive copies of all HIB reports, discipline referral forms relating to HIB, and letters to parents providing the outcomes of investigations. If a written report of HIB indicates a potential violation of the district's nondiscrimination policy ([Policy 3210](#)), the compliance officer must promptly notify the district's civil rights compliance coordinator.
4. Be familiar with the use of the student information system. The compliance officer may use this information to identify patterns of behavior and areas of concern.
5. Ensure the implementation of the policy and procedure by overseeing the investigative processes, including ensuring that investigations are prompt, impartial, and thorough.
6. Assess the training needs of staff and students to ensure successful implementation throughout the district, and ensure staff receive annual fall training.
7. Provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis.
8. In cases where, despite school efforts, a targeted student experiences HIB that threatens the student's health and safety, the compliance officer will facilitate a meeting between district staff and the child's parents/guardians to develop a safety plan to protect the student.

G. Incident Reporting

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

[Procedure 3210P](#) in a language that the complainant understands.

Step 1: Filing an Incident Report

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

Status of Reporter

a. 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](#) and this procedure to protect complainants and witnesses.

Procedure 3204P Prohibition of Harassment, Intimidation and Bullying (cont.)

b. Confidential

Individuals may file a report asking that their identities be kept secret from the accused and other students. Like anonymous reports, no disciplinary action will be taken against an alleged aggressor based solely on a confidential report. (Example: A student tells a playground supervisor about a classmate being bullied 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. Anonymous

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

Step 2: Receiving an Incident Report

All staff members are responsible for receiving oral and written reports. Whenever possible, staff members who initially receive an oral or written report of 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 the district reporting website and submitted to the principal or designee, unless the principal or designee is the

subject of the complaint.

Step 3: Investigations of Unresolved, Severe, or Persistent HIB

All reports of unresolved, severe, or persistent HIB will be investigated with reasonable promptness. To aid in the investigation in the case of alleged cyberbullying, a request may be made to the reporter to allow access to the social media or internet site(s) on which the cyberbullying is occurring. Any student may have a trusted adult (e.g., parent/guardian, relative, mentor, staff member) with them throughout the report and investigation process.

- a. Upon receipt of the incident report 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.
- b. 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 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 civil rights compliance officer. Upon receipt of this information, the civil rights compliance officer must notify the complainant that their complaint will proceed under the discrimination complaint procedure in [WAC 392-190-065](#) through [WAC 392-190-075](#), as well as the HIB complaint procedure. The notice must be provided in a language that the complainant can understand.

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

- c. Within two (2) school days after receiving the incident report, the school designee will notify the families of the students involved that a complaint was received and direct the families to the district's policy and procedure on HIB.

Procedure 3204P Prohibition of Harassment, Intimidation and Bullying (cont.)

- d. In rare cases, where after consultation with the student and appropriate staff (such as a psychologist, counselor, or social worker) the district has evidence that it would threaten the health and safety of the complainant or the alleged aggressor to involve their parent/guardian, the district may initially refrain from contacting the parent/guardian in its investigation of HIB. If professional school personnel have reasonable cause to believe that a student is subject to child abuse or neglect, they must follow district [Policy 3421](#) for reporting such cases to Child Protective Services or law enforcement.
- e. The investigation shall include, at a minimum:
 - An interview with the complainant;
 - An interview with the alleged aggressor;
 - A review of any previous complaints involving either the complainant or the alleged aggressor; and
 - Interviews with other students or staff members who may have knowledge of the alleged incident.
- f. The principal or designee may determine that other steps must be taken before the investigation is complete.
- g. The investigation will be completed as soon as practicable but generally no later than five (5) school days from the initial complaint or report. If more time is needed to complete an investigation, the district will provide the parent/guardian and/or the student with weekly updates.
- h. No later than two (2) school days after the investigation has been completed and submitted to the compliance officer, the principal or designee shall respond in writing or verbally to the parent/guardian of the complainant and the alleged aggressor stating:
 - The results of the investigation;
 - Whether the allegations were found to be factual;
 - Whether there was a violation of policy; and
 - The process for the complainant to file an appeal if the complainant disagrees with results.

Because of the laws regarding the confidentiality of student records (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 have reasonable cause to believe that a student is subject to child abuse or neglect, as mandatory reporters they must follow district policy for reporting

such cases to Child Protective Services or law enforcement.

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

Step 4: Corrective Measures for the Aggressor

- a. After completion of the investigation, the school or district designee will institute appropriate corrective measures.
- b. Corrective measures will be instituted as soon as possible, but in no event more than five (5) school days after contact has been made with the families or guardians regarding the outcome of the investigation.
- c. Corrective measures that involve student discipline will be implemented according to district [Policy 3300](#) – Student Discipline. If the accused aggressor is appealing the imposition of discipline, the district may be prevented by law and policy from imposing the discipline until the appeal process is concluded.
- d. If a principal or principal's designee finds that a student, staff member, or other member of the school community knowingly made a false allegation of HIB, that individual may be subject to corrective measures, including discipline.

Procedure 3204P Prohibition of Harassment, Intimidation and Bullying (cont.)

Step 5: Targeted Student's Right to Appeal

- a. 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.
- b. If the targeted student remains dissatisfied after the initial appeal to the superintendent, the student or parent/guardian may appeal to the school board by filing a written notice of appeal with the superintendent within five (5) school days of receiving the superintendent's written decision.
- c. An appeal to the school board or disciplinary appeal council must be heard within ten (10) school days of receipt of the written notice of appeal to the school board. The school board or disciplinary appeal council will review the record and render a written decision on the merits of the appeal within five (5) school days following the termination of the hearing, and shall provide a copy of the decision to all parties involved. The board or council's decision will be the final district decision.

Step 6: Discipline

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 HIB 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 a staff member has been found to be in violation of [Policy 3204](#) and this procedure, the district may impose disciplinary action, up to and including termination of employment. If a certificated employee is found to have committed a violation of [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 result in the loss of contracts.

Step 7: Support for the Targeted Student

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

F. Immunity/Retaliation

A staff member, student, or other member of the school community who promptly reports an incident of HIB to an appropriate school official, and who makes this report in

compliance with the district's policy and procedure relating to HIB is immune from a cause of action for damages from arising from any failure to remedy the reported incident. No staff member, student, volunteer, or other member of the school community may engage in reprisal or retaliation against a student, witness, or other person who brings forward information about an alleged act of HIB. Retaliation is prohibited and will result in appropriate discipline.

G. Other Resources

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

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:

Procedure 3204P Prohibition of Harassment, Intimidation and Bullying (cont.)

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

H. Other District Policies and Procedures

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

Policy 3205 Sexual Harassment of Students

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.

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.

Policy 3205 Sexual Harassment of Students (cont.)

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

Investigation and Response

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

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

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

Retaliation and False Allegations

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

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

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 time lines and delineate staff responsibilities under this policy.

Any school employee who witnesses sexual harassment or receives a report, informal

complaint, or written complaint about sexual harassment is responsible for informing the district Title IX/Civil Rights Compliance Coordinator. All staff are also responsible for directing complainants to the formal complaint process.

