



2024-25

Rights and Responsibilities

Handbook for Students, Parents, and School Personnel

Port Angeles School District
905 West 9th Street
Port Angeles, WA 98363
www.portangelesschools.org

Important

Please review the policies and procedures listed in the booklet. The online version is available at www.portangelesschools.org.

Please complete the “Acknowledgement of Receipt” form in Skyward. If applicable, please complete the “Student Housing Questionnaire” form and return all forms to your student’s school as soon as possible. Thank you!



**Handbook for Students, Parents,
and School Personnel 2024-2025**

Distribution Notice and Acknowledgment Signature Page

**Please complete, sign and return this page to your student’s school as soon as possible.
If you have students in multiple schools, turn it in to the school your youngest student attends.**

The purpose of the handbook is to familiarize students and families with their rights and responsibilities in helping maintain a dynamic, responsive, and nurturing learning environment. This handbook is available to all students, staff and families on the district website at www.portangelesschools.org. Hard copies will be distributed to all students within the first few days of school. If you have any questions regarding this handbook, please contact your school administrator.

Please note that this page of the handbook is the *Annual Distribution Notice and Acknowledgement of Receipt* form. **This form must be filled out and signed by the student and the parent each year, either through Skyward or in person.**

I acknowledge that the **Handbook for Students, Parents, and School Personnel 2024-25** has been made available to me online and in print at my building or at the district office. I also acknowledge that it is my responsibility to read the handbook with my student(s). I understand that this document has given me and my student(s) notice of the types of misconduct for which discipline, suspension, or expulsion may be imposed and procedures for administering such corrective action. It has provided us with important information regarding the Family Educational Rights and Privacy Act (FERPA) and Student use of technology. Failure to respond to this communication does not relieve the student from the responsibility of complying with the rules and policies referenced in the Student Handbook

Student Name (Please print)

Student Name (Please print)

Student Name (Please print)

Student Signature

Student Signature

Student Signature

School

School

School

Parent/Guardian Name (Please print)

Parent/Guardian Signature

(If you need spaces for more students, please use the back of this page)

Date

McKinney-Vento Act 42 U.S.C. 11435

SEC. 725. DEFINITIONS.

For purposes of this subtitle:

- (1) The terms enroll' and enrollment' include attending classes and participating fully in school activities.
- (2) The term homeless children and youths' —
 - (A) means individuals who lack a fixed, regular, and adequate nighttime residence (within the meaning of section 103(a)(1)); and
 - (B) includes —
 - (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals;
 - (ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings (within the meaning of section 103(a)(2)(C));
 - (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
 - (iv) migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).
- (6) The term unaccompanied youth' includes a youth not in the physical custody of a parent or guardian.

Additional Resources

Parent information and resources can be found at the following:

[National Center for Homeless Education](#)

[National Association for the Education of Homeless Children and Youth \(NAEHCY\)](#)

[SchoolHouse Connection](#)

Port Angeles School District

RELEASE OF DIRECTORY INFORMATION

Under the federal Family Educational Rights and Privacy Act (FERPA), individuals and organizations may request directory information about students. Directory information could include a student's name, photograph, address, telephone number (unless unlisted), dates of attendance, participation in officially recognized activities and sports, weight and height of members of athletic teams, diplomas and awards received, and the most recent previous school attended. Families have the right to restrict the release of this directory information. If you **DO NOT** want directory information regarding your student released, please check the appropriate box(es) below and return the form to your student's school by November 12th of the current school year. Check and return this form only if you **DO NOT** want directory information released. If no documentation is on file, it will be assumed that the parent/legal guardian has granted permission for release of directory information. This information is also available to update on Skyward Family Access.

HIGH SCHOOL STUDENTS ONLY:

Under federal law, the military may request contact information for high school juniors and seniors. If you **DO NOT** want your student's information released to the military, check the box below and return the form by November 12th of the current school year to ensure your preferences are registered before the military files its request for information.

Note: Checking the box below does not prohibit the military from gathering student information from other non-school district sources or from having military recruiters speak with your student while on campus.

MILITARY USE: Please **DO NOT** release my student's directory information to the U.S. Military.

FOR ALL FAMILIES:

If you **DO NOT** want directory information regarding your child released, please check the appropriate box(es) below and return it to your school office by November 12th of the current school year.

HIGHER EDUCATION: Please **DO NOT** release my student's directory information to institutions of higher learning.

DISTRICT/SCHOOL LOCAL USE: Please **DO NOT** release my child's visual image or other directory information for PASD use (i.e. yearbooks, publications, websites, school- or district-related social media).

PUBLIC OUTSIDE MEDIA USE: Please **DO NOT** release my child's visual image or other directory information to outside print, broadcast or online news media (i.e. newspapers, radio, television, etc.).

Student's Legal Name: _____ School: _____ Grade: _____
(Please Print)

Signature of Parent/Legal Guardian or Student (if 18 years of age or older) Date: _____

Please use one form per student

If you require additional forms, please make copies, contact your school or download on the district website. Return to your child's school by November 12th of the current school year if you **DO NOT** want your child's directory information released. Directory Information is also available to update through Skyward Family Access/Release of Directory Information

PORT ANGELES SCHOOL DISTRICT NO. 121
Port Angeles, Washington

TO: All Principals, Assistant Principals, Teachers, Support Staff, Parents, and Students

FROM: Martin Brewer, Superintendent of Schools
Michelle Olsen, Assistant Superintendent – Teaching and Learning

RE: Student Code of Conduct Handbook

DATE: August 2024

Dear Parents, Students, and Staff:

Welcome to the 2024-2025 school year! I extend a warm welcome to our returning families and those new to the Port Angeles School District. We look forward to a positive partnership with you this year as our teachers, support staff, and principals work to provide students with a quality educational experience. The Port Angeles School District creates learning communities that prepare students to live, work, and learn successfully in a changing world. Please take a moment to familiarize yourself with its content and reference it throughout the school year as questions or concerns arise.

The Student Code of Conduct Handbook is updated each year, establishes student expectations, and provides guidelines for conduct. Its pages are filled with helpful information to ensure a safe, successful, and rewarding school year. Please join us in our vision of ensuring all Port Angeles School District students graduate prepared for life-long learning.

The Port Angeles School District consistently holds all students to high standards and expectations, which empower them to take responsibility for the challenges of a rigorous educational experience to achieve their full potential. Just as students have rights, they also have responsibilities. Expectations include students attending school regularly and behaving in a way that doesn't keep others from learning. Student expectations, unacceptable conduct, and consequences are clearly outlined in the handbook.

We encourage you to call your school if you need clarification of any rule, regulation, or policy. We appreciate your partnership and wish you a happy and successful 2024-2025 school year!

Keeping Students First,



Marty Brewer
Superintendent

PORT ANGELES SCHOOL DISTRICT #121

Handbook for Students, Parents, and School Personnel 2024-25 v.1 (August 2024)

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Distribution: The Handbook for Students, Parents, and School Personnel is published online on the school district website, www.portangelesschools.org. To find the handbook, click on Students > Code of Conduct Handbook. The handbook is subject to change at any time, with or without notice, and the most current version is always available online. If you have questions or comments about the handbook, please consult with your school principal. Additional policies and procedures can be found on the school district website or by contacting the district office. The Handbook for Students, Parents, and School Personnel is distributed pursuant to Washington Administrative Code (“WAC”) Chapter 392-400, which prescribes substantive and procedural due process rights of students. This handbook is also in compliance with Public Law 101-226, Drug-Free Schools and Communities Act Amendments.

Disclaimer: This handbook and policies are governed by the laws of the State of Washington and the United States of America. The policies and procedures contained herein are subject to amendment from time to time by Congress, the State Legislature, or Board of Education. Every attempt to provide accurate information has been made. The most current versions are published online on the district’s website, www.portangelesschools.org, <http://apps.leg.wa.gov/wac/>. In the event of any conflict between a school’s rules and this handbook, the terms of this handbook shall prevail. In the event of a conflict between this handbook and the provisions of Chapter 392-400 WAC, the

WAC shall prevail.

Discrimination: The Port Angeles School District does not discriminate in any programs or activities on the basis of sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression, gender identify, 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 employee(s) has been designated to handle questions and complaints of alleged discrimination:

Civil Rights and Title IX Officer: Scott Harker, Human Resources Director,
sharker@portangelesschools.org 905 W 9th St, Port Angeles, WA 98363, 360-457-8575

Rhonda Kromm, Section 504 Coordinator
rkromm@portangelesschools.org 905 W 9th St, Port Angeles, WA 98363, 360-457-8575

Gender Inclusive Schools Coordinator: Michelle Olsen, Assistant Superintendent
molsen@portangelesschools.org 905 W 9th St, Port Angeles, WA 98363, 360-457-8575

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 below). For a copy of your district's nondiscrimination policy and procedure, contact your school or district office or view it online: <https://app.eduportal.com/share/46CBADB6-1>

Sexual Harassment: Students and staff are protected against sexual harassment by anyone in any school program or activity, including on the school campus, on the school bus, or off-campus during a school-sponsored activity.

Sexual harassment is unwelcome behavior or communication that is sexual in nature when:

- A student or employee is led to believe that he or she must submit to unwelcome sexual conduct or communications in order to gain something in return, such as a grade, a promotion, a place on a sports team, or any educational or employment decision, or
- The conduct substantially interferes with a student's educational performance, or creates an intimidating or hostile educational or employment environment.

For more detailed information concerning sexual harassment, see the District Sexual Harassment Policy listed in the Table of Contents of this Handbook.

Introduction: The Port Angeles School District Handbook for Students, Parents, and School Personnel 2024-25 sets forth the written rules and regulations of the Port Angeles School District regarding student conduct, recognitions and positive reinforcements, corrective actions and rights, and it indicates the types of misconduct for which discipline, suspension and expulsion may be imposed. In addition to these rules and regulations, each school in the district may provide additional rules and procedures regarding student conduct and the administration of positive reinforcements and corrective actions at that school. Compliance with standards of conduct is mandatory.

Every teacher, school administrator, school bus driver, and other school employees of the school district shall have the authority to impose reasonable consequences on any student for misconduct in accordance with the procedures specified in this handbook; to temporarily remove a student from a class, subject, or activity as provided for herein; and to make recommendations to appropriate school authorities for the discipline, suspension or expulsion of any student. Except as otherwise provided, only a school administrator, the superintendent, or his or her designee may initiate a suspension or expulsion.

STUDENT RIGHTS AND RESPONSIBILITIES

Policy: 3200 – Rights and Responsibilities

Revised: 10/10/2019

Annually, the superintendent or designee will develop handbooks pertaining to student rights, conduct, and discipline, and make the handbooks available to all students, their parents/guardians, and staff members. The building principal and certificated building staff member(s) will confer at least annually to develop and/or review student conduct standards and the uniform enforcement of those standards as related to the established student handbooks. They will seek to develop precise definitions for common problem behaviors and build consensus on what constitutes manifestation of those problem behaviors. The definitions will also address differences between major and minor manifestations of problem behaviors to identify those problem behaviors that teachers and other classroom staff members can generally address and those problem behaviors that are so severe that a district administrator needs to be involved. This work will also help district staff members identify and address differences in the perception of subjective misbehaviors and reduce the effect of implicit bias.

They will also confer annually to establish criteria for determining when certificated staff members will complete classes to improve classroom management skills.

All students who attend the district's schools will comply with the written policies, rules, and regulations of their schools, will pursue the required course of studies, and will submit to the authority of building staff member(s), subject to such discipline, including other forms of discipline as the school building principal or designee will determine.

Cross References: 3241 - Student Discipline

Legal References: RCW 28A.150.240 Certificated teaching and administrative staff as accountable for classroom teaching — Scope — Responsibilities — Penalty

28A.400.110 Principal to assure appropriate student discipline — building discipline standards — classes to improve classroom management skills

28A.405.060 Course of study and regulations - Enforcement — Withholding salary warrant for failure

28A.600.010 Enforcement of rules of conduct — Due process guarantees — Computation of days for short-term and long-term suspensions

28A.600.020 Exclusion of student from classrooms — Written disciplinary procedures — long term suspension or expulsion

28A.600.040 Pupils to comply with rules and regulations

Chapter 392-168 WAC Special service programs - Citizen complaint procedure for certain categorical federal programs

Adoption Date: 10/10/2005

Revised Dates: 10/10/2019

FAMILY EDUCATION RIGHTS AND PRIVACY ACT (FERPA) [20 U.S.C. § 1232g; 34 CFR Part 99]

From the U.S. Department of Education website, <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>:

- A. The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.
- B. The Family Education Rights and Privacy Act of 1974 requires school districts to notify parents that schools maintain official records regarding their child which include information deemed necessary to the welfare of students and the orderly operation of schools or information required by law and regulation. FERPA affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:
 1. The right to inspect and review the student's education records within 45 school days of the day the district receives a request for access.
 - a. Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect.
 - b. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
 2. The right to request the amendment of a student's education records that the parent or eligible student believes are inaccurate or misleading.
 - a. Parents or eligible students may ask the school to amend a record that they believe is inaccurate or misleading. They should write the school principal (or appropriate official), clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.
 - b. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
 3. The right to object to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorized disclosure without consent.
 - a. 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 school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement personnel); a person serving on the school board; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
 - b. A school official has legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.
 4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school 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. 20202-5920.

For an Exemption Request, contact the receptionist at Lincoln Center, 905 W. 9th Street, Port Angeles.

PORT ANGELES SCHOOL DISTRICT STATEMENT ON ACADEMIC INTEGRITY

The Port Angeles School District's mission is to prepare each student to live, work, and learn successfully in a changing world. The principles of academic integrity and honesty are central to the concept that creating life-long learners is the primary purpose of education. All teachers and administrators expect a student's academic work to be original and solely produced by the student. The school district does not tolerate plagiarism, cheating or other forms of academic dishonesty.

At times teachers may have students work collaboratively on projects or assignments. This type of cooperative work is acceptable when it is teacher-directed.

Academic dishonesty is defined as an action, or attempted action, that intends to create an unfair academic advantage for oneself and/or an unfair academic advantage for another student. Academic dishonesty includes, but is not limited to:

Plagiarism: Quoting text or other works on a paper or homework without citing the source, submitting an assignment procured from the internet, or submitting an assignment created by someone else that is claimed as one's own work.

Cheating: Copying work from another student or from the internet, or giving one's own work to another student to be copied; looking at another student's work during an exam; looking at your notes when prohibited; giving another student answers to questions during an assessment; passing test information from an earlier class to a later class.

Fabricating: Intentional fabrication of information, data, research, or citations in assignments.

Collusion: Assisting another individual to commit academic dishonesty; working together on an assessment or assignment unless specifically allowed by the teacher; taking an assessment or completing an assignment for another student, or having another student take an assessment or complete an assignment for one's self student; giving or selling an assignment to another student.

Technology Misconduct: Taking an assessment out of the classroom unless specifically allowed (either in person or by using electronic means); using electronic devices to copy or share assessment materials; using online translation services and submitting those translations as one's own work; using online searches to find answers to assessment questions; posting answers to assessment questions online.

Academic Misconduct: Intentional violation of school policies; changing an assessment or assignment, and claiming it had been graded incorrectly; an act or omission that is intended to deceive a staff member for academic advantage; lying to a staff member when confronted with allegations of academic dishonesty.

ATHLETIC CODE

The opportunity to participate in the interscholastic program is a privilege granted to all students of the district. Participants in this voluntary program are expected to conform to specific regulations established by the WIAA, district policy, coaches or advisors, and the specific league in which they are participating ("the Olympic league"). A student who violates any rule is subject to suspension or expulsion from the activity. The procedural guidelines to enforce Washington Interscholastic Activity Association (WIAA) regulations, the league rules and Port Angeles School District policies consistently throughout the district, and to provide students certain rights, are available on the Port Angeles School District website at: <https://app.eduportal.com/share/37568032-1> Behavior and academic eligibility rules also apply.

ATTENDANCE

Policy 3110 - Qualification of Attendance and Placement

Revised: 5/27/2021

Age of Admission

Attending the schools of the district shall be recognized as a right and responsibility for those who meet the requirements prescribed by law. Every resident of the district who satisfies the minimum entry age requirement and is less than 21 years of age has the right to attend the district's schools until he/she completes high school graduation requirements. Children of age 8 and less than age 18 are required by law to attend a public school, an approved private school or educational center, unless they are receiving approved home-

Board Policy 3122 Excused and Unexcused Absences
Board Policy 4220 Complaints Concerning Staff or Program

Legal References: RCW 28A.225.010 Attendance mandatory — Age — Person having custody shall cause child to attend public school — When excused
RCW 28A.225.020 School's duties upon juvenile's failure to attend school
RCW 28A.225.160 Attendance age eligibility
RCW 28A.225.220 Adults, children from other districts, agreements for attending school — Tuition
WAC 392-335 Uniform Entry Qualifications
WAC 392-134-010 Attendance rights of part-time public-school students
WAC 392-137 District policies — Procedure and criteria for release of resident students and admission of nonresident students

Management Resource: Policy News, August 1999 Districts may set K-screening fees

Adoption Date: 10/10/2005

Revised: 8/25/2008

Policy 3122 - Excused and Unexcused Absences

Revised: 01/14/2021

Definition of Absence

Absence from in-person learning

WAC 392-401-015A states the definition of an absence:

1. A student is absent when they are:
 - a. Not physically present on school grounds; and
 - b. Not participating in the following activities at an approved location:
 - i. Instruction
 - ii. Any instruction-related activity; or
 - iii. Any other district or school approved activity/event that is regulated by an instructional/ academic accountability system, such as participation in district-sponsored sports.

Definition of absence from remote learning

(1) A student is absent from remote learning when the student is not participating in planned instructional activities on a scheduled remote learning day. (2) Evidence of student participation in remote learning may include but is not limited to: (a) Daily logins to learning management systems; (b) Daily interactions with the teacher to acknowledge attendance (including messages, emails, phone calls or video chats); or (c) Evidence of participation in a task or assignment.

Excused and Unexcused Absences

Educators and administrators have a responsibility to monitor absences to determine if students and families need support. Students are expected to attend all assigned in-person classes each day or participate in all assigned remote instructional activities. Upon enrollment and at the beginning of each school year, the district will inform students and their parents/guardians of this expectation, the benefits of regular school attendance, the consequences of truancy, the role and responsibility of the district regarding truancy, and resources available to assist the student and their parents/guardians in correcting truancy. The district will make this information available online and will take reasonable steps to ensure parents/guardians can request and receive such information in languages in which they are fluent. Parents/guardians will be required to date and acknowledge review of this information online or in writing consistent with RCW 28A.225.005.

Excused Absences

Regular school attendance is necessary for mastery of the educational program provided to students of the district. At times, students may be absent from class or not able to participate remotely. School staff members will keep a record of absence and tardiness, including a record of excuse statements submitted by a parent/guardian, or in certain cases, students, to document a student's excused absences. The following principles will govern the development and administration of attendance procedures within the district:

The following are valid excuses for absences:

1. Illness, health condition or medical appointment (including, but not limited to, medical, counseling, dental, optometry, pregnancy, and in-patient or out-patient treatment for chemical dependency or mental health) for the student or person for whom the student is legally responsible;
2. Family emergency including, but not limited to, a death or illness in the family;

3. Religious or cultural purpose including observance of a religious or cultural holiday or participation in religious or cultural instruction;
4. Court, judicial proceeding, court-ordered activity, or jury service;
5. Post-secondary, technical school or apprenticeship program visitation, or scholarship interview;
6. State-recognized search and rescue activities consistent with RCW 28A.225.055;
7. Absence directly related to the student's homeless or foster care/dependency status;
8. Absences related to deployment activities of a parent/guardian who is an active-duty member consistent with RCW 28A.705.010;
9. Absences due to suspensions, expulsions or emergency expulsions imposed pursuant to WAC 392-400 if the student is not receiving educational services and is not enrolled in qualifying "course of study" activities as defined in WAC 392-121-107;
10. Absences due to student safety concerns, including absences related to threats, assaults, or bullying;
11. Absences due to a student's migrant status; and
12. An approved activity that is consistent with district policy and is mutually agreed upon by the building principal or designee and a parent/guardian, or emancipated youth.
13. Absences related to the student's illness, health condition, or medical appointments due to COVID-19;
14. Absences related to caring for a family member who has an illness, health condition, or medical appointment due to COVID-19;
15. Absences related to the student's employment or other family obligations during regularly scheduled school hours that are temporarily necessary due to COVID-19 until other arrangements can be made, including placement in a more flexible education program;
16. Absences due to the student's parent/guardian work schedule or other obligations during regularly scheduled school hours, until other arrangements can be made;
17. Absences due to the student's lack of necessary instructional tools, including internet broadband access or connectivity; and
18. Other COVID-19 related circumstances as determined between school and parent/guardian or emancipated youth.

The building principal or designee has the authority to determine if an absence meets the above criteria for an excused absence. The Superintendent will approve additional categories or criteria for excused absences.

1. If an absence is excused, the student will be permitted to make up all missed assignments outside of class under reasonable conditions and time limits established by the appropriate teacher; where reasonable, if a student misses a participation-type class, they can request an alternative assignment that aligns with the learning goals of the activity missed.
2. An excused absence will be verified by a parent/guardian or an adult, emancipated or appropriately aged student, or school authority staff member responsible for the absence. If attendance is taken electronically, either for a course conducted online or for students physically within the district, an absence will default to unexcused until such time as an excused absence can be verified by a parent/guardian or other responsible adult. If a student is to be released for health care related to family planning or abortion, the student will require that the district keep the information confidential. Students thirteen (13) and older have the right to keep information about drug, alcohol or mental health treatment confidential. Students fourteen (14) and older have the same confidentiality rights regarding HIV and sexually transmitted diseases.
3. Except as provided in subsection (2) of this section, in the event that a student in elementary school is required to attend school under RCW 28A.225.010 or 28A.225.015(1) and has five (5) or more excused absences in a single month during the current school year, or ten (10) or more excused absences in the current school year, the district will schedule a conference or conferences with the parent/guardian and student at a time reasonably convenient for all persons included for the purpose of identifying the barriers to the student's regular attendance, and the supports and resources that can be made available to the parent/guardian so that the student is able to regularly attend school. To satisfy the requirements of this section, the conference will include at least one school (1) district staff member such as a nurse, counselor, social worker, teacher, or community human services provider, except in those instances regarding the attendance of a student who has an individualized education program or a plan developed under section 504 of the rehabilitation act of 1973, in which case the reconvening of the team that created the program or plan is required.

This conference is not required if the school has received prior notice or a doctor's note has been provided and an academic plan has been put in place so that the student does not fall behind.

Unexcused Absences

1. Any absence from school for the majority of hours or periods in an average school day is unexcused unless it meets one (1) of the criteria above for an excused absence.
2. As a means of instilling values of responsibility and personal accountability, a student whose absence is not excused will experience the consequences of their absence. A student's grade will be affected if a graded activity or assignment occurs during the period of time when the student is absent.

3. The school will notify a student's parent/guardian in writing or by telephone whenever the student has failed to attend school after one (1) unexcused absence within any month during the current school year. The notification will include the potential consequences of additional unexcused absences. The school will make reasonable efforts to provide this information in a language the parent/guardian understands.
4. The school will hold a conference with the parent/guardian after three (3) unexcused absences within any month during the current school year. The conference will analyze the causes of the student's absences and develop a plan that identifies student, school, and family commitments to reduce the student's absences from school. If the parent/guardian does not attend the conference, the building principal or designee will still hold the conference with the student. However, the building principal or designee will notify the parent/guardian of the steps the district has decided to take to eliminate or reduce the student's absences.
5. Between the student's second and fifth unexcused absence, the building principal or designee will take the following data-informed steps:
 - a. Middle and high school students will be administered the Washington Assessment of the Risks and Needs of Students (WARNS) or other district assessment
 - b. These steps will include, where appropriate, providing an available approved best practice or research-based intervention, or both, consistent with the WARNS profile or other assessment, if an assessment was applied, adjusting the student's school program or school or course assignment, providing more individualized or remedial instruction, providing appropriate vocational courses or work experience, referring the student to a community truancy board, requiring the student to attend an alternative school or program, or assisting the parent/guardian or student to obtain supplementary services that might eliminate or ameliorate the cause or causes for the absence from school.
 - c. For any student with an existing individualized education plan or 504 plan, these steps will include the convening of the student's individualized education plan or 504 plan team, including a behavior specialist or mental health specialist where appropriate, to consider the reasons for the absences. If necessary, and if consent from the parent/guardian is given, a functional behavior assessment to explore the function of the absence behavior will be conducted and a detailed behavior plan completed. Time will be allowed for the behavior plan to be initiated and data tracked to determine progress.
6. Not later than the student's fifth unexcused absence in a month the district will enter into an agreement with the student and parent/guardian that establishes school attendance requirements, refer the student to a community truancy board or file a petition and affidavit with the juvenile court alleging a violation of RCW 28A.225.010.
7. If such action is not successful, the district will file a petition and affidavit with the juvenile court alleging a violation of RCW 28A.225.010 by the parent/guardian, student or parent/guardian and student no later than the seventh unexcused absence within any month during the current school year or upon the tenth unexcused absence during the current school year.

The Superintendent or designee will enforce the district's attendance policies and procedures. Full knowledge and cooperation of students and parent/guardian are necessary for the success of the policies and procedures. Procedures will be disseminated broadly and made available to parent/guardian and students annually.

Unexcused absences from remote learning.

Absences from remote learning will be marked as a "no truancy remote learning absence" until February 28, 2020. Such absences will not be marked as excused or unexcused. Beginning October 5, 2020, any absence from remote learning is unexcused unless it meets one of the criteria in WAC 392-401A-020.

Tardies and Disciplinary Actions

1. Students shall not be absent if:
 - a. They have been suspended, expelled, or emergency expelled pursuant to WAC 392-400 ;
 - b. Are receiving educational services as required by RCW 28A.600.015 and WAC 392-400; and
 - c. The student is enrolled in qualifying "course of study" activities as defined in WAC 392-121-107.
2. A full day absence is when a student is absent for fifty percent or more of their scheduled day.
3. A school nor the district will not convert or combine tardies into absences that contribute to a truancy petition.

A student will be considered absent if they are on school grounds but not in their assigned setting.

