

**Student Rights  
&  
Responsibilities  
2018-2019**



**Mukilteo**  
School District

# Mukilteo School District No. 6

## Student Rights and Responsibilities Handbook

### Nondiscrimination

The Mukilteo School District complies with federal and State rules and regulations and does not discriminate in any programs or activities on the basis of sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression or identity, disability, or the use of a trained dog guide or service animal and provides equal access to the Boy Scouts and other designated youth groups. Further, the District recognizes the needs of persons with disabilities, as defined by the Americans with Disabilities Act (ADA) of 1990. The District complies with State and federal accessibility regulations to provide access for our students, staff, parents and guests.

Inquiries regarding compliance and/or grievance procedures are referenced within this handbook and/or may be directed to the School District's Title IX officer and/or Section 504/ADA coordinators. The Title IX Officer is Bruce Hobert (425-356-1325), the Section 504 Coordinator is Lisa Pitsch (425-356-1277), and the ADA/Access Coordinator is Karen Mooseker (425-356-1330), all located at 9401 Sharon Drive in Everett, WA 98204. Inquiries regarding ADA/Access issues at Sno-Isle TECH Skills Center should be directed to Maggie Bagwell, Director (425-348-2220) at 9001 Airport Road in Everett, WA 98204.

Mukilteo School District Student Rights and Responsibilities policy was amended on July 10, 2017, by the Board of Education.

BCV (SR&R)  
July 9, 2018

*All referenced School Board Policies and Procedures are located on the Mukilteo School District web site at [www.mukilteo.wednet.edu](http://www.mukilteo.wednet.edu).*

# Mukilteo School District No. 6

## Student Rights and Responsibilities

### Handbook

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## **Philosophy for Students**

Mukilteo School District Board of Directors views the school as a place to experience academic and social success. Success contributes to positive student self-esteem which, in turn, translates into positive student behavior. By providing opportunities for students to learn concepts, practice skills, and experience academic success, we create an environment which promotes academic and social success.

Our program focuses on developing each student as a competent, self-disciplined learner. This requires learning decision-making skills; thus our emphasis is on identifying and defining problem behaviors, problem-solving skills, and prevention measures. These are built within an atmosphere of self-respect, respect for one another, and respect for the learning environment. School District policies, including rights and responsibilities, and student conduct procedures are designed to provide boundaries within which individuals find security, yet freedom to develop self-discipline. Emphasis is placed on positive behaviors, growth, and behavior-related consequences. It is important for all persons to be responsible for their actions.

Students, parents, and all staff must simultaneously work to support the rights of students while helping students accept responsibility for their academic and social growth.

## **Student Rights and Responsibilities**

The philosophy and policies of Mukilteo School District respect and protect the general rights of all students and parents. These policies establish certain student rights and corresponding responsibilities within our educational framework.

## **District Responsibilities**

To implement our commitment to the development of student academic and social growth through the process of providing opportunities and developing self-discipline and individual responsibility in a positive way, School District personnel will demonstrate respectful and positive

attitudes, define and consistently hold high academic and behavioral expectations of students, be consistent and appropriate with students, maintain the dignity and self-esteem of students, create an atmosphere of respect for all, vary the time for learning for students according to the needs of each student and the complexity of the task, and provide opportunities for success in academic and social growth.

## **School District Rules**

Mukilteo School District believes that students can learn and can be taught to manage their own behavior. With that belief, the District has established three general rules of conduct that guide the behavior of students:

- Students will respect the rights and property of themselves and others,
- Students will behave in such a manner as to create a positive learning environment, and
- Students will respect the health and safety of others.

Individual schools and classrooms may develop more specific rules for students. These rules will also be consistent with Board policy and philosophy.

When students do not adhere to these three basic District rules, and the rules of their specific building, the District will utilize discipline described herein.

These rules are in effect at all events sponsored by Mukilteo School District, including after-school and off-campus events, and on District transportation and transportation loading areas.

## **The Positive Approach**

In our endeavor to focus on academic and social growth, all staff will follow a process for positively directing students in behavior change at each level of discipline. Our goal is to help students to be responsible, self-disciplined individuals.

## Student Grievance/Complaint Procedures

Grievances or complaints regarding District staff or programs should be directed to the specific staff member or to the school administrator for resolution. If the grievance/complaint is not resolved at the building level, it may be directed to the Superintendent's designee and handled according to Board Policy and Procedures 4312. Grievance procedures and appeal processes regarding imposed discipline, short-term suspension, long-term suspension, expulsion, and emergency expulsion are handled in accordance to WAC 392-400-200 through WAC 392-400-320 and Board Policies and Procedures 3300 through 3331.

## Attendance

The Mukilteo School District recognizes that the educational process requires a continuity of instruction, active classroom participation and meaningful life experiences, all of which, require regular attendance to school. Making school attendance a priority may be the biggest factor influencing a student's academic success.

### Benefits to Daily Attendance

Regular attendance to school allows a student to keep up with daily classroom activities, lessons, assignments, tests and quizzes and to complete them on time. Other benefits also include:

- **Academic Achievement** – students who attend school regularly are more likely to pass their classes and to meet standard on local and State assessments.
- **Opportunities** – students who attend school regularly have opportunities such as access to counselors, access to important information such as SAT and ACT test dates or scholarship information, the ability to participate in field trips, guest speakers and more.
- **Being a member of the school** – students who participate feel a sense of belonging and being a member of something bigger than themselves. They learn teamwork, communication skills, meet others from diverse cultures and other valuable social skills.

## When Your Student Misses School

Failure to attend school causes an interruption of instructional activities, some of which cannot be substituted. Failure to attend school regularly may result in the following:

- ***Loss of credit*** – beginning with the class of 2019, students must earn 24 out of 24 credits to graduate on time from high school, so every credit counts.
- ***Grade reduction*** – missing school may mean not completing assignments or completing assignments on time, and/or lower test scores, which may result in lower grades.
- ***Removal from class or school*** – students who do not attend school regularly are at risk of being removed from a class(es) or from school entirely.
- ***Attendance to school is mandatory*** – mandatory school attendance is a policy that schools must take seriously. Unexcused absences may cause a school to file a Becca Petition with the courts.

## What Can Parents Do?

Students and their parents have the responsibility for ensuring that the student attends school regularly as prescribed by the Compulsory Attendance Law of the State of Washington. Strategies to help your student attend school may include:

- ***Contact the school immediately*** – if your student is going to be absent from school, contact the school immediately, excuse the absence and ask for any missing work/assignments. Make sure to follow the school guidelines and attendance policies that are outlined in each of the school’s student/parent handbook.
- ***Help your student get to school on time every day*** – the Mukilteo School District has a robust transportation system. If your student is riding the bus, know your pick-up and drop-off times and locations. Coming to school late may make it difficult for your student to stay caught up with the first lessons of the day.
- ***Stay informed and involved*** – ask your student about their day, how school went, what they have for homework, what activities are coming up and more. Check each night that your child is completing homework assignments, attend parent/teacher conferences, read information that comes home from school, check their grades online, attend school events, and know who they have as friends.
- ***Promote good health*** – make sure your student is eating a balanced diet, getting plenty of exercise and enough quality sleep.

- **Resources** – know what resources are available to you if you are having trouble getting your student to school.
  - School Personnel – talk with your school; teacher, counselor, administrator, school nurse, school resource officer, school secretary, coach, club advisor and more
  - On-line Resources
    - Snohomish County Juvenile Court Department – <http://www.snohomishcountywa.gov/195/Juvenile-Court>
    - OSPI – Graduation: A Team Effort – [www.k12.wa.us/GATE](http://www.k12.wa.us/GATE)
    - OSPI – Truancy (Becca Bill) and Compulsory Attendance – [www.k12.wa.us/GATE/Truancy](http://www.k12.wa.us/GATE/Truancy)

Attendance in the schools of the State of Washington is compulsory from the age of eight (8) to the age of eighteen (18). When a student is 16 years of age or older, and with parental consent, students in full-time, remunerative occupations and other exceptions under RCW 28A.225.010 need not attend. However, students who enroll obligate themselves to the same attendance regulations which exist for students not covered by exceptions.

All students enrolled in Mukilteo School District will attend all regularly-scheduled classes to which they are assigned unless officially excused by administration, the class teacher or designee.

All Mukilteo School District schools have closed campuses during the school day.

**WAC 392-401-020 Excused absences** – Absences due to the following reasons must be excused:

1. Illness, health conditions or medical appointment (including but not limited to, medical, counseling, dental, optometry, pregnancy and in-patient or out-patient treatment for chemical dependency or mental health) for the student or person for whom the student is legally responsible;
2. Family emergency including, but not limited to, a death or illness in the family;
3. Religious or cultural purpose including observance of a religious or cultural holiday or participation in religious or cultural instruction;
4. Court, judicial proceeding, court-ordered activity, or jury service;

5. Post-secondary, technical school or apprenticeship program visitation, or scholarship interview;
6. State recognized search and rescue activities consistent with RCW 28A.225.055;
7. Absence directly related to the student's homeless or foster care/dependency status;
8. Absence related to deployment activities of a parent or legal guardian who is an active duty member consistent with RCW 28A.705.010;
9. Absences due to suspensions, expulsions or emergency expulsions imposed pursuant to chapter 392-400 WAC if the student is not receiving educational services and is not enrolled in qualifying "course of study" activities as defined in WAC 392-121-197;
10. Absences due to student safety concerns, including absences related to threats, assaults, or bullying;
11. Absences due to the student's migrant status and;
12. An approved activity that is consistent with district policy and is mutually agreed upon by the principal or designee and a parent, guardian or emancipated youth.

A school principal or designee has the authority to determine if an absence meets the above criteria for an excused absence. Districts may define additional categories or criteria for excused absences.

**WAC 392-401-030 Unexcused absences** - Any absence from school is unexcused unless it meets one of the criteria provided in WAC 392-401-020 (listed above).

Students who must leave school during the day must check out through the student office. Students will only be allowed to leave after a note or phone call is received from the parent/guardian. Students who leave without following this procedure will be considered truant. Students returning within the same day must sign in to avoid being marked absent for the remainder of that day.

