

# Kelso School District Student Rights and Responsibilities Handbook



**2023-2024 School Year**

*The mission of the Kelso Public Schools is to prepare every student for living, learning, and achieving success as a citizen of our changing world.*

Dear KSD Parents/Guardians and Students:

On behalf of the Kelso School District, we welcome you to the 2023-2024 school year! Kelso School District has a richly deserved reputation for providing outstanding educational opportunities for all students. This has not come about by happenstance, but through a steadfast resolve to being a dynamic learning community that prepares every student for success now – and in the future.

A key component of our program is providing a safe and productive learning environment for students, staff, parents, and visitors. Kelso School District updates and publishes this handbook annually in partnership with our Ad Hoc advisory committee to summarize some of the laws, regulations, and district policies that govern student rights, responsibilities, and consequences for misbehavior.

We encourage you to review and discuss the information in this *Overview of Student Rights and Responsibilities* with your school-age children. If you have questions or are interested in joining our annual Ad Hoc advisory committee, please contact Deena McGhee in the KSD Student Services department at [deena.mcgee@kelsosd.org](mailto:deena.mcgee@kelsosd.org) for more information.

Thank you for taking the time to become familiar with the important information in this handbook. Best wishes for an enjoyable and successful school year---**We are Kelso!**



*\*State laws and regulations are ever changing. All changes will be updated as needed. A complete and current Student Rights and Responsibilities handbook can be found online at [www.kelso.wednet.edu](http://www.kelso.wednet.edu).*

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## **FERPA NOTICE**

Each year, the Kelso School District publishes information to parents/guardians regarding the Family Educational Rights and Privacy Act (FERPA). FERPA is a federal privacy law that gives parents/guardians certain protections with regard to their children's education records, such as report cards, transcripts, disciplinary records, contact and family information, and class schedules. As a parent/guardian, you have the right to review your student's education records and request changes under limited circumstances. To protect your student's privacy, the law generally requires schools to ask for written consent before disclosing your student's personally identifiable information to individuals other than you. See Family Educational Rights and Privacy Act (FERPA) on the Kelso School District website or by clicking [HERE](#).





# SafeSchools

## SAFE SCHOOLS TIP LINE

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

1. Phone: 360.703.9645
2. Text: Text your tip to 360.703.9645
3. Email: [1194@alert1.us](mailto:1194@alert1.us)
4. Web: <https://kelso-wa.safeschoolsalert.com>

Easily report tips on bullying, harassment, drugs, vandalism, or any safety issue you are concerned about. You can submit a tip anonymously online or by telephone. More information, including the Safe Schools Alert Terms of Use and Privacy Policy, is available online at: <https://kelso-wa.safeschoolsalert.com>.

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*Kelso School District #458 complies with all federal rules and regulations and does not discriminate in any programs or activities on the basis of sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression or identity, disability, or the use of a trained dog guide or service animal and provides equal access to the Boy Scouts and other designated youth groups listed in Title 36 of the United States Code. The following employee(s) has been designated to handle questions and complaints of alleged discrimination: Holly Budge, Director of Human Resources, the school district's Title VII Officer, and ADA Coordinator. People of disability may request reasonable accommodation in the hiring process by contacting Holly Budge, Director of Human Resources, 601 Crawford Street, Kelso, WA 98626, or (360) 501-1924.*

*Inquiries regarding compliance procedures regarding students may be directed to Gunnar Guttormsen Director of Student Services, the school district's Title IX Coordinator, 601 Crawford Street, Kelso, WA 98626 (360) 501-1905.*

## INTRODUCTION

This student handbook is intended to provide all students, teachers, administrators, and parents with access to and an understanding of district expectations. These expectations help to reinforce the district's mission and the core values of a democratic society. They express the value of mutual human respect for each person that we expect to be manifested in the daily behaviors of students, staff, and volunteers.

This handbook provides a summary of some of the laws, regulations, and district policies that govern student rights, responsibilities, student discipline, and due process. The complete policies are available on the district website: [www.kelso.wednet.edu/documents/about-kelso/school-board/ksd-policies/92944](http://www.kelso.wednet.edu/documents/about-kelso/school-board/ksd-policies/92944)

**The School Board authorizes** school staff – certificated teachers, school administrators, bus drivers, and any other school staff with the authority – to impose discipline upon a student for misconduct that violates the rules of the school district. Any of these persons also may remove a student on an emergency basis from a class, subject, or activity.

**The School Board authorizes** school staff to remove students who create a disruption of the educational process in violation of school behavior standards from their classrooms for the rest of the school day or until an administrator and the teacher have discussed the incident, whichever comes first. Except in emergency circumstances, the teacher is expected to have first attempted one or more alternative forms of corrective action. In no case will a student be allowed to return for the rest of the class period or up to the following two days, or until the principal or designee and teacher have conferred, whichever occurs first ([RCW 28A.600.020](http://RCW 28A.600.020))

**The School Board authorizes** Directors, School Principals and their designees to impose discipline, short-term suspensions, long-term suspensions, emergency expulsions, and expulsions.



## **SUBSTANCE ABUSE PROGRAM**

### **Policy 2121**

The Board recognizes that the use/abuse of alcohol, and the use and abuse of controlled, illegal, addictive, or harmful substances including but not limited to marijuana (cannabis), narcotic drugs, mood-altering chemicals, legend drugs, stimulants, hallucinogenic, amphetamines, barbiturates, inhalants, caffeine pills, diet pills, sleeping pills, anabolic steroids, or synthetic drugs is a societal problem and may represent an impairment to the normal development, well-being and academic performance of students. To ensure the safety, health, and well-being of all students, the board is committed to the development of a program which emphasizes drug and alcohol abuse prevention, information intervention, after-care support, and necessary corrective actions.

The board recognizes the effects to the school, home, and community resulting from the abuse of alcohol and the use and abuse of controlled illegal, addictive, or harmful substances. While the primary obligation to seek assistance rests with the student and his/her parent(s)/guardian(s), school staff will work with the home and community to develop and implement a comprehensive prevention and intervention program. The board of directors will seek to cooperate and coordinate with public and private agencies through participation on the advisory committee(s) including representatives from the instructional staff, students, parents, state and local law enforcement staff, and the county coordinator of alcohol and drug treatment or a representative of a treatment provider. If such a committee meeting state funding requirements is not in existence, the board of directors shall form one.

The Superintendent is directed to develop and implement procedures to assess the scope of the problem of the use of addictive substances such as alcohol, drugs, and nicotine, and to reduce and/or eliminate the problems associated with the use of alcohol, drugs, and nicotine.

Parents and interested community members are encouraged to review instructional materials. The district will evaluate the effectiveness of the program on a regular basis.

## **DRUGS, ALCOHOL, OR PARAPHERNALIA SANCTIONS**

### **Procedure 2121P**

The possession, use, and/or selling of drugs and alcohol, and paraphernalia are considered to be exceptional misconduct, and therefore, the sanctions for violations under this regulation will be cumulative from school year to school year: violations will be cumulative from grades K- 5 and for grades 6-12. Student discipline records indicating violations of the drug and alcohol policy will be shared among the middle schools and the high school.

A student will not possess, use, or be under the influence of any narcotic drug(s), mood-altering chemicals, alcoholic beverage, legend drugs, anabolic steroids, stimulants, hallucinogenic drug(s), amphetamines, barbiturates, marijuana, inhalants, caffeine pills, diet pills, sleeping pills, or any substance purported to be one of the above, or any substance, legal or illegal, that induces mood or behavior changes. A student will not possess any paraphernalia (equipment, materials, or apparatus used for drug use). These restrictions apply during school time, on school property, during school-sponsored events, or while in transport under district supervision to or from school and/or any school-sponsored activity.

Also, violations for possession, use, transfer, transport, exchange, sale of, and/or being under the influence of legend drugs and anabolic steroids will be reported to the new school of record when a student, grades 6-12, transfers from the district, under authorization of the Washington Interscholastic Activities Association Handbook, Rule 23.30 and [RCW 69.41.020-69.41.050](#). Sanctions for possession, use, and/or sale of narcotic drugs, mood-altering chemicals, alcoholic beverages, legend drugs, anabolic steroids, stimulants, hallucinogenic drugs, amphetamine, barbiturate, marijuana, caffeine pill, diet pill, sleeping pill, or any substance purported to be one of the above or any paraphernalia associated with the use of illicit drugs by students participating in WIAA activities/athletics is cumulative from grades 6-12.

The use of medication, prescribed for an individual student and used exclusively by the same student in accordance with the specific directions of the student's licensed medical practitioner, will not be considered a violation of this regulation.



Students found in violation of this regulation will be afforded due process and have the right of appeal to the Board of Directors.

Under this regulation, the parent(s), guardian(s), and/or students are responsible for any and all costs incurred for student assessments and any recommended treatment in which the student participates. Students whose families meet the district's income eligibility guidelines may be eligible for fee reductions for assessment and treatment through the contracting agencies.

## **POSSESSION OR USE OF ALCOHOL AND/OR ILLEGAL DRUGS AND/OR DRUG PARAPHERNALIA**

### **GRADES K-5**

*Before administering any suspension or expulsion, a school district must consider the student's individual circumstances and the nature and circumstances of the behavioral violation to determine whether the suspension or expulsion and the length of the exclusion, is warranted.*

#### **FIRST OFFENSE**

The student may be provided a school-based disciplinary action up to a short-term suspension. A behavioral agreement may be developed to modify the disciplinary action as follows:

The short-term suspension may be reduced if;

1. The student participates in a screening conducted by a qualified dependency counselor as defined by [WAC 440-22-010](#); and
2. The parent(s)/guardian(s) sign a consent for an exchange of information between the qualified dependency counselor and the Kelso School District; and
3. The students and parent(s)/guardian(s) meet with the principal (or designee) to discuss the results of the assessment and to discuss conditions for re-entry into the school at the conclusion of the suspension; and
4. The student follows the conditions set forth during the re-entry conference. Failure to follow these conditions will result in the student serving the remaining suspension days.

## SECOND OFFENSE

The student may be provided a school-based disciplinary action up to a short-term suspension. A behavioral agreement may be developed to modify the disciplinary action as follows:

1. The student participates in a screening conducted by a qualified dependency counselor as defined by [WAC 440-22-010](#); and
2. The parent(s)/guardian(s) sign a consent for an exchange of information between the qualified dependency counselor and the Kelso School District; and
3. The students and parent(s)/guardian(s) meet with the principal (or designee) to discuss the results of the assessment and to discuss conditions for re-entry into the school at the conclusion of the suspension; and
4. The student follows the conditions set forth during the re-entry conference. Failure to follow these conditions will result in the student serving the initially determined suspension days.

**Note:** *If a second offense occurs in the same school year as the first offense, the student will be found in violation of re-entry conditions and will need to serve the remaining days of the previous suspension before serving any new discipline.*

## GRADES 6-12

*Before administering any suspension or expulsion, a school district must consider the student's individual circumstances and the nature and circumstances of the behavioral violation to determine whether the suspension or expulsion and the length of the exclusion, is warranted.*

## FIRST OFFENSE

The student may be provided a school-based disciplinary action up to a short-term suspension. A behavioral agreement may be developed to modify the disciplinary action as follows:

1. The student participates in a screening conducted by a qualified dependency counselor as defined by [WAC 440-22-010](#); and
2. The parent(s)/guardian(s) sign a consent for an exchange of information between the qualified dependency counselor and the Kelso School District; and

3. The students and parent(s)/guardian(s) meet with the principal (or designee) to discuss the results of the assessment and to discuss conditions for re-entry into the school at the conclusion of the suspension; and
4. The student follows the conditions set forth during the re-entry conference. Failure to follow these conditions will result in the student serving the initially determined suspension days.

## **SECOND OFFENSE**

The student may be provided a school-based disciplinary action up to a short-term suspension. A behavioral agreement may be developed to modify the disciplinary action as follows:

1. The student participates in a screening conducted by a qualified dependency counselor as defined by [WAC 440-22-010](#); and
2. The parent(s)/guardian(s) sign a consent for an exchange of information between the qualified dependency counselor and the Kelso School District; and
3. The students and parent(s)/guardian(s) meet with the principal (or designee) to discuss the results of the assessment and to discuss conditions for re-entry into the school at the conclusion of the suspension; and
4. The student follows the conditions set forth during the re-entry conference. Failure to follow these conditions will result in the student serving the remaining initially determined suspension days.

**Note:** *If a second offense occurs in the same school year as the first offense, the student will be found in violation of re-entry conditions and will need to serve the remaining days of the previous suspension before serving any new discipline.*

## **THIRD OFFENSE**

The student may be expelled from Kelso School District. To be considered for re-entry to the Kelso School District, the student must complete a formal assessment conducted by a qualified dependency counselor, as defined by [WAC 440-22-010](#), sign a consent for exchange of information form, and then meet with the principal (or designee) to determine conditions for re-entry into the Kelso School District.

## **SELLING OR DISTRIBUTING ALCOHOL AND/OR ILLEGAL DRUGS AND/OR DRUG PARAPHERNALIA OR SUBSTANCES REPRESENTED AS SUCH**

*Before administering any suspension or expulsion, a school district must consider the student's individual circumstances and the nature and circumstances of the behavioral violation to determine whether the suspension or expulsion and the length of the exclusion, is warranted.*

### **GRADES K-5**

#### **FIRST OFFENSE**

The student may be provided a school-based disciplinary action up to a short-term suspension. A behavioral agreement may be developed to modify the disciplinary action as follows:

1. The student participates in a screening conducted by a qualified dependency counselor as defined by [WAC 440-22-010](#); and
2. The parent(s)/guardian(s) sign a consent for an exchange of information between the qualified dependency counselor and the Kelso School District; and
3. The students and parent(s)/guardian(s) meet with the principal (or designee) to discuss the results of the assessment and to discuss conditions for re-entry into the school at the conclusion of the suspension; and
4. The student follows the conditions set forth during the re-entry conference. Failure to follow these conditions will result in the student serving the remaining suspension days.

#### **SECOND OFFENSE**

The student may be expelled from Kelso School District. To be considered for re-entry to the Kelso School District, the student must complete a formal assessment conducted by a qualified dependency counselor, as defined by [WAC 440-22-010](#), sign a consent for exchange of information form, and then meet with the principal (or designee) to determine conditions for re-entry into the Kelso School District.

### **GRADES 6-12**

*Before administering any suspension or expulsion, a school district must consider the student's individual circumstances and the nature and*

*circumstances of the behavioral violation to determine whether the suspension or expulsion and the length of the exclusion, is warranted.*

### **FIRST OFFENSE**

The student may be provided a school-based disciplinary action up to a long-term suspension. A behavioral agreement may be developed to modify the disciplinary action as follows:

1. The student participates in a screening conducted by a qualified dependency counselor as defined by [WAC 440-22-010](#); and
2. The parent(s)/guardian(s) sign a consent for an exchange of information between the qualified dependency counselor and the Kelso School District;
3. The students and parent(s)/guardian(s) meet with the principal (or designee) to discuss the results of the assessment and to discuss conditions for re-entry into the school at the conclusion of the suspension; and
4. The student follows the conditions set forth during the re-entry conference. Failure to follow these conditions will result in the student serving the remaining suspension days.

### **SECOND OFFENSE**

The student may be expelled from Kelso School District. To be considered for re-entry to the Kelso School District, the student must complete a formal assessment conducted by a qualified dependency counselor, as defined by [WAC 440-22-010](#), sign a consent for exchange of information form, and then meet with the principal (or designee) to determine conditions for re-entry into the Kelso School District.

