

**ALL PARENTS/GUARDIANS:  
Sign and return this form to school by Sept. 16, 2016**

I have received a copy of the 2016-17 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

**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. *If you would like to be removed from receiving ALL autodial phone messages from the Tukwila School District and its schools, please contact [niegowskis@tukwila.wednet.edu](mailto:niegowskis@tukwila.wednet.edu) or 206-901-8036.* **PLEASE BE AWARE THAT YOU WILL NO LONGER RECEIVE AUTOMATED PHONE MESSAGES IN THE EVENT OF AN EMERGENCY OR SCHOOL CLOSURE if you opt out.**

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name of Parent/Guardian

## **OPTIONAL: What information can your school share about your child with outside organizations?**

The Tukwila School District takes student privacy seriously. Most education records about your student are legally protected and the district is *not* allowed to give it to anyone outside the school. However, the district is allowed to release non-sensitive “directory” information—including your child’s name, age, image, address, telephone number, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, schools attended, and diplomas/awards received—without parental permission. **If you do NOT want your child’s directory information released to outside organizations, you have two options:**

1. If you want NO information about your child released beyond the school, write a FERPA opt-out letter and send it to your school’s main office by Oct. 1. Include your name, your child’s name, your signature, and this 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.” See Section *XXI: Student Education Records* in this handbook for more information. **PLEASE NOTE: If you write a FERPA opt-out letter, your student’s information will NOT appear in any publications, including school yearbooks, event programs, athletic programs, and media releases.**
2. If you want to stop the release of only photos and videos of your child, write a photo opt-out letter and send it to your school’s main office by Oct. 1. Include your name, your child’s name, your signature, and this statement: “PHOTO OPT-OUT NOTICE: I request that neither my school nor the Tukwila School District release any photo or video of my student without my prior consent.” With this request on file, your school and district will be able to release other directory information, but not your child’s image, without express approval. **PLEASE NOTE: If you write a photo opt-out letter, your student’s image will NOT appear in any publications, including yearbooks, event programs, and media releases.**

Both notifications must be renewed each school year. With neither notification on file, the Tukwila School District assumes permission to release your child’s directory information, including photos and videos.

**2016-17**  
**RIGHTS AND**  
**RESPONSIBILITIES**  
**HANDBOOK**

*for Students and Parents*



**Tukwila**  
SCHOOL DISTRICT

4640 South 144<sup>th</sup> Street, Tukwila, WA 98168  
PHONE: (206) 901-8000 | FAX: (206) 901-8016  
[www.tukwilaschools.org](http://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:  
Dr. Rick Maloney, Executive Director of Human Resources  
Tukwila School District No. 406  
4640 South 144th Street  
Tukwila, WA 98168  
Phone: 206.901.8005  
E-mail: maloneyr@tukwila.wednet.edu

Section 504 Compliance Officer:  
Joan Lawson Director of Special Education  
Tukwila School District No. 406  
4640 South 144th Street  
Tukwila, WA 98168  
Phone: 206.901.8035  
E-mail: lawsonj@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](http://www.tukwilaschools.org).

Dear Tukwila students and families,

Welcome to the 2016-17 school year! In the months ahead, please keep this Rights and Responsibility Handbook nearby. The information inside will help you understand our mutual obligation—as students, parents, and staff members—to act with respect and show up each day ready to learn. The handbook outlines your rights on the school campus, as well as the consequences of misconduct. Overall, we want to make sure that school is a safe, positive, and fair place for every student.

We require parents/guardians to return the signature form on the first page of this packet because they are the most valuable partner in their children's school success. We are in this together. In addition to understanding your basic rights and responsibilities, here are some of the most important ways parents/guardians can support children during the school year:

- Make sure your student is at school, *on time, every day* unless there is an important reason not to be there, such as an illness.
- Make sure schools have your correct contact information. Every time you get a new phone number, address, or email address, you need to update your school's main office right away. This is critical for school events and information as well as emergencies.
- Connect with your student's teacher(s). Share information about your child's interests and talents and any information about your family that might be important. You have the right to check in regularly and talk with the teacher about any questions or concerns you have.
- Encourage a love of learning in your home. Talk with your child about what's happening in class, and ask the teacher for resources if your child needs assistance with homework that you cannot provide (there are many good resources in this community).
- Sign up for the Tukwila School District eNews for ongoing updates about important news, events, celebrations, and information. Go to the district's homepage, [www.tukwila.wednet.edu](http://www.tukwila.wednet.edu), and click on the "subscribe" button.
- Remember: You are a *welcome* and *valuable* partner. You get to make decisions about what happens at your school and in the district. Please take advantage of opportunities for involvement, and let us know if we are not offering enough opportunities or the right types of opportunities. Call me directly at 425-901-8006.

Thank you for your continued partnership. We have the same goal: To make sure your child is successful! If you need any help understanding this handbook, don't hesitate to ask at your school's main office.

In service,

Dr. Nancy Coogan  
Superintendent

# 2016-17 Administrative Service Directory

- **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](mailto:TSDBoard@tukwila.wednet.edu)

- **Superintendent: Nancy Coogan**

*The leader of the Tukwila School District in charge of the strategic plan, community engagement, principal supervision, and all other areas of oversight.*

- 206-901-8006 or [coogann@tukwila.wednet.edu](mailto:coogann@tukwila.wednet.edu)

- Call for more information about ...

- **Teaching and Learning** (*curriculum, curriculum adoptions, professional development, highly capable, Career and Technical Education*): 206-901-8029
- **Finance and Operations** (*budget, facilities and maintenance, food services, transportation, hiring, employee benefits*): 206-901-8037
- **Transportation** (bus service for students): 206-901-8050
- **Food Service** (school meals, free- and reduced-lunch applications): 206-901-7824
- **Policies and Procedures** (*student and staff discipline, bullying/harassment/equal-employment opportunities/Title IX*): 206-901-8004
- **Special Services** (*special education, 504 plans, student health*): 206-901-8035
- **ELL and Student Services** (*ELL support and curriculum, AVID, family engagement*): 206-901-8025
- **Communications** (*website, publications, media relations, social media*): 206-901-8036

**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](http://www.tuwilaschools.org).**

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## INTRODUCTION

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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](http://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

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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.

