

Olympia School District No. 111

2009-2010



Celebrating the Past, Realizing the Dream: A World Class School District

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 28 and 30, you will find two forms to read and review.

Please return to your student's school NO LATER THAN September 30, 2009.

- Page 28—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 30—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,

Bill Lahmann
Superintendent

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Note: Board policies and procedures revised after the printing date of this handbook supercede 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.

Libel, obscenity and personal attacks are prohibited in all school authorized publications. 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. 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 are concealed within a school locker, which violate school rules or the law, 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, 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; or
- d) on any District property or District-approved transportation.

Appropriate use of a drug, authorized by a medical prescription, by the individual to whom the medication is prescribed 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 truanies 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 or mental or physical disability), or other distinguishing characteristics, when the intentional written, verbal, or 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 an administrator or counselor pursuant to the procedures contained in procedures that accompany District Policy No. 3207. Concerns and/or 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.

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. 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 take the complaint to an administrator or counselor. 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 Policy No. 6590, provides additional information on 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 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 checkout 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.

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 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.

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.

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 *
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- 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/legal 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 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 legal 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/legal guardian 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 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. The requirements of paragraph C.2.d (1)-(3) will prevail with respect to expulsions for unexcused absences.

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 for a student prior to the opportunity for a hearing, pursuant to the provisions of paragraph E hereof. 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 and any other certificated administrator to whom such authority has been delegated in writing by the Superintendent.

School Business Day

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

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, with the building principal, 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) Include a schedule of the school business days applicable to the exercise of the right to request such a hearing. The student and/or the parent or legal guardian must 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 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

SPECIFIC PROCEDURES FOR “ALCOHOL AND OTHER DRUGS” VIOLATIONS

School staff having cause to believe that a student is in possession, under the influence, or shows evidence of having used any narcotic drug, alcohol or other controlled substance must immediately report it to the principal or designee.

Upon receiving a report that a student may be under the influence of alcohol or other drugs, the principal or designee must immediately meet with the student and conduct an initial screening which may include:

- 1) Assessment of physical symptoms.
- 2) Questioning of student regarding possible use.
- 3) Additional screening to be conducted by trained staff in the presence of a second staff member.

For suspected use of alcohol:

- “Field Sobriety Screening”

For suspected other drug use:

- Rapid Eye Movement screening.
- Blood pressure/pulse rate screening.

If screening results indicate alcohol or drug use and/or possession, the principal or designee -must contact appropriate law enforcement, the District alcohol and drug specialist, and parent/legal guardian. In implementing this procedure, the principal or designee will coordinate all efforts with

law enforcement officials and the District alcohol and drug specialist. Upon completing the initial screening process, the principal or designee will complete an “Initial Alcohol and Other Drug Screening Report”. The original report will be maintained at the school with copies forwarded to the District lead alcohol and drug specialist for possible further assessment, counseling and referral.

If possession and/or use is confirmed through the established screening process, discipline policies and procedures will be followed.

Possession or use of alcohol, narcotic drug, controlled substance or paraphernalia (or that which purports to be) during school hours, at school-sponsored events or on school property will be considered a violation of District policy and will result in disciplinary action as follows.

MINIMUM CONSEQUENCES:

First Offense:

- | | |
|---------------|---|
| Elementary | 1) Notifications.
2) Discipline action handled on an individual basis. |
| Middle School | 1) Emergency Expulsion.
2) Immediate referral to law enforcement.
3) Short-Term Suspension of ten (10) days. |
| High School | 1) Emergency Expulsion.
2) Immediate referral to law enforcement.
3) Long-Term Suspension of fifteen (15) days. |

Second Offense:

- | | |
|---------------|--|
| Elementary | 1) Notifications.
2) Emergency Expulsion.
3) Discipline action handled on an individual basis. |
| Middle School | 1) Emergency Expulsion.
2) Immediate referral to law enforcement.
3) Long-Term Suspension of twenty (20) days. |
| High School | 1) Emergency Expulsion.
2) Immediate referral to law enforcement.
3) Long-Term Suspension of thirty (30) days. |

Third Offense:

- | | |
|---------------|---|
| Elementary | 1) Notifications.
2) Emergency Expulsion.
3) Additional disciplinary action handled on an individual basis. |
| Middle School | 1) Emergency Expulsion.
2) Immediate referral to law enforcement.
3) Expulsion. |
| High School | 1) Emergency Expulsion.
2) Immediate referral to law enforcement.
3) Expulsion. |

Level of offenses are considered cumulative within and between educational levels; e.g., first offense occurs at the middle level, the student is found in violation of policy at the high school level—this offense becomes the student’s second offense.

