



Student Rights & Responsibilities

2022-2023

The Tenino School district 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 trained dog guide or service animal and provides equal access to the Boy Scouts of America and designated youth groups. The following positions have been designated to handle questions and complaints of alleged discrimination: Title IX and Civil Rights Compliance Coordinator 360-264-3400 PO Box 4024 Tenino, WA 98589. Section 504/Special Services Coordinator 360-264-3408 PO Box 4024 Tenino, WA 98589.



Dear Tenino School District Parents/Guardians and Students:

In Tenino, we are working to provide the best possible learning experience to each student while also following local, state and national guidelines for health and safety to minimize the spread of COVID 19. Like all of you, we look forward to the day when all public services and businesses can return to normal.

The Tenino School District updates and publishes a Student Rights and Responsibilities Handbook to explain student rights, responsibilities, and the importance of regular attendance. This handbook is developed to address policy and legal requirements as well as frequently asked questions from students and families.

Parents/guardians are a student's first teacher, and we enlist your support in reviewing this handbook with your student. The information contained in this handbook is accurate and current at the time of its distribution. District policies and procedures are often updated to reflect changes to federal, state and local laws. If you are looking for the most up to date information, it is always best to view this handbook online at www.teninosd.org.

Please call the Student Services Office at 360-264-3408 with any questions.

Mission Statement

We believe students should be empowered to develop their passions, critical thinking, and collaborative skills. Further, we believe in the ability of all students to learn essential academic skills to be career and college ready. Our District will provide an educational environment that meets the diverse needs of each student; ensuring the opportunity to develop their individual potential to become a competent and contributing member of a global society.

Values and Beliefs About

- **Students:** Every student deserves a high-quality educational experience. We commit to encourage each students' dreams, potential, drive and skills by providing opportunities to become career and college ready. We will make decisions based on what is best for our students.
- **Teaching:** We commit to support teachers in the rigorous application of research-based practice, which should be relevant, engaging, and respectful. All students should be challenged and expected to reach their potential.
- **Learning:** Each person in the organization should be responsible for their own learning and growth. We acknowledge each student learns differently; staff will take the responsibility of meeting the needs of our diverse learners. We commit to expanding and improving programs and program offerings to meet the needs of students.
- **Community:** The Board and Administration will actively engage with community on an ongoing basis to provide opportunities for meaningful involvement.
- **Communication:** The Board, District and schools will promote positive virtues of the Tenino School District. We will communicate proactively by providing current and meaningful information to all stakeholders across all platforms.
- **Facilities:** All members of the district community will take pride and ownership of District facilities. The Board commits to maintaining and improving our facilities.
- **Fiscal Resources:** The Board is committed to the prudent use of our monies to support students and student achievement. We will look to expand revenue beyond State, Federal and local funding.
- **Extra-Curricular Activities and Athletics:** The Board supports the role Extra-Curricular Activities and Athletics play in enhancing the development of well-rounded students. Students and families will be encouraged to actively participate in athletics and activities.

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STUDENT RIGHTS & RESPONSIBILITIES in TENINO SCHOOL DISTRICT

INTRODUCTION

This handbook sets forth the written rules and regulations of the Tenino School District regarding student conduct, discipline, corrective actions, and rights. It indicates the types of misconduct for which discipline, suspension and expulsion may be imposed. In addition to these rules and regulations, each school in the district prepares and provides a school level handbook which provides additional school-specific rights and responsibilities for students and parents/guardians.

Teachers, school administrators (including principals, assistant principals, deans of students, administrative interns, and principal designees), school bus drivers, and other designated school employees will have the authority to: (1) impose discipline on any student for misconduct in accordance with the procedures specified in this handbook; (2) temporarily remove a student from a class, subject, or activity as provided for herein (See Part V below); and (3) make recommendations to appropriate school authorities for the suspension or expulsion of any student. Except as otherwise provided for, only a building administrator, the Superintendent, or such person's designee may impose a suspension or expulsion.

This handbook is also in compliance with Public Law 101-226, Drug-Free Schools and Communities Act Amendments. Compliance with standards of conduct is mandatory.

PART I STUDENT RIGHTS

In addition to other rights established by law, each student in the Tenino School District (TSD) shall possess the following substantive rights, which shall not be limited without good and sufficient cause.

1. No student shall be unlawfully denied an equal educational opportunity or be unlawfully discriminated against because 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. The Tenino School District complies with all federal and state rules and provides equal access to designated youth groups.
2. All students possess the constitutional right to be secure in their persons, papers and effects against unreasonable searches and seizures, recognizing that no right or expectation of privacy exists as to the use of any school locker issued to a student.
3. All students shall have the right to be free from unlawful interference in their pursuit of an education while in the custody of a common school district.
4. No student shall be deprived of the right to an equal education opportunity in whole or in part without due process of law.

Part II: Student Conduct and Responsibilities

The mission of the Tenino School District is:

We believe students should be empowered to develop their passions, critical thinking and collaborative skills. Further, we believe in the ability of all students to learn essential academic skills to be career and college ready. Our District will provide an educational environment that meets the diverse needs of each student; ensuring the opportunity to develop their individual potential to become a competent and contributing member of a global society.

It shall be the responsibility and duty of each student to attend school as required by law and to be on time to all classes. Each student must identify himself/herself upon request of school district personnel in a school building, on school grounds, at school-sponsored events or on school buses. Students must follow the reasonable request of school employees who are acting in the performance of their duties.

A student shall comply with school district policies, school rules, and with the directions of teachers, student teachers, substitute teachers, educational assistants, principals or other authorized school personnel when he/she is properly under the authority of school personnel.

Any student who willfully performs any act, which materially interferes with or is detrimental to the orderly operation of a school, a school activity or any other aspect of the education process within the district, shall be subject to discipline, suspension, or expulsion. Such acts shall include but are not limited to those outlined in Part IV of this handbook.

Parents or guardians of students damaging school buses or property shall be responsible for proper reimbursement to the Tenino School District. Students are subject to suspension and corrective actions; suspended students may not enter or ride any school bus until proper reimbursement has been made. (See WAC 28A.635.060)

Part III: Tenino School Board Procedure No. 3241

“Classroom Management, Discipline and Corrective Actions”

Definitions

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

Behavioral violation means a student's behavior that violates any of the district's policies.

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

- (a) a teacher or other school personnel attempts other forms of discipline to support the student in meeting behavioral expectations; and

(b) the student remains under the supervision of the teacher or other school personnel during such brief duration.

Culturally responsive has the same meaning as “cultural competency” in RCW 28A.410.270, which states “cultural competency” includes knowledge of student cultural histories and contexts, as well as family norms and values in different cultures; knowledge and skills in accessing community resources and community and parent outreach; and skills in adapting instruction to students’ experiences and identifying cultural contexts for individual students.

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

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

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 educational decisions 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.

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.

Emergency expulsion means the removal of a student from school because the student's statements or behavior pose 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.

Engaging with Families & Language Assistance

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

The district must 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. For parents who are unable to read any language, the district will provide written material orally.

Supporting Students with Other Forms of Discipline

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

The types of behaviors for which the staff members may use other forms of discipline include any violation of the rules of conduct, as developed annually by the superintendent. In connection with the rules of conduct, school principals and certificated building staff will confer at least annually to develop precise definitions and build consensus on what constitutes a manifestation of problem behaviors. (See policy 3200 – Rights and Responsibilities.) The purpose of developing definitions and consensus on manifestation of a problem behavior is to address the differences in perception of subjective behaviors and reduce the effect of implicit or unconscious bias.

These other forms of discipline may involve the use of best practices and strategies included in the state menu for behavior available online at: <http://www.k12.wa.us/SSEO/pubdocs/BehaviorMenu.pdf>.

The district has identified the following for use as other forms of discipline:

- behavior monitoring,
- mentoring,
- peer mediation,
- social skills instruction,
- de-escalation, and
- restorative justice practices.

Staff members are not restricted to the above list and may use any other form of discipline compliant with WAC 392-400-025(9) and consistent with training in MTSS, PBIS, Champs, Achieve, and Trauma-Informed/ACES training.

Additionally, staff may use after-school detention as another form of discipline for not more than one-hundred eighty (180) minutes on any given day. Before assigning after-school detention, the staff member will inform the student of the specific behavior prompting the detention and provide the student with an opportunity to explain or justify the behavior. At least one professional staff member will directly supervise students in after-school detention.