Students who have been absent from school will be excused following a written or oral communication from the student's parent/guardian, as per building procedures, giving the date of the absence and the reason for missing school. Teachers shall ensure that the students have an admit slip prior to accepting them into class following an absence.

A written or oral communication from the parent/guardian or eligible student for an excused absence must be received within two (2) school days following a return to school, unless other arrangements have been made in accordance with building procedures, or the absence will be unexcused.

Failure to attend may result in loss of credit, grades, or removal from class or school.

The District will comply with the terms of the “Becca Bill” in reporting unexcused absences to juvenile court.

**Becca Bill** - Attendance is important for academic success, and unexcused absences may be an early warning sign for unaddressed problems with school and future dropout. When youth fail to attend school, they are considered truant. Washington State’s truancy law, known as the Becca Bill, requires the school/District and the juvenile court to take specific actions when youth are truant.

### **School/District Requirements**

- After **one** unexcused absence in a month, the school is required to inform the parent in writing or by phone.
- After **three** unexcused absences, the school is required to initiate a parent conference to improve the student's attendance.
- Between the **second** and before the **fifth** unexcused absence the District will take data-informed steps to eliminate or reduce the student’s absences using either the WARNS Assessment for middle/high school students or another assessment approved by the District.
- After **five** unexcused absences in a month, the parent and school must enter a contract to improve the student's attendance, or the case can be referred to a Community Truancy Board or file a petition to juvenile court.
- After **seven** unexcused absences in a month, or ten unexcused absences in an academic year, the School District shall file truancy petitions with the juvenile court.
- If the student is not in compliance with a court order resulting from a tuition petition, the school is required to file a contempt motion.
- A community truancy board is comprised of members of the local community to address excessive absenteeism and truancy.

## **Search and Seizure**

A student and the student's personal property, locker and/or automobile are subject to search by school officials if an individualized reasonable suspicion exists that the search will yield evidence of a student's violation of the law or school rules governing student conduct. The principal or assistant principal shall have an additional administrator or staff member present during the search.

- Any student search must be reasonably related to the discovery of contraband or other evidence of a student's violation of the law or school rules. For the purpose of this policy, "contraband" means items, materials, or substances that are prohibited by law or District policy, including but not limited to, controlled substances, alcohol, marijuana, tobacco/vaping products or delivery devices, drug paraphernalia or any object that can reasonably be considered a firearm or weapon.
- Staff shall conduct searches in a manner which is not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.
- Staff may only search a student's automobile if it is parked on school and/or District property.
- If a student refuses to cooperate with any search, the student may be disciplined for failing to cooperate with and following directives of a school administrator.

### **Drug/Alcohol Detection Dog Search**

- No student shall be subject to a search by a drug/alcohol detection dog unless there is an individualized reasonable suspicion that the student is under the influence or in possession of a controlled substance or alcohol.
- Canine detection inspections, however, may be used before, during and after the school day and at school events, for general campus inspections including but not limited to classrooms, student lockers, gym lockers, desks, school parking areas and automobiles parked on school property. Any such inspections will be conducted in the

presence of school personnel by a properly trained and certified dog and dog handler.

### **Drug/Alcohol Screen Test**

- No student shall be subject to an alcohol/drug screen test including, but not limited to, an Alco Screen/saliva/drug test stick or breathalyzer unless there is an individualized reasonable suspicion that the student is under the influence of a controlled substance or alcohol.
- If a student refuses to cooperate with the administration of a drug/alcohol screen test, staff may proceed with appropriate discipline based on all other available evidence.

### **Strip Search**

- No student shall be subject to a strip search or body cavity search by school staff. "Strip search" means having a person remove or arrange some or all of the student's clothing so as to permit an inspection of private areas, body cavities, or undergarments of the person.

## **School Records**

Mukilteo School District is required by the Family Educational Rights and Privacy Act (FERPA - Sec. 99.7) to provide annual notification of FERPA rights. The District shall maintain those student records necessary for the educational welfare of students, for orderly and efficient operation of schools, and as required by law.

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over eighteen (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 forty-five (45) days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The principal 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 student's education records that the parent or eligible student believes is 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 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, 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 education records without consent to officials of another school district in which a student seeks

or intends to enroll. [Note: FERPA requires a school district to make a reasonable attempt to notify the student of the records request unless it states in its annual notification that it intends to forward records on request.]

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 Avenue SW  
Washington, DC 20202-4605

### **Withholding Records**

A student shall be responsible for the cost of replacing materials or property which are lost or damaged due to negligence. A student's grades, transcripts, or diploma may be withheld until restitution is made by payment or the equivalency through voluntary work as agreed to by the District. The student or the student's parents may appeal the imposition of a charge for damages to the Superintendent and Board of Directors.

## Exceptional Misconduct

There are categories of behavior that are considered to be exceptional student misconduct. School authority exists on school property, school bus stops, and during any school activity, function or event when held off the school grounds and/or when student misconduct is taken off campus and disrupts the educational process. Behaviors such as those described below, because of their impact on the school environment, may result in a suspension, emergency expulsion or expulsion without prior disciplinary interventions.

**Academic Dishonesty:** Plagiarism is the practice of taking someone else's work or ideas and passing them off as one's own. Academic Dishonesty is defined as any action or attended action that may result in creating an unfair academic advantage for oneself or an unfair academic advantage or disadvantage for any other student. This may include, but not be limited to, submitting work of others represented as the student's own; or assisting another student in doing so; distributing, sharing or receiving completed class assignments/tests; or using unauthorized sources. Cheating on tests, assignments, and/or other school work. Altering own or another's grade(s). (Behavior code: 20)

**Arson/Incendiary devices:** The intentional setting or attempted setting of fire which may include the use of incendiary devices such as a weapon or bomb to start a fire. (Behavior code: 17)

**Bullying:** Stopbullying.org defines bullying as unwanted, aggressive behavior that involves real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. In order to be considered bullying the behavior must be aggressive and include an imbalance of power, such as physical strength, access to embarrassing information or popularity to control or harm others. Repetition are behaviors that happen more than once or have the potential to happen more than once. (Behavior code: 14)

**Disruption of School:** Behaviors that disrupt the educational environment and infringe on the rights of others to learn, examples may include: the use of electronic speech such as social media, texting and/or video that occurs off campus when it causes or can be reasonably predicted to cause a substantial disruption to school or a school-sponsored activity; and/or threat of force, violence, or related conduct

(e.g., bomb threats), or use of noise (e.g., pulling a false fire alarm); protests/walk-outs or sit-ins or intentionally causing the disruption or obstruction of any function of the Mukilteo School District. (Behavior code: 13)

**Drugs/Alcohol/Marijuana:** The use of alcohol, marijuana, controlled substances and items purported to be alcoholic, marijuana or controlled substances, or the possession of such substances or paraphernalia is in violation of District policy and will not be tolerated on school grounds or at any function or activity approved, sponsored or supervised by Mukilteo School District. This includes the sale, manufacturing, purchase, transfer, being under the influence of, or showing evidence of (reasonable suspicion of) having used any illicit drug, alcohol, marijuana, marijuana food byproducts, controlled substance, synthetic drugs, look-alike drug/substance purported to be a drug, or misuse of any prescription drug or the misuse of over-the-counter medications.

Further, students shall not possess, use, transmit, sell, be under the influence of, or show evidence of having used any substances capable of or intended, purported, or presumed to be capable of altering a student's mood, perception, behavior or judgment, other than properly used over-the-counter pain relievers and medications prescribed by a licensed health care provider for an individual student. All medications used at school must meet the requirements of Board Policy and Procedures 3416 and 3416-P.

When it is determined that a student has broken any school rule regarding drugs, alcohol, marijuana and/or any other substances referenced herein, the parent(s) or guardian(s) and the student will be notified that the school is imposing a long-term suspension or expulsion due to exceptional misconduct. For offenses solely involving paraphernalia, the administrator may impose other forms of discipline. A school administrator will schedule a conference with the student's parent(s) or guardian(s).

If drug and alcohol assessment and treatment are a condition for the student to return to school prior to the end of the exclusion, an administrator will review the referral process. The District shall provide, upon request from the student or the student's parent/guardian, a list of resources for counseling. (Board Policy 3442) (Behavior codes: 03, 04, 11)

**Engaging in the Act of Fraud:** Fraud is defined as the wrongful deception intended to result in financial or personal gain and/or as a person or thing intending to deceive others. Conduct of a false nature including, but not limited to, written or electronic means such as: using the name of another person, or falsifying times, dates, grades, addresses, or other educational or personal data. (Behavior code: 09)

**Extortion, Blackmail, Coercion:** Obtaining money or property by violence or threats, or by forcing someone to do something against the student's will by force or threats. (Behavior codes: 09, 13)

**Gambling:** Risking something of value in hopes of winning something else of value. (Behavior codes: 09, 13)

**Gang Activity:** Participating in gang activity. "Gang" is a group which: (a) consists of three or more persons; (b) has identifiable leadership; and (c) on an ongoing basis, regularly conspires and acts in concert mainly for criminal purposes as defined in RCW 28A.600.455. Gang activity includes, but is not limited to: gang-related apparel and regalia, tagging, gang signs, language; promoting and/or recruiting; showing affiliation, initiation activities, intimidation and/or willing observation. (Behavior codes: 09, 13)

**Harassment:** Any malicious act, which causes harm to any person's physical or mental well-being (WAC 495A-121-011). Examples may include (1) hate crimes – acts in which victims are selected based on characteristics such as race, national origin, ethnicity, sex/gender, religion, sexual orientation or disability; (2) hazing – any method of initiation into a student organization or group that causes or is likely to cause bodily danger or physical harm, serious mental or emotional harm; (3) racial harassment – written, oral, graphic or physical conduct relating to an individual's race, color or national origin that is sufficiently severe, pervasive or persistent; (4) sexual harassment – unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct directed at a person because of their sex. Examples may include – unwelcome verbal harassment of a sexual nature or abuse; unwelcome pressure for sexual activity; unwelcome sexually motivated or inappropriate physical contact; unwelcome sexual behavior or words; unwelcome behavior, verbal or written words or symbols directed at an individual because of gender.