Students subject to “First and Second Offense” disciplinary actions for use or possession of alcohol, narcotic drugs, controlled substances and/or paraphernalia may choose to be assessed and follow any

recommendations made as an alternative corrective action. When the assessment has taken place, and the school/district has received confirmation, the length of a suspension may be reduced to five school (5) days for the first offense and ten school (10) days for the second offense; provided, that exceptions in the length of reductions may be made on an individual basis.

The principal or designee has the responsibility of tracking and determining if the assessment has been completed and the recommendations have been followed. If a student or parent/legal guardian chooses not to complete the assessment or to follow the recommendations, the principal or designee will impose the original disciplinary sanctions.

If the student and/or parent/legal guardian chooses to have an assessment conducted by non-district staff, the student and/or parent/legal guardian is responsible for all expenses incurred. The student and/or parent/legal guardian will be responsible for any expenses incurred for any treatment, counseling or laboratory procedures recommended.

Sale, distribution, trade or transfer of alcohol, narcotic drugs, controlled substances, and/or paraphernalia (or that which purports to be) will be referred to the appropriate law enforcement agencies and will result in disciplinary actions up to, and including, immediate expulsion.

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.

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 legal 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 discipline 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.

POLICY 3207 PROHIBITION OF HARASSMENT, INTIMIDATION AND BULLYING

The District is committed to a safe and civil educational environment for all students, employees, volunteers and patrons, free from any form of harassment, intimidation or bullying (hereinafter referred to as “HIB”). District employees, in particular, and students are expected to support the dignity and safety of all members of the school community. The District recognizes that any form of HIB can have an adverse affect on school climate in general and that victims of HIB, as well as those who engage in acts of HIB, cannot give full attention to their educational success. The District’s primary goal is to prevent HIB from occurring and to respond to acts of HIB through interventions, that may include discipline, education and/or counseling, to ensure that those acts end and do not reoccur.

“Harassment, intimidation or bullying” means any intentional written message or image, including those that are electronically transmitted, a verbal or 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 or mental or physical disability), or other distinguishing characteristics, when the intentional written message, verbal or physical act:

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

A student affected by HIB does not need to actually possess a characteristic that is a basis for the harassment, intimidation, or bullying. “Other distinguishing characteristics” can include but are not limited to: physical appearance, clothing or other apparel, socioeconomic status, gender identity, and marital status. It can take many forms including: slurs, rumors, jokes, innuendos, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, or other written, oral, physical or electronically transmitted messages or images. “Intentional acts” of HIB refers to the individual’s choice to engage in the act, not the ultimate impact of the act(s).

The Olympia School District staff will not tolerate any form of HIB anywhere on District property to include any District facility, at District-sponsored events and activities on or off campuses, on school-District provided transportation, or at school bus stops. Falsely reporting acts of HIB, or retaliation against another for reporting acts of HIB, also constitute violations of this policy. Staff members who observe, or become aware of, acts of HIB must take immediate and appropriate steps to intervene in such situations, or seek assistance as is necessary to intervene. Such intervention, whether resulting in resolution or not, will be followed by a prompt verbal or written report to the school administration for recording and for further investigation and resolution, if necessary.

Students and volunteers, who observe or become aware of acts of HIB, must report such acts to school staff. Such reports must also be made to the school administration for recording and for further investigation and resolution, if necessary. Parents and visitors who become aware of acts of HIB should report those acts to the school administration for investigation and resolution.

