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STUDENT RIGHTS AND RESPONSIBILITIES

PREAMBLE

A goal of the District is the development within students of an understanding and appreciation of the American heritage and the democratic way of life, inherent in which are legal principles and processes safeguarding individual rights. Opportunities are provided within the schools for the study of these principles and processes and for the exercise of rights and privileges.

The rules and regulations of Olympia schools derive from the federal and state constitutions, state law, county and city ordinances, and State Board of Education, bylaws, regulations and policies adopted by the District Board of Directors.

The school is a community, and the rules and regulations of the school are the laws of that community. All those enjoying the rights of citizenship in the school community must also accept the responsibility of citizenship, which includes a respect for the laws and legal processes. The courts have made it clear that young people have rights of citizenship as guaranteed in the constitution of the United States. The right to a free public education is also a constitutional guarantee, and deprivation of that right may occur only for just cause and in accordance with due process of law. The courts have recognized that school rules and regulations are necessary to protect the health and safety of students and school personnel and to guard against interference with the school processes.

The following guidelines have been adopted by the Board in compliance with statutes and State Board of Education policy. They are designed to protect the rights of all members of the school community in the exercise of their responsibilities. Effective implementation of these guidelines requires the exercise of good faith on the part of students, parents, and school personnel.

DISTRICT RULES CONCERNING STUDENT CONDUCT

It is recognized that divergent circumstances and levels of student maturity may dictate the need for different rules and regulations in different schools. Such rules and regulations are not to be in conflict with District-wide guidelines or with established local, state and federal laws and regulations.

A student shall comply with all District policies and school rules, and with the reasonable directions of all authorized school personnel during any period of time when he/she is under the authority of school personnel on or in reasonable proximity to any District property, to include before, during, and after school; or on any form of approved District transportation; or at any school or District-sponsored activity, on or off District property.

While riding school buses to and from school and/or school-sponsored activities, or while at established school bus stops, students shall comply with the rules of conduct set forth in this policy in addition to those rules adopted by the District's Board of Directors pursuant to WAC 392-145-035. School bus drivers shall possess the authority to discipline students in accordance with the rules and regulations of the District.

Any student who willfully performs any act which is reasonably certain to materially interfere with or be detrimental to the orderly operation of a school, a school-sponsored activity or any other aspect of the educational process within the District, will be subject to discipline, suspension, or expulsion. Such acts include, but are not limited to, those enumerated herein. All acts determined to be "exceptional misconduct" are distinguished within this policy with an asterisk and

are enumerated also in “Definitions and Methods of Student Control—Exceptional Misconduct Defined.”

1) Disruption of School/Disruption of the Educational Process *

A student shall not use, threaten to use or urge others to use violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or any other conduct which is reasonably certain to result in the substantial and material disruption or obstruction of any lawful mission, process or function of the school.

2) Damage or Destruction of School Property/Vandalism *

A student shall not intentionally or with gross carelessness cause or attempt to cause damage to school property at any time.

3) Damage or Destruction of Private Property/Vandalism *

A student shall not intentionally or with gross carelessness cause or attempt to cause damage to private or personal property while under the supervision and authority of school personnel to include before, during, and after school; or on any form of approved school district transportation; or at any school or school district-sponsored activity on or off school district property.

4) Occupation of School Property *

A student shall not occupy any school building, school grounds or part thereof, with intent to deprive others of its use; or block the entrance or exit of any school building or corridor or room therein with intent to deprive others of lawful access to or from, or use of, the building, corridor, or room. A student shall not prevent or attempt to prevent by physical act the convening or continued functioning of any school, class or activity or of any lawful meeting or assembly on the school campus; or prevent students from attending a class or school activity; or block normal pedestrian or vehicular traffic on a school campus.

5) Fighting, Assault or Causing Physical Injury *

A student shall not cause or attempt to cause physical injury or intentionally behave in such a way as could reasonably cause physical injury to any person:

- a) On the school grounds during and immediately before or immediately after school hours;
- b) On the school grounds at any other time when the school is being used by a school group;
- c) Off the school grounds at a school activity, function or event;
- d) Off the school grounds when the prohibited behavior is a consequence of or directly related to causes or events which occurred or originated on school grounds; or
- e) Off school grounds when the student is en route between home and school.

6) Weapons and Dangerous Objects *

- a) “Approved transportation” means district-owned vehicles and private vehicles when used to transport students in accordance with a plan initiated by a school district employee.
- b) “Dangerous Object” means any item apparently capable of producing bodily harm. A laser pointer is included in this definition.
- c) “Dangerous weapon” means the same as “dangerous weapon” in RCW 9.41.250.
- d) “Possession” means carrying, handling, holding, storing, or transmitting an item:
 - (1) in a space assigned to a student such as a locker or desk,
 - (2) on the student’s person or property (such as on the student’s body, in his/her clothing, purse, backpack, gym bag, or vehicle), or,

* See Page 13, Exceptional Misconduct Defined

- (3) under the student’s control or accessible or available, such as hidden on school grounds or in a bus.
- e) “School activities” includes all activities, functions and events on school district property and approved transportation, and all activities, functions and events off school district property where students are present because of school district participation in planning, organizing, or carrying out the event. Travel to or from school activities in a school vehicle or other mode of transportation is considered part of those activities.
- f) “School district property” means all land, structures, and vehicles owned by the school district, including athletic facilities, parking lots, school buildings, school buses, and school grounds.
- g) “School supplies” means instructor-approved items needed for classes in which the student is enrolled, but excludes laser pointers;
- h) “Weapon” means:
- (1) a firearm, which is a weapon or device from which a projectile may be fired by an explosive;
 - (2) an air gun, including any air pistol or air rifle, designed to propel a BB, pellet, or other projectile by discharge of compressed air, carbon dioxide or other gas;
 - (3) a blade;
 - (4) explosives;
 - (5) firecrackers;
 - (6) items which appear to be realistic firearms or air guns;
 - (7) a sling shot;
 - (8) a slung shot;
 - (9) a sand club;
 - (10) chains;
 - (11) metal knuckles;
 - (12) devices commonly called throwing stars;
 - (13) a knife;
 - (14) a dagger;
 - (15) a dirk, which is a type of dagger; and,
 - (16) any device commonly known as nun-chukka stocks.

Prohibitions

While on school district property, on approved transportation, while attending a school activity, or traveling to and from school or school activities:

- a) Students may not possess a dangerous weapon;
- b) Students may not possess a weapon; and
- c) Students may not carry, display, draw, exhibit, or use a dangerous object in a manner which, under the circumstances, manifests an intent to intimidate another or warrants alarm for the safety of others.

Exceptions to Prohibitions

Students may possess:

- a) school supplies (e.g., compass) if the student needs the instructor-approved items for a course (e.g., geometry) in which the student is enrolled; and
- b) a knife with no more than two blades, with the larger blade no more than one inch long, if the student needs the knife for a course (e.g., art) in which the student is enrolled; however,
- c) if an item permitted in (a) or (b) of this subsection is used in a manner which, under the circumstances, manifests an intent to intimidate another or warrants alarm for the safety of others it may be considered a dangerous object and the student may be subject to actions described and permitted in **Safety Measures c)** of this part.

Confiscation of Items of No Reasonable Use at School

- a) A principal, assistant principal, vice principal, or dean of students may confiscate any item from a student if, in the opinion of the administrator, the item has no reasonable use at school and could be used in a dangerous manner or in a manner disruptive to the educational process.
- b) Confiscated items will be returned to the student's parent(s) at the end of the day in which the item is confiscated or as soon as practical thereafter. The item may be returned to the student at the end of the day in which it is confiscated if the administrator considers such action to be appropriate. The administrator may direct the student to take the item home and not bring it to school again. The student must comply if directed to do so.
- c) A principal, assistant principal, vice principal, or dean of students may request that a student never bring the item to school again and the student must not do so.