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

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

Notice and Training

The superintendent 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 coordinator and provide contact information, including the coordinator's email address.

Policy 3205 Sexual Harassment of Students (cont.)

Policy Review

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.

Procedure 3205P 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 Officer, as well as the district Title IX/Civil Rights Compliance Officer, and assistant superintendent 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 Coordinator so that the district can appropriately respond to the incident consistent with its own grievance procedures; and 2) law enforcement.

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

Confidentiality

If a complainant requests 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 Officer for evaluation.

The district Title IX 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.

Procedure 3205P Sexual Harassment of Students (cont.)

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

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

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

Mary O’Brien

Everett School District No. 2

3900 Broadway

P.O. Box 2098

Everett, WA 98201

mobrien@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

Procedure 3205P Sexual Harassment of Students (cont.)

The compliance officer or designee will receive and investigate formal complaints that involve only students. The assistant superintendent 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 assistant superintendent of human resources and forward a copy of the complaint.

B. 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 assistant superintendent of human resources within one (1) year after the occurrence that is the subject of the complaint, unless the delay is due to specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint or the district withheld information that was required to be provided under [WAC 392-190](#) or related guidelines.

C. Upon receipt of the complaint, the district’s compliance officer, the assistant superintendent 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 assistant superintendent of human resources shall provide the superintendent or designee with a full written report of the complaint and the results of the investigation, unless the matter is resolved to the satisfaction of the complainant without an investigation or prior to the submission of a written report.

D. The superintendent or designee shall respond in writing to the complainant within thirty (30) calendar days after the district received the written complaint by the district, unless

otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. If an extension is needed, the district will notify the complainant in writing of the reasons for the extension and the anticipated response date in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency, in accordance with Title VI. At the time the district responds to the complainant, the district will send a copy of the response to the Office of the Superintendent of Public Instruction.

E. The response by the superintendent or designee will include:

1. A summary of the results of the investigation;
2. Whether the district failed to comply with [WAC 392-190](#) or related guidelines;
3. If the district failed to comply with [WAC 392-190](#) or related guidelines, the corrective measures deemed necessary to correct the noncompliance; and
4. Notice of the complainant's right to appeal under [WAC 392-190-005](#), including where and with whom the appeal should be filed.

The district's response to the complaint will be provided in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency in accordance with Title VI.

F. Corrective measures necessary to correct any noncompliance shall be instituted as expeditiously as possible, but no later than thirty (30) calendar days after the district's written response to the complainant, unless otherwise agreed to by the complainant.

G. A complainant may appeal the superintendent or designee's decision to a hearing officer designated by the district to hear the appeal by filing a written notice of appeal with the superintendent on or before the tenth (10th) calendar day from the date the complainant received the superintendent or designee's response. The hearing officer shall not have been involved in the initial complaint or investigation.

H. Upon receipt of an appeal, the hearing officer shall provide a written appeal decision to the complainant in a timely manner, not to exceed thirty (30) calendar days from the date the district received the appeal, unless otherwise agreed to by the complainant. The appeal decision will include notice of the complainant's right to file a complaint with the superintendent of public instruction under [WAC 392-190-075](#). The decision of the hearing officer will be provided in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency in accordance with Title VI. The decision of the hearing officer will include notice of the complainant's right to file a complaint with the Office of the Superintendent of Public Instruction. The district will send a copy of the appeal decision to the Office of the Superintendent of Public Instruction.

Procedure 3205P Sexual Harassment of Students (cont.)

I. In the event a complainant disagrees with the appeal decision of the hearing officer or if the district fails to comply with the procedures in [WAC 392-190-065](#) or [392-190-070](#), the complainant may file a complaint with the Office of the Superintendent of Public Instruction under [WAC 392-190-075](#). A complaint must be received by the Office Superintendent of Public Instruction within twenty (20) calendar days after the complainant received the hearing officer's written appeal decision.

Mediation of Complaints

A. The district may offer mediation, at its expense, to resolve a complaint at any time during

the complaint procedure. Mediation:

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

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.

Procedure 3205P Sexual Harassment of Students (cont.)

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.

Policy 3210 Nondiscrimination

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

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

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

The district's nondiscrimination statement will be included in all written announcements, notices, recruitment materials, employment applications, and other publications made available to all students, parents, or employees. The statement will include:

1. Notice that the district will not discriminate in any programs or activities on the basis of any of the above-listed categories;
2. The name and contact information of the district's compliance officer designated to ensure compliance with this policy; and
3. The names and contact information of the district's Section 504 and Title IX compliance officers.

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

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

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

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

Procedure 3210P Nondiscrimination

Procedures for Resolving Equal Educational Opportunity Complaints/Grievances

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

Procedure 3210P Nondiscrimination (cont.)

Anyone may file a complaint against the district alleging that the district has violated anti-discrimination laws. This complaint procedure is designed to assure that the resolution of real or alleged violations are directed toward a just solution that is satisfactory to the complainant, the administration and the board of directors. As used in this procedure:

- Grievance means a complaint which has been filed by a complainant relating to the alleged violations of any state or federal anti-discrimination laws.
- Complaint means a written, signed charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. Complaints may be submitted by mail, fax, email or hand-delivery to any district or school administrator, or to any employee designated under [WAC 392-190-060](#), or to the district compliance officer responsible for investigating discrimination complaints. Any district employee who receives a complaint that meets these criteria will promptly notify the compliance officer.

The primary purpose of this procedure is to secure an equitable solution to a justifiable complaint. To this end, specific steps will be taken. The district is prohibited by law from intimidating, threatening, coercing or discriminating against any individual for the purpose of interfering with their right to file a grievance under this policy and procedure and from retaliating against an individual for filing such a grievance.

Informal Complaints

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

Formal Complaints

Level One – Complaint to the District

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

The Title IX/Compliance officer is:

Mary O'Brien
Everett School District No. 2
3900 Broadway
P.O. Box 2098
Everett, WA 98201
mobrien@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/Compliance officer or designee will receive and investigate formal complaints that involve only students. The assistant superintendent of human resources or designee will receive and investigate formal complaints when allegations of discrimination are brought

against employees or other adults. School or district administrators who receive a formal complaint of discrimination or discriminatory harassment will promptly notify the Title IX/Compliance officer or assistant superintendent of human resources and forward a copy of the complaint.

Procedure 3210P Nondiscrimination (cont.)

