



FRANKLIN PIERCE SCHOOL DISTRICT
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The statements contained in this brochure are for summary information only and are not to be construed as replacing complete established school district policies and procedures. Official district policies and procedures are found in the FPS School Board Policy Manual available at the Jo Anne Matson Administrative Center of Franklin Pierce Schools, 315 129th Street South, Tacoma, Washington, 98444-5099 or online at www.fpschools.org.

FOREWORD

The primary responsibilities of Franklin Pierce Schools are to provide a safe and orderly learning environment and to provide learning experiences so students have the opportunity to develop skills, competencies, and attitudes necessary to be responsible, contributing citizens. To do so, students need to develop an understanding of and appreciation for the rights and responsibilities of individuals. Students also must be prepared to participate intelligently and effectively in our open political system to ensure this system's survival. Each school is a community, and the rules and regulations of a school are the laws of the community. All those enjoying the rights of citizenship in the school community must also accept the responsibilities of citizenship.

It is the intent of the Franklin Pierce Schools Board of Directors that all students, staff, teachers, administrators, and parents/guardians have access to, and understanding of, the state laws and regulations governing student rights, responsibilities, and due process.

DISCIPLINE: STUDENT DISCIPLINE

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

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

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

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

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

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

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

Emergency expulsion means the removal of a student from school because the student's statements or behavior pose an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process, subject to the requirements in WAC 392-400-510 through 392-400-530.

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

The district must ensure that it provides all discipline related communications [oral and written] required in connection with this policy and procedure in a language the student and parent(s) understand. These discipline related communications include notices, hearings, conferences, 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. For parents who are unable to read any language, the district will provide written material orally.

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

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

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

The district has identified the following for use as other forms of discipline:
behavior monitoring, mentoring, peer mediation, social skills instruction, de-escalation, and restorative justice practices.

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

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

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

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

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

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

Classroom Exclusions After attempting at least one other form of discipline, as set forth above, teachers have statutory authority to impose classroom exclusion. Classroom exclusion means the exclusion of a student from the classroom or instructional activity area based on a behavioral violation that disrupts the educational process. As stated above, the Superintendent, school principals, and certificated staff will work together to develop definitions and consensus on what constitutes behavior that disrupts the educational process to reduce the effect of implicit or unconscious bias. [If the district wants other staff members to have authority to impose classroom exclusion, the district must identify by title. Otherwise, delete the following sentence.] Additionally, the district authorizes [identify other staff, such as school principals and vice-principals or delete sentence] to impose classroom exclusion with the same authority and limits of authority as classroom teachers.

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

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

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

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

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

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

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

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

Grievance Process for Other Forms of Discipline and Classroom Exclusion

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

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

Suspension and Expulsion - General Conditions and Limitations

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

As stated above, the district must have provided the parent(s) opportunity for involvement to support the student and resolve behavioral violations before administering suspension or expulsion. Additionally, the Superintendent or designee must consider the student's individual circumstances and the nature of the violation before administering a short-term or in-school suspension.

The 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.

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

An expulsion or suspension of a student may not be for an indefinite period and must have an end date.

After suspending or expelling a student, the district will make reasonable efforts to return the student to the student's regular educational setting as soon as possible. Additionally, the district must allow the student to petition for readmission at any time. The district will not administer any form of discipline in a manner that prevents a student from completing subject, grade-level, or graduation requirements.

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

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

The Superintendent or designee grants a petition to extend a student's expulsion under WAC 392-400-480; the change of setting is to protect victims under WAC 392-400-810; or other law precludes the student from returning to his or her regular educational setting.

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

A school district may also suspend or expel a student for up to one year if the student acts with malice (as defined under RCW 9A.04.110) and displays an instrument that appears to be a firearm on school premises, school-provided transportation, or areas

of facilities while being used exclusively by public schools. These provisions do not apply to students while engaged in a district authorized military education; a district authorized firearms convention or safety course; or district authorized rifle competition.