## **SOLICITATION OF ALCOHOL, DRUGS, OR PARAPHERNALIA**

### **GRADES K-12**

*Before administering any suspension or expulsion, a school district must consider the student's individual circumstances and the nature and circumstances of the behavioral violation to determine whether the suspension or expulsion and the length of the exclusion, is warranted.*

### **FIRST OFFENSE**

The student may be provided a school-based disciplinary action up to a short-term suspension. A behavioral agreement may be developed to modify the disciplinary action as follows:

1. The student participates in a screening conducted by a qualified dependency counselor as defined in [WAC 440-22-010](#); and
2. The parent(s)/guardian(s) sign a consent for an exchange of information between the qualified dependency counselor and the Kelso School District;
3. The student and parent(s)/guardian(s) meet with the principal (or designee) to discuss the results of the assessment and to discuss conditions for re-entry into the school at the conclusion of the suspension; and
4. The student follows the conditions set forth during the re-entry conference. Failure to follow these conditions will result in the student serving the remaining suspension days.

## **SECOND AND SUBSEQUENT OFFENSES**

Discipline will follow the sanctions listed under Section A, Possession or Use of Alcohol and/or Illegal Drugs and/or Paraphernalia, beginning with First Offense.

## **SEXUAL HEALTH EDUCATION**

### **Policy 2125**

The Kelso board of directors has determined that all students be provided instruction in comprehensive sexual health education, consistent with state law.

Comprehensive sexual health education instruction provided by the district to students in grades 4-12 will be medically and scientifically accurate, age appropriate, and inclusive of students regardless of their protected class status under Chapter 49.60 RCW. Abstinence will not be taught to the exclusion of other instruction on contraceptives and disease prevention. The district's comprehensive sexual health education program shall be consistent with the [Guidelines for Sexual Health Information and Disease Prevention](#) developed by the Department of Health and the Office of Superintendent of Public Instruction, the Health Education K-12 Learning Standards adopted by OSPI, and other provisions of RCW 28A.300.475. Instructional materials will be chosen from a list provided by OSPI or will be identified or developed by the district and reviewed using comprehensive sexual health education curriculum analysis tools provided by OSPI.

The superintendent/designee will provide parents/guardians an opportunity to review the materials to be used, including or providing electronic access, will provide information on excluding their child from sexual health education instruction, and will grant all such requests. The superintendent or their

designee will annually identify to OSPI any curricula used to provide comprehensive sexual health education and how the provided classroom instruction aligns with legislative requirements.

## **SERVICE ANIMALS IN SCHOOLS**

### **Policy 2030**

*(See also Procedure 2030)*

The Kelso School District Board of Directors acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a “service animal” as required by federal laws and Washington State’s law against discrimination. This policy governs the presence of service animals in the schools and on school property, including school buses and at school activities.

A “service animal” means any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by the service animal must be directly related to the individual’s disability.

Examples of work or tasks include, but are not limited to the following:

- Assisting individuals who are blind or have low vision with navigation and other tasks,
- Alerting individuals who are deaf or hard of hearing to the presence of people or sounds,
- Providing nonviolent protection or rescue work,
- Pulling a wheelchair,
- Assisting an individual during a seizure,
- Alerting an individual to the presence of allergens,
- Retrieving items, such as medicine or the telephone,
- Providing physical support and assistance with balance and stability to individuals with mobility disabilities, and
- Helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks.

It is a civil infraction to misrepresent an animal as a service animal. A student's parent/guardian who believes their student needs to bring a service animal to school or an employee who wishes to bring a service animal to school must submit a written request to the building principal. The building principal, in consultation with the Section 504 coordinator or director of special services, as appropriate, will determine whether to permit the service animal in school. The principal shall not ask about the nature or extent of a person's disability but may make two inquiries to determine whether an animal qualifies as a service animal. The principal may ask if the animal is required because of a disability and what work or task the animal has been trained to perform. The principal shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal, or require that the service animal demonstrate its task. The principal may not make these inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for a person with a disability.

## **OTHER ANIMALS ON CAMPUSES**

With the exception of service animals, animals are not allowed on district campuses during school hours unless specifically approved by the principal. Many animals, while well-behaved normally, may act aggressively under the increased input of a school campus where students and adults are moving constantly. School hours are meant to include classroom periods, the period of time before and after school when students are entering and exiting the school, and during after-school activities when students are present.

Parents or guardians walking their animals and the student as part of the arrival or departure process must keep their animals off the school grounds. Animals remaining in vehicles while visiting the campus are not restricted except that owners should keep windows and other openings restricted to prevent children from reaching into the vehicle.

## **EMOTIONAL SUPPORT ANIMALS**

Although many medical professionals have been turning to emotional support animals as a treatment plan to aid in psychiatric disabilities, (including loneliness, phobias, anxiety, depression, and other related conditions) by providing companionship and comfort to the animal's owner, these animals often do not receive specialized training to aid the owner with skilled tasks.



These animals are not considered service animals by the ADA or Washington State Law and are not protected by the laws outlined for service animals, thus not permitted in our schools by students/staff.

## **NON-CURRICULUM-RELATED STUDENT GROUPS**

### **Policy 2153**

Pursuant to the Equal Access Act, the board authorizes non-curriculum-related student groups to meet before or after school or during non-instructional time, subject to the approval of the principal. Such approval shall be granted, provided that the activities of the group are not disruptive to school operations and the members of the group comply with the rules established by the superintendent and/or school principal. The board authorizes the superintendent to develop administrative procedures to create or maintain this "limited open forum."

The principal shall approve the non-curriculum-related student meeting or activity provided that:

1. The meeting shall be voluntary and initiated by students.
2. The school or its staff shall not be a sponsor of the group.
3. The meeting shall not materially and substantially interfere with the orderly operation of the school.
4. Students shall be responsible for the direction, control, and conduct of the meeting. Guests must be registered and must not be regular participants.
5. The use of public funds other than incidental and/or monitoring costs shall not be permitted. Funds acquired by non-curriculum-related student groups shall be held in an associated student body account which shall be accessible by that student group.
6. A staff member shall not be compelled to attend when the meeting is contrary to his/her belief.
7. The constitutional rights of all persons shall be respected.

The principal shall be responsible for the assignment of a room and for the approval and/or assignment of a staff member to monitor the meeting.

## **NON-CURRICULUM-RELATED STUDENT GROUPS**

### **Procedure 2153P**

A group of students who wish to conduct a meeting on school premises before or after school shall submit a request to the school principal at least five school-business days prior to the desired meeting date. The principal will grant or deny the request at least two school-business days prior to the scheduled date.

The application shall provide:

1. The name of each student who is making the request;
2. The name of the monitor of the proposed group (must be a school staff member);
3. A description of the proposed meeting along with its stated purpose;
4. The name(s) and affiliations of non-students (if any) who will be invited;
5. Statements that:
  - a. Students shall be voluntarily attending the meeting;
  - b. Any non-students shall not be directing, conducting, controlling, or regularly attending future meetings and/or activities;
  - c. The monitor shall not participate; and
6. The time and frequency of meetings for the proposed group.

## **COMPULSORY ATTENDANCE**

### **Policy 3121**

Parents of any student eight years of age and under eighteen years of age shall cause such child to attend school and such child shall have the responsibility to and therefore shall attend for the full time when such school may be in session unless the child is enrolled in an approved private school, an educational center as provided in [chapter 28A.205 RCW](#), or is receiving home-based instruction. Parents of any child six or seven years old, who have enrolled the child in school, shall cause the child to attend school for the full time when such school may be in session unless the child is formally withdrawn from enrollment by the parents.

An exception may be granted by the superintendent in the following circumstances:

- The student is physically or mentally unable to attend school;
- The student is attending a residential school operated by the Department of Social and Health Services;
- The student's parents have requested a temporary absence for purposes agreed to by the district and which will not cause a serious adverse effect on the student's educational process;
- The student is sixteen years of age, regularly and lawfully employed and either has parent permission or is emancipated pursuant to [chapter 13.64 RCW](#);
- The student has met graduation requirements; or
- The student has received a certificate of educational competence (GED).

Any law enforcement officer authorized to make arrests can take a truant child into custody without a warrant and must then deliver the child to the parent or to the school.

The district shall not require enrollment for either (a) a minimum number of semesters or trimesters or (b) a minimum number of courses in a semester or trimester, which exceeds the enrollment time or courses necessary for a student to meet established course, credit, and test requirements for high school graduation.

## **EXCUSED AND UNEXCUSED ABSENCES**

### **Policy 3122**

#### **DEFINITIONS**

#### **ABSENCE FROM IN-PERSON LEARNING**

[WAC 392-401-015](#) states the definition of an absence:

1. A student is absent from in-person instruction when they are:
  - a. Not physically present on school grounds; and
  - b. Not participating in the following activities at an approved location:
    - i. Instruction; or
    - ii. Any instruction-related activity; or

- iii. Any other district or school-approved activity that is regulated by an instructional/academic accountability system, such as participation in district-sponsored sports.

## **ABSENCE FROM SYNCHRONOUS AND ASYNCHRONOUS INSTRUCTION**

(1) A student is absent from synchronous online instruction when the student does not log in to the synchronous meeting/class. (2) A student is absent from asynchronous instruction when there is no evidence that the student accessed the planned asynchronous activity. (3) Evidence of student participation in asynchronous activities must occur daily, within a twenty-four-hour time frame of when the participation is planned or expected.

Absences due to suspensions, expulsions, or emergency expulsions imposed pursuant to [chapter 392-400 WAC](#) should be reported as excused absences unless the student is receiving educational services as required by law.

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

## **EXCUSED ABSENCES**

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

# **EXCUSED AND UNEXCUSED ABSENCES**

## **Procedure 3122P**

Students are expected to attend in-person classes each day or participate in all assigned remote instructional activities. School staff will keep a record of absence and tardiness, including a call log and/or a record of excuse statements submitted by a parent/guardian or, in certain cases, students, to document a student's excused absences.

### **EXCUSED ABSENCES**

The following are valid excuses or necessary reasons for absences and tardiness. Assignments and/or activities not completed because of an excused absence or tardiness may be made up in the manner provided by the teacher.

1. Physical health or mental health symptoms, illness, health condition, or medical appointment for the student or person for whom the student is legally responsible. Examples of symptoms, illness, health conditions, or medical appointments include, but are not limited to, medical, counseling, mental health wellness, dental, optometry, pregnancy, and behavioral health treatment (which can include in-patient or out-patient treatment for chemical dependency or mental health);
2. Family emergencies including, but not limited to, a death or illness in the family;
3. Religious or cultural purpose including observance of a religious or cultural holiday or participation in religious or cultural instruction;
4. Court, judicial proceeding, court-ordered activity, or jury service;
5. Post-secondary, technical school or apprenticeship program visitation, or scholarship interview;
6. State-recognized search and rescue activities consistent with RCW 28A.225.055;
7. Absence directly related to the student's homeless (McKinney Vento) or foster care/dependency status;
8. Absences related to deployment activities of a parent or legal guardian who is an active duty member consistent with RCW 28A.705.010;
9. Absences due to suspensions, expulsions, or emergency expulsions imposed pursuant to chapter 392-400 WAC if the student is not receiving educational services and is not enrolled in qualifying "course of study" activities as defined in WAC 392-121-107;

10. Absences due to student safety concerns, including absences related to threats, assaults, or bullying;
11. Absences due to a student's migrant status; and
12. An approved activity that is consistent with district policy and is mutually agreed upon by the principal or designee and a parent, guardian, or emancipated youth;
13. Absences due to the student's lack of necessary instructional tools, including internet access or connectivity.

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

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

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

1. **Parental notification.** When possible, the parent/guardian is expected to notify the school office on the morning of the absence by phone, e-mail, or written note and to provide the excuse for the absence. If no excuse is provided with the notification or no notification is provided, the parent/guardian will submit an excuse via phone, e-mail, or written note upon the student's return to school. Adult students (those over 18) and emancipated students (those over 16 who have been emancipated by court action) will notify the school office of their absences with a note of explanation. Students fourteen years old or older who are

absent from school due to testing or treatment for a sexually transmitted disease will notify the school of their absence with a note of explanation, which will be kept confidential. Students thirteen years and older may do the same for mental health, drug or alcohol treatment; and all students have that right for family planning and abortion.

A parent/guardian may request that a student be excused from attending school in observance of a religious holiday. In addition, a student, upon the request of his/her parent/guardian, may be excused for a portion of a school day to participate in religious instruction provided such is not conducted on school property. A student will be allowed one makeup day for each day of absence.

2. **Absence for parental-approved activities.** This category of absence will be counted as excused for purposes agreed to by the principal/or designee and the parent/guardian. An absence may not be approved if it causes a serious adverse effect on the student's educational progress. In participation-type classes (e.g., certain music and physical education classes) the student may not be able to achieve the objectives of the unit of instruction as a result of absence from class. In such a case, a parent/guardian-approved absence would have an adverse effect on the student's educational progress that would ultimately be reflected in the grade for such a course. A student, upon the request of his/her parent/guardian, may be excused for a portion of a school day to participate in religious instruction provided such is not conducted on school property or otherwise involves the school to any degree.
3. **Absence resulting from disciplinary actions — or short-term suspension.** As required by law, students who are removed from a class or classes as a disciplinary measure or students who have been placed on short-term suspension will have the right to make up assignments or exams missed during the time they were denied entry to the classroom if the effect of the missed assignments will be a substantial lowering of the course grade.
4. **Extended illness or health condition.** If a student is confined to home or hospital for an extended period, the school will arrange for the accomplishment of assignments at the place of confinement whenever practical. If the student is unable to do his/her schoolwork, or if there are major requirements of a particular course which cannot be

accomplished outside of class the student may be required to take an incomplete or withdraw from the class without penalty.

5. **Excused absence for chronic health condition.** Students with a chronic health condition which interrupts regular attendance may qualify for placement in a limited attendance and participation program. The student and his/her parent/guardian will apply to the principal or counselor, and a limited program will be written following the advice and recommendations of the student's medical advisor. The recommended limited program will be approved by the principal. Staff will be informed of the student's needs, though the confidentiality of medical information will be respected at the parent's/guardian's request.
6. Students who miss more than 10% of a semester or trimester may be required to provide a doctor's note for all future absences that school year. Once a parent/guardian has been notified that doctor's notes are required for future absences, failure to provide doctor's notes will result in the absence being unexcused.

## **REQUIRED CONFERENCE FOR ELEMENTARY SCHOOL STUDENTS**

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

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

## **Tiered response system for students who are absent from remote learning**



Students who are marked absent from remote learning will receive interventions and services consistent with the tiered response system for student absences implemented by the district pursuant to WAC 392401A-045. Under the tiered response system, the district will:

- Monitor daily attendance data for all students who are absent from remote learning, whether excused or unexcused;
- Make multiple attempts to contact the families regarding student absences using multiple modalities and in the parent's home language;
- Provide daily notification of absences to parents;
- Provide outreach from the student's school to determine student needs, such as basic needs, connectivity and hardware, and connection with health and social services as necessary;
- Provide differentiated supports to students that address the barriers to attendance and participation, including universal supports for all students and tiered interventions for students at-risk of and experiencing chronic absence; and
- When feasible and appropriate, transition students to full-time in-person learning or another program to accommodate the student's needs.

## **UNEXCUSED ABSENCES**

An "unexcused absence" means that the student has failed to attend the majority of hours or periods in an average school day, has failed to comply with a more restrictive school district policy on absences, or has failed to comply with alternative learning experience programs attendance requirements.

Unexcused absences occur when:

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

**Each unexcused absence within any month of the current school year** will be followed by a letter or phone call to the parent/guardian of the student informing them of the consequences of additional unexcused absences. The school will make reasonable efforts to provide this information in a language in

which the parent is fluent. A student's grade will not be affected if no graded activity is missed during such an absence.

**After three (3) unexcused absences within any month of the current school year,** a conference will be held between the principal, student, and parent/guardian to analyze the causes of the student's absenteeism. If a regularly scheduled parent-teacher conference is scheduled to take place within thirty days of the third unexcused absence, the district may schedule the attendance conference on the same day. If the parent/guardian does not attend the scheduled conference, the conference may be conducted with the student and principal. However, the parent will be notified of the steps to be taken to eliminate or reduce the student's absences.

