ALL PARENTS/GUARDIANS:
Sign and return this form to school by Sept. 20, 2019

I have received a copy of the 2019-20 Rights and Responsibilities Handbook. I understand the Handbook contains information that I may need during the school year, and that all students will be held accountable for their behavior as outlined in the policies, procedures, and disciplinary consequences in this Handbook.

______________________________
Student’s School

______________________________
Signature of Student

______________________________
Date

______________________________
Printed Name of Student

______________________________
Signature of Parent/Guardian

______________________________
Date

______________________________
Printed Name of Parent/Guardian
Under the Family Educational Rights and Privacy Act (FERPA), parents/guardians of students under age 18, and students over 18 years of age (“eligible students”) have certain rights with respect to the education records of a student. If the student is 18 years old, even if living with the parent/guardian, the student has all the rights under this Act. These rights are:

1. The right to inspect and review their education records within 45 days of the day TSD receives a written request.

2. The right to request the amendment of an education record for a student that the parent or eligible student believes is inaccurate or misleading. If TSD decides not to amend the record, TSD will notify the parent/guardian 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/guardian or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the education records of a student, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by TSD as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a student teacher; a person serving on the School Board; contractors (a person or company with whom TSD has contracted to perform a special task, such as an attorney, auditor, medical consultant, or therapist); consultants; volunteers; or a parent or student serving on an official committee or assisting another school official in performing his or her duties. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, TSD discloses education records without consent to officials of another school where a student seeks to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by TSD to comply with the requirements of FERPA. Written complaints should be directed to Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue S.W.; Washington, DC 20202.

Directory Information: Under FERPA, TSD may release “directory” information to anyone, including but not limited to parent-teacher organizations, the media, colleges and universities, the military, youth groups, and scholarship grantors, unless you tell TSD that you do not want the information released. The following information is considered directory information: parent and student name, home address, home telephone number, home email address, student photograph or video, student date of birth, dates of enrollment, grade level, enrollment status, degree or award received, major field of study, participation in officially recognized activities and sports teams, height and weight of athletes, most recent school or program attended, and other information that would not generally be considered harmful or an invasion of privacy if disclosed.

Release of Directory Information for Students in Grades Nine to Twelve (9-12)
As a parent/guardian of a high school student or an eligible student (reached 18 years of age), you have the right to choose between three (3) options on whether directory information concerning your student is released or not.

The United States military requests and is entitled to the names, telephone numbers, and addresses of “secondary school students,” unless the parent/guardian or eligible student checks either box B or C. The military typically requests this information in October of each academic year. If you do not want information to be released to the military, you **must** check box B or C and return this form by **October 1** in order to ensure that your selection is recorded in time. If you do not want information to go to colleges, employers, parent groups, or the military you must check box B.

Parents/guardians of high school students and eligible high school students are encouraged to remember that checking Box B or C means that TSD will not release directory information to the military. However, it does not mean that the military might not gather student information from other, non-school district sources. Additionally, checking Box B or C does not prevent military recruiters from speaking with your student when the recruiter is on campus.

Please check one box below and return this form to the school your student attends no later than **October 1**. If the **parent/guardian or eligible student does not check one of the boxes or does not return the form, or checks box A as well as other boxes, TSD considers this response as consent for box A**.

Revised July 2019

<table>
<thead>
<tr>
<th>Print student’s full name</th>
<th>Date of Birth</th>
<th>Student’s School ID number</th>
</tr>
</thead>
</table>


FERPA Form High School

For students in grades Nine to Twelve (9-12):
Please mark only one box:

☐ A. I consent to the release of the above directory information about the student named below. Option A supersedes any other selections below.

☐ B. I consent to the release of the above directory information about the student named below, except information about this student may NOT be released to the military.

☐ C. I do NOT consent to the release of the above directory information about the student named below, except as authorized by law. No information to colleges, parent groups, the military, or employers.

The following selections only need to be made if you selected Option C – No Release of Information. Your child’s information will not be included in any of the following unless you complete the section below. If you would like your child’s information shared in any of the below places, please indicate your consent below by selecting the appropriate option.

☐ School Directory and Classroom Roster Is made available to our families, staff and PTSA. YES, include our information (phone, address, email)

☐ Photo/Video Student photographs and video may be posted on the school and district external website, social media and district printed publications. No names will be posted. YES, my student’s photograph and video can be posted on the district channels.

☐ Yearbook/Class Photo Release YES, I give my consent for my student’s photograph and name to be included in the yearbook and class photo

Print signer’s name Signature Date

Notice of Right to File a Public Records Request: Pursuant to RCW 28A.320.160, school districts are required to notify parents/guardians that they have the right, under the Washington Public Records Act (RCW 42.56), to request the public records regarding school employee discipline. To file a public records request with TSD, send a written request, in writing, to: Office of the General Counsel: Attn: Public Records Request; TSD: MS 32-151; PO Box 34165: Seattle, WA 98124
Autodial Phone Messages
The Tukwila School District and its schools use an autodial phone system to contact families about emergencies and school closures as well for notifications about important events, news, health warnings, and student-specific alerts. By signing and returning this form, you agree to opt in to receive these autodial phone messages. **PLEASE BE AWARE THAT YOU WILL NO LONGER RECEIVE AUTOMATED PHONE MESSAGES IN THE EVENT OF AN EMERGENCY OR SCHOOL CLOSURE if you choose not to sign this portion.**

<table>
<thead>
<tr>
<th>Signature of Parent/Guardian</th>
<th>Date</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Printed Name of Parent/Guardian</th>
</tr>
</thead>
</table>

PLEASE RETURN THIS FORM DIRECTLY TO THE STUDENT’S SCHOOL EITHER IN PERSON OR BY U.S. MAIL.

If you have more than one student, you must return a separate form for each student to each student’s school.
This form will be retained in your student’s folder at his or her school.

Revised July 2019
2019-20
RIGHTS AND RESPONSIBILITIES HANDBOOK
for Students and Parents

Tukwila
SCHOOL DISTRICT

4640 South 144th Street, Tukwila, WA 98168
PHONE: (206) 901-8000 I FAX: (206) 901-8016
www.tukwilaschools.org
The Tukwila School District No. 406 complies with all federal rules and regulations and does not discriminate on the basis of sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression or identity, disability, and the use of a trained dog guide or service animal by a person with a disability. District programs shall be free from sexual and malicious harassment, and the district provides equal access to the Boy Scouts of America and other designated youth groups.

Inquiries regarding compliance or complaint procedures may be directed to the School District's Title IX/Section 504/RCW 28A.640 Compliance Officer or to the U.S. Department of Education, Office for Civil Rights.

Title IX/RCW 28A.640 Compliance Officer:
Aaron Draganov, Executive Director of Human Resources
Tukwila School District No. 406
4640 South 144th Street
Tukwila, WA 98168
Phone: 206.901.8005
E-mail: draganova@tukwila.wednet.edu

Section 504 Compliance Officer:
Richard Quesada Director of Special Education
Tukwila School District No. 406
4640 South 144th Street
Tukwila, WA 98168
Phone: 206.901.8035
E-mail: quesada@tukwila.wednet.edu

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. For a copy of the district's nondiscrimination policy and procedure, contact your school or district office. A copy of the district’s policy and procedure can also be viewed on the Tukwila School District website at www.tukwilaschools.org.
Welcome to the 2019-20 School Year!

I am very excited to begin this 2019-20 school year with all of you as we embark on an amazing year of learning. For some of us, each day can easily slip by and quickly fade into the past. For others, every minute, day and week can seem like a series of anxious decisions and time appears to slow down. No matter our circumstances, time is something that we all share, but what do we do with our time?

We receive reminders about how precious time is with life events…graduations, marriages, births, and the passing of family or friends. Our senses spark joyful and painful memories or time past. The smell of a certain food, the pictures that capture moments of our youth, the sounds of a voice or a song and the embrace of people who bring needed relief.

Tukwila is such an incredible community that is made up of incredible people with diverse backgrounds. As I have spoken with so many over the last few months, I want to make sure that Tukwila is not only known for being diverse, but for the excellent education we can offer our students and support we can give to our families. One of the most important elements of accomplishing that excellence, is to acknowledge the importance of time…or better yet, not wasting time. We need to have a sense of urgency without panic. We need to take our time making good decisions but not take so long that we lose momentum. We need to give feedback quickly enough so as to foster learning and growth.

It's time for the 2019-20 school year. This Rights and Responsibility Handbook will help outline important information about expectations, consequences and processes. We want to ensure that our learning environment is a safe one for all students so they have the time to tackle complex academic and social challenges.

Wishing you all a year of positivity and growth!

Sincerely,

Flip Herndon
Superintendent
Tukwila School District
• School Board
  Elected community representatives who approve the budget, oversee the superintendent, set policies and procedures, and make sure schools are meeting student learning goals.
  - 206-901-8006 or TSDBoard@tukwila.wednet.edu

• Superintendent: Dr. Flip Herndon
  The leader of the Tukwila School District in charge of the strategic planning, and all other areas of oversight.
  - 206-901-8006 or herndonf@tukwila.wednet.edu

• Call for more information about …
  - Teaching and Learning (curriculum, curriculum adoptions, highly capable, professional development, Refugee and Immigrant services, student services,): 206-901-8031
    • Special Services (special education, 504 plans, student health): 206-901-8033
    • ELL (ELL support): 206-901-8031
    • Early and Elementary Education: 206-901-8028
  - Data/Assessment and Technology (student assessments and Technology) : 206-901-8081
  - Finance and Operations (budget, facilities and maintenance, food services, transportation,): 206-901-8010
  - Transportation (bus service for students): 206-901-8050
  - Food Service (school meals, free- and reduced-lunch applications): 206-901-8068
  - Human resources/Policies and Procedures (Hiring, employee benefits, staff discipline, bullying/harassment/equal-employment opportunities/Title IX): 206-901-8005
  - Homeless | Foster Care (services supporting students without permanent housing, Foster Care): Elementary students: 206-901-7625, Secondary Students 206-901-8065

Don’t know where to start? Call the Administration Building’s general number, 206-901-8000, or search the online directory at www.tuwilaschools.org.
<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>INTRODUCTION</strong> ........................................................................</td>
<td>1</td>
</tr>
<tr>
<td>I</td>
<td>DEFINITIONS .................................................................................</td>
<td>2</td>
</tr>
<tr>
<td>II</td>
<td>ATHLETIC/ACTIVITY CONDUCT EXPECTATIONS .....................................</td>
<td>3</td>
</tr>
<tr>
<td>III</td>
<td>USE OF TOBACCO/NICOTINE PRODUCTS &amp; DELIVERY DEVICES (Policy 4215) ....</td>
<td>6</td>
</tr>
<tr>
<td>IV</td>
<td>TELECOMMUNICATIONS / ELECTRONIC DEVICES (Policy 3245) .................</td>
<td>7</td>
</tr>
<tr>
<td>V</td>
<td>STUDENT DRESS (Policy 3224) .....................................................</td>
<td>7</td>
</tr>
<tr>
<td>VI</td>
<td>ELECTRONIC RESOURCES (Policy 2022 and Procedure 2022P) ..................</td>
<td>8</td>
</tr>
<tr>
<td>VII</td>
<td>BUS CONDUCT (Procedure 6605P) ..................................................</td>
<td>10</td>
</tr>
<tr>
<td>VIII</td>
<td>STUDENT DRIVING (Policy 3243) ...................................................</td>
<td>11</td>
</tr>
<tr>
<td>IX</td>
<td>PROCEDURES: OTHER FORMS OF DISCIPLINE (Procedure 3241P) ...............</td>
<td>12</td>
</tr>
<tr>
<td>X</td>
<td>SHORT TERM AND IN SCHOOL SUSPENSION (Procedure 3241P) ...................</td>
<td>14</td>
</tr>
<tr>
<td>XI</td>
<td>LONG TERM SUSPENSION AND EXPULSION (Procedure 3241P) ....................</td>
<td>15</td>
</tr>
<tr>
<td>XII</td>
<td>APPEALS/EDUCATIONAL SERVICES/READMISSION/REENGAGEMENT ...............</td>
<td>17</td>
</tr>
<tr>
<td>XIII</td>
<td>CUMULATIVE RECORDS .......................................................................</td>
<td>23</td>
</tr>
<tr>
<td>XIV</td>
<td>STUDENT ATTENDANCE REQUIREMENTS AND EXPECTATIONS (Policy 3121, Policy 3122, and Procedure 3122P)</td>
<td>23</td>
</tr>
<tr>
<td>XIX</td>
<td>HARASSMENT, INTIMIDATION AND BULLYING (Policy 3207) .....................</td>
<td>25</td>
</tr>
<tr>
<td>XVI</td>
<td>SEXUAL HARASSMENT (Procedure 3205 and Procedure 3205P) ...............</td>
<td>31</td>
</tr>
<tr>
<td>XVII</td>
<td>NONDISCRIMINATION (Procedure 3210 and Procedure 3210P) ...............</td>
<td>31</td>
</tr>
<tr>
<td>XVIII</td>
<td>STUDENT PRIVACY AND SEARCHES (Procedure 3230P) ...........................</td>
<td>35</td>
</tr>
<tr>
<td>XIX</td>
<td>MEDICATION AT SCHOOL (Policy and Procedure 3416) .......................</td>
<td>36</td>
</tr>
<tr>
<td>XX</td>
<td>CUSTODY ISSUES ............................................................................</td>
<td>38</td>
</tr>
<tr>
<td>XXI</td>
<td>CPS REPORTING .............................................................................</td>
<td>38</td>
</tr>
<tr>
<td>XXII</td>
<td>STUDENT EDUCATION RECORDS .......................................................</td>
<td>38</td>
</tr>
<tr>
<td>XXIII</td>
<td>PARENT AND STUDENT RIGHTS IN ADMINISTRATION OF SURVEYS (Policy 3232)</td>
<td>39</td>
</tr>
<tr>
<td>XXIV</td>
<td>PUBLIC ACCESS TO DISTRICT RECORDS (Policy 4040) ........................</td>
<td>39</td>
</tr>
<tr>
<td>XXV</td>
<td>STUDENT FREEDOM OF EXPRESSION (Policy and Procedure 3220) ..........</td>
<td>40</td>
</tr>
<tr>
<td>XXVI</td>
<td>STUDENT FREEDOM OF ASSEMBLY (Policy 3223) ................................</td>
<td>41</td>
</tr>
<tr>
<td>XXVII</td>
<td>EQUAL EDUCATIONAL OPPORTUNITY ...............................................</td>
<td>41</td>
</tr>
<tr>
<td>XXVIII</td>
<td>TITLE I SCHOOLS AND REQUEST FOR PUBLIC RECORDS ........................</td>
<td>41</td>
</tr>
</tbody>
</table>
INTRODUCTION

The Tukwila District seeks to provide opportunities and experiences that assist students in becoming responsible, self-controlled individuals, capable of and willing to fulfill their roles as participating citizens. It is intended students will learn to respect rules and regulations of conduct.