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

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

Staff Authority and Exclusionary Discipline

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

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

Classroom Exclusions

After attempting at least one other form of discipline, as set forth above, teachers have statutory authority to impose classroom exclusion. Classroom exclusion means the exclusion of a student from the classroom or instructional activity area based on a behavioral violation that disrupts the educational process. As stated

above, the superintendent, school principals, and certificated staff will work together to develop definitions and consensus on what constitutes behavior that disrupts the educational process to reduce the effect of implicit or unconscious bias. Additionally, the district authorizes school principals and assistant school principals to impose classroom exclusion with the same authority and limits of authority as classroom teachers.

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

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

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 any form of discipline, including 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. Reporting of the behavioral violation that led to the classroom exclusion as "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 statements or behavior pose an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process:

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

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

Grievance Process for Other Forms of Discipline and Classroom Exclusion

Any student who is aggrieved by the imposition of other forms of discipline and/or classroom exclusion has the right to an informal conference with the principal for resolving the grievance.

At such conference, the student will have the opportunity to share his/her perspective and explanation for the behavioral violation. The principal/designee will consider this information in making a decision regarding

the grievance and communicate his/her decision to the parent and student. The principal/designee's decision is the final step in this grievance process. This grievance process will not delay the use of other forms of discipline while the grievance/e is being heard. Any modifications to the other form of discipline used will be determined by the principal/designee and communicated to the student and parent.

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

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 expel, suspend, or discipline in any manner for a student's performance of or failure to perform any act not related to the orderly operation of the school or school-sponsored activities or any other aspect of preserving the educational process. The district will not administer any form of discipline in a manner that would prevent a student from accomplishing a specific academic grade, subject, or graduation requirements.

As stated above, the district must have provided 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 a short-term or in-school suspension.

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 behavioral violation that led to the suspension or expulsion as "other" is insufficient.

An expulsion or suspension of a student may not be for an indefinite period and must have an end date. After suspending or expelling a student, the district will make reasonable efforts to return the student to the student's regular educational setting as soon as possible. Additionally, the district must allow the student to petition for readmission at any time. The district will not administer any form of 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 (see below). The district will not suspend or expel a student from school for absences or tardiness.

If during a suspension or expulsion the district enrolls a student in another program or course of study, the district 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 his or her regular educational setting.

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 district authorized rifle competition.

In-School Suspension and Short-Term Suspension

The superintendent designates school principals and assistant principals with the authority to impose in-school and short-term suspension. Before 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 and considered the student's individual circumstances. The district will not administer in-school suspension that would result in the denial or delay of the student's nutritionally adequate meal.

Unless otherwise required by law, 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 above, the district will work to develop definitions and consensus on what constitutes behavioral violations to reduce the effect of implicit or unconscious bias. In accordance with the other parameters of this policy, these circumstances may include the following types of student behaviors:

- Being intoxicated or under the influence of controlled substance, alcohol or marijuana at school or while present at school activities;
- Bomb scares or false fire alarms that cause a disruption to the school program;
- Cheating or disclosure of exams;
- Commission of any crime on school grounds or during school activities;
- Dress code violations that the student refuses to correct (see student dress policy/procedure 3224);
- Fighting: Fighting and instigating, promoting, or escalating a fight, as well as failure to disperse. Engaging in any form of fighting where physical blows are exchanged, regardless of who initiated the fight. This prohibition includes hitting, slapping, pulling hair, biting, kicking, choking, and scratching or any other acts in which a student intentionally inflicts or attempts to inflict injury on another;
- Gang-related activity;
- Harassment/intimidation/bullying;
- Intentional deprivation of student and staff use of school facilities;
- Intentional endangerment to self, other students, or staff, including endangering on a school bus;

- Intentional injury to another;
- Intentionally defacing or destroying the property of another;
- Intentionally obstructing the entrance or exit of any school building or room in order to deprive others of passing through;
- Possession, use, sale, or delivery of illegal or controlled chemical substances;
- Preventing students from attending class or school activities;
- Refusal to cease prohibited behavior;
- Refusal to leave an area when repeatedly instructed to do so by school personnel;
- Sexual misconduct that could constitute sexual assault or harassment on school grounds, at school activities, or on school provided transportation;
- Substantially and intentionally interfering with any class or activity;
- Threats of violence to other students or staff;
- Use or possession of weapons prohibited by state law and Policy 4210.

Initial Hearing

Before administering any in-school or short-term suspension, the district will attempt to notify the student's parent(s) as soon as reasonably possible regarding the behavioral violation. Additionally, the principal or designee must conduct an informal initial hearing with the student to hear the student's perspective. The principal or designee must provide the student an opportunity to contact his or her parent(s) regarding the initial hearing. The district must hold the initial hearing in a language the parent and student 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 his or her perspective and provide an explanation regarding the behavioral violation.

Notice

Following the initial hearing, the principal or designee must 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 in-school or short-term suspension.

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

Long-Term Suspensions and Expulsions

Before administering a long-term suspension or 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 impose long-term suspension or expulsion only for specify misconduct. 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 student behaviors listed in RCW 28A.600.015 (6)(a) through (d), which include:

- (a) Having a firearm on school property or school transportation in violation of RCW 28A.600.420;

(b) Any of the following offenses listed in RCW 13.04.155, including:

(i) any violent offense as defined in RCW 9.94A.030, including

- any felony that Washington law defines as a class A felony or an attempt, criminal conspiracy, or solicitation to commit a class A felony;
- manslaughter;
- indecent liberties committed by forcible compulsion;
- kidnapping;
- arson;
- assault in the second degree;
- assault of a child in the second degree;
- robbery;
- drive-by shooting; and
- 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.

(ii) any sex offense as defined in RCW 9.94A.030, which includes any felony violation of chapter 9A.44 RCW (other than failure to registered as a sex offender in violation of 9A.44.132), including rape, rape of a child, child molestation, sexual misconduct with a minor, indecent liberties, voyeurism, and any felony conviction or adjudication with a sexual motivation finding;

(iii) inhaling toxic fumes in violation of chapter 9.47A RCW;

(iv) any controlled substance violation of chapter 69.50 RCW;

(v) any liquor violation of RCW 66.44.270;

(vi) any weapons violation of chapter 9.41 RCW, including having a dangerous weapon at school in violation of RCW 9.41.280;

(vii) any violation of chapter 9A.36 RCW, including assault, malicious harassment, drive-by shooting, reckless endangerment, promoting a suicide attempt, coercion, assault of a child, custodial assault, and failing to summon assistance for an injured victim of a crime in need of assistance;

(viii) any violation of chapter 9A.40 RCW, including kidnapping, unlawful imprisonment, custodial interference, luring, and human trafficking;

- (ix) any violation of chapter 9A.46 RCW, including harassment, stalking, and criminal gang intimidation; and
 - (x) any violation of chapter 9A.48 RCW, including arson, reckless burning, malicious mischief, and criminal street gang tagging and graffiti.
- (c) Two or more violations of the following within a three-year period:
- (i) criminal gang intimidation in violation of RCW 9A.46.120;
 - (ii) gang activity on school grounds in violation of RCW 28A.600.455;
 - (iii) willfully disobeying school administrative personnel in violation of RCW 28A.635.020; and
 - (iv) defacing or injuring school property in violation of RCW 28A.635.060; and
- (d) Any student behavior that adversely affects the health or safety of other students or educational staff.

In addition to being a behavior specified in RCW 28A.600.015, before imposing long-term suspension or expulsion, district personnel must also determine that if the student returned to school before completing a long-term suspension or expulsion the student would pose an imminent danger to students, school personnel, or pose an imminent threat of material and substantial disruption to the educational process. As stated above, the district will work to develop definitions and consensus on what constitutes such an imminent threat to reduce the effect of implicit or unconscious bias.

Behavior Agreements

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

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

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. Additionally, the principal or designee must conduct an informal initial hearing with the student to hear the student's perspective. The principal or designee must make a reasonable attempt to contact the student's parents and 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 parent and student 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 his or her perspective and provide an explanation regarding the behavioral violation.

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

Notice

No later than one (1) school business day following the initial hearing with the student, the district will provide written notice of the suspension or expulsion to the student and parents in person, by mail, or by email. If the parent cannot read any language, the district will provide language assistance. 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;
- (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 reengagement meeting.

Other than for the firearm exception under WAC 392-400-820, the district will not impose a long-term suspension or 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 its special education discipline procedures as well as its general education discipline procedures.

Difference Between Long-Term Suspension and Expulsion

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

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

Emergency Expulsions

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

The district must have sufficient cause to believe that the student's statements or observable behaviors pose:

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

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

- 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.