See Bullying, Indecency and/or Intimidation/Threats (Board Policies 2020, 3214 and 3216). (Behavior codes: 13, 15, 16, 18)

**Illegal Activity:** Acts found to be in violation of the law. (Behavior codes: 09, 13)

**Inappropriate Behavior:** Those behaviors that are not suitable or proper for a school setting and impedes the educational rights of others to learn. Examples may include, but not be limited to, physical aggression (hitting, kicking, pushing, spitting and biting); object aggression (throwing, breaking, knocking over objects); and/or verbal aggression (any language verbal or non-verbal, directed at someone in a threatening or harmful manner, which may include obscene gestures). (Behavior code 13)

**Indecency:** Use of obscene or profane language either verbal or non-verbal and/or acts of vulgarity, indecent exposure and/or excessive public display of affection. Use of any electronic device for improper or illegal purposes, examples may include, but not be limited to, sexting, the sharing of indecent images, pictures, videos. Students in possession of indecent images of anyone under the age of 18 are considered to be in possession of child pornography. See Harassment (Behavior code: 18)

**Interference with School Authorities:** Interfering with school personnel in the performance of their duties. This may include repeated failure to comply with or follow reasonable requests by law enforcement teachers and/or staff. This may also include, but is not limited to, non-compliance, defiance, disrespect and/or making false official statements. (Behavior code: 12)

**Intimidation/Threats:** Implied or overt threats of physical violence (WAC 495A-121-011). Conduct or communication that (1) is intended to be harmful, humiliating or physically threatening and (2) shows hostility toward a person or persons which may include both verbal and non-verbal communication including “posturing”. See Harassment, bullying (Behavior code: 16)

**Intimidation of School Authorities:** Interfering with school personnel by threatening them during the performance of their duties, which may include both verbal and non-verbal communication including “posturing”. (Behavior codes: 09, 13)

**Inappropriate/Malicious Use of Electronic Information Systems:** (Board Policy 2314) See “Acceptable Use of Electronic Information Systems” section. (Behavior codes: 09, 13)

**Physical Injury/Fighting/Assault:** Causing, or attempting to cause, physical injury or behaving in such a way as could reasonably cause physical injury to any person. This would include fighting, instigating a fight and/or assault, and/or encouraging a fight in any manner including congregation, video recording, planning a fight, being a willing observer and/or failure to reveal prior knowledge of a fight to an administrator/designee. (Behavior codes: 05, 06, 07, 09, 10, 13)

**Theft:** Taking, removing and/or being in possession of District property or the property of others without permission. (Behavior code: 19)

**Tobacco/Vaping/Juuling:** Possession, use, distribution or sale of tobacco products. Tobacco includes, but is not limited to, cigarettes, cigars, lighters, snuff, smoking tobacco, smokeless tobacco, nicotine, nicotine-delivering devices, including but not limited, to electronic cigarettes and/or tobacco accessories, vaping and vaping products, juul, e-cigarette and/or pod-style devices. (Board Policy 4335). (Behavior code: 02)

**Trespass:** Being present in an unauthorized place or refusing to leave when ordered to do so or the unauthorized entry into the District computer and/or record systems (ex: hacking into a computer). Being on school district property or at school sponsored activities, without administrator permission, while on suspension/expulsion from school and/or violating a no-trespass order. (Behavior codes: 09, 13)

**Vandalism:** Causing or attempting to cause damage to personal and/or school property, including School District websites or media sources. (Behavior code: 17)

**Weapons:** Possession of a firearm, facsimile or any other object that can reasonably be considered a weapon. This includes items possessed or brought to school, on a school bus and/or a school/booster club approved and/or sponsored event. A weapon is defined by School District policy, includes but is not limited to: handguns, shotguns/rifles, multiple firearms, other firearms as described below, and/or other dangerous weapons as described below.

- **Dangerous Weapons:** Anything used as a weapon not classified as a firearm. Possession of a "dangerous weapon(s)" on public school premises, transportation or facilities used by a school constitutes grounds for expulsion. Appropriate school authority shall notify law enforcement and parent/guardian. Examples include pepper sprays, mace, chains, pipes, razor blades, knives, daggers, nun-chu-ka sticks, throwing stars, air guns, sling shots, stun guns/tasers, sand clubs or metal knuckles, or spring-blade knives, gravity knives, practice knives, or other knives as described in RCW 9.41.250.
- **Firearms:** Possession of a firearm facsimile or any other object that can reasonably be considered a weapon. This definition includes any weapon that will or is designed to expel a projectile by the action of any explosive, including, but not limited to, fireworks/crackers, paintball guns, airsoft guns and ammunition. Students who violate the firearms provision of District Policy 4315 and RCW 9.41.280 are subject to a minimum of one calendar year expulsion, with possible case-by-case modifications by the Superintendent or designee, and notification of parent/guardian and law enforcement. (Behavior code: 08)

**See Page 18 for Readmission Plan**

## **Procedures for Readmission During Suspension or Expulsion**

Students/parents may appeal any suspension or expulsion from school. Right of review procedures is stated on each suspension/expulsion notice.

Additionally, any student who has been long-term suspended or expelled shall be allowed to make application for readmission at any time. Applications will be reviewed and subject to the following conditions and limitations:

1. Application for readmission must be presented in writing to the building principal from whom the suspension/expulsion occurred.
2. Applications for readmission will contain the reason(s) for long-term suspension/expulsion, reason(s) for believing the student should be re-entered, and significant changes which have occurred in the student or the situation which would indicate that readmission would be successful. This statement will be signed by the student and the parent/guardian.
3. In considering an application for readmission, the principal shall consult with the level of authority within the formal hearing procedure, if any, which upheld the long-term suspension/expulsion.
4. The principal will meet with the student and the student's parent/guardian as soon as it is reasonably possible following receipt of the application for readmission and render a decision.
5. No appeal procedure is available regarding the decision on an application for readmission.
6. A re-entry contract/re-engagement plan may be agreed to by the student/parent and school as a condition for readmission. Violation(s) of the contract/plan will be considered Exceptional Misconduct and will result in the original terms of the suspension/expulsion being re-imposed and/or additional disciplinary action.

## **Off-Campus Intervention**

The following are factors for consideration to determine if a school will assume jurisdiction in off-campus incidents.

1. Did the incident occur in whole or in part because of behavior between the parties during the school day?
2. Did the incident occur reasonably close in time to the school dismissal bell?
3. Did the incident occur reasonably close to the school grounds, bus or bus stop?
4. Will the incident disrupt the educational process at the school?
5. The seriousness of the offense.

## **Bus Transportation**

Bus transportation is available to students whose residences qualify them to ride a bus. Continued rider-ship is based on a student's safe and courteous behavior at bus stops and in the bus.

### **Passenger Conduct**

1. Obey the driver's instructions when first requested.
2. Remain safely seated. When available, seat belts must be worn at all times.
3. Keep noise level down/talk to seat partner only.
4. Respect others and their property; keep hands and feet to self.
5. No eating or drinking.
6. Get on/off the bus only at own stop.
7. Enter/exit the bus safely.
8. Place backpack on lap while riding the bus.
9. No prohibited items allowed.

Failure to abide by bus conduct guidelines will result in discipline, which may include exclusion from the bus and school disciplinary action.

The following activities may result in immediate withdrawal from the bus.

1. Aggressive action toward bus driver/violence
2. Fighting on the bus
3. Throwing objects in or out of the bus
4. Possession of weapons/dangerous articles
5. Destroying or defacing District or private property
6. Use of sparking devices
7. Smoking, drugs, alcohol or any form of tobacco including E-Cigarettes, vaping and/or vaping devices.
8. Obscene gestures or profanity directed at the bus driver
9. Any part of the body extended outside of the bus
10. Intimidation/Harassment (Bullying)

The District's Transportation Department will establish and enforce procedures to ensure the safety of the students of the Mukilteo School District.

## **Technology Resources - Acceptable Use Guidelines**

The Mukilteo School District (the District) makes a wide range of technology resources available to students, staff and guests in order to provide access to information and to support the development of technology skills. Technology is an integral part of curriculum, delivery of instruction and the business and operations of the District. For purposes of this procedure, technology includes, but is not limited to, computers and tablets, other hardware and peripherals, software, the District network, internet access, scanners, cameras and electronic communication devices (ECDs).

The District establishes appropriate safeguards to ensure the security of District, student and employee data. The District employs filtering systems on all devices that access the internet through the District's network. These systems filter and block access to internet content that the District determines to be inappropriate. There is no expectation of privacy by Users of District technology, including but not limited to, internet use and email. Materials created, stored, sent or received on District technology are subject to review by the District and may also be subject to public records requests under the Washington Public Records Act.

These procedures provide details regarding the appropriate use of District technology. Users are expected to review and understand the guidelines in this document. Continued access to District technology is dependent upon conformance to the procedures contained herein.

### **Appropriate Use Guidelines**

The District expects Users to use District technology appropriately and effectively. Any use of District technology must conform to State and federal law, technology use policies and Mukilteo School District policies and procedures. Use of District technology must support classroom instruction, student learning, staff professional development and/or the District's business and operations. Use of District technology must be consistent with the mission of the Mukilteo School District. The District reserves the right to prioritize use of and access to the system.

1. Use of District subscriptions to mailing lists, bulletin boards, chat groups, commercial online services and other information services must be directly related to curriculum and classroom instruction or District business and operations.
2. Connecting or attaching any computing or networking equipment or components to the Mukilteo School District's network via network ports and/or communications closets, by anyone other than individuals expressly authorized by the Technology Department is prohibited. Unauthorized computing or networking equipment or components will be removed and confiscated without notice. Users are not allowed to connect non-District devices including, but not limited to, laptops, workstations, networking or other electronic equipment to the District "Staff" or "Student" network without prior approval. Non-District devices may be connected to the District "Guest" wireless network.
3. Technology shall not be used to disrupt the operation and use of technology by others; District technology system components, including networks, hardware and software, shall not be disabled, destroyed, modified, removed or damaged in any way.
4. District technology constitutes public facilities and may not be used to support or oppose political candidates or ballot measures.
5. Use of cameras, including those in cell phones or other ECDs, is prohibited in restrooms, locker rooms, or any other location where there is a reasonable expectation of personal privacy.