The Tukwila School District believes parents and guardians are important partners in the process of corrective action. To this end, school authorities shall make every reasonable attempt to involve the parent or guardian and the student in the resolution of student misconduct problems.

The corrective action policies of the Tukwila School District are based on humanitarian principles and ideals that recognize the dignity and worth of each student. District policy supports the concept that discipline is essential to the maintenance of school programs and the positive development of the total individual. It is expected students will conduct themselves as responsible citizens.

This handbook is adopted and distributed pursuant to RCW 28A.600.010 and WAC Chapter 392-400, which prescribe substantive and procedural due process rights of students, and should be interpreted in accordance with those regulations. A copy of all applicable board policies, procedures, statutes and regulations mentioned herein may be obtained from the Office of the Superintendent or on the district website at www.tukwila.wednet.edu.

This handbook also complies with the Drug-Free Schools and Communities Act, P.L. 101-226.

Compliance with standards of conduct is mandatory.

PREAMBLE

This handbook highlights Tukwila School District policies and procedures and state/federal laws, rules, and regulations for the information of students and parents. It is not intended as a replacement of more detailed documents that may be consulted in any school office upon request: the School Discipline Plan, the District Policy Manual, Collective Bargaining Agreements, the common school portions of the Revised Code of Washington, and the Washington Administrative Code. By school board action, this handbook is an authoritative publication of the district: Its contents have official status.

A primary responsibility of the Tukwila School District and its staff is the development of an understanding and appreciation of our representative form of government, the rights and responsibilities of the individual, and the legal processes whereby necessary changes are brought about.

The school is a community. The rules and regulations of a school are the laws of that community. All those enjoying the rights of citizenship in the school community must also accept the responsibilities of citizenship. A basic responsibility of those who enjoy the rights of citizenship is to respect the laws of the community. Young people in the Tukwila School District have the right to receive a free public education. The deprivation of that right may occur only for just cause and in accordance with due process of law.

Teachers, administrators, and parents have rights, duties, and obligations in this process. Teachers are required by law to maintain a suitable environment for learning. Administrators have the responsibility for maintaining and facilitating the educational program. Parents have the responsibility to help students meet their obligations under district rules and regulations.

Each teacher and school administrator, following prescribed procedures, has the authority to remove students temporarily from a class or to discipline students for cause. Those persons designated by the superintendent are authorized to discipline students and to impose suspensions or expulsions for cause. A detailed listing of rights, responsibilities, and authority of school personnel with respect to the discipline of students as prescribed by state law and district rules and regulations are available in this handbook and for study at each district building.

The following rules, regulations, and due process procedures are designed to protect all members of the educational community in the exercise of their rights and duties, in all aspects of their school experience, including attendance in classes, riding school buses, and participation in interschool athletic competition.

It should be noted that the community, school personnel, and students themselves have high expectations for the responsible behavior of student leaders, athletes, and others who represent the district in student activities.

Nothing in this statement of rights and responsibilities shall be considered to limit the due process rights of students, parents, or school personnel nor their use of appropriate district grievance procedures.
For purposes of all disciplinary policies and procedures, the following definitions will apply:

- “Behavioral violation” means a student’s behavior that violates the district’s discipline policies.
- “Classroom exclusion” means the exclusion of a student from a classroom or instructional or activity area for behavioral violations, subject to the requirements of WAC 392-400-330 and 392-400-335. Classroom exclusion does not include action that results in missed instruction for a brief duration when:
  - (a) a teacher or other school personnel attempts other forms of discipline to support the student in meeting behavioral expectations; and
  - (b) the student remains under the supervision of the teacher or other school personnel during such brief duration.
- “Culturally responsive” has the same meaning as “cultural competency” in RCW 28A.410.270, which states “cultural competency” includes knowledge of student cultural histories and contexts, as well as family norms and values in different cultures; knowledge and skills in accessing community resources and community and parent outreach; and skills in adapting instruction to students’ experiences and identifying cultural contexts for individual students.
- “Discipline” means any action taken by a school district in response to behavioral violations.
- “Disruption of the educational process” means the interruption of classwork, the creation of disorder, or the invasion of the rights of a student or group of students.
- “Emergency expulsion” means the removal of a student from school because the student’s statements or behavior pose an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process, subject to the requirements in WAC 392-400-510 through 392-400-530.
- “Expulsion” means a denial of admission to the student’s current school placement in response to a behavioral violation, subject to the requirements in WAC 392-400-430 through 392-400-480.
- “Length of an academic term” means the total number of school days in a single trimester or semester, as defined by the board of directors.
- “Other forms of discipline” means actions used in response to problem behaviors and behavioral violations, other than classroom exclusion, suspension, expulsion, or emergency expulsion, which may involve the use of best practices and strategies included in the state menu for behavior developed under RCW 28A.165.035.
- “Parent” has the same meaning as in WAC 392-172A-01125, and means (a) a biological or adoptive parent of a child; (b) a foster parent; (c) a guardian generally authorized to act as the child’s parent, or authorized to make educational decisions for the student, but not the state, if the student is a ward of the state; (d) an individual acting in the place of a biological or adoptive parent, including a grandparent, stepparent, or other relative with whom the student lives, or an individual who is legally responsible for the student’s welfare; or a surrogate parent who has been appointed in accordance with WAC 392-172A.05130. If the biological or adoptive parent is attempting to act as the parent and more than one party meets the qualifications to act as a parent, the biological or adoptive parent must be presumed to be the parent unless he or she does not have legal authority to make educational decisions for the student. If a judicial decree or order identifies a specific person or persons to act as the “parent” of a child or to make educational decision on behalf of a child, then that person or persons shall be determined to be the parent for purposes of this policy and procedure.
- “School board” means the governing board of directors of the local school district.
- “School business day” means any calendar day except Saturdays, Sundays, and any federal and school holidays upon which the office of the Superintendent is open to the public for business. A school business day concludes or terminates upon the closure of the Superintendent’s office for the calendar day.
- “School day” means any day or partial day that students are in attendance at school for instructional purposes.
- “Suspension” means the denial of attendance in response to a behavioral violation from any subject or class, or from any full schedule of subjects or classes, but not including classroom exclusions, expulsions, or emergency expulsions. Suspension may also include denial of admission to or entry upon, real and personal property that is owned, leased, rented, or controlled by the district.
  - In-school suspension means a suspension in which a student is excluded from the student’s regular educational setting but remains in the student’s current school placement for up to ten consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475.
  - Short-term suspension means a suspension in which a student is excluded from school for up to ten consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475. Long-term suspension means a suspension in which a student is excluded from school for more than ten consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475.
SECTION II: ATHLETIC/ACTIVITY CONDUCT EXPECTATIONS

The following student rules shall apply to all students who participate in the secondary school extracurricular activity or athletics programs. Students involved in activities or athletics are subject to the provisions of this code year-round commencing on the first day of the first season of participation and continuing through the last day of the last year in school.

All school concerts, school district graduations and locally adjudicated performances are considered curricular performances and are not governed by these Extracurricular Activities Regulations for purposes of rendering students ineligible to participate. Eligibility to participate in such events, and discipline for rule violations in connection with participation in such events, are determined by the regular (non-extracurricular) school and District rules and procedures.

I. BASIC CONDUCT FOR ATHLETIC AND ACTIVITY PARTICIPANTS

Because students involved in athletics and activities perform and represent their schools in public, they are expected to conduct themselves at all times in a manner that will reflect the high standards and ideals of their activity, team, school, and community and to demonstrate their non-use and non-tolerance of harmful substances. The schools in the Tukwila School District are committed to promoting the well-being, personal development and successful performance of all of their students.

Any student participant who willfully performs any act which materially interferes with or is detrimental to the orderly operation of a school’s activities or athletics programs (including, but not limited to, all misconduct specifically prohibited by these regulations as well as other illegal or serious misconduct) shall be subject to extracurricular activities discipline. Such acts may include school or non-school activity performed either on or off campus and the discipline may include permanent removal of a participant from the school’s activities/athletics program. Participants must finish the season in good standing in accordance with team, school and school district rules to include representing the school as a good citizen both on campus and in the community, and without violation of the extracurricular activities contract, to be eligible for individual and team awards.

II. BASIC SCHOOL POLICIES/RULES

A. For the violation of school rules, the student involved in the activities/athletics program will be treated as any other student and will in addition be penalized in accordance with these Student Extracurricular Activities Regulations. Students suspended or expelled from school may not participate in extracurricular activities during the period of school exclusion.

B. The following rules apply to students involved in extracurricular activities:

1. A student who is not in school for their full scheduled school day will not be allowed to practice or play in a game/activity on that day. Exceptions are dental and medical appointments, court appearances, family emergencies, and school sponsored or related activities approved in advance by a building administrator. Students with excused absences are still required to attend 50% of classes to participate in contests.

2. Participants in extracurricular activities shall comply with official WIAA and District rules including but not limited to the following:

   • Participants must live with a parent or court-approved guardian who is a bona fide resident of the Tukwila School District.
   • Running Start Students. Running Start students must live with a parent or court-approved guardian in the school district, provided that guardian has been acting in such capacity for a period of one year, and submit a WIAA Running Start Contract to the building athletic director.
   • Home Schooled Students. Participants who are home schooled must live in the school district with a parent or court-approved guardian in the school district, provided that guardian has been acting in such capacity for a period of one year, and submit a WIAA Home Based Education Contract to the building athletic director.
   • Alternative School Students. Alternative school students who reside in the Tukwila School District with a parent or court-approved guardian, provided that guardian has been acting in such capacity for a period of one year, must submit a WIAA Alternative Education Contract to the building athletic director.
   • GED Students. Participants must be enrolled in an academic program that leads to a high school diploma. Students enrolled in GED programs are not eligible for interscholastic activities/athletics.
   • Transfer Students from Out-of-District. Transfer students must show proof of residency and supply a transcript for each school attended before participation will be allowed. Transferring students may not take part in summer activities prior to the start of the school year until proof of official withdrawal from the previous school is verified, in-district residency is verified, transcripts have been received, the student is officially accepted to a Tukwila District school and the director of athletics has approved eligibility. Transfer students may be asked to submit a WIAA Student Residency Contract.
3. Absence from Participation. To be excused from a practice or an activity, a participant must confer with the coach of his/her team in advance of the absence, except in the case of an emergency. Students are required to be at practice from start to finish with the exception of rare pre-approved situations.

4. Team/Activity Rules. Participants shall abide by team/activity rules and shall obey the reasonable and lawful directives of the coaches. Team and activity rules will be approved by the director of athletics and distributed by coaches at the start of each season.

5. Pre-participation Requirements. To be eligible to try out for a team/activity, students must have been in regular school attendance as a full-time student during the semester immediately preceding the season of competition. A full-time student is a student enrolled in six classes (3.0 high school semester credits or equivalent). Seniors on track to graduate may take one less class (five classes/2.5 high school semester credits). All other requirements, to include district-required eligibility forms and behavior contract along with compliance with residence and other WIAA and school rules, must be met.

6. Physical and Return to Participation Requirements. Each participant must have passed a physical examination from a medical authority licensed to perform a physical examination using district-supplied forms. The physician examination shall be valid for 24 months and may not expire during the season. Participants who have been injured or incurred an illness serious enough to require medical care must present to school officials a return to participation letter signed by a medical authority licensed to perform a physical examination and be subsequently tested and cleared by the District Athletic Trainer before resuming participation.

7. Academic Requirements. To be eligible to compete/perform, students must:

- Be registered for and attending a minimum of six classes where the combined total of classes is equal to no less than 3.0 high school semester credits or equivalent. Seniors on track to graduate may take one less class (five classes/2.5 high school semester credits).
- Maintain a 2.0 or above grade point average.
- If a student is enrolled in the minimum number of six classes, he/she must pass five classes. A non-passing grade is any grade where credit is not granted.
- Grades earned during summer school for like classes may count toward fall eligibility.
- An incomplete semester grade may be made up for credit during the first five weeks of the succeeding semester. The student is ineligible for interscholastic competition until incompletes are cleared.
- Grades from the most recent semester, quarter or school administered progress report shall be used to determine academic eligibility.
- NC grades are used to figure full-time enrollment. They may not be used to fulfill the requirement of passing five of six classes and would be considered zero points when calculating the grade point average.
- Upon entering the ninth grade, a student's initial academic eligibility will be determined by his/her record from the previous semester/trimester.
- Students on a 504 plan or IEP who have failed to maintain satisfactory academic progress may be allowed to participate but not compete in accordance with WIAA and school district standards.

