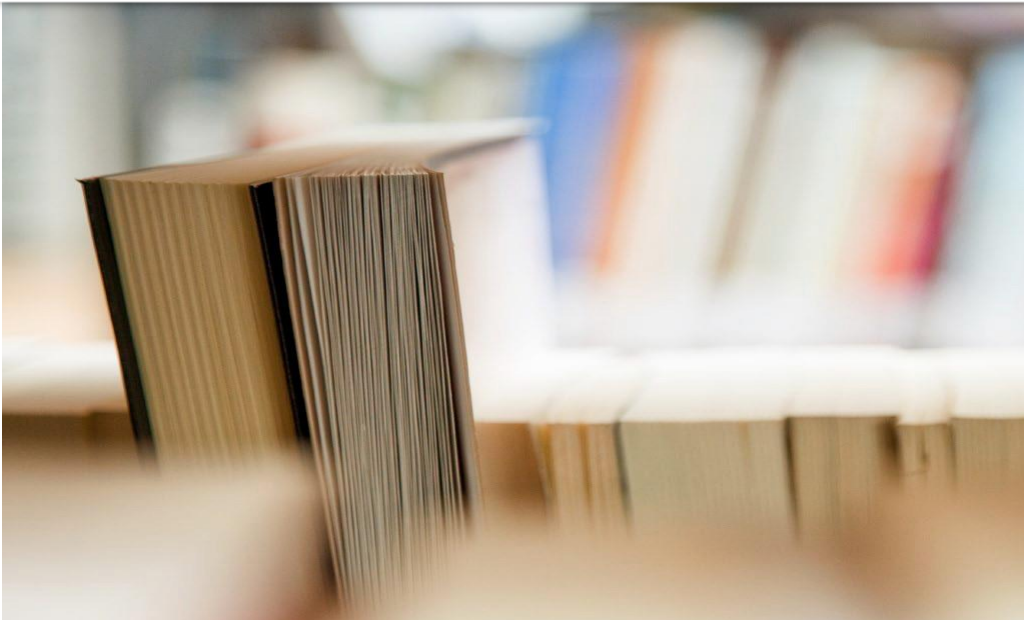


Student Rights & Responsibilities Handbook 2023-2024



Committed to Success for Every Student

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Sequim School District Rights and Responsibilities Handbook

Disclaimer: This handbook highlights key rights and responsibilities of students and their access to public education. It does not include all School Board policies and procedures, all of which may be found at www.sequimschools.org. Board Policies are revised by the School Board, and procedures are revised as necessary.

At the time the district approved this handbook, the district used the most up-to-date information available. However, as revisions are made during the year, the district will post them to the Sequim School District website at this link sequimschools.org, then select the Students & Families menu option.

Nondiscrimination

Sequim 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 and other designated youth groups. The following employees have been designated to handle questions and complaints of alleged discrimination:

Civil Rights Coordinator and Title IX Coordinator Victoria Balint

ybalint@sequimschools.org

Section 504/ADA/Access Coordinator Cheryl Pillon

cpillon@sequimschools.org

Address: 503 N Sequim Ave, Sequim WA, 98382

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School District Vision & Mission

Vision- Our community inspires and prepares each student to thrive.

Mission- In connection with our community, the Sequim School District empowers staff to inspire hope and provide flexible, innovative learning opportunities in a safe and respectful environment so each student thrives.

Student Rights and Responsibilities

The philosophy and policies of Sequim School District respect and protect the general rights of all students and parents. These policies establish certain student rights and corresponding responsibilities within our educational framework.

School District Rules

Individual schools and classrooms may develop more specific rules for students. These rules will also be consistent with Board policy and philosophy. When students do not adhere to these three basic District rules, and the rules of their specific building, the District will use discipline strategies described later in this document. These rules are in effect at all events sponsored by Sequim School District, including after-school and off-campus events, and on District transportation and transportation loading areas.

The Positive Approach

In our endeavor to focus on academic and social growth, all staff will follow a process for positively directing students in behavior change at each level of discipline. Our goal is to help students to be responsible, self-disciplined individuals.

Complaint Procedures

Complaints regarding District staff or programs should be directed to the specific staff member or to the school administrator for resolution. If the complaint is not resolved at the building level, it may be directed to the Superintendent's designee and handled according to Board Policy and Procedures 4220/4220-P. Grievance procedures and appeal processes regarding discipline, short-term and long-term suspension, and expulsion and emergency expulsion are handled in accordance to WAC 392-400 and Board Policy and Procedures 3241 and 3241-P.

Student Attendance

The Sequim School District recognizes that the educational process requires a continuity of instruction, active classroom participation and meaningful life experiences. Students must attend school regularly to benefit from these educational cornerstones. Making school attendance a priority may be the biggest factor influencing a student's academic success.

Benefits to Daily Attendance

Regular attendance to school allows a student to keep up with daily classroom activities, lessons, assignments, tests and quizzes, and to complete them on time. Other benefits include:

- **Academic Achievement** – students who attend school regularly are more likely to pass their classes and meet standard on local and state assessments.
- **Opportunities** – students who attend school regularly have opportunities such as access to counselors, access to important information such as SAT and ACT test dates or scholarship information, the ability to participate in field trips, guest speakers and more.
- **Being a member of the school** – students who participate feel a sense of belonging and being a member of something bigger than themselves. They learn teamwork, communication skills, meet others from diverse cultures and acquire other valuable social skills.

When Your Student Misses School

Failure to attend school causes an interruption of instructional activities, some of which cannot be substituted. Failure to attend school regularly may result in the following:

- **Loss of credit** – beginning with the class of 2019, students must earn 24 credits to graduate on time from high school, so every credit counts.
- **Grade reduction** – missing school may mean missing assignments, missing assignment deadlines and/or lower test scores, which may result in lower grades.
- **Removal from class or school** – students who do not attend school regularly risk being removed from a class(es) or from school entirely.
- **Attendance to school is mandatory** – mandatory school attendance is a policy that schools take seriously. Unexcused absences may cause a school to file a Truancy Petition with the courts.

What Can Parents Do?

Students and their parents have the responsibility for ensuring that the student attends school regularly as prescribed by the Compulsory Attendance Law of the State of Washington. Strategies to help your student attend school may include:

- **Contact the school immediately** – if your student is going to be absent from school, contact the school immediately, excuse the absence and ask for any missing work/assignments. Make sure to follow the guidelines and attendance policies outlined in each school's student/parent handbook.
- **Help your student get to school on time every day** – the Sequim School District has a robust transportation system. If your student is riding the bus, know your pick-up and drop-off times and locations. Coming to school late may make it difficult for your student to stay caught up with the first lessons of the day.
- **Stay informed and involved** – ask your student about their day, how school went, what they have for homework, what activities are coming up and more. Check each night that your child is completing homework assignments, attend parent/teacher conferences, read information that comes home from school, check their grades online, attend school events, and get to know their friends.
- **Promote good health** – make sure your student is eating a balanced diet, getting plenty of exercise and enough quality sleep.
- **Resources** – resources are available if you are having trouble getting your student to school.
 - School personnel – talk with your school's teacher, counselor, administrator, nurse, resource officer, secretary, coach, club advisor and other staff members.
 - Online resources
 - Clallam County Juvenile and Family Services – <https://www.clallam.net/juvenileservices/aboutus.html>
 - OSPI – Graduation: A Team Effort – <https://www.k12.wa.us/student-success/support-programs/reengaging-reducing-dropouts>
 - Community Truancy Board (CTB)- <http://sequimschools.org/ADE/CTB>
 - OSPI – Truancy (Becca Bill) and Compulsory Attendance – <https://www.k12.wa.us/student-success/support-programs/attendance-chronic-absenteeism-and-truancy>

Attendance in the schools of the State of Washington is compulsory from the age of eight (8) to the age of eighteen (18). When a student is sixteen (16) years of age or older, and with parental consent, students in full-time, remunerative occupations and other exceptions under RCW 28A.225.010 need not attend. However, students who enroll obligate themselves to the same attendance regulations which exist for students not covered by exceptions.

Students enrolled in Sequim School District will attend all regularly scheduled classes to which they are assigned unless officially excused by administration, the class teacher or designee.

All Sequim School District schools have closed campuses during the school day.

WAC 392-401-020 Excused absences – Absences due to the following reasons must be excused:

1. Illness, health condition or medical appointment (including but not limited to medical, counseling, dental, optometry, pregnancy, and in-patient or out-patient treatment for chemical dependency or mental health) for the student or person for whom the student is legally responsible.
2. Family emergency including, but not limited to, a death or illness in the family.
3. Religious or cultural purpose including observance of a religious or cultural holiday or participation in religious or cultural instruction.
4. Court, judicial proceeding, court-ordered activity, or jury service.
5. Post-secondary, technical school or apprenticeship program visitation, or scholarship interview.
6. State recognized search and rescue activities consistent with RCW 28A.225.055.
7. Absence directly related to the student's homeless or foster care/dependency status.
8. Absence related to deployment activities of a parent or legal guardian who is an active duty member consistent with RCW 28A.705.010.
9. Absences due to suspensions, expulsions or emergency expulsions imposed pursuant to chapter 392-400 WAC if the student is not receiving educational services and is not enrolled in qualifying "course of study" activities as defined in WAC 392-121-197.
10. Absences due to student safety concerns, including absences related to threats, assaults or bullying.
11. Absences due to the student's migrant status.
12. An approved activity that is consistent with District policy and is mutually agreed upon by the principal or designee and a parent, guardian or emancipated youth.

A school principal or designee has the authority to determine if an absence meets the above criteria for an excused absence. Districts may define additional categories or criteria for excused absences.

WAC 392-401-030 Unexcused absences - Any absence from school is unexcused unless it meets one of the criteria provided in WAC 392-401-020 (listed above).

Students who must leave school during the day must check out through the student office. Students will only be allowed to leave after a note or phone call is received from the parent/guardian. Students who leave without following this procedure will be considered truant. Students returning within the same day must sign in to avoid being marked absent for the remainder of that day.

