



Evergreen Public Schools

Legacy High School  
Parent/Student Handbook  
2018-2019



Si tiene preguntas o desea más información en español llame  
al (360)604-4029.

Если у вас есть вопросы или вам нужна  
дополнительная информация на русском языке,  
позвоните по телефону (360)-604-4028

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## Board of Directors



Julie Bocanegra



Victoria Bradford



Todd Yuzuriha



Rob Perkins



Ginny Gronwoldt

## Superintendent



Dr. John Steach

The information provided in this handbook is published annually to inform students and parents or guardians of their rights and responsibilities. Throughout the year, Evergreen Public Schools representatives release news and information pieces to families and the community. Photographs or video may occasionally be taken of students for use in the news media or school district publications. If you do not wish to have your child appear in a photograph or video, please contact your child's school. Written requests can be placed on file at any time during the year.

For a complete list of district publications, social media, or news, visit [www.evergreenps.org](http://www.evergreenps.org).

## **Our Mission**

Students will graduate prepared for personal success in their choice of career and/or post-secondary education, committed to contribute to the common good and motivated to continue the pursuit of knowledge throughout their lives.

## **Commitment to Equity:**

Evergreen Public Schools integrates culturally competent, inclusive practices into all aspects of teaching-&-learning, leadership and operations, to assure equity of access and opportunity for each person.

We will build and sustain a school system with leading-edge levels of diversity of people, thought, perspectives and approaches, focused on our central mission: voice, choice, and personalization of learning so that every student meets high standards of educational excellence.

## **Our Beliefs**

- We believe in a school system where no child is expendable. Every student, without exception, has the potential for growth, improvement, and success in life.
- We believe all students, given the right environment, will learn and excel when provided with authentically engaging work based on high standards.
- We believe that students are our priority and decisions must be made on the basis of what is best for each child.
- We believe that a world-competitive school system is dependent on utilizing the unique talents and perspectives of staff, families, and community members.
- We believe all students, given the right environment and unwavering guidance, will develop the skills needed to face moral and ethical life challenges with integrity, honesty, and self-respect.

## **Focus Areas and Strategic Priorities**

- **Effective Teaching and Learning**
  - Learning is personalized, inclusive, culturally responsive, and relevant to meet the diverse needs of all learners
- **Environment of Growth and Innovation**
  - The learning environment promotes agency to innovate and personalize learning
- **Culture, Climate, and Community Within and Beyond the School Walls**
  - School communities provide for social, emotional and intellectual safety based on strong relationships, positive behavior supports and restorative practices.
- **Professional Practice and Continuous Improvement**
  - Data informs systems that support and foster continuous improvement, growth and collaboration.

## Discrimination

Evergreen Public Schools 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. The following employees have been designated to handle questions and complaints of alleged discrimination:

<p><b>Cale Piland</b> <b>Title IX Coordinator</b></p> <p>Director of Athletics/Activities</p> <p>13501 NE 28<sup>th</sup> Street PO Box 8910 Vancouver, WA 98668-8910</p> <p>Telephone: (360) 604-4431</p> <p><a href="mailto:Caleb.Piland@evergreenps.org">Caleb.Piland@evergreenps.org</a></p>	<p><b>Holly Long</b> <b>Section 504/ADA Coordinator</b></p> <p>Health Services Manager</p> <p>13501 NE 28<sup>th</sup> Street PO Box 8910 Vancouver, WA 98668-8910</p> <p>Telephone: (360) 604-6711</p> <p><a href="mailto:Holly.Long@evergreenps.org">Holly.Long@evergreenps.org</a></p>	<p><b>Tracy Thompson</b> <b>Civil Rights Compliance Coordinator</b></p> <p>Director of Personnel</p> <p>13501 NE 28<sup>th</sup> Street PO Box 8910 Vancouver, WA 98668-8910</p> <p>Telephone: (360) 604-4010</p> <p><a href="mailto:Tracy.Thompson@evergreenps.org">Tracy.Thompson@evergreenps.org</a></p>	<p><b>Scott Deutsch</b> <b>HIB Coordinator</b></p> <p>Risk Management &amp; Safety Manager</p> <p>13501 NE 28<sup>th</sup> Street PO Box 8910 Vancouver, WA 98668-8910</p> <p>Telephone: (360) 604-4049</p> <p><a href="mailto:Scott.Deutsch@evergreenps.org">Scott.Deutsch@evergreenps.org</a></p>
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You can report discrimination and discriminatory harassment to any school staff member or to the district's Civil Rights Coordinator, listed above. You also have the right to file a complaint (see below). For a copy of the district's nondiscrimination policy and procedure, contact your Principal or district office or view it online here:

- [Student Policy 3210](#)
- [Staff Policy 5010](#)

## Sexual Harassment

Students and staff are protected against sexual harassment by anyone in any school program or activity, including on the school campus, on the school bus, or off-campus during a school-sponsored activity. The board of directors seeks to provide an environment within Evergreen Public Schools that is free from all types of discrimination, including sexual harassment. Sexual harassment can occur adult to student, student to adult, student to student, adult to adult, male to female, female to male, male to male and female to female.

Any staff member, student or other person who has been found, after appropriate investigation, to have sexually harassed a district employee, volunteer, parent, or student will be subject to disciplinary action up to and including discharge (for an employee), expulsion (for a student), or other appropriate sanctions permitted under applicable state and federal laws and consistent with applicable collective bargaining agreements.

The district pledges to investigate promptly any complaint received and to take immediate and appropriate corrective action where warranted,

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

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

Examples of Sexual Harassment:

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

You can report sexual harassment to any school staff member or to the district's Title IX Officer, who is listed above. You also have the right to file a complaint (see below). For a copy of the Evergreen Public Schools sexual harassment policy and procedure, contact your Principal or district office, or view policy online here:

- [Staff Policy 5011](#)
- [Student Policy 3205](#)

Complaint Options: Discrimination and Sexual Harassment

If you believe that you or your child have experienced unlawful discrimination, discriminatory harassment, or sexual harassment at school, you have the right to file a complaint.

Before filing a complaint, you can discuss your concerns with your child's principal or with the school district's Section 504 Coordinator, Title IX Officer, or Civil Rights Coordinator, who are listed above. This is often the fastest way to resolve your concerns.

Complaint to the School District

#### *Step 1. Write Out Your Complaint*

In most cases, complaints must be filed within one year from the date of the incident or conduct that is the subject of the complaint. A complaint must be in writing. Be sure to describe the conduct or incident, explain why you believe discrimination, discriminatory harassment, or sexual harassment has taken place, and describe what actions you believe the district should take to resolve the problem. Send your written complaint—by mail, fax, email, or hand delivery—to the district superintendent or civil rights compliance coordinator.

#### *Step 2: School District Investigates Your Complaint*

Once the district receives your written complaint, the coordinator will give you a copy of the complaint procedure and make sure a prompt and thorough investigation takes place. The superintendent or designee will respond to you in writing within 30 calendar days—unless you agree on a different time

period. If your complaint involves exceptional circumstances that demand a lengthier investigation, the district will notify you in writing to explain why staff need a time extension and the new date for their written response.

### *Step 3: School District Responds to Your Complaint*

In its written response, the district will include a summary of the results of the investigation, a determination of whether or not the district failed to comply with civil rights laws, notification that you can appeal this determination, and any measures necessary to bring the district into compliance with civil rights laws. Corrective measures will be put into effect within 30 calendar days after this written response—unless you agree to a different time period.

#### Appeal to the School District

If you disagree with the school district's decision, you may appeal to the school district's board of directors. You must file a notice of appeal in writing to the secretary of the school board within 10 calendar days after you received the school district's response to your complaint. The school board will schedule a hearing within 20 calendar days after they received your appeal, unless you agree on a different timeline. The school board will send you a written decision within 30 calendar days after the district received your notice of appeal. The school board's decision will include information about how to file a complaint with the Office of Superintendent of Public Instruction (OSPI).

## **Student Dress**

Preserving a beneficial learning environment and assuring the safety and well-being of all students are primary concerns of the Evergreen Public Schools. The District Dress Code policy applies to all schools in Evergreen Public Schools grades PK-12.

#### Allowable Dress & Grooming

- Students must wear clothing including both a shirt with pants or skirt, or the equivalent and shoes.
- Shirts and dresses must have fabric in the front and on the sides.
- Clothing must cover undergarments, waistbands and bra straps excluded.
- Fabric covering all private parts must not be see through.
- Hats and other headwear must allow the face to be visible and not interfere with the line of sight to any student or staff. Hoodies must allow the student face and ears to be visible to staff.
- Clothing must be suitable for all scheduled classroom activities including physical education, science labs, shop, and other activities where unique hazards exist.
- Specialized courses may require specialized attire, such as sports uniforms or safety gear.

#### Non-Allowable Dress & Grooming

- Clothing may not depict, advertise or advocate the use of alcohol, tobacco, marijuana or other controlled substances.

- Clothing may not depict pornography, nudity or sexual acts.
- Clothing may not use or depict hate speech targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation or any other protected groups.
- Clothing, including gang identifiers, must not threaten the health or safety of any other student or staff.
- If the student's attire or grooming threatens the health or safety of any other person, then discipline for dress or grooming violations should be consistent with discipline policies for similar violations.

A material and substantial disruption of the educational process may be found to exist when a student's conduct is inconsistent with any part of the educational mission of the School district. Prohibited conduct includes the use of lewd, sexual, drug, tobacco or alcohol-related messages, or gang-related apparel. The uniforms of nationally recognized youth organizations, and clothing worn in observance of a student's religion, are not subject to this policy.

The student and parent may determine the student's personal dress and grooming standards, provided that the student's dress and grooming does not:

- A. Lead school officials to reasonably believe that such dress or grooming will disrupt, interfere with, disturb, or detract from the school environment or activity and/or educational objectives;
- B. Create a health or other hazard to the student's safety or to the safety of others;
- C. Create an atmosphere in which a student, staff, or other person's well-being is hindered by undue pressure, behavior, intimidation, overt gesture or threat of violence; or
- D. Imply gang membership or affiliation by written communication, marks, drawing, painting, design or emblem upon any school or personal property or one's person.

The principal, in connection with the sponsor, coach, or other person in charge of an extracurricular activity, may regulate the dress and grooming of students who participate in the activity if the principal reasonably believes that the student's dress or grooming:

- A. Creates a hazard to the student's safety or to the safety of others; or
- B. Will prevent, interfere with or adversely affect the purpose, direction, or effort required for the activity to achieve its goals.

If the student's dress or grooming is objectionable under these provisions, the principal will request that the student make appropriate corrections. If the student refuses, the principal will notify the parent, if reasonably possible, and request that the parent make the necessary correction. If both the student and parent refuse, the principal will take appropriate disciplinary action. Students may be suspended, if circumstances so warrant. Students who violate provisions of the dress code relating to extracurricular activities may be removed or excluded from the extracurricular activity for such period as the principal may determine. All students will be accorded due process safeguards before any corrective action may be taken.

Students identified as being gang involved, influenced or affiliated will be provided assistance and/or programs which discourage gang involvement or affiliation, enhance self-esteem, encourage interest and participation in school or other positive activities and promote membership in authorized school organizations.

## Harassment, Intimidation and Bullying (HIB)

The district is committed to a safe and civil educational environment for all students, employees, volunteers and patrons that is free from harassment, intimidation or bullying. [Board Policy 3207](#) defines harassment, intimidation, or bullying as “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 race, color, religion, ancestry, national origin, gender, sexual orientation, including gender expression or identity, mental or physical disability, or other distinguishing characteristics, when the 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.

If you, your student, or a member of the Evergreen Public Schools community is being subjected to harassment, intimidation, or bullying, please report your concern by one of the following methods:

- Contact SafeSchools Alert at 1-844-334-3010
- Use <https://egreen-wa.safeschoolsalert.com> to report your concern via the internet. Click on the bullying/harassment link and fill out the web-based form.
- Send an email to [1002@alert1.us.safeschoolsalert.com](mailto:1002@alert1.us.safeschoolsalert.com) ; please reference district code 1002 and the name of the school involved in the email.
- Text your message to 844-334-3010 and explain your tip.
- Contact any employee in Evergreen Public Schools.

The concern will be forwarded to the appropriate person at your student’s school for follow-up. If you provide your contact information, your student’s school will contact you for follow-up and will let you know when the investigation is complete. The building administrators will share their findings and any interventions that have been taken. If you file a concern anonymously, the building administrator will investigate the concern, take appropriate actions if necessary but will be unable to follow-up with you once the investigation has concluded. Please understand that if discipline is involved, federal and state privacy laws prohibit the school district from sharing this information with you.

The district’s policy on bullying and harassment is [Policy 3207](#). The district’s procedure is [3207P](#). [En español](#). Copies are available at your student’s school for your review. If the concern of harassment, intimidation, or bullying is not resolved to your satisfaction, please contact the district’s compliance officer. The district’s compliance officer is Scott Deutsch. The compliance officer can be contacted via phone at 360-604- 4049 or via e-mail: [Scott.Deutsch@evergreenps.org](mailto:Scott.Deutsch@evergreenps.org)

Need to report an incident at a school? <https://egreen-wa.safeschoolsalert.com/>

## General Information

### [School Calendars](#)

## **Absences and Early Releases**

Absences: Parents should contact the school thirty minutes prior to school starting. If their child will miss school due to illness, family emergencies, or other excused reasons. At the elementary school level, the school will attempt to contact parents if a child is absent and no contact is made by 10:00 a.m.

Early Releases: A student wishing to leave school during school hours must have a note from a parent or guardian stating the reason and time of release. A parent or guardian also must sign out the student at the appointed hour.

If a student is going home by any other means than usual, the school office must be notified.

## **Animals at School:**

Animals are not allowed on school grounds during school hours unless pre-authorized by the Principal of the school. Animals brought onto grounds during drop off and pick up times for students must be leashed and under control. Trained dog guides or service animals in use by a person with a disability are allowed on school grounds as identified in Policy 2030. Other Animals may be brought onto school grounds for educational purposes only as identified in Policy 2029.

### **Animals as Part of the Instructional Program: [Policy 2029](#)**

Requests to include animals in the instructional program of the classroom or school must be approved by the principal. Health issues (allergies, vaccinated status of the animal) involving students and staff shall be addressed before permission is given to allow the animal in the school.

If the instructional program involving the animal is ongoing and the animal will remain at school when school is not in session, appropriate arrangements for the animal's care must be made.

Animals will not be transported in a school vehicle.

Animals that are part of the instructional program will be under the control of their adult-owner, the teacher or designated students at all times.

### **Service Animals in Schools: [Policy 2030](#)**

The Evergreen School District Board of Directors acknowledges its responsibility to permit students and/or adults with disabilities 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 or an employee who wishes 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 services, as appropriate, will determine whether or not to permit the service animal in school.

## **Attendance**

All students over age 8 and under 18 years old are required by Washington state law to attend school regularly. If a parent or guardian enrolls a child at 6 or 7 years of age, the child is required by law to attend the full school session. To ensure compliance, Evergreen Public Schools takes regular attendance in each school and has set a policy for excused and unexcused absences.

Parents or guardians must provide the school an excuse for any absence or late arrival in the form of a note or personal contact with school officials.

Absences not properly reported with adequate explanation within three days of the student returning to school will not be excused without approval from an administrator.

Extended Absences: Absences of five days or more due to illness or other health conditions require a note from a doctor or appropriate medical provider.

Excused Absences: Valid reasons for excused absences include:

- Illness or health conditions
- Family emergencies
- Participation in school-approved activities
- Parent-approved activities
- Disciplinary action or short-term suspensions
- Observance of religious holidays
- Other absences as permitted by law

All other absences will be considered unexcused and may result in disciplinary action and affect a student's grades.

Pre-Arranged Absences: Elementary and secondary students must follow separate procedures to secure a pre-arranged absence, which includes vacations or other pre-planned extended activities.

Secondary students should take the following steps:

- Bring a note from a parent or guardian to the Attendance Office stating the dates and reasons for the absence.
- Take a pre-arranged absence form to each of the student's teachers to sign.
- Return the form to the Attendance Office when completed.

Students must be in attendance at least ½ day to participate in practices, activities, and/or athletics.

Unexcused Absences: The school district will take the following action related to unexcused absences, such as skipping school:

- On the first unexcused absence in any month, the school will notify a parent by phone or in writing of the student's absence and of potential consequences for further unexcused absences.
- On the third unexcused absence in any month, a conference will be scheduled with parents or guardians and the student to discuss the absences. After five unexcused absences, an attendance agreement is required to be signed.

If the student reaches seven unexcused absences in any month or 10 unexcused absences in the current school year, the district is required to file a petition in juvenile court alleging a violation of Washington state's mandatory attendance law.

### **Kindergarten and First Grade Entry**

Children must be 5-years-old on or before August 31 each year to be admitted to kindergarten for that upcoming school year. To enroll in the first grade, students must be 6-years-old on or before August 31. No exceptions will be made. Birth certificates must be presented at the time a child is enrolled.

### **Policies and Procedures**

Copies of all Evergreen Public Schools policies and procedures are available to the public. To request a copy of the district's policies and procedures, or for more information, please visit the district's web site, contact your child's school office or the Superintendent's Office at 360-604-4005.

### **Voter Information**

Mail-in voter registration forms are available to the public in all school offices and at the Administrative Service Center during regular business hours. Simply complete the application and return it to the elections department. To vote in an election, you must register by mail at least 30 days prior to the election date. You may register in person up to 15 days prior to the election. To register in person, go to the Clark County Elections Office at 1408 Franklin Street (corner of Franklin and Mill Plain). You may also register online at [www.clarkvotes.org](http://www.clarkvotes.org). Residents of Clark County who are U.S. citizens and who are at least 18 years old on or before Election Day may register to vote. For more information, contact Clark County Elections at 360-397-2345.