Tiered response system for student absences

WAC 392-401A-045 states:

School districts must implement a tiered response system to reduce chronic absenteeism and address barriers to student engagement in learning during the COVID epidemic. Tiered response systems under this section must include:

- (a) Monitoring daily attendance data for all students who are absent from remote learning, whether excused or unexcused;
- (b) A process to contact families and verify current contact information for each enrolled student that includes multiple attempts and modalities in the parent/guardian home language;
- (c) Daily notification of absences to parent/guardian;
- (d) A process for outreach from the school to determine student needs, such as basic needs, connectivity and hardware, connection with health and social services as necessary;
- (e) Differentiated supports that address the barriers to attendance and participation that includes universal support for all students and tiered interventions for students at-risk of and experiencing chronic absence; and
- (f) When feasible and appropriate, transitioning the students to full-time in-person learning or other programs to accommodate the student's needs.

Students dependent pursuant to RCW 13.34

A school district representative or certificated staff member will review unexpected or excessive absences of a student who has been found dependent under the Juvenile Court Act with that student and adults involved with that student. Adults can include the student's caseworker, educational liaison, and attorney if one is appointed, parent/guardian, foster parent and/or the person providing placement for the student. The review will take into consideration the cause of the absences, unplanned school transitions, periods of running from care, in-patient treatment, incarceration, school adjustment, educational gaps, psychosocial issues, and the student's unavoidable appointments that occur during the school day. The representative or staff member will proactively support the student's management of their schoolwork.

Migrant Students

The district, parent/guardian and student are encouraged to work to create an Extended Absence Agreement with the school to decrease the risk of an adverse effect on the student's educational progress.

Cross References:

- 2000 - Student Learning Goals
- 2024 - Online Learning
- 2161 - Education of Students with Disabilities
- 2162 - Education of Student with Disabilities Under Section 504
- 2165 - Home and Hospital Instruction
- 2170 - Career and Technical Education
- 2250 - Alternative Programs Policy
- 2255 - Alternative Learning Programs
- 2421 - Promotion and Retention
- 3110 - Admission and Attendance
- 3114 - Part-time, Home-based or Off-campus Students
- 3115 - Homeless Students, Enrollment Rights and Services
- 3116 - Student in Foster Care
- 3120 - Enrollment
- 3121 - Compulsory Attendance
- 3200 - Students Rights and Responsibilities
- 3230 - Student Privacy and Searches
- 3232 - Parent/Guardian and Student Right in Administration of Surveys, Analysis or Evaluations
- 3241 - Student Discipline
- 3400 - Student Health
- 3413 - Student Immunization and Life-Threatening Health Conditions
- 4020 - Confidential Communications
- 4200 - Safe and Orderly Learning Environment
- 4218 - Language Access Plan

Adoption Date: 10/10/2005

Revised Dates: 11/05/2007, 09/26/2011, 02/27/2012, 10/24/2019, 1/14/2021

Policy 3122P - Excused and Unexcused Absences (Procedure)

Revised: 8/2/2021

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

Excused Absences

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

Absence due to: Illness, health condition or medical appointment (including, but not limited to, medical, counseling, dental, optometry, pregnancy, and in-patient or out-patient treatment for chemical dependency or mental health) for the student or person for whom the student is legally responsible; Family emergency including, but not limited to, a death or illness in the family; religious purposes; court, judicial proceeding court-ordered activity, or serving on a jury; post-secondary, technical school or apprenticeship program visitation, or scholarship interview; State recognized search and rescue activities consistent with RCW 28A.225.055; directly related to the student's homeless or foster care/dependency status; absences related to deployment activities of a parent or legal guardian who is an active duty member consistent with RCW 28A.705.010; Absences due to suspensions, expulsions or emergency expulsions imposed pursuant to chapter 392-400 WAC if the student is not receiving educational services and is not enrolled in qualifying "course of study" activities as defined in WAC 392-121-107; Absences due to student safety concerns, including absences related to threats, assaults, or bullying; Absences due to a student's migrant status; Absences related to the student's illness, health condition, or medical appointments due to COVID-19; Absences related to caring for a family member who has an illness, health condition, or medical appointment due to COVID-19; Absences related to the student's employment or other family obligations during regularly scheduled school hours that are temporarily necessary due to COVID-19 until other arrangements can be made, including placement in a more flexible education program; Absences due to the student's parent's work schedule or other obligations during regularly scheduled school hours, until other arrangements can be made; Absences due to the student's lack of necessary instructional tools, including internet broadband access or connectivity; and Other COVID-19 related circumstances as determined between school and parent or emancipated youth.

When possible, the parent/guardian is expected to notify the school office on the morning of the absence by phone, e-mail, or written note, and to provide the excuse for the absence. If no excuse is provided with the notification, or no notification is provided, the parent/guardian will submit an excuse via phone, e-mail or written note upon the student's return to school. Adult students (those over eighteen) and emancipated students (those over sixteen who have been emancipated by court action) will notify the school office of their absences with a note of explanation. Students fourteen years old or older who are absent from school due to testing or treatment for a sexually transmitted disease will notify the school of their absence with a note of explanation, which will be kept confidential. Students thirteen years and older may do the same for mental health, drug or alcohol treatment; and all students have that right for family planning and abortion.

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

1. **Absence for parental-approved activities.** This category of absence will be counted as excused for purposes agreed to by the principal and the parent/guardian. An absence may not be approved if it causes a serious adverse effect on the student's educational progress. The student may not be able to achieve the objectives of the unit of instruction as a result of absence from class. In such a case, a parent or guardian-approved absence would have an adverse effect on the student's educational progress, including the grade for the course.
2. **Absence resulting from disciplinary actions — or short-term suspension.** As required by law, students who are removed from a class or classes as a disciplinary measure or students who have been placed on short-term or long-term suspension will have the right to make up assignments or exams missed during the time they were denied entry to the classroom if the effect of the missed assignments will be a substantial lowering of the course grade.
3. **Extended illness or health condition.** If a student is confined to home or hospital for an extended period, the school will arrange for the accomplishment of assignments at the place of confinement whenever practical. If the student is unable to do his/her schoolwork, or if there are major requirements of a particular course which cannot be accomplished outside of class the student may be required to take an incomplete or withdraw from the class without penalty.
4. **Excused absence for chronic health condition.** Students with a chronic health condition that interrupts regular attendance may qualify for placement in a limited attendance and participation program. The student and his/her parents will apply to the principal or counselor, and a limited program will be written following the advice and recommendations of the student's medical advisor. The recommended limited program will be approved by the principal. Staff will be informed of the student's needs, though the confidentiality of medical information will be respected at the parents' request.

Required conference for elementary school students

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

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

Tiered response system for students who are absent from remote learning

Students who are marked absent from remote learning will receive interventions and services consistent with the tiered response system for student absences implemented by the district pursuant to WAC 392-401A-045. Under the tiered response system, the district will:

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

Unexcused Absences

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

Unexcused absences occur when:

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

Unexcused absences from remote learning.

Absences from remote learning must be marked as a "non-truancy remote learning absence" until October 4, 2020. Such absences shall not be marked as excused or unexcused. Beginning October 5, 2020, any absence from remote learning is unexcused unless it meets one of the criteria in WAC 392-401A-020.

Each unexcused absence within any month of the current school year will be followed by a letter or phone call to the parent informing them of the consequences of additional unexcused absences. The school will make reasonable efforts to provide this information in a language in which that parent is fluent. A student's grade will not be affected if no graded activity is missed during such an absence.

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

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

For any student with an existing Individualized Education Program (IEP) or Section 504 Plan, these steps will include convening the student's IEP team or Section 504 team, including a behavior specialist or mental health specialist where appropriate, to consider the

reasons for the student's absences. If necessary, and if the student's parent gives consent, the district will conduct a functional behavior assessment and will complete a detailed behavior plan to explore the function of the absence behavior.

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

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

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

Transfers

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

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

- a. enter into an agreement with the student and parents/guardians that establishes school attendance requirements;
- b. refer the student to a community engagement board/Cares Team; or
- c. file a petition to juvenile court (see below).

Community Engagement Board

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

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

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

Petition to juvenile court

The petition will contain the following:

1. A statement that the student has unexcused absences in the current school year.
2. An attestation that actions taken by the school district have not been successful in substantially reducing the student's absences from school;
3. A statement that court intervention and supervision are necessary to assist the school district to reduce the student's absences from school;
4. A statement that RCW 28A.225.010 has been violated by the parent, student or parent and student;
5. The student's name, date of birth, school, address, gender, race and ethnicity; and the names and addresses of the student's parents/guardians, whether the student and parent are fluent in English, whether there is an existing individualized education program (IEP) and the student's current academic status in school;

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

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

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

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

All sanctions imposed for failure to comply with the attendance policies and procedures will be implemented in conformance with state and district regulations regarding discipline or corrective action. (See policy 3241, Student Discipline.)

Adoption Date: 12/06/2010

Revised: 8/2/2021

BUS RULES AND REGULATIONS

The Bus Driver has full authority from the School District to ensure students comply with the following rules and regulations for the safe operation and transportation of students on our buses.

I. General Rules and Regulations

- A. Students will comply and obey the bus driver promptly when instruction is given.
- B. Failure of a student to follow and comply with bus rules and regulations or other misconduct on the bus will result in parent contact to enlist corrective actions of disruptive behavior. Continued unacceptable behavior will result in suspension or termination of bus privileges.
- C. Exceptions to any of the following rules must be approved by a School District authority.

II. Specific Rules and Regulations

- A. Cellphone use is not allowed on the school bus during regular school hours. Cellphones must be put away until the student is off the bus.
- B. Students must give their proper identity when requested by the bus driver.
- C. Students shall only ride their regularly scheduled bus. Exceptions are by written approval of a School District authority to be shown to the bus driver when boarding the bus.
- D. Students shall meet the bus and exit the bus only at their regularly assigned stops. Upon exiting the bus, students will go straight to their destination.
- E. Students are expected to follow all school rules of conduct at bus stops. Self-discipline should be exercised by students at all bus loading areas.
- F. Students are expected to be at their bus stop 5 minutes before the scheduled arrival. Bus drivers are instructed not to wait for tardy students. Drivers are instructed not to honk their horn to gain the attention of a student or parent.
- G. Students shall remain seated while the bus is in motion and until the bus comes to a complete stop.
- H. Students shall be seated quickly after boarding the bus and seat assignments may be issued to students by the bus driver. Failure to follow the bus driver's instructions can result in enforcement of rule **B**, under "General Rules & Regulations".
- I. Students shall board and exit the bus in an orderly manner. Pushing and shoving may result in disciplinary action.
- J. When a bus is arriving or departing from any stop, students shall stand clear. A minimum of 10 feet is expected.
- K. Students shall not stand or play in the roadway while waiting for the bus.
- L. Students walking on the roadside should walk facing oncoming traffic whenever possible.

- M. Students shall cross the road or highway only in front of the bus, never behind. The student shall wait for the bus driver to cross them with a hand signal when it safe to proceed.
- N. Private property and school property for bus stops shall be respected at all times.
- O. Students shall refrain from throwing refuse or any other object within or outside the bus.
- P. Students are not permitted to eat or drink when being transported on the bus.
- Q. Students and parents shall not smoke, vape or use tobacco/nicotine products, light or use any combustible product on or around the bus or at the bus stops.
- R. Students shall not open windows on the bus more than six inches or to a line indicated on the window frame.
- S. Students shall not extend any part of their body out the bus window regardless if the bus is moving or not.
- T. Students shall not bring on board or possess any object that can cause injury or damage to the bus, such as; skateboards, sharp objects, any glass containers, weapons of any type, straps or pens extending from clothing or backpacks which could adversely affect the safety of bus passengers.
- U. Parents or guardians of students damaging school buses shall be responsible for proper reimbursement of the cost to repair damage to the Port Angeles School District.
- V. Large objects shall not be transported on the school bus during regular to and from school routes. (Music instruments, sports equipment, etc.)
- W. The bus aisles and emergency exits shall be kept clear of objects at all times.
- X. The use of loud, abusive or vulgar language or obscene gestures is prohibited.
- Y. No unnecessary talking with the bus driver. Distractions can lead to a potential accident.
- Z. Students shall observe silence upon the driver's request during dangerous situations, i.e.: railroad crossings, emergency situations either on or outside of the bus, etc.
- AA. Students are not permitted to sit in the driver's seat at any time.
- BB. Emergency Exit Doors shall be used only in the case of an actual emergency and emergency exit drills. In the event of an actual emergency, emergency exit procedures as practiced during the drills shall be followed.
- CC. Animals are not permitted on school buses. Exceptions are: service animals with valid certification/I.D.'s, such as Seeing Eye dogs, Hearing and Enabler dogs.
- DD. No balloons, live plants, perfumes, or aerosol cans are allowed on busses.

ENROLLMENT

POLICY: 3120 - Students

The superintendent or designee will develop procedures for enrolling students, recording attendance behavior, and counseling and correcting students with attendance problems. When enrolling a student who has attended school in another school district, the parent/guardian and student will be required to briefly indicate in writing whether or not the student has:

- A. Any history of placement in a special education program;
- B. Any past, current or pending disciplinary actions;
- C. Any history of violent behavior;
- D. Adjudications or convictions described in RCW 13.04.155, which include violent offenses, sex offenses, firearm or dangerous weapon offenses, and controlled substance offenses;
- E. Any unpaid fines or fees from other schools; and
- F. Any health conditions affecting the student's educational needs.

The school enrolling the student will request the student's permanent record—including records of disciplinary action, history of violent behavior or behavior listed in RCW 13.04.155, attendance records, immunization records, and academic performance—from the school the student previously attended.

If a building principal receives information about adjudications or convictions described in RCW 13.04.155, then they will follow the procedure described in Policy 3143 – District Notification of Juvenile Offenders.

The district will require students or their parents/guardians to provide proof of residency within the district, such as copies of phone

and water bills or lease agreements. If the student does not have a legal residence, the district will not require proof of residency or any other information regarding an address for any student who is eligible for the services of the district by reason of age, . For students who meet the definition of homeless, the district will immediately enroll the student, including while any enrollment dispute is pending (Policy 3115 – Homeless Students: Enrollment Rights and Services).

The district will not inquire into a student’s citizenship or immigration status or that of their parents/guardians.

The district will conditionally accept applications, including electronic applications, for enrollment and course registration for a student of a military family transferred to, or is pending transfer to, a military installation within the state Policy 2100 – Educational Opportunities for Students with a Parent in the Military.

The request for enrollment may be made by the student and/or parent/guardian.

Since accurate enrollment and attendance records are essential both to obtain state financial reimbursement and to fulfill the district's responsibilities under the attendance laws, the district will be diligent in maintaining such records.

Cross References: 2255 - Alternative Learning Experience Courses

2100 - Educational Opportunities for Students with a Parent in the Military

2161 - Education of Students with Disabilities

2162 - Education of Students with Disabilities Under Section 504

3110 - Admission and Attendance Students:

3115 -Homeless - Enrollment Rights and Services

Students:

3130 - District Attendance Areas

3143 - Notification and Dissemination of Information about Student Offenses and Notification of Threats of Violence or Harm

3144 - Release of Information Concerning Student Sexual and Kidnapping Offenders

3241 - Student Discipline

3520 -Student Fees, Fines and Charges

Adoption Date: 10/10/2005

Revised: 4/13/201, 1/14/2021

MEDICATION AT SCHOOL

Policy 3416 – Medication at School

Revised: 10/25/18

Under normal circumstances prescribed and over the counter medication should be dispensed before and/or after school hours under supervision of the parent/guardian. If a student must receive prescribed or over-the-counter oral or topical medication, eye drops or ear drops (“medications”) from an authorized staff member, the parent/guardian must submit a written authorization accompanied by a written and signed request from a licensed health professional prescribing within the scope of his/her prescriptive authority. Oral medications are administered by mouth either by swallowing or by inhaling, including through a mask that covers the mouth and nose. If the medication will be administered at school the health professional must also provide written, current and unexpired instructions for the administration of the medication.

The superintendent or designee shall establish procedures for:

- A. Delegating, training and supervision of staff members in the administration of prescribed or non-prescribed oral medication to students by a physician or registered nurse;
- B. Designating staff members who may administer prescribed or non-prescribed oral medication to students;
- C. Obtaining signed and dated parental/guardian and health professional requests for the dispensing of prescribed or non-prescribed oral medications, including instructions from the health professional if the medication is to be given at school;
- D. Storing prescribed or non-prescribed medication in a locked or limited access facility;

- E. Maintaining records pertaining to the administration of prescribed or non-prescribed oral medication; and
- F. Permitting, under limited circumstances, students to carry and self-administer medications necessary to their attendance at school.

If a building nurse is available a nasal spray that is a legend drug or a controlled substance must be administered by the building nurse. If no building nurse is available a nasal spray that is a legend drug or a controlled substance may be administered by a trained staff member or parent-designated adult who is not a building nurse. The board will allow staff members, who have received appropriate training and volunteered for such training, to administer a nasal spray that is a legend drug or a controlled substance. After a staff member who is not a building nurse administers a nasal spray that is a legend drug or a controlled substance, the staff member will summon emergency medical assistance as soon as practicable;

No medication shall be administered by injection except when a student is susceptible to a predetermined, life-endangering situation. In such an instance, the parent/guardian will submit a written and signed permission statement. Such an authorization will be supported by signed and dated written orders accompanied by supporting directions from the licensed health professional. A staff member will be trained prior to injecting a medication.

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

The Superintendent or designee will designate a professional person licensed under chapter [18.71](#), 18.57, or [18.79](#) RCW as it applies to registered nurses and advanced registered nurse practitioners, to consult and coordinate with the student's parents/guardians and health care provider, and train and supervise the appropriate staff member in proper procedures for care for students with diabetes to ensure a safe, therapeutic learning environment. Parent-designated adults who are staff members are required to receive the training provided under this subsection. Parent-designated adults who are not staff members will show evidence of comparable training. The parent-designated adult must also receive additional training as established in subsection A. of this section for the additional care the parents/guardians have authorized the parent-designated adult to provide. The professional person designated under this subsection is not responsible for the supervision of the parent-designated adult for those procedures that are authorized by the parents/guardians.

Parent Designated Adult (PDA)

For the purposes of this section, "parent-designated adult" means a volunteer, who may be a staff member, who receives additional training from a health care professional or expert in epileptic seizure care selected by the parent/guardians, and who provides care for the student consistent with the student's health plan.

To be eligible to be a parent-designated adult, a staff member not licensed under chapter [18.79](#) RCW must file, without coercion by the district, a voluntary written, current, and unexpired letter of intent stating the staff member's willingness to be a parent-designated adult.

If a staff member who is not licensed under chapter [18.79](#) RCW chooses not to file a letter under this section, the staff member will not be subject to any district reprisal or disciplinary action for refusing to file a letter.

Cross References: Policy 3419 Self-Administration of Asthma and Anaphylaxis Medications
Policy 3420 Anaphylaxis Prevention and Response

Legal References: RCW 28A.210.260 Public and Private Schools Administration of Oral Medication by — Conditions
RCW 28A.210.270 Public and Private Schools Administration of Oral Medication by — Immunity from Liability
RCW 28A.210.260 Public and Private Schools – Administration of Medication -Conditions
RCW 18.79 Nursing Care

Adoption Date: 10/10/2005
Revised: 1/28/2013; 10/25/2018

RESTRAINT, ISOLATION AND OTHER USES OF REASONABLE FORCE

Policy: 3246 – Restraint, Isolation and Other Uses of Reasonable Force

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

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

Use of restraint, isolation, and other forms of reasonable force may be used on any student when reasonably necessary to control spontaneous behavior that poses an "imminent likelihood of serious harm" as defined by RCW 70.96B.010 and Chapter 392-172A WAC and outlined in the procedure. Serious harm includes physical harm to self, another, or district property. Staff member(s) will closely monitor such actions to prevent harm to the student and will use the minimum amount of restraint and isolation appropriate to protect the safety of students and staff member(s). The restraint, isolation, and other forms of reasonable force will be discontinued when the likelihood of serious harm has dissipated.

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

Cross References:

- 2161 - Education of Students with Disabilities
- 2162 - Education of Students with Disabilities Under Section 504
- 2165 - Home or Hospital Instruction
- 2170 - Career and Technical Education
- 2171 - School to Work 2180 - Parent, Family and Community Partnerships
- 2190 - Programs for Highly Capable Students
- 2195- Academic Acceleration for High School Students
- 2255 - Alternative Learning Programs
- 2320 - Field Trips, Excursions and Outdoor Education
- 3114 - Part-time, Home-based, Or Off-campus Students Policy:
- 3246 Students
- 3115 - Homeless Students: Enrollment Rights and Services
- 3116 - Students in Foster Care
- 3126 - Child Custody
- 3200 - Student Rights and Responsibilities
- 3241 - Student Discipline
- 3244 - Prohibition of Corporal Punishment
- 3247 - Isolation and Restraint of Students with IEPs and Section 504 Plans
- 4200 - Safe and Orderly Learning Environment
- 4218 - Language Access Plan
- 4220 - Complaints Concerning Staff or Programs

Legal References:

- RCW 9A.16.020 Use of force — When lawful
- RCW 9A.16.100 Use of force on children — Policy — Actions presumed unreasonable
- RCW 28A.150.300 Corporal Punishment Prohibited - Adoption of policy
- RCW 28A.155.210 Use of restraint or isolation — Requirement for procedures to notify parent or guardian.
- RCW 28A.600.485 - Restraint of students with individualized education programs or plans developed under section 504 of the rehabilitation act of 1973—Procedures—Summary of incidents of isolation or restraint—Publishing to web site. [as amended by SHB 1240]
- RCW 70.96B.010 - Definitions
- Chapter 392-172A WAC - Rules for the provision of special education
- WAC 392-400-235 Discipline — Conditions and limitations

Adoption Date: 01/23/2014
Revised Dates: 3/8/2018, 1/13/2022

RESTRAINT, ISOLATION AND OTHER USES OF REASONABLE FORCE

Policy 3246P

Revised: 8/22/2022

This procedure is intended to apply to a broad range of circumstances whenever it is deemed reasonably necessary by district staff to control spontaneous behavior by any student that poses an imminent likelihood of serious harm. This procedure is intended to be interpreted consistent with the requirements of RCW 28A.600.485, RCW 9A.16.020, RCW 9A.16.100, RCW 28A.160.300, RCW 28A.155.210, WAC 392-400-235, and, for students with an IEP, consistent with the regulations of Chapter 392-172A, WAC.

Definitions:

- **Behavioral intervention plan:** A plan incorporated into a student's Individualized Education Program (IEP), which at a minimum describes: 1)The pattern of behavior that impedes the student's learning or the learning of others; 2)The instruction and/or environmental conditions or circumstances that contribute to the pattern of behavior(s) being addressed by the IEP team; 3)The positive behavioral interventions and supports to: i) reduce the pattern of behavior(s) that impedes the student's learning or the learning of others and increases the student's desired prosocial behaviors: and ii) ensure the consistency of the implementation of the positive behavioral interventions across the student's school-sponsored instruction or activities); and d) The skills that will be taught and monitored as alternatives to challenging behavior(s) for a specific pattern of behavior of the student.
- **Chemical spray:** Pepper spray, OC spray, or other similar chemicals that are used to control a student or limit a student's freedom of movement.
- **De-escalation:** The use of positive behavioral interventions and other district-approved strategies to defuse a student who has lost self-control, is non-compliant or is demonstrating unacceptable behavior. These strategies address behavior that is dangerous, disruptive or otherwise impedes the learning of a student or others.
- **Imminent:** The state or condition of being likely to occur at any moment or near at hand, rather than distant or remote.
- **Isolation:** Restricting a student alone within a room or any other form of enclosure, from which the student may not leave. It does not include a student's voluntary use of a quiet space for self-calming, or temporary removal of a student from his or her regular instructional area to an unlocked area for purposes of carrying out an appropriate positive behavior intervention plan.
- **Likelihood of serious harm:** A substantial risk that physical harm will be inflicted by a student:
 - upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself;
 - upon another, as evidenced by behavior that has caused such harm or that places another person or persons in reasonable fear of sustaining such harm;
 - upon the property of others, as evidenced by behavior that has caused substantial loss or damage to the property of others; or
 - after the student has threatened the physical safety of another and has a history of one or more violent acts.
- **Physical force:** The use of bodily force or physical restriction that substantially immobilizes or reduces the free movement of a student.
- **Positive behavioral interventions:** Strategies and instruction that can be implemented in a strategic manner in order to provide alternatives to challenging behaviors, reinforce desired behaviors, and reduce or eliminate the frequency and severity of challenging behaviors. Positive behavioral interventions include the consideration of environmental factors that may trigger challenging behaviors and teaching a student the skills to manage his or her own behavior.
- **Restraint:** Physical intervention or force used to control a student, including the use of a restraint device. It does not include appropriate use of a prescribed medical, orthopedic or therapeutic device when used as intended, such as to achieve proper body position, balance or alignment or to permit a student to safely participate in activities.
- **Restraint device:** A device used to assist in controlling a student, including, but not limited to metal handcuffs, plastic ties, ankle restraints, leather cuffs, other hospital-type restraints, pepper spray, tasers or batons. Restraint device does not mean a seat harness used to safely transport students. This definition is consistent with RCW 28A.600.485 (1) (c), and is not intended to endorse or encourage the use of such devices or techniques with district students.
- **School police officer:** An employee of the school district responsible for security services in the district under the direction of a school administrator, but who also is a commissioned officer.
- **School resource officer:** A commissioned law enforcement officer who provides law enforcement services and may perform other duties for the district, and is assigned by the employing police department or agency to work in collaboration with the district.
- **School security officer:** A classified or contracted school district employee other than a school resource officer who provides security services in the district under the direction of a school administrator.

General use of restraint, isolation, or other forms of reasonable force:

- Restraint, isolation, or other forms of reasonable force may be used to prevent or minimize imminent bodily harm to self or others, or if de-escalation or other positive behavioral interventions fail or are inappropriate, to protect district property, where there is an "imminent likelihood of such serious harm" occurring, as defined above.
- Restraint, isolation, or other forms of reasonable physical force may be used when a student has caused a substantial loss or damage to the property of others, and the student's behavior poses a substantial risk that such property damage will be inflicted.