In-school Suspension and Short-term Suspension

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

Unless otherwise required by law, the district is not required to impose in-school or short-term suspensions and instead, strives to keep students in school, learning in a safe and appropriate environment. However, there are circumstances when the district may determine that in-school or short-term suspension is appropriate. As stated above, the district will work to develop definitions and consensus on what constitutes behavioral violations to reduce the effect of implicit or unconscious bias. In accordance with the other parameters of this policy, these circumstances may include the following types of student behaviors:

- Being intoxicated or under the influence of controlled substance, alcohol or marijuana at school or while present at school activities;
- Bomb scares or false fire alarms that cause a disruption to the school program;
- Cheating or disclosure of exams;
- Commission of any crime on school grounds or during school activities;
- Dress code violations that the student refuses to correct (see student dress policy/procedure 3224);
- Fighting: Fighting and instigating, promoting, or escalating a fight, as well as failure to disperse. Engaging in any form of fighting where physical blows are exchanged, regardless of who initiated the fight. This prohibition includes hitting, slapping, pulling hair, biting, kicking, choking, and scratching or any other acts in which a student intentionally inflicts or attempts to inflict injury on another;
- Gang-related activity;
- Harassment/intimidation/bullying;
- Intentional deprivation of student and staff use of school facilities;
- Intentional endangerment to self, other students, or staff, including endangering on a school bus;
- Intentional injury to another;
- Intentionally defacing or destroying the property of another;
- Intentionally obstructing the entrance or exit of any school building or room in order to deprive others of passing through;
- Possession, use, sale, or delivery of illegal or controlled chemical substances;
- Preventing students from attending class or school activities;
- Refusal to cease prohibited behavior;
- Refusal to leave an area when repeatedly instructed to do so by school personnel;
- Sexual misconduct that could constitute sexual assault or harassment on school grounds, at school activities, or on school provided transportation;
- Substantially and intentionally interfering with any class or activity;
- Threats of violence to other students or staff;
- Use or possession of weapons prohibited by state law and Policy 4210.

Initial hearing

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

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

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

Notice

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

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

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

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

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

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

Long-term suspensions and expulsions

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

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

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

- (iv) any controlled substance violation of chapter 69.50 RCW;
 - (v) any liquor violation of RCW 66.44.270;
 - (vi) any weapons violation of chapter 9.41 RCW, including having a dangerous weapon at school in violation of RCW 9.41.280;
 - (vii) any violation of chapter 9A.36 RCW, including assault, malicious harassment, drive-by shooting, reckless endangerment, promoting a suicide attempt, coercion, assault of a child, custodial assault, and failing to summon assistance for an injured victim of a crime in need of assistance;
 - (viii) any violation of chapter 9A.40 RCW, including kidnapping, unlawful imprisonment, custodial interference, luring, and human trafficking;
 - (ix) any violation of chapter 9A.46 RCW, including harassment, stalking, and criminal gang intimidation; and
 - (x) any violation of chapter 9A.48 RCW, including arson, reckless burning, malicious mischief, and criminal street gang tagging and graffiti.
- (c) Two or more violations of the following within a three-year period
- (i) criminal gang intimidation in violation of RCW 9A.46.120;
 - (ii) gang activity on school grounds in violation of RCW 28A.600.455;
 - (iii) willfully disobeying school administrative personnel in violation of RCW 28A.635.020; and
 - (iv) defacing or injuring school property in violation of RCW 28A.635.060; and
- (d) Any student behavior that adversely affects the health or safety of other students or educational staff.

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

Behavior agreements

The district authorizes staff to enter into behavior agreements with students and parents in response to 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 behavior changes by the students. The district will provide any behavior agreement in a language and form the student and parents understand.

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

Initial hearing

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

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

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

Notice

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

- (a) A description of the student's behavior and how the behavior violated this policy;

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

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

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

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

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

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

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

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

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

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

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

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

Notice

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

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

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

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

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

Appeal, Reconsideration, and Petition

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

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

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

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

Appeals

Requesting appeal

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

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

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

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

In-school and short-term suspension appeal

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

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

- The decision to affirm, reverse, or modify the suspension;
- The duration and conditions of the suspension, including the beginning and ending dates;
- The educational services the district will offer to the student during the suspension; and
- Notice of the student and parent(s)' right to request 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 statements or behaviors continue to pose (i) an immediate and continuing danger to students or school personnel; or (ii) an immediate and continuing threat of material and substantial disruption of the educational process;
- Whether the district will end the emergency expulsion or convert the emergency expulsion to a suspension or expulsion. If the district converts the emergency expulsion to a suspension or expulsion, the district will provide the student and parent(s) notice and due process consistent with the disciplinary action to which the emergency expulsion was converted; and
- Notice of the right of the student and parent(s) to request a review and reconsideration of the appeal decision. The notice will include where and to whom to make such a request.