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

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

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

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

- adjusting the student's course assignments;
- providing the student more individualized instruction;
- providing appropriate vocational courses or work experience;
- requiring the student to attend an alternative school or program;
- assisting the parent or student to obtain supplementary services; or
- referring the student to a community engagement board.

### **Transfers**

In the case of a student who transfers from one district to another during the school year, the sending district will provide to the receiving district, together with a copy of the WARNS assessment and any interventions previously provided to the student, the most recent truancy information for that student. The information will include the online or written acknowledgment by the parent and student. The sending district will use the standard choice transfer form for releasing a student to a nonresident school district for the purposes of accessing an alternative learning experience program.

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

1. enter into an agreement with the student and parents/guardians that establishes school attendance requirements;
2. refer the student to a community engagement board; or
3. file a petition and affidavit with the juvenile court (see below)

### **COMMUNITY ENGAGEMENT BOARD**

A "community engagement board" means a board established pursuant to a memorandum of understanding (MOU) between a juvenile court and the school district and composed of members of the local community in which the student attends school. The district will enter into an MOU with the juvenile court in Cowlitz County to establish a community engagement board prior to the 2017-2018 school year.

The district will designate and identify to the juvenile court (and update as necessary) and to the Office of the Superintendent of Public Instruction a staff member to coordinate district efforts to address excessive absenteeism and truancy, including outreach and conferences, coordinating the MOU, establishing protocols and procedures with the court, coordinating training, sharing evidence-based and culturally appropriate promising practices. The district will also identify a person within each school to serve as a contact regarding excessive absenteeism and truancy and assisting in the recruitment of community engagement board members.

After the **student's seventh unexcused absence within any month during the current school year and not later than the fifteenth unexcused absence during the current school year**, if the district's attempts to substantially reduce a student's absences have not been successful and if the student is under the age of seventeen, the district will file a petition and supporting affidavit for a civil action in juvenile court.

## **PETITION TO JUVENILE COURT**

The petition will contain the following:

1. A statement that the student has unexcused absences in the current school year. (District Note: While petitions must be filed if the student has seven or more unexcused absences within any one month or ten or more unexcused absences in the current school year, a petition may be filed earlier. Unexcused absences accumulated in another school or school district will be counted when preparing the petition);
2. Attestation that actions taken by the school district have not been successful in substantially reducing the student's absences from school;
3. A statement that court intervention and supervision are necessary to assist the school district to reduce the student's absences from school;
4. A statement that RCW 28A.225.010 has been violated by the parent, student, or parent and student;
5. The student's name, date of birth, school, address, gender, race, and ethnicity; and the names and addresses of the student's parent/guardian, whether the student and parent are fluent in English, whether there is an existing individualized education program (IEP) and the student's current academic status in school;

6. A list of all interventions that have been attempted, a copy of any previous truancy assessment completed by the student's current school district, the history of approved best practices intervention or research-based intervention(s) previously provided to the student by the district, and a copy of the most recent truancy information document provided to the parent.
7. Facts that support the above allegations.

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

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

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

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

## **REMOVAL/RELEASE OF STUDENT DURING SCHOOL HOURS**

### **[Policy 3124](#)**

The board recognizes its responsibility for the proper care of students during school hours. Students will not be removed from school grounds, any school building or school function during school hours except by a person authorized according to district procedures. Before a student is removed or excused, the person seeking to remove the student must present, to the satisfaction of the principal, evidence of his/her proper authority to remove the student. A

teacher should not excuse a student from class to confer with anyone unless the request is approved by the principal. The superintendent is directed to establish procedures for the removal of a student during school hours.

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

## **REMOVAL/RELEASE OF STUDENTS DURING SCHOOL HOURS**

### **Procedure 3124P**

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

1. Law enforcement officers, upon proper identification, may remove a student from school without a warrant provided that the law enforcement officer signs a statement that he/she is removing the student from the school. Residential parents should be contacted as soon as possible when a student is taken into custody.
2. Any other agencies must have a written administrative or court order directing the school district to give custody to them. Proper identification is required before the student will be released.
3. A student will be released to the residential parent or the nonresidential parent unless the residential parent provides the school with a certified copy of a court order restricting and/or prohibiting the student's contact with the nonresidential parent. When in doubt as to who has custodial rights, the school district will rely on enrollment records. Parents (or guardians) have the burden of furnishing schools with accurate, up-to-date information regarding custodial rights;
4. The school should always make a reasonable effort to notify the residential parent before releasing the student to a nonresidential parent;
5. Prior written authorization from the residential parent or guardian is required before releasing a student into someone else's custody unless an emergency situation justifies a waiver;

6. Police should be called if a visitor becomes disruptive or abusive; and
7. State law requires that school personnel not remove, cause to be removed, or allow to be removed a student from school grounds during school hours without the consent of the student's parent or guardian unless the employee is the student's parent or guardian, the employee is providing bus transportation, the employee is supervising an extra-curricular activity and providing transportation for the student, or the student requires transportation for emergency medical care and the parent cannot be contacted. School security personnel may remove a student from school without parental authorization for disciplinary reasons, and anyone officially responding to a 911 emergency call may remove a student without prior parental authorization.

School personnel should exercise discretion as to whether the student will be transported by ambulance or private automobile to a doctor or hospital in case of an emergency.

## **SEXUAL HARASSMENT OF STUDENTS PROHIBITED**

### **Policy 3205**

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

### **DEFINITIONS**

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

Under federal and state law, the term "sexual harassment" includes:

- acts of sexual violence;

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

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

## **INVESTIGATION AND RESPONSE**

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

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 an investigation does not interfere with an ongoing criminal investigation. A criminal investigation does not relieve the district of its independent obligation to investigate and resolve sexual harassment.



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

### **RETALIATION AND FALSE ALLEGATIONS**

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

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

### **STAFF RESPONSIBILITIES**

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

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

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

### **NOTICE AND TRAINING**

The superintendent will develop procedures to provide age-appropriate information and education to district staff, students, parents, and volunteers regarding this policy and the recognition and prevention of sexual harassment. At a minimum sexual harassment recognition and prevention and the elements of this policy will be included in staff, student, and regular volunteer orientation. This policy and the procedure, which includes the complaint process, will be posted in each district building in a place available to staff,

students, parents, volunteers, and visitors. Information about the policy and procedure will be clearly stated and conspicuously posted throughout each school building, provided to each employee, and reproduced in each student, staff, volunteer, and parent handbook.

Such notices will identify the district's Title IX coordinator and provide contact information, including the coordinator's email address.

## **POLICY REVIEW**

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

## **SEXUAL HARASSMENT OF STUDENTS PROHIBITED**

### **[Procedure 3205P](#)**

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

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

## **NOTICE**

- Information about the district's sexual harassment policy and complaint procedure will be easily understandable and conspicuously posted throughout each school building, be reproduced in each student, staff,

volunteer, and parent handbook. This notice will be provided in a language that each parent and guardian can understand.

- In addition to the posting and reproduction of this procedure and [Policy 3205](#), the district will provide annual notice to employees that complaints pursuant to this procedure may be filed at 601 Crawford St., Kelso, WA 98626.

### **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**

- The district will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures.
- If a complainant requests that his or her name not be revealed to the alleged perpetrator or asks that the district not investigate or seek action against the alleged perpetrator, the request will be forwarded to the Title IX Coordinator for evaluation.
- The Title IX Coordinator should inform the complainant that honoring the request may limit its ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator.
- If the complainant still requests that his or her name not be disclosed to the alleged perpetrator or that the district not investigate or seek action against the alleged perpetrator, the district will need to determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students, staff, and other third parties engaging in district activities, including the person who reported the sexual harassment. Although a complainant's request to have his or her name withheld may limit the district's ability to respond fully to an individual allegation of sexual harassment, the district will use other appropriate means available to address the sexual harassment.

## **RETALIATION**

Title IX and state law prohibit 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 action against those found to have retaliated.

## **INFORMAL COMPLAINT PROCESS**

Anyone may use informal procedures to report and resolve complaints of sexual harassment. Informal reports may be made to any staff member. Staff will always notify complainants of their right to file a formal complaint and the process for the same. Staff will also direct potential complainants to the school district's Civil Rights Officer and ADA Coordinator, (360) 501-1900. Additionally, staff will also inform an appropriate supervisor or professional staff member when they receive complaints of sexual harassment, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

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

Informal remedies may include:

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

### ***Level One – Complaint to District***

Anyone may initiate a formal complaint of sexual harassment, even if the informal complaint process is being utilized.

### **FILING OF COMPLAINT**

- All formal complaints will be in writing and will set forth the specific acts, conditions, or circumstances alleged to have occurred and to constitute sexual harassment. The Title IX Coordinator may draft the complaint based on the report of the complainant for the complainant to review and approve. The superintendent or Title IX Coordinator may also conclude that the district needs to conduct an investigation based on information in his or her possession, regardless of the complainant's interest in filing a formal complaint.
- The time period for filing a complaint is one year from the date of the occurrence that is the subject matter of the complaint. However, a complaint filing deadline may not be imposed if the complainant was prevented from filing due to: 1) specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint, or 2) withholding of information that the district was required to provide under [WAC 392-190-065](#) or [WAC 392-190-005](#).
- Complaints may be submitted by mail, e-mail, or hand-delivery to the Title IX Coordinator at 601 Crawford St. Kelso, WA 98626, <https://www.kelso.wednet.edu/o/ksd/page/title-ix>. Any district

employee who receives a complaint that meets these criteria will promptly notify the Coordinator.

## **INVESTIGATION AND RESPONSE**

- The Title IX Coordinator will receive and investigate all formal, written complaints of sexual harassment or information in the Coordinator's possession that they believe requires further investigation. The Coordinator will delegate his or her authority to participate in this process if such action is necessary to avoid any potential conflicts of interest. Upon receipt of a complaint, the Coordinator will provide the complainant a copy of this procedure.
- Investigations will be carried out in a manner that is adequate in scope, reliable, and impartial. During the investigation process, the complainant and accused party or parties, if the complainant has identified an accused harasser(s), will have an equal opportunity to present witnesses and relevant evidence.

Complainants and witnesses may have a trusted adult with them during any district-initiated investigatory activities. The school district and complainant may also agree to resolve the complaint in lieu of an investigation. When the investigation is completed, the Coordinator will compile a full written report of the complaint and the results of the investigation.

## **SUPERINTENDENT RESPONSE**

- The superintendent will respond in writing to the complainant and the alleged perpetrator within thirty (30) calendar days of receipt of the complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the complainant in writing of the reason for the extension and the anticipated response date. At the time, the district responds to the complainant, the district must send a copy of the response to the Office of the Superintendent of Public Instruction.
- The response of the superintendent or designee will include 1) a summary of the results of the investigation, 2) a statement as to whether a preponderance of the evidence establishes that the complainant was sexually harassed, 3) if sexual harassment is found to have occurred, the corrective measures the district deems necessary, including assurance that the district will take steps to prevent

recurrence and remedy its effects on the complainant and others, if appropriate, 4) notice of the complainant's right to appeal to the school board and the necessary filing information, and 5) any corrective measures the district will take, remedies for the complainant (e.g., sources of counseling, advocacy, and academic support), and notice of potential sanctions for the perpetrator(s) (e.g., discipline).

- The superintendent's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VII of the Civil Rights Act of 1964. If the complaint alleges discriminatory harassment by a named party or parties, the coordinator will provide the accused party or parties with notice of the outcome of the investigation and notice of their right to appeal any discipline or corrective action imposed by the district.
- Any corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the superintendent's mailing of a written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy.
- The district will inform the complainant and their parent/guardian how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

### ***Level Two - Appeal to Board of Directors*** **Notice of Appeal and Hearing**

If a complainant disagrees with the superintendent's or designee's written decision, the complainant may appeal the decision to the district board of directors, by filing a written notice of appeal with the secretary of the board within ten (10) calendar days following the date upon which the complainant received the response.

The board will schedule a hearing to commence by the twentieth (20th) calendar day following the filing of the written notice of appeal unless otherwise agreed to by the complainant and the superintendent or for good cause.

Both parties will be allowed to present such witnesses and testimony, as the board deems relevant and material.

### **BOARD DECISION**

Unless otherwise agreed to by the complainant, the board will render a written decision within thirty (30) calendar days following the filing of the notice of appeal and provide the complainant with a copy of the decision.

The decision will be provided in a language that the complainant can understand which may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act.

The decision will include notice of the complainant's right to appeal to the Superintendent of Public Instruction and will identify where and to whom the appeal must be filed. The district will send a copy of the appeal decision to the Office of the Superintendent of Public Instruction.

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

If a complainant disagrees with the decision of the board of directors, or if the district fails to comply with this procedure, the complainant may file a complaint with the Superintendent of Public Instruction.

A complaint must be received by the Superintendent of Public Instruction on or before the twentieth (20)-calendar day following the date upon which the complainant received written notice of the Board of Directors' decision unless the Superintendent of Public Instruction grants an extension for good cause. Complaints may be submitted by mail, fax, electronic mail, or hand delivery.

A complaint must be in writing and include 1) a description of the specific acts, conditions, or circumstances alleged to violate applicable anti-sexual harassment laws, 2) the name and contact information, including address, of the complainant, 3) the name and address of the district subject to the complaint, 4) a copy of the district's complaint and appeal decision if any and 5) a proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and



address of the student, or in the case of a homeless child or youth, contact information.

### **INVESTIGATION, DETERMINATION, AND CORRECTIVE ACTION**

Upon receipt of a complaint, the Office of the Superintendent of Public Instruction may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the superintendent or board.

Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with [RCW 28A.642.010](#) or [Chapter 392-190, WAC](#), and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified.

The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.

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

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

### ***Level Four - Administrative Hearing***

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

### **OTHER COMPLAINT OPTIONS**

- Office for Civil Rights (OCR), U.S. Department of Education. OCR enforces several federal civil rights laws, which prohibit discrimination in public schools on the basis of race, color, national origin, sex, disability, and age. File complaints with OCR within 180 calendar days of the date of the alleged discrimination. 206-607-1600 | TDD: 1-800-877-8339 | [OCR.Seattle@ed.gov](mailto:OCR.Seattle@ed.gov) | [www.ed.gov/ocr](http://www.ed.gov/ocr)
- Washington State Human Rights Commission (WSHRC). WSHRC enforces the Washington Law Against Discrimination ([RCW 49.60](#)), which prohibits discrimination in employment and in places of public accommodation, including schools. File complaints with WSHRC within six months of the date of the alleged discrimination. 1-800-233-3247 | TTY: 1-800-300-7525 | [www.hum.wa.gov](http://www.hum.wa.gov)

## **MEDIATION**

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

The purpose of mediation is to provide both the complainant and the district an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator. Mediation must be voluntary and requires the mutual agreement of both parties. It may be terminated by either party at any time during the mediation process. It may not be used to deny or delay a complainant's right to utilize the complaint procedures.

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

- 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
- Have a personal or professional conflict of interest. A mediator is not considered an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.

If the parties reach an agreement through mediation, they may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the course of mediation will remain confidential and may not be used as evidence in any subsequent complaint,

due process hearing, or civil proceeding. The agreement must be signed by the complainant and a district representative who has the authority to bind the district.

## **TRAINING AND ORIENTATION**

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

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

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

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

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

## **POLICY AND PROCEDURE REVIEW**

Annually, the superintendent or designee will convene an ad hoc committee composed of representatives of certificated and classified staff, volunteers, students, and parents to review the use and efficacy of this policy and procedure.

The compliance officer will be included in the committee. Based on the review of the committee, the superintendent will prepare a report to the board including, if necessary, any recommended policy changes. The superintendent will consider adopting changes to this procedure if recommended by the committee.

