

## **RACIAL EQUITY**

The Auburn School District (ASD) is committed to the success of each student in every one of our schools, aspiring to be a world-class educational system preparing all students to be globally competitive for career, college, and life in the 21st century. We will provide a learning environment that is enriching, equitable, and respectful of diversity and promote successful academic outcomes for each student. Educational equity benefits all students as well as our entire community and requires additional or differentiated resources to meet the needs and support the success for each student.

We recognize that historic and persistent opportunity and achievement gaps, disproportionality in disciplinary practice, and a lack of support for reaching the full potential exists for our students of color. These disparities directly conflict with our beliefs that every student can succeed in reaching their full potential. This policy confronts institutional racism and inequities within our district and its systems that perpetuate these disparities. We commit to fostering an environment where race, class, ethnicity, or other personal characteristics will cease to be a determining factor in the success of any student. Closing gaps, while raising achievement for all students, is a top priority for the school board, the superintendent, and all district staff.

### **The Auburn School District commits to:**

- Raise the opportunity and achievement of all students while narrowing the gaps between the highest and lowest achieving students;
- Eliminate racial disparity and disproportionality in all aspects of the educational and administration systems (e.g. disproportionality in discipline of students of color, their over representation in special education, and under representation in various advanced learning programs); and
- Ensure all students, regardless of race, ethnicity, or class, graduate from the Auburn School District ready to succeed in a racially and culturally diverse local, national, and global community.

### **This will be accomplished by intentional focus on the areas of:**

#### **LEADERSHIP**

- Recruit, employ, support, retain, and continuously develop a workforce of racially conscious and culturally responsive administrative, instructional, and support personnel;
- Model racial equity in business practices;
- Focus accountability systems and metrics on racially equitable results;
- Eliminate systemic disparities by inviting representatives of traditionally underserved populations to join in examining issues and finding adaptive solutions which address the root causes of inequities, rather than technical solutions which provide a one-time fix;
- Develop the personal, professional, and organizational skills and knowledge of our employees to better enable them to address the roles and presence of racism;

- Ensure systemic equity that includes the intentional involvement of families, students, and community members that bring multiple perspectives and views for solutions to issues that arise;
- Review current district policies, procedures, programs, and professional development through the use of a racial equity analysis tool to ensure that the promotion of racial equity exists; and
- Provide every student with equitable access to a high quality curriculum, support, facilities, and other educational resources, including differentiating resource allocation.

#### TEACHING AND LEARNING

- Seek and implement culturally responsive curriculum, teaching, and learning practices reflecting the understanding and appreciation of culture, class, language, ethnicity, and other differences that contribute to the uniqueness of each student and staff member;
- Collaborate between teachers and administrators to create and implement culturally responsive instructional practices, curriculum, interventions, and assessments;
- Eliminate practices of identification that lead to the over- or under- representation of any particular student group in intervention or enrichment programs;
- Eliminate disproportionality in the discipline practices of particular student groups; and
- Provide multiple pathways for success in order to meet the diverse needs of our student body and encourage, support, and expect high academic achievement for all students.

The superintendent and/or designees are authorized to develop procedures to implement this policy, including an action plan with clear accountability and metrics. At least quarterly, the school board will be given a report on the progress towards achieving the goals of this policy. The report shall be based on annual goals set by the district team, superintendent, and the school board.

Legal References: RCW 28A.642  
28A.640  
49.60  
  
WAC 392-190  
WAC 162

Discrimination prohibited  
Sexual Equality  
Discrimination – Human Rights  
Commission  
Equal Educational Opportunity  
Human Rights Commission

**Adoption Date: 07.25.16**  
**Auburn School District**  
**Revised:**

## **COMMITMENT TO STRATEGIC PLANNING**

### **Vision:**

The districts enables each child in the schools to achieve his or her full potential by establishing a system for strategic planning that infuses every district activity with the district's vision, philosophical principles, and goals. The community is fully committed to the district and their students due to their full participation in the planning process.

### **Structure:**

The Board of Directors recognizes that the goals of high quality education for all students and increasing student achievement require structures, processes, skills and ways of thinking that must be established for the district. The Board of Directors commits the district to the process of strategic planning in order to provide a fundamental governance and management structure for the district. The planning process, budget planning and policy development planning are part of the strategic planning cycle.

### **Accountability:**

The strategic plan adopted by the district will be subject to and consistent with the constitutions and statutes of the United States and Washington state. Policies adopted by the Board and administrative practices will be measured against and consistent with strategic plan.

Planning will enable the district to respond to new developments and continually improve education within the discipline of the planning process. The board will regularly monitor and review the strategic plan for effectiveness.

### **Advocacy**

Through the strategic planning process, the Board affirms its commitment to continuing and active involvement with the community, parents, staff and students. The district's planning, implementation and evaluation processes will incorporate staff, parents, and students.

## PLANNING PROCESS

The district's strategic planning process includes the following elements:

- A. **Strategic Visioning and Planning Initiative:** The board shall initiate strategic visioning and planning by charging the district's district improvement team with overseeing the strategic planning process.

The superintendent, in consultation with the board, is authorized to appoint the district improvement team. A broad spectrum of community, parents, staff, and students will constitute the district improvement team. A chair of the district improvement team shall be selected by the team. The team will establish a schedule of planning meetings.

The district improvement team continues to oversee implementation of strategic plan over time. Vacancies are filled by the superintendent on the advice of the district improvement team and in consultation with the board.

- B. **Strategic Planning:** A series of planning sessions shall be held over the course of a year on dates established by the district improvement team. The process shall conclude with a draft strategic plan. The plan shall be submitted to the board for review, amendment and adoption following a public hearing. The strategic plan adopted by the board shall play an essential role in all district policy development.

- C. **Strategic Management and Implementation:** The management and implementation phase of the strategic planning process is primarily the responsibility of the administration. The district improvement subcommittee comprised of community members, parents, and teaching staff shall develop detailed plans to accomplish the goals of the strategic plan. The strategic action plans shall be reviewed by the board, and if adopted, shall be codified in the district's official policies.

- D. **Strategic Refocusing Meeting:** Every two years the district improvement team will report to the board in a public meeting on the implementation of the plan and recommend changes that may be necessary or beneficial. The board, in consultation with the administration, will review the progress of the plan, and consider amendments and changes in priorities in the plan in terms of changed and changing circumstances. Proposed amendments to components of the strategic plan shall be considered by the board for approval.

Cross Reference: Board Policy 0560

Strategic Improvement Plans

**Adoption Date: 12.13.10**  
**Auburn School District**  
**Revised:**

## STRATEGIC PLAN

**The strategic plan will be aligned with the district's mission, vision, and belief statements.**

- A. **Perceptual Survey:** Internal and external perceptual surveys are a continual process that identify relevant internal and external information as factors that affect the district, and its strategic plan. The survey process shall develop a common perception of the school district through honest and open dialogue among and between the board, staff, community leaders, parents and students.

**Internal Perceptual Survey and Analysis:** In this phase of the survey process the district shall identify and analyze the following: strengths and weaknesses of programs, facilities and resources (e.g. people, knowledge, equipment and funds); and trends, such as educational research or management and governance issues and practices.

In this phase of the survey process the district shall:

**External Perceptual Survey and Analysis:** In this phase of the survey process, the district shall analyze the external environment including businesses and other public and private organizations, such as colleges and social agencies. Specifically, the phase shall identify: strengths and weaknesses in neighborhood composition, business support and growth, job mix, employment rates and tax base; and trends in technology, demographics, politics and the economy.

- B. **Strategic Improvement Plan:** The strategic improvement plan shall establish the detailed sequence of events and identify the resources to be employed in implementing the strategic plan.

The strategic improvement plan shall identify specific activities needed to achieve the specified result, the result personnel who will be involved and responsible, the resources needed and the time line.

Specific action steps to marshal resources shall include: Identifying financial requirements, labor and volunteers, facilities and equipment, and other materials; partnerships can be considered to obtain needed resources.

- C. **Goals, Target Objectives and Strategies:** These elements of the strategic plan establish the means of governing and administering the district in compliance with district goals and shall be definitive statements of intention or direction based on district vision and shall contain specific outcome(s). The goals shall take into account the data from the perceptual survey. Goals shall be targeted for completion within three years.

For each goal, a series of specific target objectives shall be established that provide measured steps (short, medium and long-range activities or events) toward the completion of the goal. The main purpose of target objectives are to design around obstacles and build in opportunities in advancing a goal by employing, redirecting, or creating resources. The target objectives shall address the issues of how to accomplish the goals, shall set deadlines and shall identify responsible personnel and resources. Target objects are specific, measurable, time-related and achievable.

Strategies are the means by which goals and target objectives shall be attained. A strategy can apply to more than one goal, for example the marketing and public relations strategy may apply to a number of goals.

## **MISSION**

In a safe environment, all students will achieve high standards of learning in order to become ethically responsible decision makers and lifelong learners.

## **VISION STATEMENT**

The vision of Auburn School District is to develop, in students, the skills and attitudes that will maximize their potential for lifelong learning and ethically responsible decision making.

**Adoption Date: 12.13.10**  
**Auburn School District**  
**Revised:**

## **BELIEFS**

Board Beliefs - A comprehensive public education is paramount. Effective leadership and high quality student learning are essential. Listed below are our core beliefs for improving student achievement and closing learning gaps:

- We believe every student can achieve high standards of learning
- We believe public schools are the foundation of good citizenship
- We believe in the responsible stewardship of resources
- We believe in sustainable community partnerships
- We believe in family and advocate involvement
- We believe public schools must value diversity
- We believe in safe and positive learning environments
- We believe in shared accountability for student success
- We believe in a culture of professional collaboration
- We believe in preparing students for success beyond high school

## **STRATEGIC IMPROVEMENT PLAN**

The Auburn School District Strategic Improvement Plan provides a framework through which the district will support the schools in ensuring the academic success of each student. The district plan signals the start of a collaborative process that links the vision and goals set forth by the district with the school improvement plans developed by the buildings. The process emphasizes continuous improvement that engages all stakeholders in the quest to improve learning for all students. The district defines the “what” or destination and the schools determine the “how” or the best approach to get there. This is a shared commitment to accountability based on collaborative structures to improve learning for each student.

The framework of the district plan supports student achievement through the formation of professional learning communities. A professional learning community supports a culture of collaboration, mutual trust, openness to improve, disciplined inquiry and nurturing leadership. The district plan includes strategies to support teams within buildings; relationships between and among schools; and a culture between schools, the school district, parents/guardians, students and community, which is characterized by trust and mutual respect.

The district plan sets the expectation that each student—regardless of ethnicity, language, disability or income level—can achieve high standards. Strategies incorporated into this improvement plan represent research-based practices that provide appropriate interventions and extended learning opportunities so students will achieve or exceed standards, graduate on time and be successful beyond high school.

### ***District Mission***

In a safe environment, all students will achieve high standards of learning in order to become ethically responsible decision makers and lifelong learners.

### ***District Vision***

The vision of the Auburn School District is to develop in students the skills and attitudes that will maximize their potential for lifelong learning and ethically responsible decision making.

### ***District Beliefs***

The board establishes belief statements that declare the commitment of Auburn stakeholders to improve learning for each student and to narrow the achievement gaps within the district. The beliefs developed by the board parallel the principles embedded in the Nine Characteristics of High Performing Schools.

**Adoption Date: 12.13.10**  
**Auburn School District**  
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## LEGAL STATUS AND OPERATION

### Legal Status

The board of directors of the Auburn School District is the corporate entity established by the state of Washington to plan and direct all aspects of the district's operations to the end that students shall have ample opportunity to achieve their individual and collective learning needs.

The policies of the board define the organization of the board and the manner of conducting its official business. The board's operating policies are those that the board adopts from time to time to facilitate the performance of its responsibilities.

### Organization

The corporate name of this school district is Auburn School District No. 408, King County, State of Washington. The district is classified as a first-class district and is operated in accordance with the laws and regulations pertaining to first-class districts.

In order to achieve its primary goal of providing each child with the necessary skills and attitudes, commensurate with his/her ability, to become effective citizens, the board shall exercise the full authority granted to it by the laws of the state. Its legal powers, duties and responsibilities are derived from state statute and regulation. Sources such as the school code (Title 28A RCW), attorney general's opinions and regulations of the state board of education (Title 180 WAC) and the state superintendent of public instruction (Title 392 WAC) delineate the legal powers, duties and responsibilities of the board.

### Number of Members and Terms of Office

The board shall consist of five members, elected by ballot by the registered voters of the district. Except as otherwise provided by law, board members shall hold office for terms of four years and until their successors are elected and qualified. Terms of board members shall be staggered as provided by law.

Newly elected directors shall take office at the first official meeting of the board of directors after the election results have been certified by the county auditor. Prior to beginning their term, directors shall take and subscribe to an oath of office.

Cross References:	Board Policy 1111	Oath of office
Legal References:	RCW 28A.150.230	Basic Education Act of 1977
	RCW 28A.315.035	Organization of school districts
		RCW 28A.343.300 Director — Elections — Terms — Numbers
	RCW 28A.343.320	Directors — Declaration of candidacy
		RCW 28A.343.330 Directors — Ballots — Form
	RCW 28A.320.010	Corporate powers
		RCW 28A.320.020 Liability for debts and judgments
	RCW 28A.320.040	Directors — Bylaws

RCW 28A.343.360  
RCW 29A.20.030

Directors — Oath of Office  
Local officers, beginning of terms –  
Organization of district boards of  
directors

RCW 29A.20.040

Local elected officials, commencement  
of term and office

## KEY FUNCTIONS OF THE BOARD

Acting on behalf of the people of each community, the school board will fulfill the following functions:

**Vision:** The board, with participation by the community, shall envision the future of the school district's educational program and formulate goals, define outcomes and set the course for the school district. This will be done within the context of racial, ethnic and religious diversity and with a commitment to education excellence and equity for all students.

**Structure:** To achieve the vision, the board will establish a structure which reflects local circumstances and creates an environment designed to ensure all students the opportunity to attain their maximum potential through a sound organizational framework. This includes employing a superintendent, developing and approving policies, formulating budgets, setting high instructional and learning goals for staff and students, and nurturing a climate conducive to continuous improvement.

**Accountability:** The board's accountability to the community will include adopting a system of continuous assessment of all conditions affecting education, including assessments for measuring staff and student progress towards goals. The public will be kept informed about programs and progress. Staff and board training will be provided to ensure continuous improvement of student achievement.

**Advocacy:** The board shall serve as education's key advocate on behalf of students and their schools. The board shall work to advance the community's vision for its schools, pursue the district's goals, encourage progress and energize systemic change and ensure that students are treated as whole persons in a diversified society.

<b>Cross References:</b>	Board Policy 0100	Commitment to Strategic Planning
	Board Policy 0300	Planning Process
	Board Policy 0700	Strategic Plan Evaluation
	Board Policy 1310	Policy Adoption, Manuals and Administrative Procedures
	Board Policy 1810	Annual Goals and Objectives
	Board Policy 1820	Evaluation of the Board

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## DIRECTOR DISTRICTS

It is the responsibility of the Board of Directors to establish the boundaries of the internal director districts of the school district, and to redistrict the director districts as necessary.

The Board of Directors, with the assistance of the administration, the educational service district, the State Redistricting Commission, and consultants (e.g. attorneys, demographic experts, etc.) shall develop a plan of proposed director districts within eight months of any of the following events:

- A. Receipt of federal decennial census data;
- B. Consolidation of the district with one or more other districts; transfer of territory to or from the district;
- C. Annexation of territory to or from the district; or
- D. Approval by a majority of the district's voters of a proposal to divide the district into director districts.