- Restraint devices may be used as needed to obtain possession of a known or reasonably-suspected weapon or other dangerous object on a person or within the control of a person.
- An IEP or plan developed under Section 504 of the Rehabilitation Act of 1973 must not include the use of restraint or isolation as a planned behavior intervention unless a student's individual needs require more specific advanced education planning and the student's parent or guardian agrees. Nothing in these procedures is intended to limit the provision of a free appropriate public education (FAPE) under Part B of the Individuals with Disabilities Act (IDEA) or Section 504 of the Rehabilitation Act of 1973.
- Restraint, isolation, or other forms of reasonable physical force will not be used as a form of discipline or punishment.
- Restraint, isolation, or other forms of reasonable physical force will not be used as an initial response to destruction of property, school disruption, refusal of the student to comply with school rules or a staff directive; or a verbal threat that does not constitute a threat of imminent bodily injury, unless other forms of de-escalation and positive behavioral interventions fail or are inappropriate.
- Restraint, isolation, or other forms of reasonable physical force should not be used as an intervention if the school employee, school resource officer or school security officer knows that the student has a health condition or physical problem and the condition or problem would be exacerbated by the use of such techniques.

Practices presumed to be unreasonable when correcting or restraining any child (RCW 9A.16.100):

Under RCW 9A.16.100, the following is a non-exclusive list of acts that are presumed unreasonable when correcting or restraining a child:

- throwing, kicking, burning, or cutting a child;
- striking a child with a closed fist;
- shaking a child under age three;
- interfering with a child's breathing;
- threatening a child with a deadly weapon; or
- doing any other act that is likely to cause bodily harm to a student greater than transient pain or minor temporary marks.

This non-exclusive list should not be read so as to imply that another, unlisted form of correction or restraint is permissible. Whether or not an unlisted use of force or restraint is presumptively permissible depends upon a balanced consideration of all relevant state laws and regulations, and whether the use is reasonable under the totality of the circumstances.

Conditions specific to use of isolation or restraint with students eligible for special education (consistent with WAC 392-172A-02110):

- The isolation enclosure will be ventilated, lighted and temperature controlled from inside or outside for purposes of human occupancy.
- The isolation enclosure will permit continuous visual monitoring of the student from outside the enclosure.
- An adult responsible for supervising the student will remain in visual or auditory range of the student at all times.
- Either the student shall be capable of releasing himself or herself from the enclosure, or the student shall continuously remain within view of an adult responsible for supervising the student.
- Any staff member or other adults using isolation, restraint, or a restraint device must be trained and currently certified by a qualified provider in the use of trauma-informed crisis intervention (including de-escalation techniques) and the safe use of isolation, unless trained personnel are not immediately available due to the unforeseeable nature of the emergency.

Prohibited practices involving restraint, use of force, and discipline specifically for students eligible for special education (consistent with WAC 392-172A-02076):

The following practices are prohibited with students eligible for special education services:

- District personnel are prohibited from using aversive interventions with a student;
- District personnel are prohibited from physically restraining or isolating any student, except when the student's behavior poses an imminent likelihood of serious harm as defined above;
- No student may be stimulated by contact with electric current, including, but not limited to, tasers;
- A student may not be denied or subjected to an unreasonable delay in the provision of food or liquid from when the food or liquid is customarily served as a form of punishment;
- A student may not be the recipient of force or restraint that is either unreasonable under the circumstances or deemed to be an unreasonable form of corporal punishment as a matter of state law (see above, for example, for a list of practices presumed to be unreasonable when used in correcting or restraining a child);
- A student must not be denied or subjected to an unreasonable delay in the provision of common hygiene care;
- A student must not be denied or subjected to an unreasonable delay in the provision of medication;

- A student may not be excluded from his or her regular instructional or service area and isolated within a room or any other form of enclosure, except under the conditions set forth in WAC 392-172A-02110;
- A student must not be forced to listen to noise or sound that the student finds painful;
- A student must not be forced to smell or be sprayed in the face with a noxious or potentially harmful substance;
- A student must not be forced to taste or ingest a substance which is not commonly consumed or which is not commonly consumed in its existing form or concentration;
- A student's head must not be partially or wholly submerged in water or any other liquid.
- A student must not be physically restrained or immobilized by binding or otherwise attaching the student's limbs together or by binding or otherwise attaching any part of the student's body to an object or against a wall or the floor, except under the conditions set forth in WAC 392-172A.02110;
- A student must not be subjected to the use of prone (lying face-down) or supine (lying face-up) restraint, wall restraint, or any restraint that interferes with the student's breathing.

Degree of force:

- Restraint, isolation, or other forms of reasonable physical force will be discontinued as soon as a determination is made by the staff member administering the restraint, isolation, or other forms of reasonable physical force that the likelihood of serious harm has dissipated.
- Restraint, isolation, or other forms of reasonable physical force must be administered in such a way so as to prevent or minimize physical harm to the student. If, at any time during the use of restraint, isolation, or other forms of reasonable physical force, the student demonstrates significant physical distress, the technique must be reduced immediately and, if necessary, school staff must take immediate steps to seek medical assistance.

Monitoring:

An adult must continually monitor any student when restraint, isolation, or other forms of reasonable physical force is used. The monitoring must be conducted by continuous visual monitoring of the student. Monitoring must include regularly evaluating the student for signs of physical distress

Post-incident notification and review with parent/guardian:

Within twenty-four (24) hours following the use of restraint, isolation, or other forms of reasonable physical force with a student, the principal or designee must make a reasonable effort to verbally inform the student's parent or guardian of the incident. The principal or designee must also send written notification as soon as practical, but postmarked no later than five (5) business days after restraint, isolation, or other forms of reasonable physical force has been used with a student. If the school or district customarily provides the parent or guardian with school-related information in a language or mode of communication other than English, the written report must be provided to the parent or guardian in that language or mode of communication.

The principal or designee will review the incident with the student and the parent or guardian (though not necessarily at the same time) to address the behavior that precipitated the use of the technique and the appropriateness of the response. The principal or designee will review the incident with the staff person(s) who administered the restraint, isolation, or other forms of reasonable physical force to discuss whether proper procedures were followed and what staff training or support is needed to help the student avoid similar incidents.

IEPs and 504 plans will include the above procedures for notification of parents/guardians regarding the use of isolation and restraint on their student.

Incident report:

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

- The date and time of the incident;
- The name and job title of the staff member who administered the restraint, isolation, or other form of reasonable physical force;
- A description of the activity that led to the restraint, isolation, or other form of reasonable physical force;
- The type of restraint, isolation, or other forms of reasonable physical force used on the student, and the duration;
- Whether the student or staff was physically injured during incident involving restraint, isolation, or other forms of reasonable physical force;
- Any medical care provided to the student or staff; and

- Any recommendations for changing the nature or amount of resources available to the student and staff members in order to avoid similar incidents.

Resolution of concerns about the use of force incident:

A student or his/her parent or guardian who has concerns regarding a specific incident involving restraint, isolation, or other forms of reasonable physical force may seek to resolve the concern by using the district’s complaint process which is set forth in Policy 4220, Complaints Concerning Staff or Programs.

Providing parents/guardians with Restraint, Isolation, and Other Uses of Reasonable Force policy:

The district will make available to all parents/guardians of students the district’s policy on Restraint, Isolation and Other Use of Reasonable Force. If the student has an IEP or 504 plan, the District will provide the parents/guardians a copy of the policy each time an initial or annual IEP or 504 plan is developed.

Staff training requirements:

All training will include instruction in positive management of student behavior, cultural sensitivity, effective communication for defusing and de-escalating disruptive or dangerous behavior and safe and appropriate use of force, isolation and restraint. Annually, administrators will provide all staff with the district established policy and procedure regarding the use of reasonable force.

All staff should be informed of de-escalation strategies and proper physical intervention procedures. Appropriate staff and those who are required or reasonably anticipated to provide physical force intervention will be trained in the use of physical force intervention.

Only staff trained by a qualified provider and authorized to use isolation, restraint, restraint devices or chemical spray procedures will administer it to students. The appropriate personnel will include those staff members who are most likely to be called upon to use isolation, restraint, restraint devices or chemical spray to prevent or address disruptive or dangerous student behavior.

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

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

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

Annual Report:

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

Adoption Date: 1/23/2014

Revised Dates: 8/22/2022

SCHOOL SAFETY AND SECURITY SERVICES PROGRAM

Policy: 4311 – Community Relations

At the beginning of each school year, if the district has safety and security staff working on school property, the district must present to and discuss with students, and distribute to students’ families, information about the role and responsibilities of safety and security staff. “Safety and security staff” mean a school resource officer, a school security officer, a campus security officer, and any other commissioned or noncommissioned employee or contractor, whose primary job duty is to provide safety or security services for a public school. “School resource officer” (SRO) means a commissioned law enforcement officer in the state of Washington with sworn authority to make arrests, deployed in community-oriented policing, and assigned by the employing police department or sheriff’s office to work in schools to build positive relationships with students and address crime and disorder problems, gangs, and drug activities affecting or occurring in or around K–12 schools. School resource officers should focus on keeping students out of the criminal justice system when possible and should not be used to attempt to impose criminal sanctions in matters that are more appropriately handled within the educational system.

Purpose

The purpose of the Port Angeles School District safety and security services program is to improve school safety and the educational climate at the school. The safety and security staff shall be integrated into the school community through participation in faculty and student meetings and assemblies as appropriate. They shall support a positive school climate by developing positive relationships with students, parents, and staff, and by helping to promote a safe, inclusive, and positive learning environment. Safety and security staff are valuable team members of School Based Threat Assessment Teams, which are preventative in purpose. They are encouraged to participate consistent with Policy and Procedure 3225 – School Based Threat Assessment.

Limitations

The primary responsibility for maintaining proper order and conduct in the schools resides with school principals or their designee, with the support of other school staff. Principals or their designee maintain order and handle all student discipline matters consistent with Student Discipline Policy and Procedure 3241. A school resource officer is prohibited from becoming involved in formal school discipline situations that are the responsibility of school administrators.

Requests for Intervention

Teachers and school administrators may ask safety and security staff to intervene if an individual's presence poses an immediate and continuing danger to others or an immediate and continuing threat of material and substantial disruption of the educational process or in other emergency circumstances consistent with 3432 – Emergencies. Safety and security staff do not need to be asked before intervening in emergencies.

Law Enforcement Activity and Immigration Enforcement

As a general rule, law enforcement activity should take place at a location other than school premises. However, there are circumstances where law enforcement intervention/activity at school premises is warranted and may be conducted by an SRO. These law enforcement activities by an SRO may include interviews and interrogations; search of a student's person, possessions, or locker; citations, filing of delinquency petitions, referrals to a probation officer, actual arrests, and other referrals to the juvenile justice system, consistent with 3226 – Interview and Interrogations of Students on School Premises and 3230 – Student Privacy and Searches, and effective January 1, 2022, consistent with state law regarding a juvenile's access to an attorney when contacted by law enforcement. The SRO duties do not extend to immigration enforcement and the SRO will not inquire into or collect information about an individual's immigration or citizenship status, or place of birth. Neither will the SRO provide information pursuant to notification requests from federal immigration authorities for the purposes of civil immigration enforcement, except as required by law, consistent with 4310 – District Relationship with Law Enforcement and Other Government Agencies.

Annual Review and Adoption of Agreements with Law Enforcement Agencies or Security Guard Companies

If a law enforcement agency or security guard company supplies safety and security staff to work on school property when students are expected to be present, the district must annually review and adopt an agreement with the law enforcement agency or Security Guard Company. The agreement must:

- A.** Include a clear statement regarding safety and security staff duties and responsibilities related to student behavior and discipline that: prohibits a school resource officer from becoming involved in formal school discipline situations that are the responsibility of school administrators; recognizes that a trained safety and security staff knows when to informally interact with students to reinforce school rules and when to enforce the law; clarifies the circumstances under which teachers and school administrators may ask safety and security staff to intervene with a student; explains how safety and security staff will be engaged in creating a positive school climate and positive relationships with students; and describes the process for families to file complaints with the school and, when applicable, the local law enforcement agency or the company that provides the safety and security staff on contract related to safety and security staff and a process for investigating and responding to complaints;
- B.** Include a jointly determined hiring and placement process and a performance evaluation process; and
- C.** Either confirm that the safety and security staff have completed training series documentation provided by the educational service district or describe the plan for safety and security staff to complete the training series required by law.

The agreement review and adoption process must involve parents, students, and community members. The superintendent or designee will develop additional procedures to implement this policy.

Cross References:

2121 - Substance Abuse Program
2145 - Suicide Prevention
2161 - Special Education and Related Services for Eligible Students
2162 - Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973

3143 - Notification and Dissemination of Information about Student Offenses and Notification of Threats of Violence or Harm
3225 - School-Based Threat Assessment
3226 - Interviews and Interrogations of Students on School Premises
3230 - Student Privacy and Searches
3432 - Emergencies
3241 - Student Discipline
3246 - Restraint, Isolation and Other Uses of Reasonable Force
4210 - Regulation of Dangerous Weapons on School Premises
4310 - District Relationships with Law Enforcement and other Government Agencies

Legal References:

RCW 10.93.160 – Immigration and Citizenship Status
RCW 26.44.030 Interviews of children
RCW 26.44.050 - Abuse or neglect of child — Duty of law enforcement agency or department of social and health services — Taking child into custody without court order
RCW 26.44.110 Information about rights — Custody without court order — Written statement required — Contents
RCW 26.44.115 Child taken into custody under court order — Information to parents
RCW 28A.300.640 - 645 – School based threat assessment program Chapter 28A.320.124 – School resource officer programs 20 U.S.C. 1232g Family Education Rights and Privacy Act SHB 1140, Chapter 328, Laws of 2021 Law Enforcement Contact with Juveniles – Access to Attorney

Management Resources:

2020 - May Issue

Adoption Date: 2/24/2022

SOCIAL EMOTIONAL CLIMATE

Policy: 3112 Students

The board believes that each student, staff member and community member must be treated with dignity. Therefore, all individuals will have the opportunity to learn, work, interact, and socialize in physically, emotionally, and intellectually safe, respectful, and positive school and classroom environments, and have the opportunity to experience high quality relationships.

The district recognizes there are many ways to improve school climate and it is important that the district collaborates with students, families, and community members in creating, maintaining and nurturing a positive social and emotional school and classroom climate.

The board will support and promote each school’s Continuous School Improvement Plan (CSIP), which includes the board’s equity policy 0007. It is the responsibility of the district to create a community that ensures systemic educational equity for students, their families and staff members. The district’s vision is that all students will graduate prepared for life-long learning.

The board directs the Superintendent or designee to work with district schools to implement the accompanying procedures, which provide a framework for an effective climate improvement process, including a continuous cycle of 1) planning and preparation, 2) evaluation, 3) action planning, and 4) implementation. This framework is aligned with the social emotional learning standards and benchmarks developed by the social emotional learning committee created under RCW 28A.300.477. The framework is designed to support the district schools in developing research-supported action plans that work to meet the district’s goal.

Cross References:

0007 - Equity Policy
2000 - Student Learning Goals
2004 - Accountability Goals
2005 - School Improvement Plans
2130 - Character Development
2133 - Diversity and Multicultural Education
2145 - Suicide Prevention
2140 - Guidance and Counseling
2150 - Co-curricular Program
2151 - Interscholastic Activities
2153 - Non-Curricular-Related Student Groups

3205 - Sexual Harassment of Students Prohibited
3207 - Prohibition of Harassment, Intimidation, and Bullying
3210 - Nondiscrimination
3211 - Gender Inclusive School
3220 - Freedom of Expression
3223 - Freedom of Assembly
3224 - Student Dress
3232 - Parent/Guardian and Student Rights in Administration of Surveys, Analysis, or Evaluations
3241 - Student Discipline
3244 - Prohibition of Corporal Punishment
3245 - Students and Telecommunications Devices
3246 - Use of Reasonable Force
3410 - Student Health
4110 - Citizen Advisory Committees and Task Forces
4130 - Title 1 Parent Involvement
4200 - Safe and Orderly Learning Environment
4217 - Effective Communication
4218 - Language Access Plan
4220 - Complaints Concerning Staff or Programs
4320 - Cooperative Programs with Other Districts and Public Agencies
4330 - Cooperation with Private and Parochial Schools and Day Care Agencies
5000 - Recruitment and Selection of Staff
5211 - Assignment, Reassignment, and Transfers
5215 - Assignment and Transfer of Certificated Administrative Staff
5222 - Job-Sharing Staff Members
5520 - Staff Development
5630 - Volunteers
6511 - Staff Safety
6513 - Workplace Violence Prevention
6800 - Safety, Operation and Maintenance of School Property

Legal References: Chapter 28A.345.085 – Model Policy and procedure for nurturing a positive social and emotional school and classroom climate

Adoption Date: 03/10/2022

STUDENT DRESS

Policy No. 3224 - Student Dress

Revised: 3/8/2018

Preserving a beneficial learning environment and assuring the safety and well-being of all students are primary concerns of the board. Students' choices in matters of dress should be made in consultation with their parents/guardians. Student dress will only be regulated when, in the judgment of school administrators, there is a reasonable expectation that:

- A. A health or safety hazard will be presented by the student's dress or appearance including possible membership in a gang or hate groups;
- B. Damage to school property will result from the student's dress; or
- C. A material and substantial disruption of the educational process will result from the students' dress or appearance. A material and substantial disruption of the educational process may be found to exist when a student's conduct is inconsistent with any part of the educational mission of the district. Prohibited conduct includes the use of lewd, sexual, drug, tobacco or alcohol-related messages, and gang-related apparel.

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

The superintendent or designee will establish procedures providing guidance to students, parents/guardians, and staff regarding appropriate student dress in school or while engaging in extracurricular or co-curricular activities. Such procedures will ensure that any student wearing, carrying, or displaying gang-related apparel, or exhibiting behavior or gestures which symbolize gang membership, or causing and/or participating in activities which intimidate or affect the attendance of another student will be asked,

with notice to his/her parents/guardians, to make appropriate corrections and be subject to discipline if the corrections are not undertaken.

Cross References: Board Policy 3220 Freedom of Expression
Legal References: RCW 28A.320.140 Schools with Special standards
WAC 180-40-215 Student Rights
WAC 180-40-225 School district rules defining misconduct

Adoption Date: 10/10/2005
Revised: 3/8/2018

Policy No. 3224P - Student Dress (Procedure)
Revised: 11/8/2019

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

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

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

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

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

Students identified as being gang involved, influenced or affiliated shall be provided assistance and/or programs which discourage gang involvement or affiliation, enhance self-esteem, encourage interest and participation in school or other positive activities and promote membership in authorized school organizations.

Adoption Date: 10/10/2005
Revised Dates: 8/25/2008, 11/8/2019

STUDENT DISCIPLINE

School safety is the most important responsibility we have. In order to ensure a safe climate in each of our buildings, we will provide all students with direct instruction about our procedures for student discipline and the expectations for safe behavior.

- Students must comply with school rules.
- Students must comply with teachers' behavior expectations and the school's authority to administer disciplinary action.
- Students are expected to behave in a manner that is conducive to a learning environment. Behavior detrimental to maintaining a positive learning environment is prohibited.
- Students are required by law to comply with directions from school personnel. Any form of verbal or non-verbal abuse of staff or students is prohibited. (RCW 28A.635.010)

To be transparent, we also want you to know that once we have provided this learning opportunity, an in-school or out-of-school suspension could be considered within the range of options for a first offense for these specific behaviors mentioned in [3241P](#), Section VIII.

Policy 3241 – Student Discipline
Revised: 6/13/19

Legal References: RCW 9A.16.100 Use of force on children — Policy — Actions presumed Unreasonable
RCW 9.41.280 Possessing dangerous weapons on school facilities —
Penalty — Exceptions
RCW 28A.150.240 Certificated teaching and administrative staff as
accountable for classroom teaching — Scope — Responsibilities — Penalty
Chapter 28A.225, RCW Compulsory school attendance and admission
Chapter 28A.320, RCW Provisions applicable to all districts
RCW 28A.400.100 Principals and vice principals — Employment of —Qualifications — Duties
RCW 28A.400.110 Principal to assure appropriate student discipline —
Building discipline standards — Classes to improve classroom management
Skills Chapter 28A.600 RCW, Students
WAC 392-190-048 Access to course offerings – Student discipline
Chapter 392-400, WAC, Student Discipline
34 CFR Part 100.3 Regulations implementing Civil Rights Act of 1964
42 U.S.C. 2000d et seq. Civil Rights Act of 1964

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Policy 3241P – Student Discipline Procedure Revised 8/07/23

School safety is the most important responsibility we have. In order to ensure a safe climate in each of our buildings, we will provide all students with direct instruction about our procedures for student discipline and the removals for safe behavior.

- Students must comply with school rules.
- Students must comply with teachers' behavior expectations and the school's authority to administer disciplinary action.
- Students are expected to behave in a manner that is conducive to a learning environment. Behavior detrimental to maintaining a positive learning environment is prohibited.
- Students are required by law to comply with directions from school personnel. Any form of verbal or non-verbal abuse of staff or students is prohibited. (RCW 28A.635.010)

To be transparent, we also want you to know that once we have provided this learning opportunity, an in-school or out-of-school suspension could be considered within the range of options for a first offense for these specific behaviors mentioned in [3241P](#), Section VIII.

I. Definitions

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

- A. "Behavioral violation" means a student's behavior that violates the district's discipline policies.
- B. "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:
 1. A teacher or other school personnel attempts "other forms of discipline" to support the student in meeting behavioral expectations; and
 2. The student remains under the supervision of the teacher or other school personnel during such brief duration.
- C. "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.
- D. "Discipline" means any action taken by a school district in response to behavioral violations.
- E. "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.

- F. “Emergency removal” 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.
- G. “Removal” 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.
- H. “Length of an academic term” means the total number of school days in a single semester, as defined by the board of directors.
- I. “Other forms of discipline” means actions used in response to problem behaviors and behavioral violations, other than classroom exclusion, suspension, removal, or emergency removal, which may involve the use of best practices and strategies included in the state menu for behavior developed under RCW 28A.165.035.
- J. “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 will 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.
- K. “**Reengagement meeting**” means a meeting held between the district, the student and parent/guardian to discuss how to return a long-term suspended or expelled student to an educational setting as soon as possible.
- L. “**Reengagement plan**” means a culturally responsive written plan developed between the district, a student and his/her parent/guardian designed to aid the student in taking the necessary steps to remedy the situation that led to the student’s suspension or removal and to return to an educational setting as soon as possible. Parents/guardians of students must have access to, provide meaningful input on, and have the opportunity participate in the student’s reengagement plan.
- M. “**School board**” means the governing board of directors of the Port Angeles School District.
- N. “**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.
- O. “**School day**” means any day or partial day that students are in attendance at school for instructional purposes.
- P. “**Suspension**” means the denial of attendance in response to inappropriate behavior from any subject or class, or from any full schedule of subjects or classes, but not including classroom exclusions, removals, or emergency removals. 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.
- Q. “**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 (10) consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475.
- R. “**Short-term suspension**” means a suspension in which a student is excluded from school for up to ten (10) consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475.

S. “**Long-term suspension**” means a suspension in which a student is excluded from school for more than ten (10) consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475.

T. “**Point person**” refers to the authorized administrator who acts as the administrator of record for a particular disciplinary event.

II. Engaging with Families & Language Assistance

A. 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 removal.

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

III. Supporting Students with “Other Forms of Discipline” - Interventions

A. 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 removal, the district must first consider other forms of discipline.

B. 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 3220 – 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.

C. 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 examples of supports and interventions that staff may use as “other forms of discipline”:

Examples of Classroom Interventions Prior to Exclusion	Examples of Building Interventions Prior to Exclusion
<ul style="list-style-type: none"> • Specific Praise 	<ul style="list-style-type: none"> • School-wide behavior expectations that are taught and retaught
<ul style="list-style-type: none"> • Reinforcement plans 	<ul style="list-style-type: none"> • Building-wide lessons taught to the expectations
<ul style="list-style-type: none"> • Ongoing teaching/re-teaching of behavioral expectations 	<ul style="list-style-type: none"> • Video modeling
<ul style="list-style-type: none"> • Social-emotional curriculum taught by counselors 	<ul style="list-style-type: none"> • Visual expectations
<ul style="list-style-type: none"> • Specialized schedule 	<ul style="list-style-type: none"> • Re-teaching expectation

<ul style="list-style-type: none"> • Visual break schedule 	<ul style="list-style-type: none"> • Positive behavior intervention strategies
<ul style="list-style-type: none"> • Visuals for expectations 	<ul style="list-style-type: none"> • Community circles
<ul style="list-style-type: none"> • Sensory space in the classroom 	<ul style="list-style-type: none"> • Give verbal and/or visual warning about expectations
<ul style="list-style-type: none"> • Prompt entire class about expectations 	<ul style="list-style-type: none"> • Meet with intervention specialist
<ul style="list-style-type: none"> • Give verbal and/or visual warning about expectation 	<ul style="list-style-type: none"> • Work with an advocate or counselor
<ul style="list-style-type: none"> • Provide choices 	<ul style="list-style-type: none"> • Check in/check out process
<ul style="list-style-type: none"> • Re-teaching behavior expectations 	<ul style="list-style-type: none"> • Behavior plan
<ul style="list-style-type: none"> • Behavior support plan 	<ul style="list-style-type: none"> • Anger management skills
<ul style="list-style-type: none"> • Behavioral progress monitoring record 	<ul style="list-style-type: none"> • De-escalation strategies • Brain/physical break/calming walk
<ul style="list-style-type: none"> • Trauma-informed practices 	<ul style="list-style-type: none"> • Alter passing time to limit time in hallways with other students
<ul style="list-style-type: none"> • Check-in / check-out process 	<ul style="list-style-type: none"> • Restorative practices • Buddy Rooms
<ul style="list-style-type: none"> • Move seat • Mentor advocates for students 	<ul style="list-style-type: none"> • Brain breaks – de-escalation strategies • Whole group incentives
<ul style="list-style-type: none"> • Discipline by proximity • “Caught you being cool” 	<ul style="list-style-type: none"> • Work with MTSS team or building PBIS team
<ul style="list-style-type: none"> • Behavior and classroom management techniques for healthy relationships 	<ul style="list-style-type: none"> • Peer mediation

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

E. Additionally, staff may use after-school detention as another form of discipline for not more than thirty (30) minutes for kindergarten (K) through (5th) grades or sixty (60) minutes for (6th) through twelfth (12th) grades 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.