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 statements or behaviors pose an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the education process.

Notice

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

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

- 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.

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

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

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

Appeal, Reconsideration, and

Petition 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 events that led to the behavioral violation. 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. Further, the student and parent will have the opportunity to discuss other forms of discipline that the district could administer.

An informal conference will not limit the right of the student or parent(s) to appeal the suspension or expulsion, participate in a reengagement 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(s)' right to request a 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 that 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 reengagement meeting before the appeal hearing.

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

Hearings

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

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

- 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).

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) 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 a list of any witnesses that the district will introduce at the appeal hearing. The district must make the information available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing. The district may also request to inspect any documentary or physical evidence and a list of any witnesses that 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' nonappearance if the district establishes that:

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

The district will record the appeal hearing by manual, electronic, or other type of recording device and upon request of the student or 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 where and to whom to make such a request; and
- Notice of the opportunity for a reengagement 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 statements or behaviors continue to pose (i) an immediate and continuing danger to students or school personnel; or (ii) an immediate and continuing threat of material and substantial disruption of the educational process;
- 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 where and to whom 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 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 reengagement 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 statements or behaviors 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 392-400-455 through 392-400-480 consistent with the disciplinary action to which the emergency expulsion was converted.

Petition to Extend an Expulsion

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

- 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 reengagement plan.

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

Notice

The district will provide written notice of a petition to the student and 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 where and to whom 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 by 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 or 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. The types of educational services the district will consider include alternative schools or classrooms, one-on-one tutoring, and online learning tutoring. 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 subject to suspension or emergency expulsion up to five (5) days, a school must provide at least the following:

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

- An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency expulsion.

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

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

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

Before convening a reengagement meeting, the district will communicate with the student and parent(s) to schedule a meeting time and location. The purpose of the reengagement meeting is to discuss with the student and his or her parent(s)/guardian(s) a plan to reengage the student.

The reengagement meeting must occur:

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

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 reengagement plan, the district must consider:

- The nature and circumstances of the incident that led to the student's suspension or expulsion;
- As appropriate, students' cultural histories and contexts, family cultural norms and values, community resources, and community and parent outreach;
- Shortening the length of time that the student is suspended or expelled;
- Providing academic and nonacademic supports that aid in the student's academic success and keep the student engaged and on-track to graduate; and
- Supporting the student'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 reengagement plan and provide a copy of the plan to the student and parents. The district must ensure that both the reengagement meeting and the reengagement plan are in a language the student and parents understand.

Exceptions for Protecting Victims

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

- 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.

Part IV: Tenino School Board Policy 4210

“Regulation of Dangerous Weapons on School Premises”

It is a violation of district policy and state law for any person to carry a firearm or dangerous weapon on school premises, school-provided transportation or areas of other facilities being used exclusively for school activities unless specifically authorized by state law. Carrying a dangerous weapon onto school premises, school-provided transportation, or areas of other facilities being used exclusively for school activities in violation of RCW 9.41.280 is a criminal offense.

The 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.

Dangerous Weapons

The term “dangerous weapons” under state law includes:

- Any firearm;
- Any device commonly known as “nunchaku 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 emit 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 an outward, downward, or centrifugal thrust or movement; and
 - Any razor with an unguarded blade;
- Any slung shot, sandbag, or sand-club;
- Metal knuckles;
- A sling shot;
- 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 way 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

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 violate this policy will be subject to discipline. Students who have possessed a firearm on any school premises, school-provided transportation, or school-sponsored activities at any facility 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.

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.

No expulsion under RCW 28A.600.420 prevents the district from continuing to provide educational services in an alternative educational setting in compliance with RCW 28A.600.015. Any alternative setting should be comparable, equitable, and appropriate to the regular education services a student would have received without the exclusionary discipline. Example alternative settings include one-on-one tutoring and online learning.

Part V: Tenino School Board Procedure 3207

“Prohibition of Harassment, Intimidation & Bullying”

A. Introduction

The Tenino 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 must take prompt and appropriate action to stop the harassment and to prevent its recurrence.

A. Definitions

Aggressor – is 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 – is an intentional electronic, written, verbal, or physical act that:

- a. Physically harms a student or damages the student's property.
- b. Has the effect of substantially interfering with a student's education.
- c. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment.
- d. 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, innuendos, demeaning comments, drawings, cartoons, pranks, ostracism, physical attacks or threats, gestures, or acts relating to an individual or group whether electronic, written, oral, or physically transmitted messages or images. There is no requirement that the targeted student actually possess the characteristic that is the basis for the harassment, intimidation, or bullying.

Incident Reporting Form - may be used by students, families, or staff to report incidents of harassment, intimidation, or bullying. A report can be submitted Online [here](#) OR by using the form at the end of this document.

Retaliation – 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 – is a student against whom harassment, intimidation, or bullying has allegedly been perpetrated.

A. 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:

1. RCW 28A.300.285 - 12 Education--Harassment, Intimidation and Bullying
2. RCW 28A.640.020 - Sexual Harassment
3. RCW 28A.642 - Prohibition of Discrimination in Public Schools
4. RCW 49.60.010 - The Law against Discrimination

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

A. Prevention

1. Dissemination

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

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

Additional distribution of the policy and procedure is subject to the requirements of Washington Administrative Code 392-400-226.

1. Education

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

1. Training

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

1. 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.

A. 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.
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 receive annual fall training.

7. Provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis.
8. In cases where, despite school efforts, a targeted student experiences harassment, intimidation, or bullying that threatens the student's health and safety, the compliance officer will facilitate a meeting between district staff and the child's parents/guardians to develop a safety plan to protect the student. A sample student safety plan is available on the OSPI Web site: <http://www.k12.wa.us/SafetyCenter/default.aspx>.

Staff Intervention

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

A. 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.

A. 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

- a. **Anonymous**
Individuals may file a report without revealing their identity. No disciplinary action will be taken against an alleged aggressor based solely on an anonymous report. Schools may identify complaint boxes or develop other methods for receiving anonymous, unsigned reports. Possible responses to an anonymous report include enhanced monitoring of specific locations at certain times of day or increased monitoring of specific students or staff. (Example: An unsigned Incident Reporting Form dropped on a teacher's desk led to the increased monitoring of the boys' locker room in 5th period.)
- b. **Confidential**
Individuals may 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.")
- c. **Non-confidential**
Individuals may agree to file a report non-confidentially. Complainants agreeing to make their complaint non-confidential will be informed that due process requirements may require that the district release all of the information that it has regarding the complaint to any individuals involved in the incident, but that even then, information will still be restricted to those with a need to know, both during and after the investigation. The district will,

however, fully implement the anti-retaliation provision 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 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.

- a. 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.

- a. 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.

- a. 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.

- a. 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 suspect that a student is subject to abuse and neglect, they must follow district policy for reporting suspected cases to Child Protective Services.

- a. The investigation shall include, at a minimum:
 - An interview with the complainant.
 - An interview with the alleged aggressor.
 - A review of any previous complaints involving either the complainant or the alleged aggressor.
 - Interviews with other students or staff members who may have knowledge of the alleged incident.

- a. The principal or designee may determine that other steps must be taken before the investigation is complete.

- a. 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.

- a. No later than two (2) school days after the investigation has been completed and submitted to the compliance officer, the principal or designee shall respond in writing or in person to the parent/guardian of the complainant and the alleged aggressor stating:
 - The results of the investigation.
 - Whether the allegations were found to be factual.
 - Whether there was a violation of policy.
 - The process for the complainant to file an appeal if the complainant disagrees with 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 United States postal service with return receipt requested unless it is determined, after consultation with the student and appropriate staff (psychologist, counselor, social worker) that it could endanger the complainant or the alleged aggressor to involve his or her family. If professional school personnel 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 is unable to be resolved at the school level, the principal or designee shall request assistance from the district.

Step 4: Corrective Measures for the Aggressor

After completion of the investigation, the school or district designee will institute any corrective measures necessary. Corrective measures will be instituted as 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 according to district policies 3207/3204—student discipline. If the accused aggressor is appealing the imposition of discipline, the district may be prevented by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.

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

1. 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.
2. If the targeted student remains dissatisfied after the initial appeal to the superintendent, the student may appeal to the school board by filing a written notice of appeal with the 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.
3. An appeal before the school board or disciplinary appeal council must be heard on or before the tenth (10) school day following the filing of the written notice of appeal to the school board. The school board or disciplinary appeal council will review the record and render a written decision on the merits of the appeal on or before the fifth (5) school day following the termination of the hearing, and shall provide a copy to all parties involved. The board or council'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 policies 3207/3204—student discipline.