Students who have been absent from school will be excused following a written or oral communication from the student's parent/guardian, as per building procedures, giving the date of the absence and the reason for missing school. Teachers shall ensure that the students have an admit slip prior to accepting them into class following an absence.

A written or oral communication from the parent/guardian or eligible student for an excused absence must be received within five (5) school days following a return to school, unless other arrangements have been made in accordance with building procedures, or the absence will be unexcused.

Failure to attend may result in loss of credit, grades or removal from class or school

The District will comply with the terms of the “Becca Bill” in reporting unexcused absences to juvenile court.

Becca Bill - Attendance is important for academic success, and unexcused absences may be an early warning sign for unaddressed problems with school and future dropout. When youth fail to attend school, they are considered truant. [Washington State’s truancy law](#), known as the Becca Bill, requires the school/District and the juvenile court to take specific actions when youth are truant.

School/District Requirements

- After **one** unexcused absence in a month, the school is required to inform the parent in writing or by phone.
- After **three** unexcused absences, the school is required to initiate a parent conference to improve the student's attendance.
- Between the **second** and before the **fifth** unexcused absence the District will take data-informed steps to eliminate or reduce the student’s absences using either the WARNS Assessment for middle/high school students or another assessment approved by the District.
- After **five** unexcused absences in a month, the parent and school must enter a contract to improve the student's attendance, or the case can be referred to a Community Truancy Board or file a petition to juvenile court.
- After **seven** unexcused absences in a month, or ten unexcused absences in an academic year, the School District shall file truancy petitions with the juvenile court.
- If the student is not in compliance with a court order resulting from a truancy petition, the school is required to file a contempt motion. A community truancy board is comprised of members of the local community to address excessive absenteeism and truancy.

Qualifications of Attendance and Placement - Board Policy 3110

A. Age of Admission It is a right and responsibility of those who meet the requirements prescribed by law to attend the schools of the district. Every resident of the district who satisfies the minimum entry age requirement and is less than 21 years of age has the right to attend the district’s schools until he/she completes high school graduation requirements. Children of age 8 and less than age 18 are required by law to attend a public school, an approved private school or educational center, unless they are receiving approved home-based instruction. Under certain circumstances children who are at least 16 and less than 18 years of age may be excused from further attendance at school. The superintendent will exercise his/her authority to grant exceptions when he/she determines that the student:

1. Is lawfully and regularly employed, and
2. Has permission of a parent, or,
3. Is emancipated pursuant to Chapter 13.64 RCW; or
4. Is subject to one of the other exceptions to compulsory attendance. A resident student who has been granted an exception retains the right to enroll as a part-time student and will be entitled to take any course, receive any ancillary services and take or receive any combination of courses and ancillary services which is offered by a public school to full-time students.

B. Entrance Qualifications

To be admitted to a kindergarten program that commences in the fall of the year, a child must be not less than 5 years of age prior to September 1 of that school year. To be admitted to a first grade program that commences in the fall of the year a child must be not less than 6 years of age prior to September 1 of that school year. Any student not otherwise eligible for entry to the first grade who has successfully completed a state-approved, public or private, kindergarten program of 450 or more hours including instruction in the essential academic learning requirements and other subjects that the district determines are appropriate will be permitted entry into the first-grade program. If necessary, the student may be placed in a temporary classroom assignment for the purposes of evaluation prior to

making a final determination of the student's appropriate placement. Such determination will be made no later than the 30th calendar day following the student's first day of attendance.

Exemptions

Special exemptions may be made for younger pupils who appear to be sufficiently advanced to succeed in the educational program. The superintendent will identify screening processes and instruments that will provide reliable estimates of these skills and abilities, develop procedures for implementing this policy and establish fees to cover expenses incurred in the administration of preadmission screening processes. The district will provide a fee waiver or a reduction in fees for low income students whose parents are unable to pay the full cost of preadmission screening.

C. Admission of Students Aged Twenty-One or Older

A student aged 21 or older may enroll in a school in the district under the following conditions:

1. There is available space in the school and program which the student will attend;
2. Tuition is prepaid;
3. The student provides his/her own transportation;
4. The student resides in the state of Washington; and
5. In the judgment of the superintendent, no adult education program is available at reasonable costs and the district's program is appropriate to the needs of the student.

D. Placement of Students on Admission

The decision of where to place a student seeking admission to the district rests with the principal. Generally students meeting the age of admission requirements or transferring from a public or approved private school will be placed in kindergarten or first grade, or the grade from which they transferred. The principal will evaluate the educational record and assessments of all other students to determine their appropriate placement. A temporary classroom assignment may be made for no more than thirty calendar days for the purpose of evaluation prior to making the final placement decision.

School Records

Sequim School District is required by the Family Educational Rights and Privacy Act (FERPA - Sec. 99.7) to provide annual notification of FERPA rights. The District shall maintain those student records necessary for the educational welfare of students, for orderly and efficient operation of schools, and as required by law.

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

1. The right to inspect and review the student's education records within forty-five (45) days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of student's education records that the parent or eligible student believes is inaccurate or misleading.

Parents or eligible students may ask the District to amend a record that they believe is inaccurate or misleading. They should write the school principal; clearly identify the part of the record they want changed and specify why it is inaccurate or misleading.

If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. 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 School Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. [Note: FERPA requires a school district to make a reasonable attempt to notify the student of the records request unless it states in its annual notification that it intends to forward records on request.]

4. 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 SW
Washington, DC 20202-4605

Withholding Records

A student shall be responsible for the cost of replacing materials or property which are lost or damaged due to negligence. A student's grades, transcripts or diploma may be withheld until restitution is made by payment or the equivalency through voluntary work as agreed to by the District. The student or the student's parents may appeal the imposition of a charge for damages to the Superintendent and Board of Directors.

Student Conduct

Student Discipline

Introduction/Philosophy/Purpose

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

The purposes of this policy and accompanying procedure include:

- Engaging with school personnel, students, parents, families, and the community in decisions related to the development and implementation of discipline policies and procedures;
- Supporting students in meeting behavioral expectations, including providing for early involvement of parents and families;
- Administering discipline in ways that respond to the needs and strengths of students and keep students in the classroom to the maximum extent possible;
- Providing educational services that students need to complete their education without disruption; Facilitating collaboration between school personnel, students, parents, and families to support successful reentry into the classroom following a suspension or expulsion;
- Ensuring fairness, equity, and due process in the administration of discipline;
- Implementing culturally responsive discipline that provides every student the opportunity to achieve personal and academic success;
- Providing a safe environment for all students and for district employees;

Rights and Responsibilities/District Commitment

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

- Identifying and addressing discipline policies and practices that perpetuate educational opportunity gaps;
- Proactively implementing discipline practices that support students in meeting behavioral expectations without losing access to instruction;

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

1. Unlawfully discriminate against a student on the basis of sex, race, creed, religion, color, national origin, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog guide or service animal;
2. Deprive a student of the student's constitutional right to freedom of speech and press, the constitutional right to peaceably assemble and to petition the government and its representatives for a redress of grievances, the constitutional right to the free exercise of religion and to have the student's school free from sectarian control or influence, subject to reasonable limitations upon the time, place, and manner of exercising the right;
3. Deprive a student of the student's constitutional right to be secure in the student's person, papers, and effects against unreasonable searches and seizures;
4. Unlawfully interfere in a student's pursuit of an education while in the custody of the school district; or
5. Deprive a student of the student's right to an equal educational opportunity, in whole or in part, by a school district without due process of law.

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

Development and review

Accurate and complete reporting of all disciplinary actions, including the associated student level information, behavioral violations, and other forms of discipline the district considered or attempted, is essential for effective review of this policy; therefore, the district will ensure such reporting. The district will collect data on disciplinary actions administered in each school, as required by RCW 28A.300.042, and any additional data required under other district policies and procedures.

The District will ensure that school principals confer with certificated building employees at least annually to develop and/or review building discipline standards and review the fidelity of implementation of those standards. At each district school, principals and certificated staff will develop written school procedures for administering discipline at their school with the participation of other school personnel, students, parents, families, and the community. Each school will:

1. Establish behavioral expectations with students and proactively teach expectations across various school settings.
2. Develop precise definitions for problem behaviors and behavioral violations to address differences in perceptions of subjective behaviors and reduce the effect of implicit bias.
3. Define the differences between minor and major behavior incidents to clarify the types of behaviors that may or may not result in classroom exclusion or are severe enough that an administrator needs to be involved.
4. Identify a continuum of best practices and strategies for classroom-based responses that building staff should administer before or instead of classroom exclusion to support students in meeting behavioral expectations.

Schools handbooks, codes of conduct, and building discipline standards must not conflict with this policy, accompanying procedures, or other Board policies. A school's building discipline standards must be annually approved by the superintendent or designee.

School principals will ensure teachers and other school personnel receive adequate support to effectively implement a continuum of identified best practices and strategies that:

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

School principals will confer with certificated building employees at least annually to establish criteria for when certificated employees must complete classes to improve classroom management skills.

The District will periodically review and further develop this policy and procedure with the participation of school personnel, students, parents, families, and the community. As part of this development and review process, the district will use disaggregated data collected under RCW 28A.300.042 to monitor the impact of student discipline practices as well as to improve fairness and equity in the administration of student discipline. Discipline data must be disaggregated by:

1. School.
2. Student groups, including by gender, grade level, race/ethnicity (including further disaggregation of federal race and ethnicity categories in accordance with RCW 28A.300.042(1) and CEDARS Appendices Y and Z), low-income, English language learner, migrant, special education, Section 504, foster care, and homeless.
3. Behavioral violation.
4. Discipline types, including classroom exclusion, in-school suspension, short-term suspension, long-term suspension, emergency expulsion, and expulsion.