## SECTION I: DEFINITIONS

- **Discipline** — "Discipline" shall mean all forms of corrective action or punishment other than suspension and expulsion and shall include the exclusion from a class for a period of time not exceeding the balance of the immediate class period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or on behalf of a school district, including its athletic program and transportation.
- **Emergency Expulsion** — "Emergency expulsion" shall mean the immediate denial of school attendance for an indefinite period of time due to an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process.
- **Emergency Removal** — "Emergency removal" shall mean the immediate removal of a student from a class, subject or activity when the student's presence poses an immediate and continuing danger to the student, other students or school personnel or an immediate and continuing threat of substantial disruption of the class, subject, activity or educational process of the student's school.
- **Expulsion** — "Expulsion" shall mean a denial of attendance at any single subject or class or at any full schedule of subjects or classes for an indefinite period of time.
- **Long-Term Suspension** — "Long-term suspension" shall mean a suspension which exceeds ten (10) consecutive school days.
- **Parent/Guardian** — "Parent" or "parents" shall mean any natural, adoptive, or custodial parent or guardian. Students of majority age shall be entitled to parental rights.
- **School Business Day** — "School business day" shall mean any calendar day except Saturdays, Sundays and state school holidays, upon which the office of the Superintendent of the school district is open to the public. School business days shall be concluded upon the closure of the Superintendent's office for the calendar day.
- **Short-Term Suspension** — "Short-term suspension" shall mean a suspension for any portion of a calendar day up to and not exceeding ten (10) consecutive school days.
- **Suspension** — "Suspension" shall mean denial of attendance, other than for the balance of the immediate class period for corrective action purposes, at any single subject or class or at any full schedule of subjects or classes for a stated period of time.

## SECTION II: STUDENT CONDUCT RULES (Policy 3240)

Tukwila School District Board of Directors believes that students, parents, teachers and administrators are committed to creating and sustaining a school environment that supports student academic growth and physical, emotional and intellectual safety.

This approach to student discipline requires an effective instructional program and an environment that is positive and academically focused. One factor contributing to a positive and academically focused environment is that students and staff members adhere to the established rules of conduct and comply with corrective action taken by the school as a result of conduct violations. The rules of conduct are applicable during regular school hours, while being transported on the school bus or other district-provided transportation, and at times and places where appropriate school administrators have jurisdiction over students, including but not limited to school-sponsored events, field trips, athletic functions, travel to and from school and other activities. Additionally, the principal is authorized to take administrative action when a student's misconduct away from school, either real or virtual (See Policy 2022), has a detrimental effect on other students or a substantially disruptive effect on the orderly educational process.

In order to participate in the establishment and maintenance of a positive and academically focused environment, students are expected to:

- Respect the rights, person and property of others.
- Treat others with dignity and respect.
- Pursue the required course of study.
- Preserve the degree of order necessary for a positive climate for learning.
- Comply with district rules and regulations and laws.
- Comply with the authority and discipline imposed by school employees based upon guidelines established by the district.

Some students with disabilities may require additional procedural safeguards because of the Individuals with Disabilities Education Act (IDEA). All district personnel administering discipline to students will follow discipline procedures for students with disabilities that are set forth in Individual Behavior Plans and Individual Education Plans.

The board acknowledges that conduct and behavior are closely associated with learning and directs the superintendent to adopt an approach to student discipline that fosters positive relationships with healthy boundaries and learning opportunities. The superintendent will develop and review annually written rules of conduct which will carry out the intent of the board and establish procedures to implement this policy. These written rules of conduct will be made available to students upon enrollment and at the start of each year.

**Students have the right to:**

- Learn in a safe, clean, orderly and positive climate – one that is unbiased, nonjudgmental and free from prejudice, discrimination, verbal or physical threats and abuse.
- Receive high-quality instruction that is comprehensive and appropriate to their level of academic and linguistic development.
- Be expected to achieve at high levels.
- Be treated with dignity and respect.
- Be taught in ways that are responsive to students' individual needs, and respond to students' individual racial, ethnic, linguistic and cultural backgrounds.
- Be treated as a unique individual with different needs, learning styles and abilities in a manner that encourages and enhances self-esteem.
- Receive appropriate accommodations to meet individual needs (as supported by documentation).
- Express their ideas and perspectives on issues and topics relevant to their education, including school policies and procedures.
- Participate in student activities, including extracurricular activities.
- Be treated with respect
- Be treated in a manner that is respectful of and responsive their cultural traditions.
- Be treated in a fair and equitable manner by teachers and administrators and other school staff.
- Due process of law.
- Have school rules that are enforced in a consistent, fair and respectful manner.
- Receive fair, equitable, non-discriminatory disciplinary actions that are aligned with district and school policies and procedures.
- Be free to request an interpreter or translator at any step of the discipline process.
- Be free from retaliation and from fear of retaliation.
- Be free from racial, sexual discrimination and sexual harassment at school.
- Have teachers and administrators who will follow all district policies related to known allegations of discrimination, harassment, hazing, bullying and incidents that require mandatory reporting.

**Students have the responsibility to:**

- **Respect the law.**
  - Students have a responsibility to observe the laws of the United States, the state of Washington, and its subdivisions.
  - Students have a responsibility to respect individuals or groups regardless of race, sex, age, sexual orientation, gender identity, handicapping condition, religion, national origin or language. Students are responsible for engaging in conduct that supports all students as they pursue their educational goals.
- **Attend all classes each day on time.**
  - Students are required to attend school every day unless officially excused. Acceptable reasons for excused absence include:
    - Personal Illness
    - Medical, dental and legal appointments
    - Religious Observances
    - Family/personal emergencies
    - Death in the immediate family
    - Pre-arranged family vacations
    - Make an effort to learn.
    - Follow the instructions of school staff or district designees.
    - Follow the rules of the district and school.
    - Treat school property and the property of others with respect.
    - Respect the rights of others in the school.
    - Be productive users of technology and online resources by following the guidelines of procedure 2022P.
    - Dress appropriately (see policy 3224).
    - Stay on campus during school hours unless they are excused by a school official.
    - Leave campus at the close of the school day, unless they have permission to be on campus
    - Do their own work and represent their work as theirs.
    - Turn in notes and other documents in their home language with valid parent or guardian signature.
    - Support their colleagues in successfully completing and submitting their own original work.
    - Identify themselves to proper school authorities in the school building, on school transportation, on school grounds, or off school grounds at a school-sponsored event.