### **Report Cards and Conferences**

Report cards are issued three times a year in elementary schools. At the middle school level, progress reports are sent home at mid-trimester. Report cards are sent home at the end of each trimester. At each of the high schools - Evergreen, Heritage, HeLa, Mountain View, Union and Legacy, the Cascadia Tech Academy, Home Choice Academy and iQ Academy Washington, progress reports are sent home twice during the semester and the report card is sent home at the end of the semester.

Non-student attendance days are periodically scheduled to allow for parent-teacher conferences. Parents may also schedule additional conferences with their child's teachers.

Don't hesitate to actively participate during a meeting with teachers. Parents are encouraged to be frank and state their questions or concerns with teachers. Teachers welcome comments and are eager to discuss your child's education and hobbies, reading interests, and other subjects.

Your active participation helps the classroom teacher and enhances your child's education.

### **Volunteers**

Volunteers are welcome

The goal of Evergreen Public Schools is to provide a challenging education that prepares students for a complex and changing world. Your help ensures that we will meet our goal. If you are interested in volunteering in your child's school, please contact the building secretary or building principal.

Parents, grandparents, and community members play key roles in all of our schools, from tutoring students to assisting on field trips to serving as room parents. There are short and long-term volunteer opportunities in all of Evergreen's schools. For more information on volunteer opportunities, please contact the schools directly.

In order to be a volunteer in the Evergreen School District, you must complete the Volunteer Application Process and receive notification of clearance from the Evergreen School District before participating in volunteer activities. You can access the [Volunteer Application](#) on the district website under [Forms](#).

Evergreen also has volunteer opportunities with some of our district-wide programs. To help with developmentally challenged students, please call 360-604-6700. For all other volunteer opportunities, contact our Community Partnerships Supervisor at 360-604-4165.

### **Academic Assistance**

Evergreen Public Schools offer several programs for students who need academic assistance in reading and math.

Title I, a federally funded program, and the Learning Assistance Program (LAP), a state funded program, provide instructional service to students who meet program criteria. Students who are eligible for these programs are identified by state and local assessments and by referrals from classroom teachers. For more information, please contact your child's school or the Federal Programs Department at 360-604-4083.

### **Childfind**

All students from birth to 21 years of age who reside within the boundaries of Evergreen Public Schools and who are believed to have a disability may be eligible to receive Special Education services from Evergreen Public Schools. To arrange a screening for a child suspected of having a disability, contact the following:

- Children ages birth to 2 years – Educational Service District #112 (360) 750-7500
- Children ages 3-4 – contact Special Services at (360) 604-6700
- Children ages 5-21 – contact the local elementary or secondary school

### **Unexpected Housing Changes (Homelessness)**

Families sometimes experience unexpected hardship. If you lose your housing and think you may need to move away from your home school, please notify your child's home school before you move. We may be able to access resources through our McKinney Vento Program to keep your child(ren) in their home school. For more information, contact the school secretary, intervention specialist, Family Resource Coordinator or counselor at your child's school.

### **Legal Custody Documentation**

In cases involving court-ordered custody of children, schools must have on file the appropriate court documentation of custody. This assures compliance with any limiting court orders.

### **Asbestos Hazard Emergency Response Act**

In compliance with the U.S. Environmental Protection Agency (EPA) Asbestos Hazard Emergency Response Act (AHERA), Evergreen Public Schools contracts with an EPA accredited environmental service to conduct the required three-year asbestos re-inspection of all school buildings. The most recent inspection was

completed in 2016. An EPA-accredited Asbestos Inspector and Management Planner performed the inspection and reassessment of each category of asbestos containing building materials (ACBM) and noted any significant changes from prior inspections. The district's custodial contractor also conducts biannual surveys of ACBM to check for damage between the required three-year inspections. These inspections assist the school district in the process of safely managing all ACBM within our district.

The AHERA Re-Inspection Reports and Management Plans are available to the general public and can be reviewed during normal school hours. A designated person is available during regular district office hours to answer any questions regarding ACBM in our buildings. The designated person can be contacted through Risk Management at [scott.deutsch@evergreenps.org](mailto:scott.deutsch@evergreenps.org).

### **Lead Paint**

Evergreen Public Schools, in accordance to comply with the United States Environmental Protection Agency's Lead Safety for Renovation, Repair, and Painting Rule has performed lead-based paint inspections of its elementary school facilities constructed prior to 1978. Lead-Based Paint Evaluation Reports are available for review at the Administrative Service Center located at 13501 NE 28th St in the Risk Management department. These materials can be reviewed without cost or restriction for inspection during normal business hours.

### **Drinking Water**

Evergreen Public Schools is committed to provide students and staff with drinking water that meets both federal and state standards for safety regarding exposure to lead and copper. Tests of the district's drinking water were conducted in June of 2016 following the EPA's 3Ts for Reducing Lead in Drinking Water in Schools. The district voluntarily tested its drinking water for lead and copper. Fixtures that tested exceeded the EPA action level were replaced over the summer of 2016. Follow-up testing was conducted during September of 2016 to verify that the modifications were successful. Results of these tests are available on the district's website or by contacting the district's Risk Management office. The district plans to conduct periodic monitoring to ensure that drinking water provided to staff and students meets federal and state guidelines for lead in schools. Questions regarding the district's drinking water can be directed to the Risk Management office.

### **District Notification for Pesticide Use**

From time to time, Evergreen Public Schools finds it necessary to use herbicides and insecticides (hereinafter pesticides) to control weeds and pests on district grounds and in district buildings. Herbicides are used on district lawns, parking lot cracks, curbs, fence lines and shrub beds. Insecticides may be used in buildings and outside when pests become a problem. Whenever possible, these applications will be scheduled for times when school is not in session. All persons who apply pesticides in the school district are either licensed under state law or under the direct supervision of an individual licensed under state law.

Evergreen Public Schools will post a sign on the main entrance of the building at least 48 hours prior to a planned application. This sign will notify the public of the date(s) of application, the chemical being used, and the pest being controlled. The Material Safety Data Sheet (MSDS) for the pesticide being applied is available for review in the Burgundy Complex at the district's Administrative Service Center (ASC) located at 13501 NE 28th St. In addition to the sign placed at the main entrance; signs will be placed in the area of application notifying the public of the application.

In the event that an emergency application of a pesticide is deemed necessary, the district will place the notification sign at the main entrance of the building. If you have any questions about this program, please contact Risk Management at the Administrative Service Center via [scott.deutsch@evergreenps.org](mailto:scott.deutsch@evergreenps.org).

### **Weapons and Explosives**

A student shall not possess or use a weapon, explosive or other item apparently capable of causing bodily harm. Firearms/weapons/air guns are not allowed in school, at school-sponsored activities, on school grounds, facilities or school-provided transportation. If a student brings a firearm to school, it will result in an immediate expulsion for no less than one calendar year, including notification of parents and law enforcement. The expulsion may be modified by the school district on a case-by-case basis. Students may also face disciplinary action for possessing look-alike weapons, especially if they act with malice and/or display an item that appears to be a firearm, even if the item is not in fact dangerous.

### **Forbidden Items**

For the health and safety of all students, matches, lighters, cigarettes, drugs, drug paraphernalia, tobacco or look-a-likes, knives, Chinese stars, sharp instruments, chains, guns, soft air pellet guns or look-a-likes, sling-shots, and other such items, are not to be brought to school. As a rule, toys should be left at home unless the teacher requests one be brought as part of an educational activity. Stereos, iPods and other audio equipment are not to be brought to school without the permission of the parent and teacher. The school district is not responsible for any lost or stolen items.

### **Transportation**

School bus transportation is provided in the district for all elementary students who live more than one-half mile radius from their school. Transportation for secondary students is provided for those students who live more than one-mile radius from their school. Students who live in an area the district has determined meets the state of Washington's criteria for hazardous walkways or other mitigating circumstances, such as construction or road work, will be provided transportation inside the one-half mile radius for elementary school and one mile radius for middle and high school.

Bus schedules are available on the district web site at [www.evergreenps.org/Bus-Schedules](http://www.evergreenps.org/Bus-Schedules). For information regarding special education bus routes, call 360-604-4959. For all other bus routes and information, please call 360-604- 4950. In order to keep on schedule, buses cannot wait for students who are late. Transportation cannot be furnished for meetings of youth groups.

Student drivers are required to have parking permits, if available, at the high schools.

### **Students with Serious Health Conditions**

The state of Washington ([RCW 28A.210.320](#)) requires children with potentially life-threatening health conditions, such as severe allergies, severe asthma, diabetes, seizures, etc., have arrangements for their safety completed before they may attend school. These arrangements include any necessary physician orders, the availability at school of needed equipment and supplies, and the formation of a nursing care plan by the school nurse. Specific staff training may also be needed.

Please contact the school nurse through your student's school office if your child has such a condition or you need further information.

## Home Hospital

Services are available for students who are ill and anticipate being absent from school for six weeks or longer. For more information, please contact your child's school nurse.

## Immunizations

Washington state law requires certain immunizations against childhood diseases for all students, regardless of age, who attend a public or private school or a licensed day care center.

On or before the first day of attendance, proof of the child's (a) full immunizations, (b) initiation of schedule of immunizations, or (c) [certificate of exemption](#) – must be presented at the school. Certified waivers are permitted if parents have religious, medical, or personal objections (as noted in state law). These waivers must be on file with the school.

The legally required vaccines for children entering kindergarten as of 2017 are:

- Five doses of DTaP vaccine (or Td or Tdap for children over 7 years old). Four doses are acceptable if the last dose is given at or after the fourth birthday. An additional dose of Tdap is required for students in grade 6-12.
- Four doses of Polio (IPV or OPV) vaccine. Three doses are acceptable if the last dose is given at or after the fourth birthday.
- Two doses of MMR (measles, mumps, rubella) vaccine, with both doses at or after 12 months of age and at least 28 days apart.
- Three doses of hepatitis B vaccine with the last dose at or after six months of age.
- Two doses of varicella (chicken pox) vaccine, with both doses at or after 12 months of age and at least 28 days apart. Parent-reported history of disease is NOT acceptable.

If you have questions or concerns, please contact your family health care provider.

## Student Meal Service

### Prices

Elementary Breakfast: \$0.95

Elementary Lunch: \$1.85

Middle School Breakfast: \$1.15

Middle School Lunch: \$2.15

High School Breakfast: \$1.15

High School Lunch: \$2.40

Adult Breakfast: \$2.00

Adult Lunch: \$3.50

Free or Reduced Qualified, then Breakfast is: \$0.00

Grades K-3 Qualified for Reduced Meals, Lunch is: \$0.00

Grades 4-12 Qualified for Reduced Meals, Lunch is:	\$0.40
A la carte Milk (individual, not part of meal):	\$0.40
Other various a la carte items (Grades 6-12):	Prices vary and are displayed at point of sale

**Parent/Guardian Obligation**

PARENTS/GUARDIANS ARE RESPONSIBLE FOR PAYMENT OF FOOD SERVICE CHARGES INCURRED BY THEIR STUDENT. STUDENTS WITHOUT ADEQUATE MEALS DURING THE SCHOOL DAY WILL BE PROVIDED ONE BREAKFAST AND/OR ONE LUNCH AND THEIR FOOD SERVICE ACCOUNT WILL BE CHARGED ACCORDING TO THEIR ESTABLISHED MEAL PRICING (normal full price, reduced-price or free in the case of approved benefits).

**Student Food Service Accounts**

All students are given a food service account and assigned a unique personal identification number PIN to access their account with during meal service. Students retain the same PIN throughout their enrollment with Evergreen Public Schools. PINs can be reset if necessary by contacting the Evergreen Public Schools Child Nutrition Services office at (360) 604-4034.

**Payments**

Food service account funds must be prepaid for all grades K-12 or else can be paid at time of purchase for grades 6-12. Cashiers do not provide change. Overpaid funds will apply to the student's food service account. Food service account funds are revolving as long as the student is actively enrolled in the district. Acceptable payment methods include check, cash or online with credit card. However, cash is not recommended. Food service account activity and balance information is available online to students and parents/guardians through Skyward Family Access, which is accessible from the district website: <http://www.evergreenps.org> or by calling the Child Nutrition Services office at (360) 604-4034

**Applying for Free or Reduced-Price Meal Benefits**

PARENTS/GUARDIANS ARE RESPONSIBLE FOR PAYMENT OF CHARGES INCURRED PRIOR TO THE DATE OF APPROVED BENEFITS. An application for Free or Reduced-Price Meal Benefits must be completed each school year. When approved, free and reduced-price benefits apply to the remainder of the current school year only. A grace period continues benefits for the first 30 school days of the following school year. After 30 school days of the following school year, meal pricing resets to normal full price if a new school year application has not been received.

Hard copies of the Household Applications for Free and Reduced-Price Meals are available at the main office of every school as well as the Child Nutrition Services office at the Evergreen Public Schools Administrative Services Center. Only one application per household is required, unless the household contains economically independent household members living together. In this type of circumstance, an application can be submitted for each economic unit in the household. Completed applications can be turned into the student's school or directly to the Child Nutrition Services office. The Household Applications for Free and Reduced-Price Meals can also be completed online through the primary family's Skyward Family Access account.

Applicants are notified of their results in writing to the primary mailing address on file for the student record.

Parents/guardians are to ensure their student(s) has food service funds or adequate meals from home until they've confirmed the approval of free meal benefits for the school year.

Households are highly encouraged to apply for free or reduced meal benefits. Schools receive certain federal and state funding based on the number of children from households that are at or below poverty level. In order for our schools to receive accurate funding and make sure children receive the services they are entitled to when qualified for free/reduced-price meal benefits, it's important that households apply.

### **Purchases with Free or Reduced-Price Meal Benefits**

PARENTS/GUARDIANS ARE RESPONSIBLE FOR PAYMENT OF CHARGES INCURRED PRIOR TO THE DATE OF APPROVED BENEFITS. If approved for free or reduced-price meal benefits, the benefits will be effective as of the date the application was received at the Child Nutrition Services office.

One regular reimbursable meal for each breakfast and lunch each day is included in the free or reduced meal benefit program. Additional purchases such as a la carte items, additional milk, and additional (second) meals are not included in these benefits, although can be purchased at regular price. Milk is included with every reimbursable meal. However, milk alone without the other meal components is not a reimbursable meal and therefore will be charged at the regular milk price.

A reimbursable meal can be defined as a complete meal comprised of the required serving amount of the required components and nutritional values as regulated through the USDA Food and Nutrition Service agency in accordance with the Healthy, Hunger-Free Kids Act. A meal is the regular menu offerings comprised of mandatory minimum 3 of 5 components (Milk, Meat or Meat Alternates, Grains/Bread, Vegetables, Fruits). Reference:

[https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=fb5dc2c7d1e323b7efb1d83c3dc15407&ty=HTML&h=L&mc=true&r=PART&n=pt7.4.210#se7.4.210\\_110](https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&SID=fb5dc2c7d1e323b7efb1d83c3dc15407&ty=HTML&h=L&mc=true&r=PART&n=pt7.4.210#se7.4.210_110)

### **Insufficient Funds**

A negative balance owing (debt) of any amount is immediately due. Students with insufficient funds or without a meal during the school day will be served one reimbursable meal and their food service account will be charged according to their established meal pricing (normal full price, reduced price or free in the case of approved benefits). Purchase of a la carte items, additional milk, and additional meals are not allowed if there are not sufficient funds available for the purchase.

A negative food service account balance will remain a food service account balance throughout the duration of the student's active enrollment with the district unless the district determines the circumstances of the student's balance warrant a fine and/or third party collections. A negative food service balance owing the district upon withdrawal or graduation will be transferred to a fine as an outstanding debt until paid in full.

### **Low and/or Negative Balance Communications**

When a student's food service balance reaches an amount to cover only a few more meals, an email notification is automatically generated to the parent's email address on file as the primary family (family1). Further communication methods such as phone calls, letter home with student, or letter mailed to parent/guardian will also be used as the food service debt ages or increases.

In the event third party collections become necessary, the primary family will be notified in writing to the

email and mailing address on file 30 days prior to the collections referral.

Food service account activity and balance information is available online to students and parents/guardians through Skyward Family Access, which is accessible from the district website: <http://www.evergreenps.org> or by calling the Child Nutrition Services office at (360) 604-4034

### **Checks Returned By Bank**

Food service funds paid by check that are returned by bank unpaid are immediately reversed upon notification from the bank. An email and/or mailed letter are immediately sent to the payor. If the returned unpaid check leaves the student's food service account balance negative, the primary family (family1) will be notified of the food service balance regardless of whether they were the payor of the returned check. Insufficient account funds are to be repaid immediately. Credit card or cash payments will be required once two checks have been returned by bank within a school year.

### **Refunds and Transfers**

Food service account funds can be refunded or transferred across food service accounts at any time upon written request using the Food Service Account Balance Refund and Transfer form. Food service funds can be transferred to another specifically named student or donated for the district's discretion of student food service accounts. Funds remaining on account after a student withdrawals or graduates from the district are communicated to the primary family via letter and/or email to the address on file for the student record.

### **Unclaimed Property**

When unused food service funds are not retrieved by refund or transfer and the student has remained inactive for 2 years as of August 31 each year, then the remaining balance is sent as unclaimed property to the state.