The District will follow the practices outlined in guidance from the Race and Ethnicity Student Data Task Force when disaggregating broader racial categories into subracial and subethnic categories. The District will consider student program status and demographic information (i.e. gender, grade-level, low-income, English language learner, migrant, special education, Section 504, foster care, and homeless) when disaggregating student race and ethnicity data to identify any within-group variation in school discipline experiences and outcomes of diverse student groups. This process may include reviewing data to prevent and address discrimination against students in protected classes identified in chapters 28A.640 and 28A.642 RCW, however, the District will ensure it reviews disaggregated discipline data in accordance with WAC 392-190-048 at least annually.

The District will support each school to:

- set at least one goal annually for improving equitable student outcomes;
- create an actions plan or plans;
- evaluate previous goals and action plans; and
- revise goals and action plans, based on evaluations.

Schools will share identified goals and action plans with all staff, students, parents, families, and the community.

Distribution of policies and procedures

The District will make the current version of this policy and procedure available to families and the community. The District will annually provide this policy and procedure to all District personnel, students, parents, and families, which may require language assistance for students and parents with limited-English proficiency under Title VI of the Civil Rights Act of 1964.

The District will ensure district employees and contractors are knowledgeable of this student discipline policy and procedure. At the building level, schools will annually provide the current building discipline standards, developed as stated above, to all school personnel, students, parents, and families, which may require language assistance for students and parents with limited-English proficiency under Title VI of the Civil Rights Act of 1964. Schools will ensure all school personnel are knowledgeable of the school building discipline, standards. Schools are encouraged to provide discipline training developed under RCW 28A.415.410 to support implementation of this policy and procedure

to all school staff as feasible.

Application

This policy and accompanying procedure will be construed in a manner consistent with Washington law as stated in WAC 392-400-020.

Classroom Management, Discipline and Correction Action – Board Policy 3241-P

Procedure – Student Discipline

Introduction

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

Definitions

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

- **“Behavioral violation”** means a student’s behavior that violates the district’s discipline policies.
- **“Best practices and strategies”** refers to other forms of discipline the district identified that school personnel should administer to support students in meeting behavioral expectations.
- **“Classroom exclusion”** means the exclusion of a student from a classroom or instructional or activity area for behavioral violations, subject to the requirements of WAC [392-400-330](#) and [392-400-335](#). Classroom exclusion does not include actions that result in missed instruction for a brief duration when:
 - (a) 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.
- **“Emergency expulsion”** means the removal of a student from school because the student’s presence poses an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process, subject to the requirements in WAC [392-400-510](#) through [392-400-530](#).
- **“Expulsion”** means a denial of admission to the student’s current school placement in response to a behavioral violation, subject to the requirements in WAC [392-400-430](#) through [392-400-480](#).
- **“Length of an academic term”** means the total number of school days in a single trimester or semester, as defined by the board of directors.

- **“Other forms of discipline”** means actions used in response to problem behaviors and behavioral violations, other than classroom exclusion, suspension, expulsion, or emergency expulsion, which may involve the use of best practices and strategies included in the state menu for behavior developed under RCW 28A.165.035.
- **“Parent” has the same meaning as in WAC 392-172A-01125**, and means (a) a biological or adoptive parent of a child; (b) a foster parent; (c) a guardian generally authorized to act as the child’s parent, or authorized to make educational decisions for the student, but not the state, if the student is a ward of the state; (d) an individual acting in the place of a biological or adoptive parent, including a grandparent, stepparent, or other relative with whom the student lives, or an individual who is legally responsible for the student’s welfare; or a surrogate parent who has been appointed in accordance with WAC 392-172A-05130. If the biological or adoptive parent is attempting to act as the parent and more than one party meets the qualifications to act as a parent, the biological or adoptive parent must be presumed to be the parent unless he or she does not have legal authority to make educational decisions for the student. If a judicial decree or order identifies a specific person or persons to act as the “parent” of a child or to make educational decision on behalf of a child, then that person or persons shall be determined to be the parent for purposes of this policy and procedure.
- **“School board” means the governing board of directors of the local school district.**
- **“School business day”** means any calendar day except Saturdays, Sundays, and any federal and school holidays upon which the office of the Superintendent is open to the public for business. A school business day concludes or terminates upon the closure of the Superintendent’s office for the calendar day.
- **“School day”** means any day or partial day that students are in attendance at school for instructional purposes.
- **“Suspension”** means the denial of attendance in response to a behavioral violation from any subject or class, or from any full schedule of subjects or classes, but not including classroom exclusions, expulsions, or emergency expulsions. Suspension may also include denial of admission to or entry upon, real and personal property that is owned, leased, rented, or controlled by the district.
 - **In-school suspension means a suspension in which a student is excluded from the student’s regular educational setting but remains in the student’s current school placement for up to ten consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475.**
 - **Short-term suspension** means a suspension in which a student is excluded from school for up to ten consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475.
 - **Long-term suspension** means a suspension in which a student is excluded from school for more than ten consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475.

Engaging with Families & Language Assistance

The district will provide for early involvement of parents in efforts to support students in meeting behavioral expectations. Additionally, school personnel will make every reasonable attempt to involve the student and parent in the resolution of behavioral violations.

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

Supporting Students with Best Practices and Strategies

The District will implement culturally responsive discipline that provides every student the opportunity to achieve personal and academic success. The administration of other forms of discipline may involve the use of best practices and strategies included in the state menu for behavior available online at: <https://www.k12.wa.us/student-success/support-programs/learning-assistance-program-lap/menus-best-practices-strategies/behavior-menu-best->

practices-strategies. Each District school will take into consideration the skills of school personnel and needs of students when identifying a continuum of best practices and strategies school personnel should use to support students in meeting behavioral expectations.

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

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

Each school within the District will implement best practices and strategies consistent with this policy and procedure. In accordance with WAC 392-400-110(1)(e), the District has identified the following continuum of best practices and strategies that school personnel should administer before or instead of exclusionary discipline to support students in meeting behavioral expectations:

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

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

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

Behavioral Violations

Having sought the participation of school personnel, students, parents, families and the community, the District has developed definitions for the following behavioral violations, which clearly state the types of behaviors for which discipline—including other forms of discipline, classroom exclusion, suspension, and expulsion—may be administered:

Staff Managed	Office Managed	In school/Out of School Suspension
Classroom disruption	Criminal activity	Assault
Defiance	Fighting	Possession of Drugs/Alcohol/Tobacco
Destruction of property/ vandalism	Fire Alarm/Bomb Threat	Repeated minor/major violations
Disrespect	Gang related activity	Sexual Misconduct
Dress Code	Harassment, Bullying, or Intimidation	Theft
Electronic/tech violation	Intentional endangerment	Threats of violence
Inappropriate physical contact	Other major behaviors	Use of Drugs/Alcohol/Tobacco
Non-compliance	Possession of Drugs/Alcohol/Tobacco	
Other minor behaviors	Repeated minor violations	
Theft	Sexual misconduct	
Threats of violence	Threats of violence	
	Theft	
	Vandalism/Graffiti	

The Sequim School District recognizes that it is important to support students in meeting behavioral expectations based on developmentally age appropriate behaviors in order to keep students in class to the maximum extent possible.

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

Staff Authority and Exclusionary Discipline

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

Staff members will seek early involvement of parents in efforts to support students in meeting behavioral expectations. The Superintendent has general authority to administer discipline, including all exclusionary discipline. If the district wants other staff members to have exclusionary discipline authority, the procedure must identify by title. The Superintendent designates disciplinary authority to impose in-school suspension and short-term suspension to building administrators to impose long-term suspension building administrators to impose expulsion to building administrators and to impose emergency expulsion to building administrators

Exclusions from transportation or extra-curricular activities and detention

The Superintendent authorizes building administrators to administer other forms of discipline that exclude a student from transportation services or extracurricular activities or impose detention. For students who meet the definition of homeless, the district will provide transportation according to 3115 –Students Experiencing Homelessness – Enrollment Rights and Services.

Authorized staff may administer lunch or afterschool detention for not more than 60 on any given day. Before assigning detention, the staff member will inform the student of the specific behavioral violation prompting their decision to administer detention and provide the student with an opportunity to share their perspective and explanation regarding the behavioral violation. At least one school personnel will directly supervise students during the duration of any detention.

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

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

Classroom exclusions

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

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

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

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

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

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

- (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 district's following grievance procedures.

Grievance procedures for classroom exclusion and other forms of discipline

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

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

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

Optional: districts may adopt additional and procedural protections for students by adding such to this procedure, which reflects the minimum due process requirements for student discipline established by state laws.

Student disciplinary board

The board recognizes that when a student's behavior is subject to disciplinary action, review by a panel of the student's peers may positively influence the student's behavior. The board has discretion to authorize the establishment of one or

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

Suspension and expulsion – general conditions and limitations

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

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

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

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

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

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

The Superintendent or designee grants a petition to extend a student's expulsion under WAC [392-400-480](#); The change of setting is to protect victims under WAC [392-400-810](#); or

Other law precludes the student from returning to their regular educational setting.

In-school suspension and short-term suspension – conditions and limitations

The Superintendent designates building administrators with the authority to administer in-school and short-term suspension. Before considering administering an in-school or short-term suspension, staff members must have first attempted one or more other forms of discipline to support the student in meeting behavioral expectations. Before administering in-school or short-term suspension, the district will consider the student's individual circumstances and the nature and circumstances of the behavioral violation to determine whether the suspension and the length of the

suspension, is warranted. The district will not administer in-school or short-term suspension in a manner that would result in the denial or delay of a nutritionally adequate meal to a student or prevent a student from accomplishing a specific academic grade, subject, or graduation requirements.