Acts of HIB, and retaliation against those who report HIB, will result in disciplinary action that may include suspension or expulsion and/or referral to law enforcement. Those who falsely report acts of HIB will also be subject to disciplinary action. Other interventions, such as educational training, mediation, and counseling, may also be required in an effort to further remediate the impact on the victim and the general school climate, and to change the behavior of the perpetrator. Factors to be considered in determining the appropriate disciplinary action and/or other course of intervention include, but are not be limited to, the severity and frequency of the harassment, the age of the harasser and the victim, the harasser’s attitude and intent, the effect it has on other students and/or staff, the relationship of the harasser to the victim, and the student’s general disciplinary history.

This policy is implemented in conjunction with all District policies related to harassment of any kind. It serves as a component of the District's efforts to create and maintain a safe, civil, respectful, and inclusive learning community, and is implemented in conjunction with the District's comprehensive staff development program for staff and volunteers, including the education of students, in partnership with families and the community. On an annual basis, all students in the District will receive written and verbal orientation to the policy and its related procedures as part of the communication and distribution of student rules and regulations. Parents/legal guardians of students will receive written information related to the policy and its related procedures. This policy will be one component in the annual orientation of new District employees. This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the educational environment. Many behaviors that do not rise to the level of harassment, intimidation or bullying may still be prohibited by other District policies or building, classroom or program rules.

The Superintendent is authorized to direct the development and implementation of procedures addressing the elements of this policy, consistent with the complaint and investigation components of procedures related to Sexual Harassment.

POLICY 6590 SEXUAL HARASSMENT

This District is committed to a positive and productive education and working environment free from discrimination, including sexual harassment. The District prohibits sexual harassment of students, employees and others involved in District activities.

This policy is intended to provide notice to students, employees and others of the District's expectations for their behavior or conduct, to warn them that disciplinary sanctions may be imposed, to provide a prompt and effective means for persons to report behavior or conduct in violation of this policy, and to ensure that such reports are handled in a manner that furthers an educational and work environment free from sexual harassment as required by state and federal law. This policy and procedure does not and is not intended to confer any rights upon alleged violators of the standards of conduct or behavior described herein or to create any expectations for alleged violators on how complaints concerning their conduct will be investigated or processed. The rights of alleged violators concerning the District's investigation and any disciplinary actions stemming from any complaints of sexual harassment shall be governed solely by any applicable collective bargaining agreement or contracts, and applicable statutory or constitutional due process obligations.

Sexual harassment occurs when:

1. Submitting to the harasser's sexual demands is a stated or implied condition of obtaining an education or work opportunity or other benefit;
2. Submission to, or rejection of, sexual demands is a factor in an academic, work or other school-related decision affecting an individual; or
3. Unwelcome sexual or gender-directed conduct or communication interferes with an individual's performance or creates an intimidating, hostile or offensive environment.

Sexual harassment can occur, adult-to-student, student-to-adult, student-to-student, adult-to-adult, male-to-female, female-to-male, male-to-male and female-to-female. Contact of a sexual nature between a District employee and a student is forbidden in all circumstances.

The District will take prompt, equitable and remedial action within its authority on reports, complaints and grievances alleging sexual harassment that come to the attention of the District, either formally or informally. Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. Persons found to have been subjected to sexual harassment will have appropriate District services made

reasonably available to them and adverse consequences of the harassment shall be reviewed and remedied, if appropriate.

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending students, staff and contractors. Anyone else who engages in sexual harassment on school property or at school activities will have access to school property and activities restricted, as appropriate.

Retaliation against any person who makes or is a witness in a sexual harassment complaint is prohibited and will result in appropriate discipline.

The District will take appropriate actions to protect involved persons from retaliation.

It is a violation of this policy to knowingly report false allegations of sexual harassment. Persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

The Superintendent shall develop and implement formal and informal procedures for receiving, investigating and resolving complaints or reports of sexual harassment. The procedures will include reasonable and prompt time lines and delineate staff responsibilities under this policy. All staff are responsible for receiving informal complaints and reports of sexual harassment and informing appropriate District personnel of the complaint or report for investigation and resolution. All staff are also responsible for directing complainants to the formal complaint process.