If the conduct was of a public nature or involved groups of students or bystanders, the district should strongly consider schoolwide 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 WAC 181-87, commonly called the Code of Conduct for Professional Educators, OSPI's Office of Professional Practices may propose disciplinary action 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 shall be addressed and remedied as appropriate.

I. 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.

A. 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
www.k12.wa.us/Equity/default.aspx
- Washington State Human Rights
Commission 1 (800) 233-3247
www.hum.wa.gov/index.html
- Office for Civil Rights, U.S. Department of
Education Region IX (206) 607-1600
Email: OCR.Seattle@ed.gov
www.ed.gov/about/offices/list/ocr/index.html
- Department of Justice Community Relations Service
1 (877) 292-3804
www.justice.gov/crt/
- Office of the Education
Ombudsman 1 (866) 297-2597
Email: OEInfo@gov.wa.gov
www.governor.wa.gov/oeo/default.asp
- OSPI Safety Center
(360) 725-6044
<http://www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx>

A. 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.

Part VI: Tenino School Board Procedure 3122

“Excused and Unexcused Absences”

Excused Absences

The following are valid excuses 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. Participation in school-approved activity or instructional program. To be excused this absence must be authorized by a staff member and the affected teacher must be notified prior to the absence unless it is clearly impossible to do so.
2. Absence due to: illness, health condition; medical appointment; family emergency; religious purposes; court, judicial proceeding or serving on a jury; post-secondary, technical school or apprenticeship program visitation, or scholarship interview; State recognized search and rescue activities consistent with RCW 28A.225.055; and directly related to the student’s homeless status.
3. When possible, the parent/guardian is expected to notify the school office on the morning of the absence by phone, email 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, email or written note upon the student’s return to school. Adult students (those over eighteen) and emancipated students (those over sixteen 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 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 the right for family planning and abortion.
4. 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, 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 or each day of absence.
5. Absence for parental-approved activities. This category of absence will be counted as excused for purposes agreed to by the principal and parent/guardian. An absence may not be approved if it causes a serious adverse effect on the student’s education 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 or guardian-approved absence would have an adverse effect on the student’s educational progress which 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 the school day to participate in religious instruction provided such is not conducted on school property or otherwise involves the school to any degree.
6. 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.
7. 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.

8. 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 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 request.

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 Individual Education Program or 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 that the student will not fall behind in his/her coursework.

Unexcused Absences

An "unexcused absence" means that a student has failed to attend the majority of hours or periods in an average school day or has failed to comply with a more restrictive school district policy on absence.

Unexcused absences occur when:

- A. The parent, guardian, or adult student submits an excuse that does not meet the definition of an excused absence as defined above; or
- B. 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 informing them of the consequences of additional unexcused absences. The school will make reasonable efforts to provide this information in a language in which that parent is fluent. A student's grade will not be affected if no graded activity is missed during such an absence.

After two unexcused absences within any month of the current school year, a conference will be held between the principal, student and parent 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 second unexcused absence, the district may schedule the attendance conference on the same day. The district will designate a staff member to apply the Washington Assessment of the Risks and Needs of Students (WARNS) and, where appropriate, provide the student with best practice or research-based interventions consistent with WARNS. As appropriate, the district will also consider:

- 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 truancy board.

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

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 acknowledgement by the parent and student.

No later than a student's fifth unexcused absence in a month, the district will:

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

Community Truancy Board

A "community truancy 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 Thurston County to establish a community truancy board.

The district will designate and identify to the juvenile court (and update as necessary) 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 trainings, 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 truancy board members.

Not later than a student's seventh unexcused absence within any month during the current school year, or a tenth 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:

- A. A statement that the student has unexcused absences in the current school year. (District Note: While petitions must be filed in 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 will be counted when preparing the petition);
- B. An attestation that actions taken by the school district have not been successful in substantially reducing the students absences from school;
- C. A statement that court intervention and supervision are necessary to assist the school district to reduce the student's absences from school;
- D. A statement that RCW 28A.225.010 has been violated by the parent, student or parent and student;
- E. The student's name, date of birth, school, address, gender, race and ethnicity; and the names and addresses of the student's parents/guardians, 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;

- F. 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 signed by the parent and student;
- G. 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. (See WSSDA policy 3241, Classroom Management, Discipline and Corrective Action.)

Part VII: School Board Policy/Procedure 3210

Nondiscrimination

Policy

The District will provide equal educational opportunity 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 dog guide or service animal by a person with a disability. The district will provide equal access to the Boy Scouts and other designated youth groups.

As required by law to ensure that there is equal opportunity for all students, the district will provide continuous notice of nondiscrimination, and will provide annual notice of the district's discrimination complaint procedures to students, parents and employees.

Legal References: Chapter 28A.640 RCW Chapter Sexual Equality
 28A.642 RCW Chapter 49.60 Discrimination
 RCW prohibition Human rights
 commission

Chapter 392-190 WAC Equal Educational Opportunity – Unlawful Discrimination
 Prohibited

WAC 180-400-215 Student Rights

Procedure

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

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

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

A. Informal Process for Resolution

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

B. Formal Process for Resolution

Level One: Complaint to District

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

The superintendent or designee will respond to the complainant with a written decision as expeditiously as possible, but in no event later than 30 calendar days following receipt of the written complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the complainant in writing of the reason for the extension and the anticipated

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

The decision of the superintendent or designee will include: 1) a summary of the results of the investigation; 2) whether the district has failed to comply with anti-discrimination laws; 3) if noncompliance is found, corrective measures the district deems necessary to correct it; and 4) notice of the complainant's right to appeal to the school board and the necessary filing information. The superintendent or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964.

Any corrective measures deemed necessary shall be instituted as expeditiously as possible, but in no event later than 30 calendar days following the superintendent's mailing of a written response to the complaining party unless otherwise agreed to by the complainant.

Level Two – Appeal to the Board of Directors

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

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.

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

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

3. Upon receipt of a complaint, 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.

C. Mediation

At any time during the discrimination 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 discrimination complaint process deadlines in order to pursue mediation.

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

Mediation must be conducted by a qualified and impartial mediator who may not: 1) Be an employee of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the subject of the complaint being mediated; or 2) Have a personal or professional conflict of interest. A mediator is not considered an

employee of the district or 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 authority to bind the district.

D. Preservation of Records

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

PART VIII: School Board Policy/Procedure 3205

Sexual Harassment of Students Prohibited

Policy

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” may include:

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

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

Investigation and Response

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

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

Retaliation and False Allegations

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

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

Staff Responsibilities

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

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

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

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 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.

20 U.S.C. 1681-1688

WAC 392-190-058 Sexual harassment

RCW 28A.640.020 Regulations, guidelines to eliminate discrimination — Scope — Sexual harassment policies

Procedure

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

This procedure applies to sexual harassment (including sexual violence) targeted at students carried out by other students, employees or third parties involved in 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 will be easily understandable and conspicuously posted throughout each school building, be reproduced in each student, staff, volunteer and parent handbook.
- 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 [*insert address of district administrative office*].

Staff Responsibilities

- In the event of an alleged sexual assault, the school principal will immediately inform: 1) the Title IX/Civil Rights Compliance Coordinator so that the district can appropriately respond to the incident consistent with its own grievance procedures; and 2) law enforcement.
- The principal will notify the targeted student(s) and their parents/guardians of their right to file a criminal complaint and a sexual harassment complaint simultaneously.

Confidentiality

- If a complainant requests 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 *Superintendent* for evaluation.
- The *Superintendent 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 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 prohibits retaliation against any individual who files a complaint under these laws or participates in a complaint investigation. When an informal or formal complaint of sexual harassment is made, the district will take steps to stop further harassment and prevent any retaliation against the person who made the complaint, was the subject of the harassment, or against those who provided information as a witness. The district will investigate all allegations of retaliation and take 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 [*insert Title IX Coordinator's name and contact information*]. 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 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 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. At any level in the formal complaint process, the district will take interim measures to protect the complainant before the final outcome of the district's investigation.

The following process will be followed:

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, fax, email or hand-delivery to the district Title IX Coordinator, [*insert name/title*] at [*insert office address, telephone number and email address*]. 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 or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964. If the complaint alleges discriminatory harassment by a named 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 the due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.
 - 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 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 days 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 regarding 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.

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

an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.