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

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

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

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

Long-term suspensions and expulsions – conditions and limitations

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

Unless otherwise required by law, the district is not required to impose long-term suspension or expulsion and may only administer long-term suspension or expulsion for specific severe behavioral violations. In general, the district strives to keep students in school, learning in a safe and appropriate environment. However, in accordance with the other parameters of this policy there are circumstances when the district may determine that long-term suspension or expulsion is appropriate for behavioral violations that meet the definitions provided under RCW 28A.600.015 (6)(a) through (d), which include:

1. Having a firearm on school property or school transportation in violation of RCW 28A.600.420;
2. Any of the following offenses listed in RCW 13.04.155, including:
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

- any sex offense as defined in RCW 9A.44.030, 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;
- any weapons violation of chapter 9A.41 RCW, including having a dangerous weapon at school in violation of RCW 9A.41.280; or
- unlawful possession or delivery, or both, of a controlled substance in violation of chapter 69.50 RCW.

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c. Two or more violations of the following within a three-year period

- criminal gang intimidation in violation of RCW 9A.46.120;
- gang activity on school grounds in violation of RCW 28A.600.455;
- willfully disobeying school administrative personnel in violation of RCW 28A.635.020; and
- 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.

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

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

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

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

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

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

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

2161 – Special Education and Related Services for Eligible Students as well as this student discipline policy and procedure.

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

Suspensions and expulsions – initial hearing

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

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

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

Suspensions and expulsions – notice

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

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

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

Emergency expulsions – conditions and limitations

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

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

- An immediate and continuing danger to other students or school personnel; or

- An immediate and continuing threat of material and substantial disruption 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.

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

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

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

Emergency expulsions – notice

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

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 presence poses an immediate and continuing danger to students or school personnel, or poses an immediate and continuing threat of material and substantial disruption of the educational process;
- The duration and conditions of the emergency expulsion, including the date on which the emergency expulsion will begin and end;
- The opportunity to receive educational services during the emergency expulsion;
- The right of the student and parent(s) to an informal conference with the principal or designee; and
- The right of the student and parent(s) to appeal the emergency expulsion, including where and to whom the appeal must be requested.

Optional conference with principal

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

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

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

An informal conference will not limit the right of the student or parent(s) to appeal the suspension, expulsion, or emergency expulsion, participate in a 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 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 list of any witnesses that the district will introduce at the appeal hearing. The district must make the information available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing. The district may also request to inspect any documentary or physical evidence and list of any witnesses that the student and 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 presence continues to pose (i) an immediate and continuing danger to students or school personnel; or (ii) an immediate and continuing threat of material and substantial disruption 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 presence posed (i) an immediate and continuing danger to students or school personnel; or (ii) an immediate and continuing threat of material and substantial disruption of the educational process.
- If the emergency expulsion has not yet ended or been converted, whether the district will end the emergency expulsion or convert the emergency expulsion to a suspension or expulsion. If the district converts the emergency expulsion to a suspension or expulsion, the district will provide the student and parent(s) notice and due process under WAC 392-400-430 through 392-400-480 consistent with the disciplinary action to which the emergency expulsion was converted

Petition to extend an expulsion

When 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 board or discipline appeal council members who were not involved in the behavioral violation, the decision to expel the student, or the appeal decision.

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

The written decision must identify:

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

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

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

Educational Services

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

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

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

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

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

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

For students subjected 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 subjected 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 the written application to the Superintendent. The application will include:

- The reasons the student wants to return and why the request should be considered;

- Any evidence that supports the request; and
- A supporting statement from the parent or others who may have assisted the student.

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

Reengagement

Reengagement Meeting

The 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 the meeting time and location. The purpose of the reengagement meeting is to discuss with the student and parent(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 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.

Behavior agreements

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

A behavior agreement does not waive a student’s opportunity to participate in a 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.

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.

Management Resources: 2019 - August Policy Alert
 2019 - April Policy Alert
 2014 - August Issue
 2016 - July Policy Issue
 2018 - August 2018 - August Policy Issue

Bus Transportation

**Procedure Student Safety Walking, Biking and Riding Buses to School
Student Conduct on Buses: Procedure 6605P**

Transportation is available to students whose residences qualify them to ride a bus. Continued ridership is based on a student’s safe, respectful and responsible behavior at bus stops and on the bus.

Any misconduct by a student, which in the opinion of the bus driver or bus supervisor, is detrimental to the safe operation of the bus shall be sufficient cause for the principal to suspend the transportation privilege.

Rules of conduct for students riding buses:

- A. Students will obey the driver and any aide assigned to the bus by the district. The driver is in full charge of the bus and passengers and will be obeyed. If an aide is assigned to the bus by the district, he/she will assist in the safe operation of the bus. When transporting classes or teams, the teacher or coach will be primarily responsible for the behavior of the students. Students shall obey both the driver and the teacher, coach or other staff member. The driver has final authority in making decisions.
- B. Students will ride only on their assigned bus unless written permission to do otherwise has been received by school officials.
- C. Students will not be permitted to leave the bus except at their regular stop unless written permission to do otherwise is received by school officials.

- D. Student's assigned seats shall use only that seat unless permission to change is authorized by the driver.
- E. Students will observe rules of classroom conduct while riding on buses. Rider behavior that distracts the driver will not be tolerated. Students shall refrain from the use of obscene language or gestures.
- F. Students will not smoke or ignite lighters or matches on buses. Use of vapor pens or e-cigarettes is prohibited.
- G. Students will not eat on buses, except when specifically authorized and supervised by and accompanying teacher, coach or other staff member. Buses will be kept clean.
- H. Students will not open bus windows without the driver's permission.
- I. Students will not extend any part of their body out of bus windows or throw objects out of the windows at any time.
- J. Students will not carry or have in their possession items that can cause injury to passengers on the bus. Such items include, but are not limited to, sticks, breakable containers, weapons or firearms, skateboards, scooters, rollerblades, balloons, aerosol cans, lacrosse sticks, golf clubs, straps or pins protruding from clothing, large, bulky items or oversized musical/sports equipment which cannot be held or placed between legs, etc. Books and personal belongings shall be kept out of aisles.
- K. Students will not have animals on buses, except for one providing assistance to a disabled student.
- L. Students will not sit in the driver's seat or to the immediate right or left of the driver.
- M. Students will refrain from talking to the driver unless necessary.
- N. Students will always go directly to a seat once inside the bus and remain seated unless the driver instructs otherwise.
- O. Students will get on/off the bus in an orderly manner and shall obey the instructions of the driver or school safety patrolmen on duty. There will be no pushing and shoving when boarding or leaving the bus. Once off the bus, students will adhere to rules for pedestrians.
- P. Students will never cross the roadway behind a bus unless they use pedestrian crosswalks or traffic lights. Students will never cross Highway 101.
- Q. Students will stand away from the roadway curb when any bus is approaching or leaving a stop.
- R. Students going to and from their bus stops where there are no sidewalks will walk on the left-hand side of the roadway facing oncoming traffic. Students will go directly to their home after leaving the bus.
- S. Students will use seat belts on buses when available.
- T. Students will follow emergency exit drill procedures as prescribed by the driver.
- U. Students will not tamper with emergency doors or equipment.
- V. Students will remain quietly seated, not exhibit disruptive behavior and turn off all noise-making devices at highway rail grade crossings.
- W. Parents of students identified as causing damage to buses will be charged with the cost of the incurred damage. Students causing the damage may be suspended from transportation.
- X. Student misconduct will constitute sufficient reason for suspending transportation privileges.

Discipline is subject to District Procedure 3241P-Corrective Actions or Punishments. Each student receives this booklet from his/her school. Disciplinary action will be handled through your child's building administrator in accordance with this procedure.

If your child receives a Bus Conduct Report for misconduct:

1. Each slip must be signed by the student's parent and returned to the bus driver before the student may return ride on the bus.
2. Bus-riding privileges may be suspended for three (3) or more days if offense is serious, or if offense is repeated after warning.
3. Suspension of riding privileges includes not only the bus the student rides to and from school, but all district school buses for sports activities and extra-curricular trips.

Students who receive a Bus Conduct Report from a substitute driver for inappropriate behavior on the bus, will automatically be seen by a building administrator and receive school discipline and appropriate action will be taken

Nondiscrimination

Nondiscrimination – Board Policy 3210

The district will provide equal educational opportunity and treatment for all students in all aspects of the academic and activities program without discrimination based on race, religion, creed, color, national origin, age, honorably-discharged veteran or military status, sex, sexual orientation, gender expression or identity, marital status, the presence of any sensory, mental or physical disability, or the use of a trained dog guide or service animal by a person with a disability. The district will provide equal access to school facilities to the Boy Scouts of America and all other designated youth groups listed in Title 36 of the United States Code as a patriotic society. District programs will be free from sexual harassment. Auxiliary aids and services will be provided upon request to individuals with disabilities.

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

The district's nondiscrimination statement will be included in all written announcements, notices, recruitment materials, employment applications, and other publications made available to all students, parents, or employees. The statement will include: 1) notice that the district will not discriminate in any programs or activities on the basis of any of the above-listed categories; 2) the name and contact information of the district's compliance officer designated to ensure compliance with this policy; and 3) the names and contact information of the district's Section 504 and Title IX compliance officers.

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

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

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

***3210P Procedure Nondiscrimination**

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 No. 3210) and more particularly to policies dealing with guidance and counseling (Policy No. 2140), co-curricular program (Policy No. 2150), service animals in schools (Policy No. 2030) and curriculum development and instructional materials (Policy No. 2020). As used in this procedure:

A. "Grievance" means a complaint which has been filed by a 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, and 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 the purpose of interfering with their right to file a grievance under this policy and procedure and from retaliating against an individual for filing such a grievance.

Informal Process for Resolution

A. 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 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. Page 2 of 4 Procedure 3210P 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 non-compliance 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's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title 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's or designee's written decision, the complainant may appeal the decision to the district board of directors by filing a written notice of appeal with the secretary of the board within ten (10) calendar days following the date upon which the complainant received the response.

The board 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 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 Page 3 of 4 Procedure 3210P 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 regard a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information. 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 Page 4 of 4 Procedure 3210P 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 sued 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 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, shall be retained in the office of the compliance officer for a period of six years.