Legal References:	RCW 29A.76.010	Redistricting by counties, municipal corporations, and special purpose districts
	RCW 28A.343.030	Directors' districts in certain school districts — Election to authorize division in school districts not already divided into director districts
	RCW 28A.343.040	Division or redivision of district into director districts
	RCW 28A.343.050	Dissolution of directors' districts
	RCW 28A.315.195	Transfer of territory by petition – Requirements — Rules — Costs
	RCW 28A.315.205	Transfer of territory or dissolution by petition – Regional committee responsibilities – Rules - Appeals
	RCW 28A.315.215	Transfer of territory or annexation of financially insolvent district by agreement or order – Approval Order – Previously approved and imposed excess tax levies

Management Resources: *Policy News*, December, 2015  
June 2011  
*Policy News*, August 2008 Restructuring First Class Director Districts  
Washington State Redistricting Commission –  
<http://www.redistricting.wa.gov/>

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## **PROCEDURE DIRECTOR DISTRICTS**

Director districts will:

1. Be essentially equal in population;
2. Be compact and include geographically contiguous areas;
3. Will not favor or disfavor racial groups nor political parties; and
4. As much as possible, will coincide with natural boundaries and existing communities

At least one week before the board of directors considers adoption of director district plan, the board will hold a public hearing on the plan.

Within thirty days of adoption of the plan, legal descriptions and maps depicting the director districts will be submitted to the county auditor. If the plan is submitted after the fourth Monday in June of an odd-numbered year, the plan will not take effect until the following year.

Any registered voter in the district may challenge the plan within 45 days of the plan's adoption by requesting the superior court review the plan for compliance with the above criteria.

## ELECTION

Director elections shall be held on the Tuesday following the first Monday in November of odd-numbered years.

A person is legally qualified to become a board member who is a United States citizen, and a qualified voter resident in the school district and appropriate director district, if any.

A person may become a candidate for a place on the board by filing a declaration of candidacy with the county auditor during the May filing period as prescribed by law. If the school district includes territory in two or more counties, the declaration of candidacy shall be filed with the county auditor of the county designated by the Superintendent of Public Instruction as the county to which the district belongs, pursuant to RCW 28A.323.040.

In the event that there are more than two candidates for any position on the board, a primary election shall be held on the third Tuesday of August in the manner prescribed by law. The two candidates receiving the greatest number of votes will appear on the election ballot in November.

If, prior to the first day of the regular filing period, a vacancy occurs in a school director position that is not scheduled to appear on the general election ballot, leaving an unexpired term for which a successor must be elected at the next general election, filings for that position will be accepted during the regular filing period. The filing officer will provide notice of the vacancy and filing period to newspapers, radio, and television in the county, and online. The position will appear on the primary and general election ballots unless no primary is required.

If, on the first day of the regular filing period or later, a vacancy occurs in a school director position that is not scheduled to appear on the general election ballot leaving an unexpired term, the election of the successor will occur at the next succeeding general election that the office is allowed by law to have an election.

If, following the regular filing period and deadline to withdraw, but prior to the day for the primary, a void in candidacy occurs, the filing officer will reopen the filing period of three normal business days. The filing officer will provide notice of the special filing period to newspapers, radio, and television in the county, and online. The candidate receiving a plurality of the votes cast for that school director in the general election is deemed elected.

Cross Reference:	Board Policy 1114	Board Member Resignation
	Board Policy 1115	Vacancies
	Board Policy 1610	Conflicts of Interest

Legal References:	RCW 28A.323.040	Joint school districts — Designation of county to which joint school district belongs
	RCW 28A.343.300	Directors — Terms — Numbers
	RCW 28A.343.320	Directors — Declarations of candidacy — Positions as separate offices
	RCW 28A.343.330	Directors — Ballots — Form
	RCW 28A.343.340	Directors — When elected — Eligibility
	RCW 29A.04.151	Residence
	RCW 29A.24.141	Void in candidacy
	RCW 29A.24.181	Regular filing period—Voids in candidacy
	RCW 29A.24.191	Scheduled election lapses, when
	RCW 29A.52.210	Local primaries
	RCW 42.12.010	Causes of vacancy

Management Resources:     *Policy News*, August, 2011  
                                   *Policy News*, October 2006   Changes in Election Law

## **OATH OF OFFICE**

According to statutory provision, each new director shall take an oath or affirmation to support the constitutions of the United States and the state of Washington and to promote the interests of education and to faithfully discharge the duties of his/her office to the best of his/her ability. A school district officer or notary public authorized to administer oaths must certify to this oath and the signature of the member. After properly completed, the oath of office shall be filed with the county auditor.

Legal Reference:      RCW 28A.343.360                      Oath of office

## **DIRECTOR ORIENTATION**

The board will help newly elected or appointed directors to understand the policies and procedures of the board. To facilitate this process, new directors will be provided with:

- WSSDA publications (e.g., Open Public Meetings, Conflict of Interest, Governing Through Policy, Parliamentary Procedure);
- Goals for the school district and strategic plan, if developed;
- Board policies and administrative procedures;
- Student rights, responsibilities and conduct;
- District staff handbook;
- Student and staff handbooks from individual schools;
- Collective bargaining agreements;
- District and school budget(s);
- Financial status reports (most recent copies);
- Board minutes (past year);
- Achievement test results and relevant data for evaluating student learning; and
- Staff member job descriptions.
- Strategic Plan

The board president or a designee and the superintendent will assist each new director in the review of these materials and will review the role and function of the various administrators employed by the district. The orientation will include, as per district policy, how to: (1) arrange for visits of school or administrative offices; (2) request information regarding school operations; (3) respond to a complaint concerning staff or program; and (4) handle confidential information.

Directors will be encouraged to attend meetings, workshops and conferences to increase their knowledge and competencies.

## **BOARD MEMBER RESIDENCY**

A school director must remain a resident of the school district to be eligible to continue to serve as a school board member. If a director's residence changes to a place outside the district, the director must resign and his/her eligibility to serve ends with the change of residence.

If a director is required to live within a specific director area of the district in order to be elected or appointed to the school board, and the director's residence changes to a place outside the director area, but within the district, the director may continue to serve on the school board until the next regular school district election (the fall of odd numbered years), at which time an election will be held to fill the board position for the director area the director no longer resides in. If the change of residence occurs after the filing period for the regular school district election, but before the election, and the director is in the first two years of his/her term, he/she may continue to serve from a residence outside the director area, but within the district, until the end of the term he/she was elected to.

If a director's director area boundaries are redrawn during his/her term of office, the director may serve out the term he/she was elected to.

Cross References:	Board Policy 1105 Board Policy 1110 Board Policy 1114 Board Policy 1115	Director District Boundaries Elections Board Member Resignation Vacancies
Legal References:	RCW 28A.343.340 RCW 28A.343.350 RCW 29A.04.151 RCW 29A.76.010  RCW 42.12.010  AGO 1975 No. 8	Directors — When elected — Eligibility Residency Residence Redistricting by counties, municipal corporations, and special purpose districts Causes of Vacancy  Vacancy upon voluntary change of residence out of director district (note modification by 1999 amendment codified as RCW 28A.343.350)

## **BOARD MEMBER RESIGNATION**

If a board member's permanent residence ceases to be in the school district, the director shall resign immediately. Upon receipt of a director's written resignation for this or any other reason, the board shall discuss the resignation at its next regularly scheduled meeting. The board shall then acknowledge and announce the resignation.

The resignation shall be effective immediately unless otherwise stated. If a future date is stated, the resignation may be withdrawn anytime prior to the effective date.

Legal References: RCW 29A.04.151

Residence

Management Resources: *Policy News*, June 2009

Board Member Resignations

## VACANCIES

In case of a board vacancy, the remaining board members shall fill such vacancy by appointment. The board will receive applications from any qualified persons seeking to fill the position after suitable public notice. The board will appoint one of the candidates to serve until the next regularly scheduled board election, at which time a director shall be elected for the unexpired term, if any.

The appointment shall be approved, by roll call vote, by not less than three members of the board. If there exists fewer than three members, the educational service district board members shall appoint a sufficient number to constitute a legal majority of the board. Should the board fail to fill a vacancy within ninety (90) days from the creation of such vacancy, the educational service district board members shall fill such vacancy. Appointees shall be United States citizens and qualified voters resident in the school district and appropriate director district, if any.

Cross References: Board Policy 1114  
Board Policy 1450

Board Member Resignation  
Absence of Board Member

Legal References: RCW 28A.310.030  
RCW 28A.343.370  
RCW 8A.330.020  
  
RCW 42.30.110

ESD Board  
Directors--Filling vacancies  
Certain board elections, manner and vote  
required  
Board member interviews in open public  
session

## **ANNUAL ORGANIZATIONAL MEETING, ELECTION OF OFFICERS**

At the first regular meeting at which newly elected board members are seated in election years and at the first regular meeting in December in non-election years, the board shall elect from among its members a president and a vice president to serve one-year terms. Officers shall not be elected following the appointment of a director to fill a vacancy on the board unless a majority of the board is appointed. If a board member is unable to continue to serve as an officer, a replacement shall be elected immediately. In the absence of both the president and the vice president, the board shall elect a president pro tempore who shall perform the functions of the president during the latter's absence. The superintendent shall act as board secretary. In order to provide a record of the proceedings of each meeting of the board, the superintendent shall appoint a recording secretary of the board.

Legal References:	RCW 28A.330.010	Board president, vice-president — Secretary
	RCW 28A.330.020	Certain board elections, manner and vote required Selection of personnel, manner
	RCW 28A.330.050	Duties of superintendent as secretary
	RCW 28A.400.030	Superintendent Duties
	RCW 29A.20.040	Local elected officials, commencement of term of office

## **BOARD OFFICERS AND DUTIES OF BOARD MEMBERS**

### **President**

The president shall preside at all meetings of the board and sign all papers and documents as required by law or as authorized by action of the board. The president shall conduct the meetings in the manner prescribed by the board's policies, provided that the president shall have the full right to participate in all aspects of board action without relinquishing the chair, including the right to vote on all matters put to a vote.

It shall be the responsibility of the board president to manage the board's deliberation so that it shall be clear, concise, and directed to the issue at hand; summarize discussion and/or action before moving on to the next agenda item; and to generally manage the meeting so that the agenda is treated in an expeditious manner.

The president shall be the official recipient of correspondence directed to the board and shall provide, or cause to be provided to other board members and the superintendent, copies of the correspondence received on behalf of the board.

The president is authorized to consult with the superintendent on issues prior to presentation to the full board and perform tasks to facilitate board meetings.

In dealing with the media and the public in general, the president or his/her designee will serve as the spokesperson of the board. The president is authorized to report and discuss those actions which have been taken and those decisions made by the board as a body. The president shall avoid speculating upon actions or decisions which the board may take but has not yet taken.

The president shall confer with the superintendent regarding board meeting, study session and board retreat planning.

### **Officers of the Board: Vice President**

The vice president shall preside at board meetings in the absence of the president and shall perform all of the duties of the president in case of his/her absence or disability.

### **Legislative Representative**

A legislative representative shall serve as the board's liaison with the Washington State School Directors' Association Legislative Assembly. The legislative representative shall assume office July 1st in an even year for a two-year period. The legislative representative shall attend Washington State School Directors' Association Assemblies, conveying local views and concerns to that body and participating in the formulation of state legislative programs. The legislative representative shall monitor proposed school legislation and inform the board of the issues.

### **Duties of Individual Board Members**

The authority of individual board members is limited to participating in actions taken by the board as a whole when legally in session. Board members shall not assume responsibilities of administrators or other staff members. The board or staff shall not be bound in any way by any action taken or statement made by any individual board member except when such statement or action is pursuant to specific instructions and official action taken by the board.

Each board member shall review the agenda and any study materials distributed prior to the meeting and be prepared to participate in the discussion and decision-making for each agenda item.

Each member is obligated to attend board meetings regularly. Whenever possible, each director shall give advance notice to the president or superintendent of his/her inability to attend a board meeting. A majority of the board may excuse a director's absence from a meeting if requested to do so. The board may declare a board member's position vacant after four consecutive unexcused absences from regular board meetings.

Legal References:	RCW 28A.343.390	Directors — Quorum — Failure to attend meetings
	RCW 28A.320	Provisions applicable to all districts
	RCW 28A.330.100	Additional powers of the board
	RCW 28A.330.030	Duties of president
	RCW 28A.330.080	Payment of Claims — Signing of warrants
	RCW 28A.330.200	Organization of the board — Assumption of superintendent's duties by board member, when
	RCW 28A.330.040	Duties of vice-president
Management Resources:	<i>Policy News</i> , December 2007	Role of the School Board President

## **SCHOOL DIRECTOR LEGISLATIVE PROGRAM**

The board will represent the district's interests in legislative action to promote the welfare of public education in the state of Washington or will direct those interests to be represented through its executive officer, the superintendent, or designee.

As a public entity, the board must operate within the bounds of state and federal laws affecting public education. To effectively meet these responsibilities to the public and students of the district, the board will work vigorously for the passage of new laws designed to advance the cause of effective schools and for the repeal or modification of existing laws that impede this cause. The board also supports a legislative program that fosters the maintenance of local control in decision making and governance within the district.

To achieve these goals, the board will periodically study, discuss, and weigh the merits of pending legislation for the purpose of establishing its official position through board action. When established, these official positions will be the position of the district in the legislative process.

Cross References: Board Policy 1220

Board Officers and Duties of Board  
Members

Management Resources: *Policy News*, August 2009

Role of the Board Legislative  
Representative

**Adoption Date: 10.25.10**  
**Auburn School District**  
**Revised:**

## **PROCEDURE SCHOOL DIRECTOR LEGISLATIVE PROGRAM**

### Board Legislative Activities

The board will:

- A. Develop an annual legislative program through conferences with the Washington State School Directors' Association and the National School Boards Association.
- B. Support and work for legislation that promotes the quality of education within the school district, the region and the state of Washington.
- C. Commit to sending a team to the WSSDA/WASA Legislative Conference held each February.
- D. Stay informed of pending legislation and actively communicate concerns and make its position known to elected representatives at both the state and national levels by regular contact with their legislators in-district, in Olympia and in Washington D.C.
- E. Seek adequate funding for schools and full funding for state and federally mandated programs.
- F. Set aside board meeting time to discuss legislative issues, using resources such as WSSDA's Daily Legislative Updates and WSSDA's *Impact* newsletter.
- G. Respond appropriately to requests for legislative proposals, comments on legislative proposals, and development of priority positions.
- H. Ensure that local media representatives and legislators are invited to board meetings and school activities.
- I. Work for the achievement of common legislative objectives with WSSDA and with other concerned groups.
- J. Inform the public of its legislative priorities and outcomes of its legislative efforts.
- K. Designate one of its members to serve as legislative representative with the Washington State School Directors' Association.

Board members, individually or as members of professional organizations, will not represent positions conflicting with the district's on legislative matters unless it is made clear that such representation is not the official position of the district.

## WSSDA Legislative Representative

The board's Washington State School Directors' Association legislative representative serves as the contact person and acts as the coordinator of the board's state legislative activities. The legislative representative also serves as the board's liaison with the Washington State School Directors' Association Legislative Assembly. The legislative representative shall assume office July 1 in an even year for a two-year period. The legislative representative shall:

- A. Attend Washington State School Directors' Association Legislative Assemblies conveying local views and concerns to that body and participating in the formulation of state legislative programs;
- B. Monitor proposed education legislation;
- C. Inform the board of pending legislative issues and existing or proposed WSSDA legislative positions; and
- D. Participate in WSSDA's activities related to legislative representatives.

## **SECRETARY**

The superintendent as board secretary shall be responsible for:

- A. Maintaining an accurate and complete record of all board proceedings;
- B. Taking charge of the board's books and documents;
- C. Drawing and signing all warrants authorized by the board;
- D. Sending out notices of meetings and other relevant communications to board members and the public;
- E. Preparing agendas and supplementary documents as authorized by the board;
- F. Submitting required reports to the educational service district and to state and national agencies;
- G. Authorizing the investment of district surplus funds by the county treasurer; and
- H. Carrying out other duties as directed by the board and required by law.