8. Illegal Substance. Students will not be able to possess, traffic in, and/or use non-prescribed or illegal drugs, alcohol, and any form of tobacco, and may not be in the presence of, or remain in the vicinity of, the use of such substance prohibited by criminal law, or engage in behavior that enables others to illegally use such substances.

9. Illegal and Other Serious Misconduct. Students may not engage in other misconduct that violates the law or brings dishonor on their team or activity, e.g., criminal violations, harassment, bullying, hazing, fighting, cheating, forgery, inappropriate use of social media.

III. PENALTIES FOR VIOLATION OF THESE RULES

A. Before a head coach/advisor responsible for any activity can exclude a student from extracurricular activity for violation of these district regulations, the coach/advisor shall consult with the director of athletics.

B. Students declared ineligible for competition may only participate in practice and may not travel with the team, sit on the bench, wear the uniform, take part in warm-ups or in any other way participate with the team before, during, or after competition.

C. Penalties for violations of Rule II.B.4, team activity rules, may be imposed by coaches in consultation with the athletic director. Exclusion from a team or activity for the remainder of the season must be pre-approved by the director of athletics.

D. Penalties for violations of rule II.B.5, pre-participation requirements, shall be as follows:
The student is not eligible to try out, practice, compete, perform or otherwise take part in the extracurricular program. Note: To become eligible during future seasons the student must first successfully meet the pre-participation requirement outlined in Rule II.B.5. Cases of hardship should be referred to the director of athletics for instruction on the appeal process. Appeals from ineligibility for failure to meet District and/or WIAA-imposed pre-participation requirements shall be through the appropriate District or WIAA appeal process.

E. Penalties for violations of Rule II.B.7 academic requirements, shall be as follows:

WIAA Academic Probation:

A high school participant failing to make WIAA grade requirements at the end of the semester shall be placed on academic probation. The suspension period for high school students shall be from the end of the previous semester through the last Saturday of September in the fall or the first five weeks of the succeeding (spring) semester. Students are ineligible from competitions (individuals are allowed to practice) during the probationary period. If, at the end of the probation period, the participant is passing the required number of subjects and meeting the district’s required 2.0 grade point average, he or she may be reinstated for competition. The student will be eligible on the first Monday following the probation period.

TSD Academic Probation for Semester and/or First Quarter/Third Quarter Grades:

A participant who has passed five or more classes at the end of the semester, but does not meet the district’s 2.0 minimum grade point average shall serve a three-week probation. Fall sport athletes who do not meet the minimum grade point average due to spring semester grades shall begin the three-week probationary period on the first day of school and be ineligible for competition for three full weeks with a full week defined as three or more school days. Winter sports athletes who do not meet the minimum grade point average due to first quarter grades shall begin the three-week probationary period on the first day of the winter sports season. Spring sport athletes who do not meet the minimum grade point average due to fall semester grades shall begin the three-week period on the first day of the spring sports season. If the participant meets the district’s 2.0 grade point average at the end of the three-week period he or she may then be reinstated for competition. The student will be eligible on the first Monday following the probation period.

TSD Academic Probation for School Administered Progress Reports:

A participant not satisfying Rule 11.B.7 as a result of school administered progress reports requiring a minimum 2.0 grade point average shall be placed on probation on the dates grades are posted. The participant will remain ineligible until such time as he/she meets the minimum academic standard. To prove eligible status, written verification of all grades must be presented to the building athletic director for signed approval and official reinstatement. Weekly grade checks are encouraged from this point forward to ensure continued good standing.

Appeals of ineligibility for failure to meet District and/or WIAA-imposed academic requirements shall be through the appropriate District or WIAA appeal process.

F. The penalty for a first violation of Rule II.B.8, illegal substances, shall be immediate ineligibility from extracurricular competition or performance for forty-five calendar days. This ineligibility also carries into the next activity/season (as previously defined) in which the student participates.

This penalty may be reduced to a twenty-three day ineligibility, provided the student completes a professional assessment through an appropriate agency (recommendations of the agency will be given to the parent and shared with school administration). These recommendations must be followed as a condition for early reinstatement at the end of the twenty-three day period. An appeal for reduction may take place no sooner than the 15th day of the suspension period.

The student may return to practice after a minimum seven school days provided the professional assessment has been completed and shared with school administration. This provision allows for the individual to practice only. The individual may not be in attendance at home or away competitions for any sport or activity throughout the entire suspension period.

In order to be eligible for any further competition/performance in the extracurricular program, the student shall meet with the building athletic director. The building athletic director may take into account self-reporting, truthfulness, cooperation, and voluntary assessment and treatment. The director of athletics shall be the final authority as to the student’s participation in the activity program.

G. The penalty for a second violation of Rule II.B.8, illegal substances, shall be removal from competition/performance for a period of one calendar year. The student may appeal for early reinstatement to the director of athletics, who may take into account self-reporting, truthfulness, cooperation, and voluntary assessment and treatment in making a final decision.
H. The penalty for the third violation of Rule II.B.8: A student athlete shall be ineligible for interscholastic competition in any WIAA member school activities program.

I. Self-Referral: A student participant who seeks and receives assistance for a problem with the use of drugs and/or alcohol prior to a drug or alcohol violation matter shall be given the opportunity with no jeopardy to eligibility for assistance through the school and community agencies. In no instance shall participation in a school and/or community approved assistance program excuse a student from subsequent compliance with this regulation.

J. Carryover from Middle to High School. Violations of Rule II.B.8 shall accumulate from grades seven through twelve.

K. Criminal and Other Serious Misconduct. Students who violate Rule II.B.9 committing non-substance criminal violations or engaging in other serious misconduct (e.g., harassment, bullying, hazing, fighting, cheating, forgery, inappropriate use of social media) may be excluded from participation for a period consistent with the seriousness of the offense. Any serious criminal behavior may be the basis for final exclusion for the remainder of the student’s career. Sanctions applied at the building level may be appealed to the Principal.

IV. ATHLETIC DISCIPLINE
Any student, parent, or guardian, who is aggrieved by the imposition of discipline at the building level, including exclusion from participation in extracurricular activities, shall have the right to appeal to the Principal. The appeal must be requested within three school days of the time the parent receives notice by mail or orally. During the appeal the student, parent or guardian shall be subject to questioning and shall be entitled to question school personnel involved in the matter being grieved. Subsequent to this appeal, the student, parent, or guardian, upon two school business days prior notice (or sooner, but only if convenient for all concerned), shall have the right to present a written or oral grievance to the board of directors during the board’s next regular meeting. The board shall notify the student, parent or guardian of its response to the grievance within ten school business days after the date of the meeting. The discipline action shall continue notwithstanding the implementation of the grievance procedure set forth in this section unless the director of athletics elects to postpone such action.

V. STUDENT EXTRACURRICULAR ACTIVITIES CONTRACT
Prior to the first day of the first season of participation, each student participant in extracurricular activities shall, as precondition to participation, agree to terms of the year-round Student Extracurricular Activities Contract.

SECTION III: USE OF TOBACCO/NICOTINE PRODUCTS & DELIVERY DEVICES (Policy 4215)

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

Any use of such products and delivery devices by staff, students, visitors and community members will be prohibited on school district property. Possession by, or distribution of tobacco products to minors is prohibited. This will include all district buildings, grounds and district-owned vehicles.

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

Notices advising students, district employees and community members of this policy will be posted in appropriate locations in all district buildings and at other district facilities as determined by the superintendent and will be included in the employee and student handbooks. Employees and students are subject to discipline for violations of this policy, and school district employees are responsible for the enforcement of the policy.

GUIDELINES FOR TOBACCO FREE SCHOOLS (Policy 4215P)

I. Prevention. The purpose of the prevention program of the Tukwila School District is to provide students with information and activities, which will prevent them from using tobacco. The prevention program shall focus on staff involvement, student instruction, parent and community involvement, school climate and school and community awareness. Involvement of parents and other community members is essential for the success of District prevention activities.

   A. Staff Involvement. The Board of Directors is concerned about the health of its employees and also recognizes the importance of adult role-modeling for students during formative years. Therefore, the staff as adult-role-models, shall promote non-smoking for students. Staff will be aware of curriculum goals used to teach prevention strategies. Instructional materials will be available for each school to implement the program.
B. **Student Instruction.** All schools, elementary and secondary, will have instructional programs, which assist students in making responsible decisions about the use of tobacco. Current and accurate information about tobacco and its effects upon the body is one component of an instructional prevention program. Other components include instruction and skill development related to self-esteem, goal-setting, decision-making, understanding feelings, conflict management and problem-solving, refusal skills, and the development of communication skills. Health education programs will have responsibility for providing instruction about the prevention of tobacco use. Other areas of the curriculum will reinforce the prevention concepts taught in the health program. Instruction will be provided about student responsibilities and rights as they relate to use of tobacco.

C. **Parent and Community Involvement.** Information designed to increase parental and community awareness concerning tobacco use will be part of a comprehensive school district program.

D. **School Climate.** A positive school and classroom climate is an important element in the prevention of tobacco use. The District shall promote the expectation that all students are capable of leading tobacco free lives. The District will encourage programs which foster student advocacy of a tobacco free environment such as the "Great American Smoke Out" and "Up with Health and Down with Smoking."

**II. Intervention.** Smoking cessation and self-help program will be made available to staff and students on a periodic basis.

**III. Enforcement Procedures.** The success of this policy will depend upon the thoughtfulness, consideration, and cooperation of tobacco and non-tobacco users. All individuals on school premises share in the responsibility for adhering to and enforcing this policy. Any individual who observes a violation on school property may report it in accordance with the procedures listed below.

A. **General Public/Other Visitors.** Individuals who are observed smoking or using tobacco products on school district property shall be asked to refrain from smoking on school property by the school principal or other school district supervisory personnel responsible for the area or program during which the violation occurred. If the individual fails to comply with the request, the supervisor shall make a decision on further action, which may include a directive to leave school property. The request to leave will be witnessed by another person (i.e. staff member, parent, student, or other visitor) whenever possible. Assistance from a district security person may be sought.

**Staff.** Any violation of this policy by staff shall be referred to the appropriate supervisor. One oral warning will be issued to the staff members. Further violations will be processed in accordance with the "due process" and "progressive discipline" terms of the applicable collective bargaining agreement.

B. **Students.** Any violation of this policy by students shall be referred to the building principal or assistant principal. Students who violate provisions of this policy shall be subject to student disciplinary procedures.

**SECTION IV: TELECOMMUNICATIONS / ELECTRONIC DEVICES (Policy 3245)**

While on school property or while attending school-sponsored or school-related activities students may possess and use personal telecommunication devices including but not limited to tablets, cell phones, smart phones, and other current technology.

Students in possession of telecommunications devices and other related electronic devices shall observe the following conditions:

A. Telecommunication devices will be allowed, but during class or assembly time, the decision for using the devices is at the discretion of the teacher and/or district staff.

B. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, posing a threat to academic integrity or violating confidentiality or privacy rights of another individual.

C. Students will not send, share, view or possess pictures, text messages, emails or other material depicting sexually explicit conduct, as defined by RCW 9.68A.011, in electronic or any other form on a cell phone or other electronic device, while the student is on school grounds, at school sponsored events or on school buses or vehicles provided by the district.

D. When a school official has reasonable suspicion, based on objective and articulable facts, that a student is using a telecommunications device in a manner that violates the law or school rules, the official may confiscate the device, which will only be returned to the student’s parent or legal guardian.

E. By bringing a cell phone or other electronic devices to school or school-sponsored events, the student and their parent/guardian consent to the search of the device when school officials have a reasonable suspicion, based on objective and articulable facts, that such a search will reveal a violation of the law or school rules. The scope of the search will be limited to the violation of which the student is accused. Content or images that violate state or federal laws will be referred to law enforcement.

F. Students are responsible for devices they bring to school. The District shall not be responsible for loss, theft or destruction of devices brought onto school property or to school sponsored events.

G. Students shall comply with any additional rules develop by the school concerning the appropriate use of telecommunication or other electronic devices.

H. Students who violate this policy will be subject to disciplinary action, including suspension or expulsion.
Preserving a beneficial learning environment and assuring the safety and well-being of all students are primary concerns of the board of directors.

Students’ choices in matters of dress should be made in consultation with their parents/guardians.

Student dress shall only be regulated when, in the judgment of school administrators, there is a reasonable expectation that:

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

For the purpose of this policy, a material and substantial disruption of the educational process may be found to exist when a student's conduct is inconsistent with any part of the educational mission of the school district. Prohibited conduct includes the use of lewd, sexual, drug, tobacco or alcohol-related messages, 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 will establish procedures providing guidance to students, parents, and staff regarding appropriate student dress in school or while engaging in extracurricular 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 or her parents, to make appropriate corrections and be subject to discipline if the corrections are not undertaken.

Pursuant to RCW 28A.320.140, the Board may approve school uniform dress code policies at specific schools within the District for the purposes of enhancing the learning environment and other educationally related goals. Before adoption of such a policy, the school shall make reasonable efforts to survey parents in the school and hold community meetings regarding the desirability of a uniform dress code.

**SECTION VI: ELECTRONIC RESOURCES (Policy 2022 and Procedure 2022P)**

The Tukwila School District Board of Directors 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 students need to be proficient and safe users of information, media, and technology to succeed in a digital world.

Therefore, the Tukwila School District will 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 to educate them in such areas of need. 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. The District's technology will enable educators 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.

To help ensure student safety and citizenship in online activities, all students will be educated about appropriate behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyber-bullying awareness and response.

The superintendent or designee will create strong electronic educational systems that support innovative teaching and learning, to provide appropriate staff development opportunities and to develop procedures to support this policy.