Gender-Inclusive Schools – Board Policy 3211

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

This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful and inclusive learning community and will be implemented in conjunction with comprehensive training of staff and volunteers. Specific training requirements are included in the accompanying procedure. The superintendent will appoint a primary contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the district. The district compliance officer will participate in at least one mandatory training opportunity offered by OSPI

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

Service Animals – Board Policy 2030

Service Animals in Schools The Sequim School Board of Directors acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a "service animal" as required by federal laws and Washington State's law against discrimination. This policy governs the presence of service animals in the schools, on school property, including school buses and at school activities. A "service animal" means any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by the

service animal must be directly related to the individual's disability.

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

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

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

Sexual Harassment/Student – Board Policy-3205

The 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.

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.

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

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending students, staff or other third parties involved in 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. District/school staff, including employees, contractors, and agents shall not provide a recommendation of employment for an employee, contractor, or agent that the district/school, or the individual acting on behalf of the district/school, knows or has probable cause to believe, has engaged in sexual misconduct with a student or minor in violation of the law.

Notice and Training

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

Policy Review

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

Sexual Harassment/Student – Procedures 3214-P

The procedure is intended to set forth the requirements of Policy 3205, including the process for a prompt, thorough, and equitable investigation of allegations of sexual harassment and the need to take appropriate steps to resolve such situations. If sexual harassment is found to have created a hostile environment, staff must take immediate action to eliminate the harassment, prevent its reoccurrence, and address its effects. This procedure applies to sexual harassment (including sexual violence) targeted at students carried out by other students, employees or third parties involved in school district activities. Because students can experience the continuing effects of off-campus harassment in the educational setting, the district will consider the effects of off-campus conduct when evaluating whether there is a hostile environment on campus. The district has jurisdiction over these complaints pursuant to Title IX of the Education Amendments of 1972, Chapter 28A.640, RCW and Chapter 392-190 WAC.

Notice

- Information about the district’s sexual harassment policy 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 the Sequim School District office at 503 N. Sequim Avenue.

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 Director of Human Resources for evaluation.
- The Director of Human Resources should inform the complainant that honoring the request may limit its ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator.
- If the complainant still requests that his or her name not be disclosed to the alleged perpetrator or that the district not investigate or seek action against the alleged perpetrator, the district will need to determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students, staff and other third parties engaging in district activities, including the person who reported the sexual harassment. Although a complainant’s request to have his or her name withheld may limit the district’s ability to respond fully to an individual allegation of sexual harassment, the district will use other appropriate means available to address the sexual harassment.

Retaliation

Title IX prohibits retaliation against any individual who files a complaint under these laws or participates in a complaint investigation. When an informal or formal complaint of sexual harassment is made, the district will take steps to stop further harassment and prevent any retaliation against the person who made the complaint, was the

subject of the harassment, or against those who provided information as a witness. The district will investigate all allegations of retaliation and take actions against those found to have retaliated.

Informal Complaint Process

Anyone may use informal procedures to report and resolve complaints of sexual harassment. Informal 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 same. Staff will also direct potential complainants to the Title IX Coordinator/Director of Human Resources at the Sequim School District office. Additionally, staff will also inform an appropriate supervisor or professional staff member when they receive complaints of sexual harassment, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

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

Informal remedies may include:

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

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

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

Formal Complaint Process

Level One – Complaint to District

Anyone may initiate a formal complaint of sexual harassment, even if the informal complaint process is being utilized. 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, e-mail or hand-delivery to the district Title IX Coordinator at 503 N. Sequim Avenue or (360) 582-3260. Any district employee who receives a complaint that meets these criteria will promptly notify the Coordinator.

Investigation and Response

- The Title IX Coordinator will receive and investigate all formal, written complaints of sexual harassment or information in the coordinator's possession that they believe requires further investigation. The Coordinator will delegate his or her authority to participate in this process if such action is necessary to avoid any potential conflicts of interest. Upon receipt of a complaint, the Coordinator will provide the complainant a copy of this procedure.
- Investigations will be carried out in a manner that is adequate in scope, reliable and impartial. During the investigation process, the complainant and accused party or parties, if the complainant has identified an accused harasser(s), will have an equal opportunity to present witnesses and relevant evidence. Complainants and witnesses may have a trusted adult with them during any district-initiated investigatory activities. The school district and complainant may also agree to resolve the complaint in lieu of an investigation. When the investigation is completed, the Coordinator will compile a full written report of the complaint and the results of the investigation.

Superintendent Response

- The superintendent will respond in writing to the complainant and the alleged perpetrator within thirty (30) calendar days of receipt of the complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the complainant in writing of the reason for the extension and the anticipated response date. At the time the district responds to the complainant, the district must send a copy of the response to the office of the superintendent of public instruction.
- The response of the superintendent or designee will include:
 - 1) a summary of the results of the investigation;
 - 2) a statement as to whether a preponderance of the evidence establishes that the complainant was sexually harassed ;
 - 3) if sexual harassment is found to have occurred, the corrective measures the district deems necessary, including assurance that the district will take steps to prevent recurrence and remedy its effects on the complainant and others, if appropriate;
 - 4) notice of the complainant's right to appeal to the school board and the necessary filing information; and
 - 5) any corrective measures the district will take, remedies for the complainant (e.g., sources of counseling, advocacy and academic support), and notice of potential sanctions for the perpetrator(s) (e.g., discipline).
- The superintendent's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title 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 due process considerations or a lawful order from imposing the discipline until the appeal process is concluded. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy.

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

Level Two - Appeal to Board of Directors

Notice of Appeal and Hearing

- If a complainant disagrees with the superintendent's or designee's written decision, the complainant may appeal the decision to the district board of directors, by filing a written notice of appeal with the secretary of the board within ten (10) calendar days following the date upon which the complainant received the response.
- The board will schedule a hearing to commence by the twentieth (20th) calendar day following the filing of the written notice of appeal, unless otherwise agreed to by the complainant and the superintendent or for good cause.
- Both parties will be allowed to present such witnesses and testimony as the board deems relevant and material.

Board Decision

- Unless otherwise agreed to by the complainant, the board will render a written decision within thirty (30) calendar days following the filing of the notice of appeal and provide the complainant with a copy of the decision.
- The decision will be provided in a language that the complainant can understand which may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act.
- The decision will include notice of the complainant's right to appeal to the Superintendent of Public Instruction and will identify where and to whom the appeal must be filed. The district will send a copy of the appeal decision to the office of the superintendent of public instruction.

Level Three - Complaint to the Superintendent of Public Instruction

Filing of Complaint

- If a complainant disagrees with the decision of the board of directors, or if the district fails to comply with this procedure, the complainant may file a complaint with the superintendent of public instruction.
- A complaint must be received by the Superintendent of Public Instruction on or before the twentieth (20) calendar day following the date upon which the complainant received written notice of the board of directors' decision, unless the Superintendent of Public Instruction grants an extension for good cause. Complaints may be submitted by mail, fax, electronic mail, or hand delivery.
- A complaint must be in writing and include:
 - 1) A description of the specific acts, conditions or circumstances alleged to violate applicable anti-sexual harassment laws;
 - 2) The name and contact information, including address, of the complainant;
 - 3) The name and address of the district subject to the complaint;
 - 4) A copy of the district's complaint and appeal decision, if any; and
 - 5) A proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information.

Investigation, Determination and Corrective Action

- Upon receipt of a complaint, the Office of the Superintendent of Public Instruction may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate

additional issues related to the complaint that were not included in the initial complaint or appeal to the superintendent or board.

- Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with RCW 28A.642.010 or Chapter 392-190, WAC and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.
- All corrective actions must be completed within the timelines established by OSPI in the written decision unless OSPI grants an extension. If timely compliance is not achieved, OSPI may take action including but not limited to referring the district to appropriate state or federal agencies empowered to order compliance. A complaint may be resolved at any time when, before the completion of the investigation, the district voluntarily agrees to resolve the complaint. OSPI may provide technical assistance and dispute resolution methods to resolve a complaint.

Level Four - Administrative Hearing

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

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

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 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

A fixed component of all district orientation sessions for staff, students and regular volunteers will introduce the

elements of this policy. Staff will be provided information on recognizing and preventing sexual harassment. Staff will be fully informed of the formal and informal complaint processes and their roles and responsibilities under the policy and procedure. Certificated staff will be reminded of their legal responsibility to report suspected child abuse, and how that responsibility may be implicated by some allegations of sexual harassment. Regular volunteers will get the portions of this component of orientation relevant to their rights and responsibilities.

Students will be provided with age-appropriate information on the recognition and prevention of sexual harassment and their rights and responsibilities under this and other district policies and rules at student orientation sessions and on other appropriate occasions, which may include parents. As part of the information on the recognition and prevention of sexual harassment staff, volunteers, students and parents will be informed that sexual harassment may include, but is not limited to:

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

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

Prohibition of Harassment, Intimidation & Bullying – Board Policy 3207

The board is committed to a safe and civil educational environment for all students, employees, parents/legal guardians, volunteers, and community members that is free from harassment, intimidation, or bullying. As defined in legislation, “Harassment, intimidation or bullying” means any intentional electronic, written, verbal, or physical act including but not limited to, one shown to be motivated by any characteristic in RCW 28A.640.010 and 28A.642.010, or other distinguishing characteristics, when the act:

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

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

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

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

Behaviors/Expressions

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

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

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

Training

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

Prevention

The district will provide students with strategies aimed at preventing harassment, intimidation, and bullying. In its efforts to train students, the district will seek partnerships with families, law enforcement, and other community agencies.

Interventions

Interventions are designed to remediate the impact on the targeted student(s) and others impacted by the violation, to change the behavior of the aggressor, and to restore a positive school climate. The district will consider the frequency of incidents, developmental age of the student, and severity of the conduct in determining intervention strategies. Interventions will range from counseling, correcting behavior and discipline, to law enforcement referrals.