## **PROHIBITION OF HARASSMENT, INTIMIDATION, AND BULLYING**

### **Procedure 3207P**

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

In order to ensure respect and prevent harm, it is a violation of district policy for a student to be harassed, intimidated, or bullied by others in the school community, at school-sponsored events, or when such actions create a substantial disruption to the educational process. The school community includes all students, school employees, school board members, contractors, unpaid volunteers, families, patrons, and other visitors. Student(s) will not be harassed because of their race, color, 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 is expected to take prompt and appropriate action to stop the harassment and prevent its reoccurrence.

## **DEFINITIONS**

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

**Harassment, intimidation, or bullying** means an intentional electronic, written, verbal, or physical act that:

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

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

Conduct that may rise to the level of harassment, intimidation, and bullying may take many forms, including, but not limited to slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, ostracism, physical attacks or threats, gestures, or acts relating to an individual or group whether electronic, written, oral, or physically transmitted messages or images. There is no requirement that the targeted student actually possess the characteristic that is the basis for the harassment, intimidation, or bullying.

Incident Reporting Forms may be used by students, families, or staff to report incidents of harassment, intimidation, or bullying. These forms are available at schools and can be downloaded from the district website.

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

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

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

## **BEHAVIORS/EXPRESSION**

"Harassment," "intimidation," and "bullying" are separate but related behaviors. Each must be addressed appropriately. Although this procedure differentiates the three behaviors, this differentiation should not be considered part of the

legal definition of these behaviors, Harassment refers to any malicious act, which causes harm to any person's physical well-being. It can be discriminatory harassment, malicious harassment, or sexual harassment. Intimidation refers to implied or overt threats of physical violence. Bullying refers to unwanted aggressive behavior(s) by another youth or group of youths that involves an observed or perceived power imbalance and is repeated multiple times or is highly likely to be repeated. Bullying may inflict harm on the targeted youth including physical or educational harm. Bullying can also occur through technology and is called electronic bullying or cyberbullying.

## **RELATIONSHIP TO OTHER LAWS**

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

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

- [RCW 28A.300.285](#) – Harassment, Intimidation, and Bullying
- [RCW 28A.640.020](#) – Sexual Harassment
- [RCW 28A.642](#) – Prohibition of Discrimination in Public Schools
- [RCW 49.60.010](#) – The Law Against Discrimination

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

## **PREVENTION**

### **Dissemination**

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

Annually, the superintendent will ensure that a statement summarizing the policy and procedure is provided to students, staff, volunteers, and

parents/guardians is available in school and district offices and/or hallways, and is posted on the district's website.

Additional distribution of the policy and procedure is subject to the requirements of Washington Administrative Code [392-400-226](#).

### **Education**

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

### **Training**

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

### **PREVENTION STRATEGIES**

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

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

### **COMPLIANCE OFFICER**

The district compliance officer will:

1. Serve as the district's primary contact for harassment, intimidation, and bullying;
2. Provide support and assistance to the principal or designee in resolving complaints;
3. Receive copies of all Incident Reporting Forms, Discipline Referral Forms, and letters to parents providing the outcomes of investigations. If a written report of harassment, intimidation, or bullying indicates a potential violation of the district's nondiscrimination policy (Policy 3210), the compliance officer must promptly notify the district's civil rights compliance coordinator;
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 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 receives annual fall training;
7. Provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis; and
8. In cases where, despite school efforts, a targeted student experiences harassment, intimidation, or bullying that threatens the student's health and safety, the compliance officer will facilitate a meeting between district staff and the student's parents/guardians to develop a safety plan to protect the student. A sample student safety plan is available on the OSPI website: [www.k12.wa.us/SafetyCenter/default.aspx](http://www.k12.wa.us/SafetyCenter/default.aspx)

## **STAFF INTERVENTION**

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

## **FILING AN INCIDENT REPORTING FORM**

Any student who believes he or she has been the target of unresolved, severe, or persistent harassment, intimidation, or bullying, or any other person in the school community who observes or receives notice that a student has or may have been the target of unresolved, severe, or persistent harassment, intimidation, or bullying may report incidents verbally or in writing to any staff member.

## **ADDRESSING BULLYING – REPORTS**

### **STEP 1:**

#### **Filing an Incident Reporting Form**

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



## Status of Reporter

### **1. ANONYMOUS**

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

### **1. CONFIDENTIAL**

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

### **2. 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 even then, information will still be restricted to those with a need to know, both during and after the investigation. The district will, however, fully implement the anti-retaliation provision of this policy and procedure to protect complainants and witnesses.

## **STEP 2:**

### **Receiving an Incident Reporting Form**

All staff are responsible for receiving oral and written reports. Whenever possible staff, who initially receive an oral or written report of harassment, intimidation, or bullying shall attempt to resolve the incident immediately. If

the incident is resolved to the satisfaction of the parties involved, or if the incident does not meet the definition of harassment, intimidation, or bullying, no further action may be necessary under this procedure.

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

### **STEP 3:**

#### **Investigations of Unresolved, Severe, or Persistent Harassment, Intimidation, and Bullying**

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

1. Upon receipt of the Incident Reporting Form that alleges unresolved, severe, or persistent harassment, intimidation, or bullying, the school or district designee will begin the investigation. If there is potential for clear and immediate physical harm to the complainant, the district will immediately contact law enforcement and inform the parent/guardian.
2. During the course of the investigation, the district will take reasonable measures to ensure that no further incidents of harassment, intimidation, or bullying occur between the complainant and the alleged aggressor. If necessary, the district will implement a safety plan for the student(s) involved. The plan may include changing seating arrangements for the complainant and/or the alleged aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a safe person for the complainant; altering the alleged aggressor's schedule and access to the complainant, and other measures.

If, during the course of an investigation, the district employee conducting the investigation becomes aware of a potential violation of the district's nondiscrimination policy ([Policy 3210](#)), the investigator will promptly notify the district's civil rights compliance officer. Upon receipt of this information, the civil rights compliance officer must notify the complainant that their complaint will proceed under the discrimination complaint

procedure in [WAC 392-190-065](#) through WAC [392-190-075](#) as well as the HIB complaint procedure. The notice must be provided in a language that the complainant can understand. The investigation and response timeline for the discrimination complaint procedure will follow that set forth in [WAC 392-190-065](#) and begins when the district knows or should have known that a written report of harassment, intimidation, or bullying involves allegations of a violation of the district's nondiscrimination policy.

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

designee will respond in writing or in person to the parent/guardian of the complainant and the alleged aggressor stating:

- a. The results of the investigation;
- b. Whether the allegations were found to be factual;
- c. Whether there was a violation of policy; and
- d. The process for the complainant to file an appeal if the complainant disagrees with the results.

Because of the legal requirement regarding the confidentiality of student records, the principal or designee may not be able to report specific information to the targeted student's parent/guardian about any disciplinary action taken unless it involves a directive that the targeted student must be aware of in order to report violations.

If a district chooses to contact the parent/guardian by letter, the letter will be mailed to the parent/guardian of the complainant and alleged aggressor by the United States Postal Service with a return receipt requested unless it is determined, after consultation with the student and appropriate staff (psychologist, counselor, social worker) that it could endanger the complainant or the alleged aggressor to involve his or her family. If professional school personnel suspect that a student is subject to abuse or neglect, as mandatory reporters, they must follow district policy for reporting suspected cases to Child Protective Services.

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

#### **STEP 4:**

##### **Corrective Measure for the Aggressor**

After completion of the investigation, the school or district designee will institute any corrective measures necessary. Corrective measures will be instituted as quickly as possible, but in no event more than five (5) school days after contact has been made to the families or guardians regarding the outcome of the investigation. Corrective measures that involve student discipline will be implemented to district policy 3241, Classroom Management, Corrective Actions, or Punishment. If the accused aggressor is appealing the imposition of discipline, the district may be prevented by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.

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

## **STEP 5:**

### **Targeted Student's Right to Appeal**

- If the complainant or parent/guardian is dissatisfied with the results of the investigation, they may appeal to the superintendent or his or her designee by filing a written notice of appeal within five (5) school days of receiving the written decision. The superintendent or his or her designee will review the investigative report and issue a written decision on the merits of the appeal within five (5) school days of receiving the notice of appeal.
- If the targeted student remains dissatisfied after the initial appeal to the superintendent, the student may appeal to the school board by filing a written notice of appeal with the secretary of the school board on or before the fifth (5) school day following the date upon which the complainant received the superintendent's written decision.
- An appeal before the school board must be heard on or before the tenth (10<sup>th</sup>) school day following the filing of the written notice of appeal to the school board.

The school board will review the record and render a written decision on the merits of the appeal on or before the fifth (5<sup>th</sup>) school day following the termination of the hearing and shall provide a copy to all parties involved. The board's decision will be the final district decision.

## **STEP 6:**

### **Discipline/Corrective Action**

The district will take prompt and equitable corrective measures within its authority on findings of harassment, intimidation, or bullying. Depending on the severity of the conduct, corrective measures may include counseling, education, discipline, and/or referral to law enforcement.

Corrective measures for a student who commits an act of harassment, intimidation, or bullying will be varied and graded according to the nature of the behavior, the developmental age of the student, or the student's history of problem behaviors and performance. Corrective measures that involve student

discipline will be implemented according to district policy 3241, Classroom Management, Corrective Actions, or Punishment.

If the conduct was of a public nature or involved groups of students or bystanders, the district should strongly consider school-wide training or other activities to address the incident.

If staff have been found to be in violation of this policy and procedure, school districts may impose employment disciplinary action, up to and including termination. If a certificated educator is found to have committed a violation of [Chapter 181-87 WAC](#), commonly called the Code of Conduct for Professional Educators, OSPI's Office of Professional Practices may propose disciplinary actions on a certificate, up to and including revocation. Contractor violations of this policy may include the loss of contracts.

## **STEP 7:**

### **Support for the Targeted Student**

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

## **IMMUNITY/RETALIATION**

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

## **OTHER RESOURCES**

Students and families should use the district's complaint and appeal procedures as a first response to allegations of harassment, intimidation, and bullying. However, nothing in this procedure prevents a student, parent/guardian, school, or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected class under local, state, or federal law. A harassment, intimidation, or bullying complaint may also be reported to the following state or federal agencies:

- OSPI Equity and Civil Rights Office  
360.725.6162  
Email: [equity@k12.wa.us](mailto:equity@k12.wa.us)

[www.k12.wa.us/Equity/default.aspx](http://www.k12.wa.us/Equity/default.aspx)

- Washington State Human Rights Commission  
800.233.3247  
[www.hum.wa.gov/index.html](http://www.hum.wa.gov/index.html)
- Office for Civil Rights, U.S. Department of Education, Region IX  
206.607.1600  
Email: [OCR.Seattle@ed.gov](mailto:OCR.Seattle@ed.gov)  
[www.ed.gov/about/offices/list/ocr/index.html](http://www.ed.gov/about/offices/list/ocr/index.html)
- Department of Justice Community Relations Service  
877.292.3804  
[www.justice.gov/crt/](http://www.justice.gov/crt/)
- Office of the Education Ombudsman  
866.297.2597  
Email: [OEInfo@gov.wa.gov](mailto:OEInfo@gov.wa.gov)  
[www.governor.wa.gov/oeo/default.asp](http://www.governor.wa.gov/oeo/default.asp)
- OSPI Safety Center  
360.725.6044  
[www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx](http://www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx)

## **OTHER DISTRICT POLICIES AND PROCEDURES**

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

## **NONDISCRIMINATION**

### **Policy 3210**

The district will provide equal educational opportunity and treatment for all students in all aspects of the academic and activities program without discrimination based on race, religion, creed, color, national origin, age, honorably discharged veteran or military status, sex, sexual orientation, gender expression or identity, marital status, the presence of any sensory, mental, or physical disability, or the use of a trained guide dog or service animal by a person with a disability. The district will provide equal access to school facilities to the Boy Scouts of America and all other designated youth groups

listed in Title 36 of the United States Code as a patriotic society. District programs will be free from sexual harassment.

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 effect.

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, parents/guardians (in a language that can understand, which may require language assistance), and employees of the district's discrimination complaint procedure.

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

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

The district will also conduct annual athletic evaluations and a student athletic interest survey at least once every three years to ensure that equal athletic opportunities are provided for male and female students.



# **FREEDOM OF EXPRESSION**

## **Policy 3220**

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

### **STUDENT PUBLICATIONS**

Student publications produced as part of the school's curriculum or with the support of the associated student body fund are intended to serve both as vehicles for instruction and student communication. Although substantively financed and operated by the district, student editors of school-sponsored media are responsible for determining the news, opinion, feature, and advertising content of the media, consistent with chapter 28A.600 RCW. Material appearing in such publications may reflect various areas of student interest, including topics about which there may be controversy and dissent. When engaging with a controversial issue, student publications should strive to provide in-depth treatment and represent a variety of viewpoints. Such materials may not:

- Be libelous or slanderous;
- Be an unwarranted invasion of privacy;
- Be obscene or profane, such that it would violate federal or state laws, rules, or regulations or incites others to violate federal or state laws, rules, or regulations, including the standards established by the federal communications act or applicable federal communication commission rules or regulations;
- Incite students so as to create a clear and present danger of the material and substantial disruption of the school;
- Violate district policy or procedure related to harassment, intimidation, bullying, or related to the prohibition on discrimination pursuant to RCW 28A.642.010.
- Violate federal or state laws, rules, regulations, or incite the violation of such laws; or
- Advertise tobacco products, liquor, illicit drugs, or drug paraphernalia.

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

### **DISTRIBUTION OF MATERIALS**

Students and district staff may distribute student publications or other materials on school premises in accordance with procedures developed by the superintendent. Such procedures may impose limits on the time, place, and manner of distribution including prior authorization for the posting of such material on school property.

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

No one who is neither a student nor a district employee may distribute materials on school grounds.

## **FREEDOM OF ASSEMBLY**

### **[Policy 3223](#)**

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

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

## **STUDENT DRESS**

### **[Policy 3224](#)**

Preserving a beneficial learning environment and assuring the safety and well-being of all students are primary concerns of the board of directors.

Students' choices in matters of dress should be made in consultation with their parents/guardians. Student dress shall only be regulated when, in the judgment of school administrators, there is a reasonable expectation that:

- A. A health or safety hazard shall be presented by the student's dress or appearance including possible membership in a gang or hate groups,
- B. Damage to school property shall result from the student's dress or,
- C. A material and substantial disruption of the educational process will result from the student's dress or appearance.

For the purpose of this policy, a material and substantial disruption of the educational process may be found to exist when a student's conduct is inconsistent with any part of the educational mission of the school district. Prohibited conduct includes the use of lewd, sexual, drug, tobacco, or alcohol-related messages, or gang-related apparel.

The uniforms of nationally recognized youth organizations, and clothing worn in observance of a student's religion, may be worn subject to A-C above.

The superintendent shall establish procedures providing guidance to students, parents, and staff regarding appropriate student dress in school or while engaging in extra-curricular activities. Such procedures shall ensure that any student wearing, carrying, or displaying gang-related apparel, or exhibiting behavior or gestures which symbolize gang membership, or causing and/or participating in activities which intimidate or affect the attendance of another student shall be asked, with notice to his or her parents, to make appropriate corrections and be subject to discipline if the corrections are not undertaken.

## **STUDENT DRESS**

### **Procedure 3224P**

*The Kelso School District has adopted a district-wide student dress policy. Individual schools have further developed and incorporated their own specific dress code requirements that are in congruence with existing district policies. For school-specific dress codes, please refer to individual school handbooks.*

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

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

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

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

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

Students identified as being gang involved, influenced, or affiliated shall be provided assistance and/or programs, which discourage gang involvement or affiliation, enhance self-esteem, encourage interest and participation in school

or other positive activities, and promote membership in authorized school organizations.

## **STUDENT PRIVACY AND SEARCHES**

### **Policy 3230**

#### **SEARCHES OF STUDENTS AND PERSONAL PROPERTY**

Personal privacy is a fundamental aspect of individual liberty. All students possess the constitutional right to be secure in their persons, papers, and effects against unreasonable searches and seizures. Staff shall take particular care to respect students' privacy.