If the parties reach 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 authority to bind the district.

Training and Orientation

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.

Part IX: Disciplinary Procedures: Special Education and Section 504 Students

Discipline

With the exceptions indicated below, any student with an identified disability as set forth in chapter WAC 392-172 or under Section 504 is subject to the same rights, responsibilities, support and discipline outlined in this handbook.

Emergency Removal and Short-Term Suspensions

Procedures outlined in the Statement of Student Rights and Responsibilities are applicable when the action proposed or taken does not exceed the short-term suspension timelines; provided, however, that where a special education or Section 504 student has been subject to a series of short-term suspensions that exceed a total of ten (10) days in a school year and may create a pattern of exclusion, the procedures in paragraph III below shall be followed.

Long-Term Suspension/Expulsion*

When considering the imposition of a long-term suspension or expulsion totaling more than ten (10) school days for a special education student or a Section 504 student, the IEP Team, including the parents, or a Section 504 meeting must be held prior to imposing the action, which complies with the following criteria:

*For Section 504 students with drug/alcohol violations only, see Part G, otherwise, please follow the procedures below:

- A. Persons to be present must be members of the IEP Team, Section 504 team, and/or other qualified personnel who are:
 - a. Knowledgeable of the particular student who is the subject of the contemplated action;
 - b. Knowledgeable of the meaning of the evaluation data regarding the student;
 - c. Knowledgeable of the student's disability and the implications of that condition;
 - d. Knowledgeable of the placement options.
- B. The purpose of the meeting will be to:
 - a. Determine if the misconduct is a manifestation of the disability, Individualized Educational Program or Section 504 goals must be considered; and,
 - b. Determine whether the student's behavior is the result of an inappropriate Special Education Placement or Section 504 program.
- C. This meeting must be fully documented.
- D. If the misconduct is neither a manifestation of the disability nor due to an inappropriate placement, the proposed disciplinary action may be implemented.
- E. If the behavior is a manifestation of the disability or an inappropriate placement, a different placement or revised program must be considered and offered except in the cases of emergency, drugs, or weapons. If necessary, a placement for evaluation purposes can be invoked during the period of time the new placement or program is being developed.
- F. Following the meeting, written notice will be provided to the parent, which includes:
 - a. Date, time and place of IEP Team or Section 504 meeting;
 - b. Members of the Team;
 - c. Sources of information used in reaching the decision(s);
 - d. The decision(s) regarding the relationship of the disability to the behavior, the appropriateness of the placement, and the proposed action or sanction; and,
 - e. A notice of rights.
- G. A student under a Section 504 plan who uses or possesses illegal drugs or alcohol and who is currently engaging in the illegal use of drugs or the use of alcohol is subject to the same disciplinary penalties for such use, such as long-term suspension/expulsion, as students who are not individuals with disabilities. Further, the due process procedures set forth in Section III above shall not apply to such disciplinary actions.
- H. Should any long-term suspension or expulsion be implemented or should any series of short-term suspensions create a pattern of exclusion, the District must convene an IEP meeting for the purpose of developing an alternative education program for the special education student during the suspension or expulsion.

Emergency Expulsion

Notwithstanding the aforementioned provisions, if a special education student's behavior is such that his or her presence creates an immediate and continuing danger to the student, other students, or school personnel, or an immediate and continuing threat of substantial disruption of the educational process, the student may be denied school attendance. When this action constitutes a significant change in placement (in excess of ten (10) consecutive school days), it requires the implementation of the procedural safeguards set forth in the IDEA (as amended) and

in Section 504 of the Rehabilitation Act of 1973. This action requires the school to develop an alternative Individualized Education Program for a Special Education student, which may include off campus support and/or program monitoring.

Obligations to the Student Pending Hearing

During the time period from the initiation of a request for a due process hearing through the appeal process, the District is required to continue providing educational services to a special education student. However, depending upon the circumstances, these services may be provided outside the school setting.

Individual Education Program Discipline Plans

Within the Individual Education Program process, which includes a meeting of the parent, teacher, and District representative who is qualified to provide or supervise special education services, a plan may be established for the remediation of specific behavior(s) in order to reach targeted behavior goals. This plan may include non-disciplinary removal from school for specified amounts of time as a part of the Individual Education Program. The Statement of Student Rights and Responsibilities when following the Individual Education Program plan where, the Individual Education Program itself prescribes the appropriate procedures. Either school personnel or the parent may request a new Individual Education Program meeting if either finds that the plan is not satisfactory or in need of revision.

PART X SCHOOL BUS DISCIPLINE PROCEDURE

The bus driver is responsible to see that students abide by the Rules for Students Riding Buses. It is expected that in most cases the driver will use informal means to effectively correct student misconduct. It is recognized that instances will arise when the driver finds it necessary to seek the help of parents and/or school officials in correcting specific problems.

Rules and Regulations

- 1 The driver is in full charge of the bus. Pupils must follow the drivers' instructions.
- 2 Pupils shall be courteous to the driver, fellow pupils and passers-by, using bad language and obscene gestures are not acceptable.
- 3 Pupils shall keep their hands, feet, and other objects to themselves.
- 4 Pupils must remain in their seats while the bus is in motion.
- 5 Ordinary conversation level and classroom conduct will be maintained.
- 6 Pupils shall keep the bus clean, aisle clear, do not litter, write on walls, seats and refrain from causing damage.
- 7 Pupils shall ride their assigned bus at all times, unless granted permission by the school.
- 8 No smoking or lighting of matches, eating or drinking allowed.
- 9 No pupil shall open a bus window without the driver's permission (then may open up to 25%). No pupil shall extend their head, arms, hands and etc., out the window.
- 10 No objects allowed on buses that could cause harm to other pupils, no laser lights or flash cameras or distractions to safety. **Cell phone use allowed with driver's permission.**
- 11 Pupils must cross roadways in front of the bus and only with the driver's consent.
- 12 Pupils shall have written permission to leave bus at other than their normal stop or school.
- 13 The emergency exits are not to be tampered with they are for emergency use only.
- 14 Citations will be issued for misbehavior on the school bus.
- 15 **NO SKATEBOARDS**, skis or poles, all bags and instruments must fit in the pupil's assigned space.
- 16 Citations issued during the last week of school carry over to the next school year.

Corrective Procedures

- 1st Citation: Warning (first level may be verbal warning VS. written citation). 2nd Citation: Phone call to parent.
3rd Citation: 5 day bus suspension.
4th Citation: 10 day bus suspension.
5th Citation: Loss of riding privileges for the remainder of the school year.

Part XI: School Board Policy/Procedure 3224

Student Dress

Policy

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 parent(s) or guardian(s).

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 District.

Prohibited conduct includes the use of lewd sexual, drug, tobacco or alcohol-related messages and/or gang-related apparel.

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

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

Procedure

The student and parent or 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; or
- D. Imply gang membership or affiliation by written communication, marks, drawing, painting, and design, 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; and
- B. Shall prevent, interfere with or adversely affect the purpose, direction, or effort required for the activity to achieve its goals.

If the student's dress or grooming is objectionable under these provisions, the principal shall request the student to make appropriate corrections. If the student refuses, the principal shall notify the parent or guardian, if reasonably possible, and request that person to make the necessary correction(s). If both the student and parent or guardian 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.

Part XII: School Board Policy/Procedure 3246

Restraint, Isolation & Other Uses of Reasonable Force Procedure

Policy

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.

Restraint and other uses of physical force, as defined in the procedure accompanying this policy, may be used when necessary to prevent or minimize imminent bodily injury to self or others. Restraint and other uses of physical force may be used to protect district property if de-escalation interventions have failed or are inappropriate.

Use of restraint, isolation, and 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 70.96B.010. Serious harm includes physical harm to self, others, or property.

The district will closely monitor such actions in an effort to prevent undue harm to the student and will seek to use the minimum amount of restraint and isolation deemed necessary in an effort to protect the safety of students and staff. The restraint, isolation, and other forms of reasonable force will be discontinued when the likelihood of serious harm is deemed to have dissipated.

The superintendent or 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. Additionally, the superintendent will annually report to the board on incidents involving the use of force.

Legal References: RCW 9A.16.020 Use of force — When lawful

RCW 9A.16.100 Use of force on children — Policy — Actions presumed unreasonable

RCW 28A.150.300 Corporal Punishment Prohibited - Adoption of policy

RCW 28A.155.210 Use of restraint or isolation — Requirement for procedures to notify parent or guardian.