Students with Individual Education Plans or Section 504 Plans

If allegations are proven that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the aggressor or target of harassment, intimidation or bullying, the school will convene the student’s IEP or Section 504 team to determine whether the incident had an impact on the student’s ability to receive a free, appropriate public education (FAPE). The meeting should occur regardless of whether the harassment, intimidation, or bullying incident was based on the student’s disability. During the meeting, the team will evaluate issues such as the student’s academic performance, behavioral issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE as a result of the harassment, intimidation, or bullying incident, the district will provide additional services and supports as deemed necessary, such as counseling, monitoring and/or reevaluation or revision of the student’s IEP or Section 504 plan, to ensure the student receives a FAPE.

Retaliation/False Allegations

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting harassment, intimidation, or bullying, or participating in an investigation. It is also a violation of district policy to knowingly report false allegations of harassment, intimidation, and bullying. Students or employees will not be disciplined for making a report in good faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

Compliance Officer The superintendent will appoint a compliance officer as the primary district contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the district. The district compliance officer will participate in at least one mandatory training opportunity offered by OSPI.

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

Definitions

Harassment, intimidation or bullying” means any intentionally written message or image — including those that are electronically transmitted, — a verbal, or physical act, including, but not limited to, one shown to be motivated by any characteristic in 28A.640.010 and 28A.642.010, or other distinguishing characteristics, when an act:

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

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

"Other distinguishing characteristics" can include but are not limited to: physical appearance, clothing or other apparel, socioeconomic status, and weight. "Intentional acts" refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

B. Behaviors/Expressions

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

Harassment, intimidation or bullying can take many forms including, but not limited to, slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats or other written, oral, physical or electronically transmitted messages or images including, but not limited to, posts on social networking sites.

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

C. Training

This policy is a component of the District's responsibility to create and maintain a safe, civil, respectful and inclusive learning community and shall be implemented in conjunction with comprehensive training of staff and volunteers, including education of students in partnership with families and the community. Specific training requirements are included in the accompanying procedures.

D. Prevention

The District will provide students with strategies aimed at preventing harassment, intimidation and bullying, and will seek assistance from families, law enforcement and other community agencies as available.

E. Interventions

Interventions are designed to remediate the impact on the targeted student(s) and others impacted by the violation, to change the behavior of the perpetrator, and to restore a positive school climate.

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

F. Students with Individual Education Plans or Section 504 Plans

If allegations are made that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the aggressor or target of harassment, intimidation or bullying, the school will convene the student's IEP or Section 504 team to determine whether the incident had an impact on the student's ability to receive a Free, Appropriate Public Education (FAPE). The meeting will occur regardless of whether the harassment, intimidation or bullying incident was based on the student's disability. During the meeting, the team will evaluate issues such as the student's academic performance, behavioral issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE as a result of the harassment, intimidation or bullying incident, the district will take action to ensure the student receives a FAPE.

G. Retaliation/False Allegations

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting harassment, intimidation, or bullying, or participating in an investigation. It is also a violation of District policy to knowingly report false allegations of harassment, intimidation, and bullying. Students or employees will not be disciplined for making a report in good faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

H. Compliance Officer

The Superintendent will appoint a compliance officer as the primary District contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the District. The District compliance office will participate in at least one mandatory training opportunity offered by the Office of the Superintendent of Public Instruction (OSPI).

Prohibition of Harassment, Intimidation & Bullying – Procedure 3207-P

Introduction

The Sequim 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, gender expression, gender identity, mental or physical disability, or other distinguishing characteristics.

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

B. Definitions

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

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

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

or

4. Has the effect of substantially disrupting the orderly operation of the school.

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

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

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

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

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

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

D. 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 – Harassment, Intimidation and Bullying
2. RCW 28A.640.020 – Sexual Equality
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 membership in a legally protected class under local, state, or federal law.

D. Prevention

1. Dissemination In each school and on the district's website the district will prominently post information on reporting harassment, intimidation, or 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 website. Additional distribution of the policy and procedure is subject to the requirements of chapter 392-405 WAC
2. 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 process.
3. Training The district compliance officer will participate in at least one mandatory training opportunity offered by OSPI. Staff will receive annual training on the school district's policy and procedure, including at a minimum, staff roles and responsibilities, how to monitor common areas and the use of the district's Incident Reporting Form.
4. 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.

E. Compliance Officer

The district compliance officer will:

1. Serve as the district's primary contact for harassment, intimidation, or bullying. If the allegations in a written report of harassment, intimidation, or bullying indicate a potential violation of Policy 3207, the district staff member who receives the report must promptly notify the district compliance officer.
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. Communicate with the school district's designated civil rights compliance coordinator. If a written report of harassment, intimidation, or bullying indicates a potential violation of the district's nondiscrimination policy [Policy 3210], or if during the course of an investigation, the district becomes aware of a potential violation of the district's nondiscrimination policy, the compliance officer must promptly notify the district's civil rights compliance coordinator. At that time, the compliance officers must promptly notify the complainant that their complaint will proceed under both this policy / procedure and the nondiscrimination policy / procedure. The investigation and response timeline for the nondiscrimination procedure begin when the school district knows or should have known that a written report or investigation or Harassment, Intimidation, or Bullying involves a potential violation of the district's nondiscrimination policy;
5. 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;
6. Ensure implementation of the policy and procedure by overseeing the investigative processes, including ensuring that investigations are prompt, impartial, and thorough;
7. Assess the training needs of staff and students to ensure successful implementation throughout the district, and ensure staff receive annual fall training;
8. Provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis; and
9. 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 website:
www.k12.wa.us/SafetyCenter/default.aspx.

F. Staff Intervention All staff members will 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, other than tracking, to ensure they are not repeated.

G. Filing an Incident Reporting Form Incident Reporting Forms may be used by students, families, or staff to report incidents of harassment, intimidation or bullying. A sample form is provided on the Office of Superintendent of Public Instruction's (OSPI) School Safety Center website:

www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx Any student or students who believe they have 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.

H. Addressing Harassment, Intimidation, or Bullying – Reports

Step 1: Filing an Incident Reporting Form In order to protect a targeted student from retaliation, a student need not reveal his identity on an Incident Reporting Form. The form may be filed anonymously, confidentially, or the student may choose to disclose his or her identity (non-confidential).

Status of Reporter

1. Anonymous Individuals may file a report without revealing their identity. No disciplinary action will be taken against an alleged aggressor based solely on an anonymous report. Schools may identify complaint boxes, use online reporting processes, 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.)
2. 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.")
3. 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 will attempt to resolve the incident immediately. If the incident is resolved to the satisfaction of the parties involved, or if the incident does not meet the definition of harassment, intimidation, or bullying, no further action may be necessary under this procedure.

All reports of unresolved, severe, or persistent harassment, intimidation, or bullying will be recorded on a

district Incident Reporting Form and submitted to the principal or designee, unless the principal or designee is the subject of the complaint.

Step 3: Investigations of Unresolved, Severe, or Persistent Harassment, Intimidation and Bullying All reports of unresolved, severe, or persistent harassment, intimidation, or bullying will be investigated with reasonable promptness. Any student may have a trusted adult with them throughout the report and investigation process.

1. Upon receipt of the Incident Reporting Form that alleges unresolved, severe, or persistent harassment, intimidation, or bullying, the school or district designee will begin the investigation. If there is potential for clear and immediate physical harm to the complainant, the district will immediately contact law enforcement and inform the parent/guardian.
2. During the course of the investigation, the district will take reasonable measures to ensure that no further incidents of harassment, intimidation, or bullying occur between the complainant and the alleged aggressor. If necessary, the district will implement a safety plan (<https://www.k12.wa.us/student-success/health-safety/school-safetycenter/safety-planning-toolkit>) for the student(s) involved. The plan may include changing seating arrangements for the complainant and/or the alleged aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a safe person for the complainant; altering the alleged aggressor's schedule and access to the complainant, and other measures. If, during the course of an investigation, the district employee conducting the investigation becomes aware of a potential violation of the district's nondiscrimination policy [Policy 3210], the investigator will promptly notify the district's civil rights compliance officer. Upon receipt of this information, the civil rights compliance officer must notify the complainant that their complaint will proceed under the discrimination complaint procedure in WAC 392-190-065 through WAC 392-190-075 as well as the HIB complaint procedure. The notice must be provided in a language that the complainant can understand. The investigation and response timeline for the discrimination complaint procedure will follow that set forth in WAC 392-190-065 and begins when the district knows or should have known that a written report of harassment, intimidation or bullying involves allegations of a violation of the district's nondiscrimination policy.
3. Within two (2) school days after receiving the Incident Reporting Form, the school designee will notify the families of the students involved that a complaint was received and direct the families to the district's policy and procedure on harassment, intimidation and bullying.
4. In rare cases, where after consultation with the student and appropriate staff (such as a psychologist, counselor, or social worker) the district has evidence that it would threaten the health and safety of the complainant or the alleged aggressor to involve his or her parent/guardian, the district may initially refrain from contacting the parent/guardian in its investigation of harassment, intimidation, or bullying. If professional school personnel suspect that a student is subject to abuse and neglect, they must follow district policy for reporting suspected cases to Child Protective Services.
5. The investigation will include, at a minimum:
 - a. An interview with the complainant;
 - b. An interview with the alleged aggressor;
 - c. A review of any previous complaints involving either the complainant or the alleged aggressor; and
 - d. Interviews with other students or staff members who may have knowledge of the alleged incident.

6. The principal or designee may determine that other steps must be taken before the investigation is complete.
7. The investigation will be completed as soon as practicable but generally no later than five (5) school days from the initial complaint or report. If more time is needed to complete an investigation, the district will provide the parent/guardian and/or the student with weekly updates.
8. No later than two (2) school days after the investigation has been completed and submitted to the compliance officer, the principal or designee will respond in writing or in person to the parent/guardian of the complainant and the alleged aggressor stating:
 - a. The results of the investigation;
 - b. Whether the allegations were found to be factual;
 - c. Whether there was a violation of policy; and
 - d. The process for the complainant to file an appeal if the complainant disagrees with the results.