School officials have the authority to maintain order and discipline in the schools and to protect students from exposure to illegal drugs, weapons, and contraband. The superintendent, the principal, and other staff designated by the superintendent will have the authority to conduct reasonable searches on school property in accordance with the law.

Any authorized school official will conduct searches according to the procedure associated with this policy.

#### **ADULT STUDENTS, EMANCIPATED MINORS, AND CONFIDENTIAL HEALTH INFORMATION**

State law provides that at certain ages, students attain the right to decide for themselves what records will remain confidential, even from their parents, and what activities the student will participate in. At age eighteen students become legal adults and must approve any disclosure of information about themselves from school records, except directory information if a request for confidentiality has not been filed. Students at age eighteen may also sign releases, authorizations, or permission slips to participate in school activities, and may sign themselves out of school and authorize their own absences.

Students between sixteen and eighteen who have been granted legal emancipation from their parents or guardians have the same rights as eighteen-year-old students.

Students over fourteen years of age have confidentiality rights in records indicating that they have been tested or treated for a sexually transmitted

disease. Students thirteen years and older have confidentiality rights in records regarding drug, alcohol, or mental health treatment.

All students have confidentiality rights in family planning or abortion records.

## **STUDENT PRIVACY AND SEARCHES**

### **Procedure 3230P**

#### **SEARCHES OF STUDENTS AND THEIR PROPERTY**

A student and their property may be searched by a principal or a principal's designee if reasonable grounds exist to suspect that evidence of a violation of the law or school rules will be uncovered. School staff will report a student's suspicious activity to the principal prior to initiating a search, except in emergency situations. A search is required when there are reasonable grounds to suspect a student has a firearm on school grounds, transportation, or at school events.

#### **ESTABLISHING REASONABLE SUSPICION**

A search may occur if the principal or a principal's designee has reasonable suspicion that the search will produce evidence of unlawful activity or a violation of a school rule. To determine whether reasonable suspicion exists, consider the following:

- What information is the suspicion based on?
- Is the information reliable?
- Is the person who shared the information credible?
- If a search were conducted what's the likelihood that evidence of unlawful activity or a violation of a school rule would be found?

#### **CONDUCTING THE SEARCH**

If the principal, or the principal's designee, determines that reasonable suspicion exists to search a student's clothing, personal effects, automobile, or personal container inside of district property such as an assigned desk, locker, or storage area, the search shall be conducted as follows:

- If evidence of unlawful activity or a violation of a school rule is suspected, proceed to search by asking the student to remove all items from pockets and other areas of clothing, purses, handbags, backpacks, gym bags, etc. (With reasonable suspicion of weapons or other

dangerous items are in purses, handbags, backpacks, gym bags, etc., the principal or principal's designee may remove the items).

- If the student refuses to cooperate in a personal search, the student should be held until the student's parent or guardian is available to consent to the search. If a parent or guardian cannot be reached in a reasonable time, the principal or a principal's designee may conduct the search without the student's consent.
- The search must not be excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.
- Do not conduct a strip search or body cavity search of the student.

### **LOCKER, DESK, AND STORAGE AREA SEARCHES**

Lockers, desks, and storage areas are the property of the school district. Accordingly, students have no expectation of privacy in the lockers, desks, and storage areas they use or are assigned. Because students have no expectation of privacy in their lockers, desks, and storage areas, principals or principals' designees may search all student lockers, desks, or storage areas at any time without prior notice and without reasonable suspicion that the search will yield evidence of any particular student's violation of the law or school rule.

Administrative inspections, or health and welfare inspections, may be conducted at any time to locate misplaced library books, textbooks, or other school property or to ensure that all lockers, desks, or storage areas are kept clean and free from potential health or safety hazards. Periodic inspections of lockers will reinforce the district's ownership of lockers, desks, and storage areas and the minimal expectation of privacy students have in the contents of their lockers, desks, and storage areas.

However, to search containers within a student's locker, desk, or storage area, reasonable suspicion must exist that the search will yield evidence of a violation of the law or school rules. A "container" for the purpose of this procedure may include, but is not limited to, an article of clothing, a handbag, purse, backpack, gym bag, or any other item in which contraband material may be concealed.

## **STUDENT DISCIPLINE**

### **[Policy 3241](#)**

**(Full policy found online)**

The Kelso School Board focuses on the educational achievement of each and every student. The district holds high expectations for all students and gives all students the opportunity to achieve personal and academic success. “Discipline” means any action taken by the school district in response to behavioral violations, including exclusionary as well as positive and supportive forms of discipline. The Board intends that this policy and procedure be implemented in a manner that supports a positive school climate, maximizes instructional time, and increases equitable educational opportunities.

The Board recognizes the negative and disproportionate impact of exclusionary discipline practices and is committed to:

- Identifying and addressing discipline policies and practices that perpetuate educational opportunity gaps;
- Proactively implementing discipline practices that support students in meeting behavioral expectations without losing access to instruction;
- Focusing on the educational achievement of each and every student by holding high expectations for all students. The district provides all students with the opportunity to achieve personal and academic success, in part, by ensuring that the optimum learning atmosphere in the classroom is maintained with the highest consideration given to the judgment of qualified certificated educators regarding the conditions necessary to maintain the atmosphere, which creates a more positive school climate that maximizes instructional time.

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

- Unlawfully discriminate against a student on the basis of sex, race, creed, religion, color, national origin, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog guide or service animal;
- Deprive a student of the student's constitutional right to freedom of speech and press, the constitutional right to peaceably assemble and to petition the government and its representatives for a redress of



grievances, the constitutional right to the free exercise of religion and to have the student's school free from sectarian control or influence, subject to reasonable limitations upon the time, place, and manner of exercising the right;

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

This District's student discipline policy and procedure is designed to provide students with a safe, healthy, and educationally sound environment. Students are expected to be aware of and comply with this policy and procedure and the district's rules of student conduct, including behavioral expectations and standards that respect the rights, persons, and property of others. Students are also expected to pursue the required course of studies. Students and staff are expected to work together to develop a positive climate for learning., consistent with Board Policy 3112 – Social Emotional Climate.

## **STUDENT DISCIPLINE**

### **[Procedure 3241P](#)**

**(Full procedure found online)**

## **INTRODUCTION**

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

## **DEFINITIONS**

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

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

- **“Best practices and strategies”** refers to other forms of discipline the district identified that school personnel should administer to support students in meeting behavioral expectations.
- **“Classroom exclusion”** means the exclusion of a student from a classroom or instructional or activity area for behavioral violations, subject to the requirements of WAC [392-400-330](#) and [392-400-335](#). Classroom exclusion does not include actions that result in missed instruction for a brief duration when:
  - a teacher or other school personnel attempts other forms of discipline to support the student in meeting behavioral expectations, and
  - the student remains under the supervision of the teacher or other school personnel during such brief duration.
- **“Culturally responsive”** has the same meaning as “cultural competency” in RCW [28A.410.270](#), which states "cultural competency" includes knowledge of student cultural histories and contexts, as well as family norms and values in different cultures; knowledge and skills in accessing community resources and community and parent outreach; and skills in adapting instruction to student's experiences and identifying cultural contexts for individual students.
- **“Discipline”** means any action taken by a school district in response to behavioral violations.
- **“Disruption of the educational process”** means the interruption of classwork, the creation of disorder, or the invasion of the rights of a student or group of students.
- **“Emergency expulsion”** means the removal of a student from school because the student’s presence poses an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process, subject to the requirements in WAC [392-400-510](#) through [392-400-530](#).
- **“Emergency Removal/Exclusion of students from classroom”** The rules adopted pursuant to RCW 28A.600.010 shall be interpreted to ensure that the optimum learning atmosphere of the classroom is maintained and that the highest consideration is given to the judgment of qualified certificated educators regarding conditions necessary to maintain the optimum-learning atmosphere.

- o Any student who creates a disruption of the educational process in violation of the building disciplinary standards while under a teacher's immediate supervision may be excluded by the teacher from his or her individual classroom and instructional or activity Policy 3241P Section: 3000 - Students Kelso School District No.458 Page 2 | 28 area for all or any portion of the balance of the school day, or up to the following two days, or until the principal or designee and teacher have conferred, whichever occurs first.
- o **Except in emergency circumstances**, the teacher first must attempt one or more alternative forms of corrective action. In no event without the consent of the teacher may an excluded student return to the class during the balance of that class or activity period or up to the following two days, or until the principal or his or her designee and the teacher have conferred.
- **“Expulsion”** means a denial of admission to the student’s current school placement in response to a behavioral violation, subject to the requirements in WAC [392-400-430](#) through [392-400-480](#).
- **“Length of an academic term”** means the total number of school days in a single trimester or semester, as defined by the board of directors.
- **“Other forms of discipline”** means actions used in response to problem behaviors and behavioral violations, other than classroom exclusion, suspension, expulsion, or emergency expulsion, which may involve the use of best practices and strategies included in the state menu for behavior developed under RCW [28A.165.035](#).
- **“Parent”** has the same meaning as in WAC [392-172A-01125](#), and means (a) a biological or adoptive parent of a child; (b) a foster parent; (c) a guardian generally authorized to act as the child’s parent, or authorized to make educational decisions for the student, but not the state, if the student is a ward of the state; (d) an individual acting in the place of a biological or adoptive parent, including a grandparent, stepparent, or other relative with whom the student lives, or an individual who is legally responsible for the student’s welfare; or a surrogate parent who has been appointed in accordance with WAC [392-172A-05130](#). If the biological or adoptive parent is attempting to act as the parent and more than one party meets the qualifications to act as a parent, the biological or adoptive parent must be presumed to be the parent unless he or she does not have legal authority to make

educational decisions for the student. If a judicial decree or order identifies a specific person or persons to act as the “parent” of a child or to make an educational decision on behalf of a child, then that person or persons shall be determined to be the parent for purposes of this policy and procedure.

- **“School board”** means the governing board of directors of the local school district.
- **“School business day”** means any calendar day except Saturdays, Sundays, and any federal and school holidays upon which the office of the superintendent is open to the public for business. A school business day concludes or terminates upon the closure of the superintendent’s office for the calendar day.
- **“School day”** means any day or partial day that students are in attendance at school for instructional purposes.
- **“Suspension”** means the denial of attendance in response to a behavioral violation from any subject or class, or from any full schedule of subjects or classes, but not including classroom exclusions, expulsions, or emergency expulsions. Suspension may also include denial of admission to or entry upon, real and personal property that is owned, leased, rented, or controlled by the district.
  - **In-school suspension** means a suspension in which a student is excluded from the student's regular educational setting but remains in the student's current school placement for up to ten consecutive school days, subject to the requirements in WAC [392-400-430](#) through [392-400-475](#).
  - **Short-term suspension** means a suspension in which a student is excluded from school for up to ten consecutive school days, subject to the requirements in WAC [392-400-430](#) through [392-400-475](#).
  - **Long-term suspension** means a suspension in which a student is excluded from school for more than ten consecutive school days, subject to the requirements in WAC [392-400-430](#) through [392-400-475](#).

## ENGAGING WITH FAMILIES AND LANGUAGE ASSISTANCE

The district will provide for early involvement of parents in efforts to support students in meeting behavioral expectations. Additionally, school personnel will

make every reasonable attempt to involve the student and parent in the resolution of behavioral violations.

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

### **SUPPORTING STUDENTS WITH BEST PRACTICES AND STRATEGIES**

The District will implement culturally responsive discipline that provides every student the opportunity to achieve personal and academic success. The administration of other forms of discipline may involve the use of best practices and strategies included in the state menu for behavior available online at:

<https://www.k12.wa.us/student-success/support-programs/learning-assistance-program-lap/menus-best-practices-strategies/behavior-menu-best-practices-strategies>. Each district school will take into consideration the skills of school personnel and the needs of students when identifying a continuum of best practices and strategies school personnel should use to support students in meeting behavioral expectations.

The district will ensure schools receive adequate support to effectively implement a continuum of identified best practices and strategies that:

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

Each school within the district will implement best practices and strategies consistent with this policy and procedure of the district, in accordance with WAC [392-400-110](#)(1)(e).

All school personnel are authorized to implement the best practices and strategies identified above as well as building discipline standards. At least annually, school personnel at each district school will review the identified best practices and strategies as well as building discipline standards. The district will provide training for newly hired school personnel on the implementation of the identified best practices and strategies.

Unless a student's presence poses an immediate and continuing danger to others, or a student's presence poses an immediate and continuing threat of material and substantial disruption to the educational process, school personnel must first attempt one or more best practices and strategies to support students in meeting behavioral expectations before considering imposing classroom exclusion, short-term suspension, or in-school suspension. Before considering imposing a long-term suspension or expulsion, school personnel must first consider one or more best practices and strategies.

When administering best practices and strategies in response to behavioral violations, school personnel will follow this policy and procedure as well as building discipline standards.

The district will continue to further develop and/or revise the definitions for what constitutes behavioral violations to reduce the effect of implicit or unconscious bias. In addition to these district definitions, school principals will confer with certificated building employees at least annually to develop and/or review building discipline standards as stated in the board policy. This development of building standards will also address differences in perceptions of subjective behaviors and reduce the effect of implicit or unconscious bias.

#### **STAFF AUTHORITY AND EXCLUSIONARY DISCIPLINE**

District staff members are responsible for supervising students immediately before and after the school day; during the school day; during school activities (whether on or off campus); on school grounds before or after school hours when a school group or school activity is using school grounds; off school grounds, if the actions of the student materially or substantially affect or interfere with the educational process; and on the school bus. Staff have the responsibility to provide a safe and supportive learning environment for all students during school-related activities. In accordance with the board's student discipline policy, district staff will administer discipline in ways that respond to the needs and strengths of students, support students in meeting

behavioral expectations, and keep students in the classroom to the maximum extent possible.

Staff members will seek early involvement of parents in efforts to support students in meeting behavioral expectations. The superintendent has general authority to administer discipline, including all exclusionary discipline. The superintendent designates disciplinary authority to impose in-school suspension and short-term suspension to school principals, assistant principals, and deans of students; to impose long-term suspension to principals, assistant principals, and cabinet members and to impose expulsion and emergency expulsion to principals, assistant principals, and cabinet members.

### **EXCLUSIONS FROM TRANSPORTATION OR EXTRA-CURRICULAR ACTIVITIES AND DETENTION**

The superintendent gives general authority to the school principal, assistant principals, and dean of students to administer other forms of discipline that exclude a student from transportation services or extracurricular activities or impose detention. For students who meet the definition of homeless, the district will provide transportation according to 3115 –Students Experiencing Homelessness – Enrollment Rights and Services.

Authorized staff may administer lunch or after-school detention for not more than 30 minutes on any given day. Before assigning detention, the staff member will inform the student of the specific behavioral violation prompting their decision to administer detention and provide the student with an opportunity to share their perspective and explanation regarding the behavioral violation. At least one school personnel will directly supervise students during the duration of any detention.

The district will not administer other forms of discipline in a manner that would result in the denial or delay of a nutritionally adequate meal to a student or prevent a student from accomplishing a specific academic grade, subject, or graduation requirements. The district will not exclude a student from transportation services without providing access to alternative transportation the student needs to participate fully in regular educational services or educational services provided during suspension or expulsion.

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

### **CLASSROOM EXCLUSIONS**

After attempting at least one other form of discipline, as set forth in this procedure, teachers have statutory authority to exclude a student from the teacher's classroom or instructional or activity area for behavioral violations that disrupt the educational process while the student is under the teacher's immediate supervision in accordance with this policy and procedure and building discipline standards. Additionally, the district authorizes school principals, assistant principals, and dean of students to administer classroom exclusion with the same authority and limits of authority as classroom teachers. As stated in policy 3241, the superintendent, school principals, and certificated staff will work together to develop definitions and consensus on what constitutes behavioral violations that disrupt the educational process to reduce the effect of implicit or unconscious bias.