F. 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.

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

IV. Staff Authority and Exclusionary Discipline

- A. District staff members are responsible for supervising students immediately before and after the school day; during the school day; during school activities (whether on or off campus); on school grounds before or after school hours when a school group or school activity is using school grounds; off school grounds, if the actions of the student materially or substantially affect or interfere with the educational process; and on the school bus.
- B. Staff members will seek early involvement of parents in efforts to support students in meeting behavioral expectations. The Superintendent has general authority to administer discipline, including all exclusionary discipline. If the district wants other staff members to have exclusionary discipline authority, the procedure must identify by title. The Superintendent designates disciplinary authority to impose short-term suspension, long-term suspension, removal and emergency removal to school principals, assistant principals, assistant superintendents, directors of special education, and directors of human resources.

V. Classroom Exclusions

- A. After attempting at least one other form of discipline that aligns with published classroom expectations and district policy 3241, 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. The superintendent designates disciplinary authority to school principals, assistant principals, assistant superintendents, directors of special education, and directors of human resources to impose classroom exclusion with the same authority and limits of authority as classroom teachers.
- B. 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, removal, or emergency removal and must include the notification and due process as stated in the section below.
- C. 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.
- D. 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.
- E. Following the classroom exclusion of a student, the teacher or other school personnel must complete the required report about the classroom exclusion, including the behavioral violation that led to the classroom exclusion, and provide it 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. Any classroom exclusion initiated by the teacher must be entered into the student's discipline record.
- F. 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.
- G. 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:
 - 1. The teacher or other school personnel must immediately notify the principal or the principal's designee; and
 - 2. The principal or the principal's designee must meet with the student as soon as reasonably possible and administer appropriate discipline.
- H. The district will address student and parent grievances regarding classroom exclusion through the grievance procedures.

VI. Grievance Process for "Other Forms of Discipline" and Classroom Exclusion

- A. 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. An informal conference may be requested orally or in writing within one (1) school business day of receiving notification of the classroom exclusion. The principal or designee must schedule the conference within three (3) business days of the request from the student or family.

- B. 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.
- C. 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 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.
- D. 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.

VII. Suspension and Removal – General Conditions and Limitations

- A. The district's use of suspension and removal 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 remove, 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.
- B. 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 removal. 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.
- C. The principal or designee at each school must report all suspensions and removals, including the behavioral violation that led to the suspension or removal, to the Superintendent or designee within twenty-four (24) hours after the administration. Reporting the behavioral violation that led to the suspension or removal as "other" is insufficient.
- D. A removal or suspension of a student may not be for an indefinite period and must have an end date. After suspending or removing 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.
- E. When administering a suspension or removal, 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 removal (see below).
- F. The district will not suspend or remove a student from school for absences or tardiness.
- G. If during a suspension or removal 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 removal, unless one of the following applies:
 - 1. The Superintendent or designee grants a petition to extend a student's removal under WAC 392-400-480;
 - 2. The change of setting is to protect victims under WAC 392-400-810; or
 - 3. Other law precludes the student from returning to his or her regular educational setting.

- H. In accordance with RCW 28A.600.420, a school district must remove 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 removal on a case-by-case basis.
- I. A school district may also suspend or remove 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.

VIII. In-School Suspension and Short-Term Suspension

- A. The superintendent designates school principals, assistant principals, assistant superintendents, directors of special education, and directors of human resources with the authority to impose in-school and short-term suspension. Each disciplinary event will have an authorized administrator to act as the point person for that disciplinary event. 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. In addition, as per II.B, parents must be consulted before a suspension or removal occurs, except in emergency circumstances. The district will not administer in-school suspension that would result in the denial or delay of the student's nutritionally adequate meal.
- B. 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:
1. Commission of any crime on school grounds or during school activity;
 2. Possession, use, sale, or delivery of illegal or controlled chemical substances;
 3. Sexual misconduct that could constitute sexual assault or harassment on school grounds, at school activities, or on school provided transportation;
 4. Assault: Actual or attempted hitting, striking, or other wrongful physical contact inflicted on another, including directly or indirectly with an object is prohibited. An assault may be committed without actually striking or injuring another person if a threat or action reasonably places the other person in fear of harm. An assault is considered more serious misconduct than fighting and normally warrants more serious consequences for a first offense (WAC 132Q-10-215)
 5. Threats of violence to other student or staff;
 6. Being intoxicated or under the influence of controlled substance, alcohol or marijuana at school or while present at school activities;
 7. Bomb scares or false fire alarms that cause a disruption to the school program;
 8. Cheating or disclosure of exams;
 9. Dress code violations that the student refuses to correct including but not limited to clothing with lewd, sexual, drug, tobacco, alcohol-related messages, or apparel closely associated with gangs or hate groups;
 10. Fighting: Fighting is prohibited and includes instigating, promoting (including promotion by presence as a spectator and/or electronic, recording, posting, or sharing), and escalating a fight, as well as failing to disperse at the scene of a fight. With regards to reasonable self-defense, it is expected that a student must always first retreat from any threat of harm and/or contact an adult staff member for assistance before engaging in any type of physical response to an assault. However, an administrator may decide not to subject a student to discipline if, following a reasonable investigation, the administrator determines that all of the following are true:
 - A student who is being assaulted or witnesses another student being assaulted acts only in a manner that is defensive and protective of himself/herself or others;
 - The student is acting in a manner that a building administrator determines is reasonable and necessary in light of the circumstances; and
 - The student did not instigate, provoke, or promote the violence by his or her words or conduct immediately prior to the assault (WAC 132Q-10-215)
 11. Gang-related activity;
 12. Harassment/intimidation/bullying: Harassment, intimidation, or bullying can take many forms, including, but not limited to hate speech such as racial, homophobic, transphobic, xenophobic, etc. slurs, slang, rumors, jokes,

innuendos, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, or other written, oral, physical, or electronically transmitted messages or images (WAC 132Q-10-215).

13. Intentional deprivation of student and staff use of school facilities;
14. Intentional endangerment to self, other students, or staff, including endangering on a school bus;
15. Intentional injury to another;
16. Intentionally defacing or destroying the property of another;
17. Intentionally obstructing the entrance or exit of any school building or room in order to deprive others of passing through;
18. Preventing students from attending class or school activities;
19. Refusal to cease prohibited behavior;
20. Refusal to leave an area when repeatedly instructed to do so by school personnel;
21. Substantially and intentionally interfering with any class or activity;
22. Use or possession of weapons prohibited by state law and Policy 4210.

C. Initial Hearing: Obtaining the Student's Perspective

1. 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 if a suspension or removal might be administered. The district must hold the initial hearing in a language the parent and student understand.
2. At the initial hearing, the principal or designee will provide the student:
 - a. Notice of the student's violation of this policy;
 - b. An explanation of the evidence regarding the behavioral violation;
 - c. An explanation of the discipline that may be administered; and
 - d. An opportunity for the student to share his or her perspective and provide explanation regarding the behavioral violation.

D. Notice

1. 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 removal will begin and end.
 2. 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 removal 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 removal, including the dates on which the suspension or removal 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 removal;
 - d. The opportunity to receive educational services during the suspension or removal;
 - 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;
- E. 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 single semester. 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.
- F. 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.
- G. 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; grading penalties shall not be assigned because the student work was completed during a suspension or removal.

IX. Long-Term Suspensions and Removals

- A. Before administering a long-term suspension or a removal, 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.
- B. Unless otherwise required by law, the district is not required to impose long-term suspension or removal and may impose long-term suspension or removal 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 removal is appropriate for student behaviors listed in RCW 28A.600.015 (6)(a) through (d), which include:
1. Commission of any crime on school grounds or during school activity;
 2. Possession, use, sale, or delivery of illegal or controlled chemical substances;
 3. Sexual misconduct that could constitute sexual assault or harassment on school grounds, at school activities, or on school provided transportation;
 4. Threats of violence to other student or staff;
 5. Having a firearm on school property or school transportation in violation of RCW 28A.600.420;
 6. Any of the following offenses listed in RCW 13.04.155, including:
 - a. Any violent offense as defined in RCW 9.94A.030, including
 - b. Any felony that Washington law defines as a class A felony or an attempt, criminal conspiracy, or solicitation to commit a class A felony;
 - c. Manslaughter;
 - d. Indecent liberties committed by forcible compulsion;
 - e. Kidnapping;
 - f. Arson;
 - g. Assault in the second degree;
 - h. Assault of a child in the second degree;
 - i. Robbery;
 - j. Drive-by shooting; and
 - k. 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.
 7. 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;
 8. Inhaling toxic fumes in violation of chapter 9.47A RCW;
 9. Any controlled substance violation of chapter 69.50 RCW;
 10. Any liquor violation of RCW 66.44.270;
 11. Any weapons violation of chapter 9.41 RCW, including having a dangerous weapon at school in violation of RCW 9.41.280;
 12. 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;
 13. Any violation of chapter 9A.40 RCW, including kidnapping, unlawful imprisonment, custodial interference, luring, and human trafficking;
 14. Any violation of chapter 9A.46 RCW, including harassment, stalking, and criminal gang intimidation; and
 15. Any violation of chapter 9A.48 RCW, including arson, reckless burning, malicious mischief, and criminal street gang tagging and graffiti.
 16. Two or more violations of the following within a three-year period

- a. Criminal gang intimidation in violation of RCW 9A.46.120;
 - b. Gang activity on school grounds in violation of RCW 28A.600.455;
 - c. Willfully disobeying school administrative personnel in violation of RCW 28A.635.020; and
 - d. Defacing or injuring school property in violation of RCW 28A.635.060; and
 - e. Any student behavior that adversely affects the health or safety of other students or educational staff.
- C. In addition to being a behavior specified in RCW 28A.600.015, before imposing long-term suspension or removal, district personnel must also determine that if the student returned to school before completing a long-term suspension or removal 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.

D. Behavior agreements

1. 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 removal, or agreements holding a suspension or removal 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.
2. 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.

E. Initial hearing

1. Before administering any suspension or removal, 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:
 - a. Notice of the student's violation of this policy;
 - b. An explanation of the evidence regarding the behavioral violation;
 - c. An explanation of the discipline that may be administered; and
 - d. An opportunity for the student to share his or her perspective and provide explanation regarding the behavioral violation.
2. 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.

F. 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 removal 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:

1. A description of the student's behavior and how the behavior violated this policy;
2. The duration and conditions of the suspension or removal, including the dates on which the suspension or removal will begin and end;
3. The other forms of discipline that the district considered or attempted, and an explanation of the district's decision to administer the suspension or removal;
4. The opportunity to receive educational services during the suspension or removal;
5. The right of the student and parent(s) to an informal conference with the principal or designee;

6. The right of the student and parent(s) to appeal the suspension or removal; and
7. For any long-term suspension or removal, the opportunity for the student and parents to participate in a reengagement meeting.

- G. Other than, for the firearm exception under WAC 392-400-820, the district will not impose a long-term suspension or a removal for any student in kindergarten through fourth grade.
- H. If a long-term suspension or removal 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 removal so that the district can ensure it follows its special education discipline procedures as well as its general education discipline procedures.

X. Difference between Long-Term Suspension and Removal

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

XI. Emergency Removals

- A. The district may immediately remove a student from the student's current school placement, when the district has sufficient cause to believe that the student's statements or observable behaviors pose:
1. An immediate and continuing danger to other students or school personnel; or
 2. An immediate and continuing threat of material and substantial disruption of the educational process.
- B. The district may not impose an emergency removal solely for investigating student conduct.
- C. For purposes of determining sufficient cause for an emergency removal, the phrase "immediate and continuing threat of material and substantial disruption of the educational process" means:
1. 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
 2. School personnel have exhausted reasonable attempts at administering other forms of discipline to support the student in meeting behavioral expectations.
- D. An emergency removal may not exceed ten (10) consecutive school days. An emergency removal will end or be converted to another form of discipline within ten (10) school days from its start.
- E. After an emergency removal, the district will attempt to notify the student's parents, as soon as reasonably possible, regarding the reason the district believes the student's statements or behaviors pose an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the education process.

F. Notice

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

1. 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;
2. The duration and conditions of the emergency removal, including the date on which the emergency removal will begin and end;

3. The opportunity to receive educational services during the emergency removal;
4. The right of the student and parent(s) to an informal conference with the principal or designee; and
5. The right of the student and parent(s) to appeal the emergency removal, including where and to whom the appeal must be requested.

G. If the district converts an emergency removal to a suspension or removal, the district will:

1. Apply any days that the student was emergency expelled before the conversion to the total length of the suspension or removal; and
2. (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.

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

XII. Appeal, Reconsideration, and Petition

A. Optional informal conference with school administrator

1. If a student or the parent(s) disagree with the district's decision to suspend, remove, or emergency remove 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 within one (1) day of receiving notice of the suspension or removal.
2. 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).
3. 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 removal. Further, the student and parent will have the opportunity to discuss other forms of discipline that the district could administer.
4. An informal conference will not limit the right of the student or parent(s) to appeal the suspension or removal, participate in a reengagement meeting, or petition for readmission.

B. Appeals

1. The appeal provisions for in-school and short-term suspension differ from those for long-term suspension and removal. The appeal provisions for long-term suspension or removal and emergency removal have similarities but the timelines differ.
2. A student or the parent(s) may appeal a suspension, removal, or emergency removal to the Superintendent or designee in writing. Office staff will provide Office of Education Ombudsman templates and assistance in completing this requirement, if requested, including translation support if needed. For suspension or removal, 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 removal, the request to appeal must be within three (3) school business days from when the district provided the student and parent with written notice.
3. In buildings where the point person was an authorized designee of the principal, the first step in the appeal will be to the building principal. The appeal would move to the district office in the event the principal and parents are unable to develop a common resolution. The district office sequence for appeals begins with a designated district official and ends with the Superintendent or his designee.
4. When an appeal for long-term suspension or removal is pending, the district may continue to administer the long-term suspension or removal during the appeal process, subject to the following requirements:
 - a. The suspension or removal is for no more than ten (10) consecutive school days from the initial hearing or until the appeal is decided, whichever is earlier;
 - b. The district will apply any days of suspension or removal occurring before the appeal is decided to the term of the student's suspension or removal and may not extend the term of the student's suspension or removal; and

- c. 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 removal upon the student's return.
5. In-school and short-term suspension appeal
 - a. 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, during the hearing, or in writing.
 - b. 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:
 - i. The decision to affirm, reverse, or modify the suspension;
 - ii. The duration and conditions of the suspension, including the beginning and ending dates;
 - iii. The educational services the district will offer to the student during the suspension; and
 - iv. 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.
6. Long-term suspension or removal and emergency removal appeal
 - a. For long-term suspension or removal and emergency removals, 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:
 - i. The time, date, and location of the appeal hearing;
 - ii. The name(s) of the official(s) presiding over the appeal;
 - iii. The right of the student and parent(s) to inspect the student's education records;
 - iv. 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;
 - v. 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
 - vi. Whether the district will offer a reengagement meeting before the appeal hearing.
 - b. For long-term suspension or removal, 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.

C. Hearings

1. A hearing to appeal a long-term suspension or removal or emergency removal 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.
2. 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. A single hearing will not likely result in confusion; and
 - b. No student will have his/her interest substantially prejudiced by a group hearing.
3. 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.

4. For long-term suspension or removal, 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).
5. For emergency removal, 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.
6. The school board will 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 remove the student.
7. Upon request, the student and parent(s) may review the student's education records or physical evidence. The district will make the records or physical evidence available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.
8. 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:
9. The district will audio 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.
 - a. The district made a reasonable effort to produce the witness; and
 - b. The witness' failure to appear is excused by fear of reprisal or another compelling reason.
10. 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.
11. For long-term suspension or removal, the presiding official(s) will 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 will include:
 - a. The findings of fact;
 - b. A determination whether (i) the student's behavior violated this policy; (ii) the behavioral violation reasonably warrants the suspension or removal and the length of the suspension or removal; and (iii) the suspension or removal is affirmed, reversed, or modified;
 - c. The duration and conditions of suspension or removal, including the beginning and ending dates;
 - d. 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
 - e. Notice of the opportunity for a reengagement meeting and contact information for the person who will schedule it.
12. For emergency removal, 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 will include:
 - a. The findings of fact;
 - b. 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;
 - c. Whether the district will end the emergency removal or convert the emergency removal to a suspension or removal. If the district converts the emergency removal to a suspension or removal, the district will provide the student and parent(s) notice and due process consistent with the disciplinary action to which the emergency removal was converted; and
 - d. 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.

D. Reconsideration of Appeal

1. The student or parents may request the school board review and reconsider the district's appeal decision for long-term suspensions or removals and emergency removals. This request must be in writing. Office staff will provide Office of Education Ombudsman templates and assistance completing the form, if requested, with translation support if needed.
2. For long-term suspension or removal, 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.
3. For emergency removal, 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.
 - a. 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.
 - b. 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.
 - c. 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 remove 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.
4. For long-term suspension or removal, the school board 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:
 - a. Whether the school board affirms, reverses, or modifies the suspension or removal;
 - b. The duration and conditions of the suspension or removal, including the beginning and ending dates of the suspension or removal; and
 - c. For long-term suspensions or removals, notice of the opportunity to participate in a reengagement meeting.
5. For emergency removal, the school board 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:
 - a. Whether the school board 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.
 - b. If the emergency removal has not yet ended or been converted, whether the district will end the emergency removal or convert the emergency removal to a suspension or removal. If the district converts the emergency removal to a suspension or removal, 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 removal was converted

XIII. Petition to Extend a Removal

- A. When risk to public health or safety warrants extending a student's removal, the school administrator or designee may petition the superintendent or designee for authorization to exceed the academic term limitation on a removal. The petition will inform the superintendent or designee of:
 1. The behavioral violation that resulted in the removal and the public health or safety concerns;
 2. The student's academic, attendance, and discipline history;
 3. Any nonacademic supports and behavioral services the student was offered or received during the removal;
 4. The student's academic progress during the removal and the educational services available to the student during the removal;
 5. The proposed extended length of the removal; and
 6. The student's reengagement plan
- B. The principal or designee may petition to extend a removal only after the development of a reengagement plan under WAC 392-400-710 and before the end of the removal. 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 a removal at any time.

C. 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 will include:

1. A copy of the petition;
2. 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
3. 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.

D. 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.

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

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

1. The date on which the extended removal will end;
2. The reason that, if the student were to return before the initial removal end date, the student would pose a risk to public health or safety; and
3. 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;

G. Review and Reconsideration of extension of removal

1. The student or parent(s) may request that the school board review and reconsider the decision to extend the student's removal. 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;
2. The school board may request to meet with the student or parent(s) or the school administrator to hear further arguments and gather additional information;
3. The decision of the school board may be made only by discipline appeal council members who were not involved in the responding to the inappropriate behavior, the decision to remove the student, or the appeal decision;
4. The school board 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 will identify:
 4. Any extension of a removal may not exceed the length of an academic term; and
 5. The district will annually report the number of petitions approved and denied to the Office of Superintendent of Public Instruction (OSPI).

XIV. Educational Services

A. The district will offer educational services to enable a student who is suspended or removed to:

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

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

1. Meaningful input from the student, parents, and the student's teachers;

2. 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
 3. Access to any necessary technology, transportation, or resources the student needs to participate fully in the educational services.
 4. Quality of work may be the only consideration in grading of work completed during the suspension or removal.
- C. 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, but are not limited to:
1. Classwork assigned and returned through email;
 2. On-line class materials with a staff contact person who can offer support to the student;
 3. An assigned staff person to work with the student/parent/guardian to provide support;
 4. Access to on-line courses;
- D. 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.
- E. As soon as reasonably possible after administering a suspension or removal, 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.
- F. For students subject to suspension or emergency removal up to five (5) days, a school must provide at least the following:
1. Course work, including any assigned homework, from all of the student's regular subjects or classes;
 2. 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
 3. An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency removal.
- G. For students subject to suspension or emergency removal for six (6) to ten (10) consecutive school days, a school must provide at least the following:
1. Course work, including any assigned homework, from all of the student's regular subjects or classes;
 2. An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency removal; and
 3. 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 removal and periodically thereafter until the suspension or emergency removal ends to:
 - a. 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
 - b. Communicate with the student, parents, and the student's teacher(s) about the student's academic progress.
- H. For students subject to removal 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.

XV. Readmission

- A. The readmission process is different from and does not replace the appeal process. Students who have been suspended or removed 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/removed, 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:
1. The reasons the student wants to return and why the request should be considered;
 2. Any evidence that supports the request; and

3. A supporting statement from the parent or others who may have assisted the student.
- B. The Superintendent will advise the student and parent of the decision within seven (7) school days of the receipt of such application.

XVI. Reengagement

Reengagement Meeting

- A. 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 removal.
- B. 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.
- C. The reengagement meeting must occur:
1. Within twenty (20) calendar days of the start of the student's long-term suspension or removal, but no later than five (5) calendar days before the student's return to school; or
 2. As soon as reasonably possible, if the student or parents request a prompt reengagement meeting.

Reengagement Plan

- D. 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:
1. The nature and circumstances of the incident that led to the student's suspension or removal;
 2. As appropriate, students' cultural histories and contexts, family cultural norms and values, community resources, and community and parent outreach;
 3. Shortening the length of time that the student is suspended or removed;
 4. Providing academic and nonacademic supports that aid in the student's academic success and keep the student engaged and on track to graduate; and
 5. Supporting the student parents, or school personnel in taking action to remedy the circumstances that resulted in the suspension or removal and preventing similar circumstances from recurring.
- E. 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.
- F. 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 removal to protect victims of certain offenses as follows:

1. 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.
2. A student who commits an offense under RCW 28A.600.460 (3), when directed toward another student, may be removed from the classroom of the victim for the duration of the student's attendance at that school or any other school where the victim is enrolled.

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

Adoption Date: 8/27/2007

Revised Dates: 8/24/2009, 8/9/2010, 6/14/2017, 6/20/2019, 8/7/2023

GENDER INCLUSIVE SCHOOL

Policy 3211-Gender Inclusive School Revised 1/28/2021

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

This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful and inclusive learning community and will be implemented in conjunction with comprehensive training of staff members and volunteers. Specific training requirements are included in the accompanying procedure. The Superintendent or designee will appoint a primary contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the district. The district compliance officer will participate in at least one (1) mandatory training opportunity offered by OSPI

Cross References:	2125 - Sexual Health Education
	2130 - Character Development
	2133 - Diversity and Multicultural Education
	2145 - Suicide Prevention
	2151 - Interscholastic Activities
	2153 - Noncurricular-Related Students Groups
	3200 - Students Rights and Responsibilities
	3205 - Sexual Harassment of Students Prohibited
	3207 - Prohibition of Harassment, Intimidation, and Bullying
	3210 - Nondiscrimination
	3230 - Student Privacy and Searches
	3231 - Student Records
	3245 - Students and Telecommunication Devices
	3247 - Isolation and Restraint of Students with IEPs and Section 504 Plans
	3410 - Student Health
	4020 - Confidential Communications
	4200 - Safe and Orderly Learning Environment
	4220 - Complaints Concerning Staff or Programs

Legal References:	RCW 28A.642 Discrimination Prohibition
	20 U.S.C. 1232g, 34 C.F.R., Part 99 - Family Education Rights and Privacy Act

Adoption Date: 5/19/2016

Revised Dates: 1/28/2021

GENDER-INCLUSIVE SCHOOLS

Our School is Gender-Inclusive

In Washington, all students have the right to be treated consistent with their gender identity at school. Our school will:

- Address students by their requested name and pronouns, with or without a legal name change
- Change a student's gender designation and have their gender accurately reflected in school records

- Allow students to use restrooms and locker rooms that align with their gender identity
- Allow students to participate in sports, physical education courses, field trips, and overnight trips in accordance with their gender identity
- Keep health and education information confidential and private
- Allow students to wear clothing that reflects their gender identity and apply dress codes without regard to a student's gender or perceived gender
- Protect students from teasing, bullying, or harassment based on their gender or gender identity

To review the district's Gender-Inclusive Schools Policy 3211 and Procedure 3211P, visit [HERE](#). If you have questions or concerns, please contact the Gender-Inclusive Schools Coordinator: Michelle Olsen, Assistant Superintendent, molsen@portangelesschools.org, 905 W. 9th St, Port Angeles, WA 98363 (360) 457-8575

For concerns about discrimination or discriminatory harassment based on gender identity or gender expression, please see the information above on pages 55-56.

Procedure 3211P- Gender-Inclusive Schools **Revised: 8/21/2023**

The principal or building administrator—or an appropriate, designated school employee—is encouraged to request a meeting with a transgender or gender-expansive student upon the student's enrollment in the district or in response to a currently enrolled student's change of gender expression or identity. Before contacting a student's parents, the school will consult with the student about the student's preferences regarding family involvement and consider whether safety concerns are present for the student.

The goals of the meeting are to:

- develop understanding of that student's individual needs with respect to their gender expression or identity, including any accommodations that the student is requesting or that the district will provide according to Policy 3211 and this procedure and under state and federal law; and
- develop a shared understanding of the student's day-to-day routine within the school so as to foster a relationship and help alleviate any apprehensions the student may have with regard to their attendance at school.
- Create a gender support plan which includes name request, pronouns, gender marker, and other information that would support the student in the educational setting.

The school may not require the student to attend a meeting as condition of providing them with the protection to which they are entitled under Policy 3211, this procedure, and state and federal law regarding gender expression or identity.

Key Definitions/Terms

- **Assigned sex at birth:** The sex a person was given at birth, usually based on anatomy or chromosomes (e.g., male, female, intersex, etc.).
- **Cisgender:** A term used to describe people whose assigned sex matches their gender identity and/or gender expression (e.g., someone who was assigned female at birth and whose gender identity and/or gender expression is also female).
- **Gender Expansive:** A wider, more flexible range of gender identities or expressions than those typically associated with the binary gender system.
- **Gender Expression:** The external ways in which a person expresses their gender to the world, such as through their behavior, emotions, mannerisms, dress, grooming habits, interests, and activities.
- **Gender Identity:** A person's internal and deeply-felt sense of being female, male, both, non-binary, gender-expansive, or other—regardless of the gender assigned at birth.
- **Transgender:** A term often used to describe a person whose gender identity or expression, or both, are different from those traditionally associated with their sex assigned at birth.
- **Transitioning:** The process in which a person goes from living and identifying as one gender to living and identifying as another.