Legal Reference:      RCW 28A.400.030

Superintendent's duties

**Adoption Date: 10.25.10**  
**Auburn School District**  
**Revised:**

## **COMMITTEES**

Committees of the board may be created by a majority of the board. The board president shall appoint board members to serve on such committees, the purpose and terms of which shall be determined by a majority vote of the board.

Cross Reference: Board Policy 4110

Citizen's Advisory Committees

Legal Reference: RCW 28A.320.040

Directors — Bylaws

## **PROCEDURE COMMITTEES**

### **BOARD SUBCOMMITTEES**

#### **Purpose**

The Auburn School District Board of Directors recognizes that for efficiency and effectiveness, not all of its work can be done as a whole group. Therefore, each year, board members are appointed, by the Board president, to various subcommittees.

Subcommittee work develops the expertise of board members for the enhancement of whole board governance. The subcommittees assist the administration in planning and expediting administrative processes and meeting important timelines. Each subcommittee provides reports and updates to the whole board for the purpose of governance, student learning, creating conditions for success, accountability, and community engagement.

#### **Structure and Design**

**Membership:** Each year, the board president will appoint no more than two members to each of the board subcommittee. The superintendent, or his designee, will determine the district participants on each of the subcommittees.

**Meeting Schedule:** Each subcommittee will meet on an “as needed” basis. Each subcommittee will establish a meeting time and length that is effective for important initiative and project review, as well as designated time for in-depth questions, clarifications and explanations. A standing agenda is recommended to ensure that the meetings address the most important topics.

**Responsibilities:** The subcommittee will report important information to the whole board as part of the school board agenda as needed.

#### **Priorities of Board Subcommittee**

Each board subcommittee will establish with the Superintendent or his designee, important priorities as aligned to board goals, standards and strategic plans. Subcommittee work will represent the priorities of the whole school board. Significant fiduciary expenditures for initiatives and projects are priority issues for timely subcommittee review. When there are important initiatives and/or topics, the subcommittee should recommend that a workshop be scheduled to include all board members.

## **POLICY ADOPTION, MANUALS AND ADMINISTRATIVE PROCEDURES**

Proposed new policies and proposed changes in existing policies shall be presented in writing for reading and discussion. Unless it is deemed by the board that immediate action would be in the best interests of the district, the final vote for adoption shall take place not earlier than the next succeeding regular or special board meeting. Any written statement by any person relative to a proposed policy or amendment should be directed to the board secretary prior to the second reading. The board may invite oral statements from staff members or patrons as an order of business.

When the board of directors is considering a district policy or amendment to policy that is not expressly or by implication authorized by state or federal law, but which will promote the education of kindergarten through twelfth grade students in public schools or will promote the effective, efficient or safe management and operation of the district, the proposed policy shall be described in any notice of the meetings at which the policy will be considered, if the notice is issued pursuant to the Open Public Meetings Act, Ch. 42.30 RCW. The board of directors will provide an opportunity for public written and oral comment on such policies before adoption or amendment.

In the event that immediate action on a proposed policy is necessary, the motion for its adoption shall provide that immediate adoption is in the best interest of the district. No further action is required. All new or amended policies shall become effective upon adoption, unless a specific effective date is provided in the motion for adoption.

Policies as adopted or amended shall be made a part of the minutes of the meeting at which action was taken and shall also be included in the district's policy manual.

### **Policy Manuals**

The superintendent shall develop and maintain a current policy manual which contains the policies of the district.

The manual is intended both as a tool for district management as well as a source of information to patrons, staff and others about how the district operates. To that end, each administrator shall have ready access to the manual. In addition, a manual shall be available in each school library and such other places as the superintendent may determine for the use of staff, students and patrons.

All policy manuals distributed to anyone shall remain the property of the district. They shall be subject to recall at any time.

### **Administrative Procedures**

The superintendent shall develop such administrative procedures as are necessary to ensure consistent implementation of policies adopted by the board.

When a written procedure is developed, the superintendent shall submit it to the board as an information item. Such procedures need not be approved by the board, it may revise them when it appears that they are not consistent with the board's intentions as expressed in its policies. Procedures need not be reviewed by the board prior to their issuance; though on controversial topics, the superintendent may request prior board consultation.

Legal References:      RCW 28A.320.010                      Corporate powers  
                                 RCW 28A.320.040                      Directors--Bylaws

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised: 10.25.10**

## **SUSPENSION OF A POLICY**

A policy of the board shall be subject to suspension by a majority vote of the members present, provided all board members have received notice of the meeting and the notice included a proposal to suspend the policy and an explanation of the purpose. If such proposal is not made in writing in advance of the meeting, a policy may be suspended only by a unanimous vote of all board members present.

Legal References:   RCW 28A.320.010  
                          RCW 28A.320.040

Corporate powers  
Directors — Bylaws

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised: 10.25.10**

## **ADMINISTRATION IN THE ABSENCE OF POLICY OR PROCEDURE**

The superintendent and other staff to whom administrative or supervisory authority has been delegated shall be authorized to use their best judgment in the absence of a specific policy or procedure, provided that such action shall not be in conflict with the general aims and objectives of the district or with any local, state or national ordinances, statutes, regulations or directives. In the event there is doubt as to the appropriate course of action or if it is apparent that the consequences could be serious, the staff member is expected to contact the superintendent or other administrator who could provide appropriate assistance.

Whenever action in the absence of specific policy has been taken by a staff member which creates a potential for controversy or a potential for the incurring of district financial obligation or where the situation is likely to recur frequently, then such action shall be brought to the attention of the board at its next regular meeting. In situations where a reasonable person could determine that the above actions taken by a staff member should be brought to the immediate attention of the board, the superintendent shall be notified and he/she shall immediately consult with the board president as to the advisability of calling a special board meeting to review the staff member's action.

## **MEETING CONDUCT, ORDER OF BUSINESS AND QUORUM**

Board meetings will be scheduled in compliance with the law and as deemed by the board to be in the best interests of the district and community. The board will function through (1) regular meetings, (2) special meetings, and (3) emergency meetings.

### **Regular Meetings**

Regular meetings shall be held at 7:00 p.m. on the second and fourth Mondays of each month with the exception of the month of December where a meeting will only be held on the second Monday of the month. All meetings will be held in the Administration Building board room or at other times and places as determined by the presiding officer or by majority vote of the board. If regular meetings are to be held at places other than the board room or are adjourned to times other than a regular meeting time, notice of the meeting shall be made in the same manner as provided for special meetings. All regular meetings of the board shall be held within the district boundaries. When a regular meeting date falls on a legal holiday, the meeting shall be held on the next business day at the regular time and place.

### **Special Meetings**

Special meetings may be called by the president or on a petition of a majority of the board members. A written notice of a special meeting, stating the purpose of the meeting, shall be delivered to each board member not less than twenty-four (24) hours prior to the time of the meeting. Written notice shall also be sent not less than twenty-four (24) hours prior to the meeting to each newspaper and radio or television station that has filed a written request for such notices. Written notice may be delivered personally or by mail, facsimile or electronic mail. Final disposition shall not be taken on any matter other than those items stated in the meeting notice.

### **Emergency Meetings**

In the event of an emergency involving fire, flood, earthquake, possible personal injury or property damage, the board may meet immediately and take official action without prior notification.

### **Public Notice**

Public notice shall be properly given for any special meeting; whenever a regular meeting is adjourned to another time; or, when a regular meeting is to be held at a place other than the Administration Building board room.

All meetings shall be open to the public with the exception of executive sessions authorized by law. Final action resulting from executive session discussions will be taken during a meeting open to the public as required by law.

Individuals with disabilities who may need a modification to participate in a meeting should contact the superintendent's office no later than three days before a regular meeting and as soon as possible in advance of a special meeting so that special arrangements can be made.

During the interim between meetings, the office of the superintendent, as board secretary, shall be the office of the board. The district's public records shall be open for inspection in the manner provided by and subject to the limitation of the law.

## **Quorum**

Three board members shall be considered as constituting a quorum for the transaction of business.

## **Meeting Conduct and Order Of Business**

All board meetings will be conducted in an orderly and business-like manner using *Roberts Rules of Order (Revised)* as a guide, except when such rules are superseded by board bylaws or policies. The order of business will be that indicated in the agenda. Any additions or changes in the prepared agenda may be requested by the superintendent or a board member and must be approved by majority vote of the board members present.

The board shall establish its regular order of business, but may elect to change the order by a majority vote of the members.

All votes on motions and resolutions shall be by “voice” vote unless an oral roll call vote is requested by a member of the board. No action shall be taken by secret ballot at any meeting required to be open to the public.

An oral roll call vote of all the members of the board is required for the election of board officers, filling a vacancy on the board, or for the selection of the school district superintendent, and a majority vote of all the members of the board is required for any person to be elected or selected for such positions.

Cross Reference:	Board Policy 1220	Board Officers and Duties of Board Members
	Board Policy 1410	Executive or Closed Sessions
	Board Policy 1420	Proposed Agenda and Consent Agenda
Legal References:	RCW 28A.330.020	Certain board elections, manner and vote required
	RCW 28A.320.040	Directors — Bylaws
	RCW 28A.330.070	Office of board — Records available for public inspection
	RCW 28A.343.370	Directors — Filling vacancies
	RCW 28A.343.380	Directors — Meetings
	RCW 28A.343.390	Directors — Quorum — Failure to attend meetings may result in vacation of office
	RCW 42.30	Open Public Meetings Act
	RCW 42.30.060	Open Public Meetings — Voting by secret ballot prohibited
	RCW 42.30.070	Times and places for meetings— Emergencies-Exceptions
	Ch.42 U.S.C. §§ 12101-12213,	Americans with Disabilities Act
Management Resources:	<i>Policy News</i> , June, 2014	
	<i>Policy News</i> , April, 2013	
	<i>Policy News</i> , June 2012	
	<i>Policy News</i> , June 2005	Special Meeting Notice Requirements

**Adoption Date: 06.24.96**

**Auburn School District**

**Revised: 12.10.07; 10.25.10; 10.24.16**

## **EXECUTIVE OR CLOSED SESSIONS**

Before convening in executive session, the president shall publicly announce the general purpose for excluding the public from the meeting place and the time when the executive session will be concluded. The executive session may be extended to a stated later time by announcement of the president.

An executive session may be conducted for one or more of the following purposes:

- A. To consider the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price;
- B. To consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price; however, the final action of selling or leasing public property shall be taken in a meeting open to the public;
- C. To review negotiations on the performance of publicly bid contracts when public knowledge regarding such consideration would cause a likelihood of increased costs;
- D. To receive and evaluate complaints or charges brought against a director or staff member; however, upon the request of such director or staff member, a public hearing or a meeting open to the public shall be conducted on such complaint or charge;
- E. To evaluate the qualifications of an applicant for public employment or to review the performance of a staff member; however, discussion of salaries, wages, and other conditions of employment to be generally applied within the district shall occur in a meeting open to the public, and when the board elects to take the final action of hiring, setting the salary of an individual staff member or class of staff members, or discharging or disciplining an employee, that action shall be taken in a meeting open to the public;
- F. To evaluate the qualifications of a candidate for appointment to the board; however, any interview of such candidate and final action appointing a candidate to the board shall be in a meeting open to the public; or
- G. To discuss with legal counsel representing the district matters relating to district enforcement actions, or litigation or potential litigation to which the district, the board, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the district. Potential litigation means matters protected by attorney-client privilege related to litigation that has been specifically threatened; litigation that the district reasonably believes may be commenced; or the litigation or legal risks of a proposed action or current practice of the district, if public discussion is likely to result in an adverse or financial consequence to the district.

The Open Public Meetings Act does not apply to certain board activities and public notice is not required prior to holding a closed session for any of the following purposes:

- A. Consideration of a quasi-judicial matter between named parties as distinguished from a matter having a general effect on the public or a class or group; or
- B. Collective bargaining sessions with employee organizations or professional negotiations with an employee, including contract negotiations, grievance meetings, and discussions relating to the interpretation or application of a labor agreement, or when the board is planning or adopting the strategy or position to be taken during the course of collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress while in progress.

Legal References:   RCW 42.30.110  
                          RCW 42.30.140

Executive sessions  
Chapter controlling — Application

Management Resources: *Policy News*, June 2001

Legislature Addresses Executive Session

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised: 03.11.02; 10.25.10**

## **PROPOSED AGENDA AND CONSENT AGENDA**

The board secretary shall be responsible for preparing the proposed agenda for each meeting, in accordance with the president. Copies of the proposed agenda, minutes of the previous meeting and relevant supplementary information will be delivered to each board member at least three (3) days in advance of the meeting and will be available to any interested citizen at the superintendent's office twenty-four (24) hours prior to the meeting.

### **Consent Agenda**

To expedite business at a school board meeting, the board approves the use of a consent agenda which includes those items considered to be routine in nature. The consent agenda will appear on the regular agenda following the approval of minutes of the previous meeting(s).

Any item which appears on the consent agenda may be removed from the consent agenda by a member of the board. The remaining items will be voted on by a single motion. The approved motion will be recorded in the minutes, including a listing of all items appearing on the consent agenda.

Cross Reference:      Board Policy 6215  
                                 Board Policy 6020

Voucher Certification and Approval  
System of Funds and Accounts

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised: 10.25.10**

## AUDIENCE PARTICIPATION

The board recognizes the value of public comment on educational issues and the importance of involving members of the public in its meetings. In order to permit fair and orderly expression of such comment, the board will provide a period at the beginning of the meeting during which visitors may make formal presentations. Such presentations should be scheduled in advance.

The board will also allow individuals to express an opinion prior to board action on agenda items the board determines require or will benefit from public comment. Written and oral comment will be accepted by the board before the adoption or amendment of policies not expressly or by implication authorized by state or federal law, but which will promote the education of kindergarten through twelfth grade students in public schools or will promote the effective, efficient or safe management and operation of the district. Individuals wishing to be heard by the board shall first be recognized by the president. Individuals, after identifying themselves, will proceed to make comments as briefly as the subject permits. Any representative of a firm eligible to bid on materials or services solicited by the board shall also be entitled to express an opinion. The president may interrupt or terminate an individual's statement when it is too lengthy, personally directed, abusive, obscene or irrelevant. The board as a whole shall have the final decision in determining the appropriateness of all such rulings.

Individuals with disabilities who may need a modification to participate in a meeting should contact the superintendent's office no later than three days before a regular meeting and as soon as possible in advance of a special meeting so that arrangements for the modification can be made.

Legal References:	RCW 42.30.030	Meetings declared open and public
	RCW 42.30.050	Interruptions — Procedures
	42 U.S.C. §§ 12101-12213	Americans with Disabilities Act

**Adoption Date: 10.25.10**  
**Auburn School District**  
**Revised:**

## MINUTES

The secretary of the board shall keep the minutes of all board meetings. Minutes become official after approval by the board and shall be retained as a permanent record of the district. Minutes shall be comprehensive and shall show:

- A. The date, time and place of the meeting.
- B. The presiding officer.
- C. Members in attendance.
- D. Items discussed during the meeting and the results of any voting that may have occurred.
- E. Action to recess for executive session with a general statement of the purpose.
- F. Time of adjournment.
- G. Signature of presiding officer and date minutes approved.

When issues are discussed that may require a detailed record, the board may direct the secretary to record the discussion. Audio or video recordings shall be maintained on file as follows:

- If the recording is transcribed *verbatim* (word for word), the recording may be destroyed after one (1) year.
- If the recording is only used as a reference to create written minutes, the recording must be retained for six (6) years.

Unofficial minutes shall be delivered to board members in advance of the next regularly scheduled meeting of the board and shall also be available to other interested citizens. Minutes need not be read publicly, provided that members have had an opportunity to review them before adoption.

A file of permanent minutes of all board meetings will be maintained in the office of the board secretary to be made available for inspection upon the request of any interested citizen.