Except for emergency circumstances, the teacher or other school personnel must first attempt one or more other forms of discipline to support the student in meeting behavioral expectations before considering using classroom exclusion. Classroom exclusion may be administered for all or any portion of the balance of the school day. Classroom exclusion does not encompass removing a student from school, including sending a student home early or telling a parent to keep a student at home, based on a behavioral violation. Removing a student from school constitutes a suspension, expulsion, or emergency expulsion and must include the required notification and due process outlined in the procedures below.

The school will provide the student an opportunity to make up any assignments and tests missed during a classroom exclusion. The district will not administer other forms of discipline or classroom exclusions, in a manner that would result in the denial or delay of a nutritionally adequate meal to a student or prevent a student from accomplishing a specific academic grade, subject, or graduation requirements.

Following the classroom exclusion of a student, the teacher (or other school personnel as identified) must report the classroom exclusion, including the behavioral violation that led to the classroom exclusion, to the principal or the



principal's designee as soon as reasonably possible. The principal or designee must report all classroom exclusions, including the behavioral violation that led to it to the superintendent. Classroom exclusion under the behavioral violation category of "other" is insufficient.

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

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

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

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

**EMERGENCY REMOVAL/ EXCLUSION OF STUDENT FROM CLASSROOM. (RCW 28A.600.010, RCW 28A.600.020)**

The rules adopted pursuant to RCW 28A.600.010 shall be interpreted to ensure that the optimum learning atmosphere of the classroom is maintained and that the highest consideration is given to the judgment of qualified certificated educators regarding conditions necessary to maintain the optimum-learning atmosphere.

- A. Any student who creates a disruption of the educational process in violation of the building disciplinary standards while under a teacher's immediate supervision may be excluded by the teacher from his or her individual classroom and instructional or activity area for all or any portion of the balance of the school day, or up to the following two days, or until the principal or designee and teacher have conferred, whichever occurs first. When a student is excluded from the student's classroom or instructional or activity area for longer than the balance

of the school day, the school district must provide notice and due process for a suspension, expulsion, or emergency expulsion.

- B. Except in emergency circumstances, the teacher first must attempt one or more alternative forms of corrective action. In no event without the consent of the teacher may an excluded student return to the class during the balance of that class or activity period or up to the following two days, or until the principal or his or her designee and the teacher have conferred. When a student is excluded from the student's classroom or instructional or activity area for longer than the balance of the school day, the school district must provide notice and due process for a suspension, expulsion, or emergency expulsion.

### **GRIEVANCE PROCEDURES FOR CLASSROOM EXCLUSION AND OTHER FORMS OF DISCIPLINE**

Any parent/guardian or student who is aggrieved by the administration of classroom exclusion and/or other forms of discipline, including discipline that excludes a student from transportation or extra-curricular activities and detention, has the right to an informal conference with the principal for resolving the grievance. If the grievance pertains to the action of an employee, the district will notify that employee of the grievance as soon as reasonably possible.

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

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

## **STUDENT DISCIPLINARY BOARD**

The board recognizes that when a student's behavior is subject to disciplinary action, review by a panel of the student's peers may positively influence the student's behavior. The board has the discretion to authorize the establishment of one or more student disciplinary boards, which may also include teachers, administrators, parents, or any combination thereof. If so authorized, the district will ensure that the student disciplinary board reflects the demographics of the student body. The student disciplinary board may recommend to the appropriate school authority other forms of discipline that might benefit the student's behavior and may also provide input on whether exclusionary discipline is needed. The school authority has the discretion to set aside or modify the student disciplinary board's recommendation.

## **SUSPENSION AND EXPULSION – GENERAL CONDITIONS AND LIMITATIONS**

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

The district will provide the parent(s) opportunity for involvement to support the student and resolve behavioral violations before administering suspension or expulsion. Additionally, the superintendent or designee must consider the student's individual circumstances and the nature of the violation before administering any suspension or expulsion to determine whether the suspension or expulsion and the length of the exclusion, is warranted.

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

An expulsion or suspension of a student may not be for an indefinite period and must have an end date. After suspending or expelling a student, the district will make reasonable efforts to return the student to the student's regular educational setting as soon as possible. Additionally, the district must allow the student to petition for readmission at any time. The district will not administer any discipline in a manner that prevents a student from completing subject, grade-level, or graduation requirements.

When administering a suspension or expulsion, the district may deny a student admission to, or entry upon, real and personal property that the district owns, leases, rents, or controls. The district must provide an opportunity for students to receive educational services during a suspension or expulsion in accordance with WAC [392-400-610](#). The district will not suspend or expel a student from school for absences or tardiness.

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

- The superintendent or designee grants a petition to extend a student's expulsion under WAC [392-400-480](#);
- The change of setting is to protect victims under WAC [392-400-810](#); or
- Other law precludes the student from returning to their regular educational setting.

## **IN-SCHOOL SUSPENSION AND SHORT-TERM SUSPENSION – CONDITIONS AND LIMITATIONS**

The superintendent designates the school principal, assistant principals, and dean of students with the authority to administer in-school and short-term suspensions. Before considering administering an in-school or short-term suspension, staff members must have first attempted one or more other forms of discipline to support the student in meeting behavioral expectations. Before administering in-school or short-term suspension, the district will consider the student's individual circumstances and the nature and circumstances of the behavioral violation to determine whether the suspension and the length of the suspension is warranted. The district will not administer in-school or short-term suspension in a manner that would result in the denial or delay of a nutritionally adequate meal to a student or prevent a student from accomplishing specific academic grade, subject, or graduation requirements.

The district is not required to impose in-school or short-term suspensions and instead, strives to keep students in school, learning in a safe and appropriate environment. However, there are circumstances when the district may determine that in-school or short-term suspension is appropriate. As stated in this policy and procedure, the district will work to develop definitions and consensus on what constitutes behavioral violations to reduce the effect of implicit or unconscious bias.

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

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

When administering an in-school suspension, school personnel will ensure they are physically in the same location as the student to provide direct supervision during the duration of the in-school suspension.

Additionally, school personnel will ensure they are accessible to offer support to keep the student current with assignments and coursework for all of the student's regular subjects or classes.

## **LONG-TERM SUSPENSIONS AND EXPULSIONS – CONDITIONS AND LIMITATIONS**

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

Unless otherwise required by law, the district is not required to impose long-term suspension or expulsion and may only administer long-term suspension or expulsion for specific severe behavioral violations. In general, the district strives to keep students in school, learning in a safe and appropriate

environment. However, in accordance with the other parameters of this policy, there are circumstances when the district may determine that long-term suspension or expulsion is appropriate for behavioral violations that meet the definitions provided under RCW [28A.600.015](#) (6)(a) through (d), which include:

1. Having a firearm on school property or school transportation in violation of RCW [28A.600.420](#);
2. Any of the following offenses listed in RCW [13.04.155](#), including:
  - a. any violent offense as defined in RCW [9.94A.030](#), including:
    - o any felony that Washington law defines as a class A felony or an attempt, criminal conspiracy, or solicitation to commit a class A felony;
    - o manslaughter;
    - o indecent liberties committed by forcible compulsion;
    - o kidnapping;
    - o arson;
    - o assault in the second degree;
    - o assault of a child in the second degree;
    - o robbery;
    - o drive-by shooting; and
    - o vehicular homicide or vehicular assault caused by driving a vehicle while under the influence of intoxicating liquor or any drug, or by operating a vehicle in a reckless manner.
  - b. any sex offense as defined in RCW [9.94A.030](#), which includes any felony violation of chapter [9A.44](#) RCW (other than failure to register as a sex offender in violation of [9A.44.132](#)), including rape, rape of a child, child molestation, sexual misconduct with a minor, indecent liberties, voyeurism, and any felony conviction or adjudication with a sexual motivation finding;
  - c. any weapons violation of chapter [9.41](#) RCW, including having a dangerous weapon at school in violation of RCW [9.41.280](#);
3. Two or more violations of the following within a three-year period:
  - a. criminal gang intimidation in violation of RCW [9A.46.120](#);
  - b. gang activity on school grounds in violation of RCW [28A.600.455](#);
  - c. willfully disobeying school administrative personnel in violation of RCW [28A.635.020](#); and
  - d. defacing or injuring school property in violation of RCW [28A.635.060](#); and

4. Any student behavior that adversely affects the health or safety of other students or educational staff.

The district may only administer long-term suspension or expulsion for behavioral violations that meet the definitions provided under RCW [28A.600.015](#)(6)(a) through (d) as outlined above, and after determining that the student would pose an imminent danger to others or, in the case of long-term suspension, an imminent threat of material and substantial disruption of the educational process should they return to school before an imposed length of exclusion. Consistent with this policy and procedure, the district will work to develop definitions and consensus on what constitutes an imminent danger or imminent threat to reduce the effect of implicit or unconscious bias.

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

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

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

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

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

If a long-term suspension or expulsion may exceed ten (10) days, the district will consider whether the student is currently eligible or might be deemed eligible for special education services. If so, the principal will notify relevant special education staff of the suspension or expulsion so that the district can ensure it follows policy and procedure 2161 – Special Education and Related Services for Eligible Students as well as this student discipline policy and procedure.

After suspending or expelling a student, the district will make reasonable efforts to return the student to the student's regular educational setting as soon as possible.

### **SUSPENSIONS AND EXPULSIONS – INITIAL HEARING**

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

At the initial hearing, the principal or designee will provide the student:

- Notice of the student's violation of this policy,
- An explanation of the evidence regarding the behavioral violation,
- An explanation of the discipline that may be administered, and
- An opportunity for the student to share their perspective and provide an explanation regarding the behavioral violation.

### **SUSPENSIONS AND EXPULSIONS – NOTICE**

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

No later than one (1) school business day following the initial hearing with the student, the district will provide written notice of the suspension or expulsion



to the student and parents in person, by mail, or by email in a language and form the student and parents will understand. The written notice must include:

- A. A description of the student's behavior and how the behavior violated this policy;
- B. The duration and conditions of the suspension or expulsion, including the dates on which the suspension or expulsion will begin and end;
- C. The other forms of discipline that the district considered or attempted, and an explanation of the district's decision to administer the suspension or expulsion;
- D. The opportunity to receive educational services during the suspension or expulsion;
- E. The right of the student and parent(s) to an informal conference with the principal or designee; and
- F. The right of the student and parent(s) to appeal the suspension or expulsion; and
- G. For any long-term suspension or expulsion, the opportunity for the student and parents to participate in a re-engagement meeting.

### **EMERGENCY EXPULSIONS – CONDITIONS AND LIMITATIONS**

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

The district must have sufficient cause to believe that the student's presence poses:

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

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

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

- The student's behavior results in an extreme disruption of the educational process that creates a substantial barrier to learning for other students across the school day; and
- School personnel have exhausted reasonable attempts at administering other forms of discipline to support the student in meeting behavioral expectations.

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

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

- Apply any days that the student was emergency expelled before the conversion to the total length of the suspension or expulsion, and
- Provide the student and parents with notice and due process rights under WAC [392-400-430](#) through [392-400-480](#) appropriate to the new disciplinary action.

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

### **Emergency expulsions – notice**

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

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

- The reason the student's presence poses an immediate and continuing danger to students or school personnel or poses an immediate and continuing threat of material and substantial disruption to the educational process;

- The duration and conditions of the emergency expulsion, including the date on which the emergency expulsion will begin and end;
- The opportunity to receive educational services during the emergency expulsion;
- The right of the student and parent(s) to an informal conference with the principal or designee; and
- The right of the student and parent(s) to appeal the emergency expulsion, including where and to whom the appeal must be requested.

### **OPTIONAL CONFERENCE WITH PRINCIPAL**

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

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

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

An informal conference will not limit the right of the student or parent(s) to appeal the suspension, expulsion, or emergency expulsion, participate in a re-engagement meeting, or petition for readmission.

## **APPEALS**

### **REQUESTING APPEAL**

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

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

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

- The suspension or expulsion is for no more than ten (10) consecutive school days from the initial hearing or until the appeal is decided, whichever is earlier;
- The district will apply any days of suspension or expulsion occurring before the appeal is decided to the term of the student's suspension or expulsion and may not extend the term of the student's suspension or expulsion; and
- If the student returns to school before the appeal is decided, the district will provide the student an opportunity to make up assignments and tests missed during the suspension or expulsion upon the student's return.

### **IN-SCHOOL AND SHORT-TERM SUSPENSION APPEAL**

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

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

- The decision to affirm, reverse, or modify the suspension;
- The duration and conditions of the suspension, including the beginning and ending dates;
- The educational services the district will offer to the student during the suspension; and

- Notice of the student and parent/guardian(s) right to request review and reconsideration of the appeal decision, including where and to whom to make such a request.

## **LONG-TERM SUSPENSION OR EXPULSION AND EMERGENCY EXPULSION APPEAL**

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

- The time, date, and location of the appeal hearing;
- The name(s) of the official(s) presiding over the appeal;
- The right of the student and parent(s) to inspect the student's education records;
- The right of the student and parent(s) to inspect any documentary or physical evidence and a list of any witnesses who will be introduced at the hearing;
- The rights of the student and parent(s) to be represented by legal counsel, question witnesses, share the student's perspective and explanation, and introduce relevant documentary, physical, or testimonial evidence; and
- Whether the district will offer a re-engagement meeting before the appeal hearing.

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

## **HEARINGS**

A hearing to appeal a long-term suspension or expulsion or emergency expulsion is a quasi-judicial process exempt from the Open Public Meetings Act (OPMA). To protect the privacy of the student(s) and others involved, the district will hold hearings without public notice and without public access unless the student(s) and/or the parent(s)/guardian(s) or their counsel request

an open hearing. Regardless of whether the hearing is open or closed, the district will make reasonable efforts to comply with the Family Educational Rights and Privacy Act (FERPA) concerning the confidentiality of student education records.

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

- A single hearing will not likely result in confusion, and
- No student will have his/her interest substantially prejudiced by a group hearing.

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

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

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

The school board may designate a discipline appeal council to hear and decide any appeals in this policy and procedure or to review and reconsider a district's appeal decisions. A discipline appeal council must consist of at least three persons appointed by the school board for fixed terms. All members of a discipline appeal council must be knowledgeable about the rules in [Chapter 392-400 WAC](#) and this policy and procedure. The school board may also designate the superintendent or a hearing officer to hear and decide appeals. The presiding official(s) may not have been involved in the student's behavioral violation or the decision to suspend or expel the student.

Upon request, the student and parent(s) or their legal representative may inspect any documentary or physical evidence and list of any witnesses the

district will introduce at the appeal hearing. The district must make the information available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing. The district may also request to inspect any documentary or physical evidence and list of any witnesses the student and parent(s) intend to introduce at the appeal hearing. The student and parent(s) must make this information available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.

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

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

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

The district will record the appeal hearing by manual, electronic, or other type of recording device and upon request of the student or parent(s) provide them a copy of the recording.

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

- The findings of fact;
- A determination whether (i) the student's behavior violated this policy, (ii) the behavioral violation reasonably warrants the suspension or expulsion and the length of the suspension or expulsion, and (iii) the suspension or expulsion is affirmed, reversed, or modified;
- The duration and conditions of suspension or expulsion, including the beginning and ending dates;

- Notice of the right of the student and parent(s) to request a review and reconsideration of the appeal decision. The notice will include to whom and where to make such a request; and
- Notice of the opportunity for a re-engagement meeting and contact information for the person who will schedule it.

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

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

## **RECONSIDERATION OF APPEAL**

The student or parents may request the school board or discipline appeal council, if established by the school board, review and reconsider the district's appeal decision for long-term suspensions or expulsions and emergency expulsions. This request may be either oral or in writing.

For long-term suspension or expulsion, the student or parent(s) may request a review within ten (10) school business days from when the district provided the student and parent(s) with the written appeal decision.