Safety Measures

- a) School district employees who observe a dangerous weapon, a weapon, or a dangerous object, must confiscate it, unless to do so might endanger the employee or others, and the District may retain it until the completion of all disciplinary proceedings, at which time it must be returned to the parent(s). If at any time the dangerous weapon, weapon, or dangerous object is in the possession of the District and a police officer requests it, the District must turn it over to the police officer.
- b) (1) If a student violates **Prohibition a)**, the principal, assistant principal, vice principal, or dean of students must impose an emergency expulsion, must submit a written report to the Superintendent within 24 hours of the emergency expulsion, and must expel the student or impose a long-term suspension for a period of time up to one year, as the principal, assistant principal, vice principal, or dean of students, and Superintendent or designee, consider appropriate. Possession of a firearm will result in expulsion for a period of one calendar year from the time of the offense.
(2) If a student violates **Prohibition a)**, the principal, assistant principal, vice principal, or dean of students must inform the police of the violation and request an investigation.
- c) If a student violates **Prohibition b)** or **c)**, the principal, assistant principal, vice principal, or dean of students may impose an emergency expulsion if, in the sole discretion of the principal, assistant principal, vice principal, or dean of students, emergency expulsion is warranted. In addition, the principal, assistant principal, vice principal, or dean of students may expel the student, impose a long-term suspension, or impose a short-term suspension.

- d) If a student violates **Prohibition c)**, a principal, assistant principal, vice principal, or dean of students may impose a short-term suspension. In the event a student violates **Prohibition c)** more than once, a principal, assistant principal, vice principal or dean of students may impose an emergency expulsion and may also impose short or long-term suspension.
- e) When a student recognizes s/he has brought to or possesses a weapon in school, the student may self-report this fact to the principal or designee. Provided no known violation of other school policies has occurred, and the student who is self-referred intended and presented no imminent or apparent threat of harm to self or others, the self-referral shall not be deemed a violation of this policy. The provisions of this exception shall not apply to a firearm. Further, a student is permitted one such self-referral during the tenure of their enrollment in the school; thereafter, a self-referral shall be deemed a violation of this policy and treated accordingly. The weapon which is the cause of the self-referral shall be confiscated and handled in accordance with other provisions of this policy.
- f) The Superintendent may modify expulsions and suspensions of students on a case-by-case basis.

7) Alcohol and Other Drugs *

A student may not possess, use, transmit or attempt to transmit, purchase or attempt to purchase, solicit, be under the influence of, or show evidence of having used any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, beverage containing alcohol, prescription or over-the-counter medication not approved for use at the school per District policy, drug paraphernalia (or that which purports to be), anabolic steroid, or intoxicant of any kind, or any other controlled substance as defined in schedules I through V of section 202 of the Federal Controlled Substances Act by state and federal laws and regulations:

- a) on the school grounds during, immediately before, or immediately after school hours; or
- b) on the school grounds at any other time when the school is being used by any school group; or
- c) off the school grounds at a school activity, function or event; school bus stop, or
- d) on any District property or District-approved transportation.

Appropriate use of a drug, by the individual to whom the medication is prescribed, authorized by a medical prescription and in accordance with District Policy 3416, Administration of Medication to Students, will not be considered a violation of this rule.

8) Truancy and Unauthorized Absence from Class

Students enrolled in the District must comply with rules of conduct regarding truancy set forth in this policy and as set forth in individual school building attendance procedures. No student subject to compulsory attendance will be suspended by reason of one or more unexcused absences unless the District has first imposed an alternative corrective action or punishment reasonably calculated to modify his or her conduct. Corrective action and punishment for truanancies will be progressive with warning to the student, written notification to student and parent/legal guardian, conferences, penalty of campus service or Saturday work, and/or adjustment of program, if judged by school officials as appropriate. Should such measures fail to eliminate the truant behavior, the student may be subject to referral to court disciplinary action. When a student reaches 10 or more total **unexcused** absences during the current school year, the District is required to file a court petition. When a student reaches 20 or more **excused** absences during the school year, the District may file a court petition.

* See Page 13, Exceptional Misconduct Defined

9) Harassment, All Forms *

Students involved in District activities are expected to exhibit respectful behavior and conduct toward each other. Any and all forms of harassment are prohibited and will not be tolerated.

Harassment is defined as any intentional written, verbal, electronic message or image or any 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 the intentional written, verbal, electronic message or image or any physical act:

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

Harassment is further defined within District Policy 3207, "Harassment, Intimidation and Bullying".

Any student who believes that he or she has been harassed is encouraged to take the complaint to a building administrator pursuant to the procedures contained in procedures that accompany District Policy 3207. Concerns and/or complaints will be investigated, as noted in District Procedure 3207P. Every effort will be made to preserve confidentiality and protect the student's privacy to the extent the investigation process allows.

Sexual Harassment *

Any form of sexual harassment is strictly prohibited and will not be tolerated. Sexual harassment is defined as unwelcome conduct, whether verbal, written or physical, that is directed toward a student because of a student's gender or sexual orientation, including gender expression and identity. Prohibited sexual harassment occurs when:

- a) Submission to or rejection of sexual demands is the basis of an academic or other school-related decision affecting the student; or
- b) Unwelcome sexual or other gender-based conduct interferes with a student's performance or creates an intimidating, hostile or offensive school environment.

Specific examples of behaviors that may constitute sexual harassment are listed below:

- Persistent, unwelcome flirtation, advances and/or propositions of a sexual nature.
- Repeated, offensive and unwelcome insults and/or jokes that are sexual in nature.
- Repeated, unwelcome comments of a sexual nature about an individual's body or clothing.
- Deliberate and unwelcome touching, such as patting, pinching, hugging or brushing against an individual's body.
- Unwelcome and offensive displays of sexually suggestive objects or pictures.
- Pressure for dates or sex, if unwelcome and repeated.

Any student who believes he or she has been sexually harassed is encouraged to file a complaint with the building administrator. Complaints will be investigated as quickly as possible. Every effort will be made to preserve confidentiality and protect the student's privacy to the extent the investigation process allows. District Policies 3207 and 6590, and provide additional information related to sexual harassment.

* See Page 13, Exceptional Misconduct Defined

10) Threats *

A person may not communicate to any person any actions he/she intends to take to punish or harm another person. Behavior of this nature is a form of harassment and will be treated as such.

11) Criminal Acts *

Students who commit criminal acts while under the authority of school personnel, or that is school-related, will be subject to discipline, suspension, or expulsion. Criminal acts will be reported to the appropriate legal authority.

12) False Alarms *

Any student involved with committing a false alarm is subject to disciplinary action by both school and legal authorities. Under the law, false alarms are misdemeanors subject to a fine. A bomb threat is a felony. The student's return to school may be contingent on a satisfactory conference with the fire marshal.

13) Fire *

Any student who sets an unauthorized fire on school or school district property can be charged with arson.

14) Trespass * (RCW 28A.636.020)

A charge of trespass, with notice to police authorities, may be given to any person who creates a disturbance on school property and whose continued or recurring presence may result in a real and substantial disruption to the school environment or pose a threat to the safety and well being of property or person(s). Students on campus while on suspension and/or expulsion are subject to additional disciplinary action and arrest for criminal trespass.

15) Explosive Devices * (RCW 70.74.180)

Students who possess, traffic in, or detonate any unauthorized explosive device or incendiary components (such as explosive materials, blasting caps, fireworks, gasoline, other flammable liquids, ammunition or any combination of these items – generally referred to as a bomb or look-a-like explosive device) which, by themselves or in conjunction with other items, can result in an explosion or fire on school property or at school-sponsored activities, will be subject to suspension or expulsion. Students who are involved with or threaten to use a look-a-like explosive device will be subject to suspension or expulsion. Law enforcement agencies may be notified.

16) Gangs * (RCW 28A.60.455)

A gang is defined as a group of people (3 or more) who interact among themselves; have identifiable leadership; take upon themselves an identity and or a group name; claim a physical territory; and engage together in one or more forms of antisocial behavior and/or criminal activity on a regular or ongoing basis. Student behavior, dress, signing or symbolism intended to represent gang affiliation will not be tolerated on school grounds or at school-sponsored activities or events. These symbols change from time to time and include such items as hats, bandanas of any color, chain ornaments, clothing colors and styles, gang colors, use of hand signals, and symbols of affiliation. Other attributes that denote membership in a gang may include the presence of types of apparel, jewelry, accessories, graffiti, grooming, and tattoos. Behavior on or about school premises, or at school-sponsored events, that creates conflict or an atmosphere of intimidation, or creates a clear and present danger, or disrupts the orderly operation of school, is prohibited. When an issue of concern is present, student(s) involved will be notified and asked not to display such

* See Page 13, Exceptional Misconduct Defined

symbolism again. Subsequent violation of this policy will result in disciplinary action. Such decisions will be based upon knowledge of current trends and practices.