**Electronic Resources**

**K-20 Network Acceptable Use Guidelines/Internet Safety Requirements**

These procedures are written to support the Electronic Resources Policy of the board of directors and to promote positive and effective digital citizenship among students and staff. Digital citizenship represents more than technology literacy. Successful, technologically-fluent digital citizens live safely and civilly in an increasingly digital world. They recognize that information posted on the Internet is public and permanent and can have a long-term impact on an individual's life and career. Expectations for student and staff behavior online are no different from face-to-face interactions.

**Use of Personal Electronic Devices**

In accordance with all district policies and procedures, students and staff may use personal electronic devices (e.g. laptops, mobile devices and e-readers) to further the educational and research mission of the district. School staff will retain the final authority in deciding when and how students may use personal electronic devices on school grounds and during the school day.
Network
The district network includes wired and wireless devices and peripheral equipment, files and storage, e-mail and Internet content (blogs, websites, collaboration software, social networking sites, wikis, etc.). The district reserves the right to prioritize the use of, and access to, the network.

All use of the network must support education and research and be consistent with the mission of the district.

Acceptable network use by district students and staff include:
A. Creation of files, digital projects, videos, web pages and podcasts using network resources in support of education and research;
B. Participation in blogs, wikis, bulletin boards, social networking sites and groups and the creation of content for podcasts, e-mail and webpages that support education and research;
C. The online publication of original educational material, curriculum-related materials and student work (with student permission). Sources must be cited appropriately;
D. Staff use of the network for incidental personal use in accordance with all district policies and procedures; or
E. Connection of personal electronic devices (wired or wireless) including portable devices with network capabilities to the district network after checking with the Director of Instructional Technology or designee to confirm that the device is equipped with up-to-date virus software, compatible network card and is configured properly. Connection of any personal electronic device is subject to all procedures in this document.

Unacceptable network use by district students and staff includes but is not limited to:
A. Personal gain, commercial solicitation and compensation of any kind;
B. Actions that result in liability or cost incurred by the district;
C. Downloading, installing and use of games, audio files, video files, or other applications (including shareware or freeware) without permission or approval from the Director of Instructional Technology;
D. Support for or opposition to ballot measures, candidates and any other political activity;
E. Hacking, cracking, vandalizing, the introduction of viruses, worms, Trojan horses, time bombs and changes to hardware, software and monitoring tools;
F. Unauthorized access to other district computers, networks and information systems;
G. Cyberbullying, hate mail, defamation, harassment of any kind, discriminatory jokes and remarks;
H. Information posted, sent or stored online that could endanger others (e.g., bomb construction, drug manufacturing);
I. Accessing, uploading, downloading, storage and distribution of obscene, pornographic or sexually explicit material; or
J. Attaching unauthorized devices to the district network. Any such device will be confiscated and additional disciplinary action may be taken.
K. Any unlawful use of the district network, including but not limited to stalking, blackmail, violation of copyright laws and fraud.

The district will not be responsible for any damages suffered by any user, including but not limited to, loss of data resulting from delays, non-deliveries, mis-deliveries or service interruptions caused by his/her own negligence or any other errors or omissions. The district will not be responsible for unauthorized financial obligations resulting from the use of, or access to, the district’s computer network or the Internet.

Internet Safety
Personal Information and Inappropriate Content:
A. Students and staff should not reveal personal information, including a home address and phone number on web sites, blogs, podcasts, videos, social networking sites, wikis, email or as content on any other electronic medium;
B. Students and staff should not reveal personal information about another individual on any electronic medium without first obtaining permission;
C. No student pictures or names can be published on any public class, school or district website unless the appropriate permission has been obtained according to district policy; and
D. If students encounter dangerous or inappropriate information or messages, they should notify the appropriate school authority.
E. Students should be aware of the persistent of their digital information, including images and social media activity, which may remain on the internet indefinitely.

Internet Safety Instruction
All students will be educated about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

A. Age appropriate materials will be made available for use across grade levels.
B. Training and/or materials about online safety issues will be made available to administration, staff and families.

Copyright
Downloading, copying, duplicating and distributing software, music, sound files, movies, images or other copyrighted materials without the specific written permission of the copyright owner is generally prohibited. However, the duplication and distribution of materials for educational purposes is permitted when such duplication and distribution falls within the Fair Use Doctrine of the United States Copyright Law (Title 17, USC) and content is cited appropriately.

Ownership of Work
All work completed by employees as part of their employment will be considered property of the district. The district will own any and all rights to such work including any and all derivative works, unless there is a written agreement to the contrary. All work completed by students as part of the regular instructional program is owned by the student as soon as it is created, unless such work is created while the student is acting as an employee of the school system or unless such work has been paid for under a written agreement with the school system. If under an agreement with the district, the work will be considered the property of the district. Staff members must obtain a student's permission prior to distributing his/her work to parties outside the school.

Network Security
Passwords are the first level of security for a user account. System logins and accounts are to be used only by the authorized owner of the account for authorized district purposes. Students and staff are responsible for all activity on their account and must not share their account password.

The following procedures are designed to safeguard network user accounts:

A. Change passwords according to district policy;
B. Do not use another user’s account;
C. Do not insert passwords into e-mail or other communications;
D. If you write down your user account password, keep it in a secure location
E. Do not store passwords in a file without encryption;
F. Do not use the “remember password” feature of Internet browsers; and
G. Lock the screen or log off if leaving the computer.

Disciplinary Action
All users of the district’s electronic resources are required to comply with the district’s policy and procedures and agree to abide by the provisions set forth in the district’s user agreement. Violation of any of the conditions of use explained in the district’s user agreement, and/or student handbooks, Electronic Resources policy or in these procedures could be cause for disciplinary action, including suspension or expulsion from school and suspension or revocation of network and computer access privileges.

SECTION VII: BUS CONDUCT (Procedure 6605P)

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

Rules of conduct for students riding buses:
A. Students shall obey the driver and any aide assigned to the bus by the district. The driver is in full charge of the bus and passengers and shall be obeyed. If an aide is assigned to the bus by the district, he/she shall be responsible for the safe operation of the bus. When transporting classes or teams, the teacher or coach shall be primarily responsible for the behavior of the students. Students shall obey both the driver and the teacher, coach or other staff member.
B. Students shall ride only on their assigned bus unless written permission to do otherwise has been received by school officials.
C. Students shall not be permitted to leave the bus except at their regular stop unless written permission to do otherwise is received by school officials.
D. Students assigned seats shall use only that seat unless permission to change is authorized by the driver.
E. Students shall observe rules of classroom conduct while riding on buses. Noise shall be kept down to avoid distracting the driver. Students shall refrain from the use of obscene language or gestures.
F. Students shall not smoke or ignite lighters or matches on buses.
G. Students shall not eat on buses, except when specifically authorized and supervised by and accompanying teacher, coach or other staff member. Buses shall be kept clean.
H. Students shall not open bus windows without the driver’s permission.
I. Students shall not extend any part of their body out of bus windows at any time.
J. Students shall not carry or have in their possession items that can cause injury to passengers on the bus. Such items include, but are not limited to, sticks, breakable containers, weapons or firearms, straps or pins protruding from clothing, large, bulky items which cannot be held or placed between legs, etc. Books and personal belongings shall be kept out of aisles.
K. Students shall not have animals on buses, except a dog providing assistance to a disabled student.
L. Students shall not sit in the driver’s seat or to the immediate right or left of the driver.
M. Students shall refrain from talking to the driver unless necessary.
N. Students shall go directly to a seat once inside the bus and remain seated at all times unless the driver instructs otherwise.
O. Students shall get on/off the bus in an orderly manner and shall obey the instructions of the driver or school safety patrolmen on duty. There shall be no pushing and shoving when boarding or leaving the bus. Once off the bus, students shall adhere to rules for pedestrians.
P. Students shall never cross the roadway behind a bus unless they use pedestrian crosswalks or traffic lights.
Q. Students shall stand away from the roadway curb when any bus is approaching or leaving a stop.
R. Students going to and from their bus stops where there are no sidewalks shall walk on the left-hand side of the roadway facing oncoming traffic. Students shall go directly to their home after leaving the bus.
S. Students shall use lap belts on buses when available.
T. Students shall follow emergency exit drill procedures as prescribed by the driver.
U. Students shall not tamper with emergency doors or equipment.
V. Students shall remain quietly seated, not exhibit disruptive behavior and turn off all noise-making devices at highway rail grade crossings.
W. Parents of students identified as causing damage to buses shall be charged with the cost of the incurred damage. Students causing the damage may be suspended from transportation.
X. Student misconduct shall constitute sufficient reason for suspending transportation privileges.

Disciplinary Procedures

Principals are responsible for correcting students whose abusive behavior results in a bus-incident report or violate the rules above. The principal shall provide supervision during bus arrival and departure times and receive reports (written and oral) from the drivers.

The principal shall ensure that students comply with the specified regulations. Principals must maintain open lines of communication among school officials, bus drivers and the transportation department.

When waiting for a bus, or going to and from a bus stop, students are responsible for conducting themselves according to the social and legal mores that apply to adults in public. That is, they must not abuse or cause damage to private or public property; they must not use obscene language or gestures; they must not engage in criminal activity. Failure to adhere to these standards may result in formal complaints by citizens which may be forwarded to principals for possible corrective action.

Students provided with transportation are responsible for complying with the district’s rules of conduct for students riding buses. Failure to adhere to these rules, or abusive behavior towards the public, driver, fellow passengers or the vehicle constitutes justification for initiating a response to the behavior violation against a student.

Abusive behavior on the part of a student riding a bus may result in a written report when, in the opinion of the driver or bus supervisor, there has been an infraction of the rules applicable to student conduct. The written report is the primary means by which a driver or bus supervisor communicates a student's conduct to the school and transportation department. This report, in most cases, reflects an infraction of rules which is repeated by the student after his/her having received previous oral warnings from the driver or bus supervisor. In order for drivers and bus supervisors to effectively maintain control on their buses, it is expected that action be exercised by principals when receiving such a report.

When a student's conduct constitutes an infraction of the rules, the driver or bus supervisor shall complete a report on the student describing the incident or damage that occurred. The driver or bus supervisor shall provide the student with a copy of the report, hand the original report to the principal and submit a copy to the transportation supervisor. The copy of the report concerning special education students shall be given to the principal for disposition.

The principal upon receiving the report shall investigate the circumstances surrounding the incident and take action according to the procedures set forth in the district’s policies pertaining to response to behavioral violation. When investigating the incident, the primary concern must be with respect to the safe transport of students.

The action taken by the principal shall be annotated on the report and forwarded to the student's parent for signature. The transportation department shall be notified.

Drivers shall be advised to file assault and battery charges against students who physically assault them. Under no circumstances shall the driver retaliate in kind and physically assault the student as this conduct may subject him/her to legal action.

SECTION VIII: STUDENT DRIVING (Policy 3243)

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

Student Driving
Students may drive automobiles to and from school. They may not be driven during the school day without the consent of the parent and principal. They may not transport another student during the school day unless consent has been granted by the student's parent.

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

- **A.** A student must register the car in the school office. The student must possess a valid Washington driver's license and show evidence that there is a liability and property damage insurance coverage on the vehicle and acknowledge that he/she will assume full responsibility for any comprehensive or collision claims that may occur while on school property.

- **B.** Students may not occupy a vehicle (without permission) during the school day.

- **C.** In terms of student conduct rules, "possession" of alcoholic beverages, illegal chemical substances or opiates, firearms or a dangerous weapon shall also extend to a student's vehicle.

A student who does not conform to the above rules shall be subject to a response to the behavioral violation..

**SECTION IX: PROCEDURES: OTHER FORMS OF DISCIPLINE (Procedure 3241P)**

**Supporting Students with Other Forms of Discipline**

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

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

These other forms of discipline may involve the use of best practices and strategies included in the state menu for behavior available online at: [http://www.k12.wa.us/SSEO/pubdocs/BehaviorMenu.pdf](http://www.k12.wa.us/SSEO/pubdocs/BehaviorMenu.pdf). The district has identified the following for use as other forms of discipline:

- Behavior Agreement
- Restorative conference
- Parent Conference

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

Additionally, staff may use after-school detention as another form of discipline for not more than 60 minutes on any given day. Before assigning after-school detention, the staff member will inform the student of the specific behavior prompting the detention and provide the student with an opportunity to explain or justify the behavior. At least one professional staff member will directly supervise students in after-school detention.

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

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

**Staff Authority and Exclusionary Discipline**

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

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

**Classroom exclusions**

Page | 12
After attempting at least one other form of discipline, as set forth above, teachers have statutory authority to impose classroom exclusion. Classroom exclusion means the exclusion of a student from the classroom or instructional activity area based on a behavioral violation that disrupts the educational process. As stated above, the Superintendent, school principals, and certificated staff will work together to develop definitions and consensus on what constitutes behavior that disrupts the educational process to reduce the effect of implicit or unconscious bias. Additionally, the district to impose classroom exclusion with the same authority and limits of authority as classroom teachers.

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

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

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

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

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

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

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

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

Grievance process for other forms of discipline and classroom exclusion

Any parent/guardian or student who is aggrieved by the imposition of other forms of discipline and/or classroom exclusion has the right to an informal conference with the principal for resolving the grievance. If the grievance pertains to the action of an employee, the district will notify that employee of the grievance as soon as reasonably possible.

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

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

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

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

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

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

Initial hearing

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

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

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

Notice

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

No later than one (1) school business day following the initial hearing with the student, the district will provide written notice of the suspension or expulsion to the student and parents in person, by mail, or by email in a language and form the student and parents will understand. The written notice must include:
For students in kindergarten through fourth grade, the district will not administer in-school or short-term suspension for more than ten (10) cumulative school days during any academic term. For students in grades five through twelve, the district will not administer in-school or short-term suspension for more than fifteen (15) cumulative school days during any single semester, or more than ten (10) cumulative school days during any single trimester. Additionally, the district will not administer a short-term or in-school suspension beyond the school year in which the behavioral violation occurred.

