



SCHOOL NAME(S): \_\_\_\_\_

CHILD(REN) NAME: \_\_\_\_\_

REQUEST FOR CRIMINAL HISTORY INFORMATION CHILD/ADULT ABUSE INFORMATION ACT (RCW 43.43.830 THROUGH 43.43.845) FOR VOLUNTEERING WITH FEDERAL WAY PUBLIC SCHOOLS – RETURN COMPLETED FORM TO THE SCHOOL.

**INSTRUCTION:** PLEASE COMPLETE THIS FORM WHEN INTERESTED IN VOLUNTEERING FOR FEDERAL WAY PUBLIC SCHOOLS. COMPLETING THIS FORM ALLOWS FWPS TO REQUEST CRIMINAL HISTORY RECORD INFORMATION FROM THE WASHINGTON STATE PATROL IDENTIFICATION AND CRIMINAL HISTORY SECTION. PLEASE LIST ALL SCHOOL LOCATIONS YOU MAY VOLUNTEER IN FWPS IN THE SCHOOL NAME(S) SECTION ABOVE.

**A COMPLETED APPLICATION INCLUDES A COPY OF THE APPLICANT'S DRIVER LICENSE.**

Secondary dissemination of this criminal history record information response is prohibited unless in compliance with RCW 10.97.050

**A. VOLUNTEER – APPLICANT INFORMATION: (PLEASE PRINT CLEARLY)**

Applicant's Name: \_\_\_\_\_  
Last First Middle

Alias/Maiden Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Month/Day/Year

Race: \_\_\_\_\_ Sex: \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_

As of this date, the applicant named above shows no evidence pursuant to RCW 43.43.830 -43.43.845 Valid for 2 years from the date of the stamp

**FWPS USE ONLY**

The information I have provided is corrected and I have received FWPS harassment policies 5266 and 3207.

Applicant Signature: \_\_\_\_\_

**B. VOLUNTEER INTEREST  
(please check one of the following)**

Level 1: School/Classroom/Field Trips – within the direct supervision of a certificated staff member.

Level 2: Over-nights/Out of State Field Trips Event – out of the direct line of sight of certificated staff member(s).

In support of safety and security for all scholars, fingerprint and background checks should be on files for all volunteers seeking Level 2. There is a \$65 fee for this service that will be paid for by the building/district. Fingerprint and background checks should occur at least 2 weeks prior to the scheduled event. These processes are good for 2 years after cleared through OSPI.

**C. REQUESTER INFORMATION**

**REQUESTER ADDRESS:  
FEDERAL WAY PUBLIC SCHOOLS  
Attn: SAFETY AND SECURITY  
33330 8<sup>TH</sup> AVE S  
FEDERAL WAY, WA 98003  
253-945-2290**

**FEDERAL WAY PUBLIC SCHOOLS – DISCLOSURE STATEMENT**

Please complete the following questions and sign the declaration. Any falsification or deliberate misrepresentation, including omission of a material fact or failure to complete any part of your application or this questionnaire, can be grounds for denial of volunteer status, employment or continued employment with Federal Way Public Schools. All required documentation requested must accompany this form. If additional space is needed, attach a sheet of paper.

**SECTION I – PERSONAL INFORMATION**

NAME: \_\_\_\_\_  
Last First Middle

Please list all former names (a) you have used when working for another employer or (b) by which you are known to reference.

**SECTION II – PROFESSIONAL FITNESS**

If you answer "yes" to questions 1 through 4, on a separate sheet of paper please give a complete explanation, including duties, circumstances, and any supporting documentation.

- Yes No
1. Have you ever been dismissed, discharged or fired from any employment?
2. Have you ever resigned from or otherwise left any employment while allegations of misconduct on your part were pending or under investigation?
3. Have you ever been disciplined by a past or present employer because of allegations of misconduct?
4. Are you currently the subject of any investigation or inquiry by an employer because of allegations of misconduct or harassment on our part or have you ever been found to be guilty of misconduct or harassment by an employer?

**SECTION III – CRIMINAL HISTORY**

If you answer "yes" to questions 1 through 9, you must provide a detailed statement.

1. Check any of the following which you have been convicted including any of these crimes as they may have been renamed: (The term "convicted" includes all instances in which a finding of guilt, a plea of guilty or nolo contendere, or stipulation to facts or deferred or suspended sentence occurred).

- Custodial Assault
First or Second Degree Manslaughter
First, Second, or Third Degree Rape
First Degree Promoting Prostitution
First Degree Promoting Prostitution
Patronizing a Juvenile Prostitute
First, Second or Third Degree Extortion
First, Second, or Third Degree Assault of a Child
First, Second Degree Sexual Misconduct with Minor(s)
Child Abuse or Neglect as Defined In RCW 26.44.020
Child Buying or Selling
Indecent Liberties
Felony Indecent Exposure
Vehicle Homicide
Incest
Unlawful imprisonment
Simple Assault
First or Second Degree Criminal Mistreatment
First, Second Degree Interference
Selling or Distributing Erotic Material to Minor(s)
Violation of Child Abuse Restraining Order
First Degree Arson
Malicious Harassment
First Degree Burglary
Aggravated Murder
First or Second Degree Murder
Promoting Pornography
First, Second Degree Kidnapping
First, Second, Third Degree Child Molestation
Communication with a Minor Immoral Purposes
First, Second, Third Degree Rape of Child

Check here if you have not been convicted of any of the above, including any of these crimes as they may have been renamed.

Yes No

- 2. Have you been convicted of crimes relating to financial exploitation if the victim was a vulnerable adult as defined in Chapter 43.43.830(6) RCW as amended, and listed as follows: first, second, or third-degree extortion; first or second-degree robbery; first, second, or third-degree theft; forgery or any of these crimes as they may be renamed in the future?
- 3. Have you ever been found in any dependency action under RCW13.34.040 to have sexually assaulted or exploited any minor or to have physically abused any minor?
- 4. Have you ever been found by a court in a domestic relations proceeding under Title 26 RCW to have sexually assaulted or exploited any minor, or to have physically abused any minor?
- 5. Have you ever been found by a court in a protection proceeding under Chapter 74.34 RCW to have abused or financially exploited a vulnerable adult?
- 6. Have you ever been found in any disciplinary board final decision, or by the director of the department of licensing in the following businesses or professions, to have sexually or physically abused any minor, or developmentally disabled person, or to have abused or financially exploited any vulnerable adult: chiropractic, dentistry, dental hygiene, naturopathy, massage, midwifery, osteopathic medicine and surgery, physical therapy, physicians, practical nursing, registered nursing, psychology, real estate brokers, and sales person?
- 7. (a) Do you currently have any outstanding criminal charges/ warrants of arrest pending against you in Washington?  
(b) Do you currently have any outstanding criminal charges/ warrants of arrest pending against you in any other state, province, territory, and/ or country?
- 8. Are you presently under investigation in any jurisdiction for possible criminal charges? If "yes" identify agency and location (street address, city, state).
- 9. Have you ever been convicted of any crime? (Note: For the purpose of this question "convicted" includes (1) all instances in which a plea of guilty or nolo contendere is the basis of conviction, and (2) all proceedings in which a sentence has been suspended, deferred or dismissed). Examples: Driving while licenses suspended/ revoked, reckless driving, DUI, assault, domestic violence etc...

You need not list traffic violations for which a fine or forfeiture of less than \$150 was imposed.

If you answered "yes" to questions 1 through 9 of (Section III), provide the following: "A detailed statement including what occurred, the nature of the offense, charge or warrant: \*The name and address of the arresting agency: \*The date of the arrest: \*The final disposition, if any: \*If a court was involved, the name and address of the court: \*The complete arrest report and sentence and judgment: and \* A complete driving abstract for five years if the arrest was driving-related. A "yes: answer to questions 7 through 9 above will not necessarily bar you from employment or volunteering.

**SECTION IV - FITNESS**

Yes No

- 1. Do you currently use illegal drugs?
- 2. Have you used illegal drugs in the last year? If you answered is "yes" explain it on a separate sheet of paper.
- 3. Have you ever been convicted of crimes related to drugs or controlled substances?
- 4. Have you ever been found in any dependency or domestic relation matter to have physically abused any person?

If you answered "yes" to questions 3 or 4, attach copies of any court orders entered in the above proceeding.

**DECLARATION**

An inquiry to the Washington State Patrol and the Federal Bureau of Investigation will be made on the selected candidate. If the information provided or answer(s) to any question on the application or the Pre-Employment Background Questionnaire change prior to my being hired, I understand that I must immediately notify Federal Way Public Schools.

Pursuant to RCW9A.72.085, I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct. I authorize Federal Way Public Schools to inquire with former employers or references and obtain any employer and all information regarding my job-related background. I released and waive Federal Way Public Schools, my former employer, and all references from any and all liability in obtaining or disclosing such information. I agree that if I have provided false or incomplete statements, the district may, at its sole discretion, without notice or due process procedures, terminate my employment contract. If such action is taken by the district, the contract shall be deemed void from its inception. For volunteer applicants, Federal Way Public Schools reserves the right to terminate or revoke a volunteer's status at any time.

Signature

Date

City/State

Disclosure Form193A 4/13/09

**VOLUNTEER CHECKLIST / AGREEMENT: 5630F**

The District recognizes the valuable contribution made to the total school program through the volunteer assistance of parents and other citizens. We thank you for your assistance and support. To safeguard students and student records it is necessary that all volunteers be screened and trained regarding their involvement with students and school activities. Staff and volunteers should allow a minimum of 2-5 days after all forms have been completed and submitted to the Human Resources department for a volunteer applicant to receive clearance to begin serving as a volunteer. We thank you for your understanding of the need for these safeguards. Please read and initial each of the statements below.

- \_\_\_\_\_ Complete the applicant portion of the Washington State Patrol Request for Criminal History Information form and return to the school secretary (or athletic director for volunteer coaches). This form is good for two years for regular volunteers and one year for volunteer coaches.
- \_\_\_\_\_ Complete and return the Federal Way Public Schools Disclosure form.
- \_\_\_\_\_ If fingerprinting is required, (volunteer coaches and those having unsupervised access to children), have fingerprinting done at the Security office, and provide a photo ID. If you have completed this for another school or group, within the past two years, you may provide us with a copy for our files, in accordance with RCW 28A.320.155.

Your signature below indicates your agreement to abide by all of the following expectations and that you have completed the above forms prior to providing volunteer services.

**Role and Expectations**

- \_\_\_\_\_ Volunteers serve as helpers. I understand that all volunteer activities are to be conducted under the supervision of District staff, and that all instructional service is to be rendered under the control and supervision of certificated staff.
- \_\_\_\_\_ Staff members will determine and notify volunteers if any specific training or direction is required before assisting with an activity. I will confirm assigned responsibilities and expectations with the supervising staff member before beginning any activity.
- \_\_\_\_\_ Student problems which arise, whether of an instructional, medical, behavioral or operational nature, shall be referred to a regular staff member for final resolution.
- \_\_\_\_\_ I will follow the building procedures for signing in and out each and every time I volunteer at the school.
- \_\_\_\_\_ I will wear an identification badge/tag/pin as required by the school.
- \_\_\_\_\_ I understand that the District may revoke the engagement of a volunteer at any time. I understand that I am required to follow all District policies and procedures. I have read the District's policies and procedures pertaining to expectations for students, staff, and volunteers regarding harassment and bullying (3207, 3207P, 5266, 5266P), maintaining professional boundaries (S253, 5253P), and volunteering (5630, 5630P, 5630F). These are available online or at the school or ESC offices. I understand that failure to follow District policy and procedures or any part of this Agreement may result in my volunteer status being revoked and could in some cases subject me to legal liability. I understand that if I am convicted of any crimes following completion of this form, I must immediately report those to the Assistant Superintendent of Human Resources.

**Use of District Technology**

- \_\_\_\_\_ I will not use computer systems, logins, or accounts that have been assigned to someone else. If authorized to use a District computer I will sign and abide by the District Technology User Agreement.

**Confidentiality**

- \_\_\_\_\_ I understand that volunteers shall not discuss the performance, actions, or any other information about any student except with the student's teacher, school counselor or principal. This is not only District policy but is also mandated by federal statute, The Family Educational Rights and Privacy Act, 34 CFR Part 99. I understand that confidentiality pertains to both written records and verbal statements.

\_\_\_\_\_  
Children's Names – if Current FWPS Students

\_\_\_\_\_  
Name of Volunteer – Please Print

\_\_\_\_\_  
Signature of Volunteer

Signature of Volunteer

Date

I am requesting that \_\_\_\_\_ be approved to volunteer at our school, subject to proper clearance.

\_\_\_\_\_  
Signature of Principal (Please sign and Print)

\_\_\_\_\_  
HR Approval

**VOLUNTEERS: 5630P**

The voluntary help of citizens should be requested by staff through administrative channels for conducting selected activities and/or to serve as resource persons. Volunteers shall be made aware of the following procedures and restrictions:

- A. All volunteers must complete disclosure and background checks required by the District or by state law. This includes fingerprinting for all volunteers assisting athletic coaches and any volunteer who may have unsupervised access to students.

If fingerprinting is required and a volunteer applicant has undergone a criminal records fingerprint check in accordance with applicable state law, within the last two (2) years, then the District shall request that the applicant furnish the District with a copy of the criminal history record information or sign a release to permit the entity that did the fingerprint check to release the information to the District unless the information is available in the OSPI database which can be accessed by the District. The entity from which the record check is obtained is immune from criminal or civil liability for the dissemination of the information. In this instance, the District will also require that the volunteer sign a disclosure statement assuring the District that the volunteer has not been convicted of a crime since the completion of the criminal record check.

Volunteers who complete background checks with the District must also report any criminal or misdemeanor convictions that occur after completing the background check, if they wish to continue as a volunteer. Such convictions must be reported immediately to the Assistant Superintendent for Human Resources/designee.

- B. If background checks reveal that volunteer applicants have been convicted of a crime that disqualifies them from working with children their engagement as a volunteer shall not be approved. For convictions that do not automatically disqualify the person from working with children, the review officer will consider the seriousness and history of any convictions and compare the record to the candidate's Disclosure Statement before making a final determination. Any omission, falsification or misrepresentation on the Disclosure Statement is grounds for denial to serve as a volunteer. An applicant may request a review of such decision by the Assistant Superintendent of Human Resources or designee. Such requests must be made in writing and submitted within ten (10) calendar days from the applicant's receipt of notice from the District disallowing the volunteer engagement. The applicant shall not be allowed to perform volunteer work during the time of review.
- C. Approval to serve as a volunteer comes from the District's Human Resources department. Prior to beginning any volunteer assignment, all volunteers must complete the Volunteer Checklist/Agreement (form 5630F) and the Federal Way Public Schools Disclosure Statement. Staff and volunteers should allow a minimum of 2-5 days after all forms have been completed and submitted to the Human Resources department for a volunteer applicant to receive clearance to begin serving as a volunteer.

**VOLUNTEERS: 5630P**

- D. All forms and lists authorizing a person to serve as a volunteer shall be distributed, collected, and maintained at the building level. Staff members and prospective volunteers must check with the school secretary or designated building volunteer coordinator to verify when a person is approved to serve as a volunteer.
- E. Volunteers shall serve in the capacity of helpers. Instructional services shall be rendered under the supervision of certificated staff.
- F. Volunteers shall not discuss the performance or actions of students except with the student's teacher, school counselor or principal.
- G. Student problems which arise, whether of an instructional, medical, behavioral or operational nature, shall be referred to a regular staff member for final resolution.
- H. Volunteers shall receive such information as:
1. General assignment responsibilities and limitations;
  2. Information about school facilities, routines and procedures;
  3. Volunteer schedule and place of work; and
  4. Expected relationship to the regular staff and students, and their requirement to know and comply with the District policies and procedures pertaining to these expectations.
- I. Appropriate training at the building level shall be provided for new volunteers consistent with their tasks and existing District standards. This training shall be developed under the leadership of the principal/designee or program director/designee for district-wide programs.
- J. Before beginning assignments, assignments and activities should be carefully defined. Examples of suggested duties for volunteers may include:
1. Bulletin Boards;
  2. Preparation of materials for art, science, math classes;
  3. Clerical duties including keyboarding, inventories, putting booklets together, newsletters and related items, student lunchroom counts and attendance and class records;
  4. Clean up activities;
  5. Library and audio visual assistance;
  6. Assistance with physical education exercises;
  7. Instructional activities appropriate to the volunteer's training and classroom needs such as monitoring math assignments, listening to oral reading and others;
  8. Vision and hearing testing and approved medical surveys;
  9. School activities supervision; and
  10. Playground supervision with a staff member;

**VOLUNTEERS: 5630P**

- K. The District may revoke the engagement of a volunteer at any time. Volunteer services may be terminated due to, but not limited to, the following reasons:
1. Program and/or duties have been completed;
  2. Resignation of the volunteer;
  3. Replacement by paid staff member; and/or
  4. Circumstances which in the judgment of the administration may necessitate the termination of the volunteer's services.

**VOLUNTEER ASSISTING AN ATHLETIC COACH**

- A. The following procedures will be used in recruiting and selecting volunteers for assisting an athletic coach:
1. The head coach, athletic director, and principal/designee determine the need for volunteers. Program needs and tasks and expectations of volunteers are specified.
  2. Those interested in volunteering shall contact the athletic director.
  3. The athletic director outlines program needs and tasks and expectations with the volunteer.
  4. The candidate for the volunteer position is interviewed by the head coach and athletic director.
  5. The head coach and athletic director, utilizing selection criteria below, make a recommendation to the principal.
  6. If approved, the volunteer is notified by the principal/designee and given a written outline of tasks and expectations, including the provisions of A, B, and C of policy 5630.
  7. All volunteer athletic coaches must show evidence of current First Aid and CPR certification, or be enrolled in a "hands-on" course leading to certification.
  8. Volunteers must complete the Volunteer Checklist/Agreement and all disclosure, background check, and other required forms prior to beginning any volunteer tasks. The Volunteer Checklist/Agreement must be completed and signed on a yearly basis, and kept on file at the school.
  9. A follow-up memo is sent to the Director of Employment Services indicating selection of volunteers and completion of all steps of this Procedure.

Each year the coach, athletic director, and principal/designee shall review the need for, and proposed use of, volunteers as outlined in Steps 1 and 3 above; select and recommend volunteers as outlined in Steps 4 and 5 above; ensure that all volunteers have completed and signed the Volunteer Checklist/Agreement as stated in Step 8 above; and notify the volunteers and central office administration regarding the selection of volunteers as described in Steps 6 and 9 above. If a volunteer has been performing successfully in the program and the coaching staff and the administration wish to continue his/her services, Step 4 above does not need to be repeated on an annual basis. However, the coach and/or the administrators should meet with each volunteer prior to the start of each season to review tasks and assignments as outlined in Step 6 and in the Volunteer Checklist/Agreement.

**VOLUNTEERS: 5630P**

B. Criteria for Selection

1. Playing and/or coaching experience in the particular sport, preferably on the level at which s/he is volunteering, i.e., high school sports or competition.
2. Current knowledge of skill, techniques, and strategies related to the sport.
3. Commitment to the educational and athletic philosophy of the total school program.
4. Ability to work effectively with and motivate students.
5. Availability for daily practices, contests, and coaches' meetings.
6. Acceptance of the responsibilities and limitations of a volunteer in the program.
7. Current First Aid and CPR Certification.
8. Selection priorities:
  - a. Given equal qualifications, volunteers will be selected according to the following priorities:
    - 1) In-building staff;
    - 2) In-district staff; or
    - 3) Community, including college students or alumni.
  - b. In general, it is preferred that volunteers not be parents of students involved in the sport.



## **PROHIBITION OF HARASSMENT, INTIMIDATION AND BULLYING: 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 transmission of an electronic or written message or image, or any verbal or physical act, including but not limited to one shown to be motivated by any characteristic of race, color, ancestry, national origin or ethnicity, religion or creed, age, sex or gender, sexual orientation of including gender expression or identity, marital or family status, military or veteran status, physical, sensory or mental disability, or that is based on any other class or distinguishing characteristic protected by Federal or State anti-discrimination laws, when the intentional electronic, 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.

"Intentional acts" refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s). Nothing in this policy requires the affected person to actually possess a characteristic that is a basis for the harassment, intimidation or bullying.

"Other distinguishing characteristics" may include but are not limited to physical appearance, clothing or other apparel, socioeconomic status or weight.

Harassment, intimidation or bullying may take many forms including, but not limited to: slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, ostracism, physical attacks, threats, gestures or acts relating to an individual or groups, whether transmitted by electronic or written messages or images, or transmitted orally or physically.

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.

### **Training and Prevention**

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

District students, employees, volunteers and parents will be provided with appropriate information on the recognition and prevention of harassment and their rights and responsibilities under this policy. The District will provide students with strategies aimed at preventing harassment, intimidation and bullying. In its efforts to train students, the district will seek partnerships -with families, law enforcement and other community agencies. Materials educating students, staff, and parents about the seriousness of cyberbullying shall be disseminated and/or made available on the District's website. Guidelines regarding appropriate boundaries and boundary invasion, including appropriate communication via electronic devices, shall be disseminated to new employees and regular volunteers at the time of orientation and at least every three (3) years thereafter.

## **PROHIBITION OF HARASSMENT, INTIMIDATION AND BULLYING: 3207**

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.

### **Intervention**

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 engages 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. The District will consider the frequency and severity of the conduct, and the developmental age of the student(s) involved in determining appropriate intervention strategies. Interventions may include counseling, corrective action, 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 positive climate, and support for victims and others impacted by the violation.

### **Students with Individual Education Plan or Section 504 Plans**

If allegations are proven that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the target of harassment, intimidation or bullying, the school will convene the student's IEP or Section 504 team to determine whether the incident had an impact on the student's ability to receive a free, appropriate public education (FAPE). The meeting should occur regardless of whether the harassment, intimidation or bullying incident was based on the student's disability. During the meeting, the team will evaluate issues such as the student's academic performance, behavioral issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE as a result of the harassment, intimidation or bullying incident, the district will provide additional services and supports as needed necessary, such as counseling, monitoring and/or reevaluation or revision of the student's IEP or Section 504 plan, to ensure the student receives a FAPE.

### **Retaliation/ False Allegations**

It is a violation of this policy to threaten or harm someone for reporting harassment, intimidation, or bullying. Coercion, discrimination, or reprisals taken against 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.

False reports for harassment, intimidation or bullying also constitute violations of this policy. Students or employees will not be disciplined for making a report in good faith. However, 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.

### **Dissemination**

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 filling of complaints. The policy shall be posted in each District building, on the District's website and referenced or reproduced in each student, staff, volunteer, and parent handbook.

## **PROHIBITION OF HARASSMENT, INTIMIDATION AND BULLYING: 3207**

### **Compliance Officer and District-Level Oversight**

The Superintendent will appoint a Compliance Officer as the primary District contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated in pertinent publications and on the District website.

Complaints regarding student-to-student misconduct shall be investigated at the building level by principal/designee, with support from the principal's immediate supervisor and the District Compliance Officer as needed.

Cross References: Administrative Policy – 2161 Special Education and Related and Related Services for Eligible Students  
Administrative Policy – 3200 Student Rights and Responsibilities  
Administrative Policy – 3210 Nondiscrimination  
Administrative Policy – 3211 Transgender and Gender – Nonconforming Students  
Administrative Policy – 3240 Student Conduct  
Administrative Policy – 3241 Corrective Action for Student Misconduct  
Administrative Policy – 5011 Sexual Harassment of District Staff Prohibited  
Administrative Policy – 5266 Harassment – Employees

Legal Reference: RCW 28A.300.285 Harassment, intimidation & bullying prevention policies  
WAC 392-190-059 Harassment, intimidation & bullying prevention policy and procedure – School districts.

### Management Resources:

*Policy News*, April 2002 – Legislature Passes Anti-Bullying Bill  
*Policy News*, April 2008 – Cyberbullying Policy Required Related Forms  
*Policy News*, Dec., 2010 – Harassment, Intimidation and Bullying Policy Strengthened  
Office of Civil Rights – Dear Colleague Letter: Responding to Bullying of Students with Disabilities (ORC 10/21/14)

## **MALICIOUS AND DISCRIMINATORY HARASSMENT: 5266**

The District is committed to a safe and civil educational and work environment for all students, employees, volunteers and patrons, free from malicious, discriminatory, or sexual harassment (see policies 3205 and 5011 pertaining to sexual harassment).

### **MALICIOUS OR DISCRIMINATORY HARASSMENT**

Malicious harassment means any intentional electronic, written, verbal, or physical act, including but not limited to one shown to be motivated by any characteristic of race, creed, religion, color, national origin or ethnicity, age, honorably-discharged veteran or military status, sex, sexual orientation including gender expression or identity, marital status, the presence of any sensory, mental or physical disability, or the use of a trained dog guide or service animal by a person with a disability; or that is based on any other class or distinguishing characteristic protected by Federal or State anti-discrimination laws, when the intentional electronic, written, verbal, or physical act:

1. Physically harms a person or damages a person's property; or
2. Causes reasonable apprehension of bodily injury, or
3. Has the effect of substantially disrupting the orderly operation of the school, department or District.

“Other distinguishing characteristics” may include but are not limited to; physical appearance, clothing or other apparel, or socioeconomic status. Nothing in this policy requires the affected person to actually possess a characteristic that is a basis for the harassment. Harassment may take many forms including; slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pictures, pranks, gestures, physical attacks, threats, or other written, oral, physical, or electronically transmitted messages or images. “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 or work environment. Many behaviors that do not rise to the level of harassment may still be prohibited by other District policies or building, department, or program rules.

Words alone do not constitute malicious harassment unless the context or circumstances surrounding the words indicate the words are a threat. Threatening words do not constitute malicious harassment if it is apparent that the person does not have the ability to carry out the threat.

The District will take prompt, equitable and remedial action within its authority on reports, complaints, and grievances alleging harassment 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 of 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. Staff, students, or District contractors who engage in harassment will receive appropriate discipline, sanctions, or other appropriate interventions. Volunteers or 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.

**MALICIOUS AND DISCRIMINATORY HARASSMENT: 5266**

False reports or retaliation for harassment 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 actions 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.

The Superintendent or designee shall develop procedures to implement this policy.

In accordance with applicable laws and regulations, staff, volunteers, students, parents, 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 staff, volunteer, student and parent handbook.

District employees, volunteers, students and parents will be provided with appropriate information on the recognition and prevention of harassment and their rights and responsibilities under this policy. Materials educating staff, students and parents about the seriousness of cyberbullying shall be disseminated and/or made available on the district's website. Guidelines regarding appropriate boundaries and boundary invasion, including appropriate communication via electronic devices, shall be disseminated to new employees and regular volunteers at the time of orientation and on an annual basis thereafter.

**COMPLAINT PROCEDURES**

The Superintendent or designee shall develop and implement procedures for receiving, investigating, and resolving complaints or reports of harassment. The procedures dealing with harassment complaints will include reasonable and prompt time lines and delineate staff responsibilities under this policy.

Any nonstudent who believes he/she has been subjected to harassment on or adjacent to school property, or at school related functions, may file a complaint in the manner prescribed in District Procedure 5266P, (or 5010P if application). Students, or those filing complaints on behalf of students, should use the provisions of 3207P, (or 3210P if applicable). Employees or volunteers receiving a complaint from a student shall immediately notify the appropriate District staff supervisor of the complaint.

**MALICIOUS AND DISCRIMINATORY HARASSMENT: 5266**

Cross References:

Administrative Policy – 3205	Sexual Harassment of Students Prohibited
Administrative Policy – 3207	Prohibition of Harassment, Intimidation and Bullying
Administrative Policy – 3210	Nondiscrimination
Administrative Policy - 3211	Transgender and Gender – Nonconforming Students
Administrative Policy – 3240	Student Conduct
Administrative Policy - 3421	Child Abuse and Neglect
Administrative Policy – 5010	Nondiscrimination and Affirmative Action
Administrative Policy - 5011	Sexual Harassment of District Staff Prohibited
Administrative Policy - 5281	Disciplinary Action and Discharge

Legal References:

RCW 28A.640.020	Regulations, guidelines to eliminate discrimination-Scope-Sexual harassment policies
RCW 28A.642	Discrimination prohibition
WAC 392-190-(056-058)	Sexual Harassment
WAC 392-190-081	Concurrent Remedies-Other remedies.