17) Insubordination *

Students are required to obey the reasonable requests of all staff members. Willful disobedience may result in suspension or expulsion. Students are required to identify themselves to all staff members of the school district. Failure to do so upon the reasonable request of a District staff member will be construed as insubordinate and a threat to the orderly functioning of the school.

18) Lewd Conduct *

Any conduct which is an indecent or obscene act or expression by a student may include but is not limited to indecent exposure, extreme displays of affection, and use of obscenities/profanity in oral, written, electronic or gestured form.

19) Reckless and Dangerous Driving *

Students who hold a valid drivers license and who have been given approval to drive a motorized vehicle to and from school, will not drive in any way that violates any municipal traffic ordinances, school district or school rules, and will not drive in such a way as to create an environment in which he/she may potentially bring harm to him/herself or others.

20) Tobacco Products

Under Washington State law, it is illegal for anyone under the age of eighteen (18) to possess or use tobacco. Therefore, the District implements the following policy in support of legal regulations and to protect the health and welfare of all students:

Smoking and/or the possession or use of tobacco products, including smokeless tobacco, within school buildings, on school property (including vehicles) and at school-sponsored events is prohibited and will result in disciplinary action.

21) Profanity/Inappropriate Language

Swearing, profanity, vulgarity or obscenities are subject to disciplinary action. Profanity or inappropriate language when directed toward another student or adult may be regarded as a form of harassment and can be treated as a form of exceptional misconduct.

22) Leaving School Grounds

Unless otherwise communicated in school level regulations, the following procedures will be followed: Permission in writing from the office must be obtained in order to leave the campus at any time after arriving on school grounds. No student may leave during the day or at the lunch periods without parent permission and office approval. A student who goes home ill during the day must notify the nurse's office before doing so. Students who fail to check out will be subject to disciplinary action and will be considered unexcused. Schools with exceptions to these regulations will notify students and parents/legal guardians of such exceptions on an annual basis.

23) Cheating/Plagiarism

Plagiarism is the taking of language, ideas or thoughts from another person or source and representing them as original work. Students who use plagiarized papers or projects or are involved in any other form of cheating will be subject to reduction in grades and/or disciplinary action for a first offense. For a second offense a student may be subject to removal from class and/or a failing grade.

* See Page 13, Exceptional Misconduct Defined

24) Dress and Appearance

Dress and appearance must not present health or safety problems or cause disruption. Students are expected to come to school or school activities well groomed and neatly and appropriately dressed. Students who do not meet these standards will be asked to return home to correct the problem if the problem cannot be corrected at the school.

Clothing that carries a sexual, vulgar or offensive message, or references the use of alcohol, tobacco, drugs, or gang affiliation, will not be permitted. It is understood that individual teachers, in consultation with the school administrator, may restrict appearance and attire with special consideration for safety, health, or other issues that may create a disruption to the learning environment.

The administration may regulate the dress and grooming of students who participate in specific extra-curricular activities or events.

The administration has the authority to make changes at any time to the dress code, based on safety, health, or other issues that may create a disruption to the learning environment.

Clothing worn in observance of a student's religion is not subject to this policy.

25) Forgery or Misrepresentation

The forging of signatures of, or verbal representation of, a parent/legal guardian, a staff member, or another student, on any letter to the school or on any school document, will result in disciplinary action. Falsely representing a parent's/guardian's, staff member's, or another student's signature, in any way, will result in disciplinary action. Self-signed student notes will not be accepted in lieu of parent/legal guardian signature unless student is 18 years of age or more.

26) Personal Protection Spray Device(s) (RCW 9.91.160)

State law requires that students age fourteen to seventeen (14-17) have parent permission to carry a personal protection spray device (PPSD) that must be registered with school officials. Students who unlawfully carry, discharge or distribute a PPSD will be subject to disciplinary action.

27) Skateboards, Skates/In-line Skates and Scooters

Students are prohibited from riding skates/in-line skates, skateboards and scooters at school or school activities. These items are disruptive and present a safety hazard and may be confiscated.

28) Fighting Promotion

Students are prohibited from participating in any activity that promotes a fight or fighting.

DISTRICT RULES REGARDING STUDENT RIGHTS

In addition to other rights established by law, each student served by or in behalf of the District shall possess the following substantive rights, and the District will not limit these rights except for good and sufficient cause.

Freedom of Speech and Assembly

- a) Students are entitled to express orally their personal opinions. Such expression may not interfere with the rights of others. The use of obscenities or personal attacks is prohibited.
- b) All student meetings in school buildings or on school grounds may function only as a part of the formal educational process or as authorized by the principal or District policy.

- c) Students have the freedom to assemble peacefully. There is an appropriate time and place for the expression of opinions and beliefs. Conducting demonstrations which interfere with the operation of the school or classroom is inappropriate and prohibited.

Freedom to Publish

Students are entitled to express in writing their personal opinions. The distribution of such material may not interfere with or disrupt the educational process or infringe upon the rights of others. Such written expressions must be signed by the authors.

Students who edit, publish or distribute within the schools handwritten, printed or duplicated material which has not been authorized by or produced under the supervision of school personnel must assume the responsibility for the content of such publications.

Students who edit, publish or distribute handwritten, printed or duplicated material which has been authorized by and approved by school personnel will be subject to the reasonable rules and regulations governing such materials.

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. Controversial issues may be presented provided that they are treated in depth and represent a variety of viewpoints. Materials may not: be libelous, obscene or profane; cause a substantial disruption of the school; invade the privacy of others; personally attack 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 judgment of school personnel will be followed in the determination of whether proposed materials would be libelous or obscene or would constitute personal attack.

Unauthorized sale or solicitation in connection with commercial publications will not be permitted on school property.

Right of Privacy

The schools must respect students' right of privacy; at the same time, school authorities must protect the health and safety of all students and promote the effective operation of the schools.

At age eighteen students become legal adults and must approve any disclosure of information about themselves from school records, except directory information if a request for confidentiality has not been filed. Students between sixteen and eighteen who have been granted legal emancipation from their parents or guardians have the same rights as eighteen year old students. Students thirteen years and older have confidentiality rights in records regarding drug, alcohol or mental health treatment. All students have confidentiality rights in family planning or abortion records.

The following guidelines shall be observed to assure optimum privacy of individuals and the safety and welfare of all students.

- a) A student will be free from searches by school officials of his/her clothing and other personal property unless there is reasonable cause to believe that something is concealed that may be of immediate danger to the student or to other students. School officials may request a student to remove all items from pockets or other personal effects. Failing compliance by the student and in the absence of immediate danger, school officials will refrain from searches and will call in the parents or, in the case of possible criminal activity, the police.

- b) Student lockers remain the property of the District and school officials have the right, authority and responsibility to inspect lockers. However, school authorities will inspect student lockers in the absence of students only when:
- i. it occurs as part of a general inspection of all lockers for the purpose of returning school property, such as library books. In such cases the personal belongings of students within lockers will not be searched; or
 - ii. school authorities have reasonable cause to believe that conditions or circumstances exist which threaten the health or safety of those in the school.
- c) When school authorities have reasonable cause to believe items which violate school rules or the law are concealed within a school locker, they may inspect the locker. Such inspection will be made in the presence of the student. If the student refuses to reveal the contents of his/her personal belongings within the locker, his/her parents will be called. If the student cannot be located and if there is reason to believe a danger may exist, school officials, police or other authorities may search the locker.

DEFINITIONS AND METHODS OF STUDENT CONTROL

While the District fully supports the philosophy of a progressive discipline system, one in which corrective action will be determined by the nature and severity of the offense, the individual student involved, and the cumulative discipline record of that individual student, there are infractions which may require resorting to suspension or expulsion prior to other forms of discipline. Those infractions are labeled as “exceptional misconduct.”