- Act and speak in a respectful manner.
- Behave in a positive and respectful manner at all times.
- Represent the school in a positive light at school-sponsored events.
- Take pride in the school and work to ensure its positive reputation.
- Accept corrective action imposed by the district and its professional staff for violation(s) of its rules.

**Exceptional misconduct:**

A student may be suspended for a short or long term after another less restrictive form of disciplinary action, reasonably calculated to modify his or her conduct, has been imposed as a consequence of misconduct of the same nature; provided that the school may resort to immediate short- or long-term suspension in cases involving exceptional misconduct notwithstanding the fact that prior alternative corrective action or discipline had not been imposed.

For the purposes of this section 'exceptional misconduct' means misconduct, other than absenteeism, of such frequent occurrence, notwithstanding prior attempts by the school to control such misconduct through the use of other forms of disciplinary action, and/or so serious in nature and/or so serious in terms of disruptive effect upon the operation or safety of the school as to warrant immediate short- or long-term suspension.

The following offenses have been identified as exceptional misconduct offenses, some of which could also be criminal offenses:

**1. Alteration of records:**

- a) A student, who falsifies, alters or destroys a school record or any communication between home and school shall be subject to corrective action.

**2. Arson:**

- a) Intentionally damaging or setting or causing a fire for the purpose of damaging property or hurting someone. The following are factors to be considered in determining the appropriate sanction for offenders:
  - i. Extent of fire damage
  - ii. Intent
  - iii. Cost of damage

**3. Assault:**

- a) The use of physical force (hitting or striking someone with the intent to hurt them) or threatening the use of physical force against another person. The following are factors to be considered in determining the appropriate sanction for offenders:
  - i. Extent of physical injury
  - ii. Use of weapon or other instruments for the purpose of inflicting injury
  - iii. Motive for the attack
  - iv. Use of physical force or verbal attack

**4. Burglary:**

- a) Unauthorized entry into or staying in a building with the intent to commit a crime.

**5. Criminal act:**

- a) The commission of any action defined as a crime by law (bomb threat, false alarm, etc.).

**6. Disruptive conduct:**

- a) Any student action that interferes with or is detrimental to the orderly operation of a school, a school-sponsored activity or any other aspect of the educational process within the school district. Any student action that threatens the safety of the school and/or the safety of staff members and/or students. Engaging in behavior that a reasonable person would know to be dangerous and/or disruptive to the educational process. The following illustrate the kinds of offenses that are prohibited:
  - i. Occupying a school building or school grounds in order to deprive others of its use;
  - ii. Blocking the entrance or exit of any school building or room in order to deprive others of passing through;
  - iii. Setting fire to or substantially damaging school property;
  - iv. Using or threatening to use firearms, explosives or other weapons on school premises, including use by an unauthorized student of a personal protection spray device, or use of such device in other than self-defense as defined by state law;
  - v. Preventing students from attending a class or school activity;
  - vi. Blocking normal pedestrian or vehicle traffic on school campus;
  - vii. Interfering seriously with the conduct of any class or activity; or
  - viii. Gambling or encouraging other students to gamble.

**7. Encouraging others to fight:**

- a) Promoting fighting or in any way encouraging others to fight.

**8. Extortion, blackmail, coercion:**

- a) Attempting to obtain money, property or favor by violence or threat of violence or forcing another to perform an act against his/her will.
  - i. Force
  - ii. Threat of force

**9. False alarms:**

- a) Activating a fire alarm or other alarm for anything other than the intended purpose of the alarm.

**10. Firearms:**

- a) Firearms on school premises, transportation or facilities – Penalty – Exemptions:
  - i. Any elementary or secondary school student who is determined to have carried a firearm onto, or to have possessed a firearm on, public elementary or secondary school premises, public school-provided transportation, or areas of while being used exclusively by public schools, shall be expelled from school for not less than one year under RCW28A.600.010. The superintendent of the school district may modify the expulsion of a student on a case-by-case basis.
- b) Firearms (as defined by RCW9.41.010) are prohibited on school property or at school sponsored events.

**11. Weapons:**

- a) Possession or use of weapons or items that purport to be weapons as defined by RCW9.41.010 and RCW9.41.270 or items apparently capable, under the circumstances, of producing bodily harm such as knives, box cutters, sharpened objects, etc., is prohibited.
- b) School officials shall notify the appropriate law-enforcement agency of known or suspected violations of this policy. Students who violate this policy by possessing firearms on school property shall be subject to discipline, including a one-year expulsion, subject to appeal, with notification to parent and law enforcement. However, the superintendent may modify this one-year expulsion on a case by case basis.

**12. Forgery (RCW9A.60.020):**

- a) A Student is guilty of forgery if, with intent to injure or defraud:
  - i. S/he falsely makes, completes, or alters a written instrument or
  - ii. S/he possesses, utters, offers, disposes of, or puts off as true a written instrument which he knows to be forged.
  - iii. Fraudulently uses the name or identification of another.

**13. Gang activity (RCW28A.600.455):**

- a) A student who is enrolled in Tukwila School District may be suspended or expelled if the student is a member of a gang and knowingly engages in gang activity on school grounds.
- b) 'Gang' means a group which (a) consists of three or more persons; (b) has identifiable leadership; and (c) on an ongoing basis, regularly conspires and acts in concert mainly for criminal purposes

**14. Harassment (RCW9A.46.020):**

- a) Harassment means words or actions that hurt or humiliate others. Harassment creates an environment that makes learning difficult and is not permitted at school. Harassment and discrimination based upon race, religion, age, gender, and marital status, national origin of disability is legally prohibited. Harassment of bullying of ANY individual group (including harassment based upon sexual orientation and/or gender identity) is not permitted. The school district supports this law through school board policy 3207, which also supports anti-cyber-bullying.