6. Technology shall not be used to harass others or gain unauthorized access to any service or information or to damage the components of a service.
7. Use of any technology on District property, including personal ECDs, to access, store or distribute inappropriate, obscene or pornographic material is prohibited.
8. Users are expected to comply with all current copyright laws.
9. Use of District technology for commercial reasons is prohibited.
10. Users shall make diligent efforts to protect and conserve technology resources.
11. Users are responsible for the appropriateness of the material they transmit or publish using technology. Hate mail, harassment, intimidation, bullying, discriminatory remarks or other antisocial behaviors are prohibited.
12. Staff who intend to use District-owned technology devices off District premises must sign the “District Equipment Checkout FORM and Guidelines.” By signing, employees agree to comply with the guidelines and accept responsibility for protecting District technology resources.

### **Security**

1. System user names, passwords and accounts are to be used only by the account owner for appropriate purposes.
2. Users shall not leave open sessions and/or files unattended or unsupervised. Account owners are responsible for all activity on their account.
3. Users shall not seek information on, obtain copies of or modify files, data or passwords belonging to other Users.
4. Users shall not misrepresent themselves in order to gain unauthorized access to any District data or services.
5. Communications on District technology shall not be encrypted in order to prevent detection during a District security review.
6. Users will employ secure practices, as defined by the District, when using District technology resources. (See Technology Services Department website.)

### **Internet Safety Instruction**

All students will receive instruction about appropriate online behavior, including safe practices for interacting with others on social networks. Internet safety instruction will include cyberbullying awareness and response.

### **District Responsibilities**

1. The District will review, monitor, and log, as appropriate, all technology activity for responsible and acceptable use consistent with the terms of the policies and procedures.
2. The District will make determinations on whether specific uses of technology are consistent with these Appropriate Use Guidelines.
3. The District reserves the right for authorized personnel to review District technology use, including file content for the purpose of security and to meet administrative needs.
4. The District may remove a user's access to technology, with or without notice, at any time the District suspects that the user is engaged in unauthorized activity or is violating these procedures. In addition, further disciplinary or corrective action(s) may be imposed for violations of the procedures up to, and including, suspension or expulsion from school.
5. The District will cooperate fully with law enforcement investigations concerning, or relating to, any suspected or alleged inappropriate activities.
6. The District will periodically determine whether specific uses of technology are consistent with this procedure and the Acceptable Use Guidelines stated above.

### **Discipline and Consequences for Unauthorized Use of Technology**

Violation of these Appropriate Use Guidelines and expectations for use of technology by students and employees may be cause for disciplinary action.

## **Nondiscrimination – Board Policy 3210**

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, religion, creed, color, national origin, sex, sexual orientation, including gender expression or identity, marital status, previous arrest (unless a clear and present danger exists) or incarceration or non-program-related physical, sensory, mental disabilities, or the use of a trained dog guide or service animal by a person with a disability. The District will provide equal access to school facilities to the Boy Scouts of America and all other designated youth groups listed in Title 36 of the United States Code as a patriotic society.

Conduct against any student that is based on one of the categories listed above that is sufficiently severe, persistent or pervasive as to limit or deny the student's ability to participate in or benefit from the District's course offerings; educational programming or any activity will not be tolerated. When a District employee knows, or reasonably should know, that such discriminatory harassment is occurring or has occurred, the District will take prompt and effective steps reasonably calculated to end the harassment, prevent its recurrence and remedy its effects.

The District's nondiscrimination statement will be included in all written announcements, notices, recruitment materials, employment applications, and other publications made available to all students, parents, or employees. The statement will include: 1) notice that the District will not discriminate in any programs or activities on the basis of any of the above listed categories; 2) the name and contact information of the District's compliance officer designated to ensure compliance with this policy; and 3) the names and contact information of the District's Section 504 and Title IX compliance officers.

The District will annually publish notice reasonably calculated to inform students, students' parents/guardians (in a language that they can understand, which may require language assistance), and employees of the District's discrimination complaint procedure.

The District will provide training to administrators and certificated and classroom personnel regarding their responsibilities under this policy and to raise awareness of and eliminate bias and discrimination based on the protected classes identified in this policy.

The Superintendent will designate a staff member to serve as the compliance officer for this policy. The compliance officer will be responsible for investigating any discrimination complaints communicated to the District. The Superintendent shall designate a staff member to serve as affirmative action/Title IX compliance officer.

**Accessibility**

The District recognizes the needs of students with disabilities, as defined by the Americans with Disability Act (ADA) to have access to all school facilities and programs. The District shall comply with State and federal accessibility regulations for its facilities.

The Superintendent shall designate a staff member to serve as the District's ADA Coordinator.

**Nondiscrimination - Procedures - 3210-P**

Students, and/or parents, staff or other individuals acting on behalf of students of the District are eligible to participate in this complaint procedure. This complaint procedure is designed to assure that the resolution of real or alleged violations shall be directed toward a just solution that is satisfactory to the complainant, the administration and the Board of Directors. This grievance procedure shall apply to the general conditions of nondiscrimination policy (#3210) including accessibility provisions. As used in this procedure, "Grievance" shall mean a complaint which has been filed by a complainant (a student, an employee, a parent or guardian) relating to alleged violations of any State or federal anti-discrimination law including Title IX regulations and Washington Administrative Code (WAC) 392-190 or Section 504 of the Rehabilitation Act of 1973, or Title VII of the Civil Rights Act of 1964 or the Americans with Disabilities Act (ADA).

A complaint shall mean a charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. A respondent shall mean the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

The primary purpose of this procedure is to secure an equitable solution to a justifiable complaint. To this end, specific steps shall be taken:

## **Informal Process for Resolution**

Anyone with an allegation of discrimination may request an informal meeting with the compliance officer or designated employee to resolve their concerns. Such a meeting will be at the option of the complainant. If unable to resolve the issue at this meeting, the complainant may submit a written complaint to the compliance officer. During the course of the informal process, the District must notify the complainant of their right to file a formal complaint.

## **Formal Process**

### **Level One - Complaint to District**

The complaint must be in writing and set forth the specific acts, conditions or circumstances alleged to be in violation. Upon receipt of a complaint, the compliance officer will provide the complainant a copy of this procedure. The compliance officer will investigate the allegations within 30 calendar days. The officer shall provide the Superintendent with a full written report of the complaint and the results of the investigation.

The District and complainant may agree to resolve the complaint in lieu of an investigation.

The Superintendent or designee will respond to the complainant with a written decision as expeditiously as possible, but in no event later than 30 calendar days following receipt of the written complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the District will notify the complainant in writing of the reason for the extension and the anticipated response date.

The decision of the Superintendent or designee will include: 1) a summary of the results of the investigation; 2) whether the District has failed to comply with anti-discrimination laws; 3) if non-compliance is found, corrective measures the District deems necessary to correct it; and 4) notice of the complainant's right to appeal to the School Board and the necessary filing information. The Superintendent's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964.

Any corrective measures deemed necessary shall be instituted as expeditiously as possible, but in no event later than 30 calendar days following the Superintendent's mailing of a written response to the complaining party unless otherwise agreed to by the complainant.

The District must send a copy of the response to the Office of the Superintendent of Public Instruction.

### **Level Two - Appeal to the Board of Directors**

In the event a complainant remains aggrieved with the decision of the Superintendent, the complainant may appeal the decision to the Board of Directors by filing a written notice of appeal with the Secretary of the Board on or before the tenth day following the date upon which the complainant received the Superintendent's response.

The Board shall schedule a hearing to commence by the twentieth (20th) calendar day following the filing of the written notice of appeal, unless otherwise agreed to by the complainant and the Superintendent or for good cause. Unless otherwise agreed to by the complainant, the Board will render a written decision within thirty (30) calendar days following the filing of the notice of appeal and provide the complainant with a copy of the decision. The decision of the Board will be provided in a language the complainant can understand, which may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act. The decision will include notice of the complainant's right to appeal to the Superintendent of Public Instruction and will identify where and to whom the appeal must be filed. The District will send a copy of the appeal decision to the Office of the Superintendent of Public Instruction.

### **Preservation of Records**

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

## **Transgender Students - Board Policy – 3211**

The Board believes in fostering an educational environment that is safe and free of discrimination for all students, regardless of sex, sexual orientation, gender identity or gender expression. To that end, the board recognizes the importance of an inclusive approach toward transgender students with regard to official records, confidential health and education information, communication, restroom and locker room accessibility, sports and physical education, dress codes and other school activities, in order to provide these students with an equal opportunity for learning and achievement. This policy and its procedure will support that effort by facilitating District compliance with local, State and federal laws concerning harassment, intimidation, bullying and discrimination.

## **Service Animals - Board Policy – 3212**

The District acknowledges its responsibility to permit students to be accompanied by a "service animal" as required by federal laws and Washington State's law against discrimination. This policy governs the presence of service animals in the schools, on school property, including school buses and at school activities.

A "service animal" means an animal that is trained for the purpose of assisting or accommodating a disabled person's sensory, mental or physical disability.

The parent/guardian of a student who believes the student needs to bring a service animal to school must submit a written request to the building principal. The building principal, in consultation with the Section 504 Coordinator or Director of Special Education, as appropriate, and consistent with the procedures developed herein, will determine whether or not to permit and/or restrict use of the service animal in school, on school property or at school activities.

# Prohibition of Harassment, Intimidation & Bullying – Board Policy 3216

## A. Statement of Policy

The Mukilteo School District is committed to a safe and civil educational environment for all students that is free from harassment, intimidation or bullying.

## B. Definitions

“Harassment, intimidation or bullying” means any intentionally 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 including gender expression or identity, *or* mental or physical disability), or other distinguishing characteristics, when an 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.

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

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

## C. Behaviors/Expressions

Harassment, intimidation or bullying can take many forms including, but not limited to, slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats or other written, oral, physical or electronically transmitted

messages or images including but not limited to posts on social networking sites.

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.

D. Training

This policy is a component of the District's responsibility to create and maintain a safe, civil, respectful and inclusive learning community and shall be implemented in conjunction with comprehensive training of staff and volunteers, including education of students in partnership with families and the community.