### **Special Dietary Needs**

Meal and milk modifications can be made with an approved request. Requests for meal or milk modifications must be signed by a State-recognized medical authority. The Request for Special Dietary Accommodations forms are located on the Evergreen Public Schools-Child Nutrition Services website at: <http://www.evergreenps.org/Article-View/cns-forms>

Questions can be directed to Food Services at (360) 604-3956. Request forms can be submitted to the Child Nutrition Services Office at Fax: (360) 604-4052, Email: [nutrition.services@evergreenps.org](mailto:nutrition.services@evergreenps.org), or the Child Nutrition Services office located in the Green complex of the Evergreen Public Schools Administrative Service Center.

### **Staff Accounts**

Staff are not extended credit or allowed to have negative food service balances. Staff may prepay to their food service account or pay per purchase. Cashiers do not provide change. Overpaid funds will apply to the staff member's food service account or else are forfeited if the staff food service account is not already established. Staff can request a food service account by contacting the Child Nutrition Services office.

### **Contact Information**

The Evergreen Public Schools sponsored Federal Nutrition Programs and Food Services are administered by the Child Nutrition Services office located in the Green complex at the Evergreen Public Schools

Administrative Service Center. Food service is operated by Chartwells Dining Services. Further contact information is available on the Evergreen Public Schools/Child Nutrition Services website.

Address: 13501 NE 28 St, Vancouver WA 98682.  
Phone: (360) 604-4034  
Fax: (360) 604-4052  
Email: [nutrition.services@evergreenps.org](mailto:nutrition.services@evergreenps.org)  
Web: <http://www.evergreenps.org/food-nutrition>  
Office Hours: 7:30am – 4:00pm M-F on school days

## **Non-Discrimination**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; fax: (202) 690-7442; or email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

## **Student Records**

District [Policy](#) and [Administrative Procedures No. 3231](#) relate to student records. They provide that: In order to protect the privacy of parents and students and to comply with the [Family Education Rights and Privacy Act \(FERPA\)](#) of 1974, Evergreen Public Schools designate the following categories of personally identifiable information from students records as directory information: the student's name, photograph, address, telephone number, date and place of birth, dates of attendance, participation in officially recognized activities and sports, weight and height of member of athletic teams, diplomas and awards received, and the most previous school attended.

It is the right of the parent or guardian of a student, or of any student who has attained the age of 18, to refuse to permit the designation of any or all of the above categories as directory information. Any such student or a parent must notify the school district in writing of such refusal within 10 school days following annual publication of this notice, or no later than 10 school days following the enrollment of the student in

Evergreen Public Schools. Written notice should be addressed to: Superintendent of Evergreen Public Schools, PO Box 8910, Vancouver, WA 98668-8910.

[District policy](#) and Administrative [Procedure 3231P](#), as required by the privacy act; also allow access to student official records (permanent records), student cumulative records, confidential records, special education records, by students and/or parent or guardian. A parent/guardian may request access to the student's records by providing a written request to the building principal. If special education records are being requested, the written request must be made to the Executive Director of Special Services or his/her designee. Review of records by parents/guardians shall be arranged by the building principal, or the Executive Director of Special Services, or his/her designee within a reasonable period of time, but in no case more than 45 calendar days after the receipt of the written request.

A student may request access to his/her records by providing a written request to the student's principal or counselor. Such a request must be accompanied by a written parental consent. In the case of a special education student, such request must be made to the Executive Director of Special Services or his/her designee. Once the appropriate written consent is received a review of the records shall be arranged within a reasonable period of time, but in no case more than 45 calendar days after the receipt of the written request.

[District policy](#) and Administrative [Procedure 3231P](#), as required by the privacy act, also allows the challenge of student record validity by parent/guardian/student. A parent of a student (or an adult student) who believes that information in education records collected, maintained, or used is inaccurate, misleading, or violates the privacy or other rights of the student may request Evergreen Public Schools which maintains the information, to amend the information. A request to amend a student's educational record must be made in writing to the principal at the student's school, or in the case of a special education student, to the Executive Director of Special Services.

Complaints regarding the alleged violations accorded to parents and students aged 18 or older under this policy and procedures may be addressed to:

### **The Family Educational Right and Privacy Act**

The Family Educational Right and Privacy Act Officer Department of Health, Education and Welfare  
3300 Independence Ave., S.W. Washington, D.C. 20201

### [The Family Educational Rights and Privacy Act \(FERPA\) Educational Records](#)

This Act affords parents and students over 18 years of age (eligible students) certain rights with respect to the student's education records. They are:

- The right to inspect and review the student's education records within 45 days of the day the District receives a request for access. Please contact the principal at your child's school to review education records.
- The right to request the amendment of student's education records that the parent or eligible student believes are 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.

- The right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA authorized 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/her professional responsibility. Upon request, the District may disclose education records without consent to officials of another school district in which a student seeks or intends to enroll.
- The right to file a complaint with the US 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, US Dept. of Education 400 Maryland Ave SW, Washington, DC 20202-4605.

### **Releasing Student Directory Information**

The Federal Family Educational Rights and Privacy Act defines certain information about your children as "directory information." This information may be released unless it is requested in writing to the school district that such information not be released. Directory information is:

- Student's name, address, electronic address, and telephone number
- Photograph Date
- Major field of study
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Dates of attendance and grade level
- Degrees and awards received
- Most previous educational agency or institution attended by the student

This type of information is used in school publications such as newsletters, school programs (music, drama, graduation, etc.), sports information sheets, honor roll and/or other recognition lists. During the school year, district personnel will be photographing students for publications, school newsletters, and websites. Requests for directory information also come from the local media.

In addition, many school events, activities and concerts will be videotaped for presentation on Evergreen's local channel. Parents who do not want their children included should make that request in writing to their school office each year.

Two federal laws require local educational agencies under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories: name, address and telephone listing, unless parents have advised the district, in writing, not to release such information. In the fall, all parents of juniors and seniors will receive an informative letter with an "opt out" form to sign and return by November 1st. The "opt out" form is also available [here](#).

The Evergreen Public Schools will not release any directory information for commercial purposes or for other purposes not related to the conduct of school business. The Evergreen Public Schools policy and procedure addressing student records and information is [3231](#) and [3231P](#).

### **Military Notification**

The Evergreen Public Schools will provide military recruiters with a list of all juniors and seniors. This list will include each student's name, address, and phone number. The "No Child Left Behind Act" states that high schools must provide student information to the Defense Department upon request unless parents/guardians object in writing. This requirement applies to all public and private schools that receive federal funding. Schools that fail to comply risk losing their funding.

If you object to your child's information being provided to the Defense Department for recruitment purposes, request a "Do Not Provide Information to Military" form from the office at your child's school.

### **Staff Qualifications Information**

Parents of students enrolled in Title I schools may inquire about teacher and paraprofessional qualifications. Parents of children enrolled in a Title I school may request information concerning the professional qualifications of their child's teacher(s) and/or paraprofessionals including the degrees held, certifications held, and whether the teacher is certified in the area he/she is teaching. Request for this information may be submitted to the school principal.

Highly Qualified teachers are fully certified and/or licensed by the state; hold at least a bachelor's degree from a four-year institution; and demonstrate competence in each core academic subject area in which they teach.

Washington's school report cards report Highly Qualified information about the school and district.

Title I schools must notify parents if their child has been assigned, or has been taught for at least four consecutive weeks by a teacher who does not meet the Highly Qualified criteria. Parents also may request information concerning whether their child is receiving instruction by a teacher assistant, and if so, his/her qualifications.

For more information, please contact the building principal or the Title I teachers at your school.

### **Students and Telecommunications**

Students in possession of telecommunications devices, including, but not limited to, electronic communication devices, smart watches and cellular phones, while on school property or while attending school-sponsored or school-related activities, will observe the following conditions:

- Telecommunication devices may be used in the classroom only under the direction of the classroom teacher and building administration;
- Students will not use telecommunication devices in a manner that poses a threat to academic integrity, disrupts the learning environment or violates the privacy rights of others;
- Students will not send, share, view or possess pictures, text messages, emails or other material depicting sexually explicit conduct, as defined in RCW 9.68A.01, in electronic or any other form on a cell phone or other electronic device, while the student is on school grounds, at school-sponsored events or on school buses or vehicles provided by the district;

- When a school official has reasonable suspicion, based on objective and articulable facts, that a student is using a telecommunications device in a manner that violates the law or school rules, the official may confiscate the device, which will only be returned to the student's parent or legal guardian;
- By bringing a cell phone or other electronic device to school or school-sponsored events, the student and their parent/guardian consent to the search of the device when school officials have a reasonable suspicion, based on objective and articulable facts, that such a search will reveal a violation of the law or school rules. The scope of the search will be limited to the violation of which the student is accused. Content or images that violate state or federal laws may be referred to law enforcement;
- For instances that are not time sensitive or do not present imminent danger, staff shall secure the device and attempt to notify the parent/guardian prior to initiating the search;
- Students are responsible for devices they bring to school. The district will not be responsible for loss, theft or destruction of devices brought onto school property or to school sponsored events;
- Students will comply with any additional rules developed by the school concerning the appropriate use of telecommunication or other electronic devices; and
- Disruptions to the learning environment associated with telecommunication devices will be managed per discipline policy 3240, 3241 and procedure 3240P and 3241P..

## Evergreen Public Schools Student Conduct Expectations and Reasonable Sanctions

Student Rights and Responsibilities: Students of Evergreen Public Schools are entitled to all civil and legal rights and responsibilities, conduct, due process, and sanctions in accordance with the laws of the state of Washington, the Washington Administrative Code, the Washington State Constitution, and the United States Constitution.

### Student Conduct Rules

The following is a summary of misconduct for which a student may be disciplined, suspended or expelled. This is a summary. Comprehensive information is included in Policy and Procedure 3240 and 3241. The number of the Evergreen Public School policy or procedure follows the heading for each. You may view the full text of the policies and regulations on the district's website at <https://www.boarddocs.com/wa/esd114/Board.nsf/Public> under the Policies tab.

During the year, the District may revise or repeal existing policies and procedures, or adopt new policies and procedures. These changes and the current version of the policies and procedures will be on the district's website.

- **Alcohol or Illegal Drugs (Policy 3240)** See [Procedure 3240P](#)
  - Section: Drugs/Alcohol and other prohibited chemical substances.
- **Attendance (Policy 3110 and 3122)**
  - Compulsory school attendance Law and board requirements are outlined in [Policy 3110](#) and [3122](#).
  - The parent/guardian/custodian must provide an excuse for a student's absence within three (3) days of the student's return to school. A student who is truant (absent without an excuse) will confer with the principal. The principal will contact the parent/guardian/custodian with regard to preventing future trancies. Habitual truancy will be dealt with per state law and school board policy/procedure. See [Procedure 3122P](#).

- **Bomb threat consequences** ([Policy 4314](#) and [3240](#))
  - See [Policy 4314](#) and [Procedure 3240P](#).
- **Bullying** – [Policy 3207](#), [En español](#)
  - See [Policy](#) and [Procedure 3207P](#)
  - Prohibition of Harassment, Intimidation, and Bullying.
  - Bullying is strictly prohibited.
- **Student parking** ([Policy 3243](#))
  - See [Policy Personal Student Transportation](#)
- **Cell phones and other personal communication devices** ([Policy 3245](#) and [Procedure 3240P](#))
  - See [Policy Students and Telecommunications Devices](#).
- **Closed Campus**
  - All Evergreen Public Schools have closed campuses. Any student who leaves the school grounds without authorization shall be considered truant and subject to discipline, suspension and expulsion.
- **Cooperation with school personnel**– [Policy 3240](#)
  - Students are expected to cooperate with school personnel. If the child refuses to comply, appropriate disciplinary action will be taken by the principal.
- **Criminal Acts** - [Policy 3240](#)
  - Any act, which would constitute a felony or misdemeanor under Washington law, is prohibited in schools, on school district property or at school-sponsored events.
- **Damage and destruction of District property**
  - If a student loses, damages or destroys district property or causes the interruption of electronic services, the school administrator will investigate, notify the parents and seek appropriate restitution for the loss or damage. A student's grades, transcripts, and diploma may be withheld until restitution is made, or the student satisfactorily completes approved volunteer work. In cases of willful destruction, vandalism or theft, authorities will be notified and the student may be subject to disciplinary action and payment or restitution. When amounts are beyond the earning capacity of the student, the parent/guardian/custodian will be asked to assume the student's obligation.
- **Discipline, Suspension, and Expulsion** ([Policy 3241](#))
  - See [Policy 3241](#) and [Procedure 3241P](#)
- **Disruptive Conduct** ([Policy 3240](#))
  - Conduct, which interferes with the educational process, is prohibited. Students who disrupt the educational process will be subject to discipline, suspension, or expulsion.
- **Dress and Appearance**
  - The dress and appearance of students is the direct responsibility of their parents/guardians/custodians. Dress or appearance, however, cannot disrupt the educational process, or present health or safety problems. Certain classes, activities, or **athletics may require certain dress and grooming. Shoes must be worn always.**
- **Possession of Firearms and/or Weapons**
  - See [Policy 4210](#) and [procedure 3240P](#)
- **Medication in the schools** ([Policy 3416](#))
  - See [Procedure 3416P](#)
  - Student Medication in the School following this section.
- **Off Campus Events**
  - Students at school-sponsored off-campus events shall be governed by school district rules and regulations and are subject to the authority of school district officials.
- **Profanity and Vulgarity** ([Policy 3240](#))

- Profane, lewd or obscene speech, or vulgar behavior is not allowed in school or on school grounds. Students using such language or gestures will confer with the principal and appropriate disciplinary action will be taken.
- **Refusal to Identify Self** ( [Policy 3200](#), [3240](#), and [3241](#))
  - All persons must, upon request, identify themselves to proper school authorities in the school building, on school grounds or at school-sponsored events.
- **Sexual Harassment** ([Policy 3205](#))
  - See Sexual Harassment.
- **Smoking, Sale or Use on Campus** ([Policy 3240](#) and [2121](#))
  - Possession, sale or use of tobacco or tobacco look-alikes on school grounds or in the school building or at any school-sponsored activity is prohibited.
- **Stolen Property**
  - The school is not responsible for the student's or parent's personal property that has been stolen from school district property. This includes musical instruments that have been left overnight or weekend at the school. The school will do what it can to protect students' personal property, but it cannot purchase insurance to cover stolen items. The only way stolen instruments/property can be covered is through parents' homeowners' insurance policies.
- **Technology use, ethics, and internet safety** ([Policy 3240](#), [2022](#), and [2020](#))
  - See [Policy 2022](#) and [Procedure 2022P](#)
  - Electronic Resources and Internet Safety.
- **Threats of Violence and Reporting of Threats** ([Policy 3240](#))
  - Staff, students, volunteers, and others involved in school activities have the responsibility to report to the administrator or designee any threats of violence or harm. Depending on the significance and credibility of the threat, it shall be reported to law enforcement. Persons found to have made threats of violence or harm against district property, students, employees or others will be subject to relevant district discipline policies and, if necessary and appropriate, will be referred to relevant community agencies including law enforcement and mental health services.

# School Specific Information

## Evergreen Public Schools Policies and Procedures

1. Evergreen School District #114 Policy No. 3245 Students and Telecommunications Devices
  2. Evergreen School District #114 Policy No. 3241 Student Management, Intervention, Discipline, and Redirection
  3. Evergreen School District #114 Policy No. 3240 Student Conduct, Expectations, and Reasonable Sanctions
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### **Evergreen School District #114 Policy No. 3245**

#### Students and Telecommunications Devices

Students in possession of telecommunications devices, including, but not limited to, electronic communication devices, smart watches and cellular phones, while on school property or while attending school-sponsored or school-related activities, will observe the following conditions:

- Telecommunication devices may be used in the classroom only under the direction of the classroom teacher and building administration;
- Students will not use telecommunication devices in a manner that poses a threat to academic integrity, disrupts the learning environment or violates the privacy rights of others;
- Students will not send, share, view or possess pictures, text messages, emails or other material depicting sexually explicit conduct, as defined in RCW 9.68A.011, in electronic or any other form on a cell phone or other electronic device, while the student is on school grounds, at school-sponsored events or on school buses or vehicles provided by the district;
- When a school official has reasonable suspicion, based on objective and articulable facts, that a student is using a telecommunications device in a manner that violates the law or school rules, the official may confiscate the device, which will only be returned to the student's parent or legal guardian;
- By bringing a cell phone or other electronic device to school or school-sponsored events, the student and their parent/guardian consent to the search of the device when school officials have a reasonable suspicion, based on objective and articulable facts, that such a search will reveal a violation of the law or school rules. The scope of the search will be limited to the violation of which the student is accused. Content or images that violate state or federal laws may be referred to law enforcement;
- For instances that are not time sensitive or do not present imminent danger, staff shall secure the device and attempt to notify the parent/guardian prior to initiating the search;
- Students are responsible for devices they bring to school. The district will not be responsible for loss, theft or destruction of devices brought onto school property or to school sponsored events;
- Students will comply with any additional rules developed by the school concerning the appropriate use of telecommunication or other electronic devices; and
- Disruptions to the learning environment associated with telecommunication devices will be managed per discipline policy 3240, 3241 and procedure 3240P and 3241P..