- B. The allegations of discrimination or discriminatory harassment shall:
1. be written;
 2. be signed by the complainant;
 3. describe the specific acts, conditions, or circumstances alleged to violate the district's policies or obligations with regard to discrimination; and
 4. be filed with the Title IX/Compliance officer or assistant superintendent of human resources within one (1) year from the date of the occurrence that is the subject of the complaint, unless the delay is due to specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint or the district withheld information that was required to be provided under [WAC 392-190](#) or related guidelines.
- C. Upon receipt of the complaint, the district's Title IX/Compliance officer, the assistant superintendent 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 Compliance officer or the assistant superintendent of human resources shall provide the superintendent/designee with a full written report of the complaint and the results of the investigation, unless the matter is resolved to the satisfaction of the complainant without an investigation or prior to the submission of a written report.
- D. The superintendent/designee shall respond in writing to the complainant within thirty (30) calendar days after the district received the written complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. If an extension is needed, the district will notify the complainant in writing of the reasons for the extension and the anticipated response date in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency, in accordance with Title VI. At the time the district responds to the complainant, the district will send a copy of the response to the office of the superintendent of public instruction.
- E. The response by the superintendent/designee will include:
1. A summary of the results of the investigation;
 2. Whether the district failed to comply with [WAC 392-190](#) or related guidelines;
 3. If the district failed to comply with [WAC 392-190](#) or related guidelines, the corrective measures deemed necessary to correct the noncompliance; and
 4. Notice of the complainant's right to appeal under [WAC 392-190-005](#), including where and with whom the appeal should be filed.

The district's response to the complaint will be provided in a language the complainant can

understand, which may require language assistance for complainants with limited-English proficiency in accordance with Title VI.

- F. Corrective measures necessary to correct any noncompliance shall be instituted as expeditiously as possible, but no later than thirty (30) calendar days after the district's written response to the complainant, unless otherwise agreed to by the complainant.

Level Two – Appeal

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

Procedure 3210P Nondiscrimination (cont.)

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

A. In the event a complainant disagrees with the appeal decision of the hearing officer or if the district fails to comply with the procedures in [WAC 392-190-065](#) or [WAC 392-190-070](#), the complainant may file a complaint with the office of the superintendent of public instruction under [WAC 392-190-075](#). A complaint must be received by the office of the superintendent of public instruction within twenty (20) calendar days after the complainant received the hearing officer's written appeal decision, unless the superintendent of public instruction grants an extension for good cause. Complaints may be submitted by mail, fax, email or hand delivery.

1. A complaint must be in writing and include:
 - A description of the specific acts, conditions or circumstances alleged to violate applicable anti-discrimination laws;
 - The complainant's name and contact information, including address;
 - The name and address of the district subject to the complaint;
 - A copy of the district's complaint and appeal decision, if any; and
 - A proposed resolution of the complaint or relief requested.

If the allegations involve a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information.

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

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

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

Level Four – Administrative Hearing

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

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

Mediation of Complaints

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

Procedure 3210P Nondiscrimination (cont.)

The purpose of mediation is to provide both the complainant and the district an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator.

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

1. Be an employee of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the subject of the complaint being mediated; or
 2. Have a personal or professional conflict of interest. A mediator is not considered an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.
- B. If the parties resolve the complaint through mediation, the parties may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the mediation process will remain confidential and not be used as evidence in any future complaint, due process hearing, or civil proceeding. The agreement must be signed by both the complainant and a district representative who has authority to bind the district.
- C. The complainant and district may agree to extend the complaint timelines to pursue mediation.

Preservation of Records

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

Policy 3213 Transgender Students

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

Procedure 3213P Transgender Students

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

- Develop understanding of that student's individual needs with respect to his or her gender expression or identity; and

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

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

Definitions/Terms

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

Procedure 3213P Transgender Students (cont.)

Official Records

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

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

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

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

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

Confidential Health or Educational Information

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

Communication and Use of Names and Pronouns

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

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

Restroom Accessibility

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

Procedure 3213P Transgender Students (cont.)

Locker Room Accessibility

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

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

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

Sports and Physical Education Classes

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

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

Dress Codes

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

Other School Activities

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

Training and Professional Development

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

- Terms and concepts related to gender identity, gender expression, and gender diversity in children and adolescents;
- Appropriate strategies for communicating with students and parents about issues related to gender identity and gender expression, while protecting student privacy;
- Strategies for preventing and intervening in incidents of harassment and discrimination, including cyber-bullying; and
- District and staff responsibilities under applicable laws and district policies regarding harassment, discrimination, and gender identity and expression issues.

Discrimination and Harassment Complaints

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

Procedure 3213P Transgender Students (cont.)

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

Policy 4312 Complaints to Board Members Concerning Staff

The board welcomes constructive feedback about district programs but the board has a legal and ethical responsibility to protect its staff from unwarranted criticism and/or disruption of school programs. Complaints received by the board or board members will be referred to the superintendent for investigation.

The board will disallow complaints about individual staff members at public board meetings.

The superintendent will develop procedures to handle complaints about district staff, programs, or instructional materials.

Procedure 4312P Complaints to Board Members Concerning Staff

Most complaints can be resolved by informal discussions between the citizen and the staff member. Should the matter not be resolved, the building leader should be contacted in an effort to resolve the issue through conferences with the staff member involved and the citizen.

The following procedures apply to the processing of a complaint which cannot be resolved in the manner described above:

1. If the problem is not satisfactorily resolved at the building level, a written complaint should be filed by the citizen to the associate superintendent, deputy superintendent, department manager, or the superintendent. The complaint should describe the problem and what solution seems appropriate. Copies should be sent to the building leader and staff member involved.
2. The building leader and staff member shall respond to the complaint, in writing or in person, to the superintendent, associate superintendent, deputy superintendent, or department manager.
3. The superintendent or designee shall then attempt to resolve the matter through conference with the citizen, staff member and building leader.
4. If the matter is still not resolved, the superintendent shall present the issue to the board in an executive session in accordance with district personnel policies and procedures.
5. This procedure shall govern complaints not covered more specifically by some other district policy or procedure or an applicable collective bargaining agreement. See, for example, Selection and Adoption of Instructional Materials, [Policy 2311](#); Harassment, [Policy 3205](#); Nondiscrimination, [Policy 3210](#); Sexual Harassment, [Policy 5160](#); and Affirmative Action

and Nondiscrimination [5010P](#).

Policy 5010 Affirmative Action and Nondiscrimination

The district shall provide equal employment opportunity for all applicants and employees and will not tolerate unlawful discriminatory practices in recruitment, hiring, retention, assignment, transfer, promotion and training; such equal employment opportunity will be provided without discrimination on the basis of race, color, national origin, creed, religion, sex, sexual orientation including gender expression or identity, marital status, age, honorably discharged 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 person with a disability.

District employees shall be free from harassment based on legally protected attributes or characteristics. The district shall implement programs and practices that value diversity, ensure equity, and build understanding, awareness, and appreciation of the diverse array of human characteristics, needs and perspectives that influence the district environment.

The district shall also make reasonable accommodation to the known sensory, mental or physical limitations of an otherwise qualified disabled applicant or employee unless an accommodation would impose an undue hardship on the operation of the district program.

Policy 5010 Affirmative Action and Nondiscrimination (cont.)

The district is committed to undertake affirmative action which will provide equal employment opportunities for all employees and applicants for employment. Such affirmative action shall include a review of programs, monitoring of the workforce composition, and use of employment procedures which ensure equal employment opportunities for minority and female employees and applicants.

It shall be the responsibility of the superintendent or designee to develop an Affirmative Action Plan and procedures to be followed by management and supervisory personnel in all schools and departments of the district to carry out the provisions and intent of this policy.