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

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

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

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

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

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

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

- Whether the school board [or discipline appeal council] affirms or reverses the school district's decision that the student's statements or behaviors posed (i) an immediate and continuing danger to students or school personnel; or (ii) an immediate and continuing threat of material and substantial disruption of the educational process.

- If the emergency expulsion has not yet ended or been converted, whether the district will end the emergency expulsion or convert the emergency expulsion to a suspension or expulsion. If the district converts the emergency expulsion to a suspension or expulsion, the district will provide the student and parent(s) notice and due process under WAC 392-400-455 through 392-400-480 consistent with the disciplinary action to which the emergency expulsion was converted

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

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

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

Notice

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

- A copy of the petition;
- The right of the student and parent(s) to an informal conference with the Superintendent or designee to be held within five (5) school business days from the date the district provided written notice to the student and parent(s); and
- The right of the student and parent(s) to respond to the petition orally or in writing to the Superintendent or designee within five (5) school business days from the date the district provided the written notice.

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

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

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

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

Review and Reconsideration of extension of expulsion

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Readmission 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 his or her parent(s)/guardian(s) a plan to reengage the student.

The reengagement meeting must occur:

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

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

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

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

Exceptions for protecting victims

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

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

DISCRIMINATION

Franklin Pierce Schools 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, gender identity, disability, or the use of a trained dog guide or service animal and provides equal access to the Boy Scouts and other designated youth groups. The following employees have been designated to handle questions and complaints of alleged discrimination:

Title IX Coordinator, Wendy Malich, 253-298-3023, wmalich@fpschools.org;

Section 504/ADA Coordinator, John Sander, 253-298-3051, jsander@fpschools.org; and

Civil Rights Coordinator, James Hester, 253-298-3082, jhester@fpschools.org.

All three compliance officers can be reached by mail at Franklin Pierce Schools 315 129th St S, Tacoma, WA 98444.

You can report discrimination and discriminatory harassment to any school staff member or to the district's Civil Rights Coordinator, listed above. You also have the right to file a complaint (see COMPLAINT OPTIONS below). For a copy of your district's nondiscrimination policy and procedure, contact your school or district office or view it online here: http://fpschools.org/about_us/district_policies___procedures/ See Policy 3210 and 3210P.

SEXUAL HARASSMENT OF STUDENTS PROHIBITED

This district is committed to a positive and productive educational environment 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 student to adult, adult to student, student to student, or can be carried out by a group of students or adults.

Sexual harassment will be investigated by the district even if the alleged harasser is not a part of the school staff or student body. The district prohibits sexual harassment of students by other students, employees, or third parties involved in school district activities.

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

- Acts of sexual violence;
- Unwelcome sexual or gender-directed conduct or communication that interferes with an individual's educational performance or creates an intimidating, hostile, or offensive environment;
- Unwelcome sexual advances;
- Unwelcome requests for sexual favors;
- Sexual demands when submission is a stated or implied condition of obtaining an educational benefit; and
- 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. 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 every time a report, complaint, and grievance 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 timelines and delineate staff responsibilities under this policy.

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

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

Notice and Training

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

As needed, the compliance officer will convene an ad hoc committee to review the policy and procedure and recommend any necessary changes to the superintendent and School Board.

COMPLAINT OPTIONS: DISCRIMINATION AND SEXUAL HARASSMENT

If you believe that you or your child have experienced unlawful discrimination, discriminatory harassment, or sexual harassment at school, you have the right to file a complaint.