Cross Reference:	Board Policy 6570	Property and Data Management
Legal References:	RCW 28A.400.030	Superintendent's duties
	RCW 40.14.070	Destruction of records
	RCW 42.32.030	Public meetings — Minutes

Management Resources: *Policy News*, April 2010      Retention of Board Meeting Minutes

**Adoption Date: 10.25.10**  
**Auburn School District**  
**Revised:**

## **ABSENCE OF A BOARD MEMBER**

Whenever possible, each board member shall give advance notice to the president or superintendent of his/her inability to attend a board meeting.

The board may declare a board member's position vacant after four (4) consecutive unexcused absences from regular board meetings, if the absences were for reasons other than: 1) illness; 2) active or training military duty; 3) those authorized by resolution of the board.

If a board member is on active duty or training status with the military, the board shall grant an extended leave of absence to cover the period of service or training. The extended leave of absence may not have the effect of extending the board member's term. The board also has the authority to appoint a temporary successor to the absent board member's position. The temporary successor shall serve until the board member returns or the end of the board member's term.

Cross References:	Board Policy 1115	Board Vacancies
Legal Reference:	RCW 28A.343.390 RCW 42.12.010 RCW 73.16.041	Directors — Quorum — Failure to attend meetings Causes of vacancy Leaves of absence of elective and judicial officers
Management Resources:	<i>Policy News</i> , July, 2016 <i>Policy News</i> , October 2001,	Law Grants Board Members Military Leave

**Adoption Date: 10.25.10**  
**Auburn School District**  
**Revised: 10.24.16**

## CONFLICTS OF INTEREST

No school director or the superintendent shall be beneficially interested, directly or indirectly, in any contract made by, through or under the supervision of the director or superintendent, except as provided below:

- Any contract, purchase of materials or activity paid for from school funds if the total volume received by the district officer or his or her business does not exceed \$1,500.00 in any calendar month. The district shall maintain a list of all contracts covered under this paragraph and the list shall be available for public inspection and copying.
- An individual director may be designated as clerk and/or purchasing agent at the prevailing hourly wage.
- The spouse of a director or the superintendent may be employed as a substitute teacher on the same terms and at the same compensation as other substitute teachers in the district. The superintendent must find that the number of qualified substitute teachers in the district is insufficient to meet the anticipated needs for short-term and one-day substitute teachers, and the superintendent must ensure that substitute teachers are assigned to available positions in a fair and impartial manner.
- Prior to approval of the employment of a director or spouse of a school director or superintendent, the board of directors shall be advised of the number of other individuals who are qualified for and interested in the position(s) to be filled. The district shall not discriminate in any way against any applicant for a certified position or any certificated employee on the basis of a family relationship with a school director or the superintendent. All employment decisions shall be made on the basis of choosing the applicant which furthers the best interest of the school district.
- If a person is employed by the district under contract as a classified or certificated employee before his or her spouse becomes a director or superintendent, the contract can be renewed for further employment, provided that the terms of the contract are commensurate with the pay plan or collective bargaining agreement operating in the district for that position.
- A director may not vote on the authorization, approval or ratification of a contract in which he or she beneficially interested and to which one of the exemptions described above applies.
- Whenever a director, or his or her spouse or dependent is employed by the district, the director shall refrain from participating in or attempting to influence any board action affecting the employment status of the director, spouse or dependent. Actions affecting employment status include, but are not limited to, hiring, establishing compensation and fringe benefits, setting working conditions, conducting performance evaluations, considering or imposing discipline and termination.

The superintendent shall maintain a log of any contract subject to this policy and annually or when a new director assumes office, shall inform the board of the existence of all such contracts.

Legal References:	RCW 28A.405.250	Certificated employees, applicants for certificated position, not to be discriminated against
	RCW 28A.635.050	Certain corrupt practices of school officials —Penalty
	RCW 42.23.030	Interest in contracts prohibited-- Excepted cases
	RCW 42.23.040	Remote interests

**Adoption Date: 10.25.10**  
**Auburn School District**  
**Revised:**

## **THE BOARD-SUPERINTENDENT RELATIONSHIP**

The successful operation of schools requires a close, effective working relationship between the board and the superintendent. The relationship must be one of trust, good will and candor. As the legally designated governing body, the board retains final authority within the district. The board exercises those powers that are expressly required by law and those implied by law. The superintendent is the board's professional advisor to whom the board delegates executive responsibility, and such powers as may be required to manage the district in a manner consistent with board policy and state and federal law.

The superintendent, as executive officer of the board, shall be responsible for the administration of the schools under applicable laws and policies of the district. The board shall delineate the duties of the superintendent and shall use them as the basis for evaluating the superintendent's performance. Unless specifically limited, the superintendent may delegate to other staff the exercise of any powers and the discharge of any duties imposed by district policy or a vote of the board. The delegation of power or duty shall not relieve the superintendent of responsibility for the actions taken under such a delegation.

In order to perform their responsibilities, board members must be familiar with the operations within the schools. The superintendent shall establish communication procedures which can enhance the board member's understanding of student programs and school operations.

Legal References:	RCW 28A.320.010	Corporate powers
	RCW 28A.330.100	Additional powers of the board (First Class Districts Only)
	RCW 28A.400.010	Employment of superintendent — Superintendent's qualifications, general powers, term, contract renewal
	RCW 28A.400.030	Superintendent's duties

## **EVALUATION OF THE SUPERINTENDENT**

The board shall establish evaluative criteria and shall be responsible for evaluating the performance of the superintendent as provided by statute.

The superintendent shall have the opportunity for confidential conferences with the board members on no less than three occasions in each year, the purpose of which shall be the aiding of the superintendent in his/her performance. The board, on the basis of the evaluation, may renew and/or extend the superintendent's contract for periods not to exceed three years.

Legal References:     RCW 28A.405.100

Minimum criteria for the evaluation of  
certificated employees, including  
administrators — Procedure —  
Scope — Penalty

**Adoption Date: 10.25.10**  
**Auburn School District**  
**Revised:**

## **BOARD MEMBER EXPENSES**

The actual expenses of board members while traveling to and from and attending board meetings may be paid. The expenses of board members who attend conferences or meetings as representatives of the district may be paid. Such expenses for conferences may be paid in advance. A director may be reimbursed for gratuities not exceeding customary percentages for the cost of meals as well as reasonable amounts for such services as baggage handling when the costs are incurred while the individual is engaged in district business or other approved travel.

Cross References:	Board Policy 6213 Board Policy 6212	Reimbursement for Travel Charge Card
Legal References:	RCW 28A.320.050 RCW 43.03.170	Reimbursement of expenses — Advancing anticipated expenses Advance warrants — Issuance — Limitations

**Adoption Date:**  
**School District Name**  
**Revised: 04.01.97; 10.25.10**

## **BOARD MEMBER INSURANCE**

The district shall maintain sufficient insurance to protect the board and its individual members against liability arising from actions of the board or its individual members while each is acting on behalf of the district and within his/her authority as a board member.

An individual board member may participate at his/her own cost in any of the personal liability, life, health, health care, accident, disability, salary protection or other form of insurance made available to district staff if plan sponsors permit such participation.

Cross Reference:	Board Policy 6530	Liability Insurance
Legal References:	RCW 4.24.470	Liability of officials and members of governing body of public agency — Definitions
	RCW 4.96.010	Tortious conduct of political subdivision — Liability for damage
	RCW 28A.400.350	Liability, life, health, health care, accident, disability and salary insurance authorized — Premiums
	RCW 28A.400.360	Liability insurance for officials and employees or agents of school districts and educational service districts — Defense, costs, fees — Payment of obligation
	RCW 28A.320.060	Officers, employees or agents of school districts or educational service districts, insurance to protect and hold personally harmless

## **BOARD MEMBER COMPENSATION**

Each board member may receive compensation of fifty dollars per day or portion thereof for attending board meetings and for performing other services on behalf of the school district, not to exceed four thousand eight hundred dollars per year. Such compensation shall come from locally collected excess levy funds available for that purpose, and shall not cause the state to incur any present or future funding obligation.

Any board member may waive all or any portion of his/her compensation for any month or months during his/her term of office, by a written waiver filed with the district. The waiver may be filed any time after the director's election and before the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

Legal Reference:      RCW 28A.343.400

Directors — Compensation — Waiver

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised:**

## **ANNUAL GOALS AND OBJECTIVES**

Each year the board will formulate goals and objectives. The goals and objectives may include but are not limited to the board functions of vision, structure, accountability and advocacy.

At the conclusion of the year, the board shall reflect on the degree to which the goals and objectives have been accomplished by conducting a board self-evaluation and engaging in board development activities where needed.

Cross References:	Board Policy 1005	Key Functions of the Board
	Board Policy 1820	Evaluation of the Board
	Board Policy 1822	Training and Development

**Adoption Date: 10.25.10**  
**Auburn School District**  
**Revised:**

## **EVALUATION OF THE BOARD**

At the conclusion of each year, the board shall evaluate its own performance in terms of generally accepted principles of successful board operations and in relation to its annual goals and objectives. The board self-evaluation shall address performance in the key functions of school boards - vision, structure, accountability and advocacy. The results of the self-evaluation shall be used in setting goals for the subsequent year.

Cross References:    Board Policy 1005  
                              Board Policy 1810  
                              Board Policy 1822

Key Functions of the Board  
Annual Goals and Objectives  
Training and Development for Board  
Members

**Adoption Date: 10.25.10**  
**Auburn School District**  
**Revised:**

## **TRAINING AND DEVELOPMENT FOR BOARD MEMBERS**

In keeping with the need for continuing training and development to enhance effective boardsmanship, the board encourages the participation of its members at appropriate board conferences, workshops and conventions. Funds for participation at such meetings will be budgeted for on an annual basis.

Cross References:    Board Policy 1005  
                              Board Policy 1810  
                              Board Policy 1820

Key Functions of the Board  
Annual Goals and Objectives  
Evaluation of the Board

**Adoption Date: 10.25.10**  
**Auburn School District**  
**Revised:**

## **PARTICIPATION IN SCHOOL BOARDS' ASSOCIATION**

As required by law, the Auburn School District board members are members of the Washington State School Directors' Association. Since the association establishes the rate of membership dues at its annual meeting, provides services in response to members' needs and develops and implements a legislative program at the direction of its members, board members are encouraged to participate in the governance of the association. The dues for each board member shall be paid from the funds of this district.

Legal Reference:      RCW 28A.345.020                      Membership

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised: 10.25.10**

## STUDENT LEARNING GOALS

The goal of the school district shall be to provide opportunities for all students to become responsible and respectful global citizens, to contribute to their economic well-being and that of their families and communities, to explore and understand different perspectives and to enjoy productive and satisfying lives. Additionally, a goal of the district is to provide opportunities for each student to develop specific academic and technical skills and knowledge essential to meeting four student learning goals:

1. Read with comprehension, write effectively, and communicate successfully in a variety of ways and settings;
2. Know and apply the core concepts and principles of mathematics; social, physical, and life sciences; civics and history including different cultures and participation in representative government; geography; arts; health and fitness;
3. Think analytically, logically, and creatively, and to integrate different experiences and knowledge to form reasoned judgments and solve problems; and
4. Understand the importance of work and finance and how performance, effort, and decisions directly affect future career and educational opportunities.

These goals will be placed within a context of a performance-based educational system in which high standards are set for all students. Parents are primary partners in the education of their children, and students take responsibility for their learning. How instruction is provided to meet these learning goals is the decision of the school board and district educators. An assessment system for determining if students have successfully learned the essential academic learning requirements based on the student learning goals shall be adopted by the district as the state board of education implements these assessments.

Legal References:   RCW 28A.150.210  
                          RCW 28A.655.010

Basic Education Act — Goal  
Washington commission on Student  
Learning — Definitions

Management Resources: *Policy News*, October 2007   Basic Education Act Revisions

**Adoption Date: 11.08.10**  
**Auburn School District**  
**Revised:**

## ACCOUNTABILITY GOALS

### A. High School Graduation Rate Goals

The board shall annually adopt district-wide graduation goals and direct each high school to annually establish goals, subject to board approval, to increase the percentage of on-time graduates receiving a high school diploma beginning with the class of 2004.

The minimum graduation rate goals through 2013 shall be as defined in WAC 180-105-060. Graduation rate goals in 2014 and each year thereafter for each group of students, identified in federal requirements, shall not be less than 85 percent.

### B. District and School Reading and Mathematics Improvement Goals

The board shall adopt district-wide performance improvement goals for reading and mathematics for elementary, middle and high school (grade level bands); and direct each school in the district that administers the statewide assessment to adopt performance improvement goals to increase the percentage of students meeting the standard in reading and mathematics.

The following goals and calculation methodologies shall be established to measure and improve student achievement in reading and mathematics within the grade level bands as measured by the statewide assessment administered in the spring of 2003 through and including the spring of 2014.

1. The baseline of achievement for the district and schools within the grade level bands on the reading and mathematics assessments for each grade are the starting points established using the federal requirements in the Washington State No Child Left Behind (NCLB) Accountability Plan.
2. The goal for the district and for each school is to increase the percentage of students in the following categories in meeting or exceeding the reading and mathematics improvement goals on the state uniform bar as established using the federal requirements in the Washington State No Child Left Behind (NCLB) Accountability Plan:

All students;

Students of each major racial and ethnic group;

Economically disadvantaged students;

Students served in Special Education; and

Students served in the state's Transitional Bilingual Instructional Program.

3. The district and all schools shall demonstrate satisfactory progress toward the performance improvement goals by meeting the federal requirements or by showing improvements using the alternative "Safe Harbor" calculation.

Once a year the board shall issue a report to parents and present it in a public meeting. The report shall include the following:

- A. The district's and buildings' improvement goals.
- B. Student performance relative to the goals.
- C. District and building plans to achieve the goals, including curriculum and instruction, parent and guardian involvement, and resources available to parents and guardians to assist students in meeting the state standards.

Annually the district will report in a news release the district's progress toward meeting the district and building goals. The report shall also be included in each school's annual school report.

Legal References:	RCW 28A.655.100	Performance goals – Reporting requirements
	WAC 180-105-020	Reading and Mathematics
	WAC 180-105-060	High School Graduation

Management Resources:

<i>Policy News</i> , June 2010	High School Proficiency Examination Requirements Revised
<i>Policy News</i> , December 2005	A+ Commission's Revised Performance Improvement Goals
<i>Policy News</i> , October 2003	Accountability Bill Includes Policy Implications
<i>Policy News</i> , June 1999	Boards must set reading goals
<i>Policy News</i> , June 1998	CORRECTION: Reading goals policy
<i>Policy News</i> , August 1998	

## SCHOOL IMPROVEMENT PLANS

Each school shall develop and adopt a school improvement plan or process, with annual review for progress and necessary changes. Each school shall submit its plan to the board of directors by the last board meeting in August of each year for initial approval and annual review and approval.

Each school improvement plan or process shall be data driven and shall promote a positive impact on student learning. A positive impact on student learning means promoting the continuous achievement of the state learning goals and essential academic learning requirements (EALRS), and the achievement of nonacademic growth in areas like public speaking, leadership, interpersonal relationship skills, team work, self-confidence and resiliency, so that students can meet the goals of Washington's basic education system: to become responsible citizens, to contribute to their own economic well-being and that of their families and communities, and to enjoy productive and satisfying lives.

Each school improvement plan or process shall be based on a building self-review that includes the active participation and input of building staff, students, parents and community members.

Each school improvement plan or process shall address the following elements:

- Characteristics of high-performing effective schools as identified by the office of the superintendent of public instruction and the educational service district (a plan may focus on one or several of the characteristics for up to three years);
- Safe and supportive learning environments;
- Educational equity factors including gender, race, ethnicity, culture, language and physical and mental ability;
- Use of technology;
- Parent and community involvement; and
- Other factors identified by the school community for inclusion in the plan or process.

Any school participation in a program of school improvement assistance through the state accountability system or the federal Elementary and Secondary Education Act shall constitute sufficient compliance with this policy.