Because of the legal requirement regarding the confidentiality of student records, the principal or designee may not be able to report specific information to the targeted student's parent/guardian about any disciplinary action taken unless it involves a directive that the targeted student must be aware of in order to report violations. If a district chooses to contact the parent/guardian by letter, the letter will be mailed to the parent/guardian of the complainant and alleged aggressor by 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 cannot be resolved at the school level, the principal or designee will request assistance from the HIB compliance officer. Step 4: Corrective Measures for the Aggressor

After completion of the investigation, the school or district designee will institute any corrective measures necessary. Corrective measures will be instituted as 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 policy 3241 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 (10th) 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 (5th) school day following the termination of the hearing and will 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 policy 3241 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 will be addressed and remedied as appropriate.

H. 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.

I. Other Resources

Students and families should use the district's complaint and appeal procedures as a first response to allegations of harassment, intimidation, or 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 (for discrimination complaints) 360.725.6162 Email: equity@k12.wa.us <https://www.k12.wa.us/policy-funding/equity-and-civil-rights>
- Washington State Human Rights Commission 800.233.3247 www.hum.wa.gov/index.html
- Office for Civil Rights, U.S. Department of Education, Region IX 206.607.1600 Email: OCR.Seattle@ed.gov www.ed.gov/about/offices/list/ocr/index.html
- Department of Justice Community Relations Service 877.292.3804 www.justice.gov/crt/
- Office of the Education Ombuds 866.297-2597 Email: OEOinfo@gov.wa.gov <http://oeo.wa.gov/>
- OSPI Safety Center 360.725-6044 <https://www.k12.wa.us/student-success/health-safety/school-safety-center>

J. 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 in this policy but which are, or may be, prohibited by other district or school rules.

Freedom of Expression – Board Policy 3220

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

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

- Be libelous or slanderous;
- Be an unwarranted invasion of privacy;
- Be obscene or profane, such that it would violate federal or state laws, rules or regulations or incites others to violate federal or state laws, rules or regulations, including the standards established by the federal communications act or applicable federal communication commission rules or regulations;
- Cause a substantial disruption of the school;
- Violate district policy or procedure related to harassment, intimidation, bullying, or related to the prohibition on discrimination pursuant to RCW 28A.642.010.
- Violate federal or state laws, rules, regulations, or advocate the violation of such laws; or
- Advertise tobacco products, liquor, illicit drugs, or drug paraphernalia. The superintendent will develop guidelines, assuring that students are able to exercise freedom of expression so long as it does not present a material and substantial disruption of the orderly operation of the school, implementing the standards above, and establishing procedures for the prompt review of any materials that appear not to comply with the standards.

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

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

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

Freedom of Assembly – Board Policy 3223

Individual students and student organizations may meet in school rooms or auditoriums, or at outdoor locations on school grounds, to discuss, pass resolutions and take other lawful action respecting any matter which directly or

indirectly concerns or affects them, whether or not it relates to school. Such activities will not be permitted to interfere with the normal operation of the school.

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

Student Privacy and Searches – Board Policy 3230

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

A. Searches of Students and Personal Property

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

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

A search is required when there are reasonable grounds to suspect a student has a firearm on school grounds, transportation or at school events.

Prior to conducting a search, school officials will ask that the student consent to be searched by removing all items from pockets or other personal effects. If the student refuses to consent to the search, school officials may proceed to search the student, the student's personal belongings, and the student's locker, as follows:

1. Any search of a student conducted by a school district employee must be reasonably related to the discovery of contraband or other evidence of a student's violation of the law or school rules.

For the purpose of this policy, "contraband" means items, materials, or substances the possession of which is prohibited by law or district policy, including but not limited to, controlled substances, alcoholic beverages, tobacco products, or any object that can reasonably be considered a firearm or a dangerous weapon; and

2. Staff will conduct searches in a manner which is not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.

No student will be subject to a strip search or body cavity search by school staff.

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

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

B. Locker Searches

Students may be assigned lockers for storing and securing their books, school supplies, and personal effects. Lockers, desks, and storage areas are the property of the school district. No right or expectation of privacy exists for any student as to the use of any space issued or assigned to a student by the school. Lockers and other spaces are subject to search in accordance with district policy.

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

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

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

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

Students & Telecommunication Devices – Board Policy 3245

Students in possession of telecommunications devices, including, but not limited to, pagers, beepers, and cellular phones, while on school property or while attending school-sponsored or school-related activities will observe the following conditions:

- A. Telecommunication devices will be turned on and operated only before and after the regular school day and during the student's lunch break, unless an emergency situation exists that involves imminent physical danger or a school administrator authorizes the student to use the device;
- B. Students will not use telecommunication devices in a manner that poses a threat to academic integrity, disrupts the learning environment, or violates the privacy rights of others;
- C. Students will not send, share, view, or possess pictures, text messages, emails, or other material depicting sexually explicit conduct, as defined in RCW 9.68A.011, in electronic or any other form on a cell phone or other electronic device, while the student is on school grounds, at school-sponsored events or on school buses or vehicles provided by the district;
- D. When a school official has reasonable suspicion, based on objective and articulable facts, that a student is using a telecommunications device in a manner that violates the law or school rules, the official may confiscate the device, which will only be returned to the student's parent or legal guardian;
- E. By bringing a cell phone or other electronic devices to school or school-sponsored events, the student and their parent/guardian consent to the search of the device when school officials have a reasonable suspicion, based on objective and articulable facts, that such a search will reveal a violation of the law or school rules. The scope of the search will be limited to the violation of which the student is accused. Content or images that violate state or federal laws will be referred to law enforcement;

- F. Students are responsible for devices they bring to school. The district will not be responsible for loss, theft or destruction of devices brought onto school property or to school-sponsored events;
- G. Students will comply with any additional rules developed by the school concerning the appropriate use of telecommunication or other electronic devices; and
- H. Students who violate this policy will be subject to disciplinary action

Use of Isolation, Restraint and Reasonable Force – Board Policy 3246

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

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

Use of restraint, isolation, 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 and Chapter 392-172A WAC and explained in the procedure accompanying this policy. Serious harm includes physical harm to self, another, or district property. Staff will closely monitor such actions to prevent harm to the student and will use the minimum amount of restraint and isolation appropriate to protect the safety of students and staff. The restraint, isolation, and other forms of reasonable force will be discontinued when the likelihood of serious harm has dissipated.

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

Co-Curricular Programs –Board Policy 2150

The board recognizes that the goals and objectives of the district can best be achieved by providing a broad offering of purposeful learning experiences, some of which are more appropriately conducted outside of the approved curriculum of the district. Such activities will ordinarily be conducted wholly or partly outside the regular school day and will be available to all students who voluntarily elect to participate. The co-curricular program encompasses approved curriculum-related activities.

The board will approve all activities included within the Associated Student Body (ASB) program. The principal is authorized to approve curriculum-related activities that are not part of the ASB program and will make school facilities available for them and designate staff members to support and supervise them.

The district will not exclude any person from participation in the co-curricular program, deny any person the benefits of such a program or otherwise discriminate against any person in any co-curricular program on the basis of the categories identified in the district's Nondiscrimination policy.

The criteria to be used by the principal for approving curriculum-related activities are:

- A. The purposes and/or objectives will be part of a specific program or course offering;
- B. The participating students will be currently enrolled in a related course or program or possess the entry level knowledge and/or skills to successfully participate in the activity;
- C. The group will be supervised by a qualified staff member;
- D. The cost of the activity must not be prohibitive to student or district;
- E. The activity must comply with Title IX requirements;
- F. All activity must take place on school premises unless approved in advance by the school principal; and
- G. The activity must not be secretive in nature.

Curriculum related activities, whether approved by the board as part of the ASB or by the principal, must meet at least one of the following criteria:

- A. The subject matter of the activity is actually taught or will soon be taught in a regularly offered course;
- B. The subject matter of the activity concerns the body of courses as a whole;
- C. Participation in the activity is required for a particular course; or SSD 1.21;
- D. Participation in the activity results in academic credit.

The board directs the superintendent to develop appropriate procedures for proper planning, funding, approval and implementation of all activities offered within the above guidelines.

The principal will be responsible for administering the co-curricular program in the school. An opportunity will be made available in each school for students, including those with disabilities, to participate in some aspect of the program. A survey will be conducted at least once every three (3) years to assure that the recreational and athletic activities program accurately responds to the needs and desires of both male and female students.

The district will evaluate its intramural and interscholastic program at least once each year to ensure that equal opportunities are available to members of both sexes with respect to participation in interscholastic and/or intramural programs.

Interscholastic Activities – Board Policy 2151

The board recognizes the value of a program of interscholastic activities as an integral part of the total school experience to all students of the district and to the community. The program of interscholastic activities will include all activities relating to competitive sport contests, games or events, or exhibitions involving individual students or teams of students of this district when such events occur between separate schools within this district or with any schools outside this district.

The board expects that:

- A. All interscholastic activities and events will be in compliance with the rules and regulations of the Washington Interscholastic Activities Association (WIAA). The schools of the district will not participate in any out-of-season athletics that are not sanctioned by the WIAA. The district will not be responsible or liable for non-school sponsored programs or for programs that are organized, promoted or participated in by staff members without school approval. The district will not be responsible for or control and incur liability for summer and/or out-of-season activities unless specifically sponsored by the school district. The superintendent will establish rules defining the circumstances under which school facilities may be used and under which announcements of summer sports leagues and/or clinics may be channeled to students.
- B. An athletic coach must be properly trained and qualified for an assignment as described in the coach's job description.
- C. A syllabus that outlines the skills, techniques and safety measures associated with a coaching assignment will be distributed to each coach. A coach must secure permission in advance if he/she wishes to deviate from the syllabus.
- D. Coaching stipends and all gifts to a coach that exceed five hundred dollars (\$500.00) in a season will be approved by the board of directors.
- E. In-service training opportunities will be afforded each coach so that he/she is trained to attend to the health care needs of participants. Prior to a sports season, the coach will prepare a plan for handling medical emergencies at practice sessions and games (home and away).
- F. Participants will be issued equipment that has been properly maintained and fitted.
- G. All facilities and equipment utilized in the interscholastic activity program, whether or not the property of the district, will be inspected on a regular basis.
- H. Nonprescribed medications, including such items as analgesic balms, vitamins and salt tablets, must be approved by the superintendent before they may be available for use by coaches and/or athletic trainers. After athletic training medications have been approved, the coach and/or trainer must secure authorization from the parent and the student's doctor before the medications may be used during the athletic season. If such release is not on file, the nonprescribed medications may not be used. This provision does not preclude the coach and/or trainer from using approved first aid items.