Cross References:

Policy 2022  
Policy 3207  
Policy 3241  
Policy 4310

Electronic Resources  
Prohibition of Harassment, Intimidation and Bullying  
Classroom Management, Corrective Actions or Punishment  
Relations with Law Enforcement Agencies, Child Protective

agencies and County Health Officials

Management Resources:

Policy News, October 2010  
Policy News, June 2010  
Policy News, February 2004

Students and Telecommunication Devices Revisited  
Students and Sexting  
Evolution of Cell Phone Use

Adopted by the Board of Directors: May 28, 2013

Revised by the Board of Directors: May 26, 2015

Revised by the Superintendent: January 29, 2018

## **Evergreen School District #114 Policy No. 3240**

### **Student Conduct, Expectations, and Reasonable Sanctions**

The Evergreen School District is committed to providing all students, with a positive, respectful, inclusive climate in every school that promotes academic achievement, ensures safe and drug- free learning communities, provides positive behavioral supports, ensures equitable outcomes in discipline, prevents bullying, harassment and intimidation, and maximizes the time students spend in school academically engaged.

When developing and applying student conduct expectations and sanctions, it is important to balance the needs of the student, the needs of those directly affected by the behavior, and needs of the overall school community. School discipline is best accomplished by preventing misbehavior before it occurs and using effective interventions after it occurs. The goal of student discipline is to teach students to behave in ways that contribute to academic achievement and school success and to support a school environment where students and staff are responsible, respectful and safe.

Student conduct expectations and sanctions will be implemented fairly and consistently, regardless of racial, ethnic, and other culturally diverse populations, to include religion, ancestry, gender, socioeconomic status, sexual orientation, including gender expression or identity, mental or physical disability or other distinguishing characteristics. The district serves a diverse community. In order to serve all students and to prepare them to be members of an increasingly diverse community, school and staff must attempt to build an environment which supports cultural awareness and understanding, including the elimination of institutional racism and other discrimination that present barriers to success.

The District acknowledges that conduct and behavior is closely associated with learning. An effective instructional program requires a wholesome and orderly school environment. The District requires that each student adhere to the rules of conduct and submit to corrective action taken as a result of conduct violations. The rules of conduct are applicable during the school day, as well as during any school activity conducted on or off campus. Special rules are also applicable while riding on a school bus.

Students are expected to:

1. Respect the rights, person and property of others;
2. Pursue the required course of study;
3. Preserve the degree of order necessary for a positive climate for learning;
4. Comply with district rules and regulations; and
5. Submit to the authority of staff and reasonable discipline imposed by school employees and respond accordingly.

The District also recognizes that schools must take reasonable steps so that students who fail to adhere to the district's rules and regulations and who receive discipline for such misconduct remain engaged or are effectively reengaged in their educational program.

The superintendent will develop written rules of conduct which will carry out the intent of the board and establish procedures necessary to implement this policy.

Cross References: 3241 - Classroom Management, Discipline and Corrective Action

## 6605 - Student Safety Walking, Biking and Riding Buses

Legal RCW 28A.210.310 Prohibition on use of tobacco products on school property  
References:

RCW 28A.320.128 Notice and disclosure policies – Threats of violence—Student conduct – Immunity for good faith notice -- Penalty

RCW 28A.400.110 Principal to assure appropriate student discipline — Building discipline standards — Classes to improve classroom management skills

RCW 28A.600.015 Rules incorporating due process guarantees of pupils with regard to expulsions and suspensions

RCW 28A.600.020 Exclusion of student from classroom – Written disciplinary procedures – Long-term suspension or expulsion

RCW 28A.600.022 Suspended or expelled students – Reengagement plan.

RCW 28A.600.040 Pupils to comply with rules and regulations

RCW 28A.635.060 Defacing or injuring school property — Liability of pupil, parent, or guardian - Withholding grades, diploma, or transcripts — Suspension and restitution — Voluntary work program as alternative — Rights protected

RCW 28A.635.090 Interference by force or violence -- Penalty

RCW 28A.635.100 Intimidating any administrator, teacher, classified employee, or student by threat of force or violence unlawful—Penalty

RCW 4.24.190 Action against parent for willful injury to property by minor — Monetary limitation — Common law liability preserved

RCW 9.41 Firearms and dangerous weapons

RCW 9.91.160 Personal protection spray devices

RCW 9A.16.020 Use of force — When lawful

20 U.S.C. 7101 et seq. Safe and Drug-Free Schools and Communities Act

WAC 392-400-205 Definitions

WAC 392-400-210 Student responsibilities and duties

WAC 392-400-215 Student rights

WAC 392-400-225 School district rules defining misconduct — Distribution of rules

WAC 392-400-226 School district rules defining harassment, intimidation and bullying prevention policies and procedures –Distribution of rules

WAC 392-400-227 School district rules defining students' religious rights

WAC 392-400-233 Unexcused absences and tardiness

Management Resources: 2016 - July Issue

2014 - August Issue

Adopted by the Board of Directors: May 24, 2016

Revised by the Board: November 15, 2016

Revised by the Superintendent: September 26, 2017

## **Evergreen School District #114 Administrative Procedure No. 3240P**

### **Procedure Student Conduct Expectations and Reasonable Sanctions**

#### **Student Conduct Expectations**

As authorized by chapter 28A.600 RCW, the following procedure sets forth rights and conduct expectations for students, along with the sanctions that may be imposed for violations of such expectations. At all times, this procedure will be read consistent with federal statutes and regulations, state statutes, common law, and rules promulgated by the Washington Office of the Superintendent of Public Instruction.

#### **Respect for the Law and the Rights of Others**

The student is responsible as a citizen to observe the laws of the United States, the state of Washington, and local ordinances and laws. The student will respect the rights of others while in school, on school property, at all school activities, on district provided transportation or otherwise under school authority.

#### **Compliance with Rules**

All Students will obey the written rules and regulations established for the orderly operations of the district and the reasonable requests, instructions, and directives of district personnel. For purposes of Policy 3240 and this procedure, the term "district personnel" includes all adults, including contractors and volunteers, authorized to supervise student activities. Failure to do so will be cause for disciplinary action. All students will submit to reasonable discipline by the school district and its representatives for violations of policies, regulations and rules.

#### **Student Rights**

In addition to individual rights established by law and district policies, students served by or on behalf of the district will have the right to:

- High educational standards in a safe and sanitary building;
- Education consistent with stated district goals;
- Equal educational opportunity and in all aspects of the educational process freedom from discrimination based on economic status, pregnancy, marital status, sex, race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sexual orientation including gender expression or identity, the presence of any sensory, mental or physical disability, or the use of trained dog guide or service animal by a person with a disability;
- Access to their own education records at reasonable school times upon request;
- Fair and just treatment from school authorities and freedom from mistreatment and physical abuse;
- Freedom from unlawful interference in their pursuit of an education while in the custody of the district;
- Security against unreasonable searches and seizures;
- The substantive constitutional rights listed in WAC 392-400-215, subject to reasonable limitations upon the time, place, and manner of exercising such rights consistent with the maintenance of an orderly and efficient educational process within limitations set by law, including the right to:
  - Freedom of speech and press,
  - Peaceably assemble
  - Petition the government and its representatives for a redress of grievances,
  - The free exercise of religion and to have their schools free from sectarian control or influence, and

- Participate in the development of rules and regulations to which they are subject and to be instructed on rules and regulations that affect them;
- Establish appropriate channels to voice their opinions in the development of curriculum;
- Representation on advisory committees affecting students and student rights;
- Present petitions, complaints, or grievances to school authorities and the right to prompt replies;
- Consult with teachers, counselors, administrators and other school personnel at reasonable times;
- Be involved in school activities, provided they meet the reasonable qualifications of the sponsoring organization;
- Free election of their peers in student government and the right to hold office;
- Know the requirements of the course of study, be informed about and know upon what basis grades will be determined;
- Citizenship privileges as determined by the United States and Washington State Constitution and its amendments; and
- Annual information pertaining to the district's rules and regulations regarding students, discipline and rights.

### Scope of District Authority

Students who involve themselves in acts that have a detrimental effect on the maintenance and operation of the school or the school district; criminal acts; and/or violations of school rules and regulations, maybe subject to disciplinary action by the school and prosecution under the law. The rules will be enforced by school officials:

- On school grounds during and immediately before or immediately after school hours;
- On school grounds at any other time when school is being used by a school group(s) or for a school activity;
- Off school grounds at a school activity, function, or event;
- Off the school grounds if the actions of the student materially or substantially affects or interferes with the educational process (this includes both bus stops, as well as students' normal walking routes to and from school; or
- In school-provided transportation, or any other place while under the authority of school personnel.

### Disruptive Conduct

A student will not intentionally cause substantial and/or material disruption of any school operations. The following illustrate the kinds of offenses that are prohibited:

- Intentionally obstructing normal pedestrian or vehicular traffic on a school campus;
- Intentionally obstructing the entrance or exit of any school building or room in order to deprive others of passing through;
- Causing a disturbance or disruption on school grounds, at school activities, or on district-provided transportation, including substantially interfering with any class or activity;
- Cheating or disclosure of exams;
- Defiance of school personnel by;
  - Disobedience of reasonable requests, instructions, and directives of school personnel;
  - Refusal to leave an area when instructed to do so by school personnel;
  - Refusing a reasonable request to identify oneself to district personnel (including law enforcement officers) while under the supervision of the school; and
  - Refusal to cease prohibited behavior;
- Disruptive and/or dangerous use of motor vehicles or conduct on a school bus that endangers students;
- Extortion, theft, forgery;
- Fighting: Fighting and instigating, promoting, or escalating a fight, as well as failure to disperse. Engaging in any form of fighting where blows are exchanged is prohibited, regardless of who

initiated the fight. This prohibition includes hitting, slapping, pulling hair, biting, kicking, and scratching or any other acts in which a student intentionally inflicts or attempts to inflict injury on another;

- Gambling or encouraging other students to gamble;
- Gang-related behavior, association, and/or affiliation
- Harassment of others;
- Inappropriate dress or appearance (see district/school handbook)
- Trespassing on school property or school transportation at a time or place the student's presence is not permitted;
- Occupying a school building or school grounds in order to deprive others of its use;
- Preventing students from attending class or school activities;
- Use or possession of tobacco;
- Using any object in a dangerous manner;
- Intentionally defacing or destroying the property of another.

#### Rules Concerning Student Personal Social Media Activity

Social media includes, but is not limited to, social networking sites, such as Twitter, Instagram, Facebook, LinkedIn, YouTube, and MySpace.

- Students are required to maintain appropriate personal and educational boundaries with teachers, administrators, and colleagues. For example, on the student's personal Facebook, absent an unrelated online relationship (e.g., relative, family friend, or personal friendship unrelated to school), it is not appropriate for a student to "friend" a teacher or administrator or otherwise establish special relationships with selected teachers or administrators through personal social media, and it is not appropriate for a student to give teachers or administrators access to personal postings unrelated to school.
- Unless given written consent, students may not use Evergreen Public Schools' or an individual school building's logo or trademarks on their personal posts. Please note that this prohibition extends to the use of logos or trademarks associated with individual schools, programs or teams of the school district.
- Students must refrain from engaging in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications through personal social media. Such communications can affect the educational process. (Policy 3207)
- Students are individually responsible for their personal communications through social media. Students may be sued by other students, parents, teachers, administrators or others, or any individual that views a student's communication through social media as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile environment. As such activities are outside the scope of school, students may be personally liable for such claims.
- Students are required to comply with all School Board, State, and Federal policies and procedures with respect to the use of district computer equipment, networks or electronic devices when accessing social media sites.
- The District and/or designee reserves the right to monitor all student use of district computers and other electronic devices, including student blogging and social networking activity. A student should have no expectation of personal privacy in any personal communication made through social media while using district computers, cellular telephones or other electronic data devices.
- A student may not link a social media page to the District's website or the websites of individual schools, programs or teams; or post Board of Education material on a social media site or webpage without written permission of the superintendent.
- All policies that regulate after school conduct apply to social media activity including, but not limited to, policies related to illegal harassment and school code of conduct.

#### Rules Concerning District-Sponsored Social Media Student Activity

- In order for a student to use social media sites as an educational tool or in relation to extracurricular activities or programs of the school district, the student must seek and obtain the permission of his/her supervising teacher or administrator.
- The district will not be liable for information/comments posted by students on social media websites when the student is not engaged in district activities and not using district equipment.
- Students are required to refrain from making harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate statements in their social media communications on district-sponsored sites.
- Students are required to comply with all School Board policies and procedures and all applicable laws with respect to the use of computer equipment, networks or devices when accessing district-sponsored social media sites.
- The School Board reserves the right to monitor all student use of district computers and other electronic devices, including student blogging and social networking activity. A student should have no expectation of personal privacy in any communication made through social media while using district computers, cellular telephones or other data devices.
- All communications through district-sponsored social media must comply with the School Board's policies concerning confidentiality, including the confidentiality of student information. If a student is considering sharing information and is unsure about the confidential nature of the information, the student shall consult with his/her teacher/administrator prior to communicating such information.
- A student may not link a district-sponsored social media page to any personal social media sites or sites not sponsored by the school district.
- A student may not use district-sponsored social media communications for private financial gain, political, commercial, advertisement, proselytizing, or solicitation purposes.
- A student may not use district-sponsored social media communications in a manner that misrepresents personal views as those of the School Board, individual school or school district, or in a manner that could be construed as such.

### Student Disciplinary Consequences

Violation of the District's policy concerning the use of social media or these administrative regulations may lead to discipline up to and including expulsion consistent with state and federal law.

### Exceptional Misconduct

Exceptional misconduct is a violation of rules so serious in nature and/or so disruptive as to warrant an immediate short-term or long-term suspension. Exceptional misconduct includes the following

- Arson;
- Assault, if the assault involves
  - Injury to another,
  - Bodily fluids, or
  - A weapon;
- Commission of any crime on school grounds, or the commission of a crime or other dangerous conduct anywhere that indicates the student's presence on school grounds poses a danger to other students or staff;
- Cumulative violations;
- Causing intentional, substantial damage or destruction to school property or the property of another on school grounds or at school activities;
- Dangerous use of motor vehicles on school grounds or at school activities, or endangering students on a school bus;
- Disruption of the school program by bomb scares, false fire alarms, firecrackers, etc.;
- Extortion;
- Fighting: Fighting and instigating, promoting, or escalating a fight, as well as failure to disperse. Engaging in any form of fighting where physical blows are exchanged is prohibited, regardless of

who initiated the fight. This prohibition includes hitting, slapping, pulling hair, biting, kicking, choking, and scratching or any other acts in which a student intentionally inflicts or attempts to inflict injury on another;

- Harassment/intimidation/bullying of others;
- Knowingly possessing stolen property;
- Possession, use, sale, or delivery of illegal or controlled chemical substances, including marijuana or substances containing marijuana and alcoholic beverages, as well as possession of items reasonably determined to be drug paraphernalia as used or possessed;
- Presence on school property or at a school activity following the consumption or use elsewhere of an alcoholic beverage or a controlled substance, including marijuana;
- Sexual misconduct on school grounds, at school activities, or on school provided transportation;
- Theft on school grounds, at school activities, on school provided transportation, or of school property at any time;
- Threats of violence to other students or staff;
- Use or possession of dangerous weapons, including firearms, airguns, knives, nun-chu-ka sticks, throwing stars, stun guns, explosives and other weapons prohibited by state law and Policy 4210.

### Guidelines for Sanctions

Chapter 392-400 WAC contains the following restrictions for suspensions:

- Kindergarten through grade four - No student in grades kindergarten through four shall be subject to short-term suspensions for more than a total of ten school days during any single semester or trimester as the case may be, and no loss of academic grades or credit shall be imposed by reason of the suspension of such a student.
- Grades five and above program - No student in grade five and above program shall be subjected to short-term suspension for more than a total of fifteen school days during any single semester or ten school days during any single trimester, as the case may be.

In all cases where sanctions are imposed, a reasonable effort to contact parents or guardians will occur prior to, or contemporaneous with, the imposition of the sanction, in addition to any written notice required by law. When a school administrator has good and sufficient reason to believe that a student's presence poses an immediate and continuing danger to the student, other students or school staff, or an immediate and continuing threat of substantial disruption of the educational process, immediate emergency removal or emergency expulsion may be appropriate. (See Policy 3241, Classroom Management, Discipline and Corrective Action)

In conjunction with the following sanction guidelines, administrators may also consider any alternative form of corrective action—including programs intended to lessen the time of exclusion from class attendance—which has been approved by the Board of Directors and/or Superintendent. The district encourages the use of alternative forms of correction action when possible and practicable in light of the duty to maintain safe and orderly school environments conducive to student learning.

In addition to school sanctions, administrators should determine whether restitution for damage or injury should be considered.

### Implementing the Guidelines for Sanctions

It is presumed that school administrators will sanction a student for the following offenses within each listed standard range, beginning at the presumptive sanction and determining whether mitigating or aggravating factors warrant a sanction higher or lower within the standard range. School administrators are expected to use their professional judgment and experience when assigning student sanctions and will, to the best of their abilities, attempt to apply these sanctions to all similarly-situated students in a fair and equitable manner. The administrator's judgment and discretion will

carefully balance the duty to maintain order and discipline in a safe school environment, the appropriate corrective action needed to address the student's misconduct, and the student's long-term educational success.

The sanctions below do not prohibit administrators from considering approved alternatives to out-of-school suspension or expulsion, including in-school suspension. The standard range for each offense does not prohibit a school administrator from exceeding the range, up to and including expulsion, if sufficient aggravating factors warrant such corrective action or if the threat of danger or substantial disruption supports an emergency expulsion under WAC 392-400-295.

#### ARSON:

For purposes of school discipline, "arson" means any intentional or reckless setting of a fire or other burning of personal or public property. "Reckless" means that the student understood, but acted with disregard for, the consequences of his or her conduct. All suspected incidents of arson must be reported to the fire marshal.

