

Olympia School District No. 111

2011-2012



World-Class Schools for World-Class Students

**Student Rights and
Responsibilities
Handbook**

For Students/Parents/Legal Guardians



Dear Students and Families:

One of the responsibilities of the Olympia School District is to help all of our students develop an understanding and appreciation of our American heritage and the democratic way of life, particularly the legal principles and processes safeguarding individual rights.

All of our rules and regulations derive from federal and state constitutions, state law, county and city ordinances, State Board of Education bylaws, and regulations and policies adopted by our Board of Directors.

This handbook includes all of our policies that pertain to the rights and responsibilities of students in the Olympia School District. These policies are designed to protect the rights of all members of the school community. Effective implementation of these guidelines requires the exercise of good faith on the part of students, parents, and all school personnel.

After reviewing the contents, please keep this handbook as a reference.

On pages 32 and 34, you will find two forms to read and review.

Please return to your student's school NO LATER THAN October 3, 2011.

- Page 32—Student Records and Privacy Form**
(sign and return if you DO NOT wish to have your student's directory information released AND/OR you do not wish to have your student included in any district-related visual communication.)
- Page 34—Student/Parent/Legal Guardian's Rights and Responsibilities Handbook Acknowledgment Form**

Thank you so much for taking the time to familiarize yourself with these rights and responsibilities.

Sincerely,

A handwritten signature in black ink that reads "Bill Lahmann". The signature is written in a cursive, flowing style.

Bill Lahmann
Superintendent

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Note: Board policies and procedures revised after the printing date of this handbook supersedes any policies printed herein. Policies are kept updated, as changes are approved, on the Olympia School District website: <http://osd.wednet.edu>

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

- 1) 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.
- 2) 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.
- 3) 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.

- 1) 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.

- 2) 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.
- 3) 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.

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,
 - (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/legal guardian(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** 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.

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 any characteristic in RCW.9A.36.080(3), 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 No. 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 that 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, provides additional information related to sexual harassment.

- 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 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