E. Prevention

The District will provide students with strategies aimed at preventing harassment, intimidation and bullying, and will seek assistance from families, law enforcement and other community agencies as available.

F. Interventions

Interventions are designed to remediate the impact on the targeted student(s) and others impacted by the violation, to change the behavior of the perpetrator, and to restore a positive school climate. The District will consider the frequency of incidents, developmental age of the student, and severity of the conduct in determining intervention strategies. Interventions will range from counseling, correcting behavior and discipline, to law enforcement referrals.

Students with Individual Education Plans or Section 504 Plans

If allegations are made that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the target of harassment, intimidation or bullying, the school will convene the student's IEP or Section 504 team to determine whether the incident had an impact on the student's ability to receive a Free, Appropriate Public Education (FAPE). The meeting will occur regardless of whether the harassment, intimidation or bullying incident was based on the student's disability. During the meeting, the team will evaluate

issues such as the student's academic performance, behavioral issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE as a result of the harassment, intimidation or bullying incident, the District will take action to ensure the student receives a FAPE.

G. Retaliation/False Allegations

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting harassment, intimidation, or bullying. It is also a violation of District policy to knowingly report false allegations of harassment, intimidation, and bullying. Students or employees will not be disciplined for making a report in good faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

H. Compliance Officer

The Superintendent will appoint a compliance officer as the primary District contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the District. The Superintendent is authorized to direct the implementation of procedures addressing the elements of this policy.

## **Prohibition of Harassment, Intimidation & Bullying - Procedures 3216-P**

A. Introduction

Mukilteo School District strives to provide students with optimal conditions for learning by maintaining a school environment where everyone is treated with respect and no one is physically or emotionally harmed. In order to ensure respect and prevent harm, it is a violation of District policy for a student to be harassed, intimidated, or bullied by others in the school community, at school-sponsored events, or when such actions create a substantial disruption to the educational process. The school community includes all students, school employees, School Board members, contractors, unpaid volunteers, families, patrons, and other visitors. Student(s) will not be harassed because of their race, color, religion,

ancestry, national origin, gender, sexual orientation, including gender expression or identity, mental or physical disability, or other distinguishing characteristics. Any school staff who observes, overhears, or otherwise witnesses harassment, intimidation or bullying or to whom such actions have been reported must take prompt and appropriate action to stop the harassment and to prevent its reoccurrence.

## B. Definitions

Aggressor means a student, staff member, or other member of the school community who engages in the harassment, intimidation or bullying of a student.

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

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

Conduct that is "substantially interfering with a student's education" will be determined by considering a targeted student's grades, attendance, demeanor, interaction with peers, participation in activities, and other indicators.

Conduct that may rise to the level of harassment, intimidation and bullying may take many forms, including, but not limited to, slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, ostracism, physical attacks or threats, gestures, or acts relating to an individual or group whether electronic, written, oral, or physically transmitted messages or images. There is no requirement that the targeted student actually possess the characteristic that is the basis for the harassment, intimidation or bullying.

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

Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, classified staff, substitute and temporary teachers, volunteers, or paraprofessionals (both employees and contractors).

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

C. Relationship to Other Laws

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

Nothing in this procedure prevents a student, parent/guardian, school or District from taking action to remediate harassment or discrimination based on a person’s gender or membership in a legally protected class under local, State, or federal law.

D. Prevention

**Dissemination**

In each school and on the District’s website, the District will prominently post information on reporting harassment, intimidation and bullying; the name and contact information for making a report to a school administrator; and the name and contact information for the District compliance officer. The District’s policy and procedure will be available in each school in a language that families can understand.

Annually, the Superintendent will ensure that a statement summarizing the policy and procedure is provided in student, staff, volunteer, and parent handbooks, is available in school and District Offices and/or hallways, or is posted on the District’s website.

**Education**

Annually, students will receive age-appropriate information on the recognition and prevention of harassment, intimidation or bullying. The information will include a copy of the Incident Reporting Form or a link to a web-based form.

## **Training**

Staff will receive annual training on the School District's policy and procedure, including staff roles and responsibilities, how to monitor common areas and the use of the District's Incident Reporting Form.

## **Prevention Strategies**

The District will implement a range of prevention strategies including individual, classroom, school, and District-level approaches.

Whenever possible, the District will implement evidence-based prevention programs that are designed to increase social competency, improve school climate, and eliminate harassment, intimidation and bullying in schools.

### **E. Compliance Officer**

The District compliance officer, the Director of Student Services, will:

1. Serve as the District's primary contact for harassment, intimidation and bullying.
2. Provide support and assistance to the principal or designee in resolving complaints.
3. Receive copies of all Incident Reporting Forms, Discipline Referral Forms, and letters to parents providing the outcomes of investigations. If a written report of harassment, intimidation or bullying indicates a potential violation of the District's nondiscrimination policy [Policy 3210], the compliance officer must promptly notify the District's civil rights compliance coordinator.
4. Be familiar with the use of the student information system. The compliance officer may use this information to identify patterns of behavior and areas of concern.
5. Ensure implementation of the policy and procedure by overseeing the investigative processes, including ensuring that investigations are prompt, impartial, and thorough.
6. Assess the training needs of staff and students to ensure successful implementation throughout the District, and ensure staff receive annual fall training.
7. Provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis.

8. In cases where, despite school efforts, a targeted student experiences harassment, intimidation or bullying that threatens the student's health and safety, the compliance officer will facilitate a meeting between District staff and the child's parents/guardians to develop a safety plan to protect the student.

F. Staff Intervention

All staff members shall intervene when witnessing or receiving reports of harassment, intimidation or bullying. Minor incidents that staff are able to resolve immediately, or incidents that do not meet the definition of harassment, intimidation or bullying, may require no further action under this procedure.

G. Filing an Incident Reporting Form

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

H. Addressing Bullying – Reports

Step 1: Filing an Incident Reporting Form

In order to protect a targeted student from retaliation, a student need not reveal his identity on an Incident Reporting Form. The form may be filed anonymously, confidentially, or the student may choose to disclose his or her identity (non-confidential).

Status of Reporter

a. **Anonymous**

Individuals may file a report without revealing their identity. No disciplinary action will be taken against an alleged aggressor based solely on an anonymous report. Schools may identify complaint boxes or develop other methods for receiving anonymous, unsigned reports. Possible responses to an anonymous report include enhanced monitoring of specific locations at certain times of day or increased monitoring of specific students or staff.

b. **Confidential**

Individuals may ask that their identities be kept secret from the accused and other students. Like anonymous reports, no disciplinary action will be taken against an alleged aggressor based solely on a confidential report.

c. **Non-confidential**

Individuals may agree to file a report non-confidentially. Complainants agreeing to make their complaint non-confidential will be informed that due process requirements may require that the District release all of the information that it has regarding the complaint to any individuals involved in the incident, but that even then, information will still be restricted to those with a need to know, both during and after the investigation. The District will, however, fully implement the anti-retaliation provision of this policy and procedure to protect complainants and witnesses.

Step 2: Receiving an Incident Reporting Form

All staff are responsible for receiving oral and written reports. Whenever possible, staff who initially receive an oral or written report of harassment, intimidation or bullying shall attempt to resolve the incident immediately. If the incident is resolved to the satisfaction of the parties involved, or if the incident does not meet the definition of harassment, intimidation or bullying, no further action may be necessary under this procedure. All reports of unresolved, severe, or persistent harassment, intimidation or bullying will be recorded on a District Incident Reporting Form and submitted to the principal or designee, unless the principal or designee is the subject of the complaint.

Step 3: Investigations of Unresolved, Severe, or Persistent Harassment, Intimidation and Bullying

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

- a. Upon receipt of the Incident Reporting Form that alleges unresolved, severe, or persistent harassment, intimidation or bullying, the school or District designee will begin the

investigation. If there is potential for clear and immediate physical harm to the complainant, the District will immediately contact law enforcement and inform the parent/guardian.

- b. During the course of the investigation, the District will take reasonable measures to ensure that no further incidents of harassment, intimidation or bullying occur between the complainant and the alleged aggressor. If necessary, the District will implement a safety plan for the student(s) involved. The plan may include changing seating arrangements for the complainant and/or the alleged aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a safe person for the complainant; altering the alleged aggressor's schedule and access to the complainant, and other measures.

If, during the course of an investigation, the District employee conducting the investigation becomes aware of a potential violation of the District's nondiscrimination policy [Policy 3210], the employee will promptly notify the District's civil rights compliance officer. Upon receipt of this information, the civil rights compliance officer must notify the complainant that their complaint will proceed under the discrimination complaint procedure associated with Policy 3210 as well as the HIB complaint procedure. The investigation and response timeline for the discrimination complaint procedure will follow that set forth in WAC 392-190-065 and begins when the District knows, or should have known, that a written report of harassment, intimidation or bullying involves allegations of a violation of the District's nondiscrimination policy.

- c. Within two (2) school days after receiving the Incident Reporting Form, the school designee will notify the families of the students involved that a complaint was received and direct the families to the District's policy and procedure on harassment, intimidation and bullying.
- d. In rare cases, where after consultation with the student and appropriate staff (such as a psychologist, counselor, or social worker) the District has evidence that it would threaten the health and safety of the complainant or the alleged aggressor to involve his or her parent/guardian, the District may initially

refrain from contacting the parent/guardian in its investigation of harassment, intimidation and bullying. If professional school personnel suspect that a student is subject to abuse and neglect, they must follow District policy for reporting suspected cases to Child Protective Services.

- e. The investigation shall include, at a minimum:
  - An interview with the complainant;
  - An interview with the alleged aggressor;
  - A review of any previous complaints involving either the complainant or the alleged aggressor; and
  - Interviews with other students or staff members who may have knowledge of the alleged incident.
- f. The principal or designee may determine that other steps must be taken before the investigation is complete.
- g. The investigation will be completed as soon as practicable, but generally no later than five (5) school days from the initial complaint or report. If more time is needed to complete an investigation, the District will provide the parent/guardian and/or the student with weekly updates.
- h. No later than two (2) school days after the investigation has been completed and submitted to the compliance officer, the principal or designee shall respond in writing or in person to the parent/guardian of the complainant and the alleged aggressor stating:
  - The results of the investigation;
  - Whether the allegations were found to be factual;
  - Whether there was a violation of policy; and
  - The process for the complainant to file an appeal if the complainant disagrees with results.