STANDARD RANGE: 0-20 Day Suspension PRESUMPTIVE

STANDARD SANCTION:

Elementary: Short-Term Suspension of 1 Day

Secondary: Short-Term Suspension of 5 Days

MITIGATING FACTORS:

- No prior documented misconduct
- Minimal damage
- Little potential of harm
- Student's intent or purpose
- Student's age and/or inability to understand potential consequences of the conduct
- Admitted or self-reported conduct
- Student attempted, but failed to or was prevented from, carrying out the conduct

AGGRAVATING FACTORS:

- Significant damage
- Potential of serious harm
- Intent or purpose in setting fire
- Previous discipline record of student warranting progressive sanctions
- The student's presence on campus is determined to be a threat to the safety of others.

#### ASSAULT:

For purposes of school discipline, "assault" means actual or attempted hitting, striking or other wrongful physical contact inflicted on another either directly or indirectly through an object. For verbal threats, see Policy 3207 Harassment, Intimidation, and Bullying.

STANDARD RANGE: 0-10 Day Suspension PRESUMPTIVE

STANDARD SANCTION:

Elementary: 0-1 Days

Secondary: Short-Term Suspension of 5 Days

MITIGATING FACTORS:

- No prior documented misconduct
- Minimal injury or damage
- Student was primarily acting defensively, but facts do not support a conclusion that the student's conduct was clearly reasonable self-defense as set forth below
- Student's age and/or inability to understand potential consequences of the conduct

- Admitted or self-reported conduct

**AGGRAVATING FACTORS:**

- Serious actual or potential injury
- Use of an object or weapon
- Premeditated conduct
- Multiple students assaulting a single student
- Prior assault(s), threat(s), harassment, or bullying by the student against the same victim
- Exceptional severity or cruelty
- Conduct is motivated by perceived race, color, national origin, gender, sexual orientation, gender expression, disability, or any similar actual or perceived characteristic of the victim
- Conduct is motivated by actual or perceived gang rivalry or affiliation
- Previous discipline record of student warranting progressive sanctions

**REASONABLE SELF-DEFENSE:**

It is expected that a student must always first retreat from any threat of harm and/or contact an adult staff member for assistance before engaging in any type of physical response to an assault. However, an administrator may decide not to subject a student to discipline if, following a reasonable investigation, the administrator determines that all of the following are true:

- A student who is being assaulted or witnesses another student being assaulted acts only in a manner that is defensive and protective of himself/herself or others;
- The student is acting in a manner that a building administrator determines is reasonable and necessary in light of the circumstances; and
- The student did not instigate, provoke, or promote the violence by his or her words or conduct immediately prior to the assault.

A reasonable physical response to an assault may include holding the assailant's hands or arms to prevent the assault, or pulling two fighting students apart and holding them until adult staff can arrive and intervene.

**DEFACING OR DESTRUCTION OF PROPERTY:**

For school discipline purposes, means the unauthorized, intentional damage to district property or the property of others (other than arson, above).

**STANDARD RANGE: 0-10 Day Suspension PRESUMPTIVE**

**STANDARD SANCTION:**

Elementary: Discipline other than Suspension  
 Secondary: Short-Term Suspension of 3 Days  
 Restitution will usually be required.

**MITIGATING FACTORS:**

- No prior documented misconduct
- Minimal damage
- Student's age and/or inability to understand potential consequences of the conduct
- Admitted or self-reported conduct
- Subsequent remedial steps, including restitution to district or victim of misconduct

**AGGRAVATING FACTORS:**

- Significant damage in extent or cost
- Similar previous conduct
- Previous discipline record of student warranting progressive sanctions
- Property defaced with:
  - Lewd or obscene words or imagery
  - Words or imagery containing slurs or negative reference to the race, color, national origin, gender, sexual orientation, gender expression, or disability of others
  - Gang words or imagery

Note: Under RCW 28A.635.060 (1), the school district may withhold the grades, diploma, and transcripts of a pupil responsible for intentional damage or loss to the property of the district, a contractor of the district, an employee, or another student until the pupil or the pupil's parent or guardian has paid for the damages. If a student has been suspended or expelled, the student may not be readmitted until the student or parents or legal guardian has made payment in full, or until the superintendent directs otherwise. If the property damaged is a

school bus owned and operated by the district, a student suspended for the damage may not be permitted to enter or ride any school bus until the student or parent or legal guardian has made payment in full or until directed otherwise by the superintendent.

When the pupil and parent or guardian are unable to pay for the damages, the school district will provide a program of voluntary work for the pupil in lieu of the payment of monetary damages. Upon completion of the voluntary work the grades, diploma, and transcripts of the pupil shall be released. The parent or guardian of the pupil is liable for damages as otherwise provided by Washington state law.

**DEFIANCE OF SCHOOL AUTHORITY:**

For purposes of school discipline "Defiance of School Authority" means: Refusal to obey reasonable requests, instructions, and directives of any school personnel, including volunteers or contractors working for the school. Defiance includes dress or appearance in violation published student handbook requirements that the student either refuses to correct at the directive of a school administrator, or that is a persistent and repeated violation. Defiance of school authority can also include intentional disruptive behavior.

STANDARD RANGE: 0-10 Day Suspension PRESUMPTIVE

STANDARD SANCTION:

- Elementary: Discipline other than Suspension
- Secondary: Discipline other than Suspension

MITIGATING FACTORS:

- No prior documented misconduct
- Student's age and/or inability to understand potential consequences of the conduct
- Subsequent action taken by student to make amends for misconduct with school personnel

AGGRAVATING FACTORS:

- Part of a pattern of similar misconduct
- Previous discipline record of student warranting progressive sanctions
- Substantial disruption to learning of others caused by student's defiance
- Student attempts to solicit or incite others to engage in defiant behavior
- Use of lewd, obscene, or profane language directed towards supervising school personnel

- Conduct is motivated by perceived race, color, national origin, gender, sexual orientation, gender expression, disability, or any similar actual or perceived characteristic of school personnel

**DRUGS/ALCOHOL AND OTHER PROHIBITED CHEMICAL SUBSTANCES:**

The possession, consumption, use, storage, or distribution of drugs (including marijuana/cannabis), alcohol, and other similar chemical substances on school grounds, at school activities, or on district-provided transportation is prohibited. For purposes of student conduct expectations:

- This section applies to any controlled substance, medication, stimulant, depressant, or mood altering compound, including simulated compounds intended to produce intoxication or euphoria, whether or not such compounds have been designated a controlled substance by state or federal law;
- This section applies to marijuana or substances containing marijuana;
- This section applies to legally-prescribed drugs which a student is nevertheless not lawfully authorized to possess on school grounds, at school activities, or on district-provided transportation;
- This section applies to students who enter school grounds, school activities, or district-provided transportation following the unlawful use or consumption of drugs, alcohol, and other similar chemical substances, including students who appear to be under the influence of such substances; and
- This section applies equally to the possession or use of paraphernalia or other items used to possess, consume, store, or distribute drugs, alcohol, and/or other illegal chemical substances, including marijuana or substances containing marijuana.

STANDARD RANGE Elementary: 0-10 Day Suspension STANDARD RANGE

Secondary: 3-20 Day Suspension

**PRESUMPTIVE STANDARD SANCTION FOR POSSESSION OR USE:**

Elementary: Short-Term Suspension of 1 Day Secondary:

Short-Term Suspension of 10 Days

**PRESUMPTIVE STANDARD SANCTION FOR DISTRIBUTION:**

Elementary: Short-Term Suspension of 5 Days

Secondary: Long-Term Suspension of 20 Days

**MITIGATING FACTORS:**

- Little or no prior documented misconduct
- A significantly small amount of substance
- Student's age and/or inability to understand potential consequences of the conduct
- Momentary or transient handling of the item
- Admitted or self-reported conduct
- Student believed that he or she was authorized to possess a lawfully- prescribed drug on campus
- Evidence that there was no intent to use, consume, or distribute the substance on school grounds, district-provided transportation, or at school activities.

**AGGRAVATING FACTORS:**

- Previous discipline record of student warranting progressive sanctions
- A relatively large amount of substance that would reasonably exceed anticipated single use
- Evidence of sophistication or pre-planning

- Evidence of distribution or intent to distribute prohibited substances
- The substance is heroin or another similar opiate (including methadone, oxycodone, etc.), cocaine, methamphetamine, or a similar substance designated as a level one or level two controlled substance with the potential for significant harm and addiction
- Distribution has been to multiple students
- Conduct is related to gang affiliation

Generally, a suspension for possession, use, or consumption should not exceed ten (10) days, and a suspension for distribution should not exceed twenty (20) days. A suspension for secondary students in either case should not fall below three (3) days.

An expulsion may be imposed for such conduct when sufficient aggravating circumstances are present and in consultation with the superintendent or the superintendent's designee. Emergency expulsion may be imposed when the student's conduct meets the requirements of WAC 392-400-295.

An administrator may draw up a contract with a student serving a suspension, and a maximum of fifty percent (50%) of the suspension may be held in abeyance when the student successfully complies with the terms and conditions of the contract.

In all cases in which a student possesses or is distributing on school grounds, at school activities, or on district-provided transportation a substance prohibited under this section that is also a violation of the law, a report will be made by school officials to law enforcement.

**FIGHTING OR FIGHTING INVOLVEMENT:**

Includes instigating, promoting (including promotion by presence as a spectator), and escalating a fight, as well as the failure to disperse at the scene of a fight.

SANCTIONS: See Assault

**GANG CONDUCT:**

For school discipline purposes "Gang Conduct" includes:

- The creation, display, or communication of gestures, language, imagery, or symbols as defined below commonly associated with gang culture
- The promotion of gang culture and/or gang violence, and/or
- The solicitation or recruitment of gang members. Gang imagery and symbols include, but are not limited to:
  - Apparel (including shoelaces, bandanas, belts, or hats) which by virtue of color, arrangement, trademark, symbol, or any other attributes indicate or imply gang membership or affiliation
  - Displays of gang affiliation on personal belongings including clothing, school assignments, notebooks, body, etc.

STANDARD RANGE: 0-10 Day Suspension PRESUMPTIVE

STANDARD SANCTION:

Elementary: Discipline other than Suspension

Secondary: Discipline other than Suspension

**MITIGATING FACTORS:**

- No prior documented misconduct
- Student's age and/or inability to understand potential consequences of the conduct
- Admitted or self-reported conduct
- Subsequent remedial steps, including restitution for property damaged or defaced with gang imagery, symbols, or language

#### AGGRAVATING FACTORS:

- Similar previous conduct
- Concerted action with other students or non-students
- Gang conduct in connection with other misconduct prohibited elsewhere by this procedure, including but not limited to assault, harassment, intimidation, bullying, theft, and the possession of weapons
- Previous discipline record of student warranting progressive sanctions

Expulsion or Long-term suspension for gang conduct alone, absent any other misconduct, may only occur under extraordinary circumstances following consultation with the Superintendent or Superintendent Designee. Any student suspect of gang related behavior will be documented by the school district's security department and reported to local law enforcement.

#### HARASSMENT, INTIMIDATION OR BULLYING:

For school discipline purposes, "harassment, intimidation and bullying" includes:

- Intentional hurtful, threatening, or intimidating verbal and/or physical conduct in violation of district policy 3207 and procedure 3207P;
- Unsolicited or unwelcome verbal or physical conduct that is harassing or intimidating that can be of a sexual, religious, racial or ethnic nature, or based on disability;
- A threat to cause bodily injury, property damage, or to cause the physical confinement or restraint of the person threatened, or any other act causing substantial harm to the physical or mental health of the person threatened.

STANDARD RANGE Elementary: 0-10 Day Suspension

STANDARD RANGE: Secondary: 3-20 Day Suspension

PRESUMPTIVE STANDARD SANCTION:

Elementary: Discipline other than Suspension

Secondary: 3 Day Suspension

#### MITIGATING FACTORS:

- No prior documented misconduct
- Student's age and/or inability to understand potential consequences of the conduct
- Admitted or self-reported conduct
- Subsequent action taken by student to make amends for misconduct with the victim

#### AGGRAVATING FACTORS:

- Threat of serious injury
- Use of an object or weapon
- Premeditated conduct
- Part of a pattern of similar misconduct against the same victim
- Prior assault(s) threat(s), harassment, or bullying by the student against the same victim
- Exceptional severity or cruelty
- Conduct is motivated by perceived race, color, national origin, gender, sexual orientation, gender expression, disability, or any similar actual or perceived characteristic of the victim
- Conduct is motivated by actual or perceived gang rivalry or affiliation
- Previous discipline record of student warranting progressive sanctions

#### LEWD, OBSCENE, OR PROFANE LANGUAGE, GESTURES OR MATERIALS:

For purposes of school discipline, this includes, but is not limited to, lewd, obscene or profane language, gestures or materials that are unrelated to authorized school curriculum. Prohibited “materials” includes digital or electronic text, images, or sounds that are possessed, displayed, or transmitted while under the supervision of school authorities.

STANDARD RANGE: 0-10 Day Suspension PRESUMPTIVE

STANDARD SANCTION:

Elementary: Discipline other than Suspension

Secondary: Discipline other than Suspension

MITIGATING FACTORS:

- No prior documented misconduct
- Student’s age and/or inability to understand potential consequences of the conduct
- Subsequent action taken by student to make amends for misconduct

AGGRAVATING FACTORS:

- Part of a pattern of similar misconduct
- Previous discipline record of student warranting progressive sanctions
- Substantial disruption to learning of others caused by student’s defiance
- Student attempts to solicit or incite others to engage in behavior
- Conduct is motivated by perceived race, color, national origin, gender, sexual orientation, gender expression, disability, or any similar actual or perceived characteristic of school personnel

Any conduct under this section that could constitute a criminal act will be reported to law enforcement. Any conduct under this section that involves the use of district resources or equipment may result in the loss or restriction of a student’s use of district systems, resources, or equipment.

TARDINESS:

Schedule a conference or conferences with the custodial parent or guardian and student, at a time reasonably convenient for all, for the purpose of analyzing the causes of the student’s tardiness. Take steps to eliminate the tardies, including adjusting the student’s school program, or school/course assignment.

THEFT/STEALING:

Possession of another person’s or district property, regardless of value, without the person’s permission with the intent to deprive the owner of such property. As part of the sanction, restitution will usually be required.

STANDARD RANGE: 0-10 Day Suspension PRESUMPTIVE

STANDARD SANCTION:

Elementary: Discipline other than Suspension

Secondary: Short-Term Suspension of 2 Days

Restitution will usually be required if property is not recovered and returned.

MITIGATING FACTORS:

- No prior documented misconduct

· Property returned to victim

- Student’s age and/or inability to understand potential consequences of the conduct
- Admitted or self-reported conduct
- Subsequent remedial steps, including restitution to district or victim of misconduct

#### AGGRAVATING FACTORS:

- Significant damage in extent or cost
- Similar previous conduct
- Previous discipline record of student warranting progressive sanctions
- Conduct is motivated by perceived race, color, national origin, gender, sexual orientation, gender expression, disability, or any similar actual or perceived characteristic of the victim
- Conduct is motivated by gang affiliation

Note: Under RCW 28A.635.060 (1), the school district may withhold the grades, diploma, and transcripts of a pupil responsible for intentional damage or loss to the property of the district, a contractor of the district, an employee, or another student until the pupil or the pupil's parent or guardian has paid for the damages. If a student has been suspended or expelled, the student may not be re-admitted until the student or parents or legal guardian has made payment in full, or until the superintendent directs otherwise. If the property damaged is a school bus owned and operated by the district, a student suspended for the damage may not be permitted to enter or ride any school bus until the student or parent or legal guardian has made payment in full or until directed otherwise by the superintendent.

When the pupil and parent or guardian are unable to pay for the damages, the school district will provide a program of voluntary work for the pupil in lieu of the payment of monetary damages. Upon completion of the voluntary work the grades, diploma, and transcripts of the pupil shall be released. The parent or guardian of the pupil is liable for damages as otherwise provided by Washington state law.

#### TOBACCO/NICOTINE PRODUCTS - USE OR POSSESSION:

Students may not participate in smoking, use of tobacco products or products containing nicotine, or possess tobacco products on the school premises or at school- sponsored functions.

##### Elementary Students

See sanctions for Defiance of School Authorities

##### Secondary Students

First Offense: Complete Tobacco Intervention Packet. [Refusal or failure to complete Tobacco Intervention Packet shall be considered to be a tobacco related offense for which students may receive school discipline sanctions as set forth in Defiance of School Authorities]

Second Offense: Complete Tobacco Intervention Packet and attend extended after school detention. [Refusal to complete Tobacco Intervention Packet shall be considered a tobacco related offense for which students may receive school discipline that includes short-term suspension with days that may be held in abeyance for community service].

Third Offense: Complete Tobacco Intervention Packet and attend extended after school detention. [Refusal to complete Tobacco Intervention Packet shall be considered a tobacco related offense for which students may receive school discipline that includes short-term suspension with days that may be held in abeyance for community service].

#### TRUANCY:

See Policy and Procedure 3122.

#### WEAPONS:

This section addresses the possession or use of actual weapons in violation of district policy 4210, including firearms, dangerous weapons, and other items listed within that policy. This includes when a student acts with malice as defined under RCW 9A.04.110 and displays a device that appears to be a

firearm. Objects and conduct that fall outside of Policy 4210 should be addressed under other sections, as appropriate.