**15. Malicious harassment:**

- a) Harassment, intimidation and bullying (see policy 3207) means any intentional written, verbal, or physical act including but not limited to one shown to be motivated by any characteristic in RCW9A.36.080(3), (race, color, religion, ancestry, national origin, gender, sexual orientation, or mental or physical disability) and including gender identification and language spoken, or other distinguishing characteristics, when the intentional written, verbal, or physical act
  - i. Physically harms a student or damages the student's property; or
  - ii. Has the effect of substantially interfering with a student's education; or
  - iii. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
  - iv. Has the effect of substantially disrupting the orderly operation of the school.

**16. Sexual harassment**

- a) Sexual harassment of students is prohibited. Sexual harassment may include, but is not limited to (see policy 3207):
  - i. Demands for sexual favors in exchange for preferential treatment or something of value;
  - ii. Stating or implying that a person will lose something if he or she does not submit to a sexual request;
  - iii. Penalizing a person for refusing to submit to a sexual advance, or providing a benefit to someone who does;
  - iv. Making unwelcome, offensive or inappropriate sexually suggestive remarks, comments, gestures or jokes: making remarks of a sexual nature about a person's appearance, gender or conduct:
  - v. Using derogatory sexual terms for a person:

- vi. Standing too close, inappropriate touching, cornering or stalking a person; or displaying offensive or inappropriate sexual illustrations on school property.

**17. Malicious mischief (vandalism):**

- a) The act of causing physical damage to school property of property belonging to someone else.

**18. Narcotics, alcoholic beverages and drugs:**

- a) A student shall not knowingly possess, use, transmit, be under the influence of, or show evidence of having used any narcotic, drug, hallucinogenic drug, controlled substance, amphetamine, barbiturate, marijuana, alcoholic beverage (or intoxicant of any kind), or any substance purported to be such.
- b) A student shall not knowingly possess any item used for the specific purpose of allowing a student to smoke, consume, or otherwise ingest an illegal drug, narcotic or prescription medication not designated for them or any paraphernalia related to the use, sale or transportation of narcotics, illegal drugs, and prescription drugs.
- c) Use of a drug authorized by a medical prescription from a registered physician shall not be considered a violation of this rule.

**19. Robbery:**

- a) Stealing from an individual by force or threat of force.

**20. Theft (larceny):**

- a) Taking anything that belongs to someone else without the permission of the owner.

**21. Tobacco/nicotine use:**

- a) Students are not permitted to possess, sell, smoke or use tobacco/nicotine (including nicotine-delivery devices, smoking/inhalant devices, ecigarettes or vaporizers) products on school grounds, in school buildings, or at school-sponsored events.

**22. Trespass:**

- a) Being present in an unauthorized place or refusing to leave when ordered to do so.

**23. Threats of destruction:**

- a) Threatening to bomb or damage a school building or facility.

**24. Personal protection spray devices:**

- a) Students over eighteen years of age and students between fourteen and eighteen years of age with written parental or guardian permission may possess personal-protection spray devices. No one under the age of eighteen years of age may transmit such devices, nor may they be used other than in self-defense as defined by state law. Possession, transmission or use of personal protection spray devices under any circumstances is a violation of this rule.

**SECTION III: ATHLETIC/ACTIVITY CONDUCT EXPECTATIONS (Policy 2151)**

The Tukwila School District recognizes the value of a program of interscholastic athletics as an integral part of the total school experience to all students of the District and to the community.

The program of interscholastic athletics shall include all activities relating to competitive sport contests, games or events, or sports exhibitions involving individual students or teams of students of this District when such events occur between separate schools within the District or with any schools outside this District.

To this end, the District holds the following beliefs:

1. Participation in any activity and/or athletic program shall be connected with, and contingent upon, the student's achievement of required academic standards.
2. Students participating in any activity and/or athletic program shall be focused on learning and improvement, both as an individual and as a member of a team or group.
3. Activity advisors and coaches shall teach, expect, practice, and model respect, responsibility, and integrity. Student participants shall demonstrate these qualities.
4. Activity advisors and coaches shall include parents as partners in the education and development of their students.
5. The purpose and goals of all activity and/or athletic programs shall be clearly defined and articulated to students and parents.

Yearly evaluations shall be conducted for each activity/athletic program and shall focus on the level of support they provide for the school's broader objectives.

All interscholastic activities and events shall be in compliance with the rules and regulations of the Washington Interscholastic Activities Association (WIAA). All student participants must meet eligibility of WIAA. In addition to the Athletic Code, all the rules of the District will apply where appropriate.

### **ATHLETIC CODE (2151P)**

The opportunity to participate in the interscholastic athletic program is a privilege granted to all students of the District. Participants in this voluntary program are expected to conform to specific conduct standards established by the principals and athletic coaches.

A student who is found by a certificated staff member of the student's school to be in violation of any rules is subject to removal from the team. Provision is made for a student who has allegedly violated one or more of the conduct rules to appeal a disciplinary action as specified in this code.

The following rules shall be applicable for a sports season:

#### **Use and/or Possession of Alcoholic Beverages, Tobacco**

An athlete who is found to be in possession of alcohol or tobacco products may be removed from the athletic team for three weeks (first offense). If the student violates the rule twice during the sports season, he/she will be dropped from the team for the season.

#### **Use and/or Possession of Illegal Chemical Substances or Opiates**

An athlete who is found to be in possession of one or more of the above will be removed from the team for the balance of the sports season.

#### **Physical Appearance**

An athlete shall maintain the dress and grooming standards of the team. First offense: verbal warning. Repeated offenses: removal from the activity for five (5) school days.

#### **Unsportsmanlike Conduct**

An athlete shall exhibit appropriate conduct in practices and/or contests. First offense: verbal warning. Repeated offense: removal from activity for five (5) school days.