Legal References: WAC 180-16-220

Supplemental basic education program  
approval requirements

Management Resources: *Policy News*, October 2002

State Board Requires Annual School  
Plan

**Adoption Date: 02.09.04**  
**Auburn School District**  
**Revised: 11.08.10**

## **COURSE DESIGN AND ADOPTION OF INSTRUCTIONAL MATERIALS**

The board recognizes its responsibility for the improvement and growth of the educational program of the schools. To this end, the course designs shall be evaluated, adapted, and developed on a continuing basis. Instructional materials shall be selected to ensure alignment with state learning standards and enable all students to master foundational skills and knowledge to achieve college and career readiness.

### **Definitions**

For the purpose of policy and procedure 2020, the following definitions will apply:

Course Design is the process that includes identifying and sequencing essential content supporting students' skill development towards state learning standards. Course design involves providing appropriate instructional materials, professional development, and support systems for teachers as they implement the course.

Instructional Materials are all materials designed for use by students and their teachers as learning resources to help students to acquire facts, skills, and/or to develop cognitive processes. These instructional materials, used to help students meet state learning standards, may be printed or digital and may include textbooks, technology-based materials, other educational media, and assessments. They may carry different licensing types from open to all rights reserved. For the purposes of this policy, there are five categories of instructional materials:

Core Instructional Materials are the primary instructional resources for a given course. They are district approved and provided to all students to help meet learning standards and provide instruction towards course requirements.

Alternative Core Materials are the primary instructional materials for a given course that are used with a subset of students. These materials are intended to replace approved core materials and may be used for specialized course offerings or flexible learning environments.

Intervention Materials are designed to support strategic or intensive intervention for students who are at risk of not meeting established learning standards. Intervention materials are used with students to accelerate progress toward particular learning goals based on systematic assessment, decision making, and progress monitoring.

Supplemental Materials are used in conjunction with the core instructional materials of a course. These items extend and support instruction. They include, but are not limited to, books, periodicals, visual aids, video, sound recordings, computer software and other digital content.

Temporary Supplemental Materials are those items used in conjunction with the core instructional materials of a course that are of interest or value for a short period of time and are chosen within district-established guidelines. They are not intended to supplant the adopted curriculum nor be used on a regular instructional basis. Examples might include timely articles from relevant, reliable sources, websites, or news broadcasts. The use of temporary supplemental materials for time periods of over one year requires consideration of the material as either part of the core instructional material for a course or supplemental material for the course depending on the nature and scope of the material.

Instructional Materials Committee is the body that makes core instructional materials adoption recommendations to the school board based on superintendent-established procedures.

#### Course Design

The superintendent or designee will establish procedures for course design that:

- Provide for the regular review of selected content areas and implementation of any suggested changes.
- Provide for involvement of community representatives and staff members at appropriate times.

### **Selection and Adoption of Instructional Materials**

Instructional materials will be selected to ensure they are free of stereotyping and gender, race, class, and other forms of bias, recognizing that, under certain circumstances, biased materials may serve as appropriate resources to present contrasting and differing points of view and biased materials may be employed in order to teach students about bias, stereotyping, and propaganda in historical or contemporary contexts.

The primary objective in selecting instructional materials is to implement, enrich and support the educational program of the schools. All instructional materials shall be selected in conformance with:

- A. Applicable state and federal laws,
- B. The stated goals and/or standards of the district, and
- C. Procedures established by the instructional materials committee.

The board is responsible for the adoption of all core materials used in the district.

The superintendent, or designee, will establish procedures for core material, alternate core, and intervention material selection and adoption using criteria around evidence-based practices.

The superintendent will ensure that a listing of all core instructional materials used within the school curriculum is maintained in the district and is available for public review either in-person or online.

The intent of the board is that the superintendent delegate responsibility for examining, evaluating, and selecting all supplemental and temporary supplemental materials to the professional staff of the district. This includes preparing all student reading lists. Staff will rely on reason and professional judgment in the selection of high quality supplemental materials that align to state learning standards and are appropriate for the instructional program and developmental level and interests of their students.

Cross References:	Board Policy 6881 Board Policy 2027	Disposal of surplus property District ownership of staff-created work
Legal References:	RCW 28A.405.060  RCW 28A.320.230  RCW 28A.150.230 RCW 28A.320.170  RCW 28A.640  WAC 392-190-055  WAC 180-44-010	Course of study and regulations— enforcement—Withholding salary warrant for failure Instructional materials — Instructional materials committee District school directors’ responsibilities Tribal history and culture [as amended by SSB 5433] Sexual Equality  Textbooks and instructional materials— Scope—Elimination of bias Responsibilities related to instruction
Management Resources	December 2015	Native history required

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised: 11.08.10; 07.25.16**

## **PROCEDURE COURSE DESIGN, SELECTION, AND ADOPTION OF INSTRUCTIONAL MATERIALS**

For the purposes of this procedure, the definitions from Policy 2020 will apply.

District course design and core instructional materials should be regularly reviewed to ensure their ongoing alignment with state law, teaching and learning standards, and research-based best practices. All students will receive high quality core instruction and, as appropriate, strategic and intensive intervention supports matched to student needs.

### **Course Design**

#### **Existing Courses**

The superintendent or designee will establish a regular cycle of course design review and development that includes examination by review committees composed of district subject area coordinators and, as appropriate, external content area experts. This review cycle should be based on student need, changing demographics and funding. The cycle should cover each content area to ensure current course relevance. The course design process should review:

- Relevance, rigor, and alignment to state learning standards;
- Efficacy of core, alternative core, and intervention instructional materials that support student learning; and
- Processes and resources used to assess student progress and address teacher professional learning.

Recommendations of this review may lead to:

- Affirmation of continued use of current processes and instructional materials;
- Establishment of a timeline for completion of recommended tasks;
- Creation and assignment of tasks to subcommittees as required to select, write, or revise the course design;
- Recommendation of new instructional materials selection to the Instructional Materials Committee;
- Design of course implementation and staff development plans;
- Identification of projected budget needs in accordance with established timelines; and/or
- Maintained communications with impacted stakeholders.

#### **Social studies curriculum review or adoption**

In compliance with RCW 28A.320.170, when the board adopts or reviews the district's social studies curriculum, it will incorporate history, culture and government of the nearest federally recognized Indian tribe or tribes utilizing curriculum available on the OSPI website. The district may modify the OSPI curriculum to incorporate elements that have a regionally specific focus or may incorporate the curriculum into existing instructional materials.

During regularly scheduled reviews and revisions of their social studies and history curriculum thereafter, the district will collaborate with any federally recognized Indian tribe within its boundaries and with neighboring Indian tribes to expand and improve instructional materials about Indian tribes and to create programs of classroom and community cultural exchange.

The district will collaborate with the office of the superintendent of public instruction on curricular areas regarding tribal government and history that are statewide in nature.

### **New Courses or Major Modifications to Existing Courses**

New course offerings or major course modifications that propose significant changes to course objectives or scope will be reviewed by the superintendent or designee prior to being scheduled to ensure that the course is rigorous, utilizes appropriate instructional materials, and is a carefully considered part of the school's college and career pathways.

When the implementation of new or modified courses requires the adoption of new instructional resources, those resource recommendations will be forwarded to the Instructional Materials Committee for consideration by the process outlined below.

### **Instructional Material Delivery Formats**

Instructional materials may be delivered in many formats, and may include textbooks, technology-based materials, or other educational media.

### **Open Educational Resources**

Open Educational Resources (OER) are teaching and learning resources that reside in the public domain or have been released under an intellectual property license that permits their free use and re-purposing by others. A wide variety of free, high quality instructional content is available from supplemental to core instructional materials. District staff are encouraged to consider OER when selecting instructional materials. OER are subject to the same selection and adoption procedures as other instructional materials outlined in this document.

### **Technology-based Resources**

When instructional materials are technology based, district educational technology staff should be consulted regarding the technological impacts of the suggested program. Equity of access for students and teachers must be considered for all core materials delivered in digital formats.

### **Core Instructional Material Selection**

#### **Instructional Materials Committee**

The Instructional Materials Committee (IMC) is formed to establish and monitor such procedures as may be necessary for the evaluation and recommendation of core materials used by the district in conformance to stated criteria.

Members will be appointed by the superintendent or designee.

#### **Criteria for Selection of Core Instructional Materials**

Core instructional materials shall be selected based upon the degree to which they:

- A. Demonstrate likelihood of impact as shown by scientific or evidence-based research;
- B. Enable implementation of the district's developed curriculum and meet state standards and College Readiness requirements;
- C. Provide sufficient flexibility to meet the varied needs and abilities of the students served;

D. Provide clear and appropriate differentiation components for English Language Learners, special education students, students with academic opportunity gaps, and highly capable students;

E. Where appropriate, present balanced but differing views of issues, controversial or otherwise, in order that students may develop critical analysis and informed decision-making skills;

F. Demonstrate consideration of appropriate format(s) (including technological, visual, and/or auditory components);

G. Support an equitable access to learning and learning materials for all students; including the provision of appropriate, high-quality accessible instructional materials to all students with disabilities who require them; and

H. *The Washington Models for the Evaluation of Bias Content in Instructional Materials*, published by the Office of Superintendent of Public Instruction (OSPI) should be consulted in the selection process to further to the goal of eliminating content bias in accord with language contained in school board policy:  
<https://www.k12.wa.us/CurriculumInstruct/InstructionalMaterialsReview.aspx>.

### **Adoption of Core Instructional Materials**

Core material will be approved by the board prior to their use in classrooms. Texts selected previously are exempt from this requirement.

### **Exceptional Needs or Rapidly Changing Circumstances**

The superintendent or designee may authorize the acquisition of alternative core instructional materials to meet exceptional needs or rapidly changing circumstances. However, expanded use of core instructional materials selected for exceptional needs will require adoption through the formal process

### **College in the High School, Advanced Placement (AP), and/or International Baccalaureate (IB)**

College in the High School, AP, and/or IB courses may have varying course designs as necessitated by their course credit transfer requirements.

### **Supplemental Material Selection**

Supplemental materials will not require IMC approval or board adoption.

The superintendent shall delegate responsibility for examining, evaluating, and selecting all supplemental and temporary supplemental materials to the principal or professional staff of the district. This includes preparing all student reading lists using state standards-aligned resources/repositories. Staff will rely on reason and professional judgment in the selection of high quality supplemental materials that align to state learning standards and are appropriate for the instructional program and developmental level and interests of their students. Staff are expected to thoroughly preview such materials and to give due consideration to the text complexity, developmental level of students; appropriateness of language or images; bias against racial, gender, ethnic, or other social groups; and other sensitive issues.

## LIBRARY MEDIA CENTERS

Library/media centers will be used to support the attainment of the state's learning goals. Each center shall be provided with a collection of print and electronic information, instructional equipment and other learning resource materials to promote a positive impact on student learning. These resources will support the district's school improvement plan and student mastery of the essential academic learning requirements in all subject areas..

Library media staff shall collaborate as instructional partners and informational specialist with teachers to develop student's information and technology skills. Staff shall assist students in meeting content goals in all subject areas and assist high school students with graduation requirements, specifically the culminating project and the high school and beyond plans. Library/media staff will assist students and teachers by providing access to materials and securing information from other sources.

The superintendent shall establish procedures for the selection of materials. Citizens who wish to express a concern about specific material included in the collection may do so according to the procedures outlined in 2020P.

Legal References:     WAC 392-204  
                              392-190-055

Library Media Centers  
Text books and instructional materials  
— Scope — Elimination of sex bias  
— Compliance timetable

Management Resources:

*Policy News*, April 2005  
  
*Policy News*, October 2007

State Board of Education Revises  
Library  
Media Rules  
Elimination of Outdated and Obsolete  
Policies

## **PROCEDURE LIBRARY MEDIA CENTERS**

### **Instructional Resources**

Textbooks will be selected in the manner described in policy and procedure 2020 and 2020P. Materials to be included in a library/media center shall be selected as outlined.

### **Suggestions for Acquisition**

Suggestions may originate from students and teachers. Those suggestions are considered by the library/media staff member who weighs requests, evaluates materials and selects those which fulfill the needs of the instructional program.

### **Criteria for Selection**

Selection of materials is a continuous process. New materials become available daily. The factors to be employed in selection are:

- A. Needs of the school, curriculum and/or individual student. (The program should provide for a wide range of materials on appropriate levels of difficulty with a diversity of appeal and presentation of a variety of viewpoints);
- B. Artistic and literary quality;
- C. Reliability and breadth of information with particular concern for the contributions (current and historical) of both sexes and members of the several specific religious, ethnic, political and cultural groups;
- D. Accents on sex, profanity, obscenity subjected to a stern test of literary merit and reality; and
- E. Professional reviews. (The library/media staff member employs professional reviewing materials, the judgments of other professions--teachers and librarians — to aid in the selection process. Professional reviewing materials include:
  1. Current reviews - *Library Journal* and *School Library Journal*, *Booklist*, *Hornbook*, *English Journal*, *Choice* and other professional and commercial periodicals which review materials objectively.
  2. Published lists of appropriate materials - H.W. Wilson's *Children's Catalog*, *ALA Basic Book Collection* series, Bowker's *Best Books for Children*, *AAAS Science Book List for Young Adults*; materials suggested by the National Councils of Teachers of English and Social Studies; plus Washington Superintendent of Public Instruction *Books for School Libraries*; and other professional publications which evaluate material.)

### **Complaints or Concerns about Materials**

Complaints and/or concerns about the use and/or availability of specific materials should be directed to the principal.

## ELECTRONIC RESOURCES

The Auburn Board of Directors recognizes that an effective public education system develops students who are globally aware, civically engaged, and capable of managing their lives and careers. The board also believes that students need to be proficient users of information, media, and technology to succeed in a digital world.

Therefore, the Auburn district will use electronic resources as a powerful and compelling means for students to learn core subjects and applied skills in relevant and rigorous ways. It is the district's goal to provide students with rich and ample opportunities to use technology for important purposes in schools just as individuals in workplaces and other real-life settings. The district's technology will enable educators and students to communicate, learn, share, collaborate and create, to think and solve problems, to manage their work and to take ownership of their lives.

The board directs the superintendent or designee to create strong electronic educational systems that support innovative teaching and learning, to provide appropriate staff development opportunities and to develop procedures to support this policy.

Cross References:	Board Policy 2020	Curriculum Development and Adoption of Instructional Materials
	Board Policy 2025	Copyright Compliance
	Board Policy 3241	Classroom Management, Corrective Actions or Punishment
	Board Policy 4400	Election Activities
	Board Policy 5281	Disciplinary Action and Discharge
	Board Policy 3207	Harassment, Intimidation and Bullying
	Board Policy 4040	Public Access to District Records
	Board Policy 3231	Student Records
Legal Reference:	18 USC §§ 2510-2522	Electronic Communication Privacy Act
Management Resources:	<i>Policy News</i> , June 2008	Policy News
	<i>Policy News</i> , June 2001	Congress Requires Internet Blocking at School
	<i>Policy News</i> , August 1998	Permission required to review e-mail

## **PROCEDURE ELECTRONIC RESOURCES**

### **Acceptable Use Procedures for Electronic Resources**

The Acceptable Use Procedures 2022P are written to support the Electronic Resources Policy 2022 of the Auburn Board of Directors and to promote positive and effective digital citizenship among students and staff. Digital citizenship represents more than technology literacy. Successful, technologically fluent digital citizens live safely and civilly in an increasingly digital world. They recognize that information posted on the Internet is public and permanent and can have a long-term impact on an individual's life and career. Expectations for student and staff behavior online are no different from face-to-face interactions.

### **Use of Personal Electronic Devices**

In accordance with all Auburn School District policies and procedures, students and staff may use personal electronic devices (e.g. laptops, mobile devices and e-readers) to further the educational and research mission of the Auburn School District. School staff will retain the final authority in deciding when and how students may use personal electronic devices on school grounds. Staff using personal electronic devices for district purposes are required to document retention policies, if applicable.