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

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

SECTION XI: LONG TERM SUSPENSION AND EXPULSION (Procedure 3241P)

Long-term suspensions and expulsions

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

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

a. Having a firearm on school property or school transportation in violation of RCW 28A.600.420;
b. Any of the following offenses listed in RCW 13.04.155, including:
   i. any violent offense as defined in RCW 9.94A.030, including
   ii. any felony that Washington law defines as a class A felony or an attempt, criminal conspiracy, or solicitation to
      commit a class A felony;
   iii. manslaughter;
   iv. indecent liberties committed by forcible compulsion;
   v. kidnapping;
   vi. arson;
   vii. assault in the second degree;
   viii. assault of a child in the second degree;
   ix. robbery;
   x. drive-by shooting; and
   xi. 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.
   xii. any sex offense as defined in RCW 9.94A.030, which includes any felony violation of chapter 9A.44 RCW (other
       than failure to register as a sex offender in violation of 9A.44.132), including rape, rape of a child, child
       molestation, sexual misconduct with a minor, indecent liberties, voyeurism, and any felony conviction or
       adjudication with a sexual motivation finding;
   xiii. inhaling toxic fumes in violation of chapter 9.47A RCW;
   xiv. any controlled substance violation of chapter 69.50 RCW;
   xv. any liquor violation of RCW 66.44.270;
   xvi. any weapons violation of chapter 9.41 RCW, including having a dangerous weapon at school in violation of RCW
       9.41.280;
   xvii. 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;
xviii. any violation of chapter 9A.40 RCW, including kidnapping, unlawful imprisonment, custodial interference, luring, and human trafficking;

xix. any violation of chapter 9A.46 RCW, including harassment, stalking, and criminal gang intimidation; and

xx. any violation of chapter 9A.48 RCW, including arson, reckless burning, malicious mischief, and criminal street gang tagging and graffiti.

xxi. 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

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

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

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

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

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

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

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

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

a. 1.
   b. A description of the student’s behavior and how the behavior violated this policy;
   c. The duration and conditions of the suspension or expulsion, including the dates on which the suspension or expulsion will begin and end;
   d. The other forms of discipline that the district considered or attempted, and an explanation of the district’s decision to administer the suspension or expulsion;
   e. The opportunity to receive educational services during the suspension or expulsion;
   f. The right of the student and parent(s) to an informal conference with the principal or designee;
   g. The right of the student and parent(s) to appeal the suspension or expulsion; and
   h. For any long-term suspension or expulsion, the opportunity for the student and parents to participate in a reengagement meeting.

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

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

**Divergence between long-term suspension and expulsion**

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

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

**Emergency Expulsions**

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

The district must have sufficient cause to believe that the student’s statements or observable behaviors pose:
- An immediate and continuing danger to other students or school personnel; or
- An immediate and continuing threat of material and substantial disruption of the educational process.

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

For purposes of determining sufficient cause for an emergency expulsion, the phrase “immediate and continuing threat of material and substantial disruption of the educational process” means:
- The student’s behavior results in an extreme disruption of the educational process that creates a substantial barrier to learning for other students across the school day; and
- School personnel have exhausted reasonable attempts at administering other forms of discipline to support the student in meeting behavioral expectations.

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

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

**Notice**

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

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

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

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

**SECTION XII: APPEALS/EDUCATIONAL SERVICES/READMISSION/REENGAGEMENT**

**Appeal, Reconsideration, and Petition**

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

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

During the informal conference, the student and parent(s) will have the opportunity to share the student’s perspective and explanation regarding the events that led to the behavioral violation. The student and parent will also have the opportunity to confer with the principal or designee and school personnel involved in the incident that led to the suspension or expulsion. Further, the student and parent will have the opportunity to discuss other forms of discipline that the district could administer. An informal conference will not limit the right of the student or parent(s) to appeal the suspension or expulsion, participate in a reengagement meeting, or petition for readmission.

Appeals

Requesting appeal

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

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

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

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

In-school and short-term suspension appeal

For short-term and in-school suspensions, the Superintendent or designee will provide the student and parents the opportunity to share the student’s perspective and explanation regarding the behavioral violation orally or in writing. The Superintendent or designee must deliver a written appeal decision to the student and parent(s) in person, by mail, or by email within two (2) school business days after receiving the appeal. The written decision must include:

- The decision to affirm, reverse, or modify the suspension;
- The duration and conditions of the suspension, including the beginning and ending dates;
- The educational services the district will offer to the student during the suspension; and
- Notice of the student and parent(s)’ right to request review and reconsideration of the appeal decision, including where and to whom to make such a request.

Long-term suspension or expulsion and emergency expulsion appeal

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

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

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

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

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

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

If the official presiding over the hearing finds that a student’s interests will be substantially prejudiced by a group hearing, the presiding official may order a separate hearing for that student. The parent and student have the right to petition for an individual hearing. For long-term suspension or expulsion, the district will hold an appeal hearing within three (3) school business days after the Superintendent or designee received the appeal request, unless otherwise agreed to by the student and parent(s).

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

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

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

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

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

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

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

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

- The findings of fact;
- A determination whether (i) the student’s behavior violated this policy; (ii) the behavioral violation reasonably warrants the suspension or expulsion and the length of the suspension or expulsion; and (iii) the suspension or expulsion is affirmed, reversed, or modified;
- The duration and conditions of suspension or expulsion, including the beginning and ending dates;
- Notice of the right of the student and parent(s) to request a review and reconsideration of the appeal decision. The notice will include where and to whom to make such a request; and
- Notice of the opportunity for a reengagement meeting and contact information for the person who will schedule it.

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

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

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

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

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

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

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

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

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

- Whether the school board [or discipline appeal council] affirms or reverses the school district’s decision that the student’s statements or behaviors posed (i) an immediate and continuing danger to students or school personnel; or (ii) an immediate and continuing threat of material and substantial disruption of the educational process.
- If the emergency expulsion has not yet ended or been converted, whether the district will end the emergency expulsion or convert the emergency expulsion to a suspension or expulsion. If the district converts the emergency expulsion to a suspension or expulsion, the district will provide the student and parent(s) notice and due process under WAC 392-400-455 through 392-400-480 consistent with the disciplinary action to which the emergency expulsion was converted.

Petition to extend an expulsion

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

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

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

Notice

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

- A copy of the petition;
- The right of the student and parent(s) to an informal conference with the Superintendent or designee to be held within five (5) school business days from the date the district provided written notice to the student and parent(s); and
- The right of the student and parent(s) to respond to the petition orally or in writing to the Superintendent or designee within five (5) school business days from the date the district provided the written notice.
The Superintendent or designee may grant the petition only if there is substantial evidence that, if the student were to return to the student’s previous school of placement after the length of an academic term, the student would pose a risk to public health or safety. The Superintendent or designee must deliver a written decision to the principal, the student, and the student’s parent(s) in person, by mail, or by email within ten (10) school business days after receiving the petition.

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

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

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

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

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

The school board (or discipline appeal council) will provide a written decision to the student and parent(s) in person, by mail, or by email within ten (10) school business days after receiving the request for review and reconsideration. The written decision must identify:
- Whether the school board or discipline appeal council affirms, reverses, or modifies the decision to extend the student’s expulsion; and
- The date when the extended expulsion will end.

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

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

Educational Services
The district will offer educational services to enable a student who is suspended or expelled to:
- Continue to participate in the general education curriculum;
- Meet the educational standards established within the district; and
- Complete subject, grade-level, and graduation requirements.

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

After considering the factors and input described above, the district will determine a student’s educational services on a case-by-case basis. The types of educational services the district will consider include
- One on one tutoring
- Online learning

Any educational services in an alternative setting should be comparable, equitable, and appropriate to the regular educational services a student would have received in the absence of exclusionary discipline.

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

For students subject to suspension or emergency expulsion up to five (5) days, a school must provide at least the following:
- Course work, including any assigned homework, from all of the student’s regular subjects or classes;
- Access to school personnel who can offer support to keep the student current with assignments and course work for all of the student’s regular subjects or classes; and
• An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency expulsion.

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

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

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

Readmission

Readmission application process

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

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

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

Reengagement

Reengagement Meeting

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

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

The reengagement meeting must occur:

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

Reengagement plan

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

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

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

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

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

SECTION XIII: CUMULATIVE RECORDS

Discipline files will be kept for each student throughout their school careers. These files may be used as a reference in determining patterns of behavior for which corrective action is necessary. Progressive corrective action or punishment for inappropriate behavior patterns or similar cumulative violations may be assigned based upon these records. See Section XX for information regarding educational records.

SECTION XIV: STUDENT ATTENDANCE REQUIREMENTS AND EXPECTATIONS
(Policy 3121, Policy 3122, and Procedure 3122P)

Parents of any child eight years of age and under 18 years of age shall cause such child to attend school and such child shall have the responsibility to and therefore shall attend for the full time when such school may be in session unless the child is enrolled in an approved private school, an educational center as provided in chapter 28A.205 RCW or is receiving home-based instruction. Parents of any child six or seven years old, who have enrolled the child in school, shall cause the child to attend school for the full time when such school may be in session, unless the child is formally withdrawn from enrollment by the parents.

Exception may be granted by the superintendent in the following circumstances:

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

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

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

EXCUSED AND UNEXCUSED ABSENCES (Policy 3122 and procedure 3122P)

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

Students are expected to be in class on time. When a student's tardiness becomes frequent or disruptive, the student shall be referred to the principal or counselor. If counseling, parent conferencing or disciplinary action is ineffective in changing the student's attendance behavior, he/she may be suspended from the class.

The superintendent shall enforce the district's attendance policies and procedures. Because the full knowledge and cooperation of students and parents are necessary for the success of the policies and procedures, procedures shall be disseminated broadly and made available to parents and students annually.

Excused Absences
Regular school attendance is necessary for mastery of the educational program provided to students of the district. Students at times may appropriately be absent from class. The following principles shall govern the development and administration of attendance procedures within the district:

The following are valid excuses for absences and the procedures for validating those:

- **Participation in a district or school approved activity or instructional program:** To be excused this absence must be authorized by a staff member and the affected teacher must be notified prior to the absence.

- **Illness, health condition or medical appointment (including, but not limited to, medical, counseling, dental or optometry):** When possible, the parent is expected to notify the school office on the morning of the absence and send a signed note of explanation with the student upon his/her return to school. Adult students (those over eighteen) and emancipated students (those over sixteen who have been emancipated by court action) shall notify the school office of their absences with a signed note of explanation. Students fourteen years old or older who are absent from school due to testing or treatment for a sexually transmitted disease shall notify the school of their absence with a signed 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 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 shall be allowed one makeup day for each day of absence.

- **Absence for parental-approved activities.** This category of absence shall be counted as excused for purposes agreed to by the principal and the parent. An absence may not be approved if it causes a serious adverse effect on the student's educational progress. In participation-type classes (e.g., certain music and physical education classes) the student may not be able to achieve the objectives of the unit of instruction as a result of absence from class. In such a case, a parent-approved absence would have an adverse effect on the student's educational progress which would ultimately be reflected in the grade for such a course. A student, upon the request of his/her parent, may be excused for a portion of a school day to participate in religious instruction provided such is not conducted on school property or otherwise involves the school to any degree.

- **Absence resulting from disciplinary actions — or short-term suspension.** As required by law, students who are removed from a class or classes as a disciplinary measure or students who have been placed on short-term suspension shall 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 shall be a substantial lowering of the course grade.

- **Extended illness or health condition.** If a student is confined to home or hospital for an extended period, the school shall 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.

- **Excused absence for chronic health condition.** Students with a chronic health condition which interrupts regular attendance may qualify for placement in a limited attendance and participation program. The student and his/her parent shall apply to the principal or counselor, and a limited program shall be written following the advice and recommendations the student's medical advisor. The recommended limited program shall be approved by the principal. Staff shall be informed of the student's needs, though the confidentiality of medical information shall be respected at the parent's request.

- **Religious or cultural purpose including observance of a religious or cultural holiday or participation in religious or cultural instruction;** When possible, the parent is expected to notify the school office on the morning of the absence and send a signed note of explanation with the student upon his/her return to school.

- **Absence resulting from a disciplinary/corrective action. (e.g., short-term or long-term suspension, emergency expulsion):** As required by law, students who are removed from a class or classes as a disciplinary measure or students who have been placed on short-term suspension shall 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 shall be a substantial lowering of the course grade.

**Unexcused Absences**

An "unexcused absence" means that a student has failed to attend the majority of hours or periods in an average school day or has failed to comply with a more restrictive school district policy on absences. Unexcused absences fall into two categories:
A. Submitting a signed excuse which does not constitute an excused absence as defined previously; or

B. Failing to submit any type of excuse statement signed by the parent, guardian or adult student.

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. Each unexcused absence shall be followed by a warning letter to the parent of the student. Each notice shall be in writing in English or in the primary language of the parent. A student's grade shall not be affected if no graded activity is missed during such an absence.

After two unexcused absences within any month of the current school year, a conference will be held between the principal, student and parent to analyze the causes of the student's absenteeism. If the student's parent/guardian does not attend the conference, the conference may be conducted with the student and school official. However, the parent will be notified of the steps taken to eliminate or reduce the student's absences. If a regularly scheduled parent-teacher conference is scheduled to take place within thirty days of the second unexcused absence, the district may schedule the attendance conference on the same day. The district will designate a staff member to apply the Washington Assessment of the Risks and Needs of Students (WARNS) and, where appropriate, provide the student with best practice or research-based interventions consistent with WARNS. As appropriate, the district will also consider:
   a. Adjusting the student's program;
   b. Providing more individualized instruction; preparing the student for employment with specific vocational experience or both;
   c. Transferring the student to another school;
   d. Assisting the student to obtain supplementary services that might eliminate or ameliorate the causes of absence; or,
   e. Imposing other corrective actions that are deemed to be appropriate.