#### **Attendance at School**

An athlete shall attend school for at least one half day on the day of an athletic contest. Penalty: If an athlete receives an unexcused absence for any portion of the day, the athlete shall be ineligible to participate in contest on that day. If excused, the athlete may participate if he/she was in attendance for one half day or more.

#### **Absence from Practice**

An athlete is expected to be in attendance at all team practices unless excused for illness or by prior approval. Penalty: ineligible to participate in next contest.

#### **Violation of Law on School Grounds**

When a student is found guilty of an offense committed while on school grounds or at a school activity, the corrective action will depend upon the nature of the violation.

#### **Repeated Offenses**

If a student repeatedly violates one of the above rules, he/she may be removed from the team for the remainder of the sports season.

### **ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES**

To be eligible for participation in interscholastic competition, a student must meet the following requirements:

- Have passing grades in five of six classes; student not passing ALL classes will be placed on academic probation and a monitoring program.
- Have sufficient insurance coverage with family accident policy or school accident policy.
- Have a current physical exam on file.
- Comply with school discipline actions.
- Purchase a school ASB card.
- Not owe any detention time.
- Not owe any school fines.

### **SECTION IV: 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 includes, but are not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, electronic smoking/vapor devices, "vapor pens," 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 4215)**

**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 tobacco. Current and accurate information about tobacco and its effects up 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. If a request to leave is refused, the violator will be informed that failure to comply with a reasonable request will require notification of the local law enforcement authorities (King County/Tukwila Police) to assist with enforcement of the policy.
- B. **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 shall be dealt with by progressive steps of letters of reprimand sent to the employee's personnel file, suspension without pay, and termination.
- C. **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.

### **Elementary School (K-5)**

- **First Offense:** Short term out-of-school suspension. This disciplinary action may be reduced to serving an in-school suspension upon a conference with the student's parent or guardian. The student shall be provided with information concerning the harmful effects of smoking.
- **Repeated Offense:** Progressive disciplinary procedures which include short-term suspension, long-term suspension, and suspension for the remainder of the semester.

#### **Middle School (6-8)**

- **First Offense:** Short-term out-of-school suspension. This disciplinary action may be reduced to serving an in-school suspension upon a conference with the student's parent or guardian. The student shall be provided with information concerning the harmful effects of smoking.
- **Repeated Offense:** Progressive disciplinary procedures which include short-term suspension, long-term suspension, and suspension for the remainder of the semester.

#### **High School (9-12)**

- **First Offense:** Short-term out-of-school suspension. This disciplinary action may be reduced to serving an in-school suspension (or its equivalent) upon a conference with the student's parent or guardian. The student shall be provided with information concerning the harmful effects of smoking.
- **Repeated Offense:** Progressive disciplinary procedures which short-term suspension, long-term suspension, and suspension for the remainder of the semester. Student smoking violations will be cumulative for student's entire educational career at Foster High School. Each offense will carry over to the following school year.

### **SECTION V: 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 pagers, beepers and cellular phones provided that such devices do not pose a threat to academic integrity, disrupt the learning environment or violate the privacy rights of others.

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

- 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.
- Telecommunication devices shall be turned on and operated only before and after the regular school day and during the student's lunch break, unless an emergency situation exists that involves imminent physical danger or a school administrator authorizes the student to do otherwise.
- Students who violate this policy will be subject to disciplinary action, including losing the privilege of bringing the device onto school property. In addition, an administrator may confiscate the device, which shall only be returned to the student's parent/guardian.
- 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.
- Students shall comply with any additional rules develop by the school concerning the appropriate use of telecommunication or other electronic devices.

### **SECTION VI: STUDENT DRESS (Policy 3224)**

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. 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.

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, alcohol-related messages, or gang-related apparel. The uniforms of nationally recognized youth organizations, and clothing worn in observance of a student's religion, are not subject to this policy.

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 VII: 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. 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.

### **Responsible Use Guidelines for Electronic Resources**

Access to the district network and its electronic information system, including Internet access and email, will enable students to explore thousands of online libraries, databases, and other resources. The district network, both wired and wireless, is provided for students to conduct research and collaborate with others in building 21<sup>st</sup>-century skills aligned with the educational goals of the district. Access is a privilege, not a right. Students are responsible for acceptable behavior online just as they are in a classroom or on school grounds. Being a digital citizen demands responsible engagement by individuals with their personal conduct.

Use of the electronic information system is not confidential and district staff may access electronic files or communication for any reason. To support the district's purpose of making system resources and Internet access available to further educational goals and objectives, filtering and monitoring systems will be utilized to prioritize use of the district network. All use of the electronic information system must conform to State and Federal law, network provider policies, Electronic Resources – Procedure 2022P, and these guidelines:

### **RESPONSIBLE USE GUIDELINES**

1. Do not share any personal information or user logon information with others.
2. Do not use logon information of other students or staff, or otherwise circumvent security measures in place.
3. Treat content created by others as the private property of the creator. Respect copyrights laws and privacy of other users and cite all resources used.
4. Do not destroy, modify, vandalize or abuse the hardware, software, or district network in any way.
5. Do not intentionally waste limited resources.
6. Do not perform any action that could disrupt operation of the electronic information system by others.
7. Do not send, access, or publish inappropriate material, which includes, but is not limited to, illegal, abusive, bullying, harassing, obscene, discriminatory, or pornographic material.
8. Use the District network strictly for educational purposes consistent with the District goals. Use for personal profit (selling or purchasing), commercial or political purposes is prohibited.
9. Protect your personal equipment and use it in adherence to these guidelines and all District policies. The District is not responsible for any loss or damage to personal devices.
10. Remember that there are long-lasting implications to publishing in the online environment.

Violations of the above Responsible Use Guidelines may result in loss of access privileges, progressive discipline according to District policy, and/or legal action. All students under the age of 18 must obtain parent/guardian signed permission.

## **SECTION VIII: 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 violates 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 insure 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 corrective action 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 corrective action and punishment. When investigating the incident, the primary concern must be with respect to the safe transport of students. Corrective action, if necessary, should be consistent throughout the district as follows:

- **Warning:** When a student's misconduct is of a minor nature which does not jeopardize the safety or welfare of other students or the operation of the bus.