STANDARD RANGE: 0-20 Day Suspension PRESUMPTIVE

STANDARD SANCTION:

Elementary: Short-Term Suspension of 3 Days

Secondary: Long-Term Suspension of 11 Days

SANCTION FOR FIREARM AT SCHOOL: Emergency Expulsion (see below)

MITIGATING FACTORS:

- No prior documented misconduct
- No injury or damage caused
- No evidence that student intended to display or use the weapon
- The weapon is a small pocket knife with a blade 3 inches or less
- Student's age and/or inability to understand potential consequences of the conduct
- Admitted or self-reported conduct
- Student offers credible evidence that he or she had the weapon for legitimate purposes away from school and unintentionally brought the object to school

AGGRAVATING FACTORS:

- Previous discipline record of student warranting progressive sanctions
- Student used the weapon in furtherance of an assault, to intimidate another, cause injury, and/or to cause physical damage to property
- Student displayed, activated or discharged the weapon in a reckless manner
- Evidence of premeditation
- Display or use of the weapon was motivated by perceived race, color, national origin, gender, sexual orientation, gender expression, disability, or any similar actual or perceived characteristic of a person intimidated or assaulted
- Conduct is motivated by actual or perceived gang rivalry or affiliation
- The weapon is an airgun or firearm.
- The object appears to be a firearm and the student displaying or using the object does so with malice

#### SANCTION FOR FIREARM AT SCHOOL

Any student who is determined to have carried a firearm or to have possessed a firearm on school premises, school-provided transportation, or school sponsored activities at any facility shall be expelled from school for not less than one year (12 months) under RCW 28A.600.420, with notification to parents and law enforcement. The district superintendent or the superintendent's designee is authorized to modify the expulsion of a student on a case-by-case basis.

The school district may also suspend or expel a student for up to one year if the student acts with malice as defined under RCW 9A.04.110 and displays a device that appears to be a firearm.

Expulsion may result based upon the administrator's judgment of the seriousness of the act or circumstances surrounding the act, and/or the previous record of the student.

Adoption by the Superintendent: November 7, 2016

Revised by the Superintendent: September 26, 2017

## **Evergreen School District #114 Policy No. 3241**

### **Student Management, Intervention, Discipline, and Redirection**

The District is committed to providing all students, with a positive, respectful, inclusive climate in every school that promotes academic achievement, ensures safe learning communities, provides positive behavioral supports, ensures equitable outcomes in discipline, prevents bullying, harassment, and intimidation, and maximizes the time students spend in school academically engaged.

The Evergreen School District believes school safety and academic success are formed and strengthened when all school staff and personnel build positive relationships with students and are actively engaged in their lives and learning. The District also believes effective discipline is built on consistent and effective classroom management, providing positive behavior support aligned with the school climate. The vast majority of discipline issues should be addressed at the classroom level by teachers; however, behaviors that cannot be addressed at this level should receive more targeted and intensive interventions. The District believes in the use of restorative practices.

The Superintendent/designee will develop and make available to all students, their parents, and staff, handbooks pertaining to student rights, conduct, redirections and discipline. The school principal and certificated employees in each school building will confer at least annually in order to develop and/or review building disciplinary standards and uniform enforcement of those standards as related to the established student handbooks.

Student conduct rules and sanctions will be fairly and consistently implemented regardless of racial, ethnic, and other culturally diverse populations, to include religion, ancestry, gender, socio-economic status, sexual orientation, including gender expression or identity, mental or physical disability or other distinguishing characteristics. The district serves a diverse community. In order to serve all students and to prepare them to be members of an increasingly diverse community, school and staff must build an environment that supports cultural awareness and understanding. The district must eliminate structural bias and any other discrimination that present barriers to success.

Rules of student conduct are essential to maintain a school environment conducive to learning. Student non-compliance with written rules and regulations established for the governing of the school will constitute sufficient cause for intervention, discipline and/or redirection. Restorative interventions and/or options will be a primary consideration, decreasing reliance on exclusionary practices.

All students who attend the district's schools will follow the written policies, rules and regulations of the schools, will pursue the required course of studies, and will follow the instructions of staff of the schools, subject to such redirection or discipline as the school officials will determine.

Staff are responsible for supervising student behavior, employing effective behavior management and interventions while enforcing the rules of student conduct in a fair, consistent and non-discriminatory manner. Redirection must be reasonable and necessary under the circumstances and reflect the district's priority to maintain a safe and positive learning environment for all students and staff. This includes redirection for activities at a school-sponsored activity or event or occurring off school grounds if the actions of the student materially or substantially affects or interferes with the educational process.

The district will distribute its discipline policy and procedure to students, their parents/guardians, and the community on an annual basis. Students and/or their parents/guardians will be provided all required substantive and procedural due process in regard to grievances, hearings and/or appeals of corrective action. The district will also strive to provide trainings regarding policies and procedures related to student

discipline for appropriate school and district staff whose duties require them to interact with students and enforce or implement components of student discipline.

Students and/or their parents/guardians will be provided all required substantive and procedural due process in regard to grievances, hearings and/or appeals of redirection. The district will assist long-term suspended and expelled students in returning to school by providing them with a reengagement plan tailored to the student's individual circumstances, including consideration of the incident that led to the student's long-term suspension or expulsion.

The district will annually review data on disciplinary actions taken against students within each school disaggregated by sex, race, limited English proficiency and disability, including students protected by the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973. The review must include short-term suspensions, long-term suspensions and expulsions. In reviewing the data, the district will determine whether it has disciplined a substantially disproportionate number of students within any of the disaggregated categories. If disproportionately is found, the district will take action to ensure that it is not the result of discrimination.

In consultation with school district staff, students, families and the community, the district will periodically review and update this policy and its accompanying procedure.

Cross 2121 - Substance Abuse Program

References:

2161 - Special Education and Related Services for Eligible Students

2162 - Education of Students With Disabilities Under Section 504 of the Rehabilitation Act of 1973

3122 - Excused and Unexcused Absences

3210 - Nondiscrimination

3240 - Student Conduct Expectations and Reasonable Sanctions

3244 - Prohibition of Corporal Punishment

3520 - Student Fees, Fines, or Charges

4210 - Regulation of Dangerous Weapons on School Premises

4218 - Language Access Plan

Legal RCW 9A.16.100 Use of force on children — Policy — Actions presumed unreasonable

References:

RCW 9.41.280 Possessing dangerous weapons on school facilities — Penalty — Exceptions

RCW 28A.150.240 Certificated teaching and administrative staff as accountable for classroom teaching — Scope — Responsibilities — Penalty

Chapter 28A.225, RCW Compulsory school attendance and admission

Chapter 28A.320, RCW Provisions applicable to all districts

RCW 28A.400.100 Principals and vice principals — Employment of — Qualifications — Duties

RCW 28A.400.110 Principal to assure appropriate student discipline — Building discipline standards — Classes to improve classroom management skills

Chapter 28A.600 RCW, Students

WAC 392-190-048 Access to course offerings – Student discipline

Chapter 392-400, WAC Pupils

34 CFR Part 100.3 Regulations implementing Civil Rights Act of 1964

42 U.S.C. 2000d et seq. Civil Rights Act of 1964

Management Resources: 2016 - July Issue

2014 - December Issue

2014 - August Issue

2010 - June Issue

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Revised by the Superintendent: September 26, 2017

Evergreen School District #114

Policy No. 3241

## Evergreen School District #114 Board Procedure No. 3241P

### Procedure for Student Management, Intervention, Discipline, and Redirection

The Evergreen Public Schools strives to keep students in school and learning in a safe and appropriate environment. There are circumstances where discipline and corrective action are warranted.

#### Alternative forms of corrective action:

In lieu of suspension, the District encourages the use of alternative forms of corrective action when appropriate and practical in light of the duty to maintain safe and orderly school environments conducive to student learning. District administrators may consider alternative forms of corrective action—including programs intended to lessen and/or eliminate the time of exclusion from class attendance—which have been approved by the board and/or superintendent. As a general rule and except in cases involving exceptional misconduct, district administrators shall impose alternative forms of corrective action for incidents of misbehavior prior to imposing a suspension or expulsion for the same type of misbehavior.

#### Definitions

- **Discipline** means all forms of corrective action other than emergency removal, suspension or expulsion. Discipline includes the exclusion of a student from any type of activity conducted by or on behalf of the school district and exclusion of a student from a class by a teacher or administrator for a period of time that does not exceed the balance of the immediate class period, provided the student is in the custody of a school district employee for the balance of such period.
- **Discretionary discipline**, under RCW 28A.600.015 refers to any form of corrective action taken in response to student misconduct that violates the rules, policies, or procedures adopted by the board of directors, other than the misconduct listed in one or more of the categories in this procedure set forth below in the section entitled “Suspension, Expulsions, and Discretionary Discipline.” Discretionary discipline cannot include long-term suspension or expulsion.
- **Emergency removal** means a student’s immediate removal from a class, subject or activity by a certificated teacher or an administrator or a school bus driver and sending of that student to the building principal or designee, when the teacher or administrator has good and sufficient reason to believe that the student’s presence poses an immediate and continuing danger to the student, other students or school staff or an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process.
- **Suspension** means the denial of attendance for any single subject or class or for any full schedule of subjects or classes for a stated period of time. Suspension may also include denial of admission to, or entry upon, real and personal property that is owned, leased, rented or controlled by the district.
  - **Short-term suspension** means suspension for any portion of a calendar day up to and not exceeding ten (10) consecutive school days.
  - **Long-term suspension** means a suspension that exceeds ten (10) consecutive school days. A long-term suspension may not exceed the length of an academic term as defined by the school board and may not be imposed as a form of discretionary discipline except for the offenses listed below in the section entitled “Suspension, Expulsions, and Discretionary Discipline.”
- **Emergency expulsion** means an emergency removal from school for up to, but not exceeding, ten (10) consecutive school days from the student’s current school placement by the superintendent or designee. An emergency expulsion requires the superintendent or designee to have good and sufficient reason to believe that the student’s presence poses an immediate and continuing danger to other students or school staff or an immediate and continuing threat of substantial disruption of the educational process. An emergency expulsion must end or be converted to another form of corrective action within ten (10) school days from the date of the emergency removal from school. If

the district converts the emergency expulsion to another form of corrective action, it must provide notice and an explanation of due process rights to the student and parent/guardian.

- **Expulsion** means a denial of attendance for a period of time up to but no longer than length of an academic term (as defined by the board of directors) from the time the student is removed from his/her current school placement by a school district superintendent or designee. An expulsion may not be for an indefinite period of time and may not be imposed as a form of discretionary discipline except for the offenses listed below in the section entitled “Suspension, Expulsions, and Discretionary Discipline.” An expulsion may be extended beyond the length of an academic term if: 1) the school petitions the superintendent for an extension; and 2) the superintendent authorizes the extension pursuant to the superintendent of public instruction’s rules adopted for this purpose (see Petition for Extension of Length of Expulsion below). An expulsion may also include a denial of admission to, or entry upon, real or personal property that is owned, leased, rented or controlled by the district.
- **School business day** means any calendar day except Saturdays, Sundays and any federal and school holidays upon which the office of the superintendent is open to the public for business. A school business day concludes upon the closure of the superintendent’s office for the calendar day.
- **School day** means a calendar day except school holidays on which enrolled students are engaged in educational activity which is planned, supervised and conducted by or under the supervision of certificated staff and on which day all or any portion of enrolled students participate in such educational activity.
- **Reengagement meeting** means a meeting held between the district and the student and parent/guardian to discuss how to return a long-term suspended or expelled student to an educational setting as soon as possible.
- **Reengagement plan** means a culturally sensitive and culturally responsive written plan developed between the district and a student and his/her parent or guardian designed to aid the student in taking the necessary steps to remedy the situation that led to the student’s suspension or expulsion and to return the student to the educational setting as soon as possible. Parents or guardians of students must have access to, provide meaningful input on, and have the opportunity to participate in the student’s reengagement plan.

#### Superintendent authority

The superintendent will have the authority to discipline, suspend or expel students. The superintendent will:

- Identify the conditions under which a teacher may exclude a student from his or her class; and
- Designate which staff members have the authority to initiate or to impose discipline, suspensions or expulsions.

No student will be expelled, suspended, or disciplined in any manner for the performance of or failure to perform any act not related to the orderly operation of the school or school-sponsored activities or any other aspect of the educational process.

No form of discipline will be enforced in such a manner as to prevent a student from accomplishing a specific academic grade, subject or graduation requirements.

#### Notification of suspensions of students eligible for special education services

The principal will notify special education staff of any suspensions to be imposed on a student who is currently eligible for special education services or any student who might be deemed eligible for special education. To the extent that suspensions may cumulatively or consecutively exceed ten (10) days, the principal will notify relevant special education staff so that the district can ensure compliance with special education discipline procedures.

#### Notification of procedures relating to student behavior

Principals in each school will annually publish and make available to students, parents or guardians, staff, and the community the rules, policies, and procedures of the District that establish misconduct and the

written procedures for administering corrective action. The publication will also define student rights and responsibilities relating to student behavior.

Pursuant to the Drug-Free Schools and Communities Act (Amendments of 1989), students and parents will be given annual notice of the standard of conduct the district requires regarding controlled substance and alcohol use, and a statement of the disciplinary sanctions for violations of that standard.

The District will also, in consultation with staff, students, student's families, and the community, periodically review and update the District's rules, policies, and procedures related to student discipline.

#### **Rights and responsibilities of certificated staff**

##### **Certificated staff will have the right to:**

- Expect students to comply with school rules;
- Develop and/or review building rules relating to student conduct and control at least once each year. Building rules will be consistent with district rules relating to student conduct;
- Receive any complaint or grievance regarding corrective action of students. Certificated staff will be given the opportunity to present their version of the incident and to meet with the complaining party in the event that a conference is arranged;
- Use such reasonable action as is necessary to protect himself/ herself, a student, or others from physical abuse or injury;

Teachers have the right to exclude any student, following the attempt of one or more forms of corrective action prior to excluding the student, who creates a disruption of the educational process in violation of building disciplinary standards, while under the teacher's supervision, from his/her individual classroom or instructional or activity area for all or any portion of the balance of the school day or until the principal or designee and teacher have conferred, whichever occurs first. Except in emergency circumstances as provided for in WAC 392-400-290 (see **Emergency Removal** below). In no event without the consent of the teacher may an excluded student return to the class during the balance of that class or activity period or up to the following two days, or until the principal and the teacher have conferred.

##### **Certificated staff will have the responsibility to:**

- Observe the rights of students;
- Supervise student behavior and enforce the rules of student conduct fairly, consistently, and without discrimination. Any infractions will be reported orally and in writing to the principal as soon as possible regardless of any corrective actions taken by the teacher;
- Maintain good order in the classroom, in the hallways, on the playgrounds or other common areas of the school, and on school buses (i.e., during field trips);
- Maintain accurate attendance records and report all cases of truancy;
- Set an appropriate example of personal conduct and avoid statements which may be demeaning or personally offensive to any student or group of students; and
- Meet with a parent(s) within five (5) school days upon request to hear a complaint regarding the use of classroom materials and/or teaching strategies that are being employed in the classroom.

##### **Principals will have the responsibility to:**

- Impose suspension or expulsion when appropriate;
- Notify parents when students are suspended or expelled; and

- Confer with certificated staff at least once per year to develop and/or review rules of conduct to be employed in the school and corrective actions that may be employed in the event of rule infractions.

### **Unexcused absences and tardiness**

Students with one or more unexcused absences and/or tardiness and subject to compulsory attendance pursuant to Chapter 28A.225 RCW may be subject to corrective action that is reasonably calculated to modify the student's conduct. However, if corrective action is imposed on a student for one or more unexcused absences, it must:

- Provide notice to the student's parent/guardian in writing in English or the primary language of the parent/guardian, that the student has failed to attend school without valid justification, and by any other means necessary to provide notice of these facts;
- Schedule a conference or conferences with the parents/guardians and the student to analyze the causes of the student's absences and determine whether the student would be appropriately placed in a special program designed for his/her educational success; and
- Take steps to reduce the student's absences, which include, where appropriate in the judgment of district staff, adjustments to the student's school program or school or courses or assisting the parent/guardian in obtaining supplementary services.

Additionally, a student's academic grade or credit may not be adversely affected by reason of tardiness or absences unless:

- The student's attendance or participation is related to the instructional objectives or goals of the particular subject or course;
- The student's attendance or participation has been identified by the teacher pursuant to district policy as a basis for grading the subject or course; and
- The circumstances pertaining to the student's inability to attend school have been taken into consideration, including whether the absences are directly related to the student's disability under Section 504 of the Rehabilitation Act of 1964, Title II of the Americans with Disabilities Act (ADA) or the Individuals with Disabilities Education Act (IDEA).

### **Student discipline**

Student discipline will be enforced in order to maintain a safe and orderly school environment that is conducive to student learning.

The methods employed in enforcing the rules of student conduct involve professional judgment. Such judgment should be:

- Consistent from day to day and student to student;
- Guided by appropriate classroom management strategies;
- Balanced against the severity of the misconduct;
- Appropriate to the student's circumstances and prior behavior;
- Rooted in positive behavioral supports
- Supportive of restorative practices
- Fair to the student, parent/guardian, and others; and
- Effective.

Since these criteria may conflict, established procedures must be followed in correcting misbehavior. No form of discipline will be enforced in such a manner as to prevent a student from accomplishing specific academic grade, subject or graduation requirements. Appeal procedures have been established in order to provide for an opportunity for every corrective action to be reviewed by someone in authority and to instill confidence among students and parents as to the essential fairness of staff.

### **Detention**

For minor infractions of school rules or regulations, or for minor misconduct, staff may detain students after school hours for not more than 30 minutes on any given day.

Preceding the assignment of detention, the staff member will inform the student of the nature of the offense charged and of the specific conduct which allegedly constitutes the violation. The student will be afforded an opportunity to explain or justify his/her actions to the staff member.