Before filing a complaint, you can discuss your concerns with your child's principal or with the school district's Section 504 Coordinator, Title IX Officer, or Civil Rights Coordinator, who are listed above. This is often the fastest way to resolve your concerns.

Complaint to the School District

Step 1. Write Out Your Complaint

In most cases, complaints must be filed within one year from the date of the incident or conduct that is the subject of the complaint. A complaint must be in writing. Be sure to describe the conduct or incident, explain why you believe discrimination, discriminatory harassment, or sexual harassment has taken place, and describe what actions you believe the district should take to resolve the problem. Send your written complaint—by mail, fax, email, or hand delivery—to the district superintendent or civil rights compliance coordinator.

Step 2: School District Investigates Your Complaint

Once the district receives your written complaint, the coordinator will give you a copy of the complaint procedure and make sure a prompt and thorough investigation takes place. The superintendent or designee will respond to you in writing within 30 calendar days—unless you agree on a different time period. If your complaint involves exceptional circumstances that demand a lengthier investigation, the district will notify you in writing to explain why staff need a time extension and the new date for their written response.

Step 3: School District Responds to Your Complaint

In its written response, the district will include a summary of the results of the investigation, a determination of whether or not the district failed to comply with civil rights laws, notification that you can appeal this determination, and any measures necessary to bring the district into compliance with civil rights laws. Corrective measures will be put into effect within 30 calendar days after this written response—unless you agree to a different time period.

Appeal to the School District

If you disagree with the school district's decision, you may appeal to the school district's board of directors. You must file a notice of appeal in writing to the secretary of the school board within 10 calendar days after you received the school district's response to your complaint. The school board will schedule a hearing within 20 calendar days after they received your appeal, unless you agree on a different timeline. The school board will send you a written decision within 30 calendar days after the district received your notice of appeal. The school board's decision will include information about how to file a complaint with the Office of Superintendent of Public Instruction (OSPI).

Complaint to OSPI

If you do not agree with the school district's appeal decision, state law provides the option to file a formal complaint with the Office of Superintendent of Public Instruction (OSPI). This is a separate complaint process that can take place if one of these two

conditions has occurred: (1) you have completed the district's complaint and appeal process, or (2) the district has not followed the complaint and appeal process correctly.

You have 20 calendar days to file a complaint to OSPI from the day you received the decision on your appeal. You can send your written complaint to the Equity and Civil Rights Office at OSPI:

Email: Equity@k12.wa.us | **Fax:** 360-664-2967

Mail or hand deliver: PO Box 47200, 600 Washington St. S.E., Olympia, WA 98504-7200

For more information, visit www.k12.wa.us/Equity/Complaints.aspx, or contact OSPI's Equity and Civil Rights Office at 360-725-6162/TTY: 360-664-3631 or by e-mail at equity@k12.wa.us.

Other Discrimination Complaint Options

Office for Civil Rights, U.S. Department of Education

206-607-1600 | TDD: 1-800-877-8339 | OCR.Seattle@ed.gov | www.ed.gov/ocr

Washington State Human Rights Commission

1-800-233-3247 | TTY: 1-800-300-7525 | www.hum.wa.gov

HARASSMENT, INTIMIDATION, OR BULLYING

The district 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:

- Physically harms a student or damages the student's property;
- Has the effect of substantially interfering with a student's education;
- Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; 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 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, innuendos, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, or other written, electronic, 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 by the IEP team.

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 - Dr. Shaun Carey, Deputy Superintendent of PK-12, can be contacted at 315 129th Street South, Tacoma WA 98444, or (253) 298-3021. Incident reporting forms and complete copies of Policy 3207 and 3207P, Prohibition of Harassment, Intimidation, and Bullying, are available on our district website, in each school office, and at the district office.

AUTOMATED MESSAGES

Franklin Pierce uses an automated messaging service to send school-related phone calls and text messages.