- **Suspension:** When a student's misconduct is deemed to jeopardize the safety of bus passengers and operation, or when repeated warning notices fail to correct abusive behavior, or when a student incurs damage to the bus.
- **Expulsion:** When a student's misconduct is of such nature that the safety of the bus operation and/or of the occupants was willfully and seriously threatened (i.e., student assaulting the driver).

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.

The student or parent of a student who has been suspended from receiving transportation entitlements may appeal the principal's decision by submitting a written statement to the superintendent. The superintendent shall render a decision after evaluating the issues and facts involved. If the decision is based on issues unrelated to those described in the district's rules of conduct for students riding buses, the decision shall require board concurrence before implementation.

## SECTION IX: 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 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.
- Students may not occupy a vehicle (without permission) during the school day.
- 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 corrective action.

## SECTION X: DISCIPLINE AND CORRECTIVE ACTION FOR STUDENT MISCONDUCT (Procedure 3241P)

The following guidelines are in effect for students to establish a range of corrective actions that may be imposed as a consequence of exceptional misconduct. An ad hoc committee and/or P.T.A. officers have met to define the areas of misconduct and the range of action to be taken. The appeal process for short and long-term suspensions shall remain in effect for short and long range suspensions imposed as a result of this procedure.

Exceptional Misconduct	Range of Corrective Action	Action That May Be Taken
Possessing and/or using alcohol, illegal chemical substances	Minimum	Short-term suspension, prosecution referral
	Maximum	Expulsion (90 days), prosecution referral
Threatening or verbal abuse, fighting or fighting words	Minimum	Short-term suspension
	Maximum	Long-term suspension (90 days)
Setting fire or damaging school property	Minimum	Short-term suspension
	Maximum	Long-term suspension (90 days)
Initiating or participating in the dissemination of inappropriate messages or images including transmitting, viewing, or possessing images of a sexually explicit nature on an electronic device.	Minimum	Short-term suspension, notification to law enforcement
	Maximum	Expulsion, notification to law enforcement
Possessing and/or using dangerous weapons <sup>1</sup> or explosive devices	Minimum	Expulsion for one calendar year, notification to law enforcement
	Maximum	Indefinite expulsion, notification to law enforcement

<sup>1</sup> Dangerous weapons as defined by RCW 9.41.250.

Possessing/Using Tobacco products	Minimum	Short-term suspension
	Maximum	Long-term suspension (90 days)
Disrupting the educational process	Minimum	Short-term suspension
	Maximum	Long-term suspension (90 days)
Refusing to follow reasonable directions of staff	Minimum	Short-term suspension
	Maximum	Long-term suspension (90 days)

**SECTION XI PROCEDURES FOR IMPOSING CORRECTIVE ACTION (Procedure 3241P)**

Guidelines for the in-school suspension program are as follows:

- A student who is afforded the opportunity to be assigned to the in-school suspension program as an option to suspension shall agree to the conditions specified by the school principal. Unless the student is of majority age, concurrence from the parent or guardian is necessary.
- The in-school suspension program is designed to encourage learning. Students will be expected to work on their classroom assignments at all times.
- Any act of inappropriate conduct may result in denial of this alternative to other corrective actions.
- A student shall remain isolated from other students throughout the school day and will be denied the opportunity of participating in any school activities while in the in-school suspension program.
- An assignment to the in-school suspension program shall not exceed five days. As such, the appeal process for a short-term suspension shall be in effect.
- The student shall develop a behavior contract while in the in-school suspension program. The student, his/her parent or guardian and a staff member shall sign the contract which defines the expected future behavior of the student.
- After a student is placed back into the regular classroom(s), the principal will monitor the student's progress on a daily basis. The student will be encouraged to maintain a relationship with the school counselor as a means of dealing with any problems that arise.
- Specific rules and building procedures shall be developed by the building principal.

**SECTION XII: PROCEDURES FOR CONTESTING CORRECTIVE ACTION (Procedure 3241P)**

In the event a hearing is requested, the superintendent shall appoint the hearing officer, who may be any certificated staff member who is not involved in the incident giving rise to the hearing. The hearing officer shall:

- Schedule the hearing for a specified date, time, and place and may postpone the date and time and change the place for good cause or upon the mutual agreement of the parties;
- Give written notice of the date, time, and place of the hearing to the principal, and the parent and student;
- Answer any questions that the parent and student or counsel may have about the nature and conduct of the hearing;
- Conduct the hearing with full authority to control the conduct of all persons present, subject to the general directions of this procedural code, and to limit questioning that is unproductive or irrelevant. (The hearing officer may not provide testimony.);
- Write findings of fact and disposition of the case; and
- Transmit the written findings and disposition to the superintendent, the principal, and the parent and student within 5 school days after the hearing.

The parent and student may request an open or closed hearing. A closed hearing may be attended only by the hearing officer, principal, student, parent, and counsel. Witnesses should be present only when they are giving information. At times when the student's psychological or emotional problems are being discussed, he/she may be excluded at the discretion of the hearing officer with the concurrence of the parent and/or counsel. In an open hearing only those persons designated as witnesses shall have the right to speak.

At least 2 days before the hearing the principal shall make available in his/her office any exhibits, affidavits or the signed statements which are the basis for the alleged misconduct and the penalty suggested by the principal. These may be examined and copied by the parent and student or counsel. If the principal later receives any further information that shall be employed at the hearing, he/she shall notify the parties involved and make copies available before the hearing. The principal may request a similar opportunity to review exhibits or statements to be used by the parent and student or counsel.

Upon the request of the hearing officer, the parent and student or counsel, the principal shall submit to the hearing officer the student's cumulative record folder. If the principal or the hearing officer deems it necessary, the information contained in such records shall be explained and interpreted to the officer by a person trained in their use and interpretation.

When the hearing officer determines that the alleged act of misconduct has been committed, the hearing officer shall reach a disposition of the case. The disposition need not be the action recommended by the principal but shall not exceed the penalty he/she recommends.