Procedure 5010P Affirmative Action and Nondiscrimination

Affirmative Action

The board of directors of the Everett School District recognizes that an Affirmative Action Employment Plan is a sound employment practice, as well as a positive approach toward achieving lasting and equitable human resources policies and procedures.

In accordance with state and federal requirements, the district shall develop an Affirmative Action Plan. Such a plan shall include a work force analysis, a projection of possible work force vacancies, an analysis of activities designed to take appropriate affirmative action and a grievance procedure.

The superintendent or designee shall be responsible for the development, implementation and annual reporting of the Affirmative Action Plan. The overall responsibility for monitoring and auditing this plan shall be assigned to the human resources department.

Nondiscrimination

The district shall provide equal employment opportunity for all applicants and employees in recruitment, hiring, retention, assignment, transfer, promotion and training. The district shall

also make reasonable accommodation to the known sensory, mental or physical limitations of an otherwise qualified disabled applicant or employee unless an accommodation would impose an undue hardship on the operation of the district program. District employees shall be free from harassment based on legally protected attributes or characteristics.

In cases where employees or applicants believe that they have been discriminated against on the basis of their legally protected status, that their disabilities have not been reasonably accommodated, or that they have been harassed on the basis of their legally protected status, the employee or applicant may file a complaint using the complaint process set forth in this procedure. To ensure fairness and consistency, these procedures are to be used to address complaints covered by state and federal equal employment laws, including the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA), Titles VII and IX of the Civil Rights Act, the Washington Law Against Discrimination, and/or the district's Affirmative Action Plan. No person shall be retaliated against because of the utilization of these procedures. The assistant superintendent of human resources or designee shall investigate all allegations of noncompliance or discrimination.

Informal Complaints

With regard to ADA matters, a distinction is to be made between a request for accommodation and a complaint. A request for accommodation should be submitted to the assistant superintendent of human resources. The parties should cooperate to resolve any issues of accommodation through an interactive process prior to the filing of a formal complaint. A complaint is to be filed only in the event there is a complaint of noncompliance after a request for accommodation has been made.

At the employee's option, attempts will be made to resolve complaints of discrimination informally, expeditiously and at the closest point of administrative responsibility to the alleged offense. Informal complaints of discrimination of an employee may be reported to his/her supervisor, the affirmative action officer, or the assistant superintendent of human resources. The supervisor will be responsible for investigation and resolution of informal complaints. The supervisor may seek assistance or guidance from the district's affirmative action officer or assistant superintendent of human resources. The supervisor must notify the complainant of his/her right to file a formal complaint under this policy and procedure. 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.

Procedure 5010P Affirmative Action and Nondiscrimination (cont.)

Formal Complaints

- A. The district's assistant superintendent 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 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 assistant superintendent of human resources or designee will receive and investigate formal complaints. School or district administrators who receive a formal complaint of discrimination will promptly notify the assistant superintendent of human resources and forward a copy of the complaint.

B. The allegations of discrimination 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 sexual harassment; and
4. Be filed with the assistant superintendent of human resources within one (1) year after the occurrence that is the subject of the complaint, unless the delay is due to specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint or the district withheld information that was required to be provided under [WAC 392-190](#) or related guidelines.

C. Upon receipt of the complaint, the district's assistant superintendent of human resources or designee will provide the complainant a copy of Procedure 5010P 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 assistant superintendent of human resources shall provide the superintendent or designee with a full written report of the complaint and the results of the investigation, unless the matter is resolved to the satisfaction of the complainant without an investigation or prior to the submission of a written report.

D. The superintendent or designee shall respond in writing to the complainant within thirty (30) calendar days after the district received the written complaint by the district, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. If an extension is needed, the district will notify the complainant in writing of the reasons for the extension and the anticipated response date in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency, in accordance with Title VI. At the time, the district responds to the complainant, the district will send a copy of the response to the Office of the Superintendent of Public Instruction.

E. The response by the superintendent or designee will include:

1. A summary of the results of the investigation;
2. Whether the district failed to comply with [WAC 392-190](#) or related guidelines;

3. If the district failed to comply with [WAC 392-190](#) or related guidelines, the corrective measures deemed necessary to correct the noncompliance; and
4. Notice of the complainant's right to appeal under [WAC 392-190-070](#), 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.

Procedure 5010P Affirmative Action and Nondiscrimination (cont.)

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

Mediation of Complaints

- A. The district may offer mediation, at its expense, to resolve a complaint at any time during the complaint procedure. Mediation:
 6. Must be voluntary;
 7. Requires the agreement of the district and the complainant;
 8. May be terminated by either party during the mediation process;
 9. Cannot be used to deny or delay a complainant's right to utilize the complaint procedure; and

10. Be conducted by a qualified and impartial mediator, who is not an employee of the district and who has no personal or professional conflict of interest.
- B. If the parties resolve the complaint through mediation, the parties may execute a legally binding agreement that:
4. Sets forth the resolution;
 5. 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
 6. Is signed by both the complainant and a district representative.
- C. The complainant and district may agree to extend the complaint timelines to pursue mediation.

Preservation of Records

The files containing copies of all correspondence relative to each complaint communicated to the district and the disposition, including any corrective measures instituted by the district, shall be retained in the office of the Title IX/Compliance officer following the State of Washington's [School Districts Records Retention Schedule](#).

Policy 5160 Sexual Harassment

All employees and volunteers will be provided a work environment free from sexual harassment. Sexual harassment is a form of misconduct which undermines the integrity of the employment relationship. Such conduct, whether committed by supervisory or nonsupervisory personnel, is specifically prohibited.

Policy 5160 Sexual Harassment (cont.)

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either an explicit or implicit term or condition of an individual's employment, or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that person, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Any employee or volunteer who believes he/she has been subjected to sexual harassment on the job should bring this to the immediate attention of his/her supervisor, the Affirmative Action officer, or the assistant superintendent of human resources.

All such complaints will be promptly investigated and, where appropriate, immediate corrective action will be taken to end sexual harassment and prevent its recurrence. Corrective action may include disciplinary action, up to and including suspension or termination, against those who violate the sexual harassment policy and support and/or assistance, as appropriate, for individuals who have been subjected to sexual harassment. Disciplinary actions shall be in compliance with collective bargaining agreements and state and federal law. To the highest degree possible, allowing for a fair investigation, complaints will be treated in a confidential manner. Retaliation against employees or volunteers shall not occur because they have made complaints of sexual harassment to management.

Persons who knowingly report false allegations of sexual harassment or corroborate false allegations of sexual harassment will be subject to appropriate discipline or other sanctions.

Reasonable efforts shall be made to inform all employees and volunteers of the district's sexual harassment policy and procedures. These efforts shall include insertion of the policy and procedures in new employee information and volunteer orientation materials.

Informal complaints of sexual harassment by employees or volunteers shall be reported to the employee's or volunteer's supervisor, the Affirmative Action officer, or the assistant superintendent of human resources. The administrator receiving the complaint will be responsible for coordinating the investigation of such complaint with the district's Affirmative Action officer or assistant superintendent of human resources. Formal complaints of sexual harassment shall be processed in accordance with the complaint procedures set forth in [Procedure 5160P](#).