EXCEPTIONAL MISCONDUCT DEFINED

Exceptional misconduct means misconduct other than absenteeism which a school district has judged to be so serious in nature and/or so serious in terms of the disruptive effect upon the operation of the schools as to warrant an immediate resort to suspension or expulsion. Forms of misconduct deemed to be “exceptional misconduct” have been approved by the Board of Directors in consultation with an Ad Hoc Citizens Committee pursuant to WAC 180-40-245(2) and 265(2) and are marked with an asterisk (*). Additionally, specific forms of exceptional misconduct are listed as follows:

- Disruption of School/Disruption of the Educational Process *
- Damage or Destruction of School Property/Vandalism *
- Damage or Destruction of Private Property/Vandalism *
- Occupation of School Property *
- Fighting, Assault or Causing Physical Injury *
- Weapons and Dangerous Objects *
- Alcohol and Other Drugs *
- Harassment, All Forms *
- Sexual Harassment *
- Threats *
- Criminal Acts *
- False Alarms *
- Fire/Arson *
- Trespass *
- Explosive Devices *
- Gangs *
- Insubordination *
- Lewd Conduct *
- Reckless and Dangerous Driving *

Discipline Defined

"Discipline" means all forms of correction other than suspension and expulsion, and includes the exclusion of a student from a class by a teacher or administrator for a period of time not to exceed the balance of the immediate class, provided that the student is in the custody of a District employee for the balance of such period. Discipline also means the exclusion of a student from any other type of activity conducted by or on behalf of the District.

No form of discipline will be administered in such a manner as to prevent a student from accomplishing specific academic grade, subject or graduation requirements. A student's academic grade or credit in a particular subject or course may be adversely affected by reason of tardiness or absences only to the extent and upon the basis that:

- 1) The student's attendance and/or participation is related to the instructional objectives or goals of the particular subject or course; and
- 2) The student's attendance and/or participation has been identified by the teacher pursuant to policy of the District as a basis for grading, in whole or in part, in the particular subject or course.

Corporal Punishment

Corporal punishment will not be administered. Corporal punishment is defined as an act which willfully inflicts or willfully causes the infliction of physical pain on a student. Only reasonable and moderate force may be applied to a student so as to maintain order or to prevent a student from harming him/herself, other students and school staff or property. The forms of discipline set forth in paragraphs b and c below are not intended to exclude the imposition of other appropriate forms of disciplinary action.

Emergency Removal Defined

Notwithstanding any provision of this section to the contrary, each teacher is empowered to exclude any student who creates a disruption of the educational process in violation of the building disciplinary standards, while under the teacher's immediate supervision from his or her individual classroom and instructional or activity area, for all or any portion of the balance of the school day, or until the principal or designee and teacher have conferred, whichever occurs first. In emergency circumstances, as provided for in WAC 180-40-290, the teacher will first attempt one or more alternative forms of corrective action. In no event will an excluded student be returned during the balance of the particular class or activity period from which the student was initially excluded without the consent of the teacher.

The principal or designated school authority will meet with the student as soon as reasonably possible following the student's removal and take or initiate appropriate corrective action. In no case will the student's opportunity for such meeting be delayed beyond commencement of the next school day.

Detention

Teachers and other certificated employees have the authority to detain students under their supervision for up to thirty (30) minutes after the regular hour for student dismissal. Detention will not extend beyond the time of departure of the bus upon which the student rides unless prior arrangements have been made with the student's parents or guardian.

Suspension Defined

"Suspension" means denial of the right of attendance (other than for the balance of the immediate class for "discipline" purposes) at any single subject or class, or any full schedule of

* See Page 13, Exceptional Misconduct Defined

subjects or classes, for a stated period of time. A suspension also may include a denial of admission to or entry upon real and personal property that is owned or controlled by the District.

"Short-Term Suspension" means a suspension for all or any portion of a calendar day up to and not exceeding ten (10) consecutive school days.

- 1) No student in grades kindergarten through four will be subject to a short-term suspension for more than a total of ten (10) school days during any single semester and no loss of academic grades or credit will be imposed by reason of the suspension of such student.
- 2) No student in the grade five and above program will be subject to short-term suspensions for more than a total of fifteen (15) school days during any single semester, or ten (10) school days during any single trimester.
- 3) Any student subject to a short-term suspension will be provided the opportunity upon return to make up assignments and tests if:
 - a) Such assignments or tests have a substantial effect upon the student's semester or trimester grade or grades; or
 - b) Failure to complete such assignments or tests would preclude the student from receiving credit for the course or courses.
- 4) All short-term suspensions and the reasons therefore will be reported in writing to the Superintendent or to his/her designee within twenty-four (24) hours after the imposition of the suspension.

"Long-Term Suspension" means a suspension which exceeds ten (10) consecutive school days.

- 1) No student in grades kindergarten through four will be subject to long-term suspension.
- 2) No single long-term suspension will be imposed upon a student in the grade five and above program in a manner which causes the student to lose academic grades or credit in excess of one semester or trimester during the same school year.
- 3) All long-term suspensions and the reasons therefore must be reported in writing to the Superintendent or his/her designee within twenty-four (24) hours after the imposition of the suspension.

The nature and circumstances of the violation must be considered and must reasonably warrant a suspension and the length of the suspension imposed. No student is normally to be suspended unless other forms of corrective action or punishment reasonably calculated to modify his or her conduct have failed. However, a student may be subject to immediate short-term or long-term suspension if the act for which the student is to be suspended has been determined to be one of exceptional misconduct as defined in this section, and if such punishment is set forth in advance by the Board as appropriate to the type or seriousness of the infraction committed.

Disciplinarians and hearing officers are expressly granted authority by the Board to make judgments and to grant exceptions in exceptional misconduct cases where they feel there are compelling extenuating circumstances.

In addition to the alternative corrective action requirement of paragraph (1) above, the District must, prior to suspending or expelling a student for one, or more, unexcused absence, do the following:

- 1) Following the first unexcused absence, provide written notice to the student's parent or guardian, in English or in the primary language of such parent or guardian where possible, that the student has failed to attend school without valid justification;
- 2) After two unexcused absences within any month, hold a conference between the student, parent and principal. At such conference, consideration will be given to: adjusting the student's program, providing more individualized instruction, preparing the student for employment with appropriate Career and Technical Education (vocational) courses or work experience, transferring the student to another school, or assisting the student to obtain supplementary services that might eliminate or lessen the cause or causes for the absence from school.
- 3) Not later than the student's fifth unexcused absence in a month, enter into an agreement with the student and parent(s)/legal guardian that establishes school attendance requirements, or file a petition and affidavit with the juvenile court alleging a violation of RCW 28A.225.010.
- 4) If such action is not successful, file a petition for a hearing with the juvenile court alleging a violation of RCW 28A.225.010 by the parent, student, or parent and student, upon the seventh unexcused absence within any month or the tenth unexcused absence during the school year.

Expulsion Defined

"Expulsion" means the denial of the right of attendance at any single subject or class or any full schedule of subjects or classes, for an indefinite time period. An expulsion also may include a denial of admission to or entry upon real and personal property that is owned or controlled by the District.

The nature and circumstances of the violation must reasonably warrant the harshness of expulsion. No student will be expelled unless other forms of corrective action or punishment reasonably calculated to modify his or her conduct have failed or unless there is good reason to believe that other forms of corrective action or punishment would fail if employed.

All recommendations of expulsion and the reasons therefore must be reported in writing to the Superintendent or his/her designee within twenty-four (24) hours after the imposition of the expulsion.

Appropriate local and state authorities, including juvenile authorities, acting pursuant to RCW 13.04, will be notified of any expulsion in order that such authorities may address the student's educational needs.

Emergency Expulsion

"Emergency expulsion" means the immediate denial of the right of school attendance and activities for a student prior to the opportunity for a hearing. An emergency expulsion may only be imposed if the expelling authority has good and sufficient reason to believe the student is 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. Such emergency expulsion will continue until the student is reinstated by the expelling authority or until a hearing is held and a final determination reached.

Delegation of Authority to Suspend and Expel

The following District personnel are delegated the authority to suspend, expel or order the emergency expulsion of students subject to the right of any such student to a conference pursuant to the procedures accompanying this policy, procedures for short-term suspension,

procedures for long-term suspension/expulsion: Superintendent, principals, assistant principals, deans and any other certificated administrator to whom such authority has been delegated in writing by the Superintendent.