The Superintendent shall develop procedures to provide age-appropriate information and education to District staff, students, parents and volunteers regarding this policy and the recognition and prevention of sexual harassment. At a minimum, sexual harassment recognition and prevention and the elements of this policy will be included in staff, student and regular volunteer orientation. This policy shall be posted in each District building in a place available to staff, students, parents, volunteers and visitors. The policy shall be reproduced in each student, staff, volunteer and parent handbook.

The Superintendent shall make an annual report to the Board reviewing the use and efficacy of this policy and related procedures. Recommendations for changes to this policy, if applicable, shall be included in the report. The Superintendent is encouraged to involve staff, students, volunteers and parents in the review process.

POLICY 3210 STUDENT NONDISCRIMINATION

The District shall provide equal educational opportunity and treatment for all students in all aspects of the academic and activities program without regard to race, creed, color, national origin, gender, non-program-related physical, sensory or mental disabilities, or sexual orientation. District programs shall be free from sexual harassment.

The Superintendent shall provide for the annual evaluation, periodic surveys, annual notice and complaint procedures as required by law to insure that there is in fact equal opportunity for all students in the District.

The Board of Directors shall designate a staff member to serve as affirmative action/Title IX compliance officer.

RELEASE OF DIRECTORY INFORMATION

The federal Family Education Rights and Privacy Act (FERPA) authorizes school districts to identify certain information as "directory information" which may be released publicly unless a parent or legal guardian indicates, in writing, they do not want such information released.

The Olympia School District's Policy 3231 defines directory information as:

- Student name, address, and telephone number (unless unlisted)
- Date and place of birth
- Course/field of study
- Participation in officially recognized activities and sports
- Weight and height of athletic team members
- Diplomas and awards received
- Schools attended and dates of attendance

The directory information may be used in printed and electronic forms such as student directories, school yearbooks and newspapers, and newsletters. **Such information will not be released for commercial purposes.**

Section 9528 of the federal No Child Left Behind Act, 2001 (NCLB) grants military recruiters and higher education institutions access to personal student information upon request. **Parents/Legal Guardians may request of the school, in writing, that they do not want such information released.**

Photographs, or other visual communication tools such as videos or website, may include students in communication materials about the District or for other non-profit, education-related purposes. **Parent/Legal guardians may request, in writing, that their student not be included in such visual communication.**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the District receives a request for access. Parents or eligible students should submit to the school principal or his/her designee, a written request that identifies the record(s) they wish to inspect. The principal or designee will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the District has contracted to perform a special task (such as an attorney, hearing officer, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the District discloses educational records without consent to officials of another school district in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Ave SW
Washington, D.C. 20202-4605

OSDNET ELECTRONIC INFORMATION SYSTEM

The Olympia School District Board of Directors recognizes that the District is connected to the statewide K-20 Network communications system, which provides internet access and interactive video conferencing. This network allows unprecedented opportunities for students, staff and the educational community-to-communicate, learn, access and publish information. The Board believes the resources available through this network and the skills students will develop in using it are of significant value in the learning process and student success in the future. These new opportunities also pose many new challenges including, but not limited to, access for all students, age-level appropriateness of material, conservation of resources, security/privacy/confidentiality, and cost of maintaining the system. The District will endeavor to ensure these concerns are appropriately addressed, but cannot insure that problems will not arise.

By connecting to this network, the Board intends only to provide a means for educational activities and does not intend to create a first amendment forum for free expression purposes. The District dedicates the property comprising the network and grants access to it by users, only for the educational activities authorized under this policy and procedures, and under the specific limitations contained therein.