Annually in conjunction with the report to the board of directors on the Affirmative Action Plan, the Affirmative Action officer will review the use and efficacy of the sexual harassment policy and procedures.

Procedure 5160P Sexual Harassment

Complaint Procedure

These procedures have been developed for the resolution of sexual harassment complaints of employees or volunteers of the district. No person shall be adversely affected in any way

because of the utilization of these procedures.

Informal Complaints

At the employee/volunteer's option, attempts will be made to resolve complaints of discriminatory harassment informally, expeditiously and at the closest point of administrative responsibility to the alleged offense. Informal complaints of discriminatory harassment of an employee/volunteer may be reported to his/her supervisor, the Affirmative Action officer, or the assistant superintendent of human resources. The supervisor will be responsible for investigation and resolution of informal complaints. The supervisor may seek assistance or guidance from the district's Affirmative Action Officer or assistant superintendent of human resources. The supervisor 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.

Procedure 5160P Sexual Harassment (cont.)

Formal Complaints

- A. The district's assistant superintendent 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 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 assistant superintendent of human resources or designee will receive and investigate formal complaints. School or district administrators who receive a formal complaint of discriminatory harassment will promptly notify the assistant superintendent of human resources or designee and forward a copy of the complaint.

- B. The allegations of discriminatory harassment shall:

1. Be written;
2. Be signed by the complainant;
3. Describe the specific acts, conditions, or circumstances alleged to violate the district's policies or obligations with regard to sexual harassment; and
4. Be filed with the assistant superintendent of human resources or designee within one (1) year after the occurrence that is the subject of the complaint, unless the delay is due to specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint or the district withheld information that was required to be provided under [WAC 392-190](#) or related guidelines.

- C. Upon receipt of the complaint, the district's assistant superintendent of human resources or designee will provide the complainant a copy of Procedure 5160P 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 assistant superintendent of human resources shall provide the superintendent or designee with a full written report of the complaint and the results of the investigation, unless the matter is resolved to the satisfaction of the complainant without an investigation or prior to the submission of a written report.

- D. The superintendent or designee shall respond in writing to the complainant within thirty (30) calendar days after the district received the written complaint by the district, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. If an extension is needed, the district will

notify the complainant in writing of the reasons for the extension and the anticipated response date in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency, in accordance with Title VI. At the time the district responds to the complainant, the district will send a copy of the response to the office of the superintendent of public (OSPI) instruction.

- E. The response by the superintendent or designee will include:
1. A summary of the results of the investigation;
 2. Whether the district failed to comply with [WAC 392-190](#) or related guidelines;
 3. If the district failed to comply with [WAC 392-190](#) or related guidelines, the corrective measures deemed necessary to correct the noncompliance; and
 4. Notice of the complainant's right to appeal under [WAC 392-190-005](#), including where and with whom the appeal should be filed.

Procedure 5160P Sexual Harassment (cont.)

The district's response to the complaint will be provided in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency in accordance with Title VI.

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

Mediation of Complaints

- A. The district may offer mediation, at its expense, to resolve a complaint at any time during the complaint procedure. Mediation:
 - 11. Must be voluntary;
 - 12. Requires the agreement of the district and the complainant;
 - 13. May be terminated by either party during the mediation process;
 - 14. Cannot be used to deny or delay a complainant's right to utilize the complaint procedure; and
 - 15. Be conducted by a qualified and impartial mediator, who is not an employee of the district and who has no personal or professional conflict of interest.
- B. If the parties resolve the complaint through mediation, the parties may execute a legally binding agreement that:
 - 7. Sets forth the resolution;

8. 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
9. Is signed by both the complainant and a district representative.

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

The complaint procedure outlined above does not prohibit the processing of complaints by an employee pursuant to complaint procedures established in applicable collective bargaining agreements.

Policy 5253 Maintaining Professional Staff/Student Boundaries

Purpose

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

Policy 5253 Maintaining Professional Staff/Student Boundaries (cont.)

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 Maintaining Professional Staff/Student Boundaries

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.

Procedure 5253P Maintaining Professional Staff/Student Boundaries (cont.)

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;

Procedure 5253P Maintaining Professional Staff/Student Boundaries (cont.)

- 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 coordinator, and general counsel. The Title IX coordinator 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.

SERIES 1000 – BOARD OF DIRECTORS			
Policy/ Procedure	Title	Description	Situation to apply
<u>1400S</u>	Board Meeting Schedule	Yearly schedule of school board meetings	<ul style="list-style-type: none"> • To attend a school board meeting or refer someone to a meeting.

SERIES 2000 - INSTRUCTION			
Policy/ Procedure	Title	Description	Situation to apply
<u>2125P</u>	Web-based Resources and Other Online Educational Services	The availability of innovative online technologies to engage students in relevant learning opportunities.	<ul style="list-style-type: none"> • Before providing/piloting web resources • Before creating a student account, uploading files, or utilizing a communication resource not part of an adopted instructional program • Before notifying parents of approved web service not part of an adopted instructional program
<u>2145P</u>	Suicide Prevention	Protocol for school staff to support students expressing suicidal ideation, displaying suicidal behaviors or have attempted to harm themselves.	<ul style="list-style-type: none"> • While assessing the risk of student's mental health • In the event a student suicide occurs or is attempted • When looking for suicide prevention resources
<u>2150P</u>	Co-Curricular Program	Appropriate co-curricular activities are provided contributing to the athletic, intellectual, social, emotional, and physical development of students.	<ul style="list-style-type: none"> • Before implementing a new co-curricular activity. • While reviewing the qualifications/criteria for a co-curricular program. • Cross-reference to <u>2150</u>.
<u>2151P</u>	Interscholastic Athletics/Activities	The interscholastic activities program includes games, sport competitions or exhibitions for eligible individual students or teams of eligible students.	<ul style="list-style-type: none"> • When a new coach has been hired. • When assessing a student's eligibility for athletics/activities. • When a parent/guardian has questions regarding a student's eligibility. • When a guardian requests to transport a student to/from an event. • If a student is found potentially in violation of the code of conduct. • When a student/guardian would like to appeal the school's decision in discipline or exclusion from a sport.