Communication and Use of Names and Pronouns

An appropriate school employee will privately ask known transgender or gender-expansive students how they would like to be addressed in class, in correspondence to the home, and at conferences with the student's parent/guardian. That information will be included in the electronic student record system along with the student's legal name in order to inform teachers and staff of the name and pronoun by which to address the student. However, the student's legal name should be accessible by only necessary staff members—it should not be visible to teachers or other staff who have access to the electronic records system.

When appropriate or necessary, this information will be communicated directly with staff to facilitate the use of proper names and pronouns. A student is not required to change their official records or obtain a court-ordered name and/or gender change as a prerequisite to being addressed by the name and pronoun that corresponds to their gender identity.

When communicating with transgender or gender expansive students regarding particular issues such as conduct, discipline, grades, attendance or health, school employees will focus on the conduct or particular issues rather than making assumptions regarding the student's actual or perceived gender identity or gender expression. Before communicating with parents of transgender or gender expansive students, it's important to ask the student how school employees should refer to the student when talking with their parents and guardians. The district will not condone the intentional or persistent refusal to respect a student's gender identity or gender expression, or inappropriate release of information regarding a student's transgender or gender-expansive status.

Name Request Form

Gender identity and gender expression, are protected classes in WA public schools under Chapter 281.642 RCW and Chapter 392-190 WAC. Students have the right to be addressed by their preferred names and pronouns. Students may request that their name be changed on school rosters, teacher's grade books, and Skyward family access by filling out the **Name Request Form**. This is not a legal name change. School transcripts require a legal name and will continue to be printed with a legal name. [3211F](#)

Official Records

The standardized high school transcript is the only official record that requires a student's legal name. School staff should adopt practices to avoid the inadvertent disclosure of the student's transgender or gender-expansive status. The District will change a student's official records to reflect a change in legal name upon receipt of:

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

Schools may change a student's official gender designation upon parent or student request pursuant to the Office of the Superintendent of Public Instruction's (OSPI's) process found at: <https://www.k12.wa.us/sites/default/files/public/cedars/pubdocs/2018-19cedarsreportingguidance.pdf>. The process should not be overly cumbersome, and the district may not require verification from a physician.

The school must use the name and gender by which the student identifies on all other records, including but not limited to school identification cards, classroom seating charts, athletic rosters, yearbook entries, diplomas, directory information.

Confidential Health or Educational Information

Information about a student's gender identity, legal name, or assigned sex at birth may constitute confidential medical or educational information. Disclosing this information to other students, their parents, or other third parties may violate privacy laws, such as the federal Family Education Rights and Privacy Act (FERPA) (20 U.S.C. §1232; 34 C.F.R. Part 99). Parents have the right under FERPA to request their student's records and if requested, the District will provide the student's educational records to the parent according to 3231/3231P – Student Records. To ensure the safety and well-being of the student, school employees should not disclose a student's transgender or gender-expansive status to others, including other school personnel, other students, or the parents of other students, unless the school is (1) legally required to do so or (2) the student has authorized such disclosure.

Restroom Accessibility

Students and families will work with administration to create a plan that best supports the student. Students will be allowed to use the restroom that corresponds to the gender identity they assert at school. No student will be required to use a restroom that conflicts with their gender identity. Any student—regardless of gender identity—who requests greater privacy should be given access to an alternative restroom. However, schools may not require a student to use an alternative restroom because of their transgender or gender-expansive status.

Locker Room Accessibility

Students and families will work with administration to create a plan that best supports the student. Use of locker rooms by transgender or gender-expansive students will be assessed on a case-by-case basis, with the goal of maximizing transgender or gender-expansive student social integration, providing an equal opportunity to participate in physical education classes and athletic opportunities and ensuring the student's safety. The district will take an approach that conforms with OSPI's guidelines. In most cases, the district should provide the student access to the locker room that corresponds to the gender identity they assert at school. Reasonable alternatives to locker room conditions for any student who wants additional privacy include, but are not limited to:

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

The school will provide accommodations needed to allow the student to keep their transgender or gender-expansive status private. No student will be required to use a locker room that conflicts with his or her gender identity.

Sports and Physical Education Classes

The District will provide all students, including transgender and gender-expansive students, the opportunity to participate in physical education and athletic programs/opportunities in a manner that is consistent with their gender identity.

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

Dress Codes

The District will allow students to dress in a manner that is consistent with their gender identity and/or gender expression within the constraints of the dress codes adopted at their school site and within the constraints of the District guidelines for dress as they relate to health and safety issues (e.g., prohibitions on wearing gang-related apparel). School dress codes will be gender-neutral and will not restrict a student's clothing choices on the basis of gender. The district will take an approach that conforms with OSPI's guidelines.

Other School Activities

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

Training and Professional Development

The district will designate one person to be the primary contact regarding this policy and procedure relating to transgender or gender expansive students. The primary contact must participate in at least one mandatory training opportunity offered by OSPI. When possible, the District will conduct staff training and ongoing professional development in an effort to build the skills of all staff members to prevent, identify and respond to harassment and discrimination. The content of such professional development should include, but not be limited to:

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

Discrimination and Harassment Complaints

Discrimination and harassment on the basis of sex, gender identity, or gender expression are prohibited within the district. It is the responsibility of each school, the District, and all staff to ensure that all students, including transgender and gender-expansive students, have a safe school environment. The scope of this responsibility includes ensuring that any incident of discrimination or harassment is given immediate attention and/or reported to the person designated as the primary contact relating to transgender or gender expansive students. The primary contact will communicate with the district's Civil Rights Compliance Coordinator.

Complaints alleging discrimination or harassment based on a person's actual or perceived gender identity or expression are to be taken seriously and handled in the same manner as other discrimination and harassment complaints. This includes investigating the incident and taking age and developmentally-appropriate corrective action. Anyone may file a complaint alleging a violation of this policy using the complaint process outlined in the district's Nondiscrimination Procedure 3210P.

The district will share this policy and procedure with students, parents/guardians, employees, and volunteers.

Adoption Date: 7/14/2016

Revised Dates: 3/28/2022, 8/21/2023

Our Schools Protect Students from Harassment, Intimidation, and Bullying (HIB)

Schools are meant to be safe and inclusive environments where all students are protected from Harassment, Intimidation, and Bullying (HIB), including in the classroom, on the school bus, in school sports, and during other school activities. This section defines HIB, explains what to do when you see or experience it, and our school's process for responding to it.

What is HIB?

HIB is any intentional electronic, written, verbal, or physical act of a student that:

- Physically harms another student or damages their property;
- Has the effect of greatly interfering with another student's education; or,
- Is so severe, persistent, or significant that it creates an intimidating or threatening education environment for other students.

HIB generally involves an observed or perceived power imbalance and is repeated multiple times or is highly likely to be repeated. HIB is not allowed, by law, in our schools.

How can I make a report or complaint about HIB?

Talk to any school staff member (consider starting with whoever you are most comfortable with!). You may use our district's reporting form to share concerns about HIB chrome-[\(Link to Form\)](#) but reports about HIB can be made in writing or verbally. Your report can be made anonymously, if you are uncomfortable revealing your identity, or confidentially if you prefer it not be shared with other students involved with the report. No disciplinary action will be taken against another student based **solely** on an anonymous or confidential report.

If a staff member is notified of, observes, overhears, or otherwise witnesses HIB, they must take prompt and appropriate action to stop the HIB behavior and to prevent it from happening again. Our district also has a HIB Compliance Officer (PASD, Director of Human Resources (360)457-8575) that supports prevention and response to HIB.

What happens after I make a report about HIB?

If you report HIB, school staff must attempt to resolve the concerns. If the concerns are resolved, then no further action may be necessary. However, if you feel that you or someone you know is the victim of unresolved, severe, or persistent HIB that requires further investigation and action, then you should request an official HIB investigation.

Also, the school must take actions to ensure that those who report HIB don't experience retaliation.

What is the investigation process?

When you report a complaint, the HIB Compliance Officer or staff member leading the investigation must notify the families of the students involved with the complaint and must make sure a prompt and thorough investigation takes place. The investigation must be completed within 5 school days, unless you agree on a different timeline. If your complaint involves circumstances that require a longer investigation, the district will notify you with the anticipated date for their response.

When the investigation is complete, the HIB Compliance Officer or the staff member leading the investigation must provide you with the outcomes of the investigation within 2 school days. This response should include:

- A summary of the results of the investigation
- A determination of whether the HIB is substantiated
- Any corrective measures or remedies needed
- Clear information about how you can appeal the decision

What are the next steps if I disagree with the outcome?

For the student designated as the "targeted student" in a complaint:

If you do not agree with the school district's decision, you may appeal the decision and include any additional information regarding the complaint to the superintendent, or the person assigned to lead the appeal, and then to the school board.

For the student designated as the "aggressor" in a complaint:

A student found to be an "aggressor" in a HIB complaint may not appeal the decision of a HIB investigation. They can, however, appeal corrective actions that result from the findings of the HIB investigation.

For more information about the HIB complaint process, including important timelines, please see the district's HIB webpage or the district's HIB Policy 3207 and Procedure 3207P [Found Here](#)

Our School Stands Against Discrimination

Discrimination can happen when someone is treated differently or unfairly because they are part of a **protected class**, including their

race, color, national origin, sex, gender identity, gender expression, sexual orientation, religion, creed, disability, use of a service animal, or veteran or military status.

What is discriminatory harassment?

Discriminatory harassment can include teasing and name-calling; graphic and written statements; or other conduct that may be physically threatening, harmful, or humiliating. Discriminatory harassment happens when the conduct is based on a student's protected class and is serious enough to create a hostile environment. A **hostile environment** is created when conduct is so severe, pervasive, or persistent that it limits a student's ability to participate in, or benefit from, the school's services, activities, or opportunities.

To review the district's Nondiscrimination Policy 3210 and Procedure 3210P, visit [Found Here](#)

What is sexual harassment?

Sexual harassment is any unwelcome conduct or communication that is sexual in nature and substantially interferes with a student's educational performance or creates an intimidating or hostile environment. Sexual harassment can also occur when a student is led to believe they must submit to unwelcome sexual conduct or communication to gain something in return, such as a grade or a place on a sports team.

Examples of sexual harassment can include pressuring a person for sexual actions or favors; unwelcome touching of a sexual nature; graphic or written statements of a sexual nature; distributing sexually explicit texts, e-mails, or pictures; making sexual jokes, rumors, or suggestive remarks; and physical violence, including rape and sexual assault.

Our schools do not discriminate based on sex and prohibit sex discrimination in all of our education programs and employment, as required by Title IX and state law.

To review the district's Sexual Harassment Policy 3205 and Procedure 3205P, visit [Found Here](#)

What should my school do about discriminatory and sexual harassment?

When a school becomes aware of possible discriminatory or sexual harassment, it must investigate and stop the harassment. The school must address any effects the harassment had on the student at school, including eliminating the hostile environment, and make sure that the harassment does not happen again.

What can I do if I'm concerned about discrimination or harassment?

Talk to a Coordinator or submit a written complaint. You may contact the following school district staff members to report your concerns, ask questions, or learn more about how to resolve your concerns.

Concerns about discrimination:

Civil Rights Coordinator: Scott Harker, Human Resources Director, sharker@portangelesschools.org 905 W. 9th St, Port Angeles, WA 98363, (360) 457-8575

Concerns about sex discrimination, including sexual harassment:

Title IX Coordinator: Scott Harker, Human Resources Director, sharker@portangelesschools.org 905 W. 9th St, Port Angeles, WA 98363, (360) 457-8575

Concerns about disability discrimination:

Section 504 Coordinator: Rhonda Kromm, Special Education Director, rkromm@portangelesschools.org 905 W. 9th St, Port Angeles, WA 98363 (360) 457-8575

Concerns about discrimination based on gender identity:

Gender-Inclusive Schools Coordinator: Michelle Olsen, Assistant Superintendent, molsen@portangelesschools.org 905 W. 9th St, Port Angeles, WA 98363 (360) 457-8575

To **submit a written complaint**, describe the conduct or incident that may be discriminatory and send it by mail, fax, email, or hand delivery to the school principal, district superintendent, or civil rights coordinator. Submit the complaint as soon as possible for a prompt investigation, and within one year of the conduct or incident.

What happens after I file a discrimination complaint?

The Civil Rights Coordinator will give you a copy of the school district's discrimination complaint procedure. The Civil Rights Coordinator must make sure a prompt and thorough investigation takes place. The investigation must be completed within 30 calendar days unless you agree to a different timeline. If your complaint involves exceptional circumstances that require a longer investigation, the Civil Rights Coordinator will notify you in writing with the anticipated date for their response.

When the investigation is complete, the school district superintendent or the staff member leading the investigation will send you a

written response. This response will include:

- A summary of the results of the investigation
- A determination of whether the school district failed to comply with civil rights laws
- Any corrective measures or remedies needed
- Notice about how you can appeal the decision

What are the next steps if I disagree with the outcome?

If you do not agree with the outcome of your complaint, you may appeal the decision to the Superintendent and then to the Office of Superintendent of Public Instruction (OSPI). More information about this process, including important timelines, is included in the district's Nondiscrimination Procedure 3210P and Sexual Harassment Procedure 3205P.

I already submitted an HIB complaint – what will my school do?

Harassment, intimidation, or bullying (HIB) can also be discrimination if it's related to a protected class. If you give your school a written report of HIB that involves discrimination or sexual harassment, your school will notify the Civil Rights Coordinator. The school district will investigate the complaint using both the Nondiscrimination Procedure 3210P and the HIB Procedure 3207P to **fully resolve your complaint**.

Who else can help with HIB or Discrimination Concerns?

Office of Superintendent of Public Instruction (OSPI)

All reports must start locally at the school or district level. However, OSPI can assist students, families, communities, and school staff with questions about state law, the HIB complaint process, and the discrimination and sexual harassment complaint processes.

OSPI School Safety Center (For questions about harassment, intimidation, and bullying)

- Website: ospi.k12.wa.us/student-success/health-safety/school-safety-center
- Email: schoolsafety@k12.wa.us
- Phone: 360-725-6068

OSPI Equity and Civil Rights Office (For questions about discrimination and sexual harassment)

- Website: ospi.k12.wa.us/policy-funding/equity-and-civil-rights
- Email: equity@k12.wa.us
- Phone: 360-725-6162

Washington State Governor's Office of the Education Ombuds (OEO)

The Washington State Governor's Office of the Education Ombuds works with families, communities, and schools to address problems together so every student can fully participate and thrive in Washington's K-12 public schools. OEO provides informal conflict resolution tools, coaching, facilitation, and training about family, community engagement, and systems advocacy.

- Website: www.oeo.wa.gov
- Email: oeoinfo@gov.wa.gov
- Phone: 1-866-297-2597

U.S. Department of Education, Office for Civil Rights (OCR)

The U.S. Department of Education, Office for Civil Rights (OCR) enforces federal nondiscrimination laws in public schools, including those that prohibit discrimination based on sex, race, color, national origin, disability, and age. OCR also has a discrimination complaint process.

- Website: <https://www2.ed.gov/about/offices/list/ocr/index.html>
- Email: orc@ed.gov
- Phone: 800-421-3481

HARRASMENT, INTIMIDATION, AND BULLYING

Policy 3207 - Prohibition of Harassment, Intimidation, and Bullying

Revised: 10/24/19

The board is committed to a safe and civil educational environment for all students, staff members, parents/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 (1) shown to be motivated by any characteristic in RCW 28A.640.010 and RCW 28A 642.010, such as race, creed, religion, color, national origin, honorable discharged veteran or military status, sexual orientation including gender expression or identity, the presence of any sensory, mental or physical disability, or the use of a trained dog guide or service animal by a person with disability. or other distinguishing characteristics, when the act:

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

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

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

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

Behaviors/Expressions

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

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

This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the educational environment. Many behaviors that do not rise to the level of harassment, intimidation, or bullying may 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 members and volunteers. Specific training requirements are included in 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 principal or designee 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 Section 504 team will evaluate issues such as the student's academic performance, behavioral issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE as a result of the harassment, intimidation, or bullying incident, the district will provide additional services and supports as deemed necessary, such as counseling, monitoring and/or reevaluation or revision of the student's IEP or Section 504 plan, to ensure the student receives a FAPE.

Retaliation/False Allegations

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting harassment, intimidation, or bullying, or participating in an investigation.

It is also a violation of district policy to knowingly report false allegations of harassment, intimidation, and bullying. Students or staff members will not be disciplined for making a report in good faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

Compliance Officer

The Superintendent will appoint a compliance officer as the primary district contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the district. The district compliance officer will participate in at least one (1) mandatory training opportunity offered by

the Office of Superintendent of Public Instruction (OSPI).

Written Procedures

The superintendent or his/her designee will adopt written procedures to addressing the elements of this policy.

Cross References: 2161 - Education of Students with Disabilities
 3200 - Rights and Responsibilities
 3210 - Nondiscrimination
 3211 - Gender-Inclusive Schools
 3220 - Freedom of Expression
 3241 - Student Discipline
 4200 - Safe and Orderly Learning Environment
 4301 - Relations with the Law Enforcement, Child Protective Agencies and the County Health Department
 4314 - Notification of Threats of Violence or Harm
 5010 - Nondiscrimination and Affirmative Action
 5011 - Sexual Harassment
 5253 - Maintaining Professional Boundaries between Employees and Students
 5270 - Resolution of Staff Complaints
 5281 - Disciplinary Action and Discharge
 5282 - Civility
 5520 - Staff Development
 6513 - Workplace Violence Prevention

Legal References: RCW 28A.300.285 Harassment, intimidation, and bullying prevention policies and procedures — Model policy and procedure — Training materials — Posting on web site — Rules — Advisory committee
 RCW 28A.640.010 Discrimination prohibited
 RCW 28A.642.010 Discrimination prohibited - Definitions
 WAC 392-190-059 Harassment, intimidation and bullying prevention policy and procedure – School districts.

Adoption Date: **10/10/2005**

Revised Dates: **4/14/2016, 10/24/2019**

Policy 3207P - Prohibition of Harassment, Intimidation and Bullying Revised 9/08/2008

A. Introduction

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

In order to ensure respect and prevent harm, it is a violation of district policy for a student to be harassed, intimidated, or bullied by others in the school community, at school sponsored events, or when such actions create a substantial disruption to the educational process. The school community includes all students, school employees, school board members, contractors, unpaid volunteers, families, patrons, and other visitors. Student(s) will not be harassed because of their race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression, gender identity, mental or physical disability, or other distinguishing characteristics.

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

B. Definitions

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

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

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

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

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

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

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

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

C. Behaviors/Expressions

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

D. Relationship to Other Laws

This procedure applies only to [RCW 28A.600.477](#) – Prohibition Harassment, intimidation and Bullying. There are other laws and procedures to address related issues such as sexual harassment or discrimination.

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

1. [RCW 28A.600.477](#) – Prohibition Harassment, Intimidation and Bullying
2. [RCW 28A.640.020](#) – Sexual Equality
3. [RCW 28A.642](#) – Prohibition of Discrimination in Public Schools
4. [RCW 49.60.010](#) – The Law Against Discrimination

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

E. Prevention

1. Dissemination

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

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

Additional distribution of the policy and procedure is subject to the requirements of chapter 392-405 WAC

2. Education

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

3. Training

The district compliance officer will participate in at least one mandatory training opportunity offered by OSPI. Staff will receive annual training on the school district's policy and procedure, including at a minimum, staff roles and responsibilities, how to monitor common areas and the use of the district's Incident Reporting Form.

4. Prevention Strategies

The district will implement a range of prevention strategies including individual, classroom, school, and district-level approaches. Whenever possible, the district will implement evidence-based prevention programs that are designed to increase social competency, improve school climate, and eliminate harassment, intimidation, and bullying in schools.

F. Compliance Officer

The district compliance officer will:

1. Serve as the district's primary contact for harassment, intimidation, or bullying. If the allegations in a written report of harassment, intimidation, or bullying indicate a potential violation of Policy 3207, the district staff member who receives the report must promptly notify the district compliance officer.
2. Provide support and assistance to the principal or designee in resolving complaints;

3. Receive copies of all Incident Reporting Forms, discipline Referral Forms, and letters to parents providing the outcomes of investigations.
4. Communicate with the school district's designated civil rights compliance coordinator. If a written report of harassment, intimidation, or bullying indicates a potential violation of the district's nondiscrimination policy [Policy 3210], or if during the course of an investigation, the district becomes aware of a potential violation of the district's nondiscrimination policy, the compliance officer must promptly notify the district's civil rights compliance coordinator. At that time, the compliance officers must promptly notify the complainant that their complaint will proceed under both this policy / procedure and the nondiscrimination policy / procedure. The investigation and response timeline for the nondiscrimination procedure begin when the school district knows or should have known that a written report or investigation of Harassment, Intimidation, or Bullying involves a potential violation of the district's nondiscrimination policy;
5. Be familiar with the use of the student information system. The compliance officer may use this information to identify patterns of behavior and areas of concern;
6. Ensure implementation of the policy and procedure by overseeing the investigative processes, including ensuring that investigations are prompt, impartial, and thorough;
7. Assess the training needs of staff and students to ensure successful implementation throughout the district, and ensure staff receive annual fall training;
8. Provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis; and
9. In cases where, despite school efforts, a targeted student experiences harassment, intimidation, or bullying that threatens the student's health and safety, the compliance officer will facilitate a meeting between district staff and the child's parents/guardians to develop a safety plan to protect the student. A sample student safety plan is available on the OSPI website: www.k12.wa.us/SafetyCenter/default.aspx.

G. Staff Intervention

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

H. Filing an Incident Reporting Form

Incident Reporting Forms may be used by students, families, or staff to report incidents of harassment, intimidation or bullying. A sample form is provided on the Office of Policy: 3207P Students Superintendent of Public Instruction's (OSPI) School Safety Center website: www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx

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

I. Addressing Harassment, Intimidation, or Bullying – Reports

Step 1: Filing an Incident Reporting Form

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

Status of Reporter

1. Anonymous

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

2. Confidential

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

3. Non-confidential

Individuals may agree to file a report non-confidentially. Complainants agreeing to make their complaint non-confidential will be informed that due process requirements may require that the district release all of the information that it has regarding the complaint to any individuals involved in the incident, but that even then, information will still be restricted to those with a need to know, both during and after the investigation. The district will, however, fully implement the anti-retaliation provision of this policy and procedure to protect complainants and witnesses.

Step 2: Receiving an Incident Reporting Form

All staff are responsible for receiving oral and written reports. Whenever possible staff who initially receive an oral or written report of harassment, intimidation, or bullying will attempt to resolve the incident immediately. If the incident is resolved to the satisfaction of the parties involved, or if the incident does not meet the definition of harassment, intimidation, or bullying, no further action may be necessary under this procedure. All reports of unresolved, severe, or persistent harassment, intimidation, or bullying will be recorded on a district Incident Reporting Form and submitted to the principal or designee, unless the principal or designee is the subject of the complaint.

Step 3: Investigations of Unresolved, Severe, or Persistent Harassment, Intimidation and Bullying

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

1. Upon receipt of the Incident Reporting Form that alleges unresolved, severe, or persistent harassment, intimidation, or bullying, the school or district designee will begin the investigation. If there is potential for clear and immediate physical harm to the complainant, the district will immediately contact law enforcement and inform the parent/guardian.

2. During the course of the investigation, the district will take reasonable measures to ensure that no further incidents of harassment, intimidation, or bullying occur between the complainant and the alleged aggressor. If necessary, the district will implement a safety plan (<https://www.k1wa.us/student-success/health-safety/school-safety-center/safety-planning-toolkit>) for the student(s) involved. The plan may include changing seating arrangements for the complainant and/or the alleged aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a safe person for the complainant; altering the alleged aggressor's schedule and access to the complainant, and other measures.

If, during the course of an investigation, the district employee conducting the investigation becomes aware of a potential violation of the district's nondiscrimination policy [Policy 3210], the investigator will promptly notify the district's civil rights compliance officer. Upon receipt of this information, the civil rights compliance officer must notify the complainant that their complaint will proceed under the discrimination complaint procedure in WAC 392-190-065 through WAC 392-190-075 as well as the HIB complaint procedure. The notice must be provided in a language that the complainant can understand. The investigation and response timeline for the discrimination complaint procedure will follow that set forth in WAC 392-190-065 and begins when the district knows or should have known that a written report of harassment, intimidation or bullying involves allegations of a violation of the district's nondiscrimination policy.

3. Within two (2) school days after receiving the Incident Reporting Form, the school designee will notify the families of the students involved that a complaint was received and direct the families to the district's policy and procedure on harassment, intimidation and bullying.
4. In rare cases, where after consultation with the student and appropriate staff (such as a psychologist, counselor, or social worker) the district has evidence that it would threaten the health and safety of the complainant or the alleged aggressor to involve his or her parent/guardian, the district may initially refrain from contacting the parent/guardian in its investigation of harassment, intimidation, or bullying. If professional school personnel suspect that a student is subject to abuse and neglect, they must follow district policy for reporting suspected cases to Child Protective Services.
5. The investigation will include, at a minimum:
 - a. An interview with the complainant;
 - b. An interview with the alleged aggressor;
 - c. A review of any previous complaints involving either the complainant or the alleged aggressor; and
 - d. Interviews with other students or staff members who may have knowledge of the alleged incident.
6. The principal or designee may determine that other steps must be taken before the investigation is complete.
7. The investigation will be completed as soon as practicable but generally no later than five (5) school days from the initial complaint or report. If more time is needed to complete an investigation, the district will provide the parent/guardian and/or the student with weekly updates.
8. No later than two (2) school days after the investigation has been completed and submitted to the compliance officer, the principal or designee will respond in writing or in person to the parent/guardian of the complainant and the alleged aggressor stating:
 - a. The results of the investigation;
 - b. Whether the allegations were found to be factual;
 - c. Whether there was a violation of policy; and
 - d. The process for the complainant to file an appeal if the complainant disagrees with the results.Because of the legal requirement regarding the confidentiality of student records, the principal or designee may not be able to report specific information to the targeted student's parent/guardian about any disciplinary action taken unless it involves a directive that the targeted student must be aware of in order to report violations.