RCW 28A.600.485 - Restraint of students with individualized education programs or plans developed under section 504 of the rehabilitation act of 1973—Procedures—Definitions. [as amended by SHB 1240]

RCW 70.96B.010 - Definitions

WAC 392-400-235 Discipline — Conditions and limitations

WAC 392-172A Rules for the provision of special education

Procedure

Definitions:

- **Restraint:** Physical intervention or force used to control a student, including the use of a restraint device. It does not include appropriate use of a prescribed medical, orthopedic or therapeutic device when used as intended, such as to achieve proper body position, balance or alignment or to permit a student to safely participate in activities.
- **Restraint device:** A device used to assist in controlling a student, including, but not limited to metal handcuffs, plastic ties, ankle restraints, leather cuffs, other hospital- type restraints, pepper spray, tasers or batons. Restraint device does not mean a seat harness used to safely transport students. This definition is consistent with RCW 28A.600.485 (1) (c), and is not intended to endorse or encourage the use of such devices or techniques with district students.
- **Isolation:** Restricting a student alone within a room or any other form of enclosure, from which the student may not leave. It does not include a student's voluntary use of a quiet space for self-calming, or temporary removal of a student from his or her regular instructional area to an unlocked area for purposes of carrying out an appropriate positive behavior intervention plan.
- **Imminent likelihood of serious harm:** That an individual with a history of one or more violent acts has threatened the physical safety of another person and/or that there is a substantial risk that at any moment: (1) Physical harm will be inflicted by a person upon his/her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; or (2) Physical harm will be inflicted by a person upon another, as evidenced by behavior that has caused such harm or that places another person or persons in reasonable fear of sustaining such harm; or (3) Physical harm will be inflicted by a person upon the property of others, as evidenced by behavior that has caused substantial loss or damage to the property of others.
- **School resource officer:** A commissioned law enforcement officer who provides law enforcement services and may perform other duties for the district, and is assigned by the employing police department or agency to work in collaboration with the district.
- **School security officer:** A classified or contracted school district employee other than a school resource officer who provides security services in the district under the direction of a school administrator.
- **School police officer:** An employee of the school district responsible for security services in the district under the direction of a school administrator, but who also is a commissioned officer.
- **De-escalation:** The use of positive interventions and other district-approved strategies to defuse a student who has lost self-control, is non-compliant or is demonstrating unacceptable behavior.

These strategies address behavior that is dangerous, disruptive or otherwise impedes the learning of a student or others.

Use of restraint or isolation:

- Restraint or isolation may be used in the event of the imminent likelihood of serious harm.
- Restraint devices may be used as needed to obtain possession of a known or reasonably - suspected weapon or other dangerous object(s) on a person or within the control of a person.
- Consistent with the provisions found in chapter 392-172A WAC, nothing in this procedure precludes the use of restraint or isolation as part of a behavior intervention plan in an Individualized Education Program (IEP) or a Section 504 P

Post-incident notification and review with parent/guardian:

Following the use of restraint or isolation the principal or designee must implement follow up procedures, to include a review of the incident with the student and the parent or guardian to address the behavior that precipitated the restraint or isolation and the appropriateness of the response and to review the incident with the staff member who administered the restraint or isolation do discuss whether proper procedures were followed and what training or support the staff member needs to help the student avoid similar incidents.

The principal or designee must verbally inform the student's parent/guardian within 24 hours of the incident, that the incident occurred and within, not later than 5 business days provide written notification of the incident.

Incident report

Any school employee, school resource officer or school security officer who uses restraint or isolation, as defined in this procedure, on a student during school-sponsored instruction or activities, will inform the principal or designee as soon as possible and within two (2) business days submit a written report of the incident to the district office. The written report will contain, at a minimum:

- The date and time of the incident;
- The name and job title of the staff member who administered the restraint or isolation;
- A description of the activity that led to the restraint or isolation;
- The type of restraint or isolation used on the student, and the duration;
- Whether the student or staff was physically injured during incident involving restraint or isolation;
- Any medical care provided to the student or staff; and
- Any recommendations for changing the nature or amount of resources available to the student and staff members in order to avoid similar incidents.
-

Submission of incident reports to the Office of Superintendent of Public Instruction

Beginning January 1, 2016 and annually by January 1 thereafter, the district will summarize the written incident reports described above and submit those summaries to OSPI. The summaries will include:

- The number of individual incidents of restraint and isolation;
- The number of students involved in the incidents;
- The number of injuries to students and staff; and
- The types of restraint or isolation used.

Annual Report

The building administrator or designee will maintain a log of all instances of use of force as defined by this procedure, which will be presented to the superintendent annually. The superintendent will provide an annual report to the board regarding the district's use of force.

Part XIII: Additional Responsibilities/Expectations

Unauthorized Gatherings

The assembling or meeting of students and/or non-students on school property without permission of school authorities is prohibited.

Students' Personal Items

Tenino School District recognizes that students may bring personal items to school. The Tenino School District is not responsible for the theft or vandalism of personal items brought to school. This includes items left in lockers. The school district insurance policies do not cover students' personal items. Students are encouraged to not bring valuable personal items to school.

Special Education and Section 504

Students with disabilities are subject to the same rules of student conduct and corrective action procedures as other students. However, when a proposed corrective action may constitute a disciplinary removal that is a change in placement, special procedures will be employed as required by law. (See Policy 2161 and Procedure 2161P.) (WAC 392-400)

Corporal Punishment

Corporal punishment, which generally is defined as any act that willfully inflicts or willfully causes the infliction of physical pain, is prohibited by state law and board policy. Exceptions are defined in WAC 392-400-235.

Cumulative Records

Discipline files will be kept for each student throughout his/her school career. These files may be used as a reference in determining patterns of behavior for which corrective action is necessary. Progressive corrective action for inappropriate behavior patterns or similar cumulative violations may be assigned based upon these records.

Part XIV: Student Records

School Board Policy 3231 - Student Records

The District shall maintain those student records necessary for the educational guidance and/or welfare of students, for orderly and efficient operation of schools and as required by law. All information related to individual students shall be treated in a confidential and professional manner. When information is released in compliance with state and federal law, the District and District employees are immune from civil liability unless they acted with gross negligence or in bad faith. Student records are the property of the District but shall be available in an orderly and timely manner to students and parent(s) or guardian(s). The "parent" may include the State Department of Social and Health Services when a minor student has been found dependent and placed in State custody, a relative, or an adult that is acting as the student's parent. However, for a special education student placed in State custody, the special education policy and procedure for appointing a surrogate parent must be followed. A parent, guardian or adult student may challenge any information in a student record believed inaccurate, misleading or in violation of the privacy or other rights of the student.

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

A grade report, transcript, or diploma shall not be released until a student has made restitution for damages assessed as a result of losing or damaging school materials or equipment. If a student has transferred to another District that has requested the student's records, but the student has an outstanding fee or fine, only records pertaining to the student's academic performance, special placement, immunization history and discipline actions shall be sent to the enrolling school. The content of those records shall be communicated to the enrolling District within two (2) school days and copies of the records shall be sent as soon as possible. The official transcript will not be released until the outstanding fee or fine is discharged. The enrolling school shall be notified that the official transcript is being withheld due to an unpaid fee or fine.

Each principal and the special services director shall establish procedures governing the content, management and control of student records for their assigned building or department. The principals and the special services director shall designate a student records custodian. Principals and the special services director shall serve as the senior student records custodian. The Superintendent shall designate a District senior student records custodian. The Superintendent shall serve as the hearing officer for challenges of senior records custodian decisions.

Procedure 3231 - Student Records

Student records shall be managed by the student records custodian, senior student records custodian and District senior student records custodian in the following manner:

Definition of Custodians

The principals and the special services director shall designate a student records custodian. Principals and the special services director shall serve as the senior student records custodian. The Superintendent shall designate a District senior student records custodian. The Superintendent shall serve as the hearing officer for challenges of senior student records custodian decisions.

Type of Records

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

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

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

tests and progress reports related to a student's disabling condition. All such reports included in records shall be dated and signed.

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

Accessibility of Student Records

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

Parents or Guardians

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

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

The Student

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

Parents, guardians and adult students shall be notified annually of their right to inspect and re- view the records of their children and their other rights under the Family Education Rights and Privacy Act through the following notice.