- **Phone Calls:** All parents/guardians who have provided their phone number to the school or district will receive phone calls with information regarding school updates, attendance, food account balances and emergencies. Parents/guardians may change their contact numbers or opt out of receiving non-emergency calls at any time by contacting their student's school office, calling the district office at 253-298-3009, or logging into the Skylert system through Skyward Family Access and de-selecting non-emergency calls.
- **Text messages:** All parents/guardians can opt in to receive emergency notifications via text message through contact cellular numbers in the Skylert system. To opt in at any time, send the message "Y" or "YES" to 67587. To opt out at any time, send the message "STOP" to 67587.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. Sec. 1232g) is a federal law that protects the disclosure of personally identifiable information contained in protected education records, and guarantees parents and eligible students access to the student records. "Eligible students" are those students over 18 years of age to whom FERPA rights are transferred; however, under certain circumstances—such as when the student remains a dependent for federal income tax purposes—the parent of an 18 year old student is still entitled to access education records even after the student turns 18 years of age.

Specifically, FERPA rights include:

- The right to inspect and review a student's education records within 45 days of the date the district receives a request for access. Parents or eligible students should submit to the school principal or other appropriate school official a written request that identifies the records they wish to inspect. The principal will make arrangements for access and notify the parents or eligible students of the time and place where the records may be inspected.
- The right to request an amendment of the student's education records that the parent or eligible student believes to be inaccurate or misleading. A written request should be submitted to the school principal clearly identifying the part of the records for which a change is requested and explaining why it is considered to be inaccurate or misleading. If Franklin Pierce Schools 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 their request for the amendment. Additional information regarding hearing procedures will be provided to the parents or eligible student when they are notified of their right to a hearing.
- Parent/guardians or eligible students have a right to inspect or review information, including when the student is a dependent under IRS tax code, when the student has violated a law or the school rules regarding alcohol or substance abuse (and the student is under 21), and when the information is needed to protect the health or safety of the student or other individuals.
- The right to consent to disclosures of personally identifiable information contained in the student's educational 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 unit personnel); a person serving on the School Board; a person or company with whom the district has contracted to perform a special task (such as an attorney, hearing officer, auditor, medical consultant, or therapist); or a parent/guardian or student serving on an official committee, such as a disciplinary or grievance committee, or assisting

another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the district discloses educational records without consent to officials of another school district in which a student seeks or intends to enroll.

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-4605.

Release of Student “Directory Information”

A category of information contained in student records is designated under FERPA as “directory information.” Unlike other education records that require consent before disclosure, directory information may be released unless the parent or eligible student specifically objects to disclosure. The primary purpose of directory information is to allow Franklin Pierce Schools to include this type of information in certain school publications, including: drama, musical, or sports programs; the annual yearbook; graduation programs; or photographs on a school or district website. Franklin Pierce Schools has designated the following information as directory information:

- A student’s name
- A student’s address, telephone listing, and email address
- The student’s image or likeness in pictures, videotape, film, or other medium
- The student’s date and place of birth
- The student’s course of study
- Participation in officially recognized activities and sports
- Height and weight of a member of an athletic team
- Dates of attendance
- The most recent school attended by the student
- Degrees and awards received

If the circumstances of disclosure to a third party would confirm or reveal that a student is a person with a disability, federal and state law prohibits the release of even directory information without written consent of a parent or eligible student. If a parent or eligible student desires that directory information not be released, he or she should notify the principal of the school where the student attends.

Federal law requires disclosure of a student’s personal information to military recruiters upon request unless parent/guardian or an eligible student have advised the school district that student information cannot be disclosed without prior written consent. If a parent or eligible student does not want Franklin Pierce Schools to disclose such personal information, the school building must be notified in writing. Forms are available online at www.fpschools.org or at your student’s school.

Student Transcript Requests Under FERPA

With one exception noted below, a school will provide or make available to a student, or a student’s parent/guardian, a copy of the student’s official transcript. Release of a student’s transcript to any other persons may only occur upon written authorization of an eligible student or a student’s parent/guardian, as set forth in FERPA. High school students should always keep in mind that prospective employers may request to see transcripts and the decision to release a transcript can be an important part of the process of applying for employment (see WAC 392-415-090). Under RCW 28A.635.060 (1) and 28A.225.330 (2), a school may withhold the official transcript of any student who transfers to a new school and has not paid any outstanding fines or fees, including such fees associated with damage caused by the student to school property.