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

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

Step 4: Corrective Measures for the Aggressor

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

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

Step 5: Targeted Student's Right to Appeal

1. If the complainant or parent/guardian is dissatisfied with the results of the investigation, they may appeal to the superintendent or his or her designee by filing a written notice of appeal within five (5) school days of receiving the written decision. The superintendent or his or her designee will review the investigative report and issue a written decision on the merits of the appeal within five (5) school days of receiving the notice of appeal.
2. If the targeted student remains dissatisfied after the initial appeal to the superintendent, the student may appeal to the school board by filing a written notice of appeal with the secretary of the school board on or before the fifth (5) school day following the date upon which the complainant received the superintendent's written decision.
3. An appeal before the school board or disciplinary appeal council must be heard on or before the tenth (10th) school day following the filing of the written notice of appeal to the school board. The school board or disciplinary appeal council will review the record and render a written decision on the merits of the appeal on or before the fifth (5th) school day following the termination of the hearing, and will provide a copy to all parties involved. The board or council's decision will be the final district decision.

Step 6: Discipline/Corrective Action

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

Corrective measures for a student who commits an act of harassment, intimidation, or bullying will be varied and graded according to the nature of the behavior, the developmental age of the student, or the student's history of problem behaviors and performance. Corrective measures that involve student discipline will be implemented according to [district policy 3241](#), Student Discipline.

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

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

Step 7: Support for the Targeted Student

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

I. Immunity/Retaliation

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

J. Other Resources

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

- OSPI Equity and Civil Rights Office (for discrimination complaints)
360.725.6162
Email: equity@k12.wa.us
<https://www.k12.wa.us/policy-funding/equity-and-civil-rights>
- Washington State Human Rights Commission
800.233.3247
www.hum.wa.gov/index.html
- Office for Civil Rights, U.S. Department of Education, Region IX
206.607.1600
Email: OCR.Seattle@ed.gov
www.ed.gov/about/offices/list/ocr/index.html
- Department of Justice Community Relations Service
877.292.3804
www.justice.gov/crt/
- Office of the Education Ombuds
866.297-2597
Email: OEOinfo@gov.wa.gov
<http://oeo.wa.gov/>
- OSPI Safety Center
360.725-6044
<https://www.k12.wa.us/student-success/health-safety/school-safety-center>

K. Other District Policies and Procedures

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

Adoption Date: 10/10/2005

Revised Dates: 9/8/2008, 2/12/2024

NONDISCRIMINATION AND AFFIRMATIVE ACTION

Policy 3210 - Nondiscrimination

Revised 3/10/2016

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

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

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

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

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

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

Cross References: 4260 - Use of School Facilities
2151 - Interscholastic Activities
2150 - Co-Curricular Program
2140 - Guidance and Counseling
2030 - Service Animals in Schools
3207 - Bullying/Harassment
2020 - Curriculum Development and Adoption of Instructional Materials

Legal References: Chapter 28A.640 RCW Sexual equality
Chapter 28A.642 RCW Discrimination prohibition
Chapter 49.60 RCW Discrimination — Human rights commission
WAC 392-190-020 Training—Staff responsibilities—Bias awareness
WAC 392-190-060 Compliance – School district designation of responsible employee - Notification
WAC 392-400-215 Student rights
20 U.S.C. 7905 Boy Scouts of American Equal Access Act
42 U.S.C. 12101-12213 Americans with Disabilities Act

Management Resources: 2014 - December Issue
2013 - April Issue
2012 - December Issue
2011 - June Issue
Policy News, August 2007 Washington's Law Against Discrimination

Adoption Date: 10/10/2005

Revised Dates: 5/05/2008, 8/22/2011, 3/10/2016

Procedure 3210P - Nondiscrimination and Complaint (Procedure)

Revised: 5/19/2016

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

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

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

A. **Informal Process for Resolution**

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

B. **Formal Process for Resolution**

Level One: Complaint to District

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

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

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

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

Level Two – Appeal to the School Board Directors

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

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

Level Three: Complaint to the Superintendent of Public Instruction

If a complainant disagrees with the decision of the school board directors, or if the district fails to comply with this procedure, the complainant may file a complaint with the superintendent of public instruction.

1. A complaint must be received by the Superintendent of Public Instruction on or before the twentieth (20) calendar day following the date upon which the complainant received written notice of the school board directors' decision, unless the Superintendent of Public Instruction grants an extension for good cause. Complaints may be submitted by mail, fax, electronic mail, or hand delivery.
2. A complaint must be in writing and include:
 - a. A description of the specific acts, conditions or circumstances alleged to violate applicable anti-discrimination laws;
 - b. The name and contact information, including address, of the complainant;
 - c. The name and address of the district subject to the complaint;
 - d. A copy of the district's complaint and appeal decision, if any; and
 - e. A proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information.
3. Upon receipt of a complaint, the Office of the Superintendent of Public Instruction (OSPI) may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the superintendent or school board directors.
4. Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with RCW 28A.642.010 or Chapter 392-190, WAC and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.

All corrective actions must be completed within the timelines established by OSPI in the written decision unless OSPI grants an extension. If timely compliance is not achieved, OSPI may take action including but not limited to referring the district to appropriate state or federal agencies empowered to order compliance. A complaint may be resolved at any time when, before the completion of the investigation, the district voluntarily agrees to resolve the complaint. OSPI may provide technical assistance and dispute resolution methods to resolve a complaint.

Level Four: Administrative Hearing

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

C. Mediation

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

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

Mediation must be conducted by a qualified and impartial mediator who may not: 1) Be a staff member of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the

subject of the complaint being mediated; or 2) Have a personal or professional conflict of interest. A mediator is not considered a staff member of the district or charter school or other public or private agency solely because he or she serves as a mediator.

If the parties reach agreement through mediation, they may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the course of mediation will remain confidential and may not be used as evidence in any subsequent complaint, due process hearing or civil proceeding. The agreement must be signed by the complainant and a district representative who has authority to bind the district.

D. Preservation of Records

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

Policy: 5010 - Nondiscrimination and Affirmative Action Revised 10/25/2018

Nondiscrimination

The district will provide equal employment opportunity and treatment for all applicants and staff members in recruitment, hiring, retention, assignment, transfer, promotion and training. Such equal employment opportunity will be provided without discrimination with respect to race, creed, religion, color, national origin, age, honorably-discharged veteran or military status, sex, sexual orientation including gender expression or identity, marital status, the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability.

The superintendent will designate a staff member to serve as the compliance officer.

Affirmative Action

The district, as a recipient of public funds, is committed to undertake affirmative action which will make effective equal employment opportunities for staff members and applicants for employment. Such affirmative action will include a review of programs, the setting of goals and the implementation of corrective employment procedures to increase the ratio of aged, persons with disabilities, ethnic minorities, women, and Vietnam veterans who are under-represented in the job classifications in relationship to the availability of such persons having requisite qualifications. Affirmative action plans may not include hiring or employment preferences based on gender or race, including color, ethnicity or national origin. Such affirmative action will also include recruitment, selection, training, education and other programs.

The superintendent or designee will develop an affirmative action plan which specifies the personnel procedures to be followed by staff members and will ensure that no such procedures discriminate against any individual. Reasonable steps will be taken to promote employment opportunities of those classes that are recognized as protected groups — aged, persons with disabilities, ethnic minorities, women and Vietnam veterans, although under state law, racial minorities, and women may not be treated preferentially in public employment.

This policy, as well as the affirmative action plan, regulations and procedures developed according to it, will be disseminated widely to staff members in all classifications and to all interested patrons and organizations. Progress toward the goals established under this policy will be reported annually to the board.

Employment of Persons with Disabilities

In order to fulfill its commitment of nondiscrimination to those with disabilities, the following conditions will prevail:

- A. No qualified person with disabilities will, solely by reason of a disability, be subjected to discrimination and the district will not limit, segregate or classify any applicants for employment or any staff member in any way that adversely affects his/her opportunities or status because of a disability. This prohibition applies to all aspects of employment from recruitment to promotions, and includes fringe benefits and other elements of compensation.
- B. The district will make reasonable accommodation to the known physical or mental limitations of an otherwise qualified disabled applicant or staff member unless it is clear that an accommodation would impose an undue hardship on the operation of the district program. Such reasonable accommodations may include:
 1. Making facilities used by staff members readily accessible and usable by persons with disabilities; and
 2. Job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, the provision of readers or interpreters and other similar actions. In determining whether or not accommodation would impose an undue hardship on the district, factors to be considered include the nature and cost of the accommodation.
- C. The district will not use any employment tests or criteria that screen out individuals with disabilities unless the test or criteria is clearly and specifically job-related. Also, the District will not use such tests or criteria if alternative tests or criteria (that do not screen out individuals with disabilities) are available.

- D. While the district may not make pre-employment inquiry as to whether an applicant has a disability or as to the nature and severity of any such disability, it may inquire into an applicant's ability to perform job-related functions.
- E. Any staff member who believes that there has been a violation of this policy or the law prohibiting discrimination because of a disability may initiate a grievance through the procedures for staff member complaints.

Nondiscrimination for Military Service

The district will not discriminate against any person who is a member of, applies to be a member or performs, has performed, applies to perform or has an obligation to perform service in a uniformed service, on the basis of that participation in a uniformed service. This includes initial employment, retention in employment, promotion or any benefit of employment. The district will also not discriminate against any individual who has participated in the enforcement of these rights under state or federal law.

Cross References: 2030 - Service Animals in Schools
 5270 - Resolution of Staff Complaints
 5407 - Military Leave

Legal References: RCW 28A.400.310 Law against discrimination applicable to districts' employment practices
 RCW 28A.640.020 Regulations, guidelines to eliminate discrimination — Scope — Sexual harassment policies
 RCW 28A.642 Discrimination prohibition
 RCW 49.60 Discrimination — Human rights commission
 RCW 49.60.030 Freedom from discrimination — Declaration of civil rights
 RCW 49.60.180 Unfair practices of employers
 RCW 49.60.400 Discrimination, preferential treatment prohibited
 RCW 73.16 Employment and Reemployment
 WAC 392-190 Equal Education Opportunity – Unlawful Discrimination Prohibited
 WAC 392-190-0592 Public school employment — Affirmative action program
 42 USC 2000e1 – 2000e10 Title VII of the Civil Rights Act of 1964
 20 USC 1681 - 1688 Title IX Educational Amendments of 1972
 42 USC 12101 – 12213 Americans with Disabilities Act
 8 USC 1324 (IRCA) Immigration Reform and Control Act of 1986
 38 USC 4301-4333 Uniformed Services Employment and Reemployment Rights Act
 29 USC 794 Vocational Rehabilitation Act of 1973
 34 CFR 104 Nondiscrimination on the basis of handicap in Programs or activities receiving federal financial assistance
 38 USC 4212 Vietnam Era Veterans Readjustment Act of 1974 (VEVRAA)

Adoption Date: 12/2000
 Revised Dates: 10/25/2018

Policy: 5010P
Nondiscrimination and Affirmative Action Procedure
Revised 11/21/2019

Affirmative Action

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

Nondiscrimination

To ensure fairness and consistency, the following grievance procedure is to be used in the district's relationship with its staff with regard to employment problems covered by state and federal equal employment opportunity laws and/or this affirmative action program. No staff member's status with the district will be adversely affected in any way because the staff member utilized these procedures. As used in this procedure, "grievance" will mean a complaint which has been filed by a complainant relating to alleged violations of any state or federal anti-discrimination laws. A "complaint" will mean a charge alleging specific acts, conditions or circumstances which are in violation of the anti-discrimination laws. A "respondent" will mean the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

Grievance Procedure

To ensure fairness and consistency, the following review procedures are to be used in the district's relationship with its staff with regard to employment problems covered by state and federal equal employment opportunity laws and/or this affirmative action program. No staff member's status with the district will be adversely affected in any way because the staff member utilized these procedures.

- A. **Grievance** means a complaint which has been filed by an employee relating to alleged violations of any state or federal anti-discrimination laws.

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

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

A. **Informal Process for Resolution**

When a staff member has an employment problem concerning equal employment opportunity, he/she will discuss the problem with the immediate supervisor, personnel director or superintendent within 60 days of the circumstances which gave rise to the problem. The staff member may also ask the compliance officer to participate in the informal review procedure. It is intended that the informal discussion will resolve the issue. If the staff member feels he/she cannot approach the supervisor because of the supervisor's involvement in the alleged discrimination, the staff member may directly contact the compliance officer before pursuing formal procedures. If the discussion with the officer or immediate supervisor does not resolve the issue the staff member may proceed to the formal review procedures. During the course of the informal process, the district will notify complainant of their right to file a formal complaint.

B. **Formal Process for Resolution**

Level One: Complaint to District

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

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

The decision of the superintendent or designee will include:

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

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

Level Two - Appeal to Board of Directors

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

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

Level Three - Complaint to the Superintendent of Public Instruction

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

1. A complaint must be received by the Office of Superintendent of Public Instruction on or before the twentieth (20) calendar day following the date upon which the complainant received written notice of the board of directors' decision, unless the Office of Superintendent of Public Instruction grants an extension for good cause. Complaints may be submitted by mail, fax, electronic mail, or hand delivery.
2. A complaint must be in writing and include:
 - a) A description of the specific acts, conditions or circumstances alleged to violate applicable anti-discrimination laws;
 - b) The name and contact information, including address, of the complainant;
 - c) The name and address of the district subject to the complaint;
 - d) A copy of the district's complaint and appeal decision, if any; and
 - e) A proposed resolution of the complaint or relief requested.
 - f) If the allegations regard a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information.
3. Upon receipt of a complaint, the Office of the Superintendent of Public Instruction may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the superintendent or board.
4. Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with RCW 28A.642.010 or Chapter 392-190, WAC and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.

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

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

Level Four - Administrative Hearing

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

1. Mediation

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

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

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

If the parties reach agreement through mediation, they may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the course of mediation will remain confidential and may not be used as evidence in any subsequent complaint, due process hearing or civil proceeding. The agreement must be signed by the complainant, and a district representative who has authority to bind the district.

2. **Preservation of Records**

The files containing copies of all correspondence relative to each complaint communicated to the district and the disposition, including any corrective measures instituted by the district, will be retained in the office of the district compliance officer for a period of 6 years.

Resources

District Contact

Director of Human Resources
905 W. 9th Street
Port Angeles, WA 98363
360.457.8575

Washington State Human Rights Commission
711 South Capitol Way, Suite 402
P.O. Box 42490
Olympia, WA 98504-2490
360.753.6770

State Contacts

Superintendent of Public Instruction
Equity and Civil Rights Office
P.O. Box 47200
Olympia, WA 98504-7200
360.725.6162

Office for Civil Rights
U.S. Department of Education
915 Second Avenue, Room 3310
Seattle, WA 98174
206.607.1600

Adoption Date: 2/12/2007

Revised Dates: 7/9/2012, 5/7/2015, 11/21/2019

SEXUAL HARASSMENT OF STUDENTS

Policy 3205 – Sexual Harassment of Students Prohibited

Revised 12/12/19

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

Definitions

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

Under federal and state law, the term “sexual harassment” may include:

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

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

Investigation and Response

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

Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. Regardless of whether the misconduct is reported to law enforcement, school staff members 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 member (s) or other third parties involved in district activities/events. Anyone else who engages in sexual harassment on school property or at school activities/event 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 or designee will develop and implement formal and informal procedures for receiving, investigating and resolving complaints or reports of sexual harassment. The procedures will include reasonable and prompt time lines and delineate staff member responsibilities under this policy.

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

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

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

Notice and Training

The Superintendent or designee will develop procedures to provide age-appropriate information and education to district staff members, students, parents/guardians 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 member, 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 member(s), students, parents/guardians, volunteers, and visitors. Information about the policy and procedure will be clearly stated and conspicuously posted throughout each school building, provided to each staff member and reproduced in each student, staff member, volunteer, and parent/guardian handbook. Such notices will identify the District's Title IX coordinator and provide contact information, including the coordinator's email address.

Policy Review

The Superintendent or designee will make an annual report to the board reviewing the use and efficacy of this policy and related procedures. Recommendations for changes to this policy, if applicable, will be included in the report. The Superintendent is encouraged to involve staff member(s), students, volunteers, and parents/guardian in the review process.

Cross References:	3200 - Rights and Responsibilities 3207 - Prohibition of Harassment, Intimidation, and Bullying 3210 - Nondiscrimination 3211 - Transgender Students 3220 - Freedom of Expression 3241 - Student Discipline 4200 - Safe & Orderly Learning Environment 4310 - Relationships with Law Enforcement and other
Government Agencies	4314 - Notification of Threats of Violence or Harm 5010 - Nondiscrimination and Affirmative Action 5011 - Sexual Harassment 5015 - Staff and Private Use of Social Media 5253 - Maintaining Professional Boundaries Between

Employees and Students
5270 - Resolution of Staff Complaints
5281 - Disciplinary Action and Discharge
5282 - Civility
6513 - Workplace Violence Prevention
Legal References: 20 U.S.C. 1681-1688
WAC 392-190-058 Sexual harassment
RCW 28A.640.020 Regulations, guidelines to eliminate discrimination — Scope — Sexual harassment policies

Policy: 3205P - Sexual Harassment of Students Prohibited Procedure
Adoption Date: 12/12/2019

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

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

I. Notice

- A. Information about the district's sexual harassment policy will be easily understandable and conspicuously posted throughout each school building, be reproduced in each student, staff, volunteer and parent handbook.
- B. In addition to the posting and reproduction of this procedure and Policy 3205, the district will provide annual notice to employees that complaints pursuant to this procedure may be filed at *905 W 9th St., Port Angeles, WA 98363*.

II. Staff Responsibilities

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

III. Confidentiality

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

IV. Retaliation

- A. Title IX prohibits retaliation against any individual who files a complaint under these laws or participates in a complaint investigation.

- B. When an informal or formal complaint of sexual harassment is made, the district will take steps to stop further harassment and prevent any retaliation against the person who made the complaint, was the subject of the harassment, or against those who provided information as a witness.
- C. The district will investigate all allegations of retaliation and take actions against those found to have retaliated.

V. **Informal Complaint Process**

- A. Anyone may use informal procedures to report and resolve complaints of sexual harassment. Informal reports may be made to any staff member. Staff will always notify complainants of their right to file a formal complaint and the process for same. Staff will also direct potential complainants to *the Assistant Superintendent*.
- B. Additionally, staff will also inform an appropriate supervisor or professional staff member when they receive complaints of sexual harassment, especially when the complaint is beyond their training to resolve or alleges serious misconduct.
- C. During the course of the informal complaint process, the district will take prompt and effective steps reasonably calculated to end any harassment and to correct any discriminatory effects on the complainant.
- D. If an investigation is needed to determine what occurred, the district will take interim measures to protect the complainant before the final outcome of the district's investigation (e.g., allowing the complainant to change academic or extracurricular activities or break times to avoid contact with the alleged perpetrator).
- E. Informal remedies may include:
 1. An opportunity for the complainant to explain to the alleged harasser that his or her conduct is unwelcome, offensive or inappropriate, either in writing or face-to-face;
 2. A statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;
 3. A general public statement from an administrator in a building reviewing the district sexual harassment policy without identifying the complainant;
 4. Developing a safety plan;
 5. Separating students; or
 6. Providing staff and/or student training
- F. Informal complaints may become formal complaints at the request of the complainant, parent/guardian, or because the district believes the complaint needs to be more thoroughly investigated.
- G. The district will inform the complainant and their parent/guardian how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

VI. **Formal Complaint Process**

Level One – Complaint to District

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

At any level in the formal complaint process, the district will take interim measures to protect the complainant before the final outcome of the district's investigation.

The following process will be followed:

A. **Filing of Complaint**

1. All formal complaints will be in writing and will set forth the specific acts, conditions or circumstances alleged to have occurred and to constitute sexual harassment. The Title IX Coordinator may draft the complaint based on the report of the complainant for the complainant to review and approve. The superintendent or Title IX Coordinator may also conclude that the district needs to conduct an investigation based on information in his or her possession, regardless of the complainant's interest in filing a formal complaint.
2. The time period for filing a complaint is one year from the date of the occurrence that is the subject matter of the complaint. However, a complaint filing deadline may not be imposed if the complainant was prevented from filing due to:

- a) Specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint; or
 - b) Withholding of information that the district was required to provide under WAC 392-190-065 or WAC 392-190-005.
3. Complaints may be submitted by mail, fax, e-mail or hand-delivery to the district Title IX Coordinator, Assistant Superintendent at 905 W 9th St., Port Angeles, WA 98363, 360-457-8575.
 4. Any district employee who receives a complaint that meets these criteria will promptly notify the Coordinator.

B. Investigation and Response

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

C. Superintendent Response

1. The superintendent will respond in writing to the complainant and the alleged perpetrator within thirty (30) calendar days of receipt of the complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the complainant in writing of the reason for the extension and the anticipated response date. At the time the district responds to the complainant, the district must send a copy of the response to the office of the superintendent of public instruction.
2. The response of the superintendent or designee will include:
 - a) A summary of the results of the investigation;
 - b) A statement as to whether a preponderance of the evidence establishes that the complainant was sexually harassed;
 - c) If sexual harassment is found to have occurred, the corrective measures the district deems necessary, including assurance that the district will take steps to prevent recurrence and remedy its effects on the complainant and others, if appropriate;
 - d) Notice of the complainant's right to appeal to the school board and the necessary filing information; and
 - e) Any corrective measures the district will take, remedies for the complainant (e.g., sources of counseling, advocacy and academic support), and notice of potential sanctions for the perpetrator(s) (e.g., discipline).
3. The superintendent's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964. If the complaint alleges discriminatory harassment by a named party or parties, the coordinator will provide the accused party or parties with notice of the outcome of the investigation and notice of their right to appeal any discipline or corrective action imposed by the district.
4. Any corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the superintendent's mailing of a written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy.
5. The district will inform the complainant and their parent/guardian how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

Level Two - Appeal to Board of Directors

A. Notice of Appeal and Hearing

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

B. Board Decision

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

Level Three - Complaint to the Superintendent of Public Instruction

A. Filing of Complaint

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

B. Investigation, Determination and Corrective Action

1. Upon receipt of a complaint, the Office of the Superintendent of Public Instruction may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the superintendent or board.
 2. Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with RCW 28A.642.010 or Chapter 392-190, WAC and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.
 3. All corrective actions must be completed within the timelines established by OSPI in the written decision unless OSPI grants an extension. If timely compliance is not achieved, OSPI may take action including but not limited to referring the district to appropriate state or federal agencies empowered to order compliance.
- C. A complaint may be resolved at any time when, before the completion of the investigation, the district voluntarily agrees to resolve the complaint. OSPI may provide technical assistance and dispute resolution methods to resolve a complaint.

Level Four - Administrative Hearing

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

A. Other Complaint Options

1. *Office for Civil Rights (OCR), U.S. Department of Education*

OCR enforces several federal civil rights laws, which prohibit discrimination in public schools on the basis of race, color, national origin, sex, disability, and age. File complaints with OCR within 180 calendar days of the date of the alleged discrimination. DD: 1-800-877-8339 | OCR.Seattle@ed.gov | www.ed.gov/ocr

2. *Washington State Human Rights Commission (WSHRC)*

WSHRC enforces the Washington Law against Discrimination (RCW 49.60), which prohibits discrimination in employment and in places of public accommodation, including schools. File complaints with WSHRC within six months of the date of the alleged discrimination. 1-800-233-3247 | TTY: 1-800-300-7525 | www.hum.wa.gov

B. Mediation

1. At any time during the complaint procedure set forth in WAC 392-190-065 through 392-190-075, a district may, at its own expense, offer mediation. The complainant and the district may agree to extend the complaint process deadlines in order to pursue mediation.
2. The purpose of mediation is to provide both the complainant and the district an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator. Mediation must be voluntary and requires the mutual agreement of both parties. It may be terminated by either party at any time during the mediation process. It may not be used to deny or delay a complainant's right to utilize the complaint procedures.
3. Mediation must be conducted by a qualified and impartial mediator who may not:
 - a) Be an employee of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the subject of the complaint being mediated; or
 - b) Have a personal or professional conflict of interest. A mediator is not considered an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.
4. If the parties reach agreement through mediation, they may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the course of mediation will remain confidential and may not be used as evidence in any subsequent complaint, due process hearing or civil proceeding. The agreement must be signed by the complainant and a district representative who has authority to bind the district.

C. Training and Orientation

1. A fixed component of all district orientation sessions for staff, students and regular volunteers will introduce the elements of this policy. Staff will be provided information on recognizing and preventing sexual harassment. Staff will be fully informed of the formal and informal complaint processes and their roles and responsibilities under the policy and procedure.
2. Certificated staff will be reminded of their legal responsibility to report suspected child abuse, and how that responsibility may be implicated by some allegations of sexual harassment. Regular volunteers will get the portions of this component of orientation relevant to their rights and responsibilities.
3. Students will be provided with age-appropriate information on the recognition and prevention of sexual harassment and their rights and responsibilities under this and other district policies and rules at student orientation sessions and on other appropriate occasions, which may include parents.
4. As part of the information on the recognition and prevention of sexual harassment staff, volunteers, students and parents will be informed that sexual harassment may include, but is not limited to:
 - a. Demands for sexual favors in exchange for preferential treatment or something of value;
 - b. Stating or implying that a person will lose something if he or she does not submit to a sexual request;
 - c. Penalizing a person for refusing to submit to a sexual advance, or providing a benefit to someone who does;
 - d. Making unwelcome, offensive or inappropriate sexually suggestive remarks comments, gestures, or jokes; or remarks of a sexual nature about a person's appearance, gender or conduct;
 - e. Using derogatory sexual terms for a person;
 - f. Standing too close, inappropriately touching, cornering or stalking a person; or
 - g. Displaying offensive or inappropriate sexual illustrations on school property.