### **Network**

The Auburn School District network includes wired and wireless devices and peripheral equipment, files and storage, e-mail and Internet content (e.g. blogs, websites, collaboration software, social networking sites, wikis, etc.). The Auburn School District reserves the right to prioritize the use of, and access to, the network.

All use of the network must support education and research and be consistent with the mission of the Auburn School District.

The Auburn School District will not be responsible for any damages suffered by any user, including but not limited to, loss of data resulting from delays, non-deliveries, mis-deliveries or service interruptions caused by his/her own negligence or any other errors or omissions.

### **Acceptable network use by Auburn School District students and staff include:**

- A. Creation of files, digital projects, videos, web pages and podcast using network resources in support of education and research;
- B. Participation in blogs, wikis, bulletin boards, social networking sites and groups and the creation of content for pod casts, e-mail and web pages that support education and research;
- C. The online publication of original educational material, curriculum related materials and student work. Sources outside the classroom or school must be cited appropriately;
- D. Staff use of the network for incidental personal use in accordance with all Auburn School District policies and procedures.

**Unacceptable network use by Auburn School District students and staff includes but is not limited to:**

- A. Personal gain, commercial solicitation and compensation of any kind;
- B. Actions that are unethical, illegal or result in liability or cost incurred by the Auburn School District;
- C. Support for or opposition to ballot measures, candidates and any other political activity;
- D. Hacking, cracking, vandalizing, the introduction of viruses, worms, Trojan horses, time bombs and changes to hardware, software and monitoring tools;
- E. Unauthorized access to other Auburn School District computers, networks and information systems;
- F. Cyberbullying, hate mail, defamation, harassment of any kind, discriminatory jokes and remarks;
- G. Information posted, sent or stored online that could endanger others (e.g., bomb construction, drug manufacturing);
- H. Accessing, uploading, downloading, storage and distribution of obscene, pornographic or sexually explicit material;
- I. Physically altering parts or components of district technology devices without explicit prior approval of the department of technology.
- J. Downloading, copying or reproducing data, data sets, and/or data collections such as available in or derived from the core fiscal and student information systems, with the intent or result of removing from the Auburn School District premises said data without express prior approval of the superintendent or designee.

**Internet Safety**

Personal Information and Inappropriate Content:

- A. Students and staff should not reveal personal information, including a home address and phone number on web sites, blogs, podcasts, videos, social networking sites, wikis, e-mail or as content on any other electronic medium;
- B. Students and staff should not reveal personal information about another individual on any electronic medium without first obtaining permission;
- C. Student pictures or names can be published on any public class, school or Auburn School District website unless the parent or guardian has opted out; and
- D. If students or staff encounter dangerous or inappropriate information or messages, they should notify the appropriate school authority.

**Internet Safety Instruction**

All students will be educated about appropriate online behavior, including interacting with other individuals on social networking sites and chat rooms, and cyberbullying awareness and response.

- A. Age-appropriate materials will be made available for use across grade levels.
- B. Training on online safety issues and materials implementation will be made available for administration, staff and families.

### **Filtering and Monitoring**

Filtering software is used to block or filter access to visual depictions that are obscene and all child pornography in accordance with the Children's Internet Protection Act (CIPA). Other objectionable material could be filtered. The determination of what constitutes "other objectionable" material is a local decision.

- A. Filtering software is not 100 percent effective. While filters make it more difficult for objectionable material to be received or accessed, filters are not a solution in themselves. Every user must take responsibility for his/her use of the network and Internet and avoid objectionable sites;
- B. Any attempts to defeat or bypass the Auburn School District's Internet filter or conceal Internet activity are prohibited (e.g., proxies, https, special ports, modifications to Auburn School District browser settings and any other techniques designed to evade filtering or enable the publication of inappropriate content);
- C. E-mail inconsistent with the educational and research mission of the Auburn School District will be considered SPAM and blocked from entering Auburn School District e-mail boxes;
- D. The Auburn School District will provide appropriate adult supervision of Internet use. The first line of defense in controlling access by minors to inappropriate material on the Internet is deliberate and consistent monitoring of student access to Auburn School District devices;
- E. Staff members who supervise students, control electronic equipment or have occasion to observe student use of said equipment online, must make a reasonable effort to monitor the use of this equipment to assure that student use conforms to the mission and goals of the Auburn School District;
- F. Staff must make a reasonable effort to become familiar with the Internet and to monitor, instruct and assist effectively; and
- G. The district will provide a procedure for staff members to request access to Internet websites blocked by the district's filtering software. The district will provide protocols for students, through the appropriate school channels, to request access to Internet web sites blocked by the district's filtering software. The requirements of the Children's Internet Protection Act (CIPA) will be considered in evaluation of the request. The district will provide an appeal process for requests that are denied.

### **Copyright**

Downloading, copying, duplicating and distributing software, music, sound files, movies, images or other copyrighted materials without the specific written permission of the copyright owner is generally prohibited. However, the duplication and distribution of materials for educational purposes is permitted when such duplication and distribution falls within the Fair Use Doctrine of the United States Copyright Law (Title 17, USC) and content is cited appropriately.

### **Ownership of Work**

All work completed by employees as part of their employment will be considered property of the Auburn School District. The Auburn School District will own any and all rights to such work including any and all derivative works, unless there is a written agreement to the contrary.

All work completed by students as part of the regular instructional program is owned by the student as soon as it is created, unless such work is created while the student is acting as an employee of the Auburn School District or unless such work has been paid for under a written agreement with the Auburn School District. Staff members must obtain a student's permission prior to distributing his/her work to parties outside the school. If under an agreement with the Auburn School District, the work will be considered the property of the Auburn School District.

### **Network Security and Privacy**

Passwords are the first level of security for a user account. System logins and accounts are to be used only by the authorized owner of the account for authorized Auburn School District purposes. Students and staff are responsible for all activity on their account and must not share their account password.

The following procedures are designed to safeguard network user accounts:

- A. Change passwords according to Auburn School District policy;
- B. Do not use another user's account;
- C. Do not insert passwords into e-mail or other communications;
- D. If you write down your user account password, keep it in a secure location;
- E. Do not store passwords in a file without encryption;
- F. Do not use the "remember password" feature of Internet browsers; and
- G. Lock the screen or log off if leaving the computer.

### **Student Data is Confidential**

Auburn School District staff must maintain the confidentiality of student data in accordance with the Family Educational Rights and Privacy Act (FERPA).

### **No Expectation of Privacy**

The Auburn School District provides the network system, e-mail and Internet access as a tool for education and research in support of the Auburn School District's mission. The Auburn School District reserves the right to monitor, inspect, copy, review and store without prior notice information about the content and usage of:

- A. The network;
- B. User files and disk space utilization;
- C. User applications and bandwidth utilization;
- D. User document files, folders and electronic communications;
- E. E-mail;
- F. Internet access; and
- G. Any and all information transmitted or received in connection with network (e.g. audio, video, multimedia, e-mail).

No student or staff user should have any expectation of privacy when using the Auburn School District's network. The Auburn School District reserves the right to disclose any electronic content to law enforcement officials or third parties as appropriate. All documents are subject to the public records disclosure laws of the State of Washington.

### **Archive and Backup**

Backup is made of all Auburn School District e-mail correspondence for purposes of public disclosure and disaster recovery. Barring power outage or intermittent technical issues, staff and student files are backed up on Auburn School District servers regularly.

### **Disciplinary Action**

All users of the Auburn School District's electronic resources are required to comply with the Auburn School District's policies and procedures. Violation of any of the conditions of use explained in the Auburn School District's Electronic Resources policy or procedures could be cause for disciplinary action, suspension or expulsion from school and suspension or revocation of network and computer access privileges.

### **Social Media and Electronic Communication**

The Auburn School District understands the importance of staff, students and parents engaging, collaborating, learning and sharing in digital environments. The district is committed to effectively using a range of communication strategies and techniques to ensure the public, stakeholders, and staff are fully engaged and informed.

Staff have the following obligations and requirements when using social media tools:

- A. All official Auburn School District presences on social media sites or services are considered an extension of the district's information networks and are governed by the Acceptable Use Procedures. This includes policies regarding personal use of district resources and policies regarding staff and student interaction.
- B. Staff that use social media are responsible for complying with applicable federal, state, and county laws, regulations and policies. This includes adherence to established laws and policies regarding copyright, records retention, privacy laws (FERPA) and information security policies established by Auburn School District.
- C. School social media accounts must be created using an official district email account.
- D. Employees representing Auburn School District via social media outlets must conduct themselves at all times as representatives of the Auburn School District. Employees who fail to conduct themselves in an appropriate manner shall be subject to disciplinary action.
- E. Violation of these standards may result in a request for the removal of staff/program pages from social media outlets.
- F. District media sites, web pages and/or social media should promote learning/instruction, curriculum, school activities and/or information about the Auburn School District.
- G. Auburn School District directory data are to be used when posting student photos, work, links, and information. Please consult your building principal/department supervisor and/or building secretary if you are not familiar with directory data releases and the accompanying procedures.
- H. Staff should maintain a separation between professional and personal social media or electronic communication including text messaging.
- I. District presence on any social media site, including school-related accounts, such as clubs, teams, field trips, course, or other sites associated with the district or a district school is authorized and monitored by the building principal or department supervisor.

**Non-District Provided Social Media Sites Require Authorization Before Use**

- A. Staff use of Non-District Provided Social Media Sites is requested through the building principal/department supervisor. (i.e., Facebook; Twitter; YouTube Channel)
- B. Non-District Provided Social Media Site Use Authorization Form and Guidelines are available on the Technology Department webpage.
- C. When building principal/department supervisor approves (Non-District Provided) social media site use, principal or designee will inform the Communications Department before activating the site.

## **LESSON PLANS**

To insure proper planning and continuity of instruction, each teacher shall prepare lesson plans for daily instruction. To facilitate effective instruction and in preparation for possible substitute teachers, lesson plans must be prepared sufficiently in advance of class presentation. The format for the lesson plans will be specified by the building principal, shall be reviewed on a regular basis, and must be readily available in the event a substitute teacher is needed.

Legal References: WAC 180-44-010

Responsibilities related to instruction

**Adoption Date: 11.08.10**  
**Auburn School District**  
**Revised:**

## ONLINE LEARNING

The Auburn Board of Directors believes that a variety of learning options, including online courses and programs, are critical for 21st Century learners. The board recognizes that the online learning environment provides students with unique opportunities to become self-disciplined learners with life-long learning skills. Further, the board believes that online learning provides tremendous opportunities for students to access curriculum and specialized courses in a flexible learning environment that might not otherwise be available.

Therefore, the board supports a range of online learning opportunities that are equally accessible to all students in the school district. The board directs the superintendent to provide information to parents, students and staff regarding online learning options and the guidelines for participation.

The superintendent or designee will develop procedures to implement this policy. The procedures will include, but not be limited to, a description of student access to online learning courses/programs, student eligibility criteria, the types of online courses available to students, methods the district will use to support student success, payment of course fees and other costs, granting of course credit and conditions under which no credit will be awarded.

Cross References:	Board Policy 2022 Board Policy 2255 Board Policy 2410	Electronic Resources Alternative Learning Experience Programs Graduation Requirements
Legal References:	RCW 28A.225 RCW 28A.250 RCW 28A.230.090  RCW 28A.320.035  RCW 28A.150.262  RCW 28A.150.220  WAC 180-51 WAC 392-121-182 WAC 392-121-188 WAC 392-410-310  WAC 392-502	Compulsory School Attendance and Admission Online Learning High School graduation requirements or equivalencies – Reevaluation of graduation requirements – Review and authorization of proposed changes – Credit for courses taken before attending high school – Postsecondary credit equivalencies. Contracting out – Board’s powers and duties – Goods and services Defining full-time equivalent student – Students receiving instruction through alternative learning experience online programs – Requirements – Rules Basic Education – Minimum instructional requirements – Program accessibility – Rules (Effective September 1, 2011) High School Graduation Requirements Alternative learning experience requirements Instruction provided under contract Equivalency course of study – Credit for correspondence courses, electronically mediated courses, and college courses. Online Learning
Management Resources:	<i>Policy News</i> , December 2009	Online Learning Policy Required

**Adoption Date: 11.08.10**  
**Auburn School District**  
**Revised:**

## PROCEDURE ONLINE LEARNING

### A. Definitions

- Online Courses: An “online course” is one in which more than half of the content is delivered online and more than half of the instruction is delivered online by a teacher from a different location than that of the student.
- Online School Program: “Online school program” is delivered by a school district or cooperative of school districts and provides an online, comprehensive and sequential program of courses or grade-level coursework and instruction in which more than half of the program is delivered online and more than half of the instruction is delivered online by a teacher from a different location than that of the student.
- Online Learning Support Team: District/school staff (*list members of the team here: recommended participants include a local advisor, registrar, a school administrator and the building technologist*) who will provide assistance to the student in accessing courses, understanding coursework and maintaining successful progress in the course.

### B. Student Access to Online Courses and Online School Programs

The district will facilitate access to the following types of online learning opportunities(*select the appropriate options for your district*):

1. Online courses:
  - a. District-created and taught online courses;
  - b. District-taught online courses created by a third-party contracted provider; and
  - c. OSPI-approved online courses created and taught by third-party course providers.
2. Online school programs:
  - a. District-created and taught online school programs;
  - b. District-sponsored programs created and taught by third-party course providers;
  - c. District-sponsored programs created by third-party course providers and taught by district teachers; and
  - d. Out-of-district online school programs accessed through an interdistrict transfer.

### C. Types of Online Courses Available

The district will facilitate access to the following types of online courses (*select appropriate options*):

1. Credit recovery courses allowing students to make up failed credits needed for graduation;
2. Advanced placement courses;
3. Foreign language courses;
4. Courses which may already be offered in the student's school but are inaccessible to the student due to scheduling or other factors;
5. Courses not available at the student's school that meet four-year college entrance requirements;
6. Elective and career and technical courses;
7. Standard-level courses meeting high school graduation requirements;
8. Grade-level coursework for K-8; and
9. A course that meets the criteria for district use of a non-approved course.

### D. Student Eligibility Criteria

The district will facilitate access to online learning courses and programs for students enrolled in (*insert grade levels*) grades. Students requesting permission to take an online course or participate in a district-created online school program must adhere to the following criteria:

1. Have completed any required prerequisites and provide teacher/counselor recommendations to confirm that he/she possesses the academic level needed to function effectively in an online learning environment;
2. Comply with existing district policies for registering/enrolling in a course or district program.
3. Students interested in attending an online school program in another district must follow the interdistrict transfer procedures in (*list district policy name and number*) prior to entering that program.

### E. Supporting Student Success

The district will provide the following support to students to help ensure a successful online learning experience:

1. All online students will receive assistance from the local online learning support team;
2. The registrar will advise students in selecting and registering the online learning options to which the district facilitates access;
3. The local advisor will meet regularly with online students to ensure they are connecting to the online coursework and the online teacher and are making satisfactory progress in their online coursework;

4. The district will offer a dedicated class period during the school day in which the student may connect to an online course and to their local advisor; and
5. The district will offer access to online computers during the school day. (*Optional: include "outside" of the school day.*)

#### F. Costs/Fees

1. Courses offered to students for which the district claims state education funding or that are included as part of the legally required annual average total instructional hour offering of one thousand (1,000) hours will be paid for by the school district. Students/families may be responsible for fees as specified by the district fee schedule.
2. Courses offered to students for which the district claims no state education funding and that are not included as part of the legally required annual average total instructional hour offering of one thousand (1,000) hours will be paid for (***Choose the appropriate option: by students/families or by the district***). Students/families may also be responsible for fees as specified by the district fee schedule.