			<ul style="list-style-type: none"> • If a student of the opposite gender requests to participate in an interscholastic program.
--	--	--	------------------------------------------------------------------------------------------------------------------------------------------------

Policy/ Procedure	Title	Description	Situation to apply
<u>2153P</u>	Student Group Meetings (Limited Open Forum)	Groups of secondary students want to organize for co-curricular or non-curricular purposes and hold meetings in school facilities.	<ul style="list-style-type: none"> • When a non-curriculum group requests principal recognition of co-curricular status. • Before permitting a co-curricular or non-curriculum group to utilize the school facilities for activities.
<u>2210P</u>	Special Education and Related Services for Eligible Students	Students whose disabilities adversely impact educational performance and who require specially designed instruction. Ensure that disabled students are identified, evaluated, and provided with appropriate educational services.	<ul style="list-style-type: none"> • When reviewing insurance or funding for student's special education provisions and services. • Before engaging with parents/guardians on the student's Individual Education Plan (IEP) • Before referring a child for special education and related services. (Child Find) • Before transitioning a student to special education services or vice versa. • Before disciplining or suspending a student with an IEP or that is undergoing evaluative testing.
<u>2211/2211P</u>	Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973	Ensure that disabled students within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services.	<ul style="list-style-type: none"> • Before accommodating a student with disabilities(s) or impairment(s) in any school service/program. • Before disciplining, a student recognized to have a disabling condition. • When referencing or complying to Section 504 and/or IDEA. • When placing a student in a program not operated by the district. • Before taking action to resolve a legal dispute regarding a student with disabilities.
<u>2311P</u>	Selection and Adoption of Instructional Materials	Procedures for adoption and approval of instructional materials.	<ul style="list-style-type: none"> • Before implementing a social studies adoption. • Before establishing a Curriculum Review Committee • Before establishing an Instructional Materials Committee or adding a new member. • Before deciding upon a referral for the school board to review. • If an affected staff member would like to appeal a materials decision.

			<ul style="list-style-type: none"> For parents to challenge a curriculum or excuse a student from participation in curriculum.
Policy/ Procedure	Title	Description	Situation to apply
<u>2320P</u>	Field Trips	Field trips are natural extensions of the curricular, co-curricular, and interscholastic programs and are opportunities for students to participate in activities and gain learning experiences that cannot be duplicated in the classroom or on the school site.	<ul style="list-style-type: none"> To obtain approval from building administration to organize/plan a field trip. Before making financial arrangements for a field trip. Before planning a field trip and communicating to parents/guardians. Before approving a volunteer adult supervisor for field trips/events. While reviewing the plausibility of a disabled student participating in a field trip. When transportation is required through staff members or non-employee drivers. When preparing for student health care needs, insurance and emergencies on field trips. When experiencing issues with a student on a field trip.
<u>2321P</u>	Guest Speakers	The district may provide for the use of guest speakers and have procedures for their use and approval including notification of parents/guardians.	<ul style="list-style-type: none"> Before requesting a guest speaker. Before the approved guest speaker visits the classroom. Information for guest speakers to read relating to the topic of government and democracy. Speakers that are elected or are running for office Cross reference: <u>2321</u> and <u>2331</u>
<u>2331/2331P</u>	Controversial Issues	The district offers courses of study to afford learning experiences appropriate to the level of student understanding.	<ul style="list-style-type: none"> Before presenting a controversial topic or class to students. Obligation for staff to be fair and impartial while facilitating classroom discussions Before allowing a controversial speaker to present. In the event a student does not wish to attend a controversial presentation.

Policy/ Procedure	Title	Description	Situation to apply
2340P	Religious-Related Activities and Practices	The district complies with the United States and Washington State constitutions, federal and state law, and the decisions made by the respective courts in making decisions regarding religious-related activities and practices.	<ul style="list-style-type: none"> • Before instructing in a discipline that may have a religious dimension. • If student declines to participate in a school activity or requests to use school facilities after-hours related to his/her religious beliefs. • Before planning an activity focused on a holiday. • If a student engages in devotional activity during school programs or in activities before or after school on site. • If a parent/student is aggrieved by practices or activities conducted in the school or district.
2410/2410P	High School Graduation Requirements	Graduation requirements have been established to ensure students are prepared for post-secondary education, training and career with 21st century skills and the foundations needed for lifelong learning.	<ul style="list-style-type: none"> • Before the class of 2021 starts grade 9. • Before implementing a new secondary course study. • When reviewing a student's graduation requirements.

SERIES 3000 - STUDENTS

Policy/ Procedure	Title	Description	Situation to apply
3122P	Attendance	Regular, consistent, timely attendance is essential to school success, student learning and future employment habits. Teachers will keep a record of student absences and tardiness.	<ul style="list-style-type: none"> • Use for definition of tardy, excused or unexcused absence and requirements for principals and certificated staff to enforce district's attendance policies and procedures.
3200	Student Rights and Responsibilities	Assuring learning experiences to help all students develop skills, competencies and attitudes fundamental to achieving individual satisfaction as responsible, contributing citizens.	<ul style="list-style-type: none"> • Quick reference guide to district policies and procedures related to student rights, conduct and discipline.
3204/3204P	Prohibition of Harassment, Intimidation and	The district maintains a safe and civil educational environment for all students,	<ul style="list-style-type: none"> • Reference for steps to take to identify, report, and address HIB and for staff interventions.

	Bullying	employees, parents/legal guardians, volunteers and community members that is free from harassment, intimidation and bullying	
--	----------	------------------------------------------------------------------------------------------------------------------------------	--

Policy/ Procedure	Title	Description	Situation to apply
3205/3205P	Sexual Harassment of Students	The district maintains 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.	<ul style="list-style-type: none"> • Definition of harassment, complaint process and corrective actions.
3210/3210P	Nondiscrimination	The district provides equal educational opportunity and treatment for all students in all aspects of the academic and activities program.	<ul style="list-style-type: none"> • Use for definition of nondiscrimination and district's nondiscrimination statement. Complaint process outlined.
3213/3213P	Transgender Students	The district provides an educational environment that is safe and free of discrimination for all students, regardless of sex, sexual orientation, gender identity or gender expression.	<ul style="list-style-type: none"> • Definitions and specific steps for compliance with local, state and federal laws concerning transgender students.
3224/3224P	Student Dress	Student dress shall only be regulated when, in the judgment of school administrators, there is a reasonable expectation that a health or safety hazard, damage to school property or a material and substantial disruption of the educational process will result from the students' dress or appearance.	<ul style="list-style-type: none"> • When a student's clothing or something they are wearing disturbs, disrupts, interferes, or detracts from the school environment, activity, or meeting educational objectives.
3231P	Searches of Students and Their Property	Students are subject to search by a principal/designee if reasonable grounds exist to suspect that evidence of a	<ul style="list-style-type: none"> • Process for referring a student's suspicious activity related to possession of unknown property to the principal/designee.

		violation of the law or school rules will be uncovered. School staff shall report a student's suspicious activity to the principal/designee.	
3232P	Searches of Lockers, Desks, and Storage Areas	A student's locker, desk, or storage area may be searched by the principal/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/designee.	<ul style="list-style-type: none"> • Process for referring a student's suspicious activity related to possession of unknown property stored on school grounds to the principal/designee.
3244/3244P	Students Riding School Buses or Other District Provided Transportation	The denial of the privilege of riding the bus is reserved for the principal or their designee.	<ul style="list-style-type: none"> • When a student's conduct on a school bus merits corrective action.

Policy/ Procedure	Title	Description	Situation to apply
3245/3245P	Technology	To help ensure student safety and digital citizenship in appropriate, ethical online activities, students will be educated about appropriate use of district technology and online behavior.	<ul style="list-style-type: none"> • Use when a student's use of district hardware (computers, laptops, cameras), software, internet, network, or Wi-Fi have been used inappropriately. • Inappropriate actions with other individuals on websites; cyberbullying awareness and response.
3246P	Personal Electronic Devices	The district 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.	<ul style="list-style-type: none"> • Guidelines and expectations for students for proper use of PEDs on district property, and disciplinary actions for violations of district policy.