Detention will not begin until the parent/guardian has been notified (except in the case of an adult student) for the purpose of informing him/her of the basis and reason for the detention and to permit him/her to make arrangements for the necessary transportation of the student when he/she has been detained after school hours for corrective action.

Students detained for corrective action will be under the direct supervision of the staff member or another member of the professional staff.

#### **Grievance and appeal process for student discipline**

Any parent/guardian or student who is aggrieved by the imposition of discipline will have the right to an informal conference with the principal for the purpose of resolving the grievance. The employee whose action is being grieved will be notified of the grievance as soon as reasonably possible.

At such conference the student and parent/guardian will be subject to questioning by the principal and will be entitled to question staff involved in the matter being grieved.

After exhausting this remedy, the parent/guardian and student will have the right, upon two (2) school business days' prior notice, to present a written and/or oral grievance to the superintendent or designee.

If the grievance is not resolved, the parent/guardian and student, upon two (2) school business days' prior notice, have the right to present a written or oral grievance to the board during its next regular meeting, or at a meeting held within 30 days, whichever is earlier. A closed meeting may be held for the purpose of considering the grievance. The board will notify the parent and student of its response to the grievance within ten (10) school business days after the date when the grievance was presented. The disciplinary action will continue notwithstanding implementation of the grievance procedure unless the principal, superintendent or board elects to postpone such action.

#### **Emergency removal**

A student may be removed immediately from a class or subject by a teacher or administrator without other forms of corrective action and sent to the principal or a designated school official, without first attempting corrective action, provided that the teacher or administrator has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students or staff or an immediate and continuing threat of substantial disruption of the class, subject, or educational process of the student's school. The removal will continue only until:

- The danger or threat ceases; OR
- The principal or designee acts to impose corrective action.

The principal or designee will meet with the student as soon as reasonably possible following the removal and take or initiate appropriate corrective action. The meeting will take place no later than the beginning of the school day following the student's emergency removal. The teacher or administrator who removed the student will be notified of the action taken or initiated.

#### **Suspensions, Expulsions, and Discretionary Discipline**

Suspensions (including long-term suspensions) and expulsions may be imposed for any of the following student behaviors:

- A. Having a firearm on school property or school transportation in violation of RCW 28A.600.420;

- B. Any of the following offenses listed in RCW 13.04.155, including:
1. any violent offense as defined in RCW 9.94A.030, including
    - a. any felony that Washington law defines as a class A felony or an attempt, criminal conspiracy, or solicitation to commit a class A felony;
    - b. manslaughter;
    - c. indecent liberties committed by forcible compulsion;
    - d. kidnapping;
    - e. arson;
    - f. assault in the second degree;
    - g. assault of a child in the second degree;
    - h. robbery;
    - i. drive-by shooting; and
    - j. vehicular homicide or vehicular assault caused by driving a vehicle while under the influence of intoxicating liquor or any drug, or by operating a vehicle in a reckless manner;
  2. any sex offense as defined in RCW 9.94A.030, which includes any felony violation of chapter 9A.44 RCW (other than failure to registered as a sex offender in violation of 9A.44.132), including rape, rape of a child, child molestation, sexual misconduct with a minor, indecent liberties, voyeurism, and any felony conviction or adjudication with a sexual motivation finding;
  3. inhaling toxic fumes in violation of chapter 9.47A RCW;
  4. any controlled substance violation of chapter 69.50 RCW;
  5. any liquor violation of RCW 66.44.270;
  6. any weapons violation of chapter 9.41 RCW, including having a dangerous weapon at school in violation of RCW 9.41.280;
  7. any violation of chapter 9A.36 RCW, including assault, malicious harassment, drive-by shooting, reckless endangerment, promoting a suicide attempt, coercion, assault of a child, custodial assault, and failing to summon assistance for an injured victim of a crime in need of assistance;
  8. any violation of chapter 9A.40 RCW, including kidnapping, unlawful imprisonment, custodial interference, luring, and human trafficking;
  9. any violation of chapter 9A.46 RCW, including harassment, stalking, and criminal gang intimidation; and
  10. any violation of chapter 9A.48 RCW, including arson, reckless burning, malicious mischief, and criminal street gang tagging and graffiti;
- C. Two or more violations of the following within a three-year period
1. criminal gang intimidation in violation of RCW 9A.46.120;
  2. gang activity on school grounds in violation of RCW 28A.600.455;
  3. willfully disobeying school administrative personnel in violation of RCW 28A.635.020; and
  4. defacing or injuring school property in violation of RCW 28A.635.060; and
- D. Any student behavior that adversely affects the health or safety of other students or educational staff.

Unless otherwise required by law, school administrators are not required to impose a long-term suspension or expulsion for the misconduct listed above, and whenever reasonable school administrators should first consider alternative sanctions.

For student behaviors—including specific offenses contained in Policy 3240 and procedure 3240P—that do not fall within one or more of the categories listed above, schools may only impose discretionary discipline as defined in this procedure. Schools may not impose long-term suspension or expulsion as a form of discretionary discipline, but may impose other sanctions up to and including short-term suspension in a manner consistent with this procedure.

## Short-term suspension

### **Conditions and limitations**

The nature and circumstances of the student conduct violation must reasonably warrant a short-term suspension. As a general rule, no student will be suspended for a short term unless other forms of corrective action reasonably calculated to modify his/her conduct have previously been imposed upon the student as a consequence of misconduct of the same nature.

No student in grades kindergarten through fourth grade will be suspended for more than a total of ten (10) school days during any single semester or trimester and no loss of academic grades or credit will be imposed by reason of the suspension.

No student in fifth grade and above will be suspended for more than a total of fifteen (15) school days during any single semester or ten school days during any single trimester.

### **Continuation of educational services**

The district will not suspend the provision of educational services during a period of short-term suspension and will provide the student the opportunity to receive such services. Educational services may be provided in an alternative setting, provided that such setting is comparable, equitable, and appropriate to the regular educational services a student would have received in the absence of a short-term suspension. Examples of alternative setting may include, but not be limited to, alternative schools or classrooms, one-on-one tutoring when available, and online learning.

The principal will notify special education staff of any short-term suspensions to be imposed for a student who is currently eligible for special education services or those who might be deemed eligible for special education. To the extent that short-term suspensions may cumulatively or consecutively exceed ten school (10) days, (see Procedure 2161P, Special Education and Related Services for Eligible Students, Discipline section) the principal will notify relevant special education staff so that the district can ensure that special education discipline procedures are in place, in addition to general education discipline procedures.

### **In-school suspension**

Students who are denied attendance at school are denied the opportunity to learn. The district has therefore created an in-school suspension program which temporarily removes the student from his/her regular learning environment but permits the student to maintain his/her educational progress. An in-school suspension is no different from any other suspension as defined by WAC 392-400-205, and therefore triggers the same substantive and procedural due process, including student and parent/guardian notification.

Students who are assigned to in-school suspension are granted this opportunity as a privilege and are expected to comply with the expectations of staff. The superintendent will establish guidelines for the operation of the in-school suspension program.

Suggested guidelines for in-school suspension are as follows:

- A student who is afforded the opportunity to be assigned to in-school suspension will agree to the conditions specified by the school principal. Unless the student is of majority age, the principal will obtain written authorization from the parent or guardian. The student's or parents' or guardians' authorization will include the number of days the student will be assigned to in-school suspension.
- In-school suspension is designed to encourage learning. Students will be expected to work on their classroom assignments at all times.

- A student in in-school suspension will attend a single subject or class or any full schedule of subjects or classes in a separate location on school property from their regular subject or class or schedule and/or classmates.
- The student will be denied the opportunity to participate in any school activities while in in-school suspension.
- While in-school suspended, the student and staff may develop a behavior contract that defines the future expected behavior of the student. The student and his/her parents/guardians and a staff member will sign the contract.
- Any act of inappropriate conduct may result in imposition of other corrective action.
- After a student is placed back into the regular classroom(s), the principal or designee or school counselor will monitor the student's progress on a daily basis. The student will be encouraged to maintain a relationship with the school counselor as a means of dealing with any problems that arise.
- Specific rules and building procedures will be developed by the building principal

#### **Exceptional misconduct**

A student may be short-term suspended for exceptional misconduct, other than absenteeism, when such misconduct is of such frequent occurrence or is so serious in nature and/or is so serious in terms of disruption to the operation of the school that immediate suspension is warranted. In cases of exceptional misconduct, a short-term suspension may be imposed without first attempting alternative forms of corrective action. The superintendent will recommend for board adoption, the nature and extent of the corrective actions which may be imposed as a consequence of exceptional misconduct. (See Procedure 3240P). An exception may be granted by an administrator when warranted by extenuating circumstances.

#### **Prior notice and conference**

- Prior to the short-term suspension of a student, the principal or designee will conduct a conference with the student and provide:
- An oral or written notice of the charges;
- An oral or written explanation of the evidence in support of the allegation(s); AND
- An oral or written explanation of the short-term suspension which may be imposed.

The student will be provided an opportunity to present his/her explanation of the allegation(s).

If the short-term suspension is to exceed one (1) calendar day, the principal or designee will notify the student's parent/guardian of the reason for the suspension and its duration either orally or by U.S. mail as soon as reasonably possible. The notice will also address the parent/guardian's right to an informal conference pursuant to WAC 392-400-255 and the fact that the suspension may be reduced as a result of such conference.

#### **Grievance and appeal process for short-term suspension**

Any parent/guardian or student who is aggrieved by the imposition of a short-term suspension will have the right to an informal conference with the principal or designee for the purpose of resolving the grievance. At such conference the student and parent will be subject to questioning by the principal and will be entitled to question staff involved in the matter being grieved.

The parent/guardian and student after exhausting this remedy will have the right, upon two (2) school business days' prior notice, to present a written and/or oral grievance to the superintendent.

If the grievance is not resolved, the parent/guardian and student, upon two (2) school business days' prior notice, will have the right to present a written or oral grievance to the board at its next regular meeting, or at a meeting held within 30 days, whichever is earlier. A closed meeting may be held for the purpose of considering the grievance.

The board will notify the parent/guardian and student of its response to the grievance within ten (10) school business days after the date when the grievance was presented. The short-term suspension will continue notwithstanding implementation of the grievance procedure unless the principal, superintendent or board elects to postpone such action.

#### **Readmission**

Any student who has been short-term suspended will be allowed to make application for readmission at any time in accordance with district policy and procedure. (See also **Readmission Application Process**, below)

#### **Reporting**

Principals will report all short-term suspensions and the reasons therefor to the superintendent or designee within twenty-four (24) hours after the imposing the short-term suspension.

### **Emergency expulsion**

#### **Conditions and limitations**

Schools may not impose an emergency expulsion for an immediate and continuing danger or threat of substantial disruption unless the student's misconduct falls within one or more of the categories listed in this procedure above ("Suspension, Expulsions, and Discretionary Discipline"). If the student's behavior falls within one or more of such categories, a student may be emergency expelled based on the conditions below. An emergency expulsion may not be imposed as a form of discretionary discipline, as defined in this procedure. In addition, an emergency expulsion may not be imposed solely for the purposes of investigating student conduct.

A student may be immediately removed from school prior to a hearing without other forms of corrective action if the superintendent or designee has good and sufficient reason to believe that the student poses:

- An immediate and continuing danger to other students or school staff; OR
- An immediate and continuing threat of substantial disruption of the educational process.

Such emergency expulsion must end or be converted to another form of corrective action within ten (10) school days of the date of the expulsion. If the emergency expulsion is converted to another form of corrective action, the district will provide the student and/or parents/guardians with notice and due process rights appropriate to the new corrective action.

#### **Continuation of educational services**

The district will not suspend the provision of educational services during a period of emergency expulsion and will provide the student the opportunity to receive such services. Educational services may be provided in an alternative setting, provided that such setting is comparable, equitable, and appropriate to the regular educational services a student would have received in the absence of an emergency expulsion. Examples of alternative setting may include, but not be limited to, alternative schools or classrooms, one-on-one tutoring when available, and online learning.

#### **Notice of hearing**

The district will notify the student and his/her parents/guardians of the emergency expulsion and of their opportunity for a hearing by:

- Hand-delivery of written notice within twenty-four hours of expulsion (the district will document delivery of the notice by obtaining the signature of the student's parents/guardians acknowledging receipt or the written certification of the person making the delivery); OR

- Certified letter mailed within twenty-four hours of the expulsion (reasonable attempts to contact the parents/guardians by phone or in person will also be made as soon as reasonably possible).

The district's written and oral notice of emergency expulsion and opportunity for hearing will:

- Be provided in the predominant language of the student and/or a parent/guardian, if other than English, if feasible;
- Specify the alleged reasons that the student's presence poses an immediate and continuing danger to students, school staff, or poses an immediate and continuing threat of substantial disruption of the educational process.
- Set forth the date on which the emergency expulsion began and when it will end;
- Set forth the right of the student and/or his or her parents/guardians to a hearing for purposes of contesting the allegations as soon as is reasonably possible; and
- Set forth the facts that:
  - A written or oral request for hearing must be received by a designated school employee or his or her office on or before the end of the third school business day after receipt of the notice of opportunity for hearing; AND
  - If the request is not received within three school business days, then the right to a hearing may be deemed waived and the emergency expulsion may be continued, if deemed necessary, for up to ten (10) school days from the date of the student's emergency expulsion from school without any further opportunity for the student or his or her parent/guardian to contest it.

As a best practice, the district should provide a schedule of school business days with the notice.

The student and/or his or her parents/guardians must request a hearing within three (3) school business days after receipt of the notice of opportunity for hearing. The request may be provided in writing or orally, but must be provided to the district employee specified in the notice or their office. If a request for hearing is not received within the required period, the district may deem the right to hearing waived and the emergency expulsion may be imposed for up to ten (10) school days from the date of the expulsion from school.

### **Prehearing and hearing**

If a request for hearing is received within three (3) school business days after receipt of notice, the school district will immediately schedule and give notice of a hearing to commence as soon as reasonably possible and no later than the second school business day after receipt of the request for hearing.

The student and his/her parents/guardians have the right to:

- Be represented by legal counsel;
- Inspect in advance of the hearing any documentary and physical evidence that the district intends to introduce at hearing;
- Question and confront witnesses (see WAC 392-400-305 for procedure if a school district witness does not appear);
- Explain the alleged misconduct;
- Present relevant affidavits, exhibits, and witnesses.

The district and/or its representative have the right to inspect in advance of the hearing evidence that the student and his/her parents/guardians intend to introduce at the hearing.

The hearing will be conducted before a hearing officer appointed by the superintendent. Such hearing officer will not be a witness to the alleged conduct. Ideally, the individual selected to be the hearing officer will possess both district administration experience and/or legal training and/or prior experience

conducting quasi-judicial hearings. Either a tape-recorded or verbatim record of the hearing will be made.

When students are charged with violating the same rule and have acted in concert and the facts are essentially the same for all students, a single hearing may be conducted for them if the hearing officer believes that the following conditions exist:

- A single hearing will not likely result in confusion; AND
- No student will have his/her interest substantially prejudiced by a group hearing.

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

The hearing officer will determine, based solely on the evidence presented at hearing, and set forth in his/her written decision:

- Findings of fact as to whether the student has been afforded appropriate procedural due process (e.g., notice, opportunity to inspect evidence prior to hearing);
- Findings of fact as to the alleged misconduct;
- A conclusion as to whether the student's immediate and continuing danger to students and/or school staff OR immediate and continuing threat of substantial disruption of the educational process giving rise to the emergency expulsion has terminated; AND
- A conclusion as to whether the emergency expulsion shall be converted to another form of corrective action or stand as imposed.

Within one (1) school business day after the date upon which the hearing concludes, the hearing officer will issue the decision and the district will provide notice of such decision to the student and the student's parents/guardians and legal counsel, if any, by depositing a letter in certified U.S. mail.

If the hearing officer concludes in his/her decision that the emergency expulsion shall be converted to another form of corrective action, the district must provide notice of all due process rights to the student and parent/guardian for the appropriate corrective action. For appeals from a hearing officer decision regarding an emergency expulsion, see **Appeals of long-term suspension and expulsion**, below.

## Long-term suspension

### **Conditions and limitations**

Schools may not impose a long-term suspension unless the student's misconduct falls within one or more of the categories listed in this procedure above ("Suspension, Expulsions, and Discretionary Discipline"). If the student's behavior falls within one or more of such categories, a student may be long-term suspended for violation of school district rules provided that the long-term suspension does not exceed the length of an academic term as defined by the school board. A long-term suspension may not be imposed as a form of discretionary discipline, as defined in this procedure.

The nature and circumstances of the violation must reasonably warrant a long-term suspension. As a general rule, no student will be long-term suspended unless other forms of corrective action reasonably calculated to modify his/her conduct have previously been imposed upon the student as a consequence of misconduct of the same nature.

No student in grades kindergarten through fourth grade will be long-term suspended during any single semester or trimester and no loss of academic grades or credit will be imposed by reason of the suspension.

No student in fifth grade and above will be long-term suspended in a manner that causes the student to lose academic grades or credit for longer than one semester or trimester during the same school year.

The principal will notify special education staff of any long-term suspension to be imposed for a student who is currently eligible for special education services or those who might be deemed eligible for special education. To the extent that suspensions may cumulatively or consecutively exceed ten (10) days, the principal will notify relevant special education staff so that the district can ensure that special education discipline procedures are in place, in addition to general education discipline procedures.