PROCEDURES FOR SHORT-TERM SUSPENSION

A short-term suspension may be imposed upon a student by a designated school authority subject to the limitations and conditions set forth below.

Prior to the short-term suspension of any student, a conference will be conducted with the student as follows:

An oral or written notice of the alleged misconduct and violation(s) of District rules will be provided to the student;

- An oral or written explanation of the evidence in support of the allegation(s) will be provided to the student;
- An oral or written explanation of the corrective action or punishment which may be imposed will be provided to the student; and
- The student will be provided the opportunity to present his or her explanation.

In the event of a short-term suspension, the parent or legal guardian of the student will be notified of the reason for the student's suspension, and its duration, orally and ~~or~~ by letter deposited in the United States mail as soon as reasonably possible. The notice will also inform the parent or legal guardian of the right to an information conference and that the suspension may possibly be reduced as a result of such conference.

PROCEDURES FOR LONG-TERM SUSPENSION AND EXPULSION

Notice: Except in the case of an emergency expulsion, no long-term suspension or expulsion may be imposed on a student until written notice thereof has been delivered in accordance with the following requirements.

District personnel authorized to suspend or expel students will be responsible for the preparation and delivery of notices of suspension or expulsion. Written notice of the suspension or expulsion will be delivered to the student and to his/her parent or legal guardian by certified mail or in person. Such notice will:

- 1) Be provided in the predominant language of a student and/or a parent or legal guardian who predominantly speaks a language other than English, to the extent feasible;
- 2) Specify the alleged misconduct and the District rule(s) alleged to have been violated;
- 3) Set forth the corrective action or punishment proposed;
- 4) Set forth the right of a student and/or the parent or legal guardian to a hearing for the purpose of contesting the allegation(s) and/or sanction;
- 5) State that a written request for hearing must be received by the designated school authority on or before the expiration of the third school business day after the receipt of the notice of opportunity for a hearing and, further, that the right to a hearing may be deemed waived, and the proposed sanction imposed without further opportunity to contest the matter, if such request is not received within the prescribed period of time;
- 6) Require the student and/or the parent or legal guardian to reply, in writing, to the notice within three (3) school business days of receipt, indicating whether a hearing will be requested.

If a reply is not received within the three (3) school business day period, the student and the parent or legal guardian will be deemed to have waived the right to a hearing and the proposed sanction will take effect.

Special Notice Requirements for Emergency Expulsion

If an emergency expulsion has been imposed on a student, the notice requirements will apply, except as follows:

- 1) The written notice of emergency expulsion will be prepared and delivered to the student and parent or legal guardian within twenty-four (24) hours of the emergency expulsion. In addition, reasonable attempts will be made to notify the student and parent or legal guardian by telephone or in person as soon as reasonably possible.
- 2) The student and parent or legal guardian will have ten (10) school business days in which to reply, in writing, to the notice of opportunity for a hearing.

DUE PROCESS PROCEDURES

Grievance Procedure for Discipline and Short-Term Suspension

- 1) Any student, parent or legal guardian who may be aggrieved by any disciplinary action or by the imposition of a short-term suspension, has the right to an informal conference with the principal or his/her designee and any other staff member involved. The employee whose action is being grieved will be notified of the initiation of a grievance as soon as reasonably possible.
- 2) At such informal conference, the student, parent or legal guardian will be subject to questioning by the principal or his/her designee and entitled to question school personnel involved in the matter being grieved.
- 3) Any student, parent or legal guardian who may be aggrieved following the informal conference may, upon two (2) school business days prior notice, present a written and/or oral grievance to the Superintendent or to his/her designee. If the grievance is not resolved, the student, parent or legal guardian, upon two (2) school business days prior notice, may present a written and/or oral grievance to the Board of Directors at its next regularly scheduled meeting.
- 4) Grievances before the Board of Directors will be heard in an open meeting unless a closed meeting is specifically requested by the student and/or parent or legal guardian.
- 5) The Board of Directors will notify the student and the student's parent or legal guardian, in writing, of its decision within ten (10) school business days following the meeting.
- 6) The disciplinary action, or short-term suspension, will continue notwithstanding the implementation of the grievance procedure, unless the principal or his/her designee elects to postpone such action.

Hearing Procedures for Long-Term Suspension and Expulsion

Upon the timely receipt of a written request for hearing, the principal or other appropriate school authority, will schedule the hearing to commence within three (3) school business days after the receipt of such request, unless an emergency expulsion has been imposed on the student, in which event the hearing will be scheduled to commence as soon as reasonably possible, and in no case later than the third (3rd) school business day after receipt of the request. The student

and parent or legal guardian will promptly be informed of the time, date and place of the hearing.

The hearing will be conducted by a hearing officer designated for such purposes by the Superintendent. The hearing officer will not be a witness and will determine the facts of each case solely on the evidence presented at the hearing.

The student and parent or legal guardian will be permitted to inspect, in advance of the hearing, any documentary and physical evidence which the District intends to introduce at the hearing. The designated school authority assigned to present the District's case will likewise be permitted to inspect documentary and physical evidence which the student and parent or legal guardian intend to introduce at such hearing.

At any hearing, conducted in accordance with this paragraph, the student has the following rights:

- The student will have the opportunity to be represented by counsel.
- The student will have the opportunity to present his or her explanation of the alleged misconduct.
- The student will have the opportunity to make a relevant showing by way of witnesses and the introduction of such documentary and physical evidence as he or she desires.
- The student will have the opportunity to cross-examine witnesses presented by the District.

A tape recording will be made of the hearing by the District.

A written decision setting forth findings of fact, conclusions and the nature and duration of the suspension or expulsion, or lesser form of corrective action or punishment to be imposed, if any, will be provided to the student's legal counsel, if any, or to the student and parent or legal guardian. If a student is in an emergency expulsion status, the decision will be rendered within one (1) school business day after the date upon which the hearing concludes, and will be communicated to the student's legal counsel or, if none, the student and parent or legal guardian by depositing a certified letter in the United States mail.

If the hearing officer imposes a sanction of a long-term suspension or expulsion, the student, or the student's parents or legal guardians, have the right to appeal such decision to the Board of Directors by filing a written notice of appeal at either the Superintendent's Office or at the office of the hearing officer within three (3) school business days after the date of receipt of the decision.

A long-term suspension or non-emergency expulsion may be imposed during the appeal period for no more than ten (10) consecutive school days or until the appeal is decided, whichever is the shortest period.

If the hearing officer imposes a sanction of long-term suspension or expulsion and if, at the time of the hearing, the student is in an emergency expulsion status, the sanction will not be stayed if the decision includes a conclusion that the student continues to pose 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 of the student's school.

If a request for a hearing is not received within the required three (3) school business day period, the school district may determine that the right to a hearing has been waived and the proposed long-term suspension may be imposed.

Appeal to the School District Board of Directors

If a notice of appeal is received by the School District Board of Directors within the required three (3) school business days, the Board of Directors will schedule and hold a meeting to review the matter within ten (10) school business days from receipt of such appeal. At that time, the student and parent or legal guardian or legal counsel will be granted the opportunity to present such witnesses and testimony as the Board of Directors deems reasonable. Prior to adjournment, the Board of Directors will agree to one of the following procedures:

- a) Study the hearing record or other material submitted and render its decision within ten (10) school business days; or
- b) Schedule and hold a special meeting to hear further arguments based on the record and render its decision within fifteen (15) school business days; or
- c) Hear and try the case *de novo* within ten (10) school business days and in accordance with the applicable hearing provision as outlined previously (see "Hearing Procedures for Long-Term Suspension and Expulsion").

School District Board of Directors' Decisions

Any decision by the School District Board of Directors to impose or to affirm, reverse or modify, the imposition of discipline, suspension or expulsion upon a student will be made:

- a) Only by those Board members who have heard or read the evidence.
- b) Only by those Board members who have not acted as a witness in the matter.
- c) Only at a meeting at which a quorum of the Board is present and by majority vote.

Appeal to Superior Court

Within thirty (30) school business days of receipt of the School District Board of Directors' final decision, any student or parent or legal guardian desiring to appeal any decision upon the part of the Board of Directors to impose, or to affirm, a long-term suspension or an expulsion will be to the courts. Whether or not the decision of the Board of Directors will be postponed pending an appeal to Superior Court will be discretionary with the Board of Directors except as ordered otherwise by a court.