3300/3300P	Student Discipline	Rules of student conduct, designed to provide students with a safe, healthy, and educationally sound environment.	<ul style="list-style-type: none"> Guidelines for staff authority regarding student discipline and behavioral expectations.
3318	Discipline of Special Education Students	Guidelines for the discipline of students with an Individualized Education Program (IEP) or related services.	<ul style="list-style-type: none"> When the behavior of a special education student is likely to lead to a recommendation of suspension or non-emergency expulsion.
3319/3319P	Use of Physical Restraint and Isolation with 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.	<ul style="list-style-type: none"> Definition of physical restraint and isolation, and district process for its use.
3332/3332P	Teacher Responsibilities and Rights	General provisions and procedures for teachers' rights and responsibilities for student behavior expectations.	<ul style="list-style-type: none"> Defining student behavior expectations and teacher's rights, responsibilities and authority to maintain classroom order.
3400/3400P	Student Welfare	Staff are to conduct all school programs and operations in a manner that recognizes the health and safety of students.	<ul style="list-style-type: none"> Expectations and guidelines to minimize the occurrence of situations in which staff members may incur liability for their acts in relation to students.

Policy/ Procedure	Title	Description	Situation to apply
3416/3416P	Medication at School	Guidelines for the appropriate and authorized storage, administration, and monitoring of prescribed or non-prescribed medication on school grounds.	<ul style="list-style-type: none"> • When it is necessary for a student to receive prescribed and/or non-prescribed (over the counter) medication at school. • Storage and administration of medication at school under the supervision of a nurse, staff member or parent/guardian. • Guidelines for prescriptions of marijuana to students and its prohibition for administration/use at school.
3418/3418P	Animals in Schools	Animals on school property are discouraged and must have direct relevance to the objectives of the instructional program.	<ul style="list-style-type: none"> • Guidelines and restrictions for introduction of animals at school.
3421/3421P	Child Abuse, Neglect and Exploitation	Professional school personnel must meet their legal obligation under RCW 26.44.030 to report to Child Protective Services (CPS) or the proper law enforcement agency within forty-eight (48) hours when they have reasonable cause to believe that a child has suffered abuse or neglect.	<ul style="list-style-type: none"> • Definitions of child abuse, neglect and exploitation and staff responsibilities for reporting every instance of suspected child abuse, neglect or exploitation.
3530/3530P	Student Fundraising Activities	The solicitation of funds from students, staff and citizens must be limited since students are a captive audience and since solicitation can disrupt the program of the schools.	<ul style="list-style-type: none"> • Guidelines and expectations to follow for student fundraising activities.
3600P	Student Records	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	<ul style="list-style-type: none"> • Guidelines for accessibility, maintenance, and FERPA rights pertaining to student records.

		professional manner.	
3610P	Child Custody	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.	<ul style="list-style-type: none"> Defining rights of non-custodial parents to have access to the classroom, school-sponsored activities, and teaching materials. Guidelines for visits and/or releasing student to non-custodial parent.

SERIES 4000 – COMMUNITY RELATIONS			
Policy/ Procedure	Title	Description	Situation to apply
4131P	Confidential Communications	Staff shall follow all applicable laws, regulations and rules regarding release of information about students, personnel, and district programs.	<ul style="list-style-type: none"> Guidelines to follow if a student reveals confidential information that may put them or others in danger.
4205	Use of Tobacco or Tobacco-Like Products on School Property	To protect students from exposure to the addictive substance of nicotine and to set a smoking-free example for students, employees, students and all community members have an obligation as role models to refrain from the use of tobacco and tobacco-like products on district property.	<ul style="list-style-type: none"> Guidelines to enforce the district's policy for no smoking cigarettes, electronic cigarettes, cigars or any other use of tobacco or tobacco-like products at schools, district buildings, district property and district-owned vehicles. Cross reference: Policy 5140
4207	<u>Regulation of Firearms and Dangerous Weapons on School District Property</u>	It is a violation of district policy and state law for any person to carry a firearm or dangerous weapon on school district property, district-provided transportation or areas of other facilities being used exclusively for school district activities unless specifically authorized by state law.	<ul style="list-style-type: none"> School or district officials will promptly notify the student's parents/guardians and the appropriate law enforcement agency of known or suspected violations of this policy.
4310	Contact with School/District Staff	Certificated staff working at school sites shall be available to consult with parents, citizens, or students for one-half hour before and after the school day.	<ul style="list-style-type: none"> Guidelines for assuring parents have access to their child's classroom for the purpose of observing class procedure, teaching material, and class conduct.
4312P	Complaints to Board Members Concerning Staff	The board welcomes constructive feedback about district programs but the board has a legal and ethical responsibility to protect its staff from unwarranted criticism and/or disruption of school programs.	<ul style="list-style-type: none"> Process to follow for filing/expressing a complaint regarding a staff member.
4314/4314P	Visitors, Animals on	Visits to schools by	<ul style="list-style-type: none"> Guidelines and security measures to follow for minimal disruption

	District Property and/or Disruption of School Operations	parents/guardians, other adult residents of the community, and other educators are welcome. In order to manage the risks associated with the presence of dogs or other animals on district property, the superintendent will establish guidelines governing such activity.	<p>when visitors are permitted to observe the educational program.</p> <ul style="list-style-type: none"> • Restrictions applying to dogs and other animals on district property.
4316P	Notification of Threats of Violence or Harm	Students and school employees who are subjects of significant, credible threats of violence or physical harm shall be notified of the threats.	<ul style="list-style-type: none"> • Notification procedure for if/when credible threats are made and federal confidentiality obligations.

Policy/ Procedure	Title	Description	Situation to apply
4340/4340P	Public Access to District Records	The district shall afford full access to public records concerning the administration and operations of the district in accordance with the Public Records Act. Access to student records is primarily controlled by the Family Educational Rights and Privacy Act FERPA (20 U.S.C. § 1232g. 34 CFR Part 99).	<ul style="list-style-type: none"> When a parent or community member requests to see or be provided copies of district records beyond their normal access online or in regular school communications. Public Records Office CRC – 3900 Broadway 425-385-4188 425-385-4172 (Fax) publicrecords@everettsd.org
4411/4411P	Working Relationships with Law Enforcement, Child Protective Services and the County Health Department	The primary responsibility for maintaining proper order and conduct in the schools resides with district staff. Therefore, district staff shall be responsible for holding students accountable for infractions of school rules, which may include minor violations of the law occurring during school hours or at school activities.	<ul style="list-style-type: none"> Protocols for interviews of students by law enforcement, CPS and the county health department on school grounds. Parameters for when a parent must be notified of such actions by the school administrator.
4412	Political Relationships with Governmental Agencies	The board recognizes and encourages the right of its employees, as citizens, to engage in political activity. School property and school time, supported by public funds, may not be used for political purposes.	<ul style="list-style-type: none"> Guidelines for staff to engage in political activity or who hold elective or appointive public office.