D. Policy and Procedure Review

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

SEXUAL HARASSMENT OF STAFF

Policy No: 5011 - Sexual Harassment of District Staff Prohibited Revised 3/24/16

This district is committed to a positive and productive working environment free from sexual harassment. This commitment extends to all employees and other persons 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 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 adult or can be carried out by a group of students or adults and will be investigated by the District even if the alleged harasser is not a part of the school staff or student body. The district prohibits sexual harassment of district employees by 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 communications that interferes with an individual's employment performance or creates an intimidation, hostile, or offensive environment;
- unwelcome sexual advances;
- unwelcome requests for sexual favors;
- sexual demands when submission is a stated or implied obtaining work opportunity or other benefit;
- sexual demands where submission or rejection is a factor in a work or other school- related decision affecting an individual.

A "hostile environment" for an employee is created where the unwanted conduct is sufficiently severe or pervasive to create a work environment that a reasonable person would consider intimidation, hostile, or abusive.

Investigation and Response

If the district knows, or reasonably should know, that sexual harassment has created a hostile environment, the district will promptly investigate to determine what occurred and will 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 sexual harassment, eliminate the hostile environment, prevent its occurrence 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 on-going 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 staff or 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 procedures for receiving, investigating, and resolving both formal and informal complaints and reports of sexual harassment. The procedures will include reasonable and prompt time lines and delineate staff responsibilities under this policy.

Any school employee who witnesses sexual harassment or receives a report, informal complaint, or written complaint about sexual harassment is responsible for informing the district'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 information and education to district staff, parents/guardians 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 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, parents/guardians, volunteers and visitors. Information about the policy and procedure will be clearly stated and conspicuously posted throughout each school building, provided to each employee and reproduced in each staff, volunteer and parent/guardian handbook. Such notices will identify the District's Title IX coordinator and provide contact information, including the coordinator's email address.

Policy Review

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

Cross References:	3205 - Sexual Harassment of Students Prohibited 3207 - Prohibition of Harassment, Intimidation and Bullying 3210 - Nondiscrimination 3240 - Student Conduct 3421 - Child Abuse, Neglect, and Exploitation Prevention 5010 - Nondiscrimination and Affirmative Action
Legal References:	RCW 28A.640.020 Regulations, guidelines to eliminate discrimination— Scope — Sexual harassment policies WAC 392-190-058 Sexual harassment 20 U.S.C. 1681-1688
Management Resources:	2015 - July Policy Alert 2014 - December Issue 2010 - October Issue

Adoption Date: 2/12/2007

Revised Dates: 1/23/2012, 3/24/2016

Policy: 5011P - Procedure - Sexual Harassment of District Staff Prohibited Revised 11/26/2019

The procedure is intended to set forth the requirements of Policy 5011, including the process for a prompt, thorough, and equitable investigation of allegations of sexual harassment and the need to take appropriate steps to resolve such situations. If sexual harassment is found to have created a hostile environment, staff must take immediate action to eliminate the harassment, prevent its reoccurrence, and address its effects.

This procedure applies to sexual harassment (including sexual violence) targeted at district employees carried out by other students, employees or third parties involved in school district activities. The district has jurisdiction over these complaints pursuant to Title IX of the Education Amendments of 1972, Chapter 28A.640, RCW and Chapter 392-190 WAC.

I. Notice

Information about the district's sexual harassment policy will be easily understandable and conspicuously posted throughout each school building, provided to each employee and reproduced in each staff, volunteer and parent handbook. In addition to the posting and reproduction of this procedure and Policy 5011, the district will provide annual notice to employees that complaints pursuant to this procedure may be filed at *[905 West 9th Street, Port Angeles, WA 98363]*.

II. Staff Responsibilities

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

III. Confidentiality

A. If a complainant requests that his or her name not be revealed to the alleged perpetrator or asks that the district not investigate or seek action against the alleged perpetrator, the request will be forwarded to the Director of Human Resources should inform the complainant that honoring the request may limit its ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator.

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

IV. **Retaliation**

- A. Title IX prohibits retaliation against any individual who files a complaint under these laws or participates in a complaint investigation.
- B. When an informal or formal complaint of sexual harassment is made, the district will take steps to stop further harassment and prevent any retaliation against the person who made the complaint, was the subject of the harassment, or against those who provided information as a witness.
- C. The district will investigate all allegations of retaliation and take actions against those found to have retaliated.

Informal Complaint Process

- A. Anyone may use informal procedures to report and resolve complaints of sexual harassment. Informal reports may be made to any staff member. Staff will always notify complainants of their right to file a formal complaint and the process for same. Staff will also direct potential complainants to the Director of Human Resources.
- B. Additionally, staff will also inform an appropriate supervisor or professional staff member when they receive complaints of sexual harassment, especially when the complaint is beyond their training to resolve or alleges serious misconduct.
- C. During the course of the informal complaint process, the district will take prompt and effective steps reasonably calculated to end any harassment and to correct any discriminatory effects on the complainant.
- D. If an investigation is needed to determine what occurred, the district will take interim measures to protect the complainant before the final outcome of the district's investigation (e.g., allowing the complainant to change academic or extracurricular activities or break times to avoid contact with the alleged perpetrator).
- E. Informal remedies may include:
 - 1. An opportunity for the complainant to explain to the alleged harasser that his or her conduct is unwelcome, offensive or inappropriate, either in writing or face-to-face;
 - 2. A statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;
 - 3. A general public statement from an administrator in a building reviewing the district sexual harassment policy without identifying the complainant.
 - 4. Developing a safety plan;
 - 5. Separating staff person; or
 - 6. Providing staff and/or student training.
- F. Informal complaints may become formal complaints at the request of the complainant, parent or guardian, or because the district believes the complaint needs to be more thoroughly investigated.
 - 1. The district will inform the complainant how to report any subsequent problems.
 - 2. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems.
 - 3. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

V. **Formal Complaint Process**

- A. **Level One – Complaint to District**

Anyone may initiate a formal complaint of sexual harassment, even if the informal complaint process is being utilized. At any level in the formal complaint process, the district will take interim measures to protect the complainant before the final outcome of the district's investigation. The following process will be followed:
- B. **Filing of Complaint**
 - 1. All formal complaints will be in writing and will set forth the specific acts, conditions or circumstances alleged to have occurred and to constitute sexual harassment.
 - 2. The Title IX Coordinator may draft the complaint based on the report of the complainant for the complainant to review and approve.

3. The superintendent or Title IX Coordinator may also conclude that the district needs to conduct an investigation based on information in his or her possession, regardless of the complainant's interest in filing a complaint.
4. The time period for filing a complaint is one year from the date of the occurrence that is the subject matter of the complaint. However, a complaint filing deadline may not be imposed if the complainant was prevented from filing due to:
 - a. Specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint; or
 - b. Withholding of information that the district was required to provide under WAC 392-190-065 or WAC 392-190-005.
5. Complaints may be submitted by mail, fax, e-mail or hand-delivery to the Title IX Coordinator, Director of Human Resources Any district employee who receives a complaint that meets these criteria will promptly notify the Coordinator.

VI. Investigation and Response

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

VII. Superintendent Response

- A. The superintendent will respond in writing to the complainant and the alleged perpetrator within thirty (30) calendar days of receipt of the complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the complainant in writing of the reason for the extension and the anticipated response date. At the time the district responds to the complainant, the district must send a copy of the response to the office of the superintendent of public instruction.
- B. The response of the superintendent or designee will include:
 1. A summary of the results of the investigation;
 2. A statement as to whether a preponderance of the evidence establishes that the complainant was sexually harassed;
 3. If sexual harassment is found to have occurred, the corrective measures the district deems necessary, including assurance that the district will take steps to prevent recurrence and remedy its effects on the complainant and others, if appropriate;
 4. Notice of the complainant's right to appeal to the school board and the necessary filing information; and
 5. Any corrective measures the district will take, remedies for the complainant (e.g., sources of counseling, advocacy and other support), and notice of potential sanctions for the perpetrator(s) (e.g., discipline).
- C. The superintendent's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964.
- D. If the complaint alleges discriminatory harassment by a named party or parties, the coordinator will provide the accused party or parties with notice of the outcome of the investigation and notice of their right to appeal any discipline or corrective action imposed by the district.
- E. Any corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the superintendent's mailing of a written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.
- F. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy.

G. The district will inform the complainant how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems.

H. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

VIII. **Level Two -Appeal to Board of Directors**

Notice of Appeal and Hearing

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

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

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

IX. **Decision**

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

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

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

X. **Level Three - Complaint to the Superintendent of Public Instruction**

Filing of Complaint

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

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

B. A complaint must be in writing and include:

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

XI. **Investigation, Determination and Corrective Action**

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

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

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

- D. All corrective actions must be completed within the timelines established by OSPI in the written decision unless OSPI grants an extension. If timely compliance is not achieved, OSPI may take action including but not limited to referring the district to appropriate state or federal agencies empowered to order compliance.
- E. A complaint may be resolved at any time when, before the completion of the investigation, the district voluntarily agrees to resolve the complaint. OSPI may provide technical assistance and dispute resolution methods to resolve a complaint.

XII. Level Four - Administrative Hearing

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

XIII. Other Complaint Options

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

XIV. Mediation

- A. At any time during the complaint procedure set forth in WAC 392-190-065 through 392-190-075, a district may, at its own expense, offer mediation. The complainant and the district may agree to extend the complaint process deadlines in order to pursue mediation.
- B. The purpose of mediation is to provide both the complainant and the district an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator. Mediation must be voluntary and requires the mutual agreement of both parties. It may be terminated by either party at any time during the mediation process. It may not be used to deny or delay a complainant's right to utilize the complaint procedures.
- C. Mediation must be conducted by a qualified and impartial mediator who may not:
 - 1. Be an employee of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the subject of the complaint being mediated; or
 - 2. Have a personal or professional conflict of interest. A mediator is not considered an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.
- D. If the parties reach agreement through mediation, they may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the course of mediation will remain confidential and may not be used as evidence in any subsequent complaint, due process hearing or civil proceeding. The agreement must be signed by the complainant and a district representative who has authority to bind the district.

XV. Training and Orientation

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

- C. Students will be provided with age-appropriate information on the recognition and prevention of sexual harassment and their rights and responsibilities under this and other district policies and rules at student orientation sessions and on other appropriate occasions, which may include parents.
- D. As part of the information on the recognition and prevention of sexual harassment staff, volunteers, students and parents will be informed that sexual harassment may include, but is not limited to:
 1. Demands for sexual favors in exchange for preferential treatment or something of value;
 2. Stating or implying that a person will lose something if he or she does not submit to a sexual request;
 3. Penalizing a person for refusing to submit to a sexual advance, or providing a benefit to someone who does;
 4. Making unwelcome, offensive or inappropriate sexually suggestive remarks comments, gestures, or jokes; or remarks of a sexual nature about a person's appearance, gender or conduct;
 5. Using derogatory sexual terms for a person;
 6. Standing too close, inappropriately touching, cornering or stalking a person; or
 7. Displaying offensive or inappropriate sexual illustrations on school property.

XVI. Policy and Procedure Review

- A. Annually, the superintendent or designee will convene an ad hoc committee composed of representatives of certificated and classified staff, volunteers, students and parents to review the use and efficacy of this policy and procedure.
- B. The Title IX/Civil Rights Compliance Coordinator will be included in the committee. Based on the review of the committee, the superintendent will prepare a report to the board including, if necessary, any recommended policy changes. The superintendent will consider adopting changes to this procedure if recommended by the committee.

TECHNOLOGY

Technology - Acceptable Use of the Internet

The Port Angeles School District is providing the computer network and internet access for all students and employees. This service allows employees and students to share information, learn new concepts, and research diverse subjects. Students and their parents are responsible for knowing and complying with all district policy including policies 2022 and 3245 which relate to use of the computer network and internet and agree to report any misuse of the computer network or the Internet to a teacher or supervisor. Students and staff members using the computer network or internet must understand the district may revise policy governing the use of these resources as it deems necessary. The district will provide notice of any changes either by posting such a revised version of a policy on its website or by providing written notice to the students, parents/guardians, and district employees. Access to these resources may be revoked without notice at any time.

Disclaimer

- The district makes no guarantees about the quality of the services provided and is not responsible for any claims, losses, damages, costs, or other obligations arising from the unauthorized use of the accounts. The district also denies any responsibility for the accuracy or quality of the information obtained through the account.
- Any statement, accessible on the computer network or the Internet, is understood to be the author’s individual point of view and not that of the district, its affiliates, or employees.
- Account users are responsible for any losses sustained by the district or its affiliates, resulting from the account users’ intentional misuse of the accounts.

Policy No. 3245 – Students and Digital Devices

Revised: 10/13/2022

STUDENTS AND DIGITAL DEVICES

Students in possession of digital devices, including, but not limited to, cellular phones, laptops, gaming systems, and audio or visual recording devices, while on school property or while attending school-sponsored or school-related activities will observe the following conditions:

- A. Students will comply with rules developed by the district concerning the appropriate use of digital devices as outlined in board policy and procedures, and school rules and regulations; students who violate this policy will be subject to disciplinary action
- B. Students will not use digital devices in a manner that poses a threat to academic integrity, disrupts the learning environment, or violates the privacy rights of others;
- C. Students will not send, share, view, or possess pictures, text messages, emails, or other material depicting sexually explicit conduct, as defined in [RCW 9.68A.011](#), in electronic or any other form on a cell phone or other electronic device, while the student is on school grounds, at school-sponsored events, on school buses or vehicles provided by the district;

- D. When a district official has reasonable suspicion, based on objective and articulable facts, that a student is using a digital device in a manner that violates the law or school rules, the district official may confiscate the device, but they may not search the device. The device will only be returned to the student's parent and/or legal guardian;
- E. When there is suspicious activity that could violate state or federal laws, the activity will be referred to law enforcement;
- F. Students are responsible for devices they bring to school. The district will not be responsible for loss, theft or destruction of devices brought onto school property or to school-sponsored events;

0007 - Equity Policy
 2022 - Electronic Resources and Internet Safety
 2150 - Co-curricular Program
 2151 - Interscholastic Activities
 2153 - Noncurricular-Related Students Groups
 2161 - Education of Students with Disabilities
 2162 - Education of Students with Disabilities Under Section 504
 2165 - Home and Hospital Instruction
 2170 - Career and Technical Education
 2171 - School to Work
 2190 - Programs for Highly Capable Students
 2195 - Academic Acceleration for High School Students
 2240 - Summer School
 2255 - Alternative Learning Programs
 2320 - Field Trips, Excursions and Outdoor Education
 2414 - Community Service
 3110 - Qualifications of Attendance and Placement
 3112 - Social Emotional Climate
 3114 - Part-time, Home-based, or Off-campus Students
 3115 - Homeless Students, Enrollment Rights and Services
 3116 - Students in Foster Care
 3120 - Enrollment
 3122 - Excused and Unexcused Absences
 3124 - Removal/Release of Student During School Hours
 3140 - Release of Resident Students
 3141 - Nonresident Students
 3142 - International Exchange Students
 3200 - Students Rights and Responsibilities
 3205 - Sexual Harassment of Students Prohibited
 3207 - Prohibition of Harassment, Intimidation, and Bullying
 3241 - Student Discipline
 3432 - Emergencies
 3520 - Students Fees, Fines, and Charges
 4010 - Staff Communication Responsibly

Cross References:

Adoption Date: 10/10/2005

Revised: 8/09/2010, 01/24/2011, 08/17/2016, 2/23/2017, 04/23/2017, 10/13/2022

Procedure 3245P - Port Angeles School District Administrative Procedure Students and Telecommunication Devices

Revised: 5/25/2017

It is assumed that students will be accessing the electronic communications system including but not limited to the Internet, Google Apps for Education, and Microsoft Office 365 on a routine basis. Parent/guardian must sign an Internet Opt-Out form (2022F) in order to inform the District if they do not wish their student to have access to the Internet, Google Apps for Education, and Microsoft Office 365.

Definitions:

- A. Sexting means sending, forwarding, displaying, retaining, storing or posting sexually explicit, lewd, indecent or pornographic photographs, images or messages by or on a cell phone, computer or other electronic means during school hours or school activities on or off campus; while on school district property, during any recess, lunch or leave periods on or off school

district property; or beyond the hours of school operation if the behavior detrimentally affects the personal safety or well-being of school-related individuals, the governance, climate or efficient operation of the school; or the educational process or experience.

- B. Disrupting the Learning Environment: means any intentional gesture, any intentional electronic communication or any intentional written, verbal or physical act or statement initiated, occurring, transmitted or received by a student at school that a reasonable person under the circumstance should know will have the effect of:
1. Insulting, mocking or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school; or
 2. Creating an intimidating, threatening, hostile or abusive educational environment for a student or group of students through substantially severe, persistent or pervasive behavior.
- C. Third parties include, but are not limited to coaches, school volunteers, parent/guardian, school visitors, service contractors or others engaged in district business or activities that are not directly subject to District control at inter-district and intra-district athletic competitions or other school events.

Reporting Violations:

Any student, staff member, parent/guardian or third party who has knowledge of conduct in violation of this policy or any student who feels he/she has been a victim of sexting, menacing, retaliation or reprisal in violation of this policy shall immediately report the concerns to:

- A. The building principal or his/her designee;
- B. A teacher who will be responsible for notifying the building principal or designee immediately if the matter cannot be adequately addressed by the teacher, or warrants administrative intervention;
- C. A counselor, who is responsible for notifying the building principal or designee immediately if the matter cannot be addressed by the counselor or is sufficiently serious to warrant administrative intervention; or
- D. The superintendent of schools or designee.

Investigating:

The principal or designee shall be responsible for timely investigation if a complaint made under this policy. The investigation, witness statements, and evidence shall be documented along with the outcome of the investigation. In the course of the investigation, administrative staff will not send, receive or unnecessarily view or transmit sexting photographs or any other inappropriate images on either the district's or their personal electronic devices. The examination or viewing of the evidence/information will be limited to the extent necessary to determine that misconduct occurred.

Parent/Guardian Notification:

Parent/guardian of all students identified in the report shall be notified of the investigation and informed of their students' involvement in the incident.

Discipline:

Students whose behavior violates this policy will be subject to discipline up to and including expulsion. Law enforcement will also be notified when conduct may violate criminal laws. In addition to discipline, the district will assist students and/or parent/guardian to resolve concerns and issues prior to the use of the formal criminal complaint process. These interventions may include consultation, counseling, education, mediation and/or other opportunities for problem-solving. In imposing discipline, the administrator will take into consideration the context of the events, all relevant circumstances, and the parties' prior behavior, the nature of the behavior and its potential harm and the emotional and/or physical harm resulting from the reported party's actions. Exceptional misconduct penalties may be imposed, if in the opinion of the administration it is warranted.

Adoption Date: 08/23/2010

Revised Dates: 06/2010, 12/2012, 08/17/2016, 5/25/2017

Policy 2022 – Electronic Resources and Internet Safety

Revised: 3/25/2021

The Board recognizes that an effective public education system develops students who are globally aware, civically engaged, and capable of managing their lives and careers. The board also believes that staff members and students need to be proficient and safe users of information, media, and technology to succeed in a digital world.

Electronic Resources

- A. The district will develop and use electronic resources as a powerful and compelling means for students to learn core subjects and applied skills in relevant and rigorous ways and for staff members to educate them in such areas of need.
- B. It is the district's goal to provide students with rich and ample opportunities to use technology for important purposes in schools just as individuals in workplaces and other real-life settings use these tools.

- C. The district's technology will enable staff members and students to communicate, learn, share, collaborate and create; to think and solve problems; to manage their work; and to take ownership of their lives.
- D. The superintendent or designee will:
 - 1. Create strong electronic resources and develop related educational systems that support innovative teaching and learning;
 - 2. Provide appropriate staff development opportunities regarding this policy; and
 - 3. Develop procedures to support this policy.
- E. The superintendent or designee is authorized to develop procedures and acceptable use guidelines for staff members and students as to use of district electronic resources, including those that access Internet and social media, and to regulate use of personal electronic resources on district property and related to district activities or while attending school sponsored or school related activities.

Internet Safety

- A. To help ensure student safety and citizenship with electronic resources, all students will be educated about Internet safety. This will include appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response.
- B. To promote Internet safety and appropriate online behavior of students and staff members as they use electronic resources and access material from the Internet, the superintendent or designee is authorized to develop or adopt Internet safety procedures, acceptable use guidelines, and, for students, related instructional materials for every grade level. The superintendent or designee in evaluating such procedures and instructional materials should take into account district electronic resources, community norms, privacy rights, responsible use, and issues of concern with student or staff members use of electronic resources.
- C. As a component of district Internet safety measures, all district-owned electronic resources, including computer networks and Wi-Fi, in all district facilities capable of accessing the Internet must use filtering software to prevent access to obscene, racist, hateful or violent material. However, given the ever-changing nature of the Internet, the district cannot guarantee that a student will never be able to access objectionable material.
- D. When students use the Internet from school facilities for educational purposes, staff members will make a reasonable effort to supervise student access and use of the internet. If material is accessed that violates district policies, procedures or student guidelines for electronic resources or acceptable use, district staff members may instruct the person to cease using that material and/or implement sanctions consistent with district policies, procedures, guidelines, or student codes of conduct.

Policy 2022P- Electronic Resources and Internet Safety Procedure

Revised: 11/18/2016

I. Electronic Resources

The district provides the electronic communications system for its students and staff members. The components of the electronic communications system include, but are not limited to:

- A. The computer network,
- B. Both local and wide area, servers on those networks,
- C. The computer workstations,
- D. The email system,
- E. Access to the internet,
- F. Cell phones connected to our network.

II. Student Internet Access

It is assumed that students will be accessing the electronic communications system including, but not limited to, the internet, Google Apps for Education, and Microsoft Office 365 on a routine basis. **Parent/Guardian must sign an Internet Opt-Out form (2022F)** in order to inform the district if they do **not** wish their student to have access to the internet, Google Apps for Education, and Microsoft Office 365.

III. Access to electronic communications systems

- A. Computer resources are to be used exclusively to support the instructional and business objectives and policies of the district. All staff members must sign and adhere to the Internet User Agreement.
- B. All existing district rules apply to staff members' conduct when using electronic communication systems, especially (but not exclusively) those that deal with intellectual property protection, privacy, misuse of district resources, sexual harassment, information, data security, and confidentiality.
- C. Staff members are expected to communicate in a professional manner consistent with state laws governing the behavior of staff members and with federal laws governing copyright. Communications over the network are often public in nature; therefore, general rules and standards for professional behavior and communications will apply.
- D. While direct connection to electronic communication systems offers a cornucopia of potential benefits, it can also open the door to some significant risks to data and systems if staff members do not follow appropriate security discipline. A staff member may be held accountable for any breaches of security or confidentiality resulting from misuse of the district's electronic communication systems.
- E. Reports of inappropriate behavior, violations or complaints will be routed to the staff member's supervisor for appropriate action. Violations may result in disciplinary action consistent with district policies and regulations regarding staff members' conduct, up to and including termination.
- F. Unacceptable use is defined to include, but is not limited to, the following:
 - 1. Copying and/or downloading any commercial software or other material in violation of federal copyright laws.
 - 2. Use of the network for financial gain, or illegal activity.
 - 3. Use of the network to download, store, and copy or transmit pornographic, racist, sexist or other offensive or derogatory material.
 - 4. Any form of vandalism, including but not limited to, damaging computers, computer systems or networks, other user files, and/or disrupting the operation of the network.
 - 5. Use of profanity, obscenity or other language that may be offensive to another individual.
 - 6. Accessing another individual's account or a restricted account without prior consent. (Passwords should be frequently changed and never shared.)
 - 7. Management of personal finances.
 - 8. Conducting any form of personal transaction, personal business, eBay, etc.
 - 9. Any other conduct which may constitute a violation of district policy.

District computers are intended for school use, not for personal use. School computers belong to the school, not the person using them. Proper usage includes – but is not restricted to the topics outlined below.

IV. Back-up Information

- A. The district is not responsible for loss of information from misuse, malfunction of computing hardware and software, or external contamination of data or programs. The district will make every effort to ensure the integrity of its computer systems and the information stored thereon. However, staff members and students must be aware that no security or back-up system is 100% reliable.
- B. Each computer user is responsible for making and keeping a back-up of their data. Routine back-ups or saving are a normal expected part of computer use as a part of each staff member position. If staff members need help creating a back-up of their data, they can contact the technology department or refer to the technology web page for instructions.

V. Care, responsibility and use of district owned equipment.

District property is self-insured through district funds, however, if the property, i.e. district laptop is taken off site then the responsibility for the cost to replace any equipment that is stolen, lost, or damaged is to the staff members.

VI. Copyright

It is the intent of the district to adhere to the provision of copyright laws in all areas including the internet. Illegal copies of copyrighted material may not be made or used on district equipment.

A. Copyright Violation Guidelines

- 1. Under current US law, all creative efforts are copyrighted the moment they are first put on paper, input into a computer, or recorded in any tangible form. While registration or stating that an item is copyrighted could increase

the penalties to an infringer and the monetary return to the copyright holder in a civil suit, copyright notice is not required.

2. Copyright is violated whether a fee is charged or not.
3. Postings to the internet are not automatically in the public domain and do not grant permission to do further copying.
4. Copyright is not lost simply because it is not defended.
5. Copyright exists in civil law and criminal law. Criminal fines start at \$10,000 per violation.
6. Every attempt should be made to get permission from the copyright holder prior to republishing any material.

B. Copyright Violation and Software Piracy

1. The district forbids the use, distribution, or installation of any software not owned by the district or school.
2. All school owned software must have a copy of the license kept in a secure file in the school and another copy sent to the Director of Educational Technology.
3. The district reserves the right at any time, without notification, to uninstall, remove or delete any software, from any computer or network server, which does not comply with district software policy.

VII. Disclaimer of Liability

- A. The district will not be liable for the staff members' or students' inappropriate use of the district's electronic communication resources or violations of copyright restrictions, staff members' or students' mistakes or negligence, or costs incurred by staff members' or students.
- B. The district will not be responsible for ensuring the accuracy or usability of any information found on the internet.
- C. The district shall not be responsible for any damages to the user from the use of the computer system, including loss of data, non-delivery or missed delivery of information or service interruptions.