Readmission

Any student who has been suspended or expelled may apply for readmission at any time by making written application to the Superintendent. Any such application should state the reasons therefore and should include such assurances as may be appropriate concerning the non-recurrence of the problem which led to such suspension or expulsion.

The Superintendent may designate an individual or committee to consider the application and make recommendations concerning such readmission.

The Superintendent will, in writing, advise the student and the student's parent or legal guardian of his/her or his/her designee's decision within thirty (30) school business days of the receipt of such application.

School Business Day

"School business day" means any calendar day, exclusive of Saturdays, Sundays, and any federal and school holidays. A school business day will be concluded or terminated upon the closure of said office for the calendar day.

TEACHERS’ AND PRINCIPALS’ RIGHTS, RESPONSIBILITIES AND AUTHORITY RELATED TO STUDENT DISCIPLINE

Teachers’ Responsibilities

Teachers have the following responsibilities with respect to the discipline of students:

- 1) Each teacher will enforce the prescribed District rules for student conduct.
- 2) Each teacher will comply with District and building rules and guidelines relating to the discipline of students.
- 3) Each teacher will maintain good order and discipline in the class- room, in the hallways and on the playgrounds or other common areas of the school.
- 4) Each teacher assigned to classroom duties will keep and maintain accurate attendance records of students.

Teachers’ Authority

Subject to the limitations of District policy and state rules and regulations, all teachers have the authority to discipline any student for any disruptive or disorderly conduct or other violation of rules for student conduct which may occur in the presence of the teacher or when the student is under the teacher's supervision. Teachers may also recommend the suspension or expulsion of students to the proper school authorities.

Teachers’ Rights

Teachers have the following rights with respect to the discipline of students:

- 1) Each teacher will be entitled to appropriate assistance and support from building administrators in connection with discipline problems relating to students.
- 2) Each teacher will be promptly advised of any complaint made to the principal or other District administrator regarding the teacher's discipline of students. The teacher will be given the opportunity to present his or her version of the incident and to meet with the complaining party in the event that a conference with the complaining party is arranged.
- 3) Teachers have access to a student's records in determining disciplinary action.

Principals’ Responsibilities

Principals have the following responsibilities with respect to the discipline of students:

- 1) Each principal will be responsible for the enforcement of the prescribed District rules for student conduct and for the compliance with District and building guidelines relating to the discipline of students.
- 2) Each principal may develop such building guidelines relating to student discipline as may be appropriate. Such building guidelines will be consistent with District rules relating to student discipline.
- 3) At the beginning of each school year, principals will make available to each certificated staff member, student and parent or guardian of students a copy of this policy (or summary thereof) together with any building guidelines developed pursuant to paragraph 2.a.(2) hereof.
- 4) Each principal will provide appropriate assistance and support to teachers in connection with discipline problems relating to students.

Principals’ Authority

Subject to the limitations of District policy and state rules and regulations, all principals and/or their designees have the authority to discipline, suspend, or expel any student for any violation of rules for student conduct.

Principals’ Rights

Each principal or designee will be promptly advised of any complaint made to any other District administrator regarding his/her disciplines of students. The principal or designee will be given the opportunity to present his/her version of the incident and to meet with the complaining party in the event a conference with the complaining party is arranged.



<i>CROSS REFERENCE</i>	<i>Policy 3207</i>	<i>Harassment, Intimidation and Bullying</i>
<i>LEGAL REFERENCES</i>	<i>RCW 9.41.280</i>	<i>Possessing Dangerous Weapons on School Facilities—Penalty—Exceptions</i>
	<i>RCW 9.91.160</i>	<i>Personal Protection Spray Devices</i>
	<i>RCW 9A.36.080(3)</i>	<i>Malicious Harassment—Definition & Criminal Penalty</i>
	<i>RCW 13.04</i>	<i>Basic Juvenile Court Act</i>
	<i>RCW 28A.600.040</i>	<i>Students—Pupil Compliance with Rules & Regulations</i>
	<i>RCW 28A.600.210-240</i>	<i>Students—School Locker Searches</i>
	<i>RCW 28A.600.420</i>	<i>Students—Firearms on School Premises</i>
	<i>RCW 28A.600.455</i>	<i>Students—Gang Activity</i>
	<i>RCW 28A.600.480</i>	<i>Students—Reporting of Harassment, Intimidation, or Bullying—Retaliation Prohibited—Immunity</i>
	<i>RCW 28A.635.020</i>	<i>Offenses Relating to School Property & Personnel</i>
	<i>RCW 70.74.180</i>	<i>Public Health & Safety</i>
	<i>WAC 180-40-200-320</i>	<i>Pupils—Rights, Responsibilities, Discipline</i>
	<i>WAC 392-145-035</i>	<i>Rules for Students Riding School Buses</i>
	<i>PL 108-2270 §8001</i>	



<i>POLICY ADOPTED</i>	<i>November 13, 1972</i>
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<i>REVISED</i>	<i>May 19, 1986</i>
<i>REVISED</i>	<i>September 24, 1990</i>
<i>REVISED</i>	<i>August 10, 1992</i>
<i>REVISED</i>	<i>May 23, 1994</i>
<i>REVISED</i>	<i>August 22, 1994</i>
<i>REVISED</i>	<i>March 27, 1995</i>
<i>REVISED</i>	<i>August 12, 1996</i>
<i>REVISED</i>	<i>January 27, 1997</i>
<i>REVISED</i>	<i>August 11, 1997</i>
<i>REVISED</i>	<i>July 16, 2001</i>
<i>REVISED</i>	<i>February 11, 2002</i>
<i>RENUMBERED</i>	<i>May 12, 2003</i>
<i>REVISED</i>	<i>June 24, 2003</i>
<i>REVISED (ATHLETIC CODE)</i>	<i>February 14, 2005</i>
<i>REVISED</i>	<i>June 27, 2006</i>
<i>REVISED</i>	<i>June 24, 2008</i>
<i>REVISED</i>	<i>May 11, 2009</i>
<i>REVISED</i>	<i>June 20, 2011</i>

Addendum I – ATHLETIC CODE FOR MIDDLE SCHOOL STUDENTS

The following rules and regulations have been adopted by the District Board of Directors to meet Washington Interscholastic Activities Association (WIAA) rules and regulations, as well as standards set forth by the Olympia School District. All rules and regulations apply to interscholastic activities.

A. ELIGIBILITY

1) Previous Semester Rule

A student shall have been in regular attendance in an elementary or middle school during the semester/quarter preceding the season in which the contest is held. A student shall have passed at all subjects in the immediately preceding semester/quarter with a minimum of a C grade. Exceptions may be granted for those with approved Individualized Education Programs (IEPs).

2) Scholarship

In order to maintain athletic eligibility during the current semester/ quarter, the student shall maintain a C grade in all subjects. A student who has been in regular attendance and has failed to achieve the foregoing grade requirements in either/or the previous or current semester/quarter shall be placed on probation for a period of three (3) weeks; during this time he/she is ineligible for competition. At the end of the probationary period, if the student is passing all subjects with a C grade, he/she shall be reinstated for full participation. Exceptions may be granted for those students with approved IEPs. The school will inform students and their parents on probation of available resources to enhance study skills and/or their abilities in specific subjects.

3) Total Semester/Trimester Eligibility and Age

A student will be eligible for two years of participation. A middle school participant will not have reached his/her 15th birthday prior to June 1 of the previous school year.

4) Residence

A student must be residing within the boundaries of the District and designated attendance area of the school. All requests for exceptions must be submitted, in writing, to the Athletic Director and Principal.

5) Transferring Students

After registering with and/or attending, students changing enrollment to/from one school district to another will be considered transfer students. In order to be eligible for participation they must meet normal residency requirements and specific requirements stated in WIAA regulations 18.10.

Students coming to this country for a one-year cultural/educational experience are eligible to participate at all levels of competition for one (1) year only in the school in which they have been placed, provided all other rules and eligibility have been met.