SERIES 5000 – HUMAN RESOURCES

Policy/ Procedure	Title	Description	Situation to apply
5010/5010P	Affirmative Action and Nondiscrimination	The district provides equal employment opportunity for all applicants and employees and will not tolerate unlawful discriminatory practices.	<ul style="list-style-type: none"> Recruitment, hiring, retention, assignment, transfer, promotion, training and reasonable accommodations per the Americans with Disabilities Act (ADA)

5140	Tobacco or Tobacco-Like Products Use Policy	Tobacco or tobacco-like product use is prohibited inside all district facilities, on all district property and in all district vehicles.	<ul style="list-style-type: none"> • Employees are subject to this policy, which includes rented or leased facilities to other agencies. • Cross reference: Policy 4205
5150	Drug-Free Workplace	The district complies with and prohibits acts involving alcohol, illegal drugs and controlled substances including marijuana (cannabis) per the Drug-Free Workplace Act of 1988.	<ul style="list-style-type: none"> • Employees and patrons are subject to this policy. Workplace includes any district building or property, district-owned vehicle, or other district-approved vehicle used to transport students, off-district property during any school-sponsored or school-approved activity, event, or function.

Policy/ Procedure	Title	Description	Situation to apply
5160/5160P	Sexual Harassment	All employees and volunteers will be provided a work environment free from sexual harassment.	<ul style="list-style-type: none"> • When an employee or volunteer reports unwelcome requests for sexual favors, and other verbal or physical conduct of a sexual nature as a condition of employment, in employment decisions or it substantially affects the individual's work performance.
5161	Civility in the Workplace	The board commits the district in its entirety to the core value of mutual respect for each person regardless of individual differences or characteristics.	<ul style="list-style-type: none"> • Board of Directors, employees, parents, volunteers, contractors and visitors are subject to this policy when uncivil conduct or other forms of disruptive behavior interferes with an employee's ability to accomplish their work and a school's ability to educate its students.
5215	Conflicts of Interest	The purpose of this policy is to provide guidance on activities that may constitute a conflict of interest.	<ul style="list-style-type: none"> • Any situation in which a district employee, either for himself/herself or some other person(s), attempts to promote a private or personal interest that interferes with the objective exercise of his/her district duties or for gain/advantage by virtue of his/her position in the district.
5225/5225P	Technology	Use of technology is to improve performance and achievement for all students and employees, and increase productivity and efficiency in day-to-day operations.	<ul style="list-style-type: none"> • Provides for employee access to job-appropriate technologies and outlines expectations for appropriate use of available technology.

5253/5253P	Maintaining Professional Staff/Student Boundaries	All employees will maintain the highest professional, moral and ethical standards in interactions with students.	<ul style="list-style-type: none"> • When an employee's behavior has no legitimate educational purpose, has the potential to abuse the relationship between the employee and the student, or violates legal and ethical standards of care.
5270	Disciplinary Action and Discharge	The superintendent or designee may take disciplinary action against an employee in accordance with any applicable contract or bargaining agreement or state law.	<ul style="list-style-type: none"> • Staff who fail to fulfill their job responsibilities or follow the reasonable directions of their administrators, who conduct themselves on or off the job in ways that negatively impact their effectiveness on the job, or engage in certain other negative behavior and conduct, may be subject to disciplinary action or discharge.

Policy/ Procedure	Title	Description	Situation to apply
5320/5320P	Leaves of Absence	Consistent with the law, leaves of absence for non-represented employees may be granted.	<ul style="list-style-type: none"> • Outlines protocols for leaves of absence for employee groups not associated with a union, e.g. administrators and professional/technical.
5320.9/5320.9P	Family and Medical Leave	Family and Medical Leave will be provided for all eligible employees pursuant to its provisions and Washington state laws/regulations.	<ul style="list-style-type: none"> • Applies to all employees who have worked for the district for at least twelve (12) months, and at least 1,250 hours over the previous twelve (12) months, except female employees who are eligible for leave for any period of pregnancy-related illness or disability.
5406/5406P	Shared Leave Program	The district has established and administers a leave sharing program in which qualified employees may donate accrued leave.	<ul style="list-style-type: none"> • The purpose of the Shared Leave Program is to provide a mechanism to allow employees to donate annual (vacation) or sick leave to eligible fellow employees in a manner consistent with state law and regulations.

SERIES 6000 – MANAGEMENT SUPPORT			
Policy/ Procedure	Title	Description	Situation to apply
6114P	Gifts	Individuals and organizations in the community may wish to contribute additional supplies, equipment or monetary donations to enhance or extend the instructional program.	<ul style="list-style-type: none"> • Procedure for staff to follow if money or another type of gift is donated to a school or staff member.
6213P	Reimbursement for Travel Expenses	Travel expenses incurred by employees and board members while on approved travel may be reimbursed.	<ul style="list-style-type: none"> • Procedure for staff to follow during approved district travel.
6225P	Food and Beverage Consumption	Staff members and others associated with the district are expected to pay for their own food and beverages. However, under certain circumstances the district may expend funds for food and non-alcoholic beverages consumed by staff and others while in the conduct of	<ul style="list-style-type: none"> • Procedure for staff to follow when purchasing/providing food for school or district meetings.

		district business.	
6505P	Video Security on School District Grounds or Property	The district is committed to maintaining a safe and positive environment for students, staff and visitors.	<ul style="list-style-type: none"> • It is necessary to use video security on district 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.

Policy/ Procedure	Title	Description	Situation to apply
<u>6531</u>	Care of District Property	Staff shall ensure buildings, equipment, furniture and motor vehicles are not abused.	<ul style="list-style-type: none"> District provided equipment, furniture, etc. should be maintained and treated with care.
<u>6540P</u>	School District's Responsibility for Privately-Owned Property	The district shall not make reimbursement for loss or damage to a staff member's personal equipment or material brought to school unless evidence can be shown that it was necessary or highly desirable for use in the school program.	<ul style="list-style-type: none"> If a staff member brings personal equipment or materials for use at school, the district is not responsible for loss or damage.
<u>6550P</u>	Data Security and Privacy	This policy provides guidance and a framework to encourage and support the district's use of data for decision-making purposes to improve student learning, while safe-guarding the security of the data and the privacy of our students, staff and the district as an organization.	<ul style="list-style-type: none"> Staff members with access to personally identifying student information should consider themselves data users and are responsible to ensure the security of data. This procedure outlines obligations to ensure privacy of student information online following FERPA, COPPA and CIPA.
<u>6571P</u>	Lending of District-Owned Equipment and Books	This policy provides that school equipment may be removed from school property by students or staff members only when such equipment is necessary to accomplish tasks arising from their school or job responsibilities.	<ul style="list-style-type: none"> If school equipment is to be used off the school site by a staff member, they must have prior approval from the principal and will be fully liable for loss or damage.



Garfield Elementary

Everyone has the right to a school community that supports learning, safety, and well-being.