HIGHLY CAPABLE PROGRAM

The district will provide a continuance of services for highly capable students at the elementary, middle, and high schools levels.

- In kindergarten through grade 3, the needs of highly capable students are met through differentiation and individualization in the general education classroom.
- In grades 4-5, the needs of highly capable students are met through differentiated instruction in the general education classroom and/or placement in a full time highly capable program.
- In grades 6-12, the needs of highly capable students are met through differentiated instruction in the general education classroom, subject and/or grade acceleration, and challenging course placement. Specific counseling support will be available for identified highly capable students in selecting appropriately challenging courses, such as advanced courses, Running Start, Advanced Placement, and dual credit opportunities.

For more information related to our highly capable selection process you may visit our district website, contact your student’s school, or contact Dr. Annette Burnett, Assistant Director of Data, Assessment and Highly Capable at (253) 298-3062.

MAINTAINING PROFESSIONAL STAFF/STUDENT BOUNDARIES

Purpose

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

Boundary Invasions

In a professional staff/student relationship, staff maintain boundaries that are consistent with the legal and ethical duty of care that school personnel have for students. A boundary invasion is an act or omission by a staff member that violates professional staff/student boundaries and has the potential to abuse the staff/student relationship. An inappropriate boundary invasion means an act, omission, or pattern of such behavior by a staff member that does not have an educational purpose and results in abuse of the staff/student professional relationship.

Inappropriate Boundary Invasion Examples

Examples of possible inappropriate boundary invasions by staff members include, but are not limited to, the following:

- Any type of inappropriate physical contact with a student or any other conduct that might be considered harassment under the district’s policy on Sexual Harassment of Students (Policy 3205); Prohibition of Harassment, Intimidation, and Bullying (Policy 3207); Nondiscrimination (Policy 3210); Title IX of the Education Amendments of 1972 (Title IX); the Washington State Law Against Discrimination (Chapter 49.60 RCW); or that constitutes misconduct under RCW 28A.640 and .642 or WAC 181-88-060; or any conduct that would constitute a violation of Chapter 9A.44 or 9A.88 RCW;
- Showing pornography to a student;
- Singling out a particular student or students for personal attention and friendship beyond the professional staff/student relationship;
- Socializing where students are consuming alcohol, drugs, or tobacco;
- For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student’s school performance;
- Sending students on personal errands unrelated to any educational purpose;
- Banter, allusions, jokes, or innuendos of a sexual nature with students;
- Disclosing personal, sexual, family, and/or employment concerns, or other private matters, to one or more students;
- Addressing students, or permitting students to address staff members, with personalized terms of endearment, pet names, or otherwise in an overly familiar manner;
- Maintaining personal contact with a student outside of school by phone, email, instant messenger, internet chat rooms, social networking websites, or letters beyond homework or other legitimate school business without including the building administrator/supervisor and parent/guardian;
- Exchanging personal gifts, cards, or letters with an individual student;
- Socializing or spending time with students (including, but not limited to, activities such as going out for beverages, meals, or movies; shopping; traveling; and recreational activities) outside of school-sponsored events, except as participants in organized community activities;
- Giving a student a ride alone in a vehicle in a non-emergency situation;
- Unnecessarily invading a student’s privacy (e.g. walking in on the student in the bathroom);
- Soliciting or sending phone, email, text messages, or other forms of written or electronic communication to students without building administrator/supervisor and parent permission when the communication is unrelated to school work or other legitimate school business; or
- Any other conduct that fails to maintain professional staff/student boundaries.

Appearances of Impropriety

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

- Being alone with an individual student out of the view of others;
- Inviting or allowing individual students to visit the staff member’s home;
- Visiting a student’s home; or
- Soliciting or sending email, text messages, or other electronic communications to the student, even when the communication relates to school business, except where the parent/guardian and building administrator/supervisor has consented to such communications and receives a copy of the communication. Staff should use school email addresses and phone numbers and the parent/guardian phone numbers for communications with students, except in emergency situations.