The Board directs the Superintendent to provide training and procedures that encourage the widest possible access to the K-20 Network by students, staff and the educational community, while establishing reasonable controls for the lawful, efficient and appropriate use and **management of the system.**

OSDNET ACCEPTABLE USE PROCEDURES

The Olympia School District has implemented an electronic communications network (OSDNet) that allows opportunities for students to communicate, learn, access and publish information. OSDNet includes the services provided by the District's service providers (K20 Education Network) to access public networks such as the Internet. **All students will be provided access to OSDNet services, including the Internet, unless the parent/legal guardian notifies the District by contacting their school principal by the last school day in September, or within ten days of enrollment, that they do not wish their child to have access.**

Successful operation of the network requires all users to conduct themselves in a responsible, lawful, ethical and polite manner while using the network. The user is ultimately responsible for his/her actions while accessing network services. As a condition for the privilege of using OSDNet services, all users will abide by the procedures listed within this policy. These procedures include, but are not limited to, the following:

NETWORK USE

- 1) Use of the system will primarily be in support of education and research and consistent with the mission of the District. The District reserves the right to prioritize use and access to the system.
- 2) Any personal use of OSDNet resources will be at no cost to the District, must not interfere with the performance of official duties, must be brief in duration, and must not disrupt the conduct of District business.
- 3) Use of the system must be in conformity to state and federal law, K-20 Network policies and licenses, and District policies.
- 4) Malicious use of the system to harass or bully other users or gain unauthorized access to an entity on the system and/or damage the components of an entity on the network is prohibited.

- 5) Users are responsible for the appropriateness and content of material they transmit or publish on the system. Hate mail, harassment, cyber bullying, discriminatory remarks, or other antisocial behaviors are expressly prohibited.
- 6) Use of the system to access, store or distribute inappropriate, obscene or pornographic material is prohibited.
- 7) Use of the system for commercial purposes is prohibited. Use of the system for charitable purposes must be approved in advance by the Superintendent or designee.
- 8) The system constitutes public facilities and may not be used to support or oppose political candidates or ballot measures.
- 9) No use of the system will be permitted to disrupt the operation of the system by others, or compromise the security or integrity of District information or software; system components, including hardware or software, may not be destroyed, modified or abused in any way.

SECURITY

System accounts are to be used only by the authorized owner of the account for the authorized purpose. Users must not share their account access or password with another

- 1) person or leave an open file or session unattended or unsupervised. Account owners are ultimately responsible for all activity under their account.
- 2) Users must not seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users, or misrepresent other users on the system, or attempt to gain unauthorized access to any entity on the K-20 Network system.
- 3) Communications may not be encrypted so as to avoid security review.
- 4) Users should change passwords regularly and avoid easily-guessed passwords.

PERSONAL SECURITY

- 1) Personal information, such as addresses and telephone numbers, should remain confidential when communicating on the system. Students should never reveal such information without permission from their teacher or other adult. No user may disclose, use or disseminate personal identification information regarding minors without authorization.
- 2) Students should never make appointments to meet people in person that they have contacted on the system without District and parent permission.
- 3) Students should notify their teacher or other adult whenever they come across information or messages that are dangerous, inappropriate or make them feel uncomfortable while using any OSDNet services.

COPYRIGHT

The unauthorized installation, use, storage or distribution of copyrighted software or materials on District computers is prohibited. All users of OSDNet will comply with current copyright laws and Board Policy 2025, Copyright Compliance.

FILTERING AND MONITORING

- 1) Filtering services are in use for all computers with access to the Internet for all users. These services will block or filter access to visual depictions that are obscene, child pornography, or harmful to minors.
- 2) Educational staff will, to the best of their ability, monitor students' use of the Internet in school, and will take reasonable measures to prevent access to inappropriate material on the Internet.

GENERAL USE

- 1) Use of instructional software, including computer-based games, must be approved by the Technology Department and must be in support of District learning goals. All other computer-based games are prohibited.
- 2) Diligent effort must be made to conserve system resources. For example, users should frequently delete email and unused files, and users should promptly disconnect videoconferences upon completion.
- 3) Nothing in these regulations is intended to preclude the supervised use of the system while under the direction of a teacher or other approved user acting in conformity with District policy and procedures.

Violation of any of the conditions of use may be cause for disciplinary action.