Transfers
In the case of a student who transfers from one district to another during the school year, the sending district will provide to the receiving district, together with a copy of the WARNS assessment and any interventions previously provided to the student, the most recent truancy information for that student. The information will include the online or written acknowledgment by the parent and student.

Not later than the student’s fifth unexcused absence in a month, the district shall enter into an agreement with the student and parents 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.
   a. enter into an agreement with the student and parents/guardians that establishes school attendance requirements;
   b. refer the student to a community truancy board; or
   c. file a petition to juvenile court

SECTION XV: HARASSMENT, INTIMIDATION AND BULLYING (Policy 3207)

The Board is committed to a safe and civil educational environment for all students, employees, parents/legal guardians, volunteers and community members that is free from harassment, intimidation or bullying. “Harassment, intimidation or bullying” means any intentionally written message or image — including those that are electronically transmitted — verbal, or physical act, including but not limited to one shown to be motivated by race, color, religion, ancestry, national origin, gender, sexual orientation including gender expression or identity, mental or physical disability or other distinguishing characteristics, when an act:
   A. Physically harms a student or damages the student’s property;
   B. Has the effect of substantially interfering with a student’s education;
   C. Is so severe, persistent or pervasive that it creates an intimidating or threatening educational environment; or
   D. Has the effect of substantially disrupting the orderly operation of the school.

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

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

Behaviors/Expressions
Harassment, intimidation or bullying can take many forms including, but not limited to, slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats or other written, oral, physical or electronically transmitted messages or images. This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the
expression does not substantially disrupt the educational environment. Many behaviors that do not rise to the level of harassment, intimidation or bullying may still be prohibited by other district policies or building, classroom or program rules.

Training
This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful and inclusive learning community and will be implemented in conjunction with comprehensive training of staff and volunteers.

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 perpetrator, and to restore a positive school climate. The district will consider the frequency of incidents, developmental age of the student, and severity of the conduct in determining intervention strategies. Interventions will range from counseling, correcting behavior and discipline, to law enforcement referrals.

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

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

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

ADMINISTRATIVE PROCEDURE (3207P)

A. Introduction
Tukwila School District strives to provide students with a positive learning environment by maintaining a school community where everyone is treated with respect. In order to ensure respect and prevent harm, it is a violation of district policy for a student to be harassed, intimidated or bullied by others in the school community, at school sponsored events, or when such actions create a substantial disruption to the educational process. The school community includes all students, school employees, school board members, contractors, unpaid volunteers, families, patrons, and other visitors. Student(s) will not be harassed because of their race, color, religion, ancestry, national origin, gender, sexual orientation, including gender expression or identity, mental or physical health, or other parts of identity.

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

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

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

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

Conduct that is “substantially interfering with a student’s education” will be determined by considering a targeted student’s grades, attendance, demeanor, interaction with peers, participation in activities, and other indicators.
Conduct that may rise to the level of harassment, intimidation, and bullying may take many forms, including, but not limited to, slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, ostracism, physical attacks or threats, gestures, or acts relating to an individual or group whether electronic, written, oral, or physically transmitted messages or images. There is no requirement that the targeted student actually possess the characteristic that is the basis for the harassment, intimidation, or bullying.

Incident Reporting Form – may be used by students, families, or staff to report incidents of harassment, intimidation, or bullying. A sample form on the Office of Superintendent of Public Instruction (OSPI) School Safety Center Website: http://www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx

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

Staff – includes, but is not limited to, educators, administrators, counselors, school nurses, food service workers, custodians, maintenance workers, bus drivers/transportation staff, athletic coaches, advisors to extracurricular activities, classified staff, substitute and temporary teachers, volunteers, Para educators, or consultants/contractors.

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

C. Relationship to Other Laws
This procedures applies only to RCW 28A.300.285 – Harassment, Intimidation, and Bullying prevention. There are other laws and procedures to address related issues such as sexual harassment or discrimination.

At least four (4) Washington laws may apply to harassment or discrimination:
- RCW 28A.300.285 – 12 Education—Harassment, Intimidation and Bullying
- RCW 28A.640.020 – Sexual Harassment
- RCW 28A.642 – Prohibition of Discrimination in Public Schools
- RCW 49.60.010 – The Law Against Discrimination

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

D. Prevention
1. Dissemination
In each school and on the District’s Website, the District will prominently post information on reporting harassment, intimidation, and bullying; the name and contact information for making a report to a school administrator; and the name and contact information 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 Washington Administrative Code 392-400-226.

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 form.

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

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

E. Compliance Officer
The District compliance officer will:
- Serve as the District’s primary contact for harassment, intimidation, and bullying.
- Provide support and assistance to the principal or designee in resolving complaints.
• Receive copies of all Incident Reporting Forms, discipline Referral Forms, and letters to parents providing the outcomes of investigations.
• 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.
• Ensure implementation of the policy and procedure by overseeing the investigative processes, including ensuring that investigations are prompt, impartial, and thorough.
• Assess the training needs of staff and students to ensure successful implementation throughout the District, and ensure staff receives annual fall training.
• Provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis.

In cases where, despite school efforts, a targeted student experiences harassment, intimidation, or bullying that threatens the student’s health and safety, the compliance officer will facilitate a meeting between District staff and the student’s parents/guardians to develop a safety plan to protect the student. A sample student safety plan is available on the OSPI Website: http://www.k12.wa.us/SafetyCenter/default.aspx

F. Staff Intervention
All staff members shall intervene when witnessing or receiving reports of harassment, intimidation or bullying. Minor incidents that staff members 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.

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

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

Status of Reporter:
  a. Anonymous
     Individuals may file a report without revealing their identity. No disciplinary action will be taken against an alleged aggressor based solely on an anonymous report. Schools may identify complaint boxes or develop other methods for receiving anonymous, unsigned reports. Possible responses to an anonymous report include enhanced monitoring of specific locations at certain times of day or increased monitoring of specific students or staff. (Example: an unsigned Incident Reporting Form dropped on a teacher’s desk led to the increased monitoring of the boys’ locker room in 5th period).
  b. Confidential
     Individuals may ask that their identities be kept secret from the accused and other students. Like anonymous reports, no disciplinary action will be taken against an alleged aggressor based solely on a confidential report. (Example: a student tells a playground supervisor about a classmate being bullied but asks that nobody knows who reported the incident. The supervisor says, “I won’t be able to punish the bullies unless you or someone else who saw it is willing to let me use their names, but I can start hanging out near the basketball court, if that would help”.)
  c. Non-confidential
     Individuals may agree to file a report non-confidentially. Complainants agreeing to make their complaint non-confidential will be informed that due process requirements may require that the District release all of the information that is 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 members are responsible for receiving oral and written reports. Whenever possible, staff who initially receive an oral or written report of harassment, intimidation, or bullying shall attempt to resolve the incident immediately. If the incident is resolved to the satisfaction of the parties involved, or if the incident does not meet the definition of harassment, intimidation, or bullying, no further action may be necessary under this procedure.

All reports of unresolved, severe, or persistent harassment, intimidation, or bullying will be recorded on a District Incident Reporting Form and submitted to the principal or designee, unless the designee is the subject of the complaint.
Step 3: Investigations of Unresolved, Severe, or Persistent Harassment, Intimidation and Bullying

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

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

b) During the course of the investigation, the District will take reasonable measures to ensure that no further incidents of harassment, intimidation, or bullying occur between the complainant and the alleged aggressor. If necessary, the District will implement a safety plan for the student(s) involved.

c) 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.

d) 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 procedures on harassment, intimidation, and bullying.

e) In rare cases, where other consultation with the student and appropriate staff (such as a psychologist, counselor, or social worker) the District has evidence that it would threaten the health and safety of the complainant or the alleged aggressor to involve his or her parent/guardian, the District may initially refrain from contacting the parent/guardian in its investigation of harassment, intimidation, and bullying. If professional school personnel suspect that a student is subject to abuse and neglect, they must follow District policy for reporting suspected cases to Child Protective Services.

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

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, the alleged aggressor, and/or the student involved. If necessary, the District will provide the parent/guardian with weekly updates.

i) No later than two (2) school days after the investigation is completed and submitted to the compliance officer, the principal or designee shall respond in writing or in person to the parent/guardian of the complainant and the alleged aggressor stating:
   - The results of the investigation.
   - Whether the allegations were found to be factual.
   - Whether there was a violation of policy.
   - The process for the complainant to file an appeal if the complainant disagrees with the result.

If professional school personnel suspect that a student is subject to abuse or neglect, as mandatory reporters, they must follow District policy for reporting suspected cases to Child Protective Services.

If the incident is unable to be resolved at the school level, the principal or designee shall request assistance from the District.

Step 4: Correct Measures for the Aggressor

After completion of the investigation, the school or district designee will institute any response to the behavior violation necessary. Responses to violations will be instituted as quickly as possible, but in no event more than five (5) school days after has contact has been made to the families or guardians regarding the outcome of the investigation. Responsive 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 an investigation a principal or principal's designee found that a student knowingly made a false allegation or harassment, intimidation, or bullying, that student may be subject to corrective measures, including discipline.

Step 5: Targeted Student’s Right to Appeal
If the complainant or parent/guardian is dissatisfied with the results of the investigation, they may appeal to the Superintendent or his/her designee by filing a written notice of appeal within five (5) school days of receiving the written or oral decision. The Superintendent or his/her designee will review the investigative report and issue a written decision on the merits of the appeal within five (5) school days of receiving the notice of appeal.

If the targeted student remains dissatisfied after the initial appeal to the Superintendent, the student may appeal to the School Board by filing a written notice of appeal with the Secretary of the School Board on or before the fifth (5th) school day following the date upon which the complainant received the Superintendent’s written decision.

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 shall provide a copy to all parties involved. The Board or council’s decision will be the final District decision.

Step 6: Discipline/Corrective Action
The District will take prompt and equitable corrective measures within its authority on findings of harassment, intimidation, or bullying. Depending on the severity of the conduct, corrective measures may include counseling, education, discipline, and/or referral to law enforcement.

Corrective measures for a student who commits an act of harassment, intimidation, or bullying will be varied and graded according to the nature of the behavior, the development age of the student, or the student’s history of problem behaviors and performance. Corrective measures that involve student discipline will be implemented according to district Policy 3241-Classroom Management, Corrective Actions, or Punishment.

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

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

Step 7: Support for the Targeted Student
Persons found to have been subjected to harassment, intimidation, or bullying will have appropriate district support services made available to them, and the adverse impact of the harassment on the student shall be addressed and remedied as appropriate.

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

J. Other Resources
Students and families should use the District’s complaint and appeal procedures as a first response to allegations of harassment, intimidation, and bullying. However, nothing in this procedure prevents a student, parent/guardian, school, or district from taking action to remediate discrimination or harassment based on a person’s membership in a legally protected class under local, state or federal law.

A harassment, intimidation, or bullying complaint may also be reported to the following state or federal agencies:
- OSPI Equity and Civil Rights Office: 360.725.6162, equity@k12.wa.us, www.k12.wa.us/Equity/default.aspx
- Department of Justice Community Relations Service: 1.877.292.3804, www.justice.gov/crt/
- Office of the Education Ombudsman: 1.866.297.2597, OEOinfo@gov.wa.gov

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 herein, but which are, or may be, prohibited by other district or school rules.
SECTION XV: SEXUAL HARASSMENT (Procedure 3205 and Procedure 3205P)

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.

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

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

a. acts of sexual violence;
b. unwelcome sexual or gender-directed conduct or communication that interferes with an individual’s educational performance or creates an intimidating, hostile, or offensive environment;
c. unwelcome sexual advances;
d. unwelcome requests for sexual favors;
e. sexual demands when submission is a stated or implied condition of obtaining an educational benefit;
f. 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.

You can report sexual harassment to any school staff member or to the district's Title IX Officer. You also have the right to file a complaint (see below). For a copy of the district's sexual harassment policy and procedure, contact your school or district office, or view it online here: http://www.tukwila.wednet.edu/UserFiles/File/Board_Policies/5011%20-%20Sexual%20Harassment.pdf

SECTION XVI: NONDISCRIMINATION (Procedure 3210 and Procedure 3210P)

This district is committed to providing 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.

The district shall provide equitable educational opportunity and treatment for all students in all aspects of the academic and activities program without regard to race, religion, creed, color, national origin, age, honorably-discharged veteran or military status, sex, sexual orientation, gender expression and identity, marital status, the presence of any sensory, mental or physical disability, or the use of a trained dog guide or service animal by a person with a disability. The district will provide equal access to all outside youth groups, including the designated youth groups listed in Title 36 of the United States Code as a patriotic society. District programs shall 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, 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 offer or provide training to administrators and certificated and classroom personnel on their responsibility to raise awareness of and to eliminate bias based on the categories identified in this policy.

**Nondiscrimination (Procedure 3210P)**

Students, and/or parents, staff or other individuals acting on behalf of students of the district are eligible to participate in this complaint procedure. This complaint procedure is designed to assure that the resolution of real or alleged violations shall be directed toward a just solution that is satisfactory to the complainant, the administration and the board of directors. This grievance procedure shall apply to the general conditions of nondiscrimination policy (Policy No. 3210) and more particularly to policies dealing with guidance and counseling (Policy No. 2140) co-curricular program (Policy No. 2150), and curriculum development and instructional materials (Policy No. 2020). As used in this procedure,

a. “Grievance” shall mean a complaint which has been filed by a complainant (a student, an employee, a parent or guardian) relating to alleged violations of any anti-discrimination law including Title IX regulations and Washington Administrative Code (WAC) 392-190 or Section 504 of the Rehabilitation Act of 1973, or Title VII of the Civil Rights Act of 1964.

b. A complaint shall mean a 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. A respondent shall mean 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 shall 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.