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

If a District chooses to contact the parent/guardian by letter, the letter will be mailed to the parent/guardian of the complainant and alleged aggressor by United States Postal Service with return receipt requested unless it is determined, after consultation with the student and appropriate staff (psychologist, counselor, social worker) that it could endanger the complainant or the alleged aggressor to involve his or her family. If professional school personnel suspect that a student is subject to abuse or neglect, as mandatory reporters they must follow District policy for reporting suspected cases to Child Protective Services. If the incident cannot be resolved at the school level, the principal or designee shall request assistance from the District.

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

After completion of the investigation, the school or District designee will institute any corrective measures necessary. Corrective measures will be instituted as quickly as possible, but in no event more than five (5) school days after contact has been made to the families or guardians regarding the outcome of the investigation. Corrective measures that involve student discipline will be implemented according to District policy. If the accused aggressor is appealing the imposition of discipline, the District may be prevented by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded. If in an investigation a principal or principal's designee found that a student knowingly made a false allegation of harassment, intimidation or bullying, that student may be subject to corrective measures, including discipline.

#### Step 5: Targeted Student's Right to Appeal

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

2. If the targeted student remains dissatisfied after the initial appeal to the Superintendent, the student may appeal to the School Board by filing a written notice of appeal with the Secretary of the School Board on or before the fifth (5<sup>th</sup>) school day following the date upon which the complainant received the Superintendent's written decision.
3. An appeal before the School Board must be heard on or before the tenth (10<sup>th</sup>) school day following the filing of the written notice of appeal to the School Board. The School Board will review the record and render a written decision on the merits of the appeal on or before the fifth (5<sup>th</sup>) school day following the termination of the hearing, and shall provide a copy to all parties involved. The Board's decision will be the final District decision

#### Step 6: Discipline/Corrective Action

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

Corrective measures for a student who commits an act of harassment, intimidation or bullying will be varied and graded according to the nature of the behavior, the developmental age of the student, or the student's history of problem behaviors and performance. Corrective measures that involve student discipline will be implemented according to District policy. If the conduct was of a public nature or involved groups of students or bystanders, the District should strongly consider school-wide training or other activities to address the incident. If staff has been found to be in violation of this policy and procedure, school districts may impose employment disciplinary action, up to and including termination.

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

Persons found to have been subjected to harassment, intimidation or bullying will have appropriate District support services made

available to them, and the adverse impact of the harassment on the student shall be addressed and remedied as appropriate.

I. Immunity/Retaliation

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

J. Other Resources

Students and families should use the District's complaint and appeal procedures as a first response to allegations of harassment, intimidation and bullying. However, nothing in this procedure prevents a student, parent/guardian, school, or District from taking action to remediate discrimination or harassment based on a person's membership in a legally protected class under local, State or federal law. A harassment, intimidation or bullying complaint may also be reported to the following State or federal agencies:

- OSPI Equity and Civil Rights Office  
360.725.6162  
Email: [equity@k12.wa.us](mailto:equity@k12.wa.us)  
[www.k12.wa.us/Equity/default.aspx](http://www.k12.wa.us/Equity/default.aspx)
- Washington State Human Rights Commission  
800.233.3247  
[www.hum.wa.gov/index.html](http://www.hum.wa.gov/index.html)
- Office for Civil Rights, U.S. Department of Education, Region IX  
206.607.1600  
Email: [OCR.Seattle@ed.gov](mailto:OCR.Seattle@ed.gov)  
[www.ed.gov/about/offices/list/ocr/index.html](http://www.ed.gov/about/offices/list/ocr/index.html)
- Department of Justice Community Relations Service  
877.292.3804  
[www.justice.gov/crt/](http://www.justice.gov/crt/)
- Office of the Education Ombudsman  
866.297.2597  
Email: [OEOinfo@gov.wa.gov](mailto:OEOinfo@gov.wa.gov)  
[www.governor.wa.gov/oeo/default.asp](http://www.governor.wa.gov/oeo/default.asp)

- OSPI Safety Center  
360.725.6044  
[www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx](http://www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx)

K. Other District Policies and Procedures

Nothing in this policy or procedure is intended to prohibit discipline or remedial action for inappropriate behaviors that do not rise to the level of harassment, intimidation or bullying as defined herein, but which are, or may be, prohibited by other District or school rules.

## **Sexual Harassment - Student Policy Board Policy - 3214**

A. Statement of Policy

The Mukilteo School District is committed to a positive and productive learning environment free of sexual harassment.

The District prohibits harassment of its students, whether committed by a permanent or substitute employee, contractor, parent, volunteer, vendor, other student or Board member. The District will not tolerate sexual harassment between members of the same or opposite sex as it undermines the integrity of the educational environment.

Furthermore, the District prohibits any overt or covert retaliation against any student because he or she has made a report of alleged sexual harassment, or against any student who has or will be called to testify, assist or participate in the investigation of a report. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or adverse pressure. Retaliation is a violation of federal and State laws and regulations prohibiting harassment.

Definitions

Sexual harassment means:

- unwelcome sexual advances,
- requests for sexual favors, sexually motivated physical contact, or
- other verbal or physical conduct or communication of a sexual nature if:

- a. submission to the conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining an education;
- b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's education; or
- c. the conduct or communication has the purpose or effect of substantially interfering with an individual's educational performance, or of creating an intimidating, hostile or offensive educational environment.

An "*intimidating, hostile or offensive educational environment*" is defined as an environment in which:

- i. unwelcome sexually-oriented jokes, innuendoes, obscenities, pictures/posters or any action with sexual connotation that makes a student feel uncomfortable, or
- ii. any physical or verbal harassing behavior in the school that affects learning and is directed toward an individual based on that individual's gender.

Examples of sexual harassment include, but are not limited to:

- Unwelcome sexual advances, unwelcome sexual gestures, verbal abuse, sexually-oriented jokes, innuendo, obscenities or use of disparaging terms for a male or female.
- Unwelcome display of sexually suggestive objects, pictures, cartoons or posters.
- Unwelcome sexually suggestive letters, notes, invitations or electronic transmissions.
- Unwelcome physical conduct such as impeding or blocking natural movement, unwelcome touching, assault and attempted rape or rape.
- Hazing, pranks or other intimidating behavior directed toward an individual because of the individual's gender.

- Requests for sexual favors in exchange for a different grade or avoiding adverse educational action.
- Sexting, specifically sending, transmitting, possession or displaying of text messages and pictures of an explicit sexual nature, including, but not limited to, posts to social networking sites.

Many behaviors that do not rise to the level of sexual harassment may still be prohibited by other District policies or building, classroom, or program rules.

#### B. Complaint Process

The District will take all complaints of harassment seriously and will act to investigate all complaints. Any student who believes that he or she has been subjected to sexual harassment in the educational environment is encouraged to bring his or her complaint to the immediate attention of his or her principal, assistant principal, counselor, or teacher for assistance in resolving the matter. At this first level of intervention at the school, most harassment complaints can be resolved satisfactorily.

If a student believes that his or her complaint of harassment has not been resolved satisfactorily at the school level, the student will be referred to the District's Title IX Compliance Officer to initiate a formal complaint.

#### Disciplinary Actions

The District will take such disciplinary action, as it deems necessary and appropriate, to end harassment and to prevent its reoccurrence up to and including suspension and or expulsion/discharge of any student or employee. Such disciplinary action will be consistent with relevant collective bargaining agreements, student handbooks, District policy, and State and federal law.

Allegations of criminal acts will be reported to law enforcement and/or Child Protective Services.

#### C. False Accusations

False and frivolous charges refer to cases where the complainant is using a harassment complaint to accomplish some end other than

stopping harassment. It does not refer to charges made in good faith that cannot be proven. Due to the seriousness of the consequences for the accused, any complaint which after investigation is found to be fabricated, will result in disciplinary action.

D. Dissemination and Discussion of Policy

A copy of this policy and procedures shall be:

1. Provided to each District permanent or substitute employee, student, and volunteer,
2. Posted in each school building and facility, and
3. Included in District publications that set forth rules, regulations, and standards of conducts for the District.

The Title IX Compliance Officer will ensure that each school develops a process for discussing this policy with students and employees.

Internal Review

The Title IX Compliance Officer shall conduct an annual review of the utilization and implementation of this policy to review its effectiveness. This review will be forwarded to the Superintendent and/or the student's designee. The Title IX Compliance Officer shall recommend any changes in the District policy and/or procedures to the Superintendent.

## **Sexual Harassment - Student Policy Procedures - 3214-P**

### **Building-Level Complaint Process**

A. **Informal**

Any student may use informal procedures to report and resolve complaints of harassment in the educational environment.

Informal reports may be made to any building staff member or administrator. Building staff shall inform an appropriate

administrator when they receive a complaint of harassment. Informal remedies may include an opportunity for the complainant to explain to the alleged harasser that his/her conduct is unwelcome, offensive, or inappropriate either in writing or face-to-face; a statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated; or discipline of the harasser if warranted by the circumstances.

If a student believes that an adult staff member is harassing him/her, the student should report the harassment to an administrator and the complaint will be investigated as a formal complaint.

Informal complaints may become formal complaints at the request of the student or parent/guardian of the student or because the District believes the complaint needs to be more thoroughly investigated.

#### A. **Formal**

Involved students, parents and/or guardians of involved students may initiate a formal complaint of harassment regardless of whether the informal complaint process has been utilized.

- The first step of the formal complaint process is for the student and/or parent/guardian to present the allegations orally and/or in writing to the student's building administrator. The facts presented to the administrator must include:
  - i. who committed the alleged harassment,
  - ii. specific behaviors or actions, verbal or physical, that occurred,
  - iii. the dates and times of the alleged harassment,
  - iv. names of any and all witnesses,
  - v. any action taken to stop the harassment and
  - vi. any other relevant details.