### **Exceptional misconduct**

A student may be long-term suspended for exceptional misconduct, other than absenteeism, when such misconduct is of such frequent occurrence or is so serious in nature and/or is so serious in terms of disruptive effect on the operation of the school that an immediate resort to a long-term suspension is warranted. In cases of exceptional misconduct, a long-term suspension may be imposed without first attempting alternative forms of corrective action. The superintendent, following consultation with a representative ad hoc citizens' committee, will recommend for board approval, the nature and extent of the corrective actions which may be imposed as a consequence of exceptional misconduct. (See Procedure 3240P). An exception may be granted by an administrator and/or hearing officer when warranted by extenuating circumstances.

### **Continuation of educational services**

The district will not suspend the provision of educational services during a period of long-term suspension and will provide the student the opportunity to receive such services. Educational services may be provided in an alternative setting, provided that such setting is comparable, equitable, and appropriate to the regular educational services a student would have received in the absence of a long-term suspension. Examples of alternative setting may include, but not be limited to, alternative schools or classrooms, one-on-one tutoring when available, and online learning.

### **Notice of hearing**

Prior to imposing a long-term suspension, the district will provide the student and/or his/her parents/guardians a written notice of opportunity for hearing. The notice will be delivered in person or by certified mail. The notice will:

- Be provided in the predominant language of the student and his or her parents/guardians, if other than English, if feasible;
- Specify the alleged misconduct and the school district rule(s) alleged to have been violated;
- Set forth the proposed long-term suspension;
- Set forth the right to a hearing for the purpose of contesting the allegation(s); AND
- Set forth the facts that:
  - A written or oral request for hearing must be received by *the superintendent's office* on or before the end of the third school business day after the notice is received; and
  - If such a request is not received within that period, the hearing will be deemed waived and the proposed long-term suspension may be imposed without further opportunity for the student and/or their parent/guardian to contest it.

As a best practice, the district should provide a schedule of school business days with the notice.

The student and/or his or her parents/guardians must request a hearing within three (3) school business days after receipt of the notice of opportunity for hearing. The request may be provided in writing or orally, but must be provided to the district employee specified in the notice or their office. If a request for hearing is not received within the required period, the district may deem the right to hearing waived and the long-term suspension may be imposed.

### **Pre-hearing and hearing**

If a request for hearing is received within three (3) school business days after receipt of notice, the school district will schedule a hearing to begin within three (3) school business days after the date of receiving the request.

The student and parent/guardian have the right to:

- Be represented by legal counsel;
- Inspect in advance of the hearing any documentary and physical evidence that the district intends to introduce at hearing;
- Question and confront witnesses (see WAC 392-400-305 for procedure if a school district witness does not appear);
- Explain the alleged misconduct; and
- Present relevant affidavits, exhibits, and witnesses.

The district and/or its representative have the right to inspect in advance of the hearing evidence that the student and his/her parents/guardians intend to introduce at the hearing. Either a tape-recorded or verbatim record of the hearing will be made.

The hearing will be conducted before a hearing officer appointed by the superintendent. Such hearing officer will not be a witness to the alleged conduct. Ideally, the individual selected to be the hearing officer will possess both district administration experience and/or legal training and/or prior experience conducting administrative hearings.

When students are charged with violating the same rule and have acted in concert and the facts are essentially the same for all students, a single hearing may be conducted for them if the hearing officer believes that the following conditions exist:

- A single hearing will not likely result in confusion; AND
- No student will have his/her interest substantially prejudiced by a group hearing.

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

The hearing officer will determine, based solely on the evidence presented at hearing, and set forth in his/her written decision:

- Findings of fact as to whether the student has been afforded appropriate procedural due process (e.g., notice, opportunity to inspect evidence prior to hearing);
- Findings of fact as to the alleged misconduct; AND
- A conclusion as to whether the nature and duration of the proposed long-term suspension is appropriate or whether a lesser form of corrective action should be imposed.

The hearing officer will issue the decision and the district will provide notice of such decision to the student's legal counsel, or, if none, to the student's and his/her parents/guardians.

If the hearing officer decides that a long-term suspension is appropriate, the parent/guardian and student will have the right to appeal that decision to the school board or school district disciplinary appeal council by filing a written or oral notice of appeal at the office of the superintendent or the hearing officer within three (3) school business days after the date of receipt of the decision.

If a timely notice of appeal is not provided to the district, the long-term suspension may be imposed as of the calendar day following expiration of the three (3) school business day period (see **Appeal Process for Long-Term Suspension or Expulsion**, below).

### **Readmission**

Any student who has been long-term suspended will be allowed to make application for readmission at any time in accordance with district policy and procedure. (See also **Readmission Application Process**, below)

### **Reporting**

Principals will report all long-term suspensions and the reasons therefor to the superintendent or designee within twenty-four (24) hours after the imposing the suspension.

## **Expulsion**

Schools may not expel a student unless the student's misconduct falls within one or more of the categories listed in this procedure above ("Suspension, Expulsions, and Discretionary Discipline"). If the student's behavior falls within one or more of such categories, a student may be expelled for a violation of school district rules, provided that the expulsion does not exceed the length of an academic term as defined by the school board. An emergency expulsion may not be imposed as a form of discretionary discipline, as defined in this procedure.

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

The district will make reasonable efforts to assist students in returning to an educational setting prior to, and no later than, the end date of the expulsion.

An expulsion may not exceed the length of the academic term unless:

- The school petitions the superintendent for an extension; AND
- The superintendent authorizes the extension in compliance with the superintendent of public instruction's rules adopted for this purpose (see **Petition for extension of expulsion** below).

Once a student is expelled in compliance with district policy, the expulsion will be brought to the attention of appropriate local and state authorities, including, but not limited to, juvenile authorities acting pursuant to the Basic Juvenile Court Act, so that such authorities may address the student's educational needs.

Any elementary or secondary school student who is determined to have carried a firearm onto, or to have possessed a firearm on, public elementary or secondary school premises, public school-provided transportation, or areas of facilities while being used exclusively by public schools, will be expelled from school for not less than one calendar year pursuant to RCW 28A.600.420 with notification to parents/guardians and law enforcement. The superintendent may modify the expulsion of a student on a case-by-case basis.

### **Continuation of educational services**

The district will not suspend the provision of educational services during a period of expulsion and will provide the student the opportunity to receive such services. Educational services may be provided in

an alternative setting, provided that such setting is comparable, equitable, and appropriate to the regular educational services a student would have received in the absence of an expulsion. Examples of alternative setting may include, but not be limited to, alternative schools or classrooms, one-on-one tutoring when available, and online learning.

Principals will report all long-term suspensions and the reasons therefor to the superintendent or designee within twenty-four (24) hours after the imposing the expulsion.

#### **Notice of hearing**

Prior to the expulsion of a student, the district will provide the student and/or his/her parents/guardians a written notice of opportunity for hearing. The notice will be delivered in person or by certified mail.

The notice will:

- Be provided in the predominant language of the student and his or her parents/guardians, if other than English, if feasible; Specify the alleged misconduct and the school district rule(s) alleged to have been violated;
- Set forth the proposed expulsion;
- Set forth the right to a hearing for the purpose of contesting the allegation(s); AND
- Set forth the facts that:
  - A written or oral request for hearing must be received by *the superintendent's office* on or before the end of the third school business day after the notice is received; and
  - If such a request is not received within that period, the hearing will be deemed waived and the proposed long-term suspension may be imposed without further opportunity for the student and/or their parent/guardian to contest it.

#### **Prehearing and hearing**

If a request for hearing is received within three (3) school business days after receipt of notice, the school district will schedule a hearing to begin within three (3) school business days after the date of receiving the request.

The student and parent/guardian have the right to:

- Be represented by legal counsel;
- Inspect in advance of the hearing any documentary and physical evidence that the district intends to introduce at hearing;
- Question and confront witnesses (see WAC 392-400-305 for procedure if a school district witness does not appear);
- Explain the alleged misconduct;
- Present relevant affidavits, exhibits, and witnesses.

The district and/or its representative have the right to inspect in advance of the hearing evidence that the student and his/her parents/guardians intend to introduce at the hearing. Either a tape-recorded or verbatim record of the hearing will be made.

The hearing will be conducted before a hearing officer appointed by the superintendent. Such hearing officer will not be a witness to the alleged conduct. Ideally, the individual selected to be the hearing officer will possess both district administration experience and/or legal training and/or prior experience conducting quasi-judicial hearings.

The hearing is a quasi-judicial process exempt from the Open Public Meetings Act (OPMA). To protect the privacy of student(s) and others involved, the hearing will be held without public notice and without public access unless the student(s) and/or the parent(s)/guardian(s) or their counsel requests an open hearing. Regardless of whether the hearing is open or closed, the district will comply with the Family Educational Rights and Privacy Act (FERPA) in regard to confidentiality of student education records.

When students are charged with violating the same rule and have acted in concert and the facts are essentially the same for all students, a single hearing may be conducted for them if the hearing officer believes that the following conditions exist:

- A single hearing will not likely result in confusion; AND
- No student will have his/her interest substantially prejudiced by a group hearing.

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

The hearing officer will determine, based solely on the evidence presented at hearing, and set forth in his/her written decision:

- Findings of fact as to whether the student has been afforded appropriate procedural due process (e.g., notice, opportunity to inspect evidence prior to hearing);
- Findings of fact as to the alleged misconduct; AND
- A conclusion as to whether the expulsion is appropriate OR whether a lesser form of corrective action should be imposed.

The hearing officer will issue the decision and the district will provide notice of such decision to the student's legal counsel, or, if none, to the student's and his/her parents/guardians.

The student and parent/guardian will have the right to appeal the hearing officer's decision to the school board or school district disciplinary appeal council by filing a written or oral notice of appeal at the office of the superintendent or the hearing officer within three (3) school business days after the date of receipt of the decision. If a timely notice of appeal is not provided to the district, the expulsion may be imposed as of the calendar day following expiration of the three (3) school business day period.

If a timely notice of appeal is received, see **Appeal Process for Long-Term Suspension or Expulsion**, below.

### **Readmission**

Any student who has been expelled will be allowed to make application for readmission at any time in accordance with district policy and procedure. (See also **Readmission Application Process**, below)

### **Reporting**

Principals or designee will report all long-term suspensions, emergency expulsions, and expulsions and the reasons therefor to the superintendent or designee within twenty-four (24) hours after the imposing the removal

### **Petition for extension of one-year expulsion**

The principal or designee may petition the superintendent for authorization to exceed the one year calendar limitation on an expulsion when warranted because of risk to public health and safety. The petition may be submitted any time after final imposition of the expulsion and prior to the end of the expulsion. The petition will include:

- A detailed description of the student's misconduct, the school rules that were violated, and the public health or safety concerns of the district;
- A detailed description of the student's academic, attendance and discipline history, if any;
- A description of the lesser forms of corrective action that were considered and the reasons why they were rejected;
- A description of all alternative learning experiences, vocational programs and/or other educational services that may be available to the student;
- The proposed extended length of the expulsion;

- Identification of special education services or accommodations pursuant to Section 504 of the Rehabilitation Act of 1973, if appropriate;
- A proposed date for the reengagement meeting.

A copy of the petition will be delivered in person or by certified mail to the student and his/her parents/guardians in the predominant language of the student and/or his/her parents/guardians, if other than English, if feasible; Rights Act of 1964. The student and/or parents/guardians may submit a written or oral response to the petition within ten (10) school business days of receipt of the petition.

Within eleven (11) school business days, but no later than twenty (20) school business days from delivery of the petition to the student and parent/guardians, the superintendent will issue a written decision granting or denying the petition. The superintendent, in his/her discretion, may grant the petition if evidence exists that if a student was to return at or before one calendar year, he/she would pose a risk to public health or safety. The written decision will include a description of rights and procedures for appeal.

The student and/or parents/guardians may appeal the decision within ten (10) school business days of receipt of the decision to the school board.

The district will report the number of petitions submitted, approved and denied to the office of the superintendent of public instruction annually.

### **Appeal process for long-term suspension and expulsion**

If a timely notice of appeal is received, the long-term suspension or expulsion may be imposed during the appeal period if:

- The long-term suspension or **non-emergency** expulsion is imposed for no more than ten (10) consecutive days or until the appeal is decided, whichever is the shortest period.
- Any days that the student is suspended or expelled before the appeal is decided are applied to the term of suspension or expulsion and will not limit or extend the term of the suspension or extend the term of suspension or expulsion; and
- A suspended student who returns to school before the appeal is decided will be provided the opportunity upon return to make up assignments and tests missed by reason of suspension if:
  - Such assignments or tests have a substantial effect on the student's semester or trimester grade or grades; OR
  - Failure to complete such assignment or tests would result in denial of course credit.

The board will schedule and hold a meeting to informally review the matter within ten (10) school business days from receipt of such appeal. The purpose of the meeting will be to confer with the parties in order to decide upon the most appropriate means of handling the appeal. At that time the student, parent/guardian, and/or counsel will be given the right to be heard and will be granted the opportunity to present such witnesses and testimony as the board deems reasonable.

Prior to adjournment, the board will agree to one of the following procedures:

- Study the hearing record or other materials submitted and record its findings within ten (10) school business days; OR
- Schedule and hold a special meeting to hear further arguments on the case and record its findings within fifteen (15) school business days; OR
- Hear and try the case de novo before the board within ten (10) school business days.

Any decision by the board to impose or to affirm, reverse or modify the imposition of suspension or expulsion upon a student will be made only by:

- Those board members who have heard or read the evidence;
- Those board members who have not acted as a witness in the matter; AND
- A majority vote at a meeting at which a quorum of the board is present.

Within thirty (30) days of receipt of the board's final decision, any parent and student desiring to appeal any action upon the part of the board regarding the suspension or expulsion may serve a notice of appeal upon the board and file such notice with the Superior Court Clerk of the County.

### **Reengagement Meeting**

A reengagement meeting should be convened within twenty (20) days of a long-term suspension or expulsion but no later than five (5) days before the student's reentry or reenrollment to school. The purpose of the meeting is to discuss a reengagement plan with the parent/guardian and the student.

### **Reengagement Plan**

The district must create a plan tailored to the student's individual circumstances, including consideration of the incident that led to the student's long-term suspension or expulsion. The plan should aid the student in taking the necessary steps to remedy the situation that led to the suspension or expulsion.

In developing the reengagement plan, the district will consider shortening the length of time that the student is suspended or expelled, other forms of corrective action and supportive interventions that aid in the student's academic success and keep the student engaged and on track to graduate.

A reengagement meeting conducted by the district involving the student and his/her parents/guardians is not intended to replace a petition for readmission.

### **Readmission Application Process**

Any student who has been suspended or expelled will be allowed to make application for readmission at any time. If a student desires to be readmitted to the school from which he/she has been suspended/ expelled, the student will submit a written application to the principal, who will recommend admission or non-admission. If a student wishes admission to another school, he/she will submit the written application to the superintendent or designee. The application will include:

- Reasons the student wants to return and why the request should be considered;
- Evidence which supports the request; AND
- A supporting statement from the parent or others who may have assisted the student.

The superintendent or designee will advise the student and parent/guardian of the decision within seven (7) school days of the receipt of such application.

Adopted by the Superintendent: June 21, 2016

Revised by the Superintendent: October 16, 2017

**Evergreen School District #114 Policy No. 3245 Students and Telecommunications Devices**

Students in possession of telecommunications devices, including, but not limited to, electronic communication devices, smart watches and cellular phones, while on school property or while attending school-sponsored or school-related activities, will observe the following conditions:

- A. Telecommunication devices may be used in the classroom only under the direction of the classroom teacher and building administration;
- B. Students will not use telecommunication devices in a manner that poses a threat to academic integrity, disrupts the learning environment or violates the privacy rights of others;
- C. Students will not send, share, view or possess pictures, text messages, emails or other material depicting sexually explicit conduct, as defined in RCW 9.68A.011, in electronic or any other form on a cell phone or other electronic device, while the student is on school grounds, at school-sponsored events or on school buses or vehicles provided by the district;
- D. When a school official has reasonable suspicion, based on objective and articulable facts, that a student is using a telecommunications device in a manner that violates the law or school rules, the official may confiscate the device, which will only be returned to the student’s parent or legal guardian;
- E. By bringing a cell phone or other electronic device to school or school-sponsored events, the student and their parent/guardian consent to the search of the device when school officials have a reasonable suspicion, based on objective and articulable facts, that such a search will reveal a violation of the law or school rules. The scope of the search will be limited to the violation of which the student is accused. Content or images that violate state or federal laws may be referred to law enforcement;
- F. For instances that are not time sensitive or do not present imminent danger, staff shall secure the device and attempt to notify the parent/guardian prior to initiating the search;
- G. Students are responsible for devices they bring to school. The district will not be responsible for loss, theft or destruction of devices brought onto school property or to school sponsored events;
- H. Students will comply with any additional rules developed by the school concerning the appropriate use of telecommunication or other electronic devices; and
- I. Disruptions to the learning environment associated with telecommunication devices will be managed per discipline policy 3240, 3241 and procedure 3240P and 3241P..

Cross References: Policy 2022

Electronic Resources

Policy 3207

Prohibition of Harassment, Intimidation and Bullying

Policy 3241

Classroom Management, Corrective Actions or Punishment

Policy 4310

Relations with Law Enforcement Agencies, Child Protective

Agencies and County Health Officials

Management Resources:

Policy News, October 2010

Students and Telecommunication Devices Revisited

Policy News, June 2010

Students and Sexting

Policy News, February 2004

Evolution of Cell Phone Use

Adopted by the Board of Directors: May 28, 2013

Revised by the Board of Directors: May 26, 2015

Revised by the Superintendent: January 29, 2018