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



- In reviewing the district's decision, the school board or discipline appeal council, if established, must consider (i) all documentary and physical evidence from the appeal hearing related to the behavioral violation, (ii) any records from the appeal hearing, (iii) relevant state law, and (iv) this policy adopted.
- The school board (or discipline appeal council) may request to meet with the student and parent(s), the principal, witnesses, and/or school personnel to hear further arguments and gather additional information.
- The decision of the school board (or discipline appeal council) will be made only by the board or discipline council members who were not involved in (i) the behavioral violation, (ii) the decision to suspend or expel the student, or (iii) the appeal decision. If the discipline appeal council presided over the appeal hearing, the school board will conduct the review and reconsideration.

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

- Whether the school board (or discipline appeal council) affirms, reverses, or modifies the suspension or expulsion;
- The duration and conditions of the suspension or expulsion, including the beginning and ending dates of the suspension or expulsion; and
- For long-term suspensions or expulsions, notice of the opportunity to participate in a re-engagement meeting.

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

- Whether the school board (or discipline appeal council) affirms or reverses the school district's decision that the student's presence posed (i) an immediate and continuing danger to students or school personnel, or (ii) an immediate and continuing threat of material and substantial disruption of the educational process.
- If the emergency expulsion has not yet ended or been converted, whether the district will end the emergency expulsion or convert the

emergency expulsion to a suspension or expulsion. If the district converts the emergency expulsion to a suspension or expulsion, the district will provide the student and parent(s) notice and due process under WAC [392-400-430](#) through [392-400-480](#) consistent with the disciplinary action to which the emergency expulsion was converted

### **PETITION TO EXTEND AN EXPULSION**

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

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

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

### **NOTICE**

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

- A copy of the petition;
- The right of the student and parent(s) to an informal conference with the Superintendent or designee to be held within five (5) school

business days from the date the district provided written notice to the student and parent(s); and

- The right of the student and parent(s) to respond to the petition orally or in writing to the Superintendent or designee within five (5) school business days from the date the district provided the written notice.

The superintendent or designee may grant the petition only if there is substantial evidence that, if the student were to return to the student's previous school of placement after the length of an academic term, the student would pose a risk to public health or safety. The superintendent or designee must deliver a written decision to the principal, the student, and the student's parent(s) in person, by mail, or by email within ten (10) school business days after receiving the petition.

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

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

- The date on which the extended expulsion will end;
- The reason that, if the student were to return before the initial expulsion end date, the student would pose a risk to public health or safety; and
- Notice of the right of the student and parent(s) to request a review and reconsideration. The notice will include to whom and where to make such a request;

### **REVIEW AND RECONSIDERATION OF EXTENSION OF EXPULSION**

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

The school board (or discipline appeal council) may request to meet with the student or parent(s) or the principal to hear further arguments and gather additional information.

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

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

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

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

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

### **EDUCATIONAL SERVICES**

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

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

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

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

After considering the factors and input described above, the district will determine a student's educational services on a case-by-case basis. Any educational services in an alternative setting should be comparable, equitable, and appropriate to the regular educational services a student would have received in the absence of exclusionary discipline.

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

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

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

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

- Coursework, including any assigned homework, from all of the student's regular subjects or classes;
- An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency expulsion; and
- Access to school personnel who can offer support to keep the student current with assignments and coursework for all of the student's regular subjects or classes. School personnel will make a reasonable attempt to contact the student or parents within three (3) school business days following the start of the suspension or emergency expulsion and periodically thereafter until the suspension or emergency expulsion ends to:

- o Coordinate the delivery and grading of coursework between the student and the student's teacher(s) at a frequency that would allow the student to keep current with assignments and coursework for all of the student's regular subjects or classes; and
- o Communicate with the student, parents, and the student's teacher(s) about the student's academic progress.

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

## **READMISSION**

### **READMISSION APPLICATION PROCESS**

The readmission process is different from and does not replace the appeal process. Students who have been suspended or expelled may make a written request for readmission to the district at any time. If a student desires to be readmitted at the school from which he/she has been suspended/expelled, the student will submit a written application to the principal, who will recommend admission or non-admission. If a student wishes admission to another school, he/she will submit the written application to the superintendent. The application will include

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

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

## **REENGAGEMENT**

### **REENGAGEMENT MEETING**

The re-engagement process is distinct from a written request for readmission. The re-engagement meeting is also distinct from the appeal process, including an appeal hearing, and does not replace an appeal hearing. The district must

convene a re-engagement meeting for students with a long-term suspension or expulsion.

Before convening a re-engagement meeting, the district will communicate with the student and parent(s) to schedule the meeting time and location. The purpose of the re-engagement meeting is to discuss with the student and parent(s) a plan to re-engage the student.

The re-engagement meeting must occur:

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

### **REENGAGEMENT PLAN**

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

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

The district must document the re-engagement plan and provide a copy of the plan to the student and parents. The district must ensure that both the re-engagement meeting and the re-engagement plan are in a language the student and parents understand.

## **BEHAVIOR AGREEMENTS**

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

A behavior agreement does not waive a student's opportunity to participate in a re-engagement meeting or to receive educational services. The duration of a behavior agreement must not exceed the length of an academic term. A behavior agreement does not preclude the district from administering discipline for behavioral violations that occur after the district enters into an agreement with the student and parents.

## **EXCEPTIONS FOR PROTECTING VICTIMS**

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

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



## **CLOSED CAMPUS**

### **[Policy 3242](#)**

Students shall remain on school grounds from the time of arrival until the close of school unless officially excused.

## **STUDENT DRIVING**

### **[Policy 3243](#)**

The board regards the use of motor vehicles and bicycles for travel to and from school as an assumption of responsibility by parents and students. The superintendent or designee shall develop procedures governing the use of bicycles and motor vehicles while on school property and shall disseminate those procedures to all students so affected.

## **STUDENT DRIVING**

### **[Procedure 3243P](#)**

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

- A. A student must register the car in the school office. The student must possess a valid Washington driver's license and show evidence that there is liability and property damage insurance coverage on the vehicle and acknowledge that he/she will assume full responsibility for any comprehensive or collision claims that may occur while on school property.
- B. Students may not occupy a vehicle (without permission) during the school day.
- C. In terms of student conduct rules, "possession" of alcoholic beverages, illegal chemical substances or opiates, firearms, or a dangerous weapons shall also extend to a student's vehicle.

If a principal or designee determines that reasonable grounds exist, the automobile may be searched.

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

## **PROHIBITION OF CORPORAL PUNISHMENT**

### **[Policy 3244](#)**

Corporal punishment is any act which willfully inflicts or willfully causes the infliction of physical pain on a student and is not permitted.

**CORPORAL PUNISHMENT DOES NOT INCLUDE:**

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

**STUDENTS AND TELECOMMUNICATION DEVICES**

**[Policy 3245](#)**

Students in possession of telecommunications devices, including, but not limited to, pagers, beepers, cellular phones, or any other device that could be used for telecommunication while on school property or while attending school-sponsored or school-related activities will observe the following conditions:

- Telecommunication devices will be turned on and operated only before and after the regular school day and during the student's lunch break unless an emergency situation exists that involves imminent physical danger or a school administrator or teacher authorizes the student to use the device;
- If an emergency situation exists involving imminent physical danger, a staff member may authorize a student to use a device.
- Students will not use telecommunication devices in a manner that poses a threat to academic integrity, disrupts the learning environment, or violates the privacy rights of others.
- Students will not send, share, view, or possess pictures, text messages, emails, or other material depicting sexually explicit conduct, as defined in [RCW 9.68A.011](#), in electronic or any other form on a cell phone or

other electronic device, while the student is on school grounds, at school-sponsored events; or on school buses or vehicles provided by the district.

- When a school official has reasonable suspicion, based on objective and articulable facts, that a student is using a telecommunications device in a manner that violates the law or school rules, the official may confiscate the device, which will only be returned to the student's parent or legal guardian.
- By bringing a cell phone or other electronic devices to school or school-sponsored events, the student and their parents/guardian consent to the search of the device when school officials have a reasonable suspicion, based on objective and articulable facts, that such a search will reveal a violation of the law or school rules. The scope of the search will be limited to the violation of which the student is accused. Content or images that violate state or federal laws will be referred to law enforcement.
- Students are responsible for devices they bring to school. The district will not be responsible for the loss, theft, or destruction of devices brought onto school property or to school-sponsored events.
- Students will comply with any additional rules developed by the school concerning the appropriate use of telecommunication or other electronic devices as stated in their handbook.
- Students who violate this policy will be subject to disciplinary action.

## **RESTRAINT, ISOLATION, AND OTHER USES OF REASONABLE FORCE**

### **[Policy 3246](#)**

***(See also Procedure [3246](#))***

It is the policy of the Kelso Board of Directors that the district maintains a safe learning environment while treating all students with dignity and respect. All students in the district, including those with an Individualized Education Program (IEP), or a plan developed under Section 504 of the Rehabilitation Act of 1973 will remain free from the unreasonable restraint, restraint devices, isolation, and other uses of physical force. Under no circumstances will these techniques be used as a form of discipline or punishment.

This policy is intended to address district students. It is not intended to prevent or limit the use of restraint or other reasonable force as necessary with adults or other youth from outside the district as allowed by law.

Use of restraint, isolation, or other forms of reasonable force may be used on any student when reasonably necessary to control spontaneous behavior that poses an “imminent likelihood of serious harm” as defined by RCW 71.05.020 and Chapter 392-172A WAC and explained in the procedure accompanying this policy. Staff will closely monitor such actions to prevent harm to the student and will use the minimum amount of restraint and isolation appropriate to protect the safety of students and staff. The restraint, isolation, or other forms of reasonable force will be discontinued when the likelihood of serious harm has dissipated.

The superintendent or a designee will develop procedures to implement this policy, including review, reporting, and parent/guardian notification of incidents involving restraint or isolation as required by law. The superintendent or designee will report annually to the board on incidents involving the use of force.

## **MEDICATION AT SCHOOL**

### **Policy 3416**

***(See also Procedure 3416P)***

Under normal circumstances, all student medications, both prescription and over-the-counter (OTC) medications, should be administered before and/or after school hours under supervision of the parent/guardian. When it is necessary for a student to receive prescription or OTC oral medication, topical medication, eye drops, ear drops, or nasal at school or at school-sponsored events, the parent/guardian must submit a written parental request and a written authorization form from a licensed healthcare practitioner (LHP), prescribing within the scope of his or her prescriptive authority. If the medication will be administered for more than fifteen consecutive days, the LHP must also provide written, current and unexpired instructions for the administration of the medication.

### **THE SUPERINTENDENT/DESIGNEE SHALL ESTABLISH PROCEDURES FOR:**

- A. Designating staff members who may administer medication to students;
- B. Training, delegation, and supervision of staff members in the administration of medication to students by a registered nurse (RN), including oral medication, topical medication, eye drops, ear drops, and/or nasal spray;

- C. Parent/guardian and LHP request and authorization for the administration of medications, including instructions from the LHP if the medication is to be given for more than fifteen (15) days;
- D. Transporting medications to and from school;
- E. Storing medication in a locked or limited access area;
- F. Labeling medication;
- G. Administration of medication, including identification of student and medication;
- H. Documenting administration of medication, including errors, reactions, or side effects;
- I. Disposing of medications;
- J. Maintaining records pertaining to the administration of medication;
- K. Maintaining student confidentiality;
- L. Permitting, as appropriate, possession and self-administration of medications necessary for student school attendance;
- M. Permitting possession and self-administration of over-the-counter topical sunscreen products (see Sunscreen Section below); and
- N. Reviewing and evaluating of medication practices and documentation.

School District Policy and Procedure 3419 - Self-Administration of Asthma and Anaphylaxis Medication and School District Policy and Procedure 3420 - Anaphylaxis Prevention and Response govern the use of injectable medication for the treatment of anaphylaxis.

Except for limited situations, no school staff other than an RN or licensed practical nurse (LPN) may administer suppositories, rectal gels, or injections (except for emergency injections for students with anaphylaxis, as stated in School District Policy and Procedure 3419 – Self Administration of Asthma and Anaphylaxis Medication and School District Policy and Procedure 3420 – Anaphylaxis Prevention and Response. In some situations, a parent-designated adult (PDA) may administer certain injections.

If the district decides to discontinue administering a student’s medication, the superintendent or designee must provide notice to the student’s parent/guardian orally and in writing prior to the discontinuance. There must be a valid reason for the discontinuance that does not compromise the health of the student or violate legal protections for the disabled.

## **SUNSCREEN**

Over-the-counter topical sunscreen products may be possessed and used by students, parents, and school staff without a written prescription or note from a licensed healthcare provider if the following conditions are met:

- A. The product is regulated by the US Food and Drug Administration as an over-the-counter sunscreen product; and
- B. If possessed by a student, the product is provided to the student by a parent/ guardian.

## **REGULATION OF DANGEROUS WEAPONS ON SCHOOL PREMISES**

### **Policy 4210**

Unless authorized by this policy, it is a violation of district policy for any person to knowingly carry a firearm or dangerous weapon on school premises, school-provided transportation, areas of other facilities being used exclusively for school activities, or areas of facilities being used for official meetings of the school board. The term “school premises” includes property, or portion(s) of property, owned, rented, or leased by the District when the property, or portion(s) of property is being used exclusively for school district activities.

The District superintendent is directed to see that all school facilities post "Gun-Free Zone" signs, and that all violations of this policy and [RCW 9.41.280](#) are reported annually to the Superintendent of Public Instruction. The District superintendent will post signs providing notice of the restrictions on possessing dangerous weapons at each facility being used for official meetings of the board.

### **DANGEROUS WEAPONS**

The term “dangerous weapons” under state law includes:

- Any firearm;
- Any device commonly known as “nunchuka sticks,” consisting of two or more lengths of wood, metal, plastic, or similar substance connected with wire, rope, or other means;
- Any device, commonly known as “throwing stars,” which are multi-pointed, metal objects designed to embed upon impact from

any aspect;

- Any air gun, including any air pistol or air rifle, designed to propel a BB, pellet, or other projectile by the discharge of compressed air, carbon dioxide, or other gas;
- Any portable device manufactured to function as a weapon and which is commonly known as a stun gun, including a projectile stun gun which projects wired probes that are attached to the device that emits an electrical charge designed to administer to a person or an animal an electric shock, charge, or impulse;
- Any device, object, or instrument which is used or intended to be used as a weapon with the intent to injure a person by an electric shock, charge, or impulse;

The following instruments:

- Any dirk or dagger
- Any knife with a blade longer than three inches;
- Any knife with a blade which is automatically released by a spring mechanism or other mechanical device;
- Any knife having a blade which opens, or falls, or is ejected into position by the force of gravity, or by outward, downward, or centrifugal thrust or movement;
- Any razor with an unguarded blade;
- Any slingshot, sandbag, or sand club;
- Metal knuckles;
- A slingshot;
- Any metal pipe or bar used or intended to be used as a club;
- Any explosive;
- Any weapon containing poisonous or injurious gas;
- Any implement or instrument which has the capacity to inflict death and from the manner in which it is used, is likely to produce or may easily and readily produce death.

In addition, the district considers the following weapons in violation of this policy:

- Any knife or razor not listed above, except for instruments authorized or provided for specific school activities;
- Any object other than those listed above which is used in a manner to intimidate, threaten, or injure another person and is capable of easily and readily producing such injury.

## **REPORTING DANGEROUS WEAPONS**

### **Students**

If District staff believe that a student has violated this policy, an appropriate school authority will promptly notify the student's parents or guardians and the appropriate law enforcement agency of known or suspected violations of this policy.

Students who have possessed a firearm on any school premises, school-provided transportation, or school-sponsored activities at any facility, or in areas of facilities while being used for official school board meetings shall be expelled for not less than one year pursuant to RCW 28A.600.420. The superintendent may modify the one-year expulsion for a firearm on a case-by-case basis.