OLYMPIA SCHOOL DISTRICT RESERVES THE RIGHT TO:

- 1) Monitor all activity of OSDNet.
- 2) Review any materials stored in OSDNet files and to edit or remove any material that District administrators believe may be unlawful, obscene, abusive, or otherwise objectionable.
- 3) Determine whether specific uses of the network are consistent with these Acceptable Use Procedures.
- 4) Log network use and monitor storage disk space utilization by users.
- 5) Determine what use is appropriate.
- 6) Remove a user's access to the network at any time it is determined that the user is engaged in unauthorized activity or violating these Acceptable Use Procedures.
- 7) Cooperate fully with any investigation concerning or relating to any OSDNet activity.
- 8) Prioritize use and access to the system.
- 9) Modify and review the Acceptable Use Procedures.

DISTRICT RESPONSIBILITIES/LIMITATIONS

- 1) The District will take prudent steps to develop, implement and maintain security procedures to insure the integrity of individual and District files. The District will not guarantee that information on any computer system will be inaccessible by other users.
- 2) The District will attempt to provide error free and dependable access to technology resources associated with OSDNet. The District will not be held liable for any information that may be lost, damaged or unavailable due to technical or other difficulties.
- 3) The District will not deny or remove a user's right to use OSDNet resources without just cause.

USER'S RIGHT TO APPEAL

A user of OSDNet services who has violated his/her OSDNet User Agreement and has been subjected to disciplinary action may appeal his/her case to: (1) the building's administrator, (2) the District Technology Director and/or (3) the District Board of Directors.

**Please Read,
Sign,
and Return
the Following Forms to
Your Child's School by
September 30, 2009**

Thank You.

**Olympia School District
2009-2010 Student Records and Privacy Form**

Several federal and state laws and district policies govern the information we request about your student and what we are permitted to do with that information. Your student also has certain rights pertaining to his or her information under these laws and policies.

Under the federal Family Rights to Privacy Act (FERPA), institutions like colleges and universities, the military, yearbook companies, and scholarship committees may request the following student information: name, address, telephone number, date and place of birth, participation in recognized activities and sports, weight and height of athletic team members, diplomas issued and awards received; and schools attended and dates of attendance.

However, you have the right to choose whether your student's information is released or not. **If you do not want to have information about your student released, please check the appropriate boxes below, sign the form and return it to your student's school by September 30, 2009.**

FOR FAMILIES OF HIGH SCHOOL JUNIORS AND SENIORS

U.S. Military:

Under federal law, the military may request the names, telephone numbers and addresses of high school juniors and seniors, unless the parent, guardian or eligible student checks the box below. The military typically requests this information in October of each academic year. **If you do not want information released to the military, you must check the box below and return this form by September 30, 2009, in order to ensure that your preferences are registered in time.** Note: checking the box below does not prohibit the military from gathering student information from other non-school district sources or from having military recruiters speak with your student when the recruiter is on campus.

- Please do not release my student's information to the U.S. military.

FOR ALL FAMILIES

Other Institutions:

Under federal law, institutions of higher education, scholarship committees, yearbook companies and other organizations may have access to your student's name, address and telephone number upon request. Most frequently, this information is used for things like graduation programs, sports activity sheets or the annual yearbook. **However, if you do not want to have this information released to these organizations, please check the box below.**

- Please do not release my student's information to other institutions except where required by law.

Visual Information for Public Use:

From time to time, Olympia School District staff may take a photo or video of your student for use in the district newsletter, web site or other communication. Local newspapers also photograph students occasionally at school. **If you would like to have these visual images withheld from district communications or newspapers, please check the box below.**

- Please do not release my student's visual image for school district publications or other communications.

Student's Name _____ School _____ Grade _____

Parent/Legal Guardian's Signature _____ Date _____
(student may sign form if he/she is 18 or older)

Olympia School District
Student/Parent/Legal Guardian's
Rights and Responsibilities Handbook

Below,
please print your child's name,
sign,
and **return** to your child's school,
by **September 30, 2009.**

STUDENT/PARENT/LEGAL GUARDIAN

ACKNOWLEDGMENT FORM

I acknowledge that I have read and understand the Olympia School District Student/Parent/Legal Guardian's Rights and Responsibilities Handbook and I agree to comply with all requirements contained within this handbook.

Student's Name (Printed)

Parent/Legal Guardian's Name (Printed)

Student's Signature

Parent/Legal Guardian's Signature

Date

Date