**Level One: Formal Investigation**

**Initial Complaint:**

**Informal Process:** Anyone with an allegation of discrimination may request an informal meeting with the compliance officer or designated employee to resolve their concerns. At a school, the designated employee is the building principal; at the central office, the designated employee is the department head. 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.

Prior to the filing of a formal written complaint, the complainant or affirmative action officer may request a meeting with the respondent alleged to be directly responsible for the violation and/or person with the immediate supervisor who is related to the complaint. These persons shall make reasonable efforts to meet with any student, or student representative, and the Title IX officer to discuss the issues that the student, or student representative, may wish to bring to their attention. Such a meeting shall be at the option of the complainant. If unable to resolve this issue at this meeting, the complainant may submit a written complaint to the Title IX officer.

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

The officer shall investigate the allegations set forth within 30 calendar days of the filing of the charge. The officer shall provide the superintendent with a full written report of the complaint and the results of the investigation. The superintendent shall respond in writing to the complainant as expeditiously as possible, but in no event later than 30 calendar days following receipt of the written complaint. The superintendent shall state that the district either:

a. The District denies the allegations contained in the written complaint received by the district; or
b The District shall implement reasonable measures to eliminate any such act, condition or circumstance.

Such 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.

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.

**Level Two: Appeal to the District Board of Directors**

The officer shall investigate the allegations set forth within 30 calendar days of the filing of the charge. The officer shall provide the superintendent with a full written report of the complaint and the results of the investigation. The superintendent shall respond in writing to the complainant as expeditiously as possible, but in no event later than 30 calendar days following receipt of the written complaint. The superintendent shall state that the district either:

a The District denies the allegations contained in the written complaint received by the district; or

b The District shall implement reasonable measures to eliminate any such act, condition or circumstance.

Such 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.

The board shall schedule a hearing to commence by the 20th calendar day following the filing of the written notice of appeal. Both parties shall be allowed to present such witnesses and testimony as the board deems relevant and material. Unless otherwise agreed to by the complainant, the board will render a written decision within thirty (30) calendar days following the filing of the notice of appeal and provide the complainant with a copy of the decision.

The decision of the board will be provided in a language the complainant can understand, which may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act. The decision will include notice of the complainant's right to appeal to the Superintendent of Public Instruction and will identify where and to whom the appeal must be filed. The district will send a copy of the appeal decision to the office of the superintendent of public instruction. The board shall render a written decision by the 10th calendar day following the termination of the hearing and shall provide a copy to the complainant.

In the event a complainant remains aggrieved with the decision of the board, the complainant may appeal the decision to any federal or state agency empowered with the authority to resolve such complaint.

**Level Three: Complaint Submitted to the Superintendent of Public Instruction**

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

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 antidiscrimination 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.

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

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

**Level Four: Administrative Hearing**

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

**Mediation:**

At any time during the discrimination complaint procedure set forth in WAC 392-190065 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 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.

**Preservation of Records**

The files containing copies of all correspondence relative to each complaint communicated to the district and the disposition, including any corrective measures instituted by the district, shall be retained in the office of the Title IX compliance officer for a period of 5 years.

**Preservation of Records**

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

**COMPLAINT OPTIONS: DISCRIMINATION AND SEXUAL HARASSMENT**

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

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

**Complaint to the School District**

**Step 1. Write Out Your Complaint.**

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

**Step 2: School District Investigates Your Complaint**

Once the district receives your written complaint, the coordinator will give you a copy of the complaint procedure and make sure a prompt and thorough investigation takes place. The superintendent or designee will respond to you in writing within 30 calendar days—unless you agree on a different time period. If your complaint involves exceptional circumstances that demand a lengthier investigation, the district will notify you in writing to explain why staff need a time extension and the new date for their written response.
Step 3: School District Responds to Your Complaint

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

Appeal to the School Board

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

Complaint to OSPI

If you do not agree with the school district’s appeal decision, state law provides the option to file a formal complaint with the Office of Superintendent of Public Instruction (OSPI). This is a separate complaint process that can take place if one of these two conditions has occurred: (1) you have completed the district’s complaint and appeal process, or (2) the district has not followed the complaint and appeal process correctly.

You have 20 calendar days to file a complaint to OSPI from the day you received the decision on your appeal. You can send your written complaint to the Equity and Civil Rights Office at OSPI: Email: Equity@k12.wa.us | Fax: 360-664-2967 Mail or hand deliver: PO Box 47200, 600 Washington St. S.E., Olympia, WA 98504-7200

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

Other Discrimination Complaint Options

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

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

Washington State Human Rights Commission

Phone: 1-800-233-3247/TTY: 1-800-300-7525
Website: www.hum.wa.gov.

SECTION XVIII: STUDENT PRIVACY AND SEARCHES (Procedure 3230P)

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

Establishing reasonable grounds

The following review of the basis for the search should occur before conducting a search:

- Identify 1) the student's suspicious conduct, behavior, or activity; 2) the source of the information; and 3) the reliability of the source of such information.
- If suspicion could be confirmed, would such conduct be a violation of the law or school rules?
- Is the student likely to possess or have concealed any item, material, or substance which is itself prohibited or which would be evidence of a violation of the law or a school rule?

Conducting the search

If the principal, or his or her designee, determines that reasonable grounds exist to search a student's clothing, personal effects, desk, locker, assigned storage area, or automobile, the search shall be conducted as follows:
• If evidence of criminal activity is suspected to be present, and prosecution by civil authorities will be recommended if confirmed by the search, consult law enforcement officials regarding the appropriateness of a search by a law enforcement officer.

• If evidence of violation of a school rule is suspected, and if confirmed by the search will be handled solely as a student discipline action, proceed to search by asking the student to remove all items from pockets, purses, handbags, backpacks, gym bags, etc.

• If the student refuses to cooperate in a personal search, the student should be held until the student's parent or guardian is available to consent to the search. If a parent or guardian cannot be reached in a reasonable time, the principal may conduct the search without the student's consent.

**Locker Searches**

Lockers, desks, and storage areas are the property of the school district. When assigned a locker, desk, or storage area, a student shall be responsible for its proper care. A student may be subject to a fine for any willful damage to school property. Students are encouraged to keep their assigned lockers closed and locked.

A student's locker desk or storage area may be searched by district staff if reasonable grounds exist to suspect that evidence of a violation of the law or school rules will be uncovered. School staff shall report a student's suspicious activity to the principal prior to initiating a search, except in emergency situations when the risk of harm to students or staff demands immediate action.

Building principals should refer to these procedures for conducting searches of students and their property for guidance in establishing whether a search is reasonable under the circumstances. Principals may search all lockers, desks, or storage areas without prior notice given to students and without reasonable suspicion that the search will yield evidence of any particular student's violation of the law or school rules.

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

During a search of all student lockers, if the school official conducting the search discovers any container within the locker which may conceal contraband, the container may be searched according to district procedures governing searches of students and their property. A "container" for the purpose of this policy may include, but is not limited to: an article of clothing, a handbag, purse, backpack, gym bag, or any other item in which contraband material may be concealed.

**SECTION XIX: MEDICATION AT SCHOOL (Policy and Procedure 3416)**

Under normal circumstances each school principal shall authorize two staff members to administer prescribed oral medication and oral over the counter medication should be dispensed before and/or after school hours under supervision of the parent or guardian. Oral medications are administered by mouth either by swallowing or inhaling including through a mask that covers the mouth or mouth and nose.

If a student must receive prescribed or non-prescribed oral medication from an authorized staff member, the parent must submit a written authorization accompanied by a written request from a licensed health professional prescribing within the scope of his or her prescriptive authority. If the medication will be administered for more than fifteen consecutive days, the health professional must also provide written, current and unexpired instructions for the administration of the medication.

The superintendent shall establish procedures for:

A. 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 and health professional request for the dispensing of prescribed or non-prescribed oral medication;
D. Non-prescribed oral medications, including instructions from health professional if the medication is to be given for more than fifteen days;
E. Storing prescribed or non-prescribed medication in a locked or limited access facility; and
F. Maintaining records pertaining to the administration of prescribed or non-prescribed oral medication.
G. Permitting, under limited circumstances, students to carry and self-administer medications necessary to their attendance at school.

Nasal inhalers, suppositories and non-emergency injections may not be administered by school staff other than registered nurses and licensed piratical nurses. No medication shall be administered by injection except when a student is susceptible to a predetermined, life-endangering situation. [See Policy 3420, Anaphylaxis Prevention and Response]. In such an instance, the parent shall submit a written and signed permission statement. Such an authorization shall be supported by signed and dated written orders accompanied by supporting directions from the licensed health professional. A staff member shall be trained prior to injecting a medication.
Medications administered by routes other than oral (ointments, drops, nasal inhalers, suppositories or non-emergency injections may not be administered by school staff other than registered nurses or licensed practical nurses.

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

**Medication at School (Procedure 3416P)**

Each school principal shall authorize two staff members to administer prescribed or non-prescribed or over the counter oral or topical medication. Oral medications are administered by mouth either by swallowing or inhaling and may include administration by mask if the mask covers the mouth or mouth and nose. These designated staff members will participate in an in-service training session conducted by a physician or registered nurse prior to the opening of school each year.

Prescribed or over-the-counter oral medication may be dispensed to students on a scheduled basis upon written authorization from a parent with a written request by a licensed health professional prescribing within the scope of their prescriptive authority which includes an explanation that there exists a valid health reason that makes the administration of such a medication advisable during school hours or when the student is under the supervision of school officials.

If the medication is to be administered more than fifteen consecutive days the written request must be accompanied by written instructions from a licensed health professional. Requests shall be valid for not more than the current school year. The prescribed or non-prescribed medication must be properly labeled and be contained in the original container. The dispenser of prescribed or non-prescribed oral medication shall:

A. Collect the medication directly from the parent, students should not transport medication to school, collect an authorization form properly signed by the parent and by the prescribing health professional and collect instructions from the prescribing health professional if the oral medication is to be administered for more than fifteen consecutive days;
B. Store the prescription or non-prescribed oral medication (not more than a twenty (20) day supply) in a locked, substantially constructed cabinet;
C. Maintain a daily record which indicates that the prescribed or non-prescribed oral medication was dispensed;
D. Provide for supervision by a physician or registered nurse.

A copy of this policy shall be provided to the parent upon request for administration of medication in the schools.

Medications administered, other than orally, may only be administered by a registered nurse or licensed practical nurse. Nasal sprays containing legend (prescription) drugs or controlled substances may be administered only by a licensed nurse or, if a school nurse is not present on school premises, an authorized school employee; or a parent or guardian or designated adult with training as required by RCW 28A.210.260.

No prescribed medication shall be administered by injection by staff except when a student is susceptible to a predetermined, life-endangering situation. The parent or guardian shall submit a written statement which grants a staff member the authority to act according to the specific written orders and supporting directions provided by licensed health professional prescribing within his or her prescriptive authority (e.g., medication administered to counteract a reaction to a bee sting). Such medication shall be administered by staff trained by the supervising registered nurse to administer such an injection.

Written orders for emergency medication, signed and dated, from the licensed health professional prescribing within his or her prescriptive authority shall:

A. State that the student suffers from an allergy which may result in an anaphylactic reaction;
B. Identify the drug, the mode of administration, the dose. Epinephrine administered by inhalation, rather than injection, may be a treatment option. This decision must be made by the licensed health professional prescribing within his or her prescriptive authority;
C. Indicate when the injection shall be administered based on anticipated symptoms or time lapse from exposure to the allergen;
D. Recommend follow-up after administration, which may include care of the stinger, need for a tourniquet, administration of additional medications, transport to hospital; and
E. Specify how to report to the health professional prescribing within his or her prescriptive authority and any record keeping recommendations.

If a licensed health professional and a student's parent or guardian request that a student be permitted to carry his/her own medication and/or be permitted to self-administer the medication, the principal may grant permission after consulting with the school nurse. The process for requesting and providing instructions shall be the same as established for oral medications. The principal and nurse shall take into account the age, maturity and capability of the student; the nature of the medication; the circumstances under which the student will or may have to self-administer the medication and other issues relevant in the specific case before authorizing a student to carry and/or self-administer medication at school. The prescriber is required to assure that the student is trained to self-administer and/or is capable of safely self-carrying medication. Except in the case of multi-dose devices (like asthma inhalers), students shall only carry one day's supply of medication at a time. Violations of any conditions placed on the student permitted to carry
and/or self-administer his or her own medication may result in termination of that permission, as well as the imposition of discipline when appropriate.

**Parent or Guardian-Designated Adult Care of Students with Epilepsy**

Parents or guardians of students with epilepsy may designate an adult to provide care for their student consistent with the student's individual health care plan. At parent/guardian request, school district employees may volunteer to be a parent/guardian-designated adult under this policy, but they will not be required to participate.

Parent or guardian-designated adults (PDA) who are school employees will file a voluntary, within, current and unexpired letter of intent stating their willingness to be a parent or guardian or designated adult.

Parent or guardian-designated adults who are school employees are required to receive training in caring for students with epilepsy from the school nurse. Parent/guardian-designated adults who are school employees will receive additional training from a parent/guardian-selected health care professional or expert in epileptic care to provide the care (including medication administration) requested by the parent/guardian.