Further, the district may also suspend or expel a student for up to one year if the student acts with malice (as defined under RCW 9A.04.110) and displays a device that appears to be a firearm.

All expulsion and/or suspension and all other discipline of students who violate this policy will be subject to District Policy 3241 – Student Discipline.

### **Staff**

If a District employee believes that another District employee has violated this policy, the employee will report his or her concerns to an appropriate school or



District authority for further inquiry. Any disciplinary action of an employee who willfully violates this policy will be subject to District Policy 5281 – Disciplinary Action and Discharge.

### **EXCEPTIONS TO STATE LAW AND THIS POLICY**

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

- Persons engaged in military, law enforcement, or school district security activities;
- Persons involved in a school-authorized convention, showing, demonstration, lecture, or firearm safety course authorized by the Superintendent;
- Persons competing in firearm or air gun competition authorized by the Superintendent; and
- Any federal, state, or local law enforcement officer.

The following persons who are over eighteen years of age, not employed by the District, and not enrolled as students may have firearms in their possession on school property outside of school buildings only under the following limited circumstances:

- Persons with concealed weapons permits issued pursuant to [RCW 9.41.070](#) and are (1) picking up or dropping off students at school or (2) attending official meetings of the school board held off District owned or leased property; and
- Persons conducting legitimate business at the school and in lawful possession of a firearm or dangerous weapon if the weapon is secured within an attended vehicle, is unloaded and secured in a vehicle, or is concealed from view in a locked, unattended vehicle. Under RCW 9.41.050, no one may lawfully possess a loaded handgun in a vehicle unless the person has a valid concealed pistol permit.

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

### **PERSONAL PROTECTION SPRAY**

Persons over eighteen years of age, and persons between fourteen and eighteen years of age with written parental or guardian permission, may possess personal protection spray devices on school property. No one under eighteen years of age may deliver such devices. No one eighteen years or older may deliver a spray device to anyone under fourteen, or to anyone between fourteen and eighteen who does not have parental permission.

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

## **USE OF TOBACCO AND NICOTINE PRODUCTS AND DELIVERY DEVICES**

### **Policy 4215**

The board of directors recognizes that to protect students from exposure to the addictive substance of nicotine, employees and officers of the school district, and all members of the community, have an obligation as role models to refrain from the use of tobacco products and delivery devices on school property at all times. Tobacco products and delivery devices includes, but are not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, electronic smoking/vapor devices, vapor products, nonprescribed inhalers, nicotine delivery devices, or chemicals that are not FDA-approved to help people quit using tobacco, devices that produce the same flavor or physical effect of nicotine substances; and any other smoking equipment, device, material or innovation.

Any use of such products and delivery devices by staff, students, visitors, and community members will be prohibited on all school district property, including all district buildings, grounds, and district-owned vehicles, and within five hundred feet of schools. Possession by or distribution of tobacco products to any person under twenty-one years of age is prohibited.

The use of Federal Drug Administration (FDA) approved nicotine replacement therapy such as a nicotine patch, gum, or lozenge is permitted. However, students and employees must follow applicable policies regarding the use of medication at school.

Notices advising students, district employees, and community members of this policy will be posted in appropriate locations in all district buildings and at

other district facilities as determined by the superintendent and will be included in the employee and student handbooks. Employees and students are subject to discipline for violations of this policy, and school district employees are responsible for the enforcement of the policy.

## **USE OF TOBACCO AND NICOTINE PRODUCTS AND OTHER DELIVERY DEVICES**

### **Procedure 4215P**

Tobacco is the leading cause of preventable death in Washington State. The board recognizes that schools cannot achieve their primary mission of education if students and staff are not healthy and fit physically, mentally, and socially. Actions taken by staff in dealing with student use of tobacco will have as their first concern the welfare of the student involved and the other students in the school. Although a helping relationship, rather than an investigative and punitive approach, will be emphasized, necessary and appropriate disciplinary action will be taken when laws or school regulations are violated.

### **PREVENTION**

Schools have a responsibility to provide tobacco prevention during the years when the risk of becoming addicted to tobacco is greatest. The goal of the tobacco use and possession policy is to establish a tobacco-free norm among students and staff by instituting and enforcing a tobacco-free environment and integrating effective prevention strategies.

### **TOBACCO-FREE SCHOOL ENVIRONMENT**

A tobacco-free school environment helps students achieve academically, socially, and emotionally. The school shall be a place where:

- A. Tobacco and delivery device, which includes but are not limited to electronic smoking/vapor devices, “vapor pens,” non-prescribed inhalers, or other nicotine or chemical delivery device use and possession is not acceptable at any time including:
  - a. School-sponsored events, on or off campus.
  - b. General public use of district facilities, vendors, suppliers, or contractors working on district property.
- B. Students and staff are not subject to tobacco advertising:
  - a. On school property or in school buildings.
  - b. In-school publications.

- c. On clothing, gear, or paraphernalia (shirts, caps, backpacks, bags, key chains, lighters, etc.).
- C. Tobacco-free signage is visible to all students, staff, and visitors.
- D. Schools do not knowingly accept any funding or resources from the tobacco industry (including goods and supplies).

## **INSTRUCTION**

Tobacco prevention instruction shall be age appropriate and focus on:

- A. The short- and long-term negative physiologic and social consequences of tobacco use.
- B. Social influences on tobacco use and peer norms regarding tobacco use.
- C. Tobacco refusal skills.

## **INTERVENTION**

The goal of the intervention program shall be to eliminate use of tobacco on school property by students, staff, and visitors by providing clear consequences for policy violations.

## **POLICY VIOLATION CORRECTIVE ACTION**

Actions taken by staff in dealing with student use or possession of tobacco and/or delivery devices should be consistent with the actions taken for students found using alcohol or any controlled illegal, addictive, or harmful substances. Corrective actions will emphasize support such as alternatives to suspension rather than punishment; tobacco use is an addictive disease and not merely a discipline problem. Penalties for policy violations will be clearly communicated and enforced consistently following progressive discipline guidelines. Additional consequences may be enforced if student is involved in the sale and/or distribution of tobacco and/or delivery devices.

## **GRADES K-5:**

*Before administering any suspension or expulsion, a school district must consider the student's individual circumstances and the nature and circumstances of the behavioral violation to determine whether the suspension or expulsion and the length of the exclusion, is warranted.*

## **FIRST OFFENSE:**

The student may be provided a school-based disciplinary action up to an in-school suspension. A behavioral agreement may be developed to modify the disciplinary action as follows:

- If the student agrees to participate in a corrective action designed to educate the student of the harmful effects of tobacco.

### **SECOND OFFENSE:**

The student may be provided a school-based disciplinary action up to an in-school suspension. A behavioral agreement may be developed to modify the disciplinary action as follows:

- If the student agrees to a corrective action designed to educate the student of the harmful effects of tobacco, and
- Enrolls in a tobacco prevention education program/class

### **THIRD OFFENSE:**

The student may be provided a school-based disciplinary action up to an in-school suspension. A behavioral agreement may be developed to modify the disciplinary action as follows:

- If the student agrees to a corrective action designed to educate the student of the harmful effects of tobacco, and
- Enrolls in a tobacco prevention education program/class.

## **Grades 6-12**

*Before administering any suspension or expulsion, a school district must consider the student's individual circumstances and the nature and circumstances of the behavioral violation to determine whether the suspension or expulsion and the length of the exclusion, is warranted.*

### **FIRST OFFENSE:**

The student may be provided a school-based disciplinary action up to an in-school suspension. A behavioral agreement may be developed to modify the disciplinary action as follows:

- If the student agrees to a corrective action designed to educate the student of the harmful effects of tobacco.

- In addition, student-athletes will also receive the WIAA sanction as stated in the district's Student Activity/Athletic Handbook.
- Notification of law enforcement will be at the discretion of the building principal or designee.

## **SECOND OFFENSE:**

The student may be provided a school-based disciplinary action up to an in-school suspension. A behavioral agreement may be developed to modify the disciplinary action as follows:

- If the student agrees to a corrective action designed to educate the student of the harmful effects of tobacco.
- In addition, student-athletes will also receive the WIAA sanction as stated in the district's Student Activity/Athletic Handbook.
- Notification of law enforcement will be at the discretion of the building principal or designee.

## **THIRD OFFENSE:**

The student may be provided a school-based disciplinary action up to an out-of-school suspension. A behavioral agreement may be developed to modify the disciplinary action as follows:

- If the student agrees to a corrective action designed to educate the student of the harmful effects of tobacco.
- In addition, student-athletes will also receive the WIAA sanction as stated in the district's Student Activity/Athletic Handbook.
- Notification of law enforcement will be at the discretion of the building principal or designee.

## **DEFINITIONS**

**Tobacco** means any lit or unlit cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, and smokeless tobacco, also known as spit tobacco, dip, chew, and snuff, in any form.

Delivery Device - includes but is not limited to, electronic smoking/vapor devices, "vapor pens," non-prescribed inhalers, nicotine delivery devices or chemicals that are not FDA-approved to help people quit using tobacco, devices that produce the same flavor or physical effect of nicotine substances.

**Tobacco use** includes smoking, which means carrying or having in one's possession a lighted cigarette, cigar, pipe, or other object giving off or containing any substance giving off smoke, and chewing smokeless tobacco, also known as spit tobacco, dip, chew, and snuff, in any form.

**School property** means all property owned, leased, rented, or otherwise used by a school including but not limited to the following:

- All interior portions of any building or other structure used for instruction, administration, support services, maintenance, or storage;
- All school grounds over which the school exercises control including areas surrounding any buildings, playgrounds, athletic fields, recreation areas, and parking areas; and
- All vehicles used by the district for transporting students, staff, visitors, or other persons including school buses and other district vehicles.
- Within 500 feet of schools

## **MAINTAINING PROFESSIONAL STAFF/STUDENT BOUNDARIES**

### **Policy 5253**

#### **PURPOSE**

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

#### **GENERAL STANDARDS**

The board expects all district staff to maintain the highest professional standards when they interact with students. 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 employees have for students.

The interactions and relationships between district staff and students should be based upon mutual respect, trust, and commitment to an understanding of the

professional boundaries between staff and students in and outside of the educational setting, and consistent with the educational mission of the district.

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

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

The board recognizes that staff may have familial and pre-existing social relationships with parents or guardians and students. Staff members shall proactively discuss dual relationships with students 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, e-mail, text, instant messenger, or other forms of electronic or written communication. District staff members are prohibited from engaging in any conduct on social networking websites that violates the law, district policies or procedures, or other generally recognized professional standards. This prohibition includes prohibiting staff from "friending" and "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/designee will develop protocols for reporting and investigating allegations and develop procedures and training to accompany this policy.



# **MAINTAINING PROFESSIONAL STAFF/STUDENT BOUNDARIES**

## **Procedure 5253P**

Many educators or volunteers who cross the line of professional boundaries may not consciously begin with predatory motivation in mind. Instead, they allow themselves to develop a special relationship with a student that results in situations where their professionalism is compromised. Sometimes, this leads to sexual misconduct. All of this can be prevented by maintaining professional boundaries with students. Educators, volunteers, students, parents, and other concerned adults are the key to stopping unprofessional conduct against students. Hence, the following information will help you to help protect students, your school, and the profession.

### **Reporting Violations**

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

- Not wait before reporting suspicious behavior or trying 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 other administrator) 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 bone fide health, safety, or educational purpose for the student. Such situations are the opposite of maintaining professional boundaries with students. Staff members and volunteers shall not engage in boundary invasions of students, which include, but are not limited to, the following:

- 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;
- 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.
- Any kind of flirtatious or sexual communications with a student;
- 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;
- Providing alcohol, drugs, or tobacco to students or failing to report their use of these substances;
- For non-guidance/counseling staff, continually encouraging students to confide their personal or family problems and/or relationships. It is understood that staff members play an important role in supporting students when they face issues and challenges outside the classroom. Staff shall recognize and refer students to counselors/administrators for ongoing non-educational issues;
- Sending students on personal errands unrelated to any educational purpose;
- Banter, allusions, jokes, or innuendos of a sexual nature with students;
- Favorably commenting on a student’s appearance if it is unduly revealing or if the comments have no educational value;
- Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
- Addressing students, or permitting students to address staff members with personalized terms of endearment, pet names, or otherwise in an overly familiar manner;
- Maintaining personal contact (including “friending” or “following” a student on any social networking application or device;

- 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 a student's communication, the staff member shall reply by including the student's parent/guardian and an administrator. Staff members should use school e-mail addresses and phone numbers and the parents' phone numbers for communications with students, except in an emergency situation.
- Exchanging or providing personal gifts, cards, or personal letters with an individual student;
- Socializing or spending time with students (including, but not limited to, activities such as going out for beverages, meals or movies, shopping, traveling, and recreational activities) outside of school-sponsored events, except as participants in organized community activities;
- Giving a student a ride alone in a vehicle in a non-emergency situation or failing to timely report that occurrence;
- Providing a student with information or views about other students or staff members without a legitimate professional purpose;
- Asking a student to keep a secret or not to disclose any inappropriate communications or conduct;
- Unnecessarily invading a student's privacy, (e.g. walking in on the student in the bathroom or a hotel room on a field trip);
- Being alone with an individual student out of the view of others; and/or
- Any home visits unless other adults are present.
- Soliciting phone, email, text messages, or other forms of written or electronic communication from students when the communication is unrelated to school work or other legitimate school business; or
- Any other conduct that fails to maintain professional staff/student boundaries.

### **Appearances of Impropriety**

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

- Being alone with an individual student out of the view of others;
- Inviting or allowing individual students to visit the staff member's home;
- Visiting a student's home; and/or
- Sending or soliciting email, text messages, or other electronic communications from the student for social purposes. All communication will use professional judgment and relate to an educational purpose, i.e. coursework, athletics, and activities.

### **Reporting violations**

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

Staff members are required to promptly notify the principal or the supervisor of the employee or volunteer suspected of engaging in inappropriate conduct that violates this policy or procedure.

The administrator to whom a boundary invasion concern is reported must document, in writing, the concern and provide a copy of the documentation to the Executive Director of Human Resources. The Executive Director, Human Resources will maintain a file documenting reports of this nature which are made.

### **Reporting Sexual Abuse**

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

### **Disciplinary Action**

Staff violations of this policy may result in disciplinary action up to and including dismissal. The violation may also be reported to the state Office of Professional Practices.

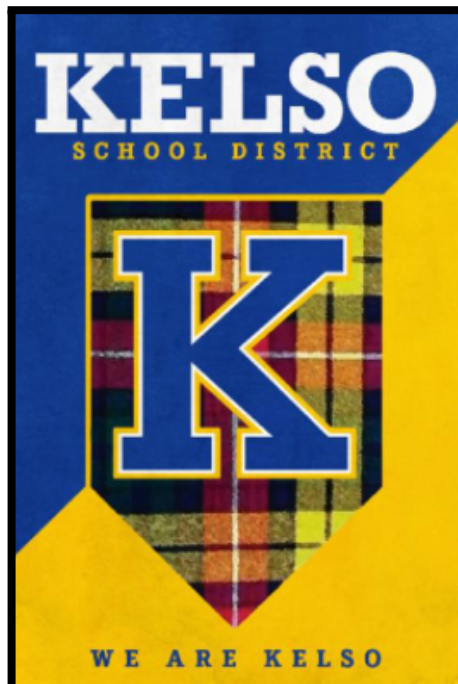
### **Training**

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

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

This policy and procedure shall be included on the district Web site and in all employee, student, and volunteer handbooks. Annually, all administrators and staff will receive copies of the district's reporting protocol.

*The Kelso School District reserves the right to change its discipline policies consistent with state law. Students should review current district discipline policies if they have any questions about the exact discipline or district procedures that might apply in a particular situation.*



*\*State laws and regulations are ever-changing. All changes will be updated as needed. A complete and current Student Rights and Responsibilities handbook can be found online at [www.kelso.wednet.edu](http://www.kelso.wednet.edu).*