#### G. Granting of High school Credit for Online Courses

1. Credit for online courses will be granted in the same manner as other course offerings in the district.
2. Currently enrolled students must seek approval prior to enrolling in an online course provided outside of the district. The student will seek prior approval and will be informed whether or not the course is eligible for academic credit from the district.
3. For students transferring credit from online courses or programs taken while enrolled outside of the district, credit will be granted according to the district transfer credit policy (***insert name and number here***).
4. For eligible courses, if course credit is earned, the course will be recorded on the transcript as an online-learning course.

#### H. Information to Students and Parents or/Guardians

The district will use a variety of methods to provide information to parents/guardians and students regarding online learning opportunities.

Information will be provided through the district Webpage, counseling office brochures, newsletters, the student handbook, and other appropriate district communication resources.

Information provided will include descriptions of online courses or online school programs, enrollment information, potential fees, a description of credit awarded for courses, student eligibility requirements, methods the district will use to support student success and (***insert here any additional district graduation requirements related to online learning***).

I. Criteria for District Use of Non-OSPI Approved Online Courses

1. The district may offer courses to students from providers not on the OSPI-approved list only after ensuring that they meet the criteria for district use of nonapproved courses as posted on the OSPI Website
2. The district will ensure proper documentation when using nonapproved online courses.

J. Student Responsibilities

1. Adhere to the district's code of conduct for academic integrity.
2. Comply with course/program participation and completion requirements.
3. Maintain high academic involvement.
4. Notify the district if participation in an online course/program ceases or changes.
5. Maintain agreed upon levels and kinds of communication with the local advisor throughout the term of the online course.
6. Participate in an online course/program orientation.

K. Parent or Guardian Responsibilities

1. Parents or guardians are responsible for costs/fees as outlined in Section F.
2. Parents or guardians are responsible for seeking appropriate technology – per district recommendations – for student participation in coursework outside the school day or designated online learning period.

L. District Responsibilities

1. Inform parents/guardians prior to student enrollment in any online course or program.
2. Inform staff, parents/guardians, and students of the online courses and programs that are available to them.
3. Inform staff, parents/guardians, and students of the online course/online school program prerequisites, technology requirements, course outlines, syllabi, and possible fees.
4. Provide online students who remain enrolled in the district and who participate in the online course or program during the school day with computing hardware and connectivity required for participation in the online course or online school program.
5. Inform staff, parents/guardians, and students of how to seek and access technology resources and technological requirements beyond the school day.
6. Provide online students with an online learning support team.
7. Ensure communication between the student's local advisor and parent/guardian.
8. Ensure property student information system coding for online courses.
9. The district will inform students and their parent/guardian of rescheduling options or grade impacts in the event a student withdraws from an online course or online school program prior to completion.

## COPYRIGHT COMPLIANCE

The board recognizes that federal law makes it illegal to duplicate copyrighted materials without authorization of the holder of the copyright, except for certain exempt purposes.

Severe penalties may be imposed for unauthorized copying or using of audiovisual or printed materials and computer software, unless the copying or using conforms to the "fair use" doctrine.

Under the "fair use" doctrine, unauthorized reproduction of copyrighted materials is permissible for such purposes as criticism, comment, news reporting, teaching, scholarship or research. If duplicating or changing a product is to fall within the bounds of fair use, these four standards must be met for any of the foregoing purposes:

- A. **The Purpose and Character of the Use.** The use must be for such purposes as teaching or scholarship.
- B. **The Nature of the Copyrighted Work.** Staff may make single copies of: book chapters for use in research; instruction or preparation for teaching; articles from periodicals or newspapers; short stories, essays or poems; and charts, graphs, diagrams, drawings, cartoons or pictures from books, periodicals, or newspapers in accordance with these guidelines.
- C. **The Amount and Substantiality of the Portion Used.** Copying the whole of a work cannot be considered fair use; copying a small portion may be if these guidelines are followed.
- D. **The Effect of the Use upon the Potential Market for or Value of the Copyrighted Work.** If resulting economic loss to the copyright holder can be shown, even making a single copy of certain materials may be an infringement, and making multiple copies presents the danger of greater penalties.

While the district encourages its staff to enrich the learning programs by making proper use of supplementary materials, it is the responsibility of district staff to abide by the district's copying procedures and obey the requirements of the law. In no circumstances shall it be necessary for district staff to violate copyright requirements in order to perform their duties properly. The district cannot be responsible for any violations of the copyright law by its staff.

Any staff member who is uncertain as to whether reproducing or using copyrighted material complies with the district's procedures or is permissible under the law should contact the superintendent or the person designated as the copyright compliance officer. The latter will also assist staff in obtaining proper authorization to copy or use protected material when such authorization is required.

The superintendent, copyright compliance officer or designee shall file with the federal Copyright Office, and post the same information on the district's web site, his or her designation as the district's agent, in the district's role as an Internet service provider, to receive notifications that claim that users of the district's Internet network have infringed copyright.

Cross Reference: Board Policy 2022 Electronic Information Systems (Network)

Legal References: P.L. 94-553, Federal Copyright Law of 1976 (U.S. Code, Title 17)  
P.L. 105-304 Digital Millennium Copyright Act of 1998

Management Resources: *Policy News*, October 2001, Copyright Information Update

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised: 11.08.10**

## PROCEDURE COPYRIGHT COMPLIANCE

Staff may make copies of copyrighted school district materials that fall within the following guidelines. Where there is reason to believe the material to be copied does not fall within these guidelines, prior permission shall be obtained from the principal. Staff members who fail to follow this procedure may be held personally liable for copyright infringement.

### Authorized Reproduction and Use of Copyrighted Materials in Print

#### Reminders:

- A. Materials on the Internet should be used with caution since they may be copyrighted.
- B. Proper attribution (author, title, publisher, place and date of publication) should always be given.
- C. Notice should be taken of any alternations to copyrighted works and such alternations should only be made for specific instructional objectives.
- D. Care should be taken in circumventing any technological protection measures. While materials copied pursuant to fair use may be copied after circumventing technological protections against unauthorized copying, technological protection measures to block access to materials may not be circumvented.

In preparing for instruction, a teacher may make or have made a **single** copy of:

- A. A chapter from a book;
- B. An article from a newspaper or periodical;
- C. A short story, short essay or short poem; or
- D. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

A teacher may make **multiple** copies, not exceeding more than one per pupil, for classroom use or discussion if the copying meets the tests of “brevity, spontaneity and cumulative effect” set by the following guidelines. Each copy must include a notice of copyright.

- A. Brevity
  - 1. A complete poem, if less than 250 words and two pages long, may be copied; excerpts from longer poems cannot exceed 250 words;
  - 2. Complete articles, stories or essays of less than 2500 words or excerpts from prose works less than 1000 words or 10% of the work, whichever is less may be copied; in any event, the minimum is 500 words;
  - 3. Each numerical limit may be expanded to permit the completion of an unfinished line of a poem or prose paragraph;

4. One chart, graph, diagram, drawing, cartoon or picture per book or periodical issue may be copied. "Special" works cannot be reproduced in full; this includes children's books combining poetry, prose or poetic prose. Short special works may be copied up to two published pages containing not more than 10 percent of the work.
- B. Spontaneity--Should be at the "instance and inspiration" of the individual teacher when there is not a reasonable length of time to request and receive permission to copy.
- C. Cumulative Effect--Teachers are limited to using copied material for only one course in the school in which copies are made. No more than one short poem, article, story or two excerpts from the same author may be copied, and no more than three works can be copied from a collective work or periodical column during one class term. Teachers are limited to nine instances of multiple copying for one course during one class term. Limitations do not apply to current news periodicals, newspapers and current news sections of other periodicals.

Performances by teachers or students of copyrighted dramatic works without authorization from the copyright owner are permitted as part of a teaching activity in a classroom or instructional setting. All other performances require permission from the copyright owner.

The copyright law prohibits using copies to replace or substitute for anthologies, consumable works, compilations or collective works. "Consumable" works include: workbooks, exercises, standardized tests, test booklets and answer sheets. Teachers cannot substitute copies for the purchase of books, publishers' reprints or periodicals, nor can they repeatedly copy the same item from term-to-term. Copying cannot be directed by a "higher authority," students cannot be charged more than actual cost of photocopying.

Teachers may use copyrighted material in overhead or opaque projectors for instructional purposes.

### **Authorized reproduction and use of copyrighted materials in the library**

A library may make a **single** copy or three digital copies of:

1. An **unpublished** work which is in its collection;
2. A published work in order to replace it because it is damaged, deteriorated, lost or stolen, provided that unused replacement cannot be obtained at a fair price.
3. A work that is being considered for acquisition, although use is strictly limited to that decision. Technological protection measures may be circumvented for purposes of copying materials in order to make an acquisition decision.

A library may provide a single copy of copyrighted material to a student or staff member at no more than the actual cost of photocopying. The copy must be limited to one article of a periodical issue or a small part of other material, **unless** the library finds that the copyrighted work cannot be obtained elsewhere at a fair price. In the latter circumstance, the entire work may be copied. In any case, the copy shall contain the notice of copyright and the student or staff member shall be notified that the copy is to be used only for private study, scholarship or research. Any other use may subject the person to liability for copyright infringement.

At the request of a teacher, copies may be made for reserve use. The same limits apply as for single or multiple copies designated in “Authorized Reproduction and Use of Copyrighted Material in Print.

### **Authorized Reproduction and Use of Copyrighted Music**

A teacher may make a single copy of a song, movement, or short section from a printed musical work that is unavailable except in a larger work for purposes of preparing for instruction.

A teacher may make multiple copies for classroom use of an excerpt of not more than 10% of a printed musical work if it is to be used for academic purposes other than performance, **provided** that the excerpt does not comprise a part of the whole musical work which would constitute a performable unit such as a complete section, movement, or song. In an emergency, a teacher may make and use replacement copies of printed music for an imminent musical performance when the purchased copies have been lost, destroyed or are otherwise not available.

A teacher may make and retain a single recording of student performances of copyrighted material when it is made for purposes of evaluation or rehearsal.

A teacher may make and retain a single copy of excerpts from recordings of copyrighted musical works for use as aural exercises or examination questions.

A teacher may edit or simplify purchased copies of music provided that the fundamental character of the music is not distorted. Lyrics shall not be altered or added if none exist.

Performance by teachers or students of copyrighted musical works is permitted without the authorization of the copyright owner as part of a teaching activity in a classroom or instructional setting. The purpose shall be instructional rather than for entertainment.

Performances of nondramatic musical works which are copyrighted are permitted without the authorization of the copyright owner, provided that:

- A. The performance is not for a commercial purpose;
- B. None of the performers, promoters or organizers are compensated; and
- C. Admission fees are used for educational or charitable purposes only.

All other musical performances require permission from the copyright owner.

### **Off-Air Recording of Copyrighted Programs**

Television programs, excluding news programs, transmitted by commercial and non-commercial television stations for reception by the general public without charge may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable retransmission) and retained by a school for a period not to exceed the first forty-five (45) consecutive calendar days after date of recording. Upon conclusion of this retention period, all off-air recordings must be erased or destroyed immediately.

Off-air recording may be used once by individual teachers in the course of instructional activities, and repeated once only when reinforcement is necessary within a building, during the first ten (10) consecutive school days, excluding scheduled interruptions, in the forty-five (45) calendar day retention period.

Off-air recordings may be made only at the request of and used by individual teachers, and may not be regularly recorded in anticipation of requests. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast.

A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers. Each additional copy shall be subject to all provisions governing the original recording.

After the first ten (10) consecutive school days, off-air recordings may be used up to the end of the forty-five (45) calendar day retention period only for evaluation purposes, i.e., to determine whether or not to include the broadcast program in the teaching curriculum. Permission must be secured from the publisher before the recording can be used for instructional purposes after the ten (10) day period.

Off-air recordings need not be used in their entirety, but the recorded programs may not be altered from their original content. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.

All copies of off-air recordings must include the copyright notice on the broadcast program as recorded.

### **Authorized Reproduction and Use of Copyrighted Computer Software**

Schools have a valid need for high-quality software at reasonable prices. To assure a fair return to the authors of software programs, the school district shall support the legal and ethical issues involved in copyright laws and any usage agreements that are incorporated into the acquisition of software programs.

To this end, the following guidelines shall be in effect:

- A. All copyright laws and publisher license agreements between the vendor and the district shall be observed;
- B. Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment;
- C. A back-up copy shall be purchased, at least, for use as a replacement when a program is lost or damaged. If the vendor is not able to supply such, the district, in accordance with P.L. 96-517, Section 7(b), shall make a back-up program and attest that the program will be used for replacement purposes only;
- D. The principal is authorized to sign a software license agreement on behalf of the school. A copy of said agreement shall be retained by the principal.
- E. A computer program may be adapted by adding to the content or changing the language. The adapted program may not be distributed.

### **Fair Use Guidelines for Education Multimedia**

- A. Fair use does not include posting a student or teacher's work on the Internet if it includes portions of copyrighted materials. Permission to copy shall be obtained from the original copyright holder(s) before such projects are placed online.
- B. The opening screen of such presentations shall include notice that they were prepared under the fair use exemption of the US copyright law and are restricted from further use.
- C. Students may incorporate portions of copyrighted materials in producing educational multimedia projects for a specific course, and may perform, display or retain the projects.
- D. Educators may perform or display their own multimedia projects to students in support of curriculum-based instructional activities. These projects may be used:
  - 1. In face-to-face instruction;
  - 2. In demonstrations and presentations, including conferences;
  - 3. In assignments to students;
  - 4. For remote instruction if distribution of the signal is limited;
  - 5. Over a network that cannot prevent duplication for fifteen days, after fifteen days a copy may be saved on-site only; or
  - 6. In their personal portfolios.Educators may use copyrighted materials in a multimedia project for two years, after that permission must be requested and received.
- E. The following limitations restrict the portion of any given work that may be used pursuant of fair use in an educational multimedia project:
  - 1. Motion media: ten percent or three minutes, whichever is less.
  - 2. Text materials: ten percent or 1,000 words, whichever is less.
  - 3. Poetry: an entire poem of fewer than 250 words, but no more than three poems from one author or five poems from an anthology. For poems of greater than 250 words, excerpts of up to 250 words may be used, but no more than three excerpts from one poet or five excerpts from an anthology.
  - 4. Music, lyrics and music video: Up to ten percent, but no more than thirty seconds. No alterations that change the basic melody or fundamental character of the work.
  - 5. Illustrations, cartoons and photographs: No more than five images by an artist, and no more than ten percent or fifteen images whichever is less from a collective work.
  - 6. Numerical data sets: Up to ten percent or 2,500 field or cell entries, whichever is less.

### **Copying Limitations**

Circumstances will arise when staff are uncertain whether or not copying is prohibited. In those circumstances, the superintendent or designated copyright compliance officer should be contacted. The following prohibitions have been expressly stated in federal guidelines:

- A. Reproduction of copyrighted material shall not be used to create or substitute for anthologies, compilations or collective works.
- B. Unless expressly permitted by agreement with the publisher and authorized by district action, there shall be no copying from copyrighted consumable materials such as workbooks, exercises, test booklets, answer sheets and the like.

C. Staff shall not:

1. Use copies to substitute for the purchase of books, periodicals, music recordings, computer software or other copyrighted material except as permitted by district procedure;
2. Copy or use the same item from term to term without the copyright owner's permission;
3. Copy or use more than nine instances of multiple copying of protected material in any one term;
4. Copy or use more than one short work or two excerpts from works of the same author in any one term; or
5. Copy or use protected material without including a notice of copyright. The following is a satisfactory notice: NOTICE: THIS MATERIAL MAY BE PROTECTED BY COPYRIGHT LAW.

Staff shall not reproduce or use copyrighted material at the direction of someone in higher authority or copy or use such material in emulation of some other teacher's use of copyrighted material without permission of the copyright owner.

## **ANIMALS AS PART OF THE INSTRUCTIONAL PROGRAM**

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

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

Animals shall not be transported in a school vehicle.

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

This policy does not apply to service animals for the disabled.