Parent or guardian-designated adults who are not school employees are required to show evidence of comparable training, and meet school district requirements for volunteers. Parent/guardian-designated adults will receive additional training from a parent/guardian-selected health care professional or expert in epileptic care to provide the care requested by the parent.

The school nurse is not responsible for the supervision of procedures authorized by the parents/guardians and carried out by the parent/guardian-designated adult.

---

**SECTION XX: CUSTODY ISSUES**

The Tukwila School District is not the enforcing agency for court orders between parents (i.e., divorce decrees and parenting plans). In general, the schools will not attempt to implement such orders except when presented with a certified copy of a clear "no contact at any time" type of order, or one which specifically limits a parent's rights at school. (A certified copy may be obtained only from a court clerk and is clearly stamped and imprinted as such.)

In such cases, the school will act to protect the safety of students and contact police regarding violations of court orders if, in the judgment of the school officials, the circumstances warrant such action. The school may attempt, but is not required, to notify the parent presenting the "no contact" order should the other parent attempt to remove the child from school.

The District prefers that disputes between parents regarding court orders be resolved in court, not in school.

---

**SECTION XXI: CPS REPORTING**

Teachers, counselors, administrators, child care facility personnel and school nurses are required by state law to report cases of suspected child abuse or neglect to Child Protective Services (CPS). Reporting is recognized as a request for an investigation by CPS into a suspected incident of abuse or neglect, not a final determination of abuse. CPS and law enforcement officials have the responsibility for investigating each case and taking such action as is appropriate under the circumstances. Professional school personnel are free from liability for the good faith reporting of suspected abuse or neglect and are criminally liable for a failure to do so.

---

**SECTION XXII: STUDENT EDUCATION RECORDS**

Parents and adult students (students who have reached the age of 18) have the right to: (1) inspect and review the student's education records pursuant to the federal Family Educational Rights and Privacy Act (FERPA); (2) request the amendment of the student's records to ensure that they are not inaccurate, misleading or in violation of the student's right to privacy or other rights; (3) consent to disclosures of education records, except to the extent that other laws authorize the disclosure of such records without consent; (4) file a complaint with the U.S. Department of Education alleging a failure to comply with (FERPA); and (5) obtain a copy of district policy regarding student records from the Office of the Superintendent.

FERPA generally requires the school district to get written parental permission every time it releases information contained in a student's educational records. However, FERPA does allow some information, called "Directory Information" to be released without parent permission IF the school district gives the parent/guardian or eligible student (18 years or older) an opportunity to restrict the release of some or all this information.

The District occasionally receives requests from persons and organizations outside the District (e.g. PTA, booster clubs, colleges, branches of the military service, news organizations, and law enforcement authorities) for the names and addresses of our students, and other related information. The District will never release such information to persons and organizations with a commercial purpose that do not otherwise have a contract with the District. Unless the District is notified otherwise in writing by a parent or adult student, the District may release directory information to persons and organizations such as those described above.
“Directory Information” is defined as the student’s name, video, photographs, and other images, recognition, diplomas and awards received, date and place of birth, most recent and previous schools attended, dates of enrollment, enrollment status, electronic (e-mail) address, telephone number, including cell phone, student ID number (only if same cannot be used to gain access to education records except when used with one or more other private factors to authenticate the user’s identity), participation in officially recognized activities and sports, and weight/height of student if related to athletic participation.

Please consider the consequences of a decision to withhold Directory Information. If you do so, future requests for such information from non-district persons or organizations will be refused and the district would be unable to provide information for:

- Student directories, annuals/yearbooks
- School program/sports event programs
- School/media press releases about your student’s achievements
- PTA, booster clubs and many other school-related organizations/activities
- School reunion committees

If you do NOT want the Tukwila School District to release directory information about your student, you must make a request in writing and send it to your school principal by Oct. 1. Include your child’s name and the statement: “As allowed by the Family Education Rights and Privacy Act, I request that neither my school nor the Tukwila School District release any personally identifiable information from my child’s education record without my written consent.”

**SECTION XXIII: PARENT AND STUDENT RIGHTS IN ADMINISTRATION OF SURVEYS (Policy 3232)**

All instructional materials, including supplementary materials and teachers manuals, used with any survey, analysis or evaluation in a program or project supported by federal funds are available for inspection by parents and guardians. No student will be required as part of any project or program supported by federal funds to submit to survey, analysis or evaluation that reveals information concerning:

- Political affiliations;
- Potentially embarrassing mental or psychological problems;
- Sexual behavior and attitudes;
- Illegal, anti-social, self-incriminating or demeaning behavior;
- Critical appraisals of close family members;
- Privileged or similar relationships;
- Religious practices, affiliations, or beliefs of the student or student’s parent; or
- Income other than information necessary to establish eligibility for a program; without the prior consent of adult or emancipated students, or written permission of parents.

The district shall make arrangements to protect student privacy during the administration of surveys and the collection, disclosure or use of personal information for marketing, sales or other distribution purposes.

**Right to Inspect** (Procedure 3232P)

Parents, upon request, shall have the opportunity to inspect the following:

A. Surveys created by a third party before the survey is administered or distributed by a school to students;
B. Instructional material used as part of the educational curriculum; and
C. Any survey document used to collect information from students.

**Notice**

At the beginning of each school year the district shall provide the emancipated student or parent notification in writing of the district policy and the specific or approximate dates of any student survey, analysis or evaluation scheduled during the school year.

**Opt-Out**

The notification shall include provisions to opt a student out of participating in:

A. Any protected information survey, regardless of funding;
B. Activities involving collection, disclosure, or use of personal information obtained from students
C. for marketing or selling to others; or
D. Involving any non-emergency, invasive physical examination or screening required as a condition of attendance, administered by the school, and not necessary to protect the immediate health and safety of a student.

**SECTION XXIV: PUBLIC ACCESS TO DISTRICT RECORDS (Policy 4040)**

Consistent with Washington State law (Ch. 42.17 RCW), the Board is committed to providing the public full access to records concerning the administration and operations of the District. Such access promotes important public policy, maintains public confidence in the fairness of governmental processes, and protects the community’s interest in the control and operation of its common school district. At the same time, the Board desires to preserve the efficient administration of government and acknowledges the privacy rights of individuals whose records may be maintained by the District.
The free expression of student opinion is an important part of education in a democratic society. Students' verbal and written expression of opinion on school premises is to be encouraged so long as it does not substantially disrupt the operation of the school. Students are expressly prohibited from the use of vulgar and/or offensive terms in classroom or assembly settings.

A. Student Publications

Student publications produced as part of the school's curriculum or with the support of the associated student body fund are intended to serve both as vehicles for instruction and student communication. They are operated and substantively financed by the district. Material appearing in such publications should reflect all areas of student interest, including topics about which there may be controversy and dissent. Controversial issues may be presented provided that they are treated in depth and represent a variety of viewpoints. Such materials may not: be libelous, obscene or profane; cause a substantial disruption of the school, invade the privacy of others; demean any race, religion, sex, or ethnic group; or, advocate the violation of the law or advertise tobacco products, liquor, illicit drugs, or drug paraphernalia.

The superintendent shall develop guidelines to implement these standards and shall establish procedures for the prompt review of any materials which appear not to comply with the standards.

B. Distribution of Materials

Publications or other material written by students may be distributed on school premises in accordance with procedures developed by the superintendent. Such procedures may impose limits on the time, place, and manner of distribution including prior authorization for the posting of such material on school property.

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

Materials shall not be distributed on school grounds by non-students and non-employees of the district.

Freedom of Expression (Procedure No. 3220P)

Students shall enjoy the privilege of free verbal and written expression providing such expression does not disrupt the operation of the school. The principal shall have the authority to monitor student verbal and written expression. Students who violate the standards for verbal and written expression shall be subject to corrective action or punishment.

For purposes of verbal and written expression, the following guidelines are in effect:

A. Distribution of written materials or presentation of an oral speech in an assembly or classroom setting may be restricted:

1. Where there is evidence which reasonably supports a forecast that the expression is likely to cause material and substantial disruption of, or interference with, school activities, which disruption or interference cannot be prevented by reasonably available, less restrictive means; or,

2. Where such expression unduly impinges upon the rights of others.

In order for a student publication or speech to be disruptive, there must exist specific facts upon which it would be reasonable to forecast that a clear and present likelihood of an immediate, substantial disruption to normal school activity would occur if the material were published and distributed. Disruption includes, but is not necessarily limited to: student riots; destruction of property; widespread shouting, or boisterous conduct; or substantial student participation in a school boycott, sit-in, stand-in, walk-out or other related form of activity.

B. Distribution of written material or presentation of an oral speech which are construed to be unsuitable for minors shall not be permitted. Rules for determining unsuitability for minors should be consistent with those as applied to instructional materials.

C. Libelous material or speech may be prohibited. Libelous material shall be defined to include defamatory falsehoods about public figures or governmental officials. In order to be libelous, the defamatory falsehood must be made with actual malice; that is, with knowledge that it is false, or with reckless disregard of whether it was false or not.

D. Material may be considered profane when the language does not meet the standards of professional journalism as evidenced by the daily newspapers commonly distributed in the district. Sanctions may be imposed on a student when he/she engages in offensively "lewd and indecent speech."

E. Publications may not "invade the privacy" of individuals. Such occurrences may include: exploitation of one's personality; publications of one's private affairs with which the public has no legitimate concern; or, wrongful intrusion into one's private activities in a manner that can cause mental suffering, shame, or humiliation to a reasonable person of ordinary sensibilities.

F. Publications or oral speeches which criticize school officials or advocate violation of school rules may be prohibited when there is evidence which supports a forecast that substantial disruption of school may develop.
G. Publications or oral speeches which advocate racial, religious, or ethnic prejudice or discrimination or seriously disparage particular racial, religious, or ethnic groups are prohibited.

**Student Publications**
The student publications instructor or advisor shall have the primary responsibility for supervising student publications and to see that provisions incorporated into the policy and procedures are met. The principal may request to review any copy prior to its publication. Such copy shall be returned to the student editors within 24 hours after it has been submitted for review. Any dispute that cannot be resolved at the building level shall be submitted to the superintendent for further consideration. When appropriate, the superintendent shall seek legal counsel. If the complaint cannot be resolved at that level, the board, upon request, shall consider the complaint at its next regular meeting.

While the district believes that students should be encouraged to exercise good judgment in the content of the student publication program, such expressive writing must be in keeping with the school's instructional mission and values. Material must be free of content that: runs counter to the instructional program; invades the privacy of individuals; demeans or otherwise damages individuals or groups; supports the violation of school rules or, is inappropriate for the maturity level of the students. Such publication activities must also teach respect for the sensitivity of others and standards of civility as well as the elements of responsible journalism.

**Distribution of Materials**
Students’ constitutional rights of freedom of speech or expression provide for the opportunity to distribute written materials on school premises. However, distribution of materials by students shall not cause disruption of or interference with school activities. Systematic distribution of materials may not occur during instructional time, unless other similar non-instructional activities are permitted. Students will be subject to corrective action or punishment, including suspension or expulsion, depending on the nature of the disruption or interference resulting from distribution of materials.

**SECTION XXVI: STUDENT FREEDOM OF ASSEMBLY (Policy 3223)**

Individual students and student organizations may meet in school rooms or auditoriums, or at outdoor locations on school grounds, to discuss, pass resolutions and take other lawful action respecting any matter which directly or indirectly concerns or affects them, whether or not it relates to school. Such activities shall not be permitted to interfere with the normal operation of the school. Peaceful demonstrations are permissible, though they are to be held in designated places where they shall present no hazards to persons or property and at designated times that shall not disrupt classes or other school activities.

**SECTION XXVII: EQUAL EDUCATIONAL OPPORTUNITY**

The District shall provide equal educational opportunity and treatment for all students in all aspects of its academic and activities programs without regard to race, religion, creed, color, national origin or ethnicity, sex or gender, sexual orientation (including gender expression or identity), marital or family status, or the presence of any non-program related sensory, mental or physical disability (consistent with RCW 49.60), or the use of a trained dog guide or service animal by a person with a disability. District programs shall be free from sexual and malicious or discriminatory harassment.

Parent(s)/guardian or students who feel they have been discriminated against have a right to file a complaint with the school district and/or local, state and federal authorities. Inquiries and complaints should be filed with following individuals:

- Title IX / RCW 28A.640 Officer: Aaron Draganov 206-901-8005
- Section 504 Coordinator: Richard Quesada, 206-901-8035

**SECTION XXVIII: TITLE I SCHOOLS AND REQUEST FOR PUBLIC RECORDS**

If you are a parent of a student at a school that receives Title I funds, you have the right to know the professional qualifications of the classroom teachers who instruct your child. Federal law allows you to ask for certain information about your child’s classroom teachers, and requires us to give you this information in a timely manner if you ask for it. Specifically, you have the right to ask for the following information about each of your child’s classroom teachers:

- Whether the Office of the Superintendent of Public Instruction (OSPI) has licensed or qualified the teacher for the grades and subjects he or she teaches.
- Whether OSPI has decided that the teacher can teach in a classroom without being licensed or qualified under state regulations because of special circumstances that have caused OSPI to waive the licensing or qualification criteria.
- The teacher’s college major; whether the teacher has any advanced degrees and, if so, the subject of the degree.
- Whether any teachers’ aides or similar paraprofessionals provide services to your child and, if they do, their qualifications.

All schools in the Tukwila School District receive Title I funds for the 2018-19 school year. Title I under the No Child Left Behind federal law distributes funding to schools with a high percentage of students from low-income families.
If you would like to receive any of this information, please submit your written request to our Executive Director of Human Resources, 4640 S. 144th St., Tukwila, WA 98168.

**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.


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.

**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:

- Denial of the allegations in your complaint and the reason for denial.

- 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