The disposition should explain the reason for the particular decision. The decision shall be provided to the parent and student or counsel. If the student is under an emergency expulsion, the hearing officer shall render his/her decision within 1 school business day of the conclusion of the hearing.

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 shall not likely result in confusion, and
- No student shall have his/her interest substantially prejudiced by a group hearing.

If the hearing officer finds that during the hearing a student's interests shall be substantially prejudiced by the group hearing, he/she may order a separate hearing for that student. The parent and student have the right to petition for an individual hearing.

### **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)**

Students are expected to attend all assigned classes each day. Teachers shall keep a record of absence and tardiness.

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:

- a) Absences due to illness or a health condition; a religious observance, when requested by a student's parent(s); school-approved activities; family emergencies; and, as required by law, disciplinary actions or short-term suspensions shall be excused. The principal may, upon re-quest by a parent, grant permission in advance for a student's absence providing such absence does not adversely affect the student's educational progress. A student, upon the request of a 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 involves the school to any degree.

- b) If an absence is excused, the student shall be permitted to make up all missed assignments outside of class under reasonable conditions and time limits established by the appropriate teacher except that in participation-type classes a student's grade may be affected because of the student's inability to make up the activities conducted during a class period.
- c) An excused absence shall be verified by the parent; adult, emancipated or appropriately aged student; or school authority responsible for the absence. If a student is to be released for health care related to family planning or abortion, the student may require that the district keep the information confidential. Students thirteen and older have the right to keep information about drug, alcohol or mental health treatment confidential. Students fourteen and older have the same confidentiality rights regarding HIV and sexually transmitted diseases.
- d) As a means of instilling values of responsibility and personal accountability, a student whose absence is not excused shall experience the consequences of his/her absence. A student's grade shall be affected if a graded activity or assignment occurs during the period of time when the student is absent.
- e) The school shall notify a student's parent or guardian in writing or by telephone whenever the student has failed to attend school after one unexcused absence within any month during the current school year. The notification shall include the potential consequences of additional unexcused absences. A conference with the parent or guardian shall be held after two unexcused absences within any month during the current school year. A student may be suspended or expelled for habitual truancy. Prior to suspension or expulsion, the parent shall be notified in writing in his/her primary language that the student has unexcused absences. A conference shall be scheduled to determine what corrective measures should be taken to ameliorate the cause for the student's absences from school. If the parent does not attend the conference, the parent shall be notified of the steps the district has decided to take to reduce the student's absences. 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. If such action is not successful, the district shall file a petition and affidavit with the juvenile court alleging a violation of RCW 28A.225.010 by the parent, student or parent and student no later than the seventh unexcused absence within any month during the current school year or upon the tenth unexcused absence during the current school year.
- f) All suspensions and/or expulsions shall be reported in writing to the superintendent within 24 hours after imposition.

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 AND UNEXCUSED ABSENCES (Procedure 3122)**

Students are expected to attend all assigned classes each day. Teachers shall keep a record of absence and tardiness.

##### ***Excused Absences***

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

- A. **Participation in school-approved activity.** To be excused this absence must be authorized by a staff member and the affected teacher must be notified prior to the absence unless it is clearly impossible to do so.
- B. **Absence due to illness, health condition, family emergency or religious purposes.** 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.
- C. **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.

- D. **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.
- E. **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.
- F. **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.

**Unexcused 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.
  - 1. 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.
  - 2. After two unexcused absences within any month a conference shall be held between the parent, student and principal. At such a conference the principal, student and parent shall 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.
 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.
  - 3. If the above action fails to correct the attendance problem, the student shall be declared an habitual absentee. The principal shall interview the student and his/her family and prescribe corrective action which may include suspension for the current semester and expulsion.
 

No later than the seventh unexcused absence within any month during the current school year or upon the tenth unexcused absence during the current school year the district shall file a petition and affidavit with the juvenile court alleging a violation of RCW 28A.225.010 by the parent, student or parent and student. The petition consists of written notification to the court alleging that:

    - a) The student has unexcused absences in the current school year (petitions must be filed if the student has seven or more unexcused absences within any month during the current school year or ten or more unexcused absences in the current school year, but a petition may be filed earlier; also unexcused absences accumulated in another school or school district shall be counted for all purposes in this procedure);
    - b) Actions taken by the school district have not been successful in substantially reducing the student's absences from school; and
    - c) Court intervention and supervision are necessary to assist the school district to reduce the student's absences from school. Additionally, the petition shall include the student's name, date of birth, school, address, gender, race and ethnicity; and the names and addresses of the student's parents. The petition must include facts that support the allegations made in the petition, must generally request relief available under the statute, and must describe what the court might order. Petitions may be served by certified mail, return receipt requested, but if such service is unsuccessful, personal service is required. At the district's choice, it may be represented by a person who is not an attorney at hearings related to truancy petitions.
  - 4. A student who has been expelled for attendance violations may petition the superintendent for reinstatement. Such petition may be granted upon presentation of a firm and unequivocal commitment to maintain regular attendance.
  - 5. Any student who presents false evidence, with or without the consent of his/her parent, in order to wrongfully qualify for an excused absence shall be subject to the same corrective action that would have occurred had the false excuse not been used.

6. Students six or seven years of age, who have been enrolled in the district are required to attend school and their parents are responsible for ensuring that they attend. Parents who wish to withdraw their children before the children are eight years old and against whom no truancy petition has been filed, may withdraw the students from school. When a six or seven year old student has unexcused absences, the district shall do the following:
  - a) Notify the parent or guardian in writing or by telephone after one unexcused absence in any month.
  - b) Request a conference with the parent or guardian and child to analyze the causes of the student's absences after two unexcused absences in any month (a regularly scheduled teacher-parent conference held within thirty days may substitute).
  - c) Take steps to eliminate or reduce the student's absences, including: adjusting the school program, school, course assignment; providing more individualized or remedial instruction; offering enrollment in alternative schools or programs; or assisting in obtaining supplementary services.
  - d) After seven unexcused absences in a month, or ten in a school year, the district shall file a truancy petition.

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.

All sanctions imposed for failure to comply with the attendance policies and procedures shall be implemented in conformance with state and district regulations regarding corrective action or punishment.