6) Physical Examination

Prior to the first practice for participation in middle school athletics, a student must undergo an initial medical examination and be approved for interscholastic athletic competition by a medical authority licensed to perform a physical examination. Physical examinations conducted after June 1, 2004, will be valid for twenty-four (24) consecutive months, or initial participation at the high school level, whichever occurs first, with an update to be conducted

after 13 months. The twenty-four month physical examinations and the 13-month updates must be submitted on forms provided by the District and signed by a medical authority licensed to perform a physical examination that provides clearance for continued athletic participation.

B. ATTENDANCE REGULATIONS

1) School Attendance

A student must be in full attendance—all classes—in order to participate. The Athletic Director or Assistant Principal must clear any absences. Exceptions may be granted by the Athletic Director for excused tardies.

2) Practice Attendance

Regular attendance and promptness at practice is a must. If a student is either late or absent, he/she must notify the coach in advance and/or have a valid excuse upon return.

C. AMATEUR STANDING

- 1) An amateur student is one who engages in athletics for the physical, mental, social and educational benefits he/she derives therefrom, and to whom athletics is an avocation and not a source of financial reward. In order to maintain his/her amateur standing, he/she may not:
 - a) Accept merchandise or in-kind gifts of more than \$100.00 in fair market value during any one calendar year September 1 through August 31. Reduced membership fees or reduced user fees from an athletic club, recreation center, fitness center, golf course, etc., do not count towards the \$100 limit.
 - b) Accept any cash awards.
 - c) Enter a competition under a false name.
 - d) Accept payment of expense allowances over the actual and necessary expenses for the trip (note: entry fees are not considered a reimbursable expense).
 - e) Sign or have ever signed a contract to play professional athletics.
 - f) Play or have ever played on any professional team in any sport.
 - g) Received or have ever received, directly or indirectly, a salary or any other form of financial assistance (including scholarships or educational grants-in-aid, from a professional sports organization, or any of his/her expenses for reporting to or visiting a professional team.

D. SPECIAL REGULATIONS

1) General Conduct

Participants are to abide by all the rules and regulations stated in the school's Student Handbook, Athletic Code, and under Olympia School District policies for Student Conduct. Failure to do so will result in discipline and/or suspension from participation. Discipline that is administered is cumulative for the duration of middle school eligibility, unless otherwise noted.

2) Tobacco Use

The use or possession of tobacco products is prohibited and will result in the following:

- a) First Violation:** A ten (10) school day suspension from participation. Provided, further, that a reduction may be granted for participation in tobacco cessation classes. The full suspension is to be reinstated if the cessation program is not completed.
- b) Second Violation:** Suspension from participation for a period of one (1) calendar year.
- c) Third Violation:** Suspension from participation for permanently ineligible for interscholastic competition--remainder of middle school.

After any suspension for tobacco use, the student must meet with the school eligibility committee and request approval for future participation. The school eligibility committee will recommend to the Principal appropriate action to be taken regarding any future participation. The school Principal will have the final authority as to the student's future participation in interscholastic activities.

The above sanctions will be implemented in addition to school discipline procedures. Violations are considered cumulative for the duration of middle school eligibility.

3) Alcohol, Legend Drugs and Controlled Substances

The following Code sanctions for possession, being under the influence, sale/transfer or the attempt to sell or transfer, or the purchase or attempt to purchase alcohol, legend drugs (drugs obtained through prescription, RCW 69.41.020-050) and controlled substances (RCW 69.50), will be considered as one part of the total school disciplinary process for violations of Policy 3200. If found in violation of District Policy 3200, these specific Athletic Code sanctions will be imposed in addition to established District procedures. Violations are considered cumulative for the duration of middle school and high school eligibility.

- a) First Violation:** A participant will be immediately ineligible for interscholastic participation for the remainder of the sports season. In order to be eligible to participate in the next sports season, the student must meet with the school eligibility committee and request approval. The school eligibility committee will recommend to the Principal appropriate action to be taken. The school Principal will have the final authority as to the student's future participation in interscholastic sports.
- b) Second Violation:** A participant found in violation of this rule, at any time during middle school eligibility, will be ineligible for any interscholastic participation for a period of one (1) calendar year from the date of the second violation. In order to be eligible to participate in any interscholastic activity, after the complete term of the suspension, the student must meet with the school eligibility committee and request approval. The school eligibility committee will recommend to the Principal appropriate action to be taken. The school Principal will have the final authority as to the student's future participation in any interscholastic activity.
- c) Third Violation:** A participant found in violation for a third time will be found permanently ineligible for any interscholastic participation for the remainder of high school eligibility.

In no instance will participation in a school and/or community-approved assistance and/or treatment program excuse a student from compliance with these regulations. However, successful completion of an approved program may be considered when requesting reinstatement by the eligibility committee.

4) Conduct Away from School

Student athletes who attend and remain at any function where alcohol or other drugs are illegally used will be ineligible for all participation for a period of fifteen (15) practice/game days from the date of notification. Upon return from ineligibility, a required number of practices may be necessary prior to participation in competition. If found to have been in possession, under the influence, or sale/transfer of alcohol or other drugs, the appropriate sanction (First Violation, Second Violation or Third Violation), as noted in Section D.3, will be imposed.

5) Activity Specific Rules and Regulations

Because of individual sport differences, head coaches will inform, in writing, participants and parents of any additional rules and regulations which they believe necessary and are not in violation of any rules or regulations in this code or District policy. Activity-specific rules and regulations must be approved by the Athletic Director and building Principal prior to distribution to participants and parents. Activity-specific rules and regulations may not relate to scholarship, attendance, tobacco, alcohol or other drug rules and regulations as stated in the District Athletic/Activities Code.

6) Enforcement of Regulations

Violation of the Middle School Athletic Code will result in immediate discipline and/or suspension by the head coach or school administrator for the remainder of the sport season. The head coach will notify the Athletic Director and school administrator of all violations. The head coach or school administrator will immediately notify, by phone and in writing, the participant and his/her parent/legal guardian of the violation and disciplinary action taken and his/her right to appeal. Upon appeal disciplinary action will be reviewed by the building athletic committee. During an appeal, the participant and/or his/ her parent/legal guardian may or may not:

- a) appear personally,
- b) appear with parents, or
- c) submit a written statement to the athletic committee.

7) Student Appeals

Any student declared ineligible or in violation of WIAA, district/building or Athletic Code rules or regulations who wishes to appeal this decision, must first meet with the Athletic Director to review proper appeal procedures.

8) Athletic Committee Membership

The following building staff are to be included on the [Building](#) Athletic Committee:

- Principal or Assistant Principal (presiding official)
- Athletic Director
- Coach(es) from sports not involved in the specific appeal (3)

9) Checklist Needed for Participation

A participant must present payment of all fees and a completed eligibility packet, including current medical examination, insurance coverage, and a copy of the Athletic Code signed by the participant and parent/legal guardian prior to initial participation.

Addendum II – ATHLETIC CODE FOR HIGH SCHOOL STUDENTS

Participating in athletic or other co-curricular programs is a privilege, not a right, and involves teamwork, responsibility and self-discipline. The Olympia School District is committed to promoting the well-being, personal development and successful performance of our high school students. This policy is designed to assist students who participate in athletic or other co-curricular programs to be safe, responsible, healthy and successful. All students who choose to participate in athletics or other co-curricular programs are expected and required to set a positive example for others through their conduct and promotion of a positive school environment which holds high academic and behavior standards and is free from violence, alcohol, tobacco and other drugs.

The Olympia School District Athletic/Activity Code is designed to provide specific regulations to be followed by all high school students participating in athletics or other co-curricular programs, including but not limited to drill/dance team, cheer squad, debate and music/drama performance events that are part of an extra curricular offering.

This Athletic/Activity Code is in effect; (1) throughout the school year from the first day of turn out for a sport or activity through the remainder of the calendar year, until the participants first turn out of the succeeding year—exclusive of summer break, (2) at school or at any school-sponsored program/event, even those occurring during breaks in the school year, and (3) at any program/event at which students are representing their school or the District regardless of when the event occurs and regardless of sponsorship. The Code will no longer remain in effect if a student participates in less than ten (10) practice days during their initial sports season of any year.

Sanctions related to misconduct issued under this policy will be considered cumulative throughout a student's high school years for any and all athletic or co-curricular programs. The Superintendent will establish appropriate procedures for the implementation and will broadly disseminate the Code and its' provisions in school and district publications and in a manner that will reasonably provide students and their families with notification.