VIII. E-mail

- A. E-mail creates a permanent record that may be archived and retrievable at a later date, even if the user has deleted it.
- B. E-mail is subject to the district document retention policy. Be cautious about what you send and to whom. E-mail items older than 90 days may be purged from the servers.
- C. E-mail is a public record which may be examined by any individual at any time. There is no expectation of personal privacy in such communications.
- D. E-mail attachments may introduce viruses. Be cautious of the origin of an email; if the e-mail includes an attachment, do NOT open it – delete it immediately.
- E. Staff members may not use their district-provided email account for personal, non-school related communications, monetary gain, political/religious advocacy, union activities not approved by negotiated agreement, or private business enterprises.

IX. Large file downloads and network bandwidth

- A. Internet radio and music and video downloads that are not directly related to instruction or expressly authorized can overload the network bandwidth and are prohibited.
- B. Computers purchased by the district are provided solely as a resource for instructional or job-specific uses. Limit use of bandwidth intensive resources during peak hours (7:30 AM to 3:00 PM) so that available bandwidth can be reserved for student instructional use.

X. Limitation/termination/revocation of system user's access

The district may limit, suspend or revoke a system user's access to the district's system(s) upon violation of district policy and/or procedures.

XI. Privately owned devices

- A. Anyone who brings their privately-owned device on district property or while attending district sponsored or district related activities is personally responsible for the equipment.
- B. Responsibility for the maintenance and repair of the equipment rests solely with that individual, including installation of software and configuration of peripherals.
- C. Any damage to the equipment, including results from viruses, is the responsibility of the individual.
Software residing on privately owned devices must be personally owned unless authorized by the district and within the

licensing constraints of the software company.

- D. The district retains the right to determine where and when privately-owned equipment may be attached to the network.

XII. Software Downloads

- A. The only software that may be installed on a district computer is software that has been approved by the Director of Educational Technology or designees.
- B. No executable files of any sort may be downloaded from the web onto district computers. This specifically includes (but is not restricted to) screen savers, utility programs, instant messenger services, games or music.
- C. No software is to be brought from outside the district to be installed on district computers without the approval of the Director of Educational Technology or designees.

XIII. Director of Educational Technology Responsibilities

The Director of Educational Technology as well as the building Principal or designee at the school will do the following:

- A. Disseminate and enforce district policy, administrative rules and regulations for the network and guidelines for students and staff member access.
- B. Ensure that all staff members supervising students who use the district's system(s) provide training emphasizing the appropriate and responsible uses.
- C. Monitor or examine all system(s) activities deemed appropriate to ensure proper use of the system(s).
- D. Set limits for computer storage utilization on the system(s) as needed.

XIV. Vandalism

Any malicious attempt to harm or destroy district equipment, materials, or user data, is prohibited. Deliberate attempts to compromise, degrade or disrupt system performance or operation will be viewed as violations of district policies and procedures and, possibly, as criminal activity under applicable state and federal laws. This includes, but is not limited to, the placement, transmission or creation of computer viruses or other data or programs that negatively impact the computer or system.

XV. Internet Safety and filtering software

- A. To the extent practical, technology protection measures (internet filter) shall be used to block or filter the internet, and other forms of electronic communications to prevent access to inappropriate information. Specifically, as required by the Children's Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or pornographic, or to any material deemed harmful.
- B. Technology protection measures may be disabled or minimized for bona fide research or other lawful purposes.
- C. In order to address the issue of inappropriate Web-based material and to comply with the Child Internet Protection Act, the district has installed an internet filtering system.
 - 1. All Web-based content accessed through computers connected to the district network is filtered through this system.
 - 2. Installation and operation of this or any internet filtering system on district computers does not preclude staff members, students and community members from their responsibility to use the network services responsibly.
 - 3. In some cases, sites with educational value that are inadvertently blocked may be considered for review. Only district personnel may submit a request to unblock a site. The staff member may submit a detailed request to their building administrator describing intended use in the curriculum or other job-related function.
 - 4. In other cases, objectionable sites may not be identified by the filter and may need to be blocked. Anyone with a concern about an objectionable site may submit a request for review to the building principal or designee or Director of Educational Technology.
 - 5. While every effort will be made to act on blocking and unblocking requests as quickly as possible, in some cases the review may take 3-5 days. Those submitting a request will be notified when a decision is made. The individual must provide the exact URL code (copy and paste into the email) in order for the site to be reviewed.
- D. It shall be the responsibility of all staff members to supervise and monitor usage of the online computer network and access to the internet in accordance with this policy and the Children's Internet Protection Act.

XVI. Privacy

- A. There can be no expectation of privacy on any device in the district, including privately owned devices that are used over district internet access or are related to fulfillment of district staff member responsibilities. Staff members must be aware that all information accessed, created, sent, received or stored on a district computer and the network is not private.
- B. While the district respects the privacy of staff members or students and does not have a practice of monitoring or

reviewing electronic information, the district reserves the right to do so for any reason.

- C. The district may monitor and review activity in order to analyze the use of systems, monitor compliance with policies, conduct audits, or obtain information for other reasons.
- D. The district reserves the right to disclose any electronic message to law enforcement officials, the public or other third parties.
- E. Instructional or school-related records stored on personal privately-owned electronic devices may be subject to disclosure as public school records so their use for school or student communication purposes is cautioned.

XVII. Publishing Student Information on the Web

- A. No home phone numbers or addresses of students may be published.
- B. Students shall not include personal information that would permit others to determine the location of the student at any given time. This includes place of employment, specific times and dates of extracurricular activities, class schedules, and other information that poses a safety concern for the student.
- C. Content on the Web pages(s) must comply with the internet user agreement.
- D. Links to student web pages not located on the district web servers may not be made from the schools' or districts' web pages.

XVIII. Social Networking Sites

- A. While a staff member may use Facebook, MYSPACE, twitter, or other social networking sites in his/her personal life, it is not appropriate to "accept" students as "friends" who may wander onto his/her page or seek to elicit such a contact. Nor is it appropriate to seek out or search for students for the purposes of establishing a personal social media connection. If a staff member has already accepted students onto his/her personal social networking page, set a boundary for them to follow such as:
- B. All staff members have been asked by the district to use district communication mechanisms to communicate with students. If you wish to contact me, my school email address is: _____ and my school voice mail is _____. I look forward to working with you at school.
- C. Any use of social media for school-related purposes or instruction must fulfill an educational purpose.

TITLE I NOTIFICATIONS

Port Angeles School District is a Title I District

Dry Creek, Franklin, Hamilton, Jefferson, Roosevelt Elementary Schools, and Lincoln High School all participate in the Title I Program. Title I, Part A is part of the "Every Student Succeeds" Act. Its goal is to ensure that all children have a fair, equal and significant opportunity to obtain a high-quality education and reach proficiency on challenging state academic standards.

Our Title I schools qualify for federal grant money which we use for additional staffing, parent involvement, staff development, and extended school day opportunities to help us meet that goal. This update is intended to provide you with important information about this law and your child's education.

Please contact the principal if you would like more information about Title I activities or parent participation at your child's school.

District and School Report Card Information

Are you interested in knowing how your child's school did on state assessments? How different groups of children performed compared to other schools? You can find out by going to reportcard.ospi.k12.wa.us.

The Report Card contains information about test results as well as other statistics about the school. To find results for Port Angeles Public Schools, use the drop-down menu in the box at the top left of the webpage to find Port Angeles School District and press go. To find results for your child's school, follow those directions to go to Port Angeles School District, then use the drop-down menu to find your school.

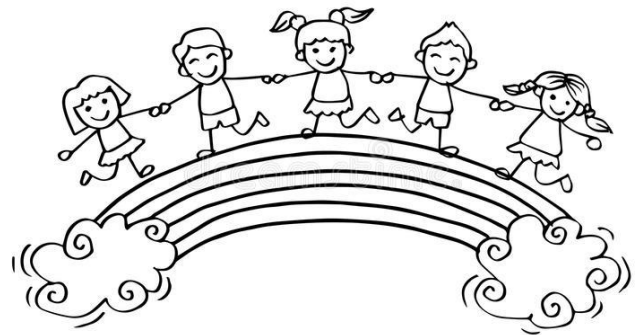
Right to Request Teacher and Para Educator Qualifications

All parents and guardians have the right to request information regarding the professional qualifications of your child's classroom teacher(s) or instructional para educators. If you request this information, the district will provide you with the following:

1. Whether the teacher has met Washington teacher certification requirements for the grade level and subjects in which the teacher provides instruction;
2. Whether the teacher is teaching under an emergency or other provisional status for which Washington qualifications or certification has been waived;
3. The college major of the teacher and any graduate degree or certificate; and
4. Whether your child is receiving Title I services from paraprofessionals, and if so, whether those paraprofessionals meet state/federal requirements of the Every Student Succeeds Act.

If you would like to request this information, please contact Scott Harker at 360-565-8575

Section 1111(h) (6) (A), ESEA.) Guidance, C-6



Policy: 4130 - Title I Parental/Guardian Involvement
Revised 10/10/2019

The board recognizes that parent/guardian and family engagement helps students participating in Title I programs achieve academic standards. To promote parent/guardian and family engagement, the board adopts the following policy, which describes how the district will involve parent/guardian and family members of Title I students in developing and implementing the district's Title I programs.

District-Wide Parent/Guardian and Family Engagement

The district will do the following to promote parent/guardian and family engagement:

- A. The district will involve parents/guardians and family members in jointly developing the district's Title I plan.
 1. Parents/guardians and students from all schools will be invited to an annual meeting to explain the goals and purposes of Title I, Learning Assistance Program (L.A.P.), English Language Development (ELD), Special Education, Highly Capable Services and other support programs.
 2. At the annual meetings, parents will review and give input on Title I, L.A.P., Special Education, Highly Capable Services and other support programs.
 3. Distribute the district parent/guardian and family engagement policy on an annual basis through newsletters and the district and school building websites.
 4. To the extent needed and practicable, distribute the parent/guardian and family engagement policy in multiple languages and formats.
- B. The district will provide the coordination, technical assistance, and other support necessary to assist and build the capacity of all schools within the district in the planning and implementing of effective parent/guardian and family involvement activities to improve student academic achievement and school performance.
- C. The district will conduct, with the meaningful involvement of parents/guardians and family members, an annual evaluation of the content and effectiveness in improving the academic quality of all Title I schools. At that meeting, the following will be identified:
 1. Barriers to greater participation by parents/guardians in Title I activities;
 2. The needs of parents/guardians and family members to assist with the learning of their students, including engaging with school staff members and teachers; and
 3. Strategies to support successful school and family interactions.

The district will use the findings from the annual evaluation to design evidence-based strategies for more effective parental/guardian involvement and to revise this policy when necessary.

The district will facilitate removing barriers to parental/guardian and family engagement by doing the following:

1. Conducting joint parent/guardian and family meetings,
 2. Holding meetings at various times of the day and evening and
 3. Facilitate parent/guardian attendance at meetings through the payment of transportation.
- D. The district will involve parents/guardians of Title I student in decisions about how the Title I funds reserved for parent/guardian and family engagement are spent. The district will use Title I funds reserved for parent/guardian and family engagement for at least one (1) of the reasons specified in 20 U.S.C. § 6318(a) (3) (D).
 - E. The district and each of the schools providing Title I services will do the following to support a partnership among schools, parents/guardians, and the community to improve student academic achievement:
 1. Provide assistance to parents/guardians of Title I students in understanding the following topics:
 - a. Washington's challenging academic standards;
 - b. State and local academic assessments, including alternate assessments;
 - c. The requirements of Title I;
 - d. How to monitor their student's progress; and
 - e. How to work with educators to improve the achievement of their children
 2. Provide materials and training to help parents/guardians work with their student(s) to improve their student's academic achievement, such as literacy training and using technology, as appropriate, to foster parental/guardian involvement by doing the following:

- a. Giving guidance as to how parents can assist at home in the education of their child.
 - b. Holding parent meetings at various times of the day to parents and guardians to participate
 - c. Outlining Title I, Part A supports for students in foster care throughout the district
 - d. Provide opportunities for parents/guardians to meet with classroom and Title I, Part A teachers to discuss their student's progress.
3. Educate teachers, specialized instructional support staff members, building principals, and other staff members with the assistance of parents/guardians, in the value and utility of contributions of parents/guardians and how to do the following:
 - a. Reach out, communicate with, and work with parents/guardians as equal partners;
 - b. Implement and coordinate parent/guardian programs; and
 - c. Build ties between parents/guardians and the schools.
 4. Coordinate and integrate parent/guardian and family engagement strategies, to the extent feasible and appropriate, with similar strategies used under other programs, such as:
 - a. Head Start;
 - b. Even Start;
 - c. Learning Assistance Program;
 - d. Special Education; and
 - e. State-operated preschool programs.
 5. Ensure that information related to the school and parent/guardian programs, meetings, and other activities, is sent to the parents/guardians of participating students. The information will be provided in an understandable and uniform format, including alternative formats upon request in a language the parents/guardians can understand.

School-Based Parent/Guardian and Family Engagement Plans

Each school building offering Title I services will have a separate parent/guardian and family engagement plans, which will be developed with parents/guardians and family members of Title I students. Parents/guardians and family members will receive written notice of their school's parent/guardian and family engagement plan in an understandable and uniform format in a language the parents/guardians can understand.

Each school-based plan will describe how each school building will do the following:

- A. Convene an annual meeting at a convenient time, to which all parents/guardians of Title I students will be invited and encouraged to attend, to inform parents/guardians of their schools' participation under Title I, to explain the requirements of Title I, and to explain the rights that parents/guardians have under Title I;
- B. Offer a flexible number of meetings, such as meetings in the morning or evening;
- C. Involve parents/guardians, in an organized, ongoing, and timely way in the planning, reviewing, and improving of Title I programs; and
- D. Provide parents/guardians of Title I students the following:
 1. Timely information about Title I programs;
 2. A description and explanation of the curriculum in use at the school (s), the forms of academic assessment used to measure student progress, and the achievement levels of the challenging state academic standards; and
 3. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their student(s), and respond to any suggestions as soon as practicably possible.

Each school-based plan will include a school-parent/guardian compact that outlines how parents/guardians, the entire school staff members, and students will share the responsibility for improved student academic achievement and the means by which the school and parents/guardians will build and develop a partnership to help students achieve state standards. The compact will do the following:

- A. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables Title I students to meet Washington's challenging academic standards and describe the ways in which each parent/guardian will be responsible for supporting their student's learning, volunteering in their student's classroom, and participating, as appropriate, in decisions relating to the education of their student(s), including the positive use of extracurricular time; and
- B. Address the importance of communication between teachers and parents/guardians on an ongoing basis through the following:

1. Annual parent/guardian-teacher conferences during which the compact will be discussed as the compact relates to the individual students' achievements;
2. Frequent reports to parents/guardians on their 'students' progress;
3. Reasonable access to staff members, opportunities to volunteer and participate in their student's class, and observation of classroom activities; and
4. Ensuring regular two-way, meaningful communication between family members and school staff members in a language that family members can understand.

Legal References: 20 USC 6311 (“No Child Left Behind Act”)

Adoption Date: 11/28/2005

Revised Dates: 2/23/2017, 3/09/2017, 10/10/2019

Title I Complaint Process

If you believe that the law that applies to federal programs like Title I has been violated, you have the right to file a complaint. First contact your child's school. If you can't reach a solution, you can contact the School District. If you still don't reach a solution, you can file a complaint through the Office of the Superintendent of Public Instruction.

Citizen Complaint Against a School District or Other School Service Provider

Here is an overview of the citizen complaint process described fully in Chapter 392-168 WAC, Special Service Programs—Citizen Complaint Procedure for Certain Categorical Federal Programs.

- Find this WAC online: <http://apps.leg.wa.gov/wac/default.aspx?cite=392-168>.

A citizen complaint is a written statement that alleges a violation of a federal rule, law or regulation or state regulation that applies to a federal program.

- Anyone can file a citizen complaint.
- There is no special form.
- There is no need to know the law that governs a federal program to file a complaint.

Follow steps 1 through 5 to complete the citizen complaint process

STEP 1 Use Your Local Process First

If you have followed the citizen complaint process of your school district, ESD or school service provider (sub grantee) **and are unable to reach a satisfactory solution**, use this citizen complaint process through OSPI.

STEP 2 File a Citizen Complaint Through OSPI

A citizen complaint **must be in writing**, signed by the person filing the complaint, and include:

- **Contact Information of the Person Filing the Complaint.** Your name, address, telephone number and email, if you have one.
- **Optional:** If someone is helping you to file this citizen complaint, include **1)** their contact information, and **2)** your relationship to them — for example, family member, a relative, friend or advocate.
- **Information About the School District, ESD or School Service Provider You Believe Committed This Violation.** Name and address of the school district, ESD or school service provider (sub grantee) you think violated a federal rule, law or regulation or a state regulation that applies to a federal program.
- **The Facts — What, Who & When.** Include a description of the facts and dates, in general, of when you think the alleged violation happened.
 1. What specific requirement has been violated?
 2. When did this violation occur?
 3. Who you believe is responsible: names of all the people, and the program or organization involved.
- **Optional:** Did you file a written citizen complaint first with the school district, ESD or school service provider? Although not required by Chapter 392-168 WAC, it is helpful if we can review a copy of your citizen complaint and the results, if any.
- **The Resolution You Expect.** A proposed solution, if you think you know or have ideas about how the issue can be resolved.

STEP 3 Mail or Fax Your Written Citizen Complaint to OSPI

Office of Superintendent of Public Instruction

Attn: Citizen Complaint-Title I, Part A

P.O. Box 47200

Olympia, WA 98504

Fax: (360) 586-3305

STEP 4 OSPI Staff Process Your Complaint

Once federal program staff at OSPI receive your written complaint, here is what follows:

1. OSPI sends a copy of your complaint to the school district, ESD or school service provider (sub grantee).
2. The school district, ESD or school service provider begins a formal investigation led by a designated employee.
3. The designated employee provides the written response of the investigation to OSPI — within **20 calendar days**.
4. OSPI staff will send you a copy of the results of the investigation conducted by the school district, ESD or school provider (sub grantee).

Their response must clearly state one of two results:

1. Denial of the allegations in your complaint and the reason for denial.
2. Proposal of reasonable actions that will correct the violation.

If you need to provide more information about the allegations in the complaint, send that information to OSPI within **5 calendar days** of the date of the response from the school district, ESD or school service provider (sub grantee).

STEP 5 Final Decision by OSPI

OSPI will send you the final decision in writing within **60 calendar days** of the date federal program staff at OSPI received your written complaint — unless exceptional circumstances demand that this investigation take more time.

Here are the steps OSPI staff will follow to reach a final decision:

1. Review all the information gathered related to your complaint. The review could include the results of an independent, on-site investigation.
2. Decide independently whether or not the district, ESD or school service provider (sub grantee) violated a federal rule, law or regulation or a state regulation that applies to a federal program.
3. Provide you with the final decision: Findings of fact, conclusions, and reasonable measures necessary to correct any violation.
4. The district, ESD or school service provider (sub grantee) must take the corrective actions OSPI prescribes within **30 calendar days** of the final decision.
5. A citizen complaint is considered resolved when OSPI has issued a final written decision and corrective measures, if necessary, are complete.

Extend or Waive Timelines

If you as the complainant, and the school district, ESD or school service provider (sub grantee) named in your citizen complaint **agree to extend the timelines**, this agreement must be in writing and sent to OSPI **within 10 calendar days** of the date the school district, ESD or school service provider (sub grantee) received notification from OSPI.

Office of Superintendent of Public Instruction

Attn: Citizen Complaint—Title I, Part A

P.O. Box 47200

Olympia, WA 98504



905 West 9th Street, Port Angeles, Washington 98363 v 360 457 8575 f 360 457 0795 www.portangelesschools.org

Dear Parents,

In compliance with the requirements of the “Every Student Succeeds Act” (ESSA) the Port Angeles School District would like to inform you that you may request information about the professional qualifications of your student's teacher(s) or instructional paraprofessional(s).

A. The following information may be requested for teacher(s):

1. Whether the teacher has met Washington teacher certification requirements for the grade level and subject areas in which the teacher provides instruction.
2. Whether the teacher is teaching under an emergency or other provisional status through which Washington qualifications or certification criteria have been waived.
3. The college major and any graduate certification or degree held by the teacher.
4. Whether the student is provided services by paraprofessionals, and if so, their qualifications.

B. The following information may be requested for instructional paraprofessional(s): Paraprofessionals must work under the supervision of a certified teacher. In schools that operate a school wide program, all paraprofessionals must meet professional qualifications. In a Targeted Assistance program, any paraprofessional who is the direct supervision of a certificated teacher must meet the professional qualifications. Para educators can provide a copy of their high school diploma - transcripts are not necessary. Schools that operate a Title I, Part A program must have a high school diploma or GED and completed the following:

1. Completed at least two years of study at an institution of higher education; or
Obtained an associate's or higher degree; or
2. Pass the ETS Para Pro Assessment. The assessment measures skills, and content knowledge related to reading, writing and math;
3. Completed previously the apprenticeship requirements and must present a journey card or certificate. The portfolio and apprenticeships are no longer offered for enrollment; however, the Office of Superintendent of Public Instruction (OSPI) will continue to honor this pathway.

If you wish to request information concerning your child's teacher's and instructional paraprofessional's qualification, please contact Scott Harker at 360-457-8575.

Sincerely,

Scott Harker

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Complainant Information

Name _____

Street Address _____

City _____ State _____ Zip _____

Home/Cell Phone _____ Work Phone _____

Email _____

Student Employee Other _____

School/Workplace _____ Title/Grade _____

Incident Information

Person(s) involved _____

Nature of incident _____

Date and Time of incident _____

Location of incident _____

Witness Information

List any witness(es) who may have seen or who know something about the alleged incident:

Are you aware of others who may be affected by the individual(s) against whom this complaint is made? Yes No

If yes, who? _____

Parent/Guardian – Student Internet Access Opt-Out Form

Student Name:

As the parent/guardian of the above student, who is under the age of 18, I am informing Port Angeles School District that I do not want my student to access the internet at any time from any district computer or device.

I understand that my student will be issued a district login ID and password and that my student will be able to log into district owned computers to complete class assignments and activities but that his/her account will be blocked from any internet access. I further understand that my student will not be able to use the internet to conduct online research or read online news and other information that may be vital to coursework and assignment. I will assume responsibility for providing my student with internet access to complete coursework, should the need arise.

I understand that his/her education may be negatively impacted by limiting his/her access to the internet.

I release the district, its affiliates, and its staff members from any claims or damages of any nature arising from my decision to block my student’s use of the internet.

I also do not want my student to use or access the electronic communications system in any way. (By checking this box you are denying your student access to any network connected device including but not limited to computers, tablets, or connected devices.)

This agreement shall be governed by and construed under the laws of the United States and the State of Washington.

Signed this date of _____

Parent/ Guardian’s Signature: _____

Parent/ Guardian’s Printed Name: _____

Student’s School: _____

**This form will be kept in your student’s records. It must be renewed each year.*
Last Revised: November 7th, 2016

2023-2024 School Planning Resources for Education Ombuds Awareness (Senate Bill 5376) Requirements

Beginning August 1, 2023, Senate Bill 5376*, requires school districts to provide information about the Office of Education Ombuds (OEO) to families. To assist you, OEO would like to provide you with possible content and contact information which you can use in your back-to-school and/or new student information packets and/or post on your school website.

The Washington State Office of Education Ombuds (OEO) listens, shares information and referrals, and works with families, communities, and schools to address concerns so that every student can fully participate and thrive in our state's public schools. OEO provides support in multiple languages and has telephone interpretation available. To get help or learn more about what OEO does, please visit our website: <https://www.oeo.wa.gov/en>; email oeoinfo@gov.wa.gov, or call: [1-866-297-2597](tel:1-866-297-2597) (interpretation available).

The Washington State Governor's Office of the Education Ombuds (OEO) is an independent state agency that helps to reduce educational opportunity gaps by supporting families, students, educators, and other stakeholders in communities across WA in understanding the K-12 school system and resolving concerns collaboratively. OEO services are free and confidential. Anyone can contact OEO with a question or concern about K-12 public schools.

OEO also has 1-page flyers translated into the following languages, which can be downloaded and printed, or copied and pasted into school newsletters or other school publications.

- [OEO Awareness SB 5376 Flyer English](#)
- [OEO Awareness SB 5376 Flyer English and Spanish](#)
- [OEO Awareness SB 5376 Flyer English and Amharic](#)
- [OEO Awareness SB 5376 Flyer English and Arabic](#)
- [OEO Awareness SB 5376 Flyer English and Chinese Simplified](#)
- [OEO Awareness SB 5376 Flyer English and Dari](#)
- [OEO Awareness SB 5376 Flyer English and French](#)
- [OEO Awareness SB 5376 Flyer English and Hindi](#)
- [OEO Awareness SB 5376 Flyer English and Khmer](#)
- [OEO Awareness SB 5376 Flyer English and Korean](#)
- [OEO Awareness SB 5376 Flyer English and Marshallese](#)
- [OEO Awareness SB 5376 Flyer English and Punjabi](#)
- [OEO Awareness SB 5376 Flyer English and Russian](#)
- [OEO Awareness SB 5376 Flyer English and Samoan](#)
- [OEO Awareness SB 5376 Flyer English and Somali](#)
- [OEO Awareness SB 5376 Flyer English and Tagalog](#)
- [OEO Awareness SB 5376 Flyer English and Tigrinya](#)
- [OEO Awareness SB 5376 Flyer English and Ukrainian](#)
- [OEO Awareness SB 5376 Flyer English and Vietnamese](#)

*1) the Education Ombuds Awareness [Senate Bill 5376](#): Beginning August 1, 2023, public schools must: 17
(a) Provide students and their parents or guardians with a description of the services available through the office of the education ombuds and the contact information for the office of the education ombuds at the time of initial enrollment or admission; and (b) Either: (i) Include on their website a description of the services available through the office of the education ombuds and a link to the website of the office of the education ombuds; or (ii) provide a description of the services available through the office of the education ombuds and the contact information for the office of the education ombuds in existing materials that are shared annually with families, students, and school employees, such as welcome packets, orientation guides, and newsletters.