Building administrators shall inform the Title IX Compliance Officer when they receive a complaint of harassment. The building administrator may investigate the complaint at the building level and seek resolution of the matter to the student

and/or parent/guardian's satisfaction. Documentation of the formal complaint and its resolution shall be forwarded to the Title IX Compliance Officer.

## **District-Level Complaint Process**

### **A. Informal**

Anyone with an allegation of discrimination may request an informal meeting with the Title IX Compliance Officer or designated employee to resolve their concerns. Such a meeting will be at the option of the complainant. If unable to resolve the issue at this meeting, the complainant may submit a written complaint to the Title IX Compliance Officer. During the course of the informal process, the District must notify the complainant of their right to file a District-level formal complaint.

### **B. Formal Level One - Complaint to District**

The complaint must be in writing and set forth the specific acts, conditions or circumstances alleged to be in violation. Upon receipt of a complaint, the Title IX Compliance Officer will provide the complainant a copy of this procedure. The Title IX Compliance Officer will investigate the allegations within 30 calendar days. The Title IX Officer shall provide the Superintendent with a full written report of the complaint and the results of the investigation.

The District and complainant may agree to resolve the complaint in lieu of an investigation.

The Superintendent or designee will respond to the complainant with a written decision as expeditiously as possible, but in no event later than 30 calendar days following receipt of the written complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the District will notify the complainant in writing of the reason for the extension and the anticipated response date.

The decision of the Superintendent or designee will include: 1) a summary of the results of the investigation; 2) whether the District has failed to comply with anti-discrimination laws; 3) if non-compliance is found, corrective measures the District deems

necessary to correct it; and 4) notice of the complainant's right to appeal to the School Board and the necessary filing information. The Superintendent's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964.

Any corrective measures deemed necessary shall be instituted as expeditiously as possible, but in no event later than 30 calendar days following the Superintendent's mailing of a written response to the complaining party unless otherwise agreed to by the complainant.

The District must send a copy of the response to the Office of the Superintendent of Public Instruction.

**C. Formal Level Two - Appeal to the Board of Directors**

In the event a complainant remains aggrieved with the decision of the Superintendent, the complainant may appeal the decision to the Board of Directors by filing a written notice of appeal with the Secretary of the Board on or before the tenth calendar day following the date upon which the complainant received the Superintendent's response.

The Board shall schedule a hearing to commence by the twentieth (20th) calendar day following the filing of the written notice of appeal, unless otherwise agreed to by the complainant and the Superintendent or for good cause. Unless otherwise agreed to by the complainant, the Board will render a written decision within thirty (30) calendar days following the filing of the notice of appeal and provide the complainant with a copy of the decision. The decision of the Board will be provided in a language the complainant can understand, which may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act. The decision will include notice of the complainant's right to appeal to the Superintendent of Public Instruction and will identify where and to whom the appeal must be filed. The District will send a copy of the appeal decision to the Office of the Superintendent of Public Instruction.

### **Preservation of Records**

The files containing copies of all correspondence relative to each complaint communicated to the District and the disposition, including any corrective measures instituted by the District, shall be retained in the office of the Title IX Compliance Officer for a period of six (6) years. Nothing in Policy 3214 or these procedures should be construed to prevent any individual who believes that he or she has been subjected to harassment from filing a complaint with any other agency or entity with jurisdiction to review such matters.

The complaint and investigation will be handled in a confidential matter to the extent reasonably possible.

## **Maintaining Professional Staff/Student Boundaries – Board Policy - 5026**

The purpose of this policy is to provide all staff, students, volunteers and community members with information about their role in protecting children from inappropriate conduct by adults. This policy applies to all District staff and volunteers. For purposes of this policy and its procedure, the terms "District staff," "staff member(s)," and "staff" also include volunteers.

The Mukilteo School District expects all staff to maintain the highest professional, moral and ethical standards in their interaction with students. Staff are required to maintain an atmosphere conducive to learning, through consistently and fairly applied discipline and established and maintained professional boundaries.

The interactions and relationships between staff and students should be based upon mutual respect and trust, an understanding of the appropriate boundaries between adults and students in and outside of the educational setting, and consistency with the educational mission of the schools.

Staff will not intrude on a student's physical and emotional boundaries unless the intrusion is necessary to serve an educational or physical, mental and/or emotional health purpose. An educational purpose is one that relates to the employee's duties in the District. Staff are expected to be sensitive to the appearance of impropriety in their own conduct and of

other staff when interacting with students. Staff will discuss issues with their building administrator or supervisor whenever they suspect or are unsure whether conduct is appropriate or constitutes a violation of this policy.

The District supports the use of technology to communicate for educational purposes. However, staff are prohibited from inappropriate online socializing or from engaging in any conduct on social networking Websites that violates the law, District policies or other generally recognized professional standards. Staff whose conduct violates this policy may face discipline and/or termination, consistent with the District's policies, acceptable use agreement and collective bargaining agreements, as applicable.

## **Maintaining Professional Staff/Student Boundaries – Procedures – 5026-P**

District staff, which includes volunteers, shall maintain professional relationships and appropriate boundaries with students that are consistent with the legal and ethical duty of care that school personnel have for students.

An inappropriate boundary invasion means an act, omission, or pattern of such behavior by a school employee that does not have an educational purpose; and results in abuse of the staff/student professional relationship.

### **Unacceptable Conduct**

Examples of inappropriate boundary invasions by staff include, but are not limited to, the following:

- Any type of inappropriate physical contact with a student or any other conduct that might be considered harassment under the Board's policy on Harassment and Sexual Harassment of Students;
- Showing pornography to a student;
- Singling out a particular student or students for personal attention and friendship beyond the professional staff-student relationship;

- Socializing where students are consuming alcohol, drugs or tobacco;
- For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student's school performance;
- Sending students on personal errands unrelated to any educational purpose;
- Banter, allusions, jokes or innuendos of a sexual nature with students;
- Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
- Addressing students, or permitting students to address staff members with personalized terms of endearment, pet names, or otherwise in an overly familiar manner;
- Maintaining personal contact with a student outside of school by phone, email, electronic means or letters (beyond homework or other legitimate school business) without including the parent/guardian;
- Exchanging personal gifts, cards or letters with an individual student;
- Socializing or spending time with students (including but not limited to activities such as going out for beverages, meals or movies, shopping, traveling and recreational activities) outside of school-sponsored events, except as participants in organized community activities;
- Giving a student a ride alone in a vehicle in a non-emergency situation; and/or
- Unnecessarily invading a student's privacy (e.g., walking in on the student in the bathroom).
- Soliciting phone, email, text messages or other forms of written or electronic communication to students without building

administrator/supervisor and parent permission when the communication is unrelated to school work or other legitimate school business; or

- Any other conduct that fails to maintain professional staff/student boundaries.

### **Appearances of Impropriety**

The following activities are boundary invasions and can create an actual impropriety or the appearance of impropriety. Whenever possible, employees should avoid these situations.

- Being alone with an individual student out of the view of others;
- Inviting or allowing individual students to visit the staff member's home;
- Visiting a student's home; and/or
- Sending or soliciting email, text messages or other electronic communications to the student, even when the communication relates to school business, except where the parent or guardian and building administrator/supervisor has consented to such communication and receives a copy of the communication. Staff should use school email addresses and phone numbers and the parent/guardian phone numbers for communications with students, except in emergency situations.

### **Reporting Violations**

Students and their parents/guardians are strongly encouraged to notify the principal (or other administrator) if they believe a staff member or volunteer may be engaging in conduct that violates this policy.

Staff are required to promptly notify the principal (or other administrator) or the Superintendent if they become aware of a situation that may constitute a violation of this policy.

### **Reporting Sexual Abuse**

All professional school personnel who have reasonable cause to believe that a student has experienced sexual abuse by a staff member, volunteer, or agency personnel working in the school are required to make a report to Child Protective Services or law enforcement pursuant to Board Policy and Procedure 3421, Child Abuse Neglect Prevention, and Chapter 26.44, RCW. Reporting suspected abuse to the building principal or

supervisor does not relieve professional school personnel from their reporting responsibilities and timelines.

### **Disciplinary Action**

Staff violations of this policy may result in disciplinary action up to and including dismissal. If required, the violation will be reported to the State Office of Professional Practices. Violations involving sexual or other abuse will also result in referral to Child Protective Services and/or law enforcement in accordance with the Board's policy on Reporting Child Abuse and Neglect.

### **Training**

All new employees and volunteers will receive training on appropriate staff/student boundaries within three months of employment. Continuing employees will receive training every three years.

## **Use of Tobacco, Nicotine Products and Delivery Devices on School Property – 4335**

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

Any and all use of such products by staff, students, visitors and community members shall be prohibited on School District property. Possession or distribution of such products by minors is prohibited. This prohibition includes all District buildings, grounds and District-owned vehicles. In addition, prohibition of vapor products and devices also applies within 500 feet of schools.

The use of Federal Drug Administration (FDA) approved nicotine replacement therapy is permitted. However, students must have a

physician's prescription for the FDA-approved nicotine replacement therapy and must follow applicable policies regarding use of medication by students.

Notices advising students, District employees and community members of this policy shall be posted in appropriate locations in all District buildings and at other District facilities as determined by the Superintendent, and shall be included in the student handbooks. Employees and students are subject to discipline for violations of this policy up to and including discharge or suspension. Notices of this policy will be distributed annually and to new staff and students throughout the year.

## **Use of Video Cameras - Board Policy – 9321**

The Board of Directors authorizes the use of video cameras in school buildings and on school grounds and video cameras with audio in school buses for purposes of promoting and maintaining a safe environment, protection of District property, and deterrence and prevention of criminal activity and conduct violations.

Video will only be retained if necessary for use for law enforcement purposes, student disciplinary proceeding, or other matters as determined necessary by the administration. Under no circumstances shall video be exploited for purposes of personal gain, profit, or commercial publication. Video shall not be disclosed to parents, students or members of the public except as may be authorized by law.

## **Co-Curricular/Extra-Curricular Activities**

Mukilteo School District offers a comprehensive co-curricular/extra-curricular activities program designed to provide expanded opportunities for academic and social growth and success of all students.