WIAA Regulations

Participants are required to comply with all WIAA regulations, with specific exceptions as allowed by WIAA related to academic standards and student conduct as noted in this Code. The Superintendent will publish and make available to all participants WIAA rules directly related to eligibility. Other WIAA regulations will be available at each high school site and linked to the District website.

Olympia School District Regulations:

Academic Standards – Previous Semester (Reference WIAA 18.6)

A student will have been in regular attendance and have passed all classes in a middle or high school during the semester immediately preceding the season in which they wish to participate. Students enrolled in Running Start, approved Online Education Programs, and/or those in

approved Home School programs, must meet all requirements under section 18.0 of WIAA Rules and Regulations.

Incompletes must be made up for credit during the first five (5) weeks of the subsequent semester. The student will be ineligible for competition until the incomplete(s) is cleared. Students receiving a “No-Credit - NC” grade will be declared ineligible for competition for a period of five (5) weeks.

Students failing to meet these academic requirements will be placed on probation for a period of five (5) weeks from the first day of practice for that sport. For fall sports, the probationary period will begin the first day of school, per section 18.0 of WIAA Rules and Regulation, for students failing two or more classes. During the probationary period the student is eligible to practice but may not participate in any competition. A student on academic probation will be required to participate in an academic enhancement program/“study table” and/or have practice time reduced to allow for additional study time. If the student is passing all classes at the end of the probationary period, full eligibility will be reinstated. The building Athletic Director will meet individually with each ineligible student, contact their parents and discuss available methods designed to assist the student in achieving a passing grade.

Clearance Timeline

Sports Season	Clearance Semester
FALL	2 nd Semester (previous semester)
WINTER	2 nd Semester (previous year) AND 1 semester (current year)
SPRING	1 st Semester (current year)

Academic Standards – Current Semester (Reference WIAA 18.7)

In order to maintain eligibility during the current semester, students must maintain regular attendance and have passing grades in all classes. The building Athletic Director will check progress grades at six (6) and twelve (12) weeks

The building Athletic Director will consult with the student’s teacher(s) to determine the reason for the failing grades, meet individually with the student and make contact with the parent. If a student has a failing grade at the six (6) week check they will be given until the eighth (8th) week to confirm a passing grade. If at that time they are failing a class they will be placed on probation until such time as a passing grade is confirmed by the teacher(s) and building Athletic Director. If failing a class at the twelve (12) week check they will be immediately placed on probation until such time a passing grade is confirmed. Students placed on academic probation will be required to participate in an academic enhancement program/“study table” and/or have practice time reduced to allow for additional study time.

General Conduct

Students found in violation of district Policy 3200, Student Rights and Responsibilities 1 - 27 (and as described in the Student Rights and Responsibility Handbook) may be subject to athletic/co-curricular disciplinary action, in addition to other school discipline action, as determined by the building Athletic Director and Principal. Disciplinary action for violations involving tobacco, alcohol, legend drugs, controlled substances and conduct away from school are noted below and may only be modified through the appeal process.

1. Tobacco Possession and/or Use (Reference WIAA 18.26)

The use or possession of tobacco products is prohibited at school and/or at school events, and will result in the following:

- First Violation: A ten (10) day suspension* from participation (practice and games). If a student completes a school or community tobacco education program, the suspension will be reduced to five (5) days.
- Second Violation: Suspension from participation for the remainder of the season. If less than fifteen (15) days, the suspension will carryover into the student's next season of participation.
- Third Violation: Suspension from participation for one (1) calendar year.

* If less than the specified number of days remain in the season, the suspension will carryover into the student's next season of participation.

The above sanctions will be implemented in addition to school discipline procedures. Violations are considered cumulative for the duration of high school eligibility.

2. Alcohol, Legend Drugs and Controlled Substances (Reference WIAA 18.26)

The following Code sanctions for possession, being under the influence, sale/transfer or the attempt to sell or transfer alcohol, legend drugs and controlled substances on school property, including school district transportation, at a sponsored event, or when representing the team or school, shall be considered as one part of the total school disciplinary process. Violations of this section are considered cumulative from 7th grade through the duration of high school eligibility.

- First Violation: Immediate ineligibility from all participation (practice and games) for the remainder of the sports season. If less than twenty (20) practice/game days remain in the season the remainder of the sanction shall carryover into the students next season of participation;

A. A student who seeks and receives help for a problem with the use of alcohol ad/or other drugs will be given the opportunity for assistance through a school and/or community agency. In no instance will participation in a school and/or community assistance program excuse a student from subsequent compliance with this regulation. However, successful utilization of such an opportunity and compliance with any recommendations made by the assistance program, may allow him/her to have full eligibility reinstated in that sports season, pending recommendations of the District Athletic Committee.

B. In order to be eligible to participate in the next sports season, the student must meet with the District Athletic Committee. The Committee will recommend to the building principal appropriate action to be taken. The school principal will have the final authority as to the student's future participation.

- Second Violation: Immediate ineligibility from all participation (practice and games) for a period of one (1) calendar year from the date of the violation.

- Third Violation: Immediate ineligibility from all participation (practice and games) for the remainder of high school eligibility.

3. Conduct Away From School (Reference WIAA 18.26)

Students participating in athletics or co-curricular activities who attend gatherings (parties) at any time during the school year where alcohol and/or other drugs are being illegally used, must, upon learning of the presence and/or use of such substances, make immediate and reasonable attempts to leave.

If found in violation of remaining at the gathering (party) the student will be immediately ineligible for a minimum of one (1) contest.

If found to have been in possession, under the influence or sale/transfer of alcohol and/or other drugs, the appropriate sanction (first violation, second violation, third violation), as noted in this section (General Conduct, Item 2) will be imposed.

Appeal Process

A student and/or parent/guardian who believes that there are extenuating circumstances which would allow a modification of a disciplinary action resulting from a Code violation, he/she may access the following appeal procedure.*

Academic Probation Appeal

Upon the imposition of academic probation, any aggrieved student or parent/guardian of said student will have the right to appeal to the Building Athletic Committee consisting of the building principal, athletic director, two (2) coaches (not associated with the appeal) and one (1) counselor. Appeals to this committee will be made in writing to the building Athletic Director. A request for an appeal hearing must be made within three (3) school days of the action grieved or the student or parent/guardian will have waived their right to the appeal. The building athletic committee will hear the appeal within three (3) days of receiving the request. The aggrieved student or parent/guardian will be notified of the building committees decision within three (3) days of hearing the appeal. The aggrieved party may appeal the decision of the building committee to the District Athletic Committee within 3 days of receiving notice from the building.

Disciplinary Action Appeal

The aggrieved party may appeal the decision of the building to the District Athletic Committee consisting of the District Coordinator for Health, Fitness and Athletic Programs, three (3) District level administrators. Appeals to this committee shall be made in writing to the District Coordinator of Health, Fitness and Athletic Programs within three (3) school days of notification of the building committee's decision or the aggrieved parties will waive their right to the appeal. The District committee will hear the appeal within five (5) school days of receiving written notification and will render a decision on the case within five (5) school days of hearing the appeal.

The aggrieved parties may appeal the District Athletic Committee decision to the Board of Directors within three (3) school days of receiving notification of the district committee decision or the aggrieved party will have waived their right to the appeal. The Board of Directors will hear the appeal at their next regular meeting. After hearing the case the aggrieved party will be notified of the decision within ten (10) school days. The decision of the Board of Directors will be final.

Appeals related to specific violations of WIAA Rules and Regulations must follow established WIAA procedures. The aggrieved party shall meet with the building Athletic Director within three (3) school days of the notification of a WIAA violation to review the appeal process.

* Students with approved Individual Education Plans (IEPs) who wish to appeal academic probation must base the appeal on areas specifically addressed and agreed upon in the approved plan which was in effect during the semester where failing grades were received.

Physical Examination

Prior to the first practice for high school athletic teams and drill/dance/cheer squads, students will undergo a complete physical examination conducted by a health care provider licensed to perform a physical examination dated after May 1 of the year clearance is requested. and be approved for full participation. Physical examinations will be valid for 13 months.