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

- A. The right to inspect and review the student's educational records within forty-five (45) days of the day a District staff member receives a request for access. Parents, guardians or eligible students should submit to the student records custodian a written request that identifies the record(s) they

- wish to inspect. The student records custodian will make arrangements for access and notify the parent(s), guardian(s) or adult student of the time and place where the records may be inspected;
- B. The right to request the amendment of the student's education records that the parent(s), guardian(s) or adult student believes are inaccurate or misleading. Parent(s), guardian(s) or adult students may ask the senior student records custodian to amend a record that they believe is inaccurate or misleading. They should write the principal or special services director, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the senior student records custodian decides not to amend the record as requested by the parent(s), guardian(s) or adult student, the senior student records custodian will notify the parent(s), guardian(s) or adult student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent(s), guardian(s) or adult student when notified of the right to a hearing;
 - C. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement personnel); a person serving on the Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, hearing officer, auditor, medical consultant, or therapist); or a parent, guardian or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the student records custodian discloses educational records without consent to officials of another school district in which a student seeks or intends to enroll; and
 - D. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue S.W.
Washington, D.C. 20202-
4605

Staff

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

Other Districts

Other districts shall be provided with records upon official request from the District's representative, unless the student has an outstanding fee or fine. In those instances the enrolling school shall be provided with the student's academic, special placement, immunization history and discipline records within two (2) school days, but the official transcript shall be withheld until the fee or fine is discharged. The enrolling District's representative shall be notified that the transcript is being withheld due to an outstanding fee or fine. At the time of transfer of the records, the parent(s), guardian(s) or adult student may receive a copy of the records at his or her expense if requested and shall have an opportunity to challenge the contents of the records. Parents, guardians or adult students shall be advised through the annual Student Rights and Responsibilities Handbook that student records shall be released to another District's personnel where the student has enrolled or intends to enroll.

Other Persons and Organizations

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

- A. Directory information may be released publicly without consent upon the condition that the parent, guardian or adult student be notified annually of the school's intention to release such information and be provided the opportunity to indicate that such information is not to be released without prior consent. (*Annual Opportunity Message to Families: Students/Parents/Guardians may prepare a letter using the "Sample FERPA Opt-Out Letter" format found in the appendix section of the annual Student Rights and Responsibilities Handbook to request that personally identifiable student information not be released without parental/guardian consent and submit this to their child's school.*) Such information shall not be released for commercial reasons. Directory information is defined as the student's name, photograph, address, telephone number, date and place of birth, dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diplomas and awards received and the most recent previous school attended. The actual residential addresses of participants in the State Address Confidentiality Program will not be available for release as directory information;
- B. Information may be released to authorized representatives of the comptroller general of the United States, the commissioner of education, and/or an administrative head of an education agency or state education authorities in connection with the audit and evaluation of federally supported education programs or in connection with the enforcement of the federal legal requirements for such programs;
- C. Information may be released to state and local officials to whom such information is specifically required to be reported or disclosed pursuant to Washington State statute (examples: reporting child abuse or referrals to juvenile court for truancy);
- D. Information may be released to representatives of organizations conducting studies for educational agencies for the purpose of developing, validating or administering predictive tests or improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students and their parents or guardians by persons other than the representatives of such organizations and if such information shall be destroyed when no longer needed for the purpose for which it has been gathered;
- E. Information may be released in compliance with a judicial order or lawfully issued subpoena, upon condition that a reasonable effort was made to notify the parent(s), guardian(s) or adult student in advance of such compliance;
- F. Information may be released to appropriate persons and agencies in connection with an emergency to protect the health or safety of the student or other persons. When information from a student's record, other than directory information, is released to any person or organization other than staff, a record of such release shall be maintained as part of the specific record involved. Telephone requests for information about students shall not be honored unless the identity of the caller is known and the caller is authorized to receive the information under provisions of these procedures. A record shall be made of any such release of information and placed in the student's cumulative folder. This record of access shall include date of access, name of the party granted access and the legitimate educational interest of the party granted access; and
- G. An adult high school student may grant authority to the student records custodian permitting prospective employers to review the student's transcript.

Confidential Health Records

Confidential health records should be stored in a secure area accessible only to the school health care provider, unless an appropriately executed release has been obtained. Such records are also covered by the Family Education Rights and Privacy Act, permitting parents, guardians, or adult students access to review and otherwise exercise FERPA rights regarding the records. There is a higher standard of

confidentiality and minor student's rights of privacy for records pertaining to HIV, sexually transmitted diseases, drug or alcohol treatment, mental health treatment, family planning or abortion. The releases for information regarding sexually transmitted diseases, HIV and drug or alcohol treatment are more restrictive than ordinary medical releases.

Challenges and Hearings

At the time of inspection and review the parent(s), guardian(s) or adult student granted access to records may challenge the appropriateness and accuracy of any record directly related to the student and may request correction or deletion. The student records custodian may honor such requests by correcting or deleting records which are misleading, violation of privacy or inaccurate, provided that the senior student records custodian concurs.

If the requested correction or deletion is denied by the senior student records custodian, the parent(s), guardian(s) or adult student may request an informal hearing before the Superintendent, the hearing shall be held within ten (10) school days of the receipt of such request. During the hearing the Superintendent shall review the facts as presented by the parent(s), guardian(s) or requested correction or deletion. The Superintendent shall send his or her written decision to the parent(s), guardian(s) or adult student within ten (10) school days of the hearing.

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

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

Maintenance of Student Records

The principal designee shall be the student records custodian of the cumulative folder. The principal, principal designee, special services director, or special services director designee shall be the custodian of the supplementary records. Duplicate copies of all guidance case study reports and reports from non-school agencies contained in a student's supplementary record may be maintained in the District office under the supervision of the Superintendent or Superintendent Designee.

The student records custodians shall:

- A. Maintain only those records authorized by these procedures;
- B. Safeguard student records from unauthorized use and disposition;
- C. Maintain access records;
- D. Honor access requests for parent(s), guardian(s) or adult student(s);
- E. Delete or correct records upon approval of the senior student records custodian, the District senior student records custodian or upon order of the Superintendent or the Board;
- F. Maintain security of student records;
- G. Transfer, destroy and expunge records as permitted;
- H. Upon transfer of the student to the next level (elementary to middle school, middle school to high school) or upon graduation or transfer outside the District, remove for retention, preservation or destruction in accordance with applicable disposition procedures any records no longer pertinent to educational program placement;

- I. Certify to the District senior student records custodian by June 30 of each year that only records pertinent to educational program placement are being maintained, unless otherwise authorized by law, and required reviews have been accomplished; and
- J. Follow the records review schedule and procedures established by the District senior student records custodian.

The senior student records

- A. Supervise activities of the student records custodians;
- B. Conduct informal hearings and grant or deny approval of corrections or deletions requested by parents, guardians or adult students; and
- C. Establish records review schedules and procedures for their respective schools or departments in accordance with procedures governing records disposition.

The District senior student records custodian shall:

- A. Provide supervision of student records management and control; and
- B. Shall enforce the student records policy and the administrative procedures as established by the Board and Superintendent.

Disposition of Student Records

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

When a student transfers to another school in the District, all records including the permanent student record shall be transmitted to the other school's student records custodian. When a student transfers to a school outside of the District, the student records custodian shall purge the cumulative folder of all nonofficial, extraneous information. A copy of all records will be sent to the representative of the requesting school, unless the student has an outstanding fee or fine. In those instances the representative of the enrolling school shall be provided with information regarding the student's academic, special placement, immunization history and discipline records within two (2) school days, and the records shall be sent as soon as possible. The official transcript shall be withheld until the fee or fine is discharged. The representative of the enrolling District shall be notified that the transcript is being withheld due to an outstanding fee or fine.

The cumulative folder for an elementary or middle school student who leaves the District shall be maintained for two (2) years after discontinuance of enrollment in the District. Cumulative folders of high school students shall be retained for two (2) years after graduation from high school or for two (2) years after discontinuance of high school enrollment. In all cases, the student's permanent record card shall be retained in perpetuity by the District senior student records custodian.

Contents of a student's supplementary records shall be maintained in accordance with the State of Washington's School District General Records Retention Schedules and Records Management Manual.

When informing the parent(s), guardian(s) or adult student(s) about his or her rights regarding such records, the student records custodian shall advise the parent(s), guardian(s) or adult student(s) that the information may be needed by the adult student, the parent(s) or guardian(s) to establish eligibility for certain adult benefits, e.g., social security. At the parent's, guardian's or adult student's request, the record information relating to the disabling condition shall be destroyed.