Management Resources:     *Policy News*, February 2002,   Animals as Part of the Instructional Program

**Adopted: 11.08.10**  
**Auburn School District**  
**Revised:**

## **PROCEDURE ANIMALS AS PART OF THE INSTRUCTIONAL PROGRAM**

Prior to granting or denying requests to include animals in the school's instructional program, the principal shall evaluate the following issues:

- A. Whether there is an educational benefit to be gained by the inclusion of the animal in the instructional program;
- B. Whether there is an appropriate plan for the control of the animal, especially for wild or poisonous animals;
- C. That any health concerns involving students, staff or other animals have been thoroughly addressed, for instance allergies, the vaccination status of the animal, if relevant, or the transmission of disease from the animal;
- D. The animal's health, safety and well-being have been appropriately evaluated; and
- E. Sanitary issues have been addressed, including the treatment of animal wastes and personal hygiene of students or staff who will come in contact with the animals.

## SERVICE ANIMALS IN SCHOOLS

The Auburn Board of Directors acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a “service animal” as required by federal laws and Washington State’s law against discrimination. This policy governs the presence of service animals in the schools, on school property, including school buses and at school activities.

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

The parent/guardian of a student who believes the student needs to bring a service animal to school or an employee who wishes to bring a service animal to school, must submit a written request to the building principal. The building principal, in consultation with the Section 504 coordinator or director of special services, as appropriate, will determine whether or not to permit the service animal in school.

Cross Reference:	Board Policy 2029	Animals as Part of the Instructional Program
	Board Policy 2161	Education of Students with Disabilities
	Board Policy 2162	Education of Students with Disabilities Under Section 504
	Board Policy 3210	Nondiscrimination
	Board Policy 5010	Nondiscrimination and Affirmative Action

Legal References:	American Disabilities Act (ADA), Revised Title II Regulations, §35	Service animals
	Section 504 of the Rehabilitation Act of 1973	
	RCW 28A.642	Discrimination Prohibition
	RCW 49.60.040	Definitions
	WAC 162-26	Public accommodations, disability discrimination
	WAC 392-145-021(3)	General Operating Requirements
	WAC 392-172A-01035	Child with a Disability or Student eligible for Special Education
	WAC 392-172A-01155 (3)	Related Services
	WAC 392-190	Equal Educational Opportunity – unlawful discrimination prohibited

**Adopted: 03.26.12**  
**Auburn School District**  
**Revised:**

## **PROCEDURE SERVICE ANIMALS IN SCHOOLS**

### **A. Service Animal Uses**

Service animals are animals that are individually trained to perform tasks for people with disabilities such as guiding people who are blind, alerting people who are deaf, pulling wheelchairs, alerting and protecting a person who is having a seizure, or performing other special tasks. Service animals are working animals, not pets.

Use of a service animal by a student with a disability will be allowed in school when it is determined that the student's disability requires such use in order to assist or accommodate access to the instructional program, school services, and/or school activities.

Use of a service animal by an employee with a disability will be allowed when such use is necessary as a reasonable accommodation to enable the employee to perform the essential functions of their job or to access benefits of employment provided to all employees in the same job classification.

The use of a service animal by an individual with a disability will not be conditioned on the payment of a fee, security deposit, or surcharge.

### **B. Requirements for Service Animal Access**

Before a service animal will be permitted in school, on school property, or at school-sponsored events, the student's parent or the employee must provide a description of the task(s) the service animal is expected to perform in assisting the person with a disability.

The district will provide access to a person with a disability who needs a service animal provided that the tasks performed by the service animal are directly related to the disability and the animal has been individually trained to perform a task; is housebroken; is free of disease and parasites; has a harness, leash or tether so it cannot run free; and is under the control of the person with a disability.

A service animal must also be licensed and immunized in accordance with the laws, regulations, and ordinances of the City of Auburn, the county, and the State of Washington.

### **C. Parents or Animal Handlers**

Parents or animal handlers who will be present in school for the purpose of assisting a student with his/her service animal are required to submit to a sex offender registry and criminal background check. In addition, parents and handlers must comply with all standards of conduct that apply to school employees and volunteers.

#### D. Removal or Exclusion of a Service Animal from School or School Property

The building principal or district administrator may request an individual with a disability to remove a service animal from school, a school-sponsored activity, or school property if the animal is out of control and the animal's handler does not take effective action to control the animal. Examples of the animal being out of control include, but are not limited to the following:

1. The presence of the animal poses a direct threat to the health and/or safety of others;
2. The animal significantly disrupts or interferes with the instruction program, school activities, or student learning. However, annoyance on the part of the others is not an unreasonable risk to property or others to justify the removal of the service animal;
3. The presence of the animal would result in a fundamental alteration of any school program;
4. The individual in control of the animal fails to appropriately care for the animal, including feeding, exercising, taking outside for performance of excretory functions and cleaning up after the animal;
5. The animal fails to consistently perform the function(s)/service(s) to assist or accommodate the individual with the disability;
6. The animal is ill; or
7. The animal is not housebroken.

If the district excludes a service animal, it will provide the individual with a disability the opportunity to participate in the service, program or activity without having the service animal on the premises.

#### E. Service Animals at School-sponsored Events

Individuals with disabilities may be accompanied by their service animals to events or activities open to the public that are held in schools or on school property.

The building administrator may revoke or exclude the service animals for the reasons set forth in paragraph D. above.

#### F. Responsibility/Liability

1. Neither the district, nor its employees, are responsible for the cost, care or supervision of the service animal. (*See Policies 2161, Education of Students with Disabilities, and 2162, Education of Students with Disabilities Under Section 504, for responsibility for related services*);

2. A service animal must be under the control of its handler. A service animal must also have a harness, leash, or other tether unless either the handler is unable because of a disability to use a harness, leash, or other tether or the use of the harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (*e.g., voice control, signals or other effective means*); and
3. The owner/handler of the service animal is responsible for any and all damage caused by the service animal at school, on school premises, or at school activities.

#### G. Appeals

A parent or employee whose service animal has been excluded or removed may appeal the decision to the superintendent or designee. If dissatisfied with the superintendent's decision, the parent or employee may appeal to the board.

#### H. Resources

1. District Contact  
(*Insert the name/title of the district contact*)
2. Superintendent of Public Instruction  
Equity and Civil Rights Office  
P.O. Box 47200  
Olympia, WA 98504-7200  
360.725.6162
3. Washington State Human Rights Commission  
711 South Capitol Way, Suite 402  
P.O. Box 42490  
Olympia, WA 98504-2490  
360.753.6770
4. Office of Civil Rights  
U.S. Department of Education  
915 Second Avenue, Room 3310  
Seattle, WA 98174  
206.607.1600

## PROGRAM EVALUATION

The board requires efficiency and effectiveness in all facets of its operations. In order to achieve this goal, the board shall provide:

- A. A clear statement of expectations and/or standards for the district's instructional programs,
- B. Staff, resources and support to achieve the stated expectations and/or standards; and
- C. A plan for evaluating instructional programs and services to determine how well expectations and/or standards are being met.

The district will utilize a variety of assessment processes to:

- A. Determine the effectiveness of the instructional programs,
- B. Assess the progress of individual students in attaining student learning goals or standards,
- C. Diagnose the needs of individual students who are not progressing at their expected rates, and
- D. Identify students who are in need of specialized programs.

Parents who wish to examine any assessment materials may do so by contacting the superintendent. Parent approval is necessary before administering a diagnostic personality test. Parents will be notified of their child's performance on any test or assessment conducted under the Washington State Assessment Program. No tests or measurement devices containing any questions about a student's or his/her family's personal beliefs and practices in family life, morality and religion shall be administered unless the parent or guardian gives written permission for the student to take such test, questionnaire or examination.

The superintendent shall prepare an annual report which reflects the degree to which district goals and objectives related to the instructional program have been accomplished. The superintendent shall annually review the assessment processes and procedures to determine if the purposes of the evaluation program are being accomplished. Specifically, the district shall adjust its curriculum if student performance under the Washington State Assessment Program indicates the district's students need assistance in identified areas.

Legal References:	RCW 28A.230	Compulsory Coursework and Activities
	WAC 392-500-020	Pupil tests and records — Tests — School district policy in writing
	WAC 392-500-030	Pupil tests and records — Certain tests, questionnaires, etc. — Limitations
	WAC 392-500-035	Pupil tests and records — Diagnostic personality tests--Parental permission required

Management Resource:	<i>Policy News</i> , December 2000	Portions of HB 1209 Take Effect
	<i>Policy News</i> , October 2007	Elimination of Outdated and Obsolete Policies

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised: 11.08.10**

## PROCEDURE PROGRAM EVALUATION

### Testing Program

A district program evaluation committee, representative of the staff, will meet at least once per year to review the district assessment program. The committee shall submit its recommendation to the superintendent for the following year's assessment program by May 15. The recommendation shall include a schedule for all assessment activities to be conducted during the year. In its review, the committee shall consider such factors as:

- A. Validity. Do the proposed assessment materials measure the district's objectives? Are the items compatible with the district scope and sequence?
- B. Administration. Are directions clear for the teacher? For the student? Is the format attractive?
- C. Interpretation of Results. Are results reported in a form that is meaningful to the teacher, the student, the district, the parent?

The proposed schedule shall be approved by principals and by the superintendent. The schedule shall be distributed to individual schools by August 15. The district office shall be responsible for ordering tests, distributing materials and scoring sheets, and distributing administration instructions. After tests have been scored, the district office shall be responsible for:

- A. Preparing reports on test results for board, instructional staff, parents/guardians and the general public.
- B. Interpreting scores for staff and interested persons.
- C. Disseminating individual scores to staff responsible for counseling, screening and special placement of individuals.
- D. Preparing reports to evaluate curriculum and assist staff in implementing changes and improvements in curriculum.

## **EDUCATIONAL OPPORTUNITIES FOR MILITARY CHILDREN (DRAFT 5-12-17)**

The board recognizes that the children of military families encounter unique educational and emotional challenges related to enrollment, course placement and graduation because of frequent moves and deployment of their parents. To facilitate the placement, enrollment, graduation and provision of special services for students transferring into or out of the district because of their parents being on full-time active duty in the uniformed services of the United States, including members of the National Guard and Reserve on active duty orders, the district supports and will implement its responsibilities outlined in the *Interstate Compact on Educational Opportunity for Military Children (Compact)*, as adopted by the state of Washington. Uniformed services includes the Army, Navy, Air Force, Marine Corps and Coast Guard, as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration and public health services.

Eligible students are those enrolled in kindergarten through 12th grade who are children of active duty personnel, active duty personnel or veterans who have been severely injured and medically discharged and active duty personnel who die on active duty or as a result of injuries sustained on active duty for a period of one year after death. Students are not eligible for the provisions of the *Compact* if they are children of inactive National Guard or military reserves, retired personnel and veterans not included above, or U.S. Department of Defense personnel and other Federal civilian service employees and contract employees.

The superintendent will establish procedures to ensure full compliance with the law and to facilitate communication and coordination between sending/receiving schools in Washington and other *Compact*-member states.

Legal References: Chapter 28A.705 RCW

Interstate compact on educational  
opportunity for military children

**Adoption Date:**  
**Auburn School District**  
**Revised:**

## **FEDERAL AND/OR STATE FUNDED SPECIAL INSTRUCTIONAL PROGRAMS**

The district shall participate in those special programs which are funded by state or federal government for which a local need can be defined and for which a local program would be developed if funds were available. Board approval shall be required before submission of an application for such a program.

The superintendent shall adopt procedures in order that planning, implementation and evaluation phases of a special program are in compliance with the rules and regulations of the funding agency. Applications may include, but not be limited to, programs for gifted, remedial and minorities.

Pursuant to federal law, school districts receiving Title I funds to provide educational services to students must do so in accordance with Title I of the No Child Left Behind Act of 2001. It is the Board's intent that Title I funds shall be used efficiently and effectively to benefit the academic opportunities and progress of students in school-wide or Targeted Assistance Programs.

Title I funds shall be used to provide educational services that are in addition to the regular services provided for district students. By adoption of this policy, the Board ensures equivalence among schools in teachers, administrators and auxiliary personnel and equivalence in the provision of curriculum materials and supplies.

Legal References:      RCW 28A.300.070

Receipt of federal funds for school  
purposes — Superintendent of public  
instruction to administer

20 U.S.C. 1120 A(C)

Required Comparability Report for Title I

**Adoption Date: 11.08.10**  
**Auburn School District**  
**Revised:**

## **PROCEDURE FEDERAL AND/OR STATE FUNDED SPECIAL INSTRUCTIONAL PROGRAMS**

Applications for special funds or categorical grants shall be based upon the needs of the students, staff, or facilities within the district. Such applications may be related to the program needs of a particular building or the district as a whole. Each proposal for special funding must address the following points:

- A. **Needs.** The proposal should succinctly identify and/or document the specific needs that are to be addressed. Hard data should be supplied.
- B. **Objectives.** The stated needs should be converted into objectives. What does the project hope to accomplish?
- C. **Procedures.** The action plan should be presented. How will the objectives be accomplished?
- D. **Evaluation.** What kind of data will be collected? Who will collect it?

The proposal should also include a tentative budget which identifies proposed expenditures and revenues. A timeline should also be included which shows the submission date deadline, funding agency approval date, and the project status report dates. The proposal writer must identify any district obligations that will occur as a result of securing a grant award.

A proposal must have the approval of the principal before submission to the district office. Proposals must be submitted to the superintendent at least two weeks prior to submission to the board.

When a project is approved, the business office will be given a copy of the grant award notice and shall establish the appropriate accounting procedures for operating the special program.

## **PROGRAM COMPLIANCE**

Annually, on or before October 1, the superintendent shall determine if the district is in compliance with the following program requirements:

- A. Appropriate measures are taken to safeguard all student and school district permanent records against loss or damage.
- B. Provision is made for the supervision of instructional practices and procedures.
- C. Current basic instructional materials are available for required courses of study.
- D. A program of guidance, counseling and testing services is maintained for students in all grades offered by the school district.
- E. A learning resources program is maintained.
- F. The physical facilities of each building are adequate and appropriate for the educational program offered.
- G. There is adequate provision for the health and safety of all pupils within the custody of the school district.
- H. A current policy statement pertaining to the administration and operation of the school district is available in each building's administrative office including, but not limited to, policies governing the school building and classroom visitation rights of non-students.
- I. The district is in compliance with the statutes which prohibit unequal treatment of individuals on the basis of race, sex, creed, color, disability and national origin in activities supported by common schools.
- J. Within each school, the school principal has determined that appropriate student discipline is established and enforced. The school principal has conferred with the certificated employees in the school building in order to develop and/or review building disciplinary standards and the uniform enforcement of those standards.
- K. Written high school graduation requirements and rules have been adopted by the school district board of directors.
- L. Equivalence among schools in teachers, administrators and auxiliary personnel and equivalence in the provision of curriculum materials and supplies among schools who receive Title I funds.

Cross References:	Board Policy 1310	Policy Adoption, Manuals and Administrative Procedures
	Board Policy 2090	Program Evaluation
	Board Policy 2140	Guidance and Counseling
	Board Policy 2020	Curriculum Development and Adoption of Instructional Materials
	Board Policy 2104	Federal and/or State Funded Special Instructional Programs
	Board Policy 2410	High School Graduation Requirements
	Board Policy 3200	Student Rights and Responsibilities
	Board Policy 3210	Nondiscrimination
	Board Policy 3410	Student Health
	Board Policy 3231	Student Records
	Board Policy 4000	Public Information Program
	Board Policy 4040	Public Access to District Records
	Board Policy 5240	Evaluation of Staff
	Board Policy 6800	Operation and Maintenance of District Facilities

## REMEDIATION PROGRAMS

The district, within its financial capacity, will offer programs that are designed to meet the needs of educationally disadvantaged students. Eligible students may receive services from one of three special needs programs — