

**2009-2010**

**RIGHTS  
AND  
RESPONSIBILITIES  
HANDBOOK**

**STUDENTS, PARENTS  
AND  
SCHOOL PERSONNEL**

**Federal Way Public Schools  
31405 – 18<sup>th</sup> Avenue South  
Federal Way, WA 98003  
(253) 945-2000**

**Website: <http://www.fwps.org>**

**EXPECTATIONS**

The Federal Way School District holds the following expectations of students, staff and parents/guardians in order to provide for a learning climate that holds the maximum possibility for student achievement:

Students:

- Demonstrate respect for all persons in the school community--staff, parents, and other students.
- Come to school/class every day, on time, prepared to learn and achieve at the highest levels.
- Learn what you are expected to know and do.
- Do your best work at all times and ask for help when you need it.
- Read, understand, and commit to following the Responsibilities and Rights Handbook and your local school rules.

Staff:

- Demonstrate respect for all persons in the school community--students, parents, and other staff.
- Begin school/class on time every day with purposeful activities.
- Set clear expectations for student achievement and behavior.
- Teach what students are expected to know and do.
- Develop a partnership with parents and the student to support the student's education.
- Communicate regularly with each student and parent regarding student progress and achievement, especially as this relates to graduation requirements.
- Read and understand the Responsibilities and Rights Handbook and your local school rules and apply the policies and rules.

Parents/Guardians:

- Demonstrate respect for all persons in the school community--students, staff, and other parents.
- Send your student to school/class every day on time and prepared to learn.
- Oversee your student's work and always expect his/her best effort.
- Develop a partnership with the teacher to support your student's education. Know that your student is on course for graduation.
- Communicate regularly with the teacher regarding your student's progress and achievement.
- Read and understand the Responsibilities and Rights Handbook and your local school rules. Require your student to abide by these rules and regulations.

These expectations are general in nature. Each school will be developing approaches to items mentioned above and will communicate those to you through their school communication system.

Dear Federal Way Families:

Welcome to the 2009-2010 school year! We are eager to continue the exciting work of ensuring all students remain on a pathway of academic excellence and social responsibility. You are our most valued partner and we appreciate your efforts in working with us to provide a safe learning environment for every student. Please keep the following in mind as you review this Rights and Responsibilities Handbook with your students:

**Student Achievement:**

- **Academic Achievement** – It is the mission of the Federal Way Public Schools all students develop academic skills and responsible behaviors to be successful, contributing members of society. This can only happen if staff, students and parents work together to ensure every student's success.
- **Attendance** – Regular school attendance is essential for student achievement. Developing good attendance habits will promote your child's academic success and assist them as they move into the world of work. Please stress with your child the importance of arriving at school on time prepared to participate and learn. (Section XIII).

**Student Safety:**

- **Arson** - Last year we experienced several incidents of arson. Thankfully, no injuries resulted from these dangerous acts. In addition to the fear and disruption created for students and staff, the response required by police officers and fire fighters is a needless cost to the community and detracts from the vital work they provide citizens in emergency situations. Please communicate with your students the serious consequences of this behavior. The District will cooperate fully with the police department and support the arrest, prosecution, and incarceration of the person or persons responsible. Students found to be responsible for arson will be expelled from the District. (Section II)
- **Bomb Threats** – We continue to experience disruptions to the school day as a result of bomb threats. In all cases, to date, these threats have been hoaxes; however, they create a major interruption to our school day in addition to a fearful and stressful environment. Please speak with your students regarding the danger of this behavior. The District will cooperate fully with the police department and support the arrest, prosecution, and incarceration of the person or persons responsible. Students found to be responsible for making a bomb threat will be expelled from the District. (Section II)
- **Cyberbullying** – An increasing number of students are using cell phones and online options to harass and intimidate other students. Harassment, intimidation and bullying in any form will not be tolerated. Please assist your child in understanding the appropriate use of technology and the consequences of improper conduct. It is also important to note if your child is the victim of harassment, intimidation or bullying they should make school staff aware immediately. (Section XIV)
- **Harassment, Intimidation, and Bullying** – The District is committed to a safe and civil educational environment for all students, employees, volunteers and patrons, free from

intimidation, bullying and sexual or malicious harassment. Please make your student aware of the serious consequences of these behaviors as they will not be tolerated. Anyone who is a victim of harassment (sexual or malicious), intimidation or bullying should bring the matter to the immediate attention of appropriate staff. (Section XIV)

- **Safety** – Safety remains a priority of the Federal Way Public Schools. We encourage students, parents, and community members to use the Safe Schools Tipline number listed on the back cover of this booklet to report any unsafe situation at any of our schools.

**Information:**

- **Equal Educational Opportunity** – Section XXII affirms Federal Way Public Schools complies with all federal rules and regulations. No student shall be denied an equal educational opportunity or be unlawfully discriminated against because of national origin, race, religion, gender, pregnancy, marital status, sexual orientation including gender identity, or a physical, mental or sensory disability.
- **Parent and Student Rights in Federal Programs** – Section XX provides notification to parents of their rights under the Protection of Pupil Rights Amendment (PPRA).
- **Public Access to District Records** – Section XXI provides notification to parents regarding their right to inspect and copy public records retained by the school district.

You are a valuable partner in your child's education and the development of life skills. When we work together - staff, parents and students – the future is bright for all students.

Sincerely,



Thomas R. Murphy  
Superintendent

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## **INTRODUCTION**

The Federal Way School District seeks to provide opportunities and experiences which assist students in becoming responsible, self-controlled individuals, capable of and willing to fulfill their roles as participating citizens. It is intended students will learn to respect rules and regulations of conduct.

The Federal Way School District believes parents and guardians are important partners in the process of corrective action. To this end, school authorities shall make every reasonable attempt to involve the parent or guardian and the student in the resolution of student misconduct problems.

The corrective action policies of the Federal Way School District are based on humanitarian principles and ideals that recognize the dignity and worth of each student. District policy supports the concept that discipline is essential to the maintenance of school programs and the positive development of the total individual. It is expected students will conduct themselves as responsible citizens.

This handbook is adopted and distributed pursuant to RCW 28A.600.010 and WAC Chapter 392-400 which prescribes substantive and procedural due process rights of students, and should be interpreted in accordance with those regulations. A copy of all applicable board policies, procedures, statutes and regulations mentioned herein may be obtained from the Office of the Superintendent or on the district website at [www.fwps.org](http://www.fwps.org).

This handbook also complies with the Drug-Free Schools and Communities Act, P.L. 101-226. Compliance with standards of conduct is mandatory.

Students in the Federal Way School District must complete required courses with at least a "C" grade in order to obtain credit for graduation.

## **SECTION I      DEFINITIONS**

**(Procedure 3300P)**

**Discipline** — "Discipline" shall mean all forms of corrective action or punishment other than suspension and expulsion and shall include the exclusion from a class for a period of time not exceeding the balance of the immediate class period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or on behalf of a school district, including its athletic program and transportation.

**Emergency Expulsion** — "Emergency expulsion" shall mean the immediate denial of school attendance for an indefinite period of time due to an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process.

**Emergency Removal** — "Emergency removal" shall mean the immediate removal of a student from a class, subject or activity when the student's presence poses an immediate and continuing danger to the student, other students or school personnel or an immediate and continuing threat of substantial disruption of the class, subject, activity or educational process of the student's school.

**Expulsion** — "Expulsion" shall mean a denial of attendance at any single subject or class or at any full schedule of subjects or classes for an indefinite period of time.

**Long-Term Suspension** — "Long-term suspension" shall mean a suspension which exceeds ten (10) consecutive school days.

**Parent** — "Parent" or "parents" shall mean any natural, adoptive, or custodial parent or guardian. Students of majority age shall be entitled to parental rights.

**School Business Day** — "School business day" shall mean any calendar day except Saturdays, Sundays and state school holidays, upon which the office of the Superintendent of the school district is open to the public. School business days shall be concluded upon the closure of the Superintendent's office for the calendar day.

**Short-Term Suspension** — "Short-term suspension" shall mean a suspension for any portion of a calendar day up to and not exceeding ten consecutive school days.

**Suspension** — "Suspension" shall mean denial of attendance, other than for the balance of the immediate class period for corrective action purposes, at any single subject or class or at any full schedule of subjects or classes for a stated period of time.

## SECTION II STUDENT CONDUCT RULES

(Policy 3240)

Students shall comply with all federal, state and local laws, school district policies, school bus rules, athletic and activity codes, parking regulations and with the directions of teachers, student teachers, substitute teachers, educational assistants, principals or other authorized school personnel when the students are properly under the authority of such school personnel. In addition to these rules and regulations, each school in the District may provide additional rules and procedures, not in conflict with those stated herein, regarding student conduct and the administering of corrective action applicable to that school.

Any conduct which materially and substantially interferes with the educational process is prohibited. The following list of offenses generally describes such conduct, but is not intended to be exclusive. Each is specifically prohibited on school grounds, on school sponsored transportation, at school events off school grounds, and off school grounds if the conduct materially and substantially affects the educational process or district operations.

Conduct marked with an asterisk (\*) is designated as exceptional misconduct and has been judged following consultation with an ad hoc citizens committee to be (a) of such frequent occurrence, notwithstanding past attempts to control such misconduct with other forms of corrective action, or (b) so serious in nature and/or so serious in terms of the disruptive effect upon the operation of the school that students may be subject to suspension (short-term or long-term) for a first-time offense. Such misconduct may also result in an expulsion or an emergency expulsion under the circumstances described in Sections IX.B., X.F., and X.H.

**The District has a zero-tolerance policy (See Section IX.B.) regarding conduct marked with two asterisks (\*\*).**

**\*\*Arson** — Knowingly and/or maliciously causing a fire or explosion is prohibited.

**\*Assault** — The threatened or attempted use of force or violence upon the person of another is prohibited. **\*\*Threats to kill another person (including “hit lists”), is a zero-tolerance misconduct as identified in Section IX.B.**

As indicated by this definition, threats to use force or violence upon another person, whether communicated orally, in writing or by any other means, will be treated as assaults and will not be tolerated. Depending on the circumstances, such threats may violate other rules of conduct as well.

Pursuant to RCW 28A.635.090, students who interfere by force or violence with school personnel or other students are subject to immediate suspension or expulsion.

**Attendance** — Students must maintain regular school attendance in accordance with board policy (see Section XIII).

**\*Bomb Threats** — Threatening to bomb or damage any public school facility or property is prohibited.

**\*Burglary** — Breaking into a school with intent to steal is prohibited.

**Cheating** — Intentional deception in the preparation or completion of any school assignment, examination or project, or in the conduct of any school-related activity is prohibited, along with the aiding and abetting of such behavior by others.

**Closed Campus** — Students are required to remain on the school grounds from time of arrival unless officially excused. Students involved with approved off-campus activities during school hours must have a valid off-campus pass in their possession. Visitations to other schools must be approved in advance by both principals.

**\*Dangerous Behavior** — Engaging in behavior which a reasonable person would know creates a risk of injury to another individual is prohibited.

**\*Defiance** — Students must obey the lawful instructions of school personnel.

**\*Destruction of Property** — Defacing, injuring or damaging school property or property belonging to a school employee, contractor or student in any way is prohibited.

Pursuant to RCW 28A.635.060, students and their parents/guardians may be required to pay for all damages to school district property or property belonging to a school employee, contractor or student. A student's grades, diploma, or transcript may be withheld pending repayment.
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**\*Disruptive Conduct** — Willful conduct which creates a disturbance on school premises or interferes with the educational process is prohibited.

**Disruptive Dress and Appearance** — Dress and appearance must not present health or safety problems, intimidate others, or cause disruption.

**\*Drugs, Alcohol and Mind-Altering Substances** — Students shall not illegally use, possess, sell, distribute or be under the influence of drugs, alcohol, mind-altering substances, medication not prescribed by a physician and approved in writing by the parent/guardian, drug paraphernalia or any item which purports to be such. Students shall not be in possession of anabolic steroids on school premises or at school-sponsored events. No student may give, dispense, or administer any medication or remedy to another student. \*\*Sale or delivery of drugs, alcohol or mind-altering substances is a zero-tolerance misconduct as identified in Section IX.B.

**\*\*Explosives** — Possession or use of anything tending or serving to explode with force or violence, such as firecrackers, bullets or pipe bombs, is prohibited.

**\*Extortion/Blackmail/Coercion** — Obtaining money or property by violence or threat of violence, or forcing someone to do something by force or threat of force is prohibited.

**False Accusations/Defamation** — Students shall not make untrue charges of wrongful conduct or other defamatory statements.

**\*False Alarms/Fire Apparatus** — Setting off false alarms, discharging or stealing fire extinguishers or damaging alarm systems is prohibited.

**\*Fighting** — The act of quarreling involving bodily contact is prohibited.

**\*Forgery** — The act of fraudulently using in writing the name of another person or falsifying times, dates, grades, addresses or other data is prohibited.

**Gambling** — The act of risking or betting something of value on the outcome of an event, a game of chance, etc.

**\*Gang Activity** — In accordance with district Policy/Procedure 3225, students shall not display, reflect, or participate in dress, apparel, activities, acts, behaviors, or manner of grooming which: (a) lead school officials to reasonably believe that such behavior, apparel, activities, acts or other attributes are gang related and would disrupt or interfere with the school environment, activity or educational objectives; (b) present a physical safety hazard to self, students, staff and others; (c) create an atmosphere in which a student, staff, or other person's well-being is adversely affected 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, emblem upon any school or personal property or on one's person.

**\*Harassment, Malicious** — Derogatory action or intimidation of another person in a way that places that person in reasonable fear of harm to his/her person or property; or disrupts the learning environment. (See Section XIV.)

**\*Harassment, Sexual** — Unwelcome or uninvited sexual advances, requests for sexual favors, sexual comments, cartoons, innuendoes and other verbal or physical conduct of a sexual nature is prohibited. (See Section XIV.)

**\*Hazing** — Students shall not participate, conspire to participate, or conspire for others to participate in harassing acts that injure, degrade or disgrace, or tend to injure, degrade or disgrace other individuals, including pranks and humiliating horseplay against others.

**Inappropriate Display of Affection** — Overt displays of affection or sexually-oriented actions which violate standards of acceptable social conduct are prohibited.

**Inappropriate Language** — Vulgar, obscene or profane language, whether spoken, in writing, or in gesture, is prohibited.

**\*Intimidation** — Intimidation of school personnel or other students by direct threat of force or violence is prohibited. (See Section XIV.)

**Laser Pointers** — Use and/or possession of laser pointers by students in any circumstance not under the direct supervision of a teacher is prohibited.

**Littering** — Throwing, dropping, depositing, or discarding of litter is prohibited on public property.

**Loitering** — Loitering in lavatories, parking lots and designated off-limit areas is prohibited.

**Misuse of Electronic Information Systems** — Students shall comply with the acceptable use guidelines of district policy/procedure when using electronic information systems such as e-mail, networks, and the Internet. (See Section VII.)

**Motor Vehicles on School Property** — Use of motor driven vehicles on school property by students, visitors and school employees shall be regulated in the interest of safety. (See Policy 3241.)

**Need to Identify Self** — All persons must, upon request, identify themselves to school personnel.

**\*Robbery** — Stealing from an individual by force or threat of force is prohibited.

**Selling Items at School** — Only authorized organizations may sell on school property or at school events.

**Student Expression** — Student expression may not be vulgar, lewd, obscene, or plainly offensive, be used to cause a substantial disruption of the educational process or interfere with the rights of others. School-sponsored expression may be further regulated on the basis of legitimate pedagogical concerns.

**Tardiness** — Students are expected to be punctual in arriving at school and to each of their classes. (See Section XIII.)

**Telecommunications/Electronic Devices** — The District prohibits the use of all personal electronic devices (including cell phones) during the school day.

**\*Theft** — The unauthorized carrying away of the personal property of another person or the property of the school district is prohibited.

**Tobacco** — Use or possession of tobacco products by students is prohibited. (See Section IV.)

**Trespassing** — Being present in an unauthorized place or refusing to leave when ordered to do so is prohibited.

**\*Verbal Abuse** — The use of disrespectful or threatening language to school personnel or other students is prohibited.

**\*\*Weapons** — Possession, transmission or use of any object that is or reasonably appears to be a dangerous weapon or related device is prohibited. Such objects include, but are not limited to: firearms, ammunition, incendiary or explosive devices, clubs, knives with blades of at least three inches in length or other cutting or stabbing instruments brought or possessed with the intent to cause bodily harm, or to instill fear and/or intimidate by their mere presence on school property or at school sponsored events, chemical inhalants,<sup>1</sup> and look-alike items or replicas displayed or represented as real weapons.

Pursuant to RCW 9.41.280, students who possess a dangerous weapon on school premises, school-provided transportation, or areas of facilities while being used exclusively by public schools may be immediately expelled. Law enforcement and parents will be notified. Pursuant to RCW 28A.600.420, students who possess a firearm **must** be expelled without an opportunity for readmission for at least one year. This minimum one-year expulsion will also apply to students who act with malice and display an instrument that appears to be a firearm on public school property, transportation, or other facilities being used exclusively by public schools. The Superintendent of the school district or educational service district may modify the expulsion of a student on a case-by-case basis.

**Violation of Suspension** — During the period of any suspension from school, students shall not enter upon any real and personal property that is owned, leased, rented, or controlled by the school district without the express prior approval of a building principal or designee.

**SECTION III STUDENT ATHLETIC / ACTIVITY CODE (Policy 3240)**

The Federal Way School District believes activities and athletics are important choices to be offered in a comprehensive and challenging educational experience for all students. To this end, the District holds the following beliefs:

1. Participation in any activity and/or athletic program shall be connected with and contingent upon the student’s achievement of required academic standards.
2. Students participating in any activity and/or athletic program shall be focused on learning and improvement, both as an individual and as a member of a team or group.
3. Activity advisors and coaches shall teach, expect, practice, and model respect, responsibility, and integrity. Student participants shall demonstrate these qualities.

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<sup>1</sup> Pursuant to RCW9.91.160, persons over 18 years of age, and person between 14 and 18 years of age who have written parental permission, may possess personal protection spray devices (i.e. mace or pepper spray) on school property. No one may deliver such a spray device to anyone under 14, or to anyone between 14 and 18 who does not have written parental permission. Personal protection spray devices may only be used in self-defense as defined by state law. Possession, transmission, or use of a spray device under any other circumstance will be treated as a violation of the District’s rule prohibiting weapons.

4. Activity advisors and coaches shall include parents as partners in the education and development of their students.
5. The purpose and goals of all activity and/or athletic programs shall be clearly defined and articulated to students and parents.

Yearly evaluations shall be conducted for each activity/athletic program and shall focus on the level of support they provide for the school's broader objectives.

**Students** - Your participation is a privilege and is completely voluntary. Students must be responsible for their conduct and concerned about their health. The decisions they make with regard to their conduct and health affect their performance in class and in interscholastic activities, competition, or performance. In order to represent your community, school and yourself in interscholastic competition or performance, you must be responsible for your conduct, concerned about your health, and refrain from using drugs, alcohol, and/or any tobacco products.

1. The goals of the activities/athletic program are to teach sportsmanship, teamwork and respect for fellow competitors, officials, opposing team members, and opposing team fans.

The following penalties will be imposed with regard to your participation in extracurricular activities and athletics in addition to the discipline you received for your misconduct:

**VIOLATIONS AND PENALTIES – ANY MISCONDUCT RESULTING IN LONG-TERM SUSPENSION OR EXPULSION; OR RESULTING IN LONG-TERM SUSPENSION OR EXPULSION HELD IN ABEYANCE:**

- A. **First violation** – The student will be immediately ineligible for interscholastic competition or performance and will be prohibited from participating in any extracurricular activity or sports program for one calendar year from the date of the violation.
- B. **Second violation** – The student will be permanently prohibited from participating in any extracurricular activity/sports.

Staff imposing the penalty shall have the discretion to impose a lesser or greater penalty if circumstances warrant such action.

2. At all times during the athletic/activity season\*, students are to abstain from illegally using, possessing, selling, distributing or being under the influence of:
  - alcohol
  - anabolic steroids
  - illegal drugs

- tobacco products

\*The “athletic/activity season” is defined as the time from the first day activities begin in August and continues through the last day of the school year for each individual school.

In addition to any other corrective action or punishment described in the Federal Way School District Student Rights and Responsibilities Handbook, students who violate this rule in regards to alcohol, anabolic steroids or drugs will be subject to the following sanctions:

### **VIOLATIONS AND PENALTIES – ALCOHOL, ANABOLIC STEROIDS AND ILLEGAL DRUGS**

**Parent/guardian must be involved in these processes and law enforcement authorities will be contacted.**

#### **A. Alcohol, Anabolic Steroids, Illegal Drugs, First Offense:**

1. **Sale or delivery** - in school, on adjacent property or at school functions – student shall be expelled from the school district and be immediately ineligible for interscholastic competition for the duration of the expulsion.
2. **Possession or use** - student shall be immediately ineligible for interscholastic competition for a term of sixty (60) school days.
3. **Not immediately leaving a situation where above-mentioned substances are being used** – student shall be subject to a suspension from eligibility for not less than five (5) days to no more than thirty (30) days.

#### **B. Alcohol, Anabolic Steroids, Illegal Drugs, Second Offense:**

For a second violation of numbers 1, 2, or 3 above, the student shall be immediately ineligible from participation in any district activity/athletic program for one calendar year from the date of the second violation.

#### **C. Alcohol, Anabolic Steroids, Illegal Drugs, Third Offense:**

For a third violation of numbers 1, 2 or 3 above, the student shall be permanently prohibited from participation in any district interscholastic activity/athletic program.

### **VIOLATIONS AND PENALTIES – TOBACCO, POSSESSION OR USE**

**Parent/guardian must be involved in these processes.**

**A. Tobacco, First Offense:**

The student will be suspended from any district interscholastic activity/athletic program for ten (10) days.

In order to regain eligibility for the current school year a student must also enroll in and complete a smoking/tobacco use cessation class.

**B. Tobacco, Second Offense:**

The student will be suspended from any district interscholastic activity/athletic program for twenty (20) days. In order to regain eligibility for the current year school year the student must also enroll in and complete a smoking/tobacco use cessation class, as well as participate in an at-risk assessment and agree to follow the recommendations of the assessment.

**C. Tobacco, Third Offense:**

The student will be suspended from any district interscholastic activity/athletic program for ninety (90) days. In order to regain eligibility for the current school year the student must also enroll in and complete a smoking/tobacco use cessation class, as well as participate in an at-risk assessment and agree to follow the recommendations of the assessment.

3. To be eligible for participation in interscholastic competition, a student must meet the following academic requirements:

**Enrolled in at least four credits, and, receive a “C-” or better at the semester in each class in which the student is enrolled. At the six (6) week progress check in each semester the requirement is a “C-” or better in each class or a 2.6 grade point average.**

Schools shall monitor each participant's grades at the end of six (6), twelve (12) and eighteen (18) weeks. At the six (6) week progress check in each semester a student may continue athletic/activity eligibility by maintaining a 2.6 GPA or better for that grading period, independent of individual class grades as long as there is no grade of “F.”

The student and his/her parent/guardian are responsible for establishing a work plan with individual teachers to improve grades to meet eligibility requirements. The student shall regain eligibility as soon as the teacher verifies the student's grade meets the established standards.

Ineligible students may continue to practice but may not participate in any interscholastic activity, competition or performance during the period of ineligibility.

Students who participate in activities/athletics as a written part of their Individualized Education Plan (IEP) will be governed by the language established

in the IEP.

Middle schools may modify these requirements to meet specific building or program needs, with prior approval of the Superintendent or his designee.

4. There shall be an Appeals Board for violations involving illegal drugs, alcohol, anabolic steroids and tobacco, and ineligibility due to grades, emergency expulsions, expulsions, and long term suspensions. The Appeals Board shall be composed of five persons: The athletic director, activities director or administrator\* from the student's school, an administrator from another school, a coach or athletic director from another school, an athletic liaison or district administrator, and an advocate selected by the student. \*\*

(\*Cannot be the administrator who issued the school/athletic discipline.)

(\*\*Optional)

The athletic director, activities director, administrator, coach, athletic liaison and district administrator shall be selected by the Deputy Superintendent or designee.

Appeals for all violations named in 4. above shall be made in writing within three (3) days of notification of ineligibility to participate in athletics or activities pursuant to this policy to the Deputy Superintendent who shall select and convene the Appeals Board within five (5) business days of receipt of the request to appeal.

Subsequent to the grievance to the Appeals Board, the student, parent, or guardian upon two (2) school business days' prior notice, shall have the right to present a written and/or oral grievance to the Superintendent/designee of the District. Subsequent to the grievance to the Superintendent/designee, the student, parent, or guardian, upon two (2) school business days' prior notice shall have the right to present a written and/or oral grievance to the Board of Directors during the Board of Directors' next regular meeting. An activity/athletic suspension will remain in force until the appeal process is complete.

5. All student participants must meet the eligibility requirements of the Washington Interscholastic Activities Association (WIAA), with the exception that number 3. above shall substitute for the WIAA academic requirements.
6. A copy of the WIAA eligibility requirement shall be provided to each student who participates or turns out for a sport or activity prior to any practices.
7. In addition to this code, all the rules of the District will apply where appropriate.

**SECTION IV - TOBACCO, ALCOHOL, ILLEGAL DRUGS, AND MIND-ALTERING SUBSTANCES** **(Policy 3309)**

The Board of Directors believes the use of tobacco, alcohol, drugs and mind altering substances by students is not only illegal in most cases, but also hinders their learning and is detrimental to their health. The possession or use of tobacco, alcohol, drugs or mind altering substances by students on or adjacent to school property, or at school sponsored activities is prohibited.

Students who violate this prohibition will be subject to discipline as prescribed in this policy. **Offenses shall be cumulative in grades kindergarten through 12.** Generally students in grades 5-12 will be subject to more severe discipline. All staff are responsible to enforce this policy.

Additional requirements that impact students' participation in athletics and/or activities can be found in the Student Athletics/Activity Code (Section III). Violations of the Student Athletics and Activities Code are cumulative in grades 7-12.

## **TOBACCO**

Students will be disciplined when there is reasonable cause to believe they have violated the prohibition against possession or use of tobacco products. Reasonable cause shall mean specific observable facts can be described and indicate a particular student is in the possession of or has used tobacco products on or adjacent to school property, or at school sponsored activities. Such facts shall include but are not limited to the smell or visual evidence of tobacco products on the student's breath or person.

### **GRADES K-12**

#### **First Offense for Use or Possession of Tobacco Products**

- Student shall be suspended from school for five (5) days.
- Parent conference required.
- Suspension may be modified if a student enrolls in and completes a smoking cessation class approved by the District (enrollment needs to occur within 30 days of the infraction).
- Suspension may be modified if a student participates in an assessment and follows assessment recommendations of a certified drug/alcohol agency approved by the Federal Way School District with a release of information given to the District. (assessment needs to occur within 30 days of the infraction.) If the student does not complete the recommendations of the assessment or the smoking cessation class, then any remaining suspension will go into effect.

#### **Second Offense for Use or Possession of Tobacco Products**

Same as for First offense except:

- Student shall be suspended for ten (10) days and
- Suspension may be modified to a minimum of five (5) days if the student follows the recommendation(s) of the assessment.

### Third Offense for Use or Possession of Tobacco products

Same as for First Offense except:

- Students in grades K-4 shall be suspended for ten (10) days if not occurring during same semester as previous offenses.
- Students in grades 5-12 shall be placed on long term suspension from school and all school activities.
- Suspension may be modified to a minimum of ten (10) days if the student follows the recommendation(s) of the assessment.

## **ALCOHOL, ILLEGAL DRUGS, AND MIND ALTERING SUBSTANCES**

Students will be disciplined when there is reasonable cause to believe they have violated the prohibition against possession or use of alcohol, illegal drugs or mind altering substances. Reasonable cause shall mean specific observable facts that can be described and that indicate a particular student is in the possession of or has used alcohol, illegal drugs, drug paraphernalia, or mind altering substances, or that which purports to be, on or adjacent to school property, or at school sponsored activities. Possession for the purpose of delivering or selling to others will result in more severe discipline.

Students shall not be in possession of anabolic steroids on school premises.

No student may give, dispense, or administer any medication or remedy to another student.

### **GRADES K-4**

#### First Offense for Use or Possession (K-4)

- Student shall be suspended for 5 days.
- Parent conference required.
- Law enforcement agency will be contacted

- Suspension may be modified if a student participates in an assessment by a certified drug/alcohol agency approved by the Federal Way School District. The District requires release of the assessment information and that the student follows the assessment recommendation(s). If the student does not complete the recommendations of the assessment, the remainder of the suspension will go into effect.

#### Second Offense for Use or Possession (K-4)

Same as for First Offense except:

- Student shall be placed on suspension for a minimum of ten (10) days (or expulsion if during same semester as first offense).
- Child Protective Services (C.P.S.) will be contacted.

#### Third Offense for Use or Possession (K-4)

Same as for First Offense except:

- The student will be expelled from the District pursuant to WAC 392-400-275.
- No provision for modification of expulsion by participating in an assessment.

#### First Offense for Selling or Delivering (K-4):

- The student shall be placed on suspension for ten (10) days.
- Parent conference required.
- Law enforcement agency will be contacted.
- Suspension may be modified if a student participates in an assessment by an agency approved by the Federal Way School District. The District requires release of the assessment information and that the student follows the assessment recommendation(s). If the student does not complete the recommendation(s) of the assessment, any remaining suspension days will go into effect. Child Protective Services will be contacted if the parents or guardians do not follow through with the recommendations.

#### Second Offense for Selling or Delivering (K-4)

Same as for First Offense except:

- The student shall be expelled from the District.
- Child Protective Services (C.P.S.) will be contacted.
- Expulsion may be modified if the student participates in an assessment by an agency approved by the Federal Way School District. If the student does not complete the recommendations of the assessment, remaining expulsion days will go into effect.

#### Third Offense for Selling and/or Delivering (K-4)

- The student shall be expelled from the District pursuant to WAC-392-400-275.
- The student shall be placed on emergency expulsion prior to being expelled from the District.
- No provision for modification of expulsion by participating in an assessment.

### **GRADES 5-12**

#### First Offense for Use or Possession (5-12)

- Student shall be suspended for a minimum of twenty (20) days.
- Parent conference required.
- Law enforcement agency will be contacted.
- Suspension may be modified if a student participates in an assessment by an agency approved by the Federal Way School District. The District requires release of the assessment information and that the student follows the assessment recommendation(s). If the student does not complete the recommendation(s) of the assessment, any remaining suspension days will go into effect. Child Protective Services will be contacted if the parents or guardians do not follow through with the recommendations.

#### Second Offense for Use or Possession (5-12)

Same as for First Offense except:

- Student shall be placed on a long-term suspension for a minimum of thirty --(30) days or emergency expulsion depending on the circumstances of the offense. All long-term suspensions and emergency expulsions are subject to WAC 392-400-260 and WAC 392-400-290.
- Child Protective Services (C.P.S.) may be contacted.

#### Third Offense for Use or Possession (5-12)

Same as for First Offense except:

- The student will be expelled from the District pursuant to WAC 392-400-275.
- No provision for modification of expulsion by participating in an assessment.

#### First Offense for Selling and/or Delivering (5-12)

- The student shall be expelled from the District pursuant to WAC 392-400-275.
- The student will be placed on emergency expulsion prior to being expelled from the District.
- Parent conference required.
- Law enforcement agency will be contacted.

Legal References: RCW 66.44.100, 150, 160, 170, 270, 370  
RCW 69.50.101 through 69.50.525  
RCW 69.52.010 through 901  
WAC 392-400-245 through 315

## **SECTION V TELECOMMUNICATIONS / ELECTRONIC DEVICES (Policy 3243)**

### Elementary School

The District prohibits the use of all personal electronic devices (including cell phones) during the school day. If a parent/guardian wishes his/her child to have a cell phone, it must remain out of sight and be turned off during school hours. All communication between parents and students during the school day must go through school personnel.

If a personal electronic device is seen or heard during the school day the device will be confiscated by school personnel. The device will be available for pick-up at the school office by the parent/guardian following the end of the school day.

However, teachers may allow the use of telecommunications/electronic devices in their own classrooms if such use contributes to instructional and/or educational purposes. Teachers will notify principals, in writing and prior to the beginning of the year, the details of allowable use. Further, so all students and parents/guardians are aware of the appropriate use, if any, of telecommunications/electronic devices in a particular teacher's classroom, the teacher will include the details in the syllabus of the course.

The school and District are not responsible for the loss or damage of any electronic item brought to school including those devices that have been confiscated.

### Middle School

All students are strongly encouraged not to have in their possession at any time on any school district property any electronic or telecommunication device. However, in recognition of parents' decisions regarding the safety and communication needs of their families the following procedures are placed into effect so as to establish and create as positive a learning atmosphere as possible.

While on school property or while attending school-sponsored or school-related activities students may possess and use personal telecommunication/electronic devices. These include, but are not limited to, pagers, beepers, MP3 players and cellular phones. The possession and use of such devices must not pose a threat to academic integrity, disrupt the learning environment or violate the privacy rights of others.

Students in the possession of telecommunication or other electronic devices shall observe the following conditions:

- All telecommunication/electronic devices may not be in visible sight or operated during school hours. Telecommunication/electronic devices may be displayed and/or operated only before and after the regular school day, unless an emergency situation exists that involves imminent physical danger or a school administrator authorizes the student to do otherwise.
- Students who violate this policy will be subject to progressive disciplinary action up to and including confiscation of the device and/or losing the privilege of bringing the device onto school property. A device which has been confiscated shall only be returned to the student's parent/guardian. The first step in all cases shall be a verbal reminder by a Federal Way Public Schools staff member to put the device away and/or cease operating it.
- Teachers may allow the use of telecommunications/electronic devices in their own classrooms if such use contributes to instructional and/or educational purposes. Teachers will notify principals, in writing and prior to the beginning of the year, the details of allowable use. Further, so all students and parents/guardians are aware of the appropriate use, if any, of telecommunications/electronic devices in a particular teacher's classroom, the teacher will include the details in the syllabus of the course.
- Students are responsible for telecommunication/electronic devices they bring to school. The District shall not be responsible for loss, theft or destruction of such devices brought onto school property even when confiscated.

## High School

All students are strongly encouraged not to have in their possession at any time on any school district property any electronic or telecommunication device. However, in recognition of parents' decisions regarding the safety and communication needs of their families the following procedures are placed into effect so as to establish and create as positive a learning atmosphere as possible.

While on school property or while attending school-sponsored or school-related activities students may possess and use personal telecommunication/electronic devices.

These include, but are not limited to, pagers, beepers, MP3 players and cellular phones. The possession and use of such devices must not pose a threat to academic integrity, disrupt the learning environment or violate the privacy rights of others.

Students in the possession of telecommunications or other electronic devices shall observe the following conditions:

- All telecommunication/electronic devices may not be in visible sight or operated during school hours. Telecommunication/electronic devices may be displayed and/or operated only before and after the regular school day, unless an emergency situation exists that involves imminent physical danger or a school administrator authorizes the student to do otherwise.
- A student may use a telecommunication/electronic device during his/her designated lunch period in an area (e.g., the cafeteria) officially designated by the school for such purposes. Use is not permitted in common areas such as hallways or outside of the building not designated for such use. Further, use in the designated area outside of the lunch period is not permitted.
- Students who violate this policy will be subject to progressive disciplinary action up to and including confiscation of the device and/or losing the privilege of bringing the device onto school property. A device which has been confiscated shall only be returned to the student's parent/guardian. The first step in all cases shall be a verbal reminder by a Federal Way Public Schools staff member to put the device away and/or cease operating it.
- Teachers may allow the use of telecommunications/electronic devices in their own classrooms if such use contributes to instructional and/or educational purposes. Teachers will notify principals, in writing and prior to the beginning of the year, the details of allowable use. Further, so that all students and parents/guardians are aware of the appropriate use, if any, of telecommunications/electronic devices in a particular teacher's classroom, the teacher will include the details in the syllabus of the course.
- Students are responsible for telecommunication/electronic devices they bring to school. The District shall not be responsible for loss, theft or destruction of such devices brought onto school property even when confiscated.

Legal References: RCW 28A.320.135 Telecommunication devices – Limits on possession –Policies

**SECTION VI                      STUDENT DRESS    (Policy 3224)**

Preserving an environment conducive to learning world-class skills, assuring the safety and well-being of all students, and promoting an atmosphere appropriate for the serious work of learning are primary concerns of the Board. To address these concerns the Board directs individual schools and alternative programs to adopt, and implement a student dress code. Each school or alternative program shall obtain student, staff and parental input prior to developing and implementing its student dress code or when considering changes to it.

Students in the Federal Way Public Schools are expected to dress in a manner that reflects pride and respect for themselves and their schools and is appropriate for the serious work of learning. It is generally expected that student dress shall be clean and appropriate for the activity in which the student is engaged. The following shall be prohibited by each school or alternative program's student dress code:

- Clothing presenting a reasonable expectation of a material and substantial disruption of the educational process, damage to school property, or a health or safety hazard.
- Clothing displaying obscene or sexual words, pictures, messages, or innuendoes.
- Clothing displaying drug or alcohol-related words, pictures, messages, or innuendoes.
- Pajamas, slippers, halter tops or any shirt that is short enough to expose the stomach, pants that are unusually low riding and are worn low on the hips revealing under garments, or shorts or skirts shorter than finger tip length.
- Clothing which symbolizes gang membership or which displays gang-related words, symbols, messages, or pictures.

A school's dress code may include the requirement that students wear uniforms and/or identification badges.

All staff shall be responsible for consistently and equitably enforcing their school's student dress code. Students whose manner of dress violates the school or alternative program's dress code shall be asked to make appropriate corrections. Students who fail to comply shall be subject to discipline. Parents shall be notified.

The Superintendent shall establish procedures providing guidance to students and staff regarding appropriate student dress in school or while engaging in extracurricular activities.

## **SECTION VII ELECTRONIC MAIL AND INTERNET**

**(Policy 2022 and  
Procedure 2022.2P)**

Students, staff and patrons of the Federal Way School District may have access to electronic mail and Internet through the use of technology. With the use of technology comes the risk of encountering material that may not be consistent with the educational goals of the District. Therefore, the District reserves the right to prioritize use and access to its technology. Any use of its technology must be in conformity to state and federal law, network provider policies, and "District Acceptable Use Guidelines.

Any user who violates "District Acceptable Use Guidelines" may be denied access to the technology and may be subject to disciplinary action and/or legal action.

Written parent permission is necessary each and every time student information or work is published on the World Wide Web. The Superintendent/designee will establish procedures for placing student work or information on the Web.

### **Acceptable Use Guidelines for Electronic Information Systems for Student Use: E-Mail, Networks, and Internet Safety Requirements**

The following rules and procedures constitute the Acceptable Use Guidelines for use of the District's electronic information systems. Each user of the system must agree in writing to abide by these rules in order to receive access to the system.

#### Network

Use of the system must be in support of education and research and consistent with the mission of the District. The District reserves the right to prioritize use and access to the system, and does not intend to create a First Amendment forum for free-expression purposes.

Any use of the system must conform to state and federal law, network provider policies and licenses, and district policy. Use of the system for personal profit or commercial solicitation is prohibited. Use of the system for charitable purposes must be approved in advance by the Superintendent/designee.

The system constitutes public facilities and may not be used to support or oppose political candidates, initiatives, or ballot measures, or for unauthorized lobbying activities.

No use of the system shall serve to disrupt the operation of the system by others. Internal wide distribution of e-mail not authorized by the Communications Department shall be treated as unwarranted and removed from the system. System components including hardware or software shall not be destroyed, modified or abused in any way.

Malicious use of the system to develop programs or institute practices that harass other users or gain unauthorized access to any entity on the system and/or damage the components of an entity on the network is prohibited.

Users are responsible for the appropriateness and content of material they transmit or publish on the system. Hate mail, harassment, discriminatory remarks, or other antisocial behaviors are expressly prohibited. Use of the system to access, store or distribute obscene or pornographic material is prohibited.

Student subscriptions to mailing lists, bulletin boards, and commercial on-line services and other information services must be pre-approved by a supervising teacher.

User files and communications on the system are not private or confidential. The District reserves the right to monitor, access, use and disclose e-mail or other information for any reason.

### Security

System accounts are to be used only by the authorized owner of the account for the authorized purpose. Users shall not share their account identification or password with another person or leave an open file or session unattended or unsupervised. Account owners are ultimately responsible for all activity under their account.

Users shall not seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users, or misrepresent other users on the system, or attempt to gain unauthorized access to the system. Encryption (a coding process of securing information) may only be used with prior District approval from the system administrator.

In the interest of security, the District will determine what system options may be made available to the end user.

### Personal Security

Personal information such as addresses and telephone numbers shall remain confidential when communicating on the system. Students should never reveal such information without permission from a teacher, other district personnel or a parent/guardian.

Students shall never make appointments to meet people in person they have contacted on the system without District and parent permission. Students shall notify a teacher, other district personnel, or a parent/guardian whenever they come across information or messages that are dangerous, illegal, inappropriate or make them feel uncomfortable.

Use of personal equipment must adhere to all district policies and guidelines. Non-district computers must be authorized by Information Technology Services before connecting to the district network system. This computer must contain effective anti-virus software that complies with district standards. The District will not be responsible for any loss of or damage to such equipment.

### Copyright

A copy of student work or information will be sent to the parent/guardian and written permission will be acquired prior to web publishing each and every time such work is ready to be published on the web.

Students must have written parent/guardian permission to have an e-mail account.

The unauthorized installation, use, storage or distribution of copyrighted software or materials on district computers is prohibited.

### Filtering and Monitoring

Filtering software and service are and will be used on all computers with access to the Internet. This will block or filter access to visual or text depictions that are obscene, contain child pornography, or are harmful to minors.

To the best of their ability staff will monitor minors' use of the Internet at school, and will take reasonable measures to prevent access by minors to inappropriate materials.

Internet web sites are continuously verified for appropriate content; however, if a student accidentally accesses an inappropriate site they must inform a district staff.

### General Use

No person shall have access to the district network resources without having submitted a signed Acceptable Use for Student form. In addition, students under the age of 18 must have the approval of parent or guardian.

Nothing in these regulations is intended to preclude the supervised use of the network while under the direction of a teacher or other approved user acting in conformity with district policy and procedure.

The District has the right to determine whether specific uses of the system are consistent with these guidelines. The District may revoke access to the system and take other appropriate corrective or legal action for any activity in violation of these guidelines. Such actions may include discipline up to and including expulsion for students. The District may report any activity that district administrators suspect is in violation of the law to the appropriate law enforcement authorities (e.g. local police, State Auditor, Public Disclosure Commission, or Superintendent of Public Instruction).

The District makes no warranties of any kind, express or implied, for the service it is providing. The District will not be responsible for any damages suffered, including the loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions caused by its own negligence, errors or omissions.

Use of any information obtained via the system is at one's own risk. The District also denies any responsibility for the accuracy or quality of information obtained through its services.

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

## **SECTION VIII      BUS CONDUCT**

**(Procedure 8123P)**

A copy of the bus rules will be issued to students at the beginning of each school year to be certain students are aware of acceptable conduct on a school bus. These rules are to be reviewed by the student and parent or guardian. Any behavior on a bus operated by the Federal Way School District which would impede the safe and normal operation of the bus shall be deemed misconduct.

The following are general guidelines for handling misconduct:

The driver will identify the student(s) responsible when a behavior problem occurs.

A misconduct report will be issued to the student, if deemed necessary by the bus driver. The driver will cite the rule violated.

Before the student is permitted to reboard the bus, ALL THREE (3) COPIES of the report MUST be signed by the Parent/Guardian and the school principal. The school principal will determine:

If further disciplinary action is required; and

When the student may be permitted to ride the bus again.

When a student receives a second misconduct report, the Building Administrator may deny the student's bus privileges for a period of up to five (5) days. Parents or guardians will be notified in writing of the denial of the Building Administrator. Appeal conferences with the Building Administrator may be requested.

When a student receives a third misconduct report, the following procedures will apply:

- In the case of elementary students, a denial of bus privileges for a period of up to ten (10) days will be imposed if determined appropriate by the Building Administrator.
- In the case of secondary students, a denial of bus privileges for a period of up to ninety (90) days will be imposed if determined appropriate by the Building Administrator.
- When riding privileges have been revoked, the parent or guardian shall be contacted and sent written notification by the Building Administrator.
- A reinstatement of bus privileges after a suspension of over five (5) days will occur only after a conference has been held with the student, his or her parent or guardian if not emancipated, the bus driver, and the Building Administrator, and there is sufficient reason to believe the student will comply with written bus rules, and will not by his or her presence jeopardize the health or safety of others while on the bus.

If the student or parent/guardian disagrees with any suspension of bus privileges of over five (5) days, a grievance conference may be requested by contacting the assigned Superintendent's designee.

EMERGENCY ACTION: Any student whose behavior is of such a nature his or her continued presence on the bus would, in the judgment of the driver, endanger the health or safety of others, will be removed immediately. Students will be removed enroute at the nearest school or nearest bus stop, and the bus driver will issue a misconduct report at that time.

## **BUS RULES**

1. The driver is in full charge of the bus and passengers at all times. Passengers must obey the driver promptly.
2. Students shall give their correct name promptly and willingly when asked by the bus driver.
3. Quiet conversation will be permitted while students are riding the bus, unless this privilege is abused.
4. Students are to remain seated while the bus is in motion, and are not to stand up until the bus has come to a full stop.
5. A student may be assigned a seat in which he/she will be expected to remain at all times while on the bus.
6. No student will smoke, ignite matches or lighters, or use any type of flame or sparking device on the school bus.
7. Items that may cause injury to others, such as sticks, breakable containers, any type of firearms, straps or pins extending from clothing, are prohibited.
8. No animals are permitted on the bus except service animals.
9. Students will refrain from pushing, shoving or striking other passengers while on or near the bus, or engaging in other unsafe activities.
10. Students are not to extend head, hands, or arms out of the windows, whether the bus is in motion or standing still.
11. Students must refrain from throwing objects on or at the bus, or out of bus windows.
12. Students will refrain from using vulgar or obscene language and/or gestures.
13. Students shall have a "Bus Pass" issued by the appropriate school authority prior to being allowed to:
  - A. Board or leave the bus other than at his/her regular stop.
  - B. Ride a bus other than the one to which they are assigned.
  - C. Ride an activity or late service bus.
14. Eating on a school bus is not permitted except when specifically authorized and supervised, i.e., field trips.
15. Students are not to sit in the driver's seat at any time, nor shall students be to the immediate left or right of the driver while the bus is in motion.
16. In the event of an actual emergency, students must follow emergency exit procedures as established in emergency exit drills.
17. The parent/guardian will reimburse the Federal Way Public Schools for damage to school buses resulting from student misconduct.
18. Bus passengers should arrive at the bus stop no less than 5 minutes and no more than 10 minutes before the bus is scheduled arrival time. Buses will promptly depart all schools 5-7 minutes after the school dismissal times. For safety, once bus doors are closed, drivers will not stop for late arriving students nor shall students chase their bus.

19. While waiting at the bus stop, students are expected to stand a safe distance from the street and avoid activities that could injure themselves or others. Students are expected to respect the property of others. When the bus approaches, students must observe the instructions of the driver.
20. It may be necessary to cross the road to board the bus. Students are expected to observe the driver's instructions and to always cross in front of the bus with the aid of the flashing stop sign and crossing arm.
21. Safe, respectful conduct is expected of all passengers to insure safety.
  - A. Obey the driver's instructions when first requested.
  - B. Remain seated.
  - C. Respect other's property.
  - D. Keep your hands to yourself.
  - E. Keep noise level down.
  - F. Keep aisles clear.
  - G. Keep bus clean.

## **SECTION IX CONSEQUENCES FOR STUDENT MISCONDUCT**

**(Procedure 3300P)**

### **A. In General**

Students who violate the rules of the school or school district will be subject to discipline, suspension or expulsion.

Prescribed penalties may be designated by administrators for certain types of misconduct. However, the nature and circumstances of each case will be reviewed separately on its own merits and disciplinarians and hearing officers are allowed to grant exceptions in cases involving extenuating and/or exceptional circumstances.

The frequency with which students violate various school policies, rules and regulations is often of equal or greater concern than single violations. The cumulative effects of these acts may determine the form of corrective action imposed, including suspension and/or expulsion.

Law enforcement authorities may be contacted regarding incidents of misconduct which also implicate violations of the law.

### **B. Zero-Tolerance Policy**

The Federal Way School District has determined certain types of misconduct, by their very nature, provide good and sufficient reason to believe the student's presence poses an immediate and continuing danger to the student, other students or school personnel, or an immediate and continuing threat of substantial disruption of the educational process. The District has a zero-tolerance policy regarding this misconduct. Based on

this determination, students who engage in the following types of misconduct, as defined in Section II, will be subject to emergency expulsion:

1. Arson
2. Explosives
3. Sale or delivery of Drugs, Alcohol or Mind-Altering Substances
4. Weapons (including look-alike weapons if the item is intended to be used as a weapon or would reasonably be perceived to be a weapon). Possession of a knife that is defined as a weapon in Section II (Policy 3240), purported to be a weapon, or has been represented as a weapon on school property at any time is included in this category.
5. Threats to kill another person (including "hit lists"), if the behavior exhibited, either words or actions, place any other person in fear. Intent and circumstances are to be considered by school officials when determining responses to this type of behavior.

The foregoing determination and list of misconduct is not exclusive and does not preclude an administrator from determining, under appropriate circumstances, that other misconduct also warrants an emergency expulsion.

## **SECTION X      PROCEDURES FOR IMPOSING CORRECTIVE ACTION** **(Procedure 3300P)**

### **A. Provisions Applicable in General**

1. Teachers, school administrators (including administrative assistants, deans of students, administrative interns and principal designees), school bus drivers and other designated school employees shall have the authority to: (1) impose discipline on any student for misconduct in accordance with the procedures specified in this brochure; (2) temporarily remove a student from a class, subject, or activity as provided for herein; and (3) make recommendations to appropriate school authorities for the suspension or expulsion of any student. Except as otherwise provided for, only a building administrator, the Superintendent or such person's designee may impose a suspension or expulsion.
2. Students with disabilities are subject to the same rules of student conduct and corrective action procedures as other students. However, when a proposed corrective action constitutes a significant change in placement, special procedures shall be employed as required by law. (See Policy/Procedure 2161.)
3. Corporal punishment, which generally is defined as any act that willfully inflicts or willfully causes the infliction of physical pain, is prohibited by state law and board policy. Exceptions are defined in WAC 392-400-235(3).
4. Notwithstanding any other provision of this Handbook to the contrary, a certificated staff member is empowered to exclude any student who creates a disruption of the educational process in violation of building disciplinary standards from his or her classroom for all or any part of the immediate or following school day or until the

certificated staff member has conferred with the principal or designee, whichever occurs first. Prior to excluding a student, except in emergency circumstances, the teacher must attempt one or more alternative corrective actions. In no case shall an excluded student return to the classroom for all or any part of the immediate or following two school days or until the teacher has conferred with the principal or designee.

## **B. Provisions Applicable to Discipline**

Discipline, as defined above, may be imposed upon a student for violation of school district rules. No form of discipline shall be enforced in such a manner as to prevent a student from accomplishing specific academic grade, subject, or graduation requirements.

## **C. Provisions Applicable to Short-Term and Long-Term Suspensions**

1. The nature and circumstances of the violation must be considered and must reasonably warrant a suspension and the length of the suspension imposed.
2. Except for those rule violations that have been designated exceptional misconduct (See Section II), no student will be suspended unless another form of corrective action reasonably calculated to modify his or her conduct has previously been imposed upon the student as a consequence of misconduct of the same nature.<sup>2</sup>
3. No student in grades Kindergarten through Four shall be subject to short-term suspension for more than a total of ten (10) school days during any single semester or trimester. No such student shall be subject to long-term suspensions. No loss of academic grade or credit shall be imposed by reason of suspensions to such students.

No student in grades Five and above shall be subject to short-term suspensions for more than a total of fifteen school days during any single semester or ten school days during any single trimester, and no single long-term suspension shall be imposed in a manner which causes the student to lose academic grades or credit for in excess of one semester or trimester during the same school year.

4. Suspensions shall include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by the school district.
5. All suspensions and the reasons therefore must be reported in writing to the Superintendent within 24 hours after the imposition of the suspension.

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<sup>2</sup> Pursuant to RCW9.41.280, possession of a dangerous weapon is an exception to this rule and students who engage in such conduct may be immediately expelled. Pursuant to RCW 28A.635.090, interference by force or violence with any employee or student of the school district who is in the peaceful discharge or conduct of his or her duties or studies is also an exception to this rule and shall be grounds for immediate suspension or expulsion. Pursuant to RCW 28A.600.420, students who possess a firearm must be expelled without an opportunity for readmission for at least one year.

6. Any student who has been suspended shall be allowed to make application for readmission at any time. (See Policy/Procedure 3325 "Admission/Readmission After Expulsion or During Long-Term Suspension.")

#### **D. Provisions Applicable to Short-Term Suspensions Only**

1. Prior to the short-term suspension of any student, a conference must be conducted with the student. At this conference the student must be provided with: (1) an explanation of the alleged misconduct and rule violations; (2) an explanation of the evidence in support of the allegations; (3) an explanation of the corrective action which may be imposed; and (4) an opportunity to present an explanation regarding the alleged misconduct.
2. In the event a short-term suspension is to exceed one calendar day, the parent/guardian of the student must be notified of the reason for the student's suspension and the duration of the suspension orally and/or by letter deposited in the mail as soon as reasonably possible. This notice shall also inform the parent/guardian of the right to an informal conference and that the suspension may possibly be reduced as a result of such a conference.
3. Any student subject to short-term suspension shall be provided the opportunity upon return to school to make up assignments or tests missed by reason of the suspension if such assignments or tests have a substantial effect on the student's semester or trimester grade or failure to complete such assignments or tests would preclude the student from receiving credit for the course(s).

#### **E. Provisions Applicable to Long-Term Suspensions and Expulsions**

1. Prior to the long-term suspension or expulsion of a student, a written notice of an opportunity for a hearing shall be delivered in person or by certified mail to the student and parent/guardian. This notice shall be in the primary language of the student and parent/guardian and it shall:
  - a. Specify the student's alleged misconduct and the school district rule alleged to have been violated;
  - b. Set forth the corrective action proposed by the District and the right of the student or parent/guardian to a hearing for the purpose of contesting the allegations;
  - c. Inform the student and parent/guardian a written request for such a hearing must be received by a designated school district employee on or before the expiration of the third school business day after their receipt of the notice; and
  - d. Indicate if such a timely request is not received, the right to a hearing may be deemed waived and the proposed corrective action may be imposed without further opportunity for the student or parent/guardian to contest the matter.

A schedule of "school business days" potentially applicable to the exercise of such a hearing right should be included with the notice.

2. The student or parent/guardian must request such a hearing within three school business days after the date of their receipt of the notice imposing the corrective action. If a timely request for a hearing is not received, the school district may consider the student and parent/guardian to have waived the right to a hearing and the proposed corrective action may be imposed as of the fourth school business day following receipt of the notice imposing the corrective action.

#### **F. Provisions Applicable to Expulsions**

1. The nature and the circumstances of the violation must reasonably warrant the harshness of expulsion.
2. No student shall be expelled unless other forms of corrective action reasonably calculated to modify his or her conduct have failed or unless there is good reason to believe that other forms of corrective action would fail if employed.<sup>3</sup>
3. Expulsions shall include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by the school district.
4. All expulsions and the reasons therefore must be reported in writing to the Superintendent within 24 hours after the imposition of the expulsion.
5. Any student who has been expelled shall be allowed to make application for readmission at any time. (See Policy and Procedure 3325.)

#### **G. Provisions Applicable to an Emergency Removal**

1. A student may be removed immediately from a class, subject or activity by a certificated employee and sent to the designated school authority if there is good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the class, subject, activity or educational process of the student's school. Such a removal shall continue only until the danger or threat ceases or until the principal/designee acts to impose appropriate discipline.
2. The principal/designee shall meet with the student as soon as reasonably possible following the student's removal and take appropriate corrective action. In no case

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<sup>3</sup> Pursuant to RCW 9.41.280, possession of a dangerous weapon is an exception to this rule and students who engage in such conduct may be immediately expelled. Pursuant to RCW 28A.635.090, interference by force or violence with any employee or student of the school district who is in the peaceful discharge of his or her duties or studies is also an exception to this rule and shall be grounds for immediate suspension or expulsion. Pursuant to RCW 28A.600.420, students who possess a firearm must be immediately expelled without an opportunity for readmission for at least one year.

shall the student's opportunity for such a meeting be delayed beyond the commencement of the next school day.

3. Prior to or at the time any such student is returned to the class or activity from which the student was removed, the principal/designee shall notify the certificated employee who removed the student of the action which has been taken.

#### **H. Provisions Applicable to Emergency Expulsions**

1. A student may be expelled immediately by the principal/designee in emergency situations if the principal/designee 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 personnel or the immediate and continuing threat of substantial disruption to the educational process. An emergency expulsion shall continue until rescinded by the Superintendent/designee or until modified or reversed pursuant to the hearing process set forth below or the appeal process set forth in Policy 3324.
2. The student and parent/guardian shall be notified of the emergency expulsion of a student and of their opportunity for a hearing by hand delivering a written notice to the student's parent/guardian within 24 hours of the expulsion and by documenting same with either a signed acknowledgment of receipt or a written certification by the person making the delivery, or by a certified letter deposited in the mail within 24 hours of the expulsion.
3. If the notice is by certified letter, reasonable attempts shall be made to notify the student and parent/guardian by telephone or in person as soon as is reasonably possible.

If the emergency expulsion is based on a failure to comply with the state immunization law, WAC 180-38, the notice must be received by the student's parent/guardian prior to the emergency expulsion regardless of the method of delivery.

4. Such written and oral notice shall comply with all the requirements for notice of a long-term suspension or expulsion except that it shall set forth the fact that a request for a hearing must be received by the District on or before the tenth school business day after receipt of the notice.

### **SECTION XI PROCEDURES FOR CONTESTING CORRECTIVE ACTION (Procedure 3300P)**

#### **A. Grievance Procedure for Discipline and Short-Term Suspensions**

Any student or parent/guardian who disagrees with the imposition of discipline or a short-term suspension shall have the right to an informal meeting with the building principal/designee for the purpose of resolving the grievance. The employee whose action is being grieved shall be notified of the initiation of such a grievance as soon as

reasonably possible. During this meeting, the student and parent/guardian shall be subject to questioning by the principal/designee and shall be entitled to question school personnel involved in the matter being grieved.

After this school-level grievance meeting, if the issue is not resolved, the student or parent/guardian, upon giving two school business days' prior notice to the Superintendent's office, shall have the right to present a written and/or oral grievance to the Superintendent or designee.

If the issue is not resolved at this level, the student or parent, upon giving two school business days' prior notice to the Superintendent's office, shall have the right to present a written and/or oral grievance to the Board of Directors during the Board's next regular meeting. The Board shall notify the student and parent/guardian of its response to the grievance within ten school business days after the date of the meeting.

The discipline or short-term suspension shall continue during the grievance procedure unless the principal or designee elects to postpone the action.

## **B. Hearing Process for Long-Term Suspensions or Expulsions**

Any student or parent/guardian who disagrees with the imposition of a long-term suspension or expulsion may request a hearing to contest the action. The Office of the Superintendent must receive requests for a hearing within three school business days of receipt of the notice imposing the corrective action (ten school business days for emergency expulsions). If a timely request for a hearing is received, the school district shall schedule a hearing to commence within three school business days after the date upon which the hearing request was received by the District.

The student shall have the right to be represented by legal counsel, to question and confront witnesses, to present an explanation of the alleged misconduct, and to make such relevant showings by way of witnesses and the introduction of evidence as desired.

Both the student and the school district representative shall have the right to inspect in advance of the hearing any documentary and other physical evidence the other party intends to introduce at the hearing.

The hearing officer assigned by the District to hear the case shall not be a witness in the case, and the truth of the allegations shall be determined solely on the basis of the evidence presented at the hearing. Either a tape recorded or verbatim record of the hearing shall be made. A written decision by the hearing officer setting forth the findings of fact, conclusions and the nature and duration of the corrective action to be imposed, if any, shall be provided to the student's legal counsel or if none, to the student and parent/guardian. In the case of emergency expulsions, the decision shall:

(1) be rendered within one school business day; (2) be delivered by certified mail; and (3) include a conclusion as to whether or not the emergency situation giving rise to the emergency expulsion still exists.

Unless an appeal is taken, any long-term suspension or expulsion decided upon by the hearing officer may be imposed as of the fourth school business day following receipt of the hearing officer's decision. An emergency expulsion may be continued following the hearing on the basis that the emergency situation continues and/or as corrective action for the actions giving rise to the emergency expulsion in the first instance.

### **C. Appeal of a Hearing Officer's Decision Imposing a Long-Term Suspension or Expulsion**

Any student or parent/guardian may appeal a hearing officer's decision imposing a long-term suspension or expulsion to the school board. Notice indicating that the student desires to appeal the hearing officer's decision must be in writing and must be made to the office of the school district Superintendent or the office of the hearing officer within three school business days after the date of receipt of the hearing officer's decision.

If a timely appeal is taken to the Board of Directors, the suspension or expulsion may be imposed for up to ten consecutive school days during the appeal period, or until the appeal is decided, whichever is the shortest period; provided, however, that an emergency expulsion that is continued by the hearing officer need not be interrupted or stayed if the decision rendered includes a conclusion that the student continues to pose an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process. Any days that a student is temporarily excluded from school during the appeal period shall be applied to the term of the suspension or expulsion and shall not limit or extend the student's suspension or expulsion.

The appeal to the Board of Directors will be conducted in accordance with district Policy 3324 Appeal of Long-Term Suspension or Expulsion to the Board of Directors and WAC 392-400-315 and -320.

## **SECTION XII CUMULATIVE RECORDS (Procedure 3300P)**

Discipline files will be kept for each student throughout their school careers. These files may be used as a reference in determining patterns of behavior for which corrective action is necessary. Progressive corrective action or punishment for inappropriate behavior patterns or similar cumulative violations may be assigned based upon these records.

**Student Attendance**

The Federal Way School District Board of Directors believes regular school attendance is essential for mastery of the educational program provided to students of the District. Regular attendance has a direct effect on the academic progress of all students and on the development of good habits that will aid students as they move into the world beyond the District. The Board of Directors stresses regular and consistent attendance results from the partnership between the District, school, parent/guardian and students--each with equal levels of responsibility.

Students are responsible for:

- arriving at each class on time and prepared to learn;
- communicating problems which may be affecting attendance and cooperating with intervention strategies; and
- following the policies and procedures of the District and their school with regards to attendance.

Parents/guardians are responsible for:

- causing their children of compulsory school attendance age to attend school on time and prepared to learn in compliance with state law;
- communicating problems which may be affecting attendance and cooperating with intervention strategies;
- educating students on the importance of regular attendance;
- communicating with the school to verify excused absences and pre-arranged absences; and
- supporting discipline imposed by the school for unexcused absences.

The school is responsible for:

- informing parents/guardians and students of state law and district policy regarding school attendance;
- educating students on the importance of regular attendance;
- monitoring student attendance and maintaining accurate records of such attendance;
- notifying parents/guardians of unexcused absences and the consequences of future unexcused absences;
- scheduling conferences to analyze the causes for student absences and proposing and/or implementing interventions designed to reduce such absences;
- imposing discipline as a consequence of non-attendance; and
- communicating and cooperating with the District in seeking court intervention as required by law to address unexcused absences.

The District shall be responsible for:

- informing parents/guardians, students and schools of state law and district policy regarding school attendance;
- establishing standards for school attendance and procedures for enforcing such standards;
- assisting schools in providing due process for students subject to discipline imposed as a result of non-attendance;
- assisting schools in seeking court intervention as required by law to address unexcused absences;
- monitoring school compliance with state law and district policy; and
- reviewing district policy and procedures annually.

Developing lifelong habits of promptness and reliability shall be included as an instructional objective of each class offered by the District.

The Federal Way School District Board of Directors directs the Superintendent/designee to develop procedures which implement state law and regulations and promote the regular attendance of all students.

**Administrative Procedure to Accompany Attendance Policy**

**(Procedure 3120P)**

**Compulsory Attendance**

Parents/guardians of any child eight years of age, and under eighteen years of age, shall cause such child to attend school. The child shall have the responsibility to attend full-time when school is in session unless:

1. The child is attending an approved private school;
2. The child is receiving home-based instruction as provided in state law;
3. The child is attending an education center as provided in state law;
4. The child has been excused from attendance by the school in accordance with state law and the standards provided below;
5. The child is sixteen years of age or older and:
  - a. The child is regularly and lawfully employed and either the parent/guardian agrees that the child shall not be required to attend school or the child is emancipated in accordance with state law;
  - b. The child has already met graduation requirements; or
  - c. The child has received a certificate of educational competence in accordance with the rules and regulations of the state Board of Directors.

Although six and seven year olds are not required to be enrolled in school, the truancy law applies if they are enrolled, unless:

1. The child is temporarily excused by the school district;
2. The child is formally removed from enrollment before a truancy petition is served to the parents; or,
3. The child attends school part-time to receive ancillary services.

### **Excused and Unexcused Absences**

Students are expected to attend all classes each day. Teachers shall keep an accurate record of absences and tardiness. Schools shall compile and maintain such records.

1. Excused Absences. The following are valid excuses for absences and tardiness.
  - a. Participation in school-approved activity. To be excused, a staff member must authorize this absence and the affected teacher(s) must be notified prior to the absence unless it is clearly impossible to do so.
  - b. Absence due to requests made by the parent/guardian such as illness, health condition, family emergency, religious purposes, or education opportunities. To be excused, an absence of this type must be verified as explained below, and must not cause a serious adverse effect on the student's educational progress.

For activities approved by parent/guardian greater than two days (pre-arranged absences), the adverse effect on the education progress may be minimized by requesting approval for the absence in writing at least three days prior to the absence, requesting make-up work from the student's teachers at least three days in advance, and following established timelines to return the completed work.

- c. Absence resulting from disciplinary actions or short-term suspension. As required by law, students who are removed from a class or classes as a disciplinary measure or students who have been placed on short-term suspension will be required to make-up assignments or tests missed during the time they were denied entry to the classroom if such work has a substantial effect upon the student's semester or trimester grade, or if failure to complete the work would preclude the student from receiving credit for the course.
2. Unexcused Absences. All absences that are not authorized by the principal, or excused in the manner provided above, are counted as unexcused.

3. Tardiness. Students arriving late for school or class for any reason not described as an excused absence above will be counted as unexcused tardy. Secondary students arriving later than one-third of the class shall be counted as absent for the class and not tardy. Elementary students arriving more than thirty minutes after the school's start time or leaving more than thirty minutes prior to the school's end time will be counted absent one-half day.
4. Verification
  - a. Excused absences and tardies must be verified by a parent, guardian, emancipated student or adult student in a manner prescribed by the principal within two school business days of the absence. After five consecutive days of absence due to a health condition, or an accumulation of ten absences during a single semester or trimester due to illness or a health condition, a note of explanation signed by a doctor may be required, unless the absence was pre-arranged.
  - b. Even when written verification is received, school officials have the discretion to investigate the circumstances surrounding an absence to determine the validity of the excuse and the effect of such absence upon the student's education progress before or after excusing such absence.

### **Procedures for Promoting Regular School Attendance**

1. Communication
  - a. The District will provide a copy of the district's attendance procedures to all students through the "Student Rights and Responsibilities" handbook. Such handbook will be provided to all students at the beginning of the school year and to new students entering later in the school year upon enrollment.
  - b. For each class, the teacher will explain the relationship between attendance and other instruction objectives of the particular class.

2. Tardiness.

Each unexcused tardy will result in discipline (a corrective action other than suspension or expulsion) as determined by school administrators or delegated to teachers. In addition, after three unexcused tardies, parents/guardians will be contacted in writing or by telephone.