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

Large Scale Destruction of Student Records

After exercising care in accordance with that contained in the previous section (Disposition of Student Records), the student records custodian shall after review by and authorization from the District senior student records custodian destroy all records. The student records custodian shall complete the District student records form. The form shall be dated and signed by the student records custodian and District senior student records custodian. The form shall be retained in the District office and a copy retained in the office of origin

Harassment, Intimidation, and Bullying Reporting Form

Reporting Person (optional): _____ Today's Date: _____

Can we contact you? Yes No

If yes, please provide the best way to contact (phone/email) _____

Contact Information: _____

Targeted Student: _____

What school does the targeted student attend?

Parkside Tenino Elem. TMS THS

Name(s) of Alleged Aggressor (if known): _____

What school does the Alleged Aggressor(s) attend?

Parkside Tenino Elem. TMS THS

What date(s) did the incident(s) occur (if known): _____

Has the incident been reported to a TSD employee(s)? Yes No Unsure

If yes, what is the name of the employee(s): _____

Where did the incident occur? Check all that apply.

- | | | | |
|---|--|---|--------------------------------------|
| <input type="checkbox"/> Classroom | <input type="checkbox"/> Lunchroom/Cafeteria | <input type="checkbox"/> Online/social media | <input type="checkbox"/> School bus |
| <input type="checkbox"/> Hallway | <input type="checkbox"/> Sport field | <input type="checkbox"/> Cell phone | <input type="checkbox"/> Locker room |
| <input type="checkbox"/> Restroom | <input type="checkbox"/> On the way to/from school | <input type="checkbox"/> During a school activity | <input type="checkbox"/> Gym |
| <input type="checkbox"/> Playground | <input type="checkbox"/> Parking Lot | <input type="checkbox"/> Off school property | |
| <input type="checkbox"/> Other (Please describe): _____ | | | |

Please check the box that best describes what the aggressor did. Check all that apply.

- | | | | |
|---|---|---|---|
| <input type="checkbox"/> Blocked movement | <input type="checkbox"/> Electronic/Cyberbullying | <input type="checkbox"/> Gossip | <input type="checkbox"/> Physical harm |
| <input type="checkbox"/> Damage to my property | <input type="checkbox"/> Hazing (club/team/class) | <input type="checkbox"/> Intimidation | <input type="checkbox"/> Threats of harm |
| <input type="checkbox"/> Derogatory comments | <input type="checkbox"/> Gender slurs | <input type="checkbox"/> Name calling | <input type="checkbox"/> Pranks |
| <input type="checkbox"/> Disrespectful comments | <input type="checkbox"/> Gestures (explain) | <input type="checkbox"/> Offensive writing/graffiti | <input type="checkbox"/> Put downs |
| <input type="checkbox"/> Racial slurs | <input type="checkbox"/> Repeated behavior | <input type="checkbox"/> Sexual stories/jokes | <input type="checkbox"/> Sexual orientation slurs |
| <input type="checkbox"/> Slurs, rumors, jokes | <input type="checkbox"/> Threats | <input type="checkbox"/> Touching/grabbing | <input type="checkbox"/> |
| <input type="checkbox"/> Other (Please describe): _____ | | | |

Do you know why this occurred? _____

Were there any witnesses that you know of? Yes No *If yes, please provide their names.*

Did a physical injury result from this incident? Yes No *If yes, please describe.*

Was the targeted student absent from school because of the incident? Yes No

Are there any notes, pictures, texts, screenshots, or other evidence that you are reporting? Yes No

Is there anything additional that you would like us to know?

*Please submit form to any school office or the District Office.
Thank you for reporting!*

----- **For Office Use Only** -----

Received by: _____ **Date Received:** _____

What action was taken?

Principal Notified Yes No
Is the issue Resolved Unresolved

Was the Parent/Guardian contacted?

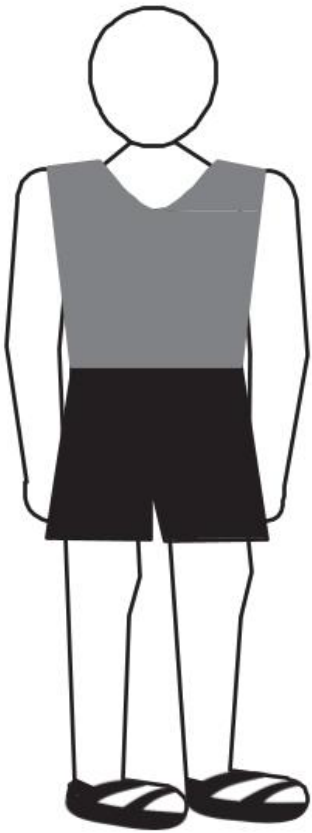
Targeted Student Yes No
Alleged Aggressor Yes No

Notes: _____ Referred to: _____

Tenino School District - Dress Code

The shaded portion of this figure represents front and back views. These parts of the body must be covered in all positions (sitting, standing, bending, reaching) while attending school.

To facilitate learning for all students TSD requires that student dress and appearance follow health and safety standards and not cause disruption to the learning environment. Students who do not follow these guidelines will be asked to change their clothing, cover up, remain in an alternative setting within the school, or go home.



ALL students must remove headwear while in the building.

Clothing must cover stomach, back, sides, chest, and undergarments

Legs- Skirts and dresses must be longer than mid-thigh. Undergarments must be covered.

Footwear- Must be worn at all times appropriate to the activity.

Other Guidelines

- Headwear includes hats, hoods, bandanas, and head-wraps (with the exception of medical needs, religious reasons or other approved reasons).
- Clothing that promotes drugs, alcohol, tobacco, violence, is sexually suggestive or displays inappropriate pictures or writing is prohibited.
- Any clothing worn in a manner identified as gang-related is prohibited.
- Jewelry that can pose safety hazards is prohibited.
- Exceptions to dress code standards may be made for PE or school activities.
- Please be aware of allergies and be courteous to students and adults when using fragrant perfumes, colognes, lotions, sprays, diffusers, and other scented products

Sample FERPA Opt-Out Letter

Use this sample letter to create your own FERPA opt-out letter. Please be aware that opting out of disclosure of this information includes such things as a yearbook picture and no name or image used in school or district directories or publications, etc.

Date:

RE: FERPA Student Directory Information Opt-Out Request

As allowed by the Family Education Rights and Privacy Act (FERPA) and Tenino School Board Policy #3231 Student Records, I request that neither my school nor Tenino School District release any personally identifiable information from my child's records.

I understand this includes yearbooks, social media posts, school/district publications and website posts.

Child's Name:

Child's Grade:

School Name:

Current School Year:

Signature and printed name of Guardian/Parent:

Please sign and return your letter to your student's school via mail or email (PDF – must be signed).

August 2022						
S	M	T	W	T	F	S
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28	29	30	31			

September 2022						
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October 2022						
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November 2022						
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December 2022						
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January 2023						
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Tenino School District #402
301 Old Hwy 99 N | PO Box 4024
Tenino, WA 98589
Phone: (360)264-3400 | Fax: (360)264-3438
www.teninod.org

Dates to Remember

Aug 30-Sept 1,6	Teacher In-Service
Aug 31	TES/TMS Open House 5:30-7pm
Sep 5	Labor Day
Sep 6	PES Open House 5:30-7pm
Sep 7	First Day of School
Oct 14	District In-Service Day
Nov 11	Veterans Day
Nov 24-25	Thanksgiving Vacation
Dec19-Jan 2	Winter Break
Jan 16	Martin Luther King Jr. Day
Feb 1	End of Semester/Semester Break
Feb 20	President's Day
April 3-7	Spring Break
May 29	Memorial Day
June 9	THS Graduation
June 16	Last Day of School
July 4	Independence Day

Conferences

Nov 7-10	Fall Conferences
Mar 28-31	Spring Conferences

 No School	 Holiday
 ACT Early Dismissal	 Conferences
 Teacher In-Service Days	
 First & Last Day of School	
THS Graduation	

Contact Information

Parkside Elementary	(360)264-3800
Tenino Elementary	(360)264-3700
Tenino Middle School	(360)264-3600
Tenino High School	(360)264-3500
First Student Transportation	(360)339-4370

Building Hours

	Regular Day	Early Dismissal
PES	8:15-2:35pm	8:15-11:30am
TES	8:20-2:50pm	8:20-11:40am
TMS	8:20-2:55pm	8:20-11:45am
THS	8:25-3:00pm	8:25-11:50am

February 2023						
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March 2023						
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April 2023						
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May 2023						
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June 2023						
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July 2023						
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23	24	25	26	27	28	29
30	31					