Through participation in co-curricular/extra-curricular activities, students develop an appreciation for teamwork, sportsmanship, competition, self-discipline, and citizenship. Activities will add to a student's personal development and self-esteem and will enhance the student's total education.

Students who take advantage of these additional opportunities must also accept additional responsibilities for self-discipline, sportsmanship, and leadership. Students participating in co-curricular/extra-curricular activities have a right to:

1. Participate to the extent that their ability and interest allows.
2. Receive instruction that increases their skills and self-esteem.
3. Participate in a program that promotes safety and sportsmanship.
4. Be treated in a manner consistent with District student philosophy.

Students, in turn, must accept additional responsibilities when they become members of a co-curricular/extra-curricular team or activity. Participants have responsibilities to:

1. Follow established rules for training and conduct.
2. Attend co-curricular/extra-curricular turnouts and events.
3. Work diligently to develop the skills that will help achieve personal goals and be an asset to the team or activity.
4. Positively represent the team or co-curricular/extra-curricular activity and the school.
5. Model constructive behavior.
6. Help develop team or activity morale and school spirit.

### **Athletic Eligibility**

**To be eligible for athletics in the Mukilteo School District a student must:**

- ✓ Live within the boundaries of the Mukilteo School District and school of residence and live with parents or guardians. Students residing outside of the District and/or school of residence and have approval to attend the Mukilteo School District may be ineligible for varsity-level participation for one calendar year. See the building athletic director for more information.
- ✓ Be in full attendance in school last semester and have passed 6/6 classes and have a 2.0 GPA.
- ✓ Be a full-time student currently within the Mukilteo School District.
- ✓ Not be over the age of 19 or in the fifth (5<sup>th</sup>) or more year of high school.

- ✓ Not have transferred to any secondary school(s) for athletic reasons.
- ✓ Have a completed athletic clearance packet on file and hold a current, valid ASB card from the school of attendance.
- ✓ Not be a professional athlete in the sport you are playing.
- ✓ Abide by the current Mukilteo School District athletic code.
- ✓ Meet all Academic Eligibility requirements.
- ✓ Prior to the first practice for participation in interscholastic athletics a student shall undergo a thorough medical examination and be approved for athletic competition by a medical authority licensed to perform a physical examination. The physical examination shall be valid for twenty-four (24) consecutive months.
- ✓ Complete and have the Parent Permission Form on file at the school.
- ✓ Complete online registration including information on Sport Specific Guidelines.
- ✓ Turn out for at least the minimum required days before competing in the first contest:

# **Guidelines for Co-Curricular/Extra-Curricular Activities Participation**

Students participating in co-curricular/extra-curricular activities must abide by all rules and regulations as established by the District, the school, and Washington Interscholastic Activities Association (WIAA).

## Academic Eligibility

1. To be academically eligible, a student must have had a 2.0 GPA and have passed all subjects (six out of six classes) and met all WIAA requirements during the previous semester. Students below a 2.0 GPA or failing (F) one or more classes will be placed on academic probation. Students will be checked, four times each school year (start of the first semester; end of first quarter; end of first semester; end of third quarter) for initial eligibility.
  - a. Fall Sports – Initial eligibility is determined by the previous second semester.
  - b. Winter Sports – Initial eligibility is determined by the first quarter GPA and passing six out of six classes.
  - c. Spring Sports – Initial eligibility is determined by first semester GPA and passing six out of six classes. Students will also be checked at the end of the third quarter for GPA and passing six out of six classes.
  - d. In the fall, an incoming ninth (9<sup>th</sup>) grade student is not required to meet the previous semester scholarship rule in WIAA 18.7.4 provided they have met all other eligibility requirements. The student's grades will be monitored during the first designated monitoring period established by the school and every three (3) to six (6) weeks thereafter.
2. Schools will monitor a student's continued academic eligibility through periodic grade checks at the six-week period of each semester to ensure that they are maintaining their grades. Students who are not meeting the academic standards will be placed on Academic Probation.
3. Summer School Classes – if a student has failed a class during the spring semester, the student may make it up and become eligible for the Fall season by passing a summer school class only if the class is comparable to the one the student failed and/or is approved by a building administrator.

WIAA academic requirement – students not meeting WIAA requirements at the end of second semester of the previous school year for Fall Initial Eligibility may practice but cannot compete in any competitions until the fourth Saturday in September. Students not meeting WIAA requirements at the end of the first semester of the current school year may practice but cannot compete in any competitions for the first five weeks from the start date of second semester. Students not meeting the WIAA requirement at the end of first and third quarters will be placed on Academic Probation. . In the fall, an incoming ninth (9<sup>th</sup>) grade student is not required to meet the previous semester scholarship rule in WIAA 18.7.4 provided they have met all other eligibility requirements. The student’s grades will be monitored during the first designated monitoring period established by the school and every three (3) to six (6) weeks thereafter.

Mukilteo School District Academic Probation and Reinstatement – there will be one five (5) week high school probationary period to begin each sports season that starts on the first day of school for fall sports and the first official day of practice for winter and spring sports.

- a. Students who are below a 2.0 GPA during the previous grading period and/or have failed one subject during the previous semester will be placed on academic probation for five (5) weeks to begin the sports season. Students may practice and compete in competitions during this probation.
- b. Students on academic probation may be required to participate in an Academic Support Program.
- c. At the end of the probationary period a student’s GPA will be calculated, based on the student’s current achievement. If the GPA is 2.0 or higher and the student is not failing any classes, the student will be eligible to continue to participate. If the GPA is below 2.0 and/or if the student is failing one class, the student will continue or become ineligible to compete in any contests until the student can demonstrate to the athletic office that they are meeting all academic eligibility requirements.
- d. After the initial five (5) week probationary period there is a continuing responsibility to maintain a 2.0 GPA and passing grades in all subjects (no “Fs”). Failure to meet these standards will result in either continued probation or loss of eligibility depending on if the student is ineligible based on the District/school standard or the WIAA standard.

## Co-Curricular/Extra-Curricular Drug, Alcohol and Tobacco Eligibility Policy

*We expect that all students will abide by all laws relating to drugs, alcohol, and tobacco and that all students will remain drug, alcohol, and tobacco free three-hundred and sixty-five (365) days of the year. We expect that all students shall refrain from being under the influence of, or show evidence of having used any substances capable of or intended, purported, or presumed to be capable of altering a student's mood, perception, behavior or judgment, other than properly used over-the-counter pain relievers and medications prescribed by a licensed health care provider for an individual student. We expect students to leave within 5 minutes of arriving at a party, social gathering or event where alcohol, marijuana and/or drugs are present.*

Disciplinary consequences will be imposed if a co-curricular or extra-curricular participant violates this policy. **This policy shall govern twenty-four (24) hours per day from the first day of fall practice to the last day of the school year for all co-curricular and extra-curricular activities.** Mukilteo School District holds the following as grounds for denial of participation and/or dismissal from co-curricular and extra-curricular activities:

1. Illegal consumption, possession, or sale of alcoholic beverages and/or look-a-likes.
2. Illegal consumption, possession, or sale of marijuana, drugs or narcotics and/or look-a-likes.
3. Use of tobacco products and/or vaping products (includes student participants eighteen (18) years of age or older).
4. Use, possession, manufacturing, purchase or sale of any substances capable of or intended, purported, or presumed to be capable of altering a student's mood, perception, behavior or judgment, other than properly used over-the-counter pain relievers and medications prescribed by a physician for an individual student.

Confirmed violation of the above shall have the following effect(s):

**First Violation:**

The participant shall be immediately ineligible for participation for the remainder of the season. Ineligibility shall continue until the next sport/activity season, unless the participant voluntarily seeks and receives a drug and alcohol assessment and submits to subsequent recommendations for drugs and alcohol. Upon assessment and beginning of treatment for drugs and alcohol, the period of ineligibility shall be 20% of the scheduled contests/activities of the current season and/or subsequent “full” season.

For tobacco, the participant is required to attend mandated tobacco cessation classes. The period of ineligibility shall be 10% of the scheduled contests/activities of the current season and/or subsequent “full” season.

During the period of ineligibility, attendance at practice/meetings shall be required should the student wish to be considered for reinstatement in the co/extra-curricular program(s).

**Second Violation:**

For drugs and alcohol, the participant shall be immediately ineligible for participation in all co/extra-curricular activities for one (1) calendar year from the date of violation.

For tobacco, the participant shall be ineligible for 50% of the scheduled contests/activities of the current season and/or subsequent “full” season.

**Third Violation:**

For drugs and alcohol, the participant shall be permanently ineligible for any and all co/extra-curricular participation in Mukilteo School District.

For tobacco, the participant shall be immediately ineligible for participation in all co/extra-curricular activities for one (1) calendar year from the date of violation.

Should any violation take place on school grounds or at any school game or activity, school discipline will also be imposed.

### Appeal Procedure

Students who violate established District and/or co/extra-curricular rules and are subjected to adverse action may appeal the decision to the school Assistant Principal/Athletic Director within three (3) school days.

1. The Assistant Principal/Athletic Director must have a conference with the student and parent to discuss the nature and severity of the violation of established rules in an attempt to resolve the issue.
2. If the student or parent chooses to appeal the Assistant Principal/Athletic Director's decision, the student or parent may appeal the ruling to the Building Principal. The appeal must be filed within three (3) days of the Assistant Principal/Athletic Director's decision.
4. If the student/parent chooses to appeal the Principal's recommendation, the student or parent may appeal the ruling to the Director of Student Services and Athletics or the Superintendent's designee. The Director of Student Services and Athletics shall schedule a conference with the student and the parent at the earliest possible time as mutually agreed and, when possible, prior to the next scheduled event or activity. During this conference, the Director of Student Services and Athletics shall review with the nature and severity of the violation and shall rule upon the recommended action within three (3) school days-
5. If the student/parent is not satisfied with the disposition of the grievance, the student may appeal within three (3) days, in writing, to the Board through the Superintendent. The Superintendent shall place the grievance on the agenda of the next regularly scheduled Board meeting. The student/parent has the right to choose a representative to assist in the grievance process and to call any witnesses the student deems necessary to develop facts pertinent to the grievance. The hearing shall be closed if either the Board or the grievant chooses. The decision by the Board within ten (10) days shall be final.