3. Unexcused Absences

An absence of any duration (greater than a tardy) shall be addressed with the consequences set forth in section (a) below. For the purposes of the notice, conference and truancy petition described below, the failure to attend the majority

of hours or periods in an average school day shall be counted as one unexcused absence.

a. Consequences

- (i) A student whose absence is not excused will not be given the opportunity to receive credit for a graded activity or assignment which is due during the time when the student is absent.
- (ii) Students will also be responsible for making up time missed in a manner determined by the school. Examples of such discipline may include, but not be limited to, after-school or recess detention, school or community service hours, or exclusion from an activity conducted by the school other than actual class time. The length of the discipline assigned shall, whenever reasonably possible, bear an equivalent relationship to the time missed during the unexcused absence. In no instance shall the discipline be an out of school suspension.

b. Notice. The school shall notify a student's parent/guardian in writing or by telephone whenever the student has failed to attend school after one unexcused absence within any month in the current school year. Such notification shall include an explanation of the potential consequences of additional unexcused absences.

c. Conference. Not later than the fifth unexcused absence, the school shall schedule a conference with the parent/guardian and student at a time reasonably convenient to all persons involved for the purposes of analyzing the causes of the student's absences and identifying interventions which may be helpful in reducing such absences. Such interventions may include, where appropriate in the judgment of the school officials:

- adjusting the student's educational program;
- providing more individualized or remedial instruction;
- transferring the student to another school;
- assisting the student in obtaining supplementary services that might eliminate or ameliorate the causes for absences;
- imposing discipline that motivates the student to attend school; and
- making the student a focus of concern for placement in special education or other special program designed for educational success.

In all cases, the participants in the conference shall enter into a written agreement that establishes school attendance requirements and outlines the interventions identified as appropriate.

If the parent/guardian does not attend the scheduled conference, the conference may be conducted with the student and the school official. However, the parent/guardian shall be notified of the steps taken or proposed to reduce the child's absences.

- d. Truancy Petition. If the interventions identified above are not successful in substantially reducing the student's absences, not later than the seventh unexcused absence in a month, or tenth unexcused absence in the school year, the school shall contact the district official responsible for the truancy to initiate the filing of a petition with the juvenile court alleging a violation of RCW 28A.225.010 by the student, the parent/guardian or both the student and the parent/guardian.

#### 4. Excused Absences

- a. Consequences. Work assignments, activities, and the attendance/participation portion of the grade missed during an excused absence may be made up in the manner provided by the teacher.
- b. Conference. After five or more excused absences within any month, or ten or more excused absences within the school year, the school may schedule a conference with the parent and student at a time reasonably convenient to all persons involved for the purposes of analyzing the causes of the student's absences and identifying interventions which may be helpful in reducing such absences, as described above for unexcused absences.

### **SECTION XIV HARASSMENT, INTIMIDATION AND BULLYING (Policy 3207)**

The District is committed to a safe and civil educational environment for all students, employees, volunteers and patrons, free from harassment, intimidation or bullying.

Harassment, intimidation or bullying means any intentional written, verbal, or physical act, including but not limited to one shown to be motivated by any characteristic of race, color, religion, ancestry, national origin, gender, sexual orientation including gender identity, mental or physical disability [RCW 9A.36.080(3)], or other distinguishing characteristic, when the intentional written, verbal, or physical act:

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

"Other distinguishing characteristics" may include but are not limited to: physical appearance, clothing or other apparel, socioeconomic status, gender identity, and marital status. Harassment, intimidation or bullying may take many forms including: slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, or other written, oral or physical actions. "Intentional acts" refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the educational environment. Many behaviors that do not rise to the level of harassment, intimidation or bullying may still be prohibited by other district policies or building, classroom, or program rules.

In addition to the provisions stated above, this policy shall also include the prohibition of all types of sexual harassment. Sexual harassment may include, but is not limited to, unwelcome or uninvited sexual advances, requests for sexual favors, sexual comments, cartoons, innuendoes, or other verbal or physical conduct of a sexual or sexually intimidating nature.

Sexual harassment occurs when:

- Such behavior or communication interferes with an individual's performance or creates an intimidating, hostile, or offensive educational or work environment; and/or
- Submission to the harasser's sexual demands is stated or implied as a term or condition of obtaining an education or work opportunity or other benefit; and/or
- Submission to or rejection of sexual demands is a factor in an academic, work, or other school-related decision affecting an individual.

Sexual harassment can occur student to student, adult to student, student to adult, adult to adult, male to female, female to male, male to male, or female to female.

The District will take prompt, equitable and remedial action within its authority on reports, complaints, and grievances alleging harassment, intimidation or bullying that come to the attention of the District, either formally or informally.

Depending upon the frequency and severity of the conduct, appropriate responses to violations of this policy may include intervention, counseling, correction, discipline and/or referral to law enforcement to remediate the impact on the victim and the climate, and to change the behavior of the perpetrator. Allegations of criminal misconduct will be reported to law enforcement, and suspected child abuse will be reported to law enforcement or Child Protective Services, as required by law. The goals of this policy include appropriate intervention, restoration of a positive climate, and support for victims and others impacted by the violation. Students, staff, or district contractors who engage in harassment, intimidation or bullying will receive appropriate discipline, sanctions, or other appropriate interventions. Other school visitors who engage in this conduct will have their access to school property and activities restricted, and their actions will be reported to the proper authorities, as appropriate.

False reports or retaliation for harassment, intimidation or bullying also constitute violations of this policy.

Coercion, discrimination, or reprisals taken against persons filing complaints or persons acting as witnesses to complaints shall result in appropriate disciplinary action or sanctions according to district policy or other applicable laws or regulations. Persons who knowingly file false allegations, or report or corroborate false allegations, shall also be subject to appropriate disciplinary action or sanctions according to district policy or other applicable laws or regulations.

In accordance with applicable laws and regulations, students, parents, staff, volunteers, and other interested parties shall be informed of this policy and the accompanying procedures pertaining to the filing of complaints. The policy shall be posted in each district building and reproduced in each student, staff, volunteer, and parent handbook. District employees will be provided with appropriate information on the recognition and prevention of harassment and their rights and responsibilities under this policy.

The Superintendent or designee shall develop procedures to implement this policy which shall include the provision of age-appropriate information and education regarding this policy and the recognition and prevention of sexual harassment and other types of harassment, intimidation, and bullying.

The Superintendent or designee shall make an annual report to the Board of Directors reviewing the use and efficacy of this policy and related procedures. This report will include recommendations for changes to the policy and procedures, if applicable. The Superintendent is encouraged to involve staff, students, volunteers and parents in the review process.

### **Administrative Procedure to Accompany Harassment, Intimidation and Bullying Policy** (Procedure 3207)

#### Informal Complaint Process:

Anyone may use informal procedures to report and resolve complaints of harassment, intimidation or bullying (see Policy 3207 for definitions. Policy 3207 and Procedure 3207P prohibit both malicious harassment and sexual harassment.) While it is not required, complainants are encouraged to attempt informal procedures with the guidance of appropriate staff members prior to filing a formal complaint. At the building level, programs shall be established for receiving anonymous complaints.

Such complaints must be appropriately investigated and handled consistent with due process requirements. Informal reports may be made to any staff member, although

staff shall always inform complainants of their right to, and the process for, filing a formal complaint. Staff shall also direct potential complainants to an appropriate staff member who can explain the informal and formal complaint processes and what a complainant can expect. Staff shall also inform an appropriate supervisor or designated staff person when they receive complaints of harassment, intimidation, or bullying, especially when the complaint is beyond their training to resolve or it alleges serious misconduct.

Informal remedies include an opportunity for the complainant to explain to the alleged perpetrator that the conduct is unwelcome, disruptive, or inappropriate, either in writing or face-to-face; a statement from a staff member to the alleged perpetrator that the alleged conduct is not appropriate and could lead to discipline if proven or repeated; or a general public statement from an administrator in a building reviewing the district harassment, intimidation and bullying policy without identifying the complainant. Informal complaints may become formal complaints at the request of the complainant, parent, guardian, or because the District believes the complaint needs to be more thoroughly investigated.

#### Formal Complaints:

Anyone may initiate a formal complaint of harassment, intimidation or bullying, even if the informal complaint process is being utilized. Complainants should not be promised confidentiality at the onset of an investigation. It cannot be predicted what will be discovered or what kind of hearings may result. Efforts should be made to increase the confidence and trust of the person making the complaint. The District will fully implement the anti-retaliation provisions of this policy to protect complainants and witnesses. Student complainants and witnesses may have a parent or trusted adult with them, if requested, during any district-initiated investigatory activity. The building principal or designee may conclude that the District needs to conduct an investigation based upon information in his/her possession regardless of the complainant's interest in filing a formal complaint. The following process shall be followed pertaining to formal complaints:

- A. All formal complaints shall be in writing and signed by the complainant [Form 3207(1)]. Formal complaints shall set forth the specific acts, conditions or circumstances alleged to have occurred that may constitute harassment, intimidation or bullying.
- B. Formal complaints shall be filed with the building principal. At the time that a formal complaint has been filed, the principal shall notify the District's Compliance Officer and send a written copy of the complaint to his/her office. Complaints against the principal may be filed directly with the District's Compliance Officer.
- C. The District shall investigate all formal, written complaints of harassment, intimidation or bullying, and other information in its possession that it believes requires further investigation. Regardless of the complainant's interest in filing a formal complaint, the principal or the District's Compliance Officer may

- conclude that the District needs to draft a formal complaint based upon information in their possession.
- D. In consultation with the District's Compliance Officer, the principal or designee is to investigate student-to-student harassment, intimidation or bullying complaints and take appropriate action. The results of each investigation shall be reported to the District's Compliance Officer.
  - E. The investigation of harassment, intimidation or bullying complaints involving employees shall be referred to the District's Title IX Officer (compliance officer) who shall consult with building principals and other supervisors and district administrators to coordinate the investigatory efforts.
  - F. When an investigation is completed the investigator shall compile a full written report of the complaint and the results of the investigation. Within thirty (30) days of the filing of the complaint the investigator shall respond in writing to the complainant stating:
    - 1) That the District needs to take corrective action; or
    - 2) That the investigation is incomplete to date and will be continuing; or
    - 3) That the District does not have adequate evidence to conclude that the bullying, harassment or intimidation occurred.
  - G. Corrective measures deemed necessary will be instituted as quickly as possible, taking into consideration due process and other lawful rights of the accused.

#### Appeal Procedures:

If a complainant wishes to appeal the conclusions of the investigator, he/she may file a written appeal [Form 3207(2)] with the Superintendent's designee within ten (10) calendar days of the receipt of the investigator's written response. Form 3207(2) may also be used to file a written appeal if the investigator has not provided a written response to the complainant within thirty (30) days of the filing of a formal complaint. The written appeal shall set forth specific reasons why the complainant disagrees with the response and the relief sought from the District.

Upon receipt of a timely written notice of appeal, the Superintendent's designee is responsible to select a Hearing Committee and shall schedule a hearing to commence on or before the 20<sup>th</sup> calendar day following the filing of the written notice of appeal.

The principal or site supervisor responsible for compliance and the complainant shall be allowed to present such witnesses and testimony as the Hearing Committee deems relevant and material. The Hearing Committee shall render a written decision and shall provide a copy to all parties on or before the 10<sup>th</sup> calendar day following the termination of the hearing.

#### Board Appeal Procedures:

If a complainant wishes to appeal the decision of the Hearing Committee, the complainant has the right to file a written Appeal to the Board of Directors on or before the 10<sup>th</sup> calendar day following the receipt of the decision from the Hearing Committee [Form 3207(3)]. The Board shall schedule a hearing to commence on or before the 20<sup>th</sup> calendar day following the filing of the appeal to the Board. The Board shall render a

written decision and shall provide a copy to all parties involved on or before the 10<sup>th</sup> calendar day following the termination of the hearing.

If the complainant wishes to appeal the decision of the Board of Directors, the complainant has the right to enter into formal complaint procedures with external agencies.

A fixed component of all district orientation sessions for employees, students and regular volunteers shall introduce the elements of this policy. Staff will be provided information on recognizing and preventing sexual harassment and other harassment, intimidation or bullying. Staff shall be fully informed of the formal and informal complaint processes and their roles and responsibilities under the policy and procedure. Certificated or professionally licensed staff shall be reminded of their legal responsibility to report suspected child abuse, and how that responsibility may be implicated by some allegations of sexual harassment or other harassment, intimidation or bullying. Classified employees and regular volunteers shall get the portions of this component of orientation relevant to their rights and responsibilities.

Students will be provided with age-appropriate information on the recognition and prevention of sexual harassment and other harassment, intimidation and bullying, and their rights and responsibilities under this and other district policies and rules at student orientation sessions and on other appropriate occasions when parents may also be present. Parents shall be provided with copies of this policy and procedure and appropriate materials on the recognition and prevention of sexual harassment and other harassment, intimidation and bullying.

Annually, the Superintendent or designee shall review the use and efficacy of this policy and procedure. Based on the review, the Superintendent or designee shall prepare a report to the Board of Directors including, if necessary, any recommended changes in policy or procedures. The Superintendent is encouraged to involve staff, students, volunteers and parents in the review process.

**SECTION XV SEARCH OF STUDENTS AND THEIR PROPERTY**  
**(Procedure 3230P)**

A student is subject to search by district staff if reasonable grounds exist to suspect that evidence of a violation of the law or school rules will be uncovered. School staff shall report a student's suspicious activity to the principal prior to initiating a search, except in emergency situations.

Establishing reasonable grounds. The following review of the basis for the search should occur before conducting a search:

- A. Identify:
  - 1) the student's suspicious conduct, behavior, or activity; 2) the source of the information; and 3) the reliability of the source of such information.
- B. If suspicion could be confirmed, would such conduct be a violation of the law or school rules?
- C. Is the student likely to possess or have concealed any item, material, or substance that is itself prohibited or which would be evidence of a violation of the law or a school rule?

Conducting the search. If the principal, or his or her designee, determines that reasonable grounds exist to search a student's clothing, personal effects, desk, locker, assigned storage area, or automobile, the search shall be conducted as follows:

- A. If evidence of criminal activity is suspected to be present, and prosecution by civil authorities will be recommended if confirmed by the search, consult law enforcement officials regarding the appropriateness of a search by a law enforcement officer.
- B. If evidence of violation of a school rule is suspected, and if confirmed by the search will be handled solely as a student discipline action, proceed to search by asking the student to remove all items from pockets, purses, handbags, backpacks, gym bags, etc.
- C. If the student refuses to cooperate in a personal search, the student should be held until the student's parent or guardian is available to be advised of the school's intent to proceed with a search. If a parent or guardian cannot be reached within a reasonable time, the principal may conduct the search without the student's consent.

### Student Lockers, Desks and Storage Areas

Lockers, desks, and storage areas are the property of the school district. When assigned a locker, desk, or a storage area, a student shall be responsible for its proper care. A student may be subject to a fine for any willful damage to school property. Students are encouraged to keep their assigned lockers closed and locked.

Principals may search all lockers, desks, or storage areas without prior notice given to students and without reasonable suspicion that the search will yield evidence of any particular student's violation of the law or school rules.

Administrative inspections, or health and welfare inspections, may be conducted at any time for the purpose of locating misplaced library books, textbooks, or other school



- B. Non-Prescription Medication – Students in grades 6 – 12 may be in possession of over-the-counter (non-prescription) drugs or medication/remedies on school premises under the following conditions:
- Student must carry written permission from parent/guardian indicating what over-the-counter medicine and dosage student may take.
  - Student must carry only one school day’s dosage.

(Complete copy of Policy/Procedure 3416 – Medication at School is available from the Office of the Superintendent and on the district website at: [www.fwps.org](http://www.fwps.org).)

## **SECTION XVII CUSTODY ISSUES**

The Federal Way School District is not the enforcing agency for court orders between parents (i.e. divorce decrees and parenting plans). In general, the schools will not attempt to implement such orders except when presented with a certified copy of a clear “no contact at any time” type of order, or one which specifically limits a parent’s rights at school. (A certified copy may be obtained only from a court clerk and is clearly stamped and imprinted as such.) In such cases, the school will act to protect the safety of students and contact police regarding violations of court orders if, in the judgment of the school officials, the circumstances warrant such action. The school may attempt, but is not required, to notify the parent presenting the “no contact” order should the other parent attempt to remove the child from school. The District prefers that disputes between parents regarding court orders be resolved in court, not in school.

## **SECTION XVIII CPS REPORTING**

Teachers, counselors, administrators, child care facility personnel and school nurses are required by state law to report cases of suspected child abuse or neglect to Child Protective Services (CPS). Reporting is recognized as a request for an investigation by CPS into a suspected incident of abuse or neglect, not a final determination of abuse. CPS and law enforcement officials have the responsibility for investigating each case and taking such action as is appropriate under the circumstances. Professional school personnel are free from liability for the good faith reporting of suspected abuse or neglect and are criminally liable for a failure to do so.

## **SECTION XIX STUDENT EDUCATION RECORDS**

Parents and adult students (students who have reached the age of eighteen) have the right to: (1) inspect and review the student's education records pursuant to the federal Family Educational Rights and Privacy Act (FERPA); (2) request the amendment of the student's records to ensure that they are not inaccurate, misleading or in violation of the student's right to privacy or other rights; (3) consent to disclosures of education records, except to the extent that other laws authorize the disclosure of such records without consent; (4) file a complaint with the U.S. Department of Education alleging a failure to

comply with (FERPA); and (5) obtain a copy of district policy regarding student records from the Office of the Superintendent.

The District occasionally receives requests from persons and organizations outside the District (e.g. PTA, booster clubs, colleges, branches of the military service, news organizations, and law enforcement authorities) for the names and addresses of our students, and other related information. The District will never release such information to persons and organizations with a commercial purpose that do not otherwise have a contract with the District. Unless the District is notified otherwise in writing by a parent or adult student, the District may release directory information to law enforcement authorities, and persons and organizations such as those described above.

“Directory information” is defined as the student’s name, student’s ID number (only if same cannot be used to gain access to education records except when used with one or more other factors to authenticate the user’s identity), photograph, address, telephone number, date and place of birth, dates of attendance, participation in officially recognized activities, weight and height of athletic team members, diplomas and awards received, and the most recent previous school attended.

## **SECTION XX PARENT AND STUDENT RIGHTS IN FEDERAL PROGRAMS (Policy 3232)**

Parents/guardians and eligible students (students who are emancipated or older than 18 years) must consent in writing to any federally funded student survey concerning protected information as outlined below prior to the District administering such survey. No student shall be required as part of any project or program supported by federal funds to submit to a survey, analysis or evaluation that reveals information concerning:

- Political affiliations;
- Mental and psychological problems of the student or the student’s family;
- Sexual behavior and attitudes;
- Illegal, anti-social, self-incriminating or demeaning behavior;
- Critical appraisals of the student’s family members;
- Privileged or similar relationships recognized by law, such as those with attorneys, physicians, and ministers;
- Religious practices, affiliations, or beliefs of the student or student’s parent; and
- Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

Parents/guardians and eligible students shall receive notice of any of the following activities and shall have the right to opt-out:

- Activities involving collection, disclosure, or use of personal information obtained from students for purposes of marketing or selling or otherwise distributing the information to others;

- Administration of any protected information survey (a survey containing one or more of the above-described eight categories of information) even those not federally funded; and
- Any non-emergency, invasive physical examination or screening required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or of other students, except for hearing, vision or scoliosis screenings, or any physical exam or screening permitted or required under state law.

Parents/guardians and eligible students have the right to inspect the following, upon request, prior to administration by the District:

- Protected information surveys of students (including an instructional materials used in connection with the survey), as described above;
- Documents used to collect personal information from students for any of the marketing, sales, or other distribution purposes referred to above; and
- Instructional materials used as part of the educational curriculum.

The District shall annually notify parents/guardians and eligible students of their rights under the Protection of Pupil Rights Amendment (PPRA). Parents/guardians and eligible students may report violations of the PPRA to the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave. S.W., Washington, DC, 20202-4605.

**SECTION XXI PUBLIC ACCESS TO DISTRICT RECORDS (Policy 4340)**

Pursuant to RCW Chapter 42.56, parents and other members of the public have the right to inspect and copy public records retained by the District, including records pertaining to employee discipline, unless the records are exempt from the public disclosure under state law.

**SECTION XXII EQUAL EDUCATIONAL OPPORTUNITY**

**The Federal Way Public Schools** complies with all federal rules and regulations. No student shall be denied an equal educational opportunity or be unlawfully discriminated against because of national origin, race, religion, gender, pregnancy, marital status, sexual orientation including gender identity, or a physical, mental or sensory disability.

Parent(s)/guardian or students who feel they have been discriminated against have a right to file a complaint with the school district and/or local, state and federal authorities. Inquiries and complaints should be filed with following individuals:

Title IX / RCW 28A.640 Officer: Diana Seeley  
Federal Way Public Schools  
31405 18th Avenue South  
Federal Way, WA 98003  
(253) 945-2070

Elementary Section 504 Coordinator: Chuck Nykreim  
Federal Way Public Schools  
31405 18th Avenue South  
Federal Way, WA 98003  
(253) 945-2082

Secondary Section 504 Coordinator: Chris Willis  
Federal Way Public Schools  
31405 18th Avenue South  
Federal Way, WA 98003  
(253) 945-2084

**2009-2010  
Federal Way Public Schools  
Assistance Directory  
(253) 945-2000**

Website: <http://www.fwps.org>

<b>Office of the Superintendent</b>	<b>945-2011</b>
<b>Family Partnership Advocate</b>	<b>945-2273</b>
<b>Health Services</b>	<b>945-4576</b>
<b>Hearings and Appeals</b>	<b>945-2013</b>
<b>Nutrition Services</b>	<b>945-5561</b>
<b>Readmission</b>	<b>945-2013</b>
<b>Security</b>	<b>(Emergency #) 927-3635 (Non-emergency #) 945-2290 (Tip Line) 945-7233</b>
<b>Special Education</b>	<b>945-2080</b>
<b>Transportation</b>	<b>945-5960</b>
<b>Truancy/BECCA</b>	<b>945-5800</b>

Any section of this document or portion thereof, found by adjudication to be contrary to law or constitutional right, shall be stricken without effect to the remainder of the document.

# **SAFE SCHOOLS TIPLINE**

**(253) 945-SAFE  
(7233)**

**(answered 24 hours a day)**

## **STUDENTS! PARENTS! STAFF! PATRONS! COMMUNITY!**

We ask your help in ensuring the safety of our children and the security of our school campuses -- 365 days per year--24 hours a day--please call our "**Safe Schools Tipline**" at (253) 945-7233 reporting any knowledge of:

- the possession or potential use of a firearm or any other weapon;
- any potential act of violence against persons or school facilities;
- information relating to the safety of any child or the commission of a crime relating to any school or other district property;
- anyone unlawfully possessing property of the Federal Way Public Schools, students, staff, or patrons.