A sign will be posted that warns students that eligibility to participate may be denied if anabolic steroids are used for the purpose of enhancing athletic ability.

1. The board recognizes that certain risks are associated with participation in interscholastic sports. While the district will strive to prevent injuries and accidents to students, each participant and his/her parent(s) or

guardian(s) will be required to sign a statement which indicates that the parent(s) and the student acknowledge the risks of injuries resulting from such participation and give assurance that the student will follow the instructions of the coach.

2. Each participant will be required to furnish evidence of physical fitness prior to becoming a member of an interscholastic team. A written report will be completed when a student is injured while participating in a school-supervised activity. A participant will be free of injury and will have fully recovered from illness before participating in any activity.
3. Each student participating in interscholastic athletic activities is required to have or obtain medical insurance for expenses incurred as a result of injuries sustained while participating in the extracurricular activity. Students will provide evidence of coverage with a minimum limit of [insert amount] in medical expenses or will obtain such coverage through the insurance plan offered to all students participating in activities in the district. No student will be denied the ability to participate solely because the student's family, by reason of low income, is unable to pay the entire amount of the premium for such insurance. The superintendent or his or her designee may approve partial or full waiver of premiums to permit all students to obtain the required medical insurance.

The superintendent will annually prepare, approve and present to the board for its consideration a program of interscholastic activities for the school year. The superintendent will prepare rules for the conduct of student activities including, but not limited to, use of alcoholic beverages; use of tobacco; use or possession of illegal chemical substances (including marijuana/cannabis) or opiates not prescribed by a physician; physical appearance; curfew; unsportsmanlike conduct; absence from practice; gambling; or any infraction of civil law. Notice of rules and disciplinary actions related to rule violations will be distributed to each participant and his/her parents prior to the beginning of an interscholastic activity season.

Nondiscrimination

The district will not exclude any person from participation in the interscholastic program, deny any person the benefits of such a program or otherwise discriminate against any person in any interscholastic program on the basis of the categories identified in the district's Nondiscrimination policy.

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

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

The district may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport. However, when the district operates or sponsors a team in a particular sport for members of one sex but not the other, and athletic opportunities for members of the other sex have previously been limited, members of the excluded sex will be allowed to try out for the team offered. For the purposes of this policy, contact sports include boxing, wrestling, rugby, ice hockey, football, basketball and other sports in which the major activity involves bodily contact.

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

1. Whether the selection of sports and levels of competition effectively accommodate the interests and abilities of members of both sexes;

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

Annual athletic evaluation

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

Student athletic interest survey

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

Facilities

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

Student Immunization & Life Threatening Conditions- Board Policy 3413

Immunizations

In order to safeguard the school community from the spread of certain communicable diseases and in recognition that prevention is a means of combating the spread of disease, the board requires a student to present evidence of his/her having been immunized against diseases as required by 28A.210 RCW and the Washington State Board of Health 246-105 WAC.

Exemptions from Immunization

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

Meningococcal Disease, Human Papilloma Virus Disease and Vaccine Information Distribution At the beginning of every school year, the district will provide parents/guardians of sixth through twelfth grade students, information provided by the Washington State Department of Health about meningococcal disease, human papilloma virus (HPV) disease and their vaccines.

The information will include the causes and symptoms of meningococcal disease, human papilloma virus, how the diseases are spread, the places where parents/guardians may obtain additional information and vaccinations for their

children, and current recommendations from the United States Centers for Disease Control Prevention regarding the vaccines.

Life-Threatening Health Conditions

Prior to attendance at school, each child with a life-threatening health condition will present a medication and treatment order from a Licensed Healthcare Provider (LHP) addressing the condition. A life threatening health condition means a condition that will put the child in danger of death during the school day if a medication and treatment order, providing authority to a registered nurse, and a nursing care plan are not in place. Following submission of the medication and treatment order, the registered nurse will develop the nursing care plan.

Students who have a life-threatening health condition and no medication or treatment order presented to the school will be excluded from school, to the extent that the district can do so consistent with federal requirements for students with disabilities under the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973, and according to the due process requirements in School District Procedure 3413P.

Exclusion from School The district will exclude students as required in RCW 28A.210.120 from further presence at the school who are out of compliance with the immunization requirements and students with a life-threatening health condition as required in WAC 392-380-045 WAC who do not have a medication or treatment order in place. The superintendent will adopt procedures necessary to implement this policy.

Student Immunization & Life Threatening Conditions- Board Policy 3413-P

Certificate of Immunization

Immediately upon enrollment in the district, the student's parent/guardian must provide proof of immunization status with a Certificate of Immunization Status (CIS), approved by the Washington Department of Health. The CIS will be a part of the student's permanent record.

If, by the student's first day of enrollment, a student does not have the required immunization documentation, the student's parent/guardian may submit evidence of having initiated an immunization schedule, which will provide the student "conditional admittance" status. Students may attend under conditional status for a limited time. Within thirty (30) calendar days of the student's first day of attendance, the parent/guardian must provide any missing immunization(s) and/or provide documentation needed to complete the CIS. If a student needs additional doses to complete a vaccine series, he/she will remain in conditional admittance status for a maximum of thirty (30) calendar days after the next dose is due until the series is complete. Failure to submit documentation within these timelines will be sufficient cause to exclude the student from school.

Exemptions from Immunization

Any and all exemptions will be processed and recorded on a Certificate of Exemption (COE) as provided by the Washington Department of Health (DOH).

The district will accept exemptions from one or more vaccines for medical reason upon certification by a Licensed Healthcare Provider (LHP).

The district will accept exemptions for religious reasons upon the parent/legal guardian's submission of a COE as follows. If a COE states the parent/legal guardian is a member in a religious body or church with beliefs or teachings that preclude a child from receiving medical treatment from an LHP, the LHP signature on the COA is not required. If the COE claims a religious reason, but does not state that the parent/legal guardian is a member in a religious body

or church with beliefs or teachings that preclude a child from receiving medical treatment from an LHP, the LHP signature on the COA is required

With the exception of the measles, mumps, and rubella vaccine, the district will accept exemptions for philosophical or personal reasons upon the parent/legal guardian's submission of a COE, signed by an LHP, stating that the parent/guardian has a philosophical or personal objection to the immunization of the child and the LHP provided the parent/guardian with information about the benefits and risks of immunization. The district will not accept an exemption for philosophical or personal reasons from the measles, mumps, and rubella vaccine. The LHP may sign the form any time prior to the district's enrollment of the child. The district will accept a photocopy of the signed form or a letter from the LHP in lieu of the original form.

The district will identify students who have exemptions should the local department of health order that exempted students be excluded from school temporarily during an outbreak or an epidemic.

If the district does not receive proof of immunization status on a CIS or a COE upon the student's enrollment in school, the principal or designee will provide written notice to the parents/guardians informing them of:

1. The immunization requirements;
2. The potential that the student will be denied attendance unless documentation needed to complete the CIS or COE is provided within thirty (30) calendar days of the student's first day of attendance;
3. The procedural due process rights; and
4. The immunization services available.

Exclusion from School

Following proper notification, the school will exclude the student for noncompliance with the immunization laws, subject to the appeal procedures for student expulsions (Policy 3241). Parents have a right to a hearing, provided they notify the school within three (3) days after receiving the exclusion order from the school principal. If the parent requests a hearing, the district will notify in writing the parent or guardian and school principal of the time and place for the hearing and will present the case to a hearing officer appointed by the superintendent.

Legal Notification

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

PPRA gives parents rights about the District's surveys, collection and use of information for marketing purposes, and certain physical exams. FERPA gives parents and students over 18 years old certain rights about the student's education records. These rights are: 1. The right to inspect and review student's education records; 2. The right to request an amendment of the student's education records; 3. The right to opt-out of release of "directory information" as defined in FERPA law and School Board Policy; and 4. The right to file a complaint with the U.S. Department of Education concerning alleged failures to comply with FERPA requirements. Parents who believe their rights have been violated may file a complaint with:

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

FERPA Opt-Out Notice

The Family Educational Rights and Privacy Act (FERPA), requires that Sequim School District , with certain exceptions, obtains your written consent prior to the disclosure information from your child’s education records. However, Sequim School District may disclose appropriately designated “directory information” without written consent, unless you request and file a FERPA Opt-Out Form with your child’s school. The form is available at each school’s office. Directory information is defined as the student’s name, photograph, video image, address, telephone number, email address, date and place of birth, dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, diplomas and awards received, and the most recent previous school attended.

Directory Information for the U.S. Military (High School Only)

Federal law requires high schools to release home contact information for all high school students to military recruiters unless parents/guardians deny the release of this information. You can opt out of having this information released for this purpose by requesting and filing a FERPA Opt-Out Form with your child’s school.

Integrated Pest Management

Sequim School District intends to comply with all federal, state and local regulations pertaining to the management of vegetation and/or pests. Through the integrated Pest Management Program, Sequim School District promotes a prudent approach in dealing with environmental concerns and the establishment of levels at which action is taken. The program does not rule out the use of pesticides but requires their use to be thoughtfully considered.