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

The Tukwila School 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:

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

Nothing in this section requires the affected student to actually possess a characteristic that is a basis for 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.

## **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 optimal conditions for learning by maintaining a school environment where everyone is treated with respect and no one is physically or emotionally harmed. In order to ensure respect and prevent harm, it is a violation of district policy for a student to be harassed, intimidated or bullied by others in the school community, at school sponsored events, or when such actions create a substantial disruption to the educational process. The school community includes all students, school employees, school board members, contractors, unpaid volunteers, families, patrons, and other visitors. Student(s) will not be harassed because of their race, color, religion, ancestry, national origin, gender, sexual orientation, including gender expression or identity, mental or physical disability, or other distinguishing characteristics.

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

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, paraeducators, or consultants/contractors.

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

### **C. Relationship to Other Laws**

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

At least four (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 it has regarding the complaint to any individuals involved in the incident, but that even then, information will still be restricted to those with a need to know, both during and after the investigation. The District will, however, full 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 complain-ant, 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.
- g) The principal or designee may determine that other steps must be taken before the investigation is completed.
- h) The investigation will be completed as soon as practical, but generally no later than five (5) school days from the initial complaint or report. If more time is needed to complete an investigation, the District will provide the parent/guardian and/or the student with weekly updates.

- 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.

Because of the legal requirement regarding the confidentiality of student records, the principal or designee may not be able to report specific information to the targeted student's parent/guardian about any disciplinary action taken unless it involves a directive that the targeted student must be aware of in order to report violations.

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

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

#### Step 4: Correct Measures for the Aggressor

After completion of the investigation, the school or district designee will institute any corrective measures necessary. Corrective measures will be instituted as quickly as possible, but in no event more than five (5) school days after has contact has been made to the families or guardians regarding the outcome of the investigation. Corrective measures that involve student discipline will be implemented according to district Policy 3241-Classroom Management, Corrective Actions, or Punishment. 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 school wide training or other activities to address the incident.

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

#### Step 7: Support for the Targeted Student

Persons found to have been subjected to harassment, intimidation, or bullying will have appropriate district support services made available to them, and the adverse impact of the harassment on the student 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](mailto:equity@k12.wa.us), [www.k12.wa.us/Equity/default.aspx](http://www.k12.wa.us/Equity/default.aspx)
- Washington State Human Rights Commission: 1.800.233.3247, [www.hum.wa.gov/index.html](http://www.hum.wa.gov/index.html)
- Office for Civil Rights, U.S. Department of Education, Region IX: 206.607.1600, [OCR.Seattle@ed.gov](mailto:OCR.Seattle@ed.gov), [www.ed.gov/about/offices/list/ocr/index.html](http://www.ed.gov/about/offices/list/ocr/index.html)
- Department of Justice Community Relations Service: 1.877.292.3804, [www.justice.gov/crt/](http://www.justice.gov/crt/)
- Office of the Education Ombudsman: 1.866.297.2597, [OEInfo@gov.wa.gov](mailto:OEInfo@gov.wa.gov)
- OSPI Safety Center: 360.725.6044, <http://www.k12.wa.us/SafetyCenter/BullyingHarassment/default>.

#### 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 XVI: SEXUAL HARASSMENT (Procedure 3210 and Procedure 3210P)

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

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

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

Examples of Sexual Harassment:

- Pressuring a person for sexual favors
- Unwelcome touching of a sexual nature
- Writing graffiti of a sexual nature
- Distributing sexually explicit texts, e-mails, or pictures
- Making sexual jokes, rumors, or suggestive remarks
- Physical violence, including rape and sexual assault

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 your 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](http://www.tukwila.wednet.edu/UserFiles/File/Board_Policies/5011%20-%20Sexual%20Harassment.pdf)

#### 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 revolve 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](mailto: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](http://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](mailto: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](mailto:OCR.Seattle@ed.gov)

**Website:** [www.ed.gov/ocr](http://www.ed.gov/ocr)

Washington State Human Rights Commission

**Phone:** 1-800-233-3247/TTY: 1-800-300-7525

**Website:** [www.hum.wa.gov](http://www.hum.wa.gov)

## SECTION XVII: STUDENT PRIVACY AND SEARCHES (Procedure 3230)

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 XVIII: MEDICATION AT SCHOOL (Policy and Procedure 3416)**

Under normal circumstances 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.

No medication shall be administered by injection except when a student is susceptible to a predetermined, life-endangering situation. In such an instance, the parent 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.

If a health professional and a student's parent request that a student be permitted to carry his/or her own medication and/or be permitted to self-administer the medication, the principal may grant permission after consulting with the school nurse. 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.

## **SECTION XIX: 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 XX: 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 XXI: 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 XXII: 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.

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

- Surveys created by a third party before the survey is administered or distributed by a school to students;
- Instructional material used as part of the educational curriculum; and
- 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:

- Any protected information survey, regardless of funding;
- Activities involving collection, disclosure, or use of personal information obtained from students for marketing or selling to others; or
- 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 XXIII: PUBLIC ACCESS TO DISTRICT RECORDS (Policy 4040)**

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

## **SECTION XXIII: STUDENT FREEDOM OF EXPRESSION (Policy and Procedure 3220)**

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.

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:

- 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,
- 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 XXIV: 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 XXV: 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: Rick Maloney, 206-901-8005
- Section 504 Coordinator: Joan Lawson, 206-901-8035

## **SECTION XXVI: 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 degrees.
- 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 2015-16 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. 144<sup>th</sup> 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.

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

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

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

#### **Step 1. Use Your Local Process First**

If you have followed the citizen complaint process of your school district, ESD or school service provider (subgrantee) 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 (subgrantee) 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 (subgrantee).
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 (subgrantee).

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 (subgrantee).

#### 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 (subgrantee) 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 (subgrantee) 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 (subgrantee) 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 (subgrantee) received notification from OSPI.

Office of Superintendent of Public Instruction  
Attn: Citizen Complaint—Title I, Part A  
P.O. Box 47200  
Olympia, WA 98504