Reporting Violations

Students and their parents/guardians are strongly encouraged to notify the principal or another administrator if they believe a staff member may be engaging in conduct that violates this policy or procedure. Staff members are required to promptly notify the principal or the supervisor of the staff member suspected of engaging in inappropriate conduct that violates this policy or procedure. The administrator to whom a boundary invasion concern is reported must document the concern in writing and provide a copy of the documentation to the Human Resources Department. Human Resources will maintain a file documenting reports of boundary invasion concerns.

Reporting Sexual Abuse

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

Disciplinary Action

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

Training

All new employees and volunteers will receive training and/or notice on appropriate staff/student boundaries within ninety (90) days of employment or service. Continuing staff will receive training every three years.

Dissemination of Policy and Reporting Protocols

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

ONLINE CLASSES

Franklin Pierce Schools provides access to online courses for high school credit retrieval during the school year and summer months. High school students may contact their school counseling office to determine courses/credits needed and to register for class. There may be a minimal cost to the student for online credit retrieval classes. Financial assistance may be available. The high school will inform students and their parent/guardian of rescheduling options or grade impacts in the event a student withdraws from an online course prior to completion.

PROTECTION OF PUPIL RIGHTS ACT

The Protection of Pupil Rights Act (PPRA) affords parents certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

- *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education:
 1. Political affiliations or beliefs of the student or student's parent;
 2. Mental or psychological problems of the student or student's family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or student's parent; or
 8. Income, other than as required by law to determine program eligibility.

- *Receive notice and an opportunity to opt a student out of:*
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use

of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)

- *Inspect*, upon request and before administration or use:
 1. Protected information surveys of students and surveys created by a third party;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

Franklin Pierce School District will directly notify parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. Franklin Pierce School District will also notify parents in writing when it identifies dates or approximate dates of the activities or surveys.

- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by U.S. Department of Education.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with: Family Policy Compliance Office U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202.

PUBLIC RECORDS

Pursuant to Chapter 42.56 RCW, parents and other members of the public have the right to inspect and copy public records retained by the district, including records pertaining to employee discipline, unless the records are exempt from public disclosure under state law.

SPECIAL EDUCATION

Franklin Pierce Schools will make policies and procedures and any required evaluations, plans, and reports relating to the Individuals with Disabilities Act (IDEA) Part B program available to the public, upon request, through the district's Learning Support Services Department and the Superintendent's Office. For information, call 253-298-3048.

Franklin Pierce Schools will be applying for federal special education funds through IDEA Part B. Please contact the Learning Support Services Department at 253-298-3048 if you wish to review the application.

TITLE I

Parents of children attending Title I, Part A schools (Ford Middle School, Keithley Middle School, Franklin Pierce High School, Washington High School, and GATES High School) have the right to request and receive information about the qualifications of the educators who teach students core subjects - reading, English language arts, and mathematics. Parents can request whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction, whether the teacher is teaching under emergency certification or other provisional status through which state qualification or licensing criteria have been waived, and whether the teacher is teaching in the field of discipline of the teacher's certification. Parents may also request information related to the qualifications of paraprofessionals who provide instruction to students. If you would like to request this information, you may contact the Title I Coordinator at 253-298-3048 or the Human Resources Department at 253-298-3082.

USE OF TOBACCO, NICOTINE PRODUCTS, AND DELIVERY DEVICES

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

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

The use of FDA approved nicotine replacement therapy in the form of a nicotine patch, gum, or lozenge is permitted. However, students and employees must follow applicable policies regarding use of medication at school.

Notices advising students, district employees, and community members of this policy will be posted in appropriate locations in all district buildings and at other district facilities as determined by the superintendent and will be included in employee and student handbooks.

Employees and students are subject to discipline for violations of this policy, and school district employees are responsible for the enforcement of the policy.

WELLNESS POLICIES

Franklin Pierce Schools is working to create a healthier environment for our students. A variety of ways to offer healthy food choices throughout our schools are being considered - in the school meal programs, vending machines, classroom celebrations and at school-sponsored events. We are also supporting nutrition education and physical activity in our schools. Our Nutrition and Physical Fitness policy is included in the FPS Policy 6700 and is available on our district website at www.fpschools.org. If you have any questions or comments, you may contact our district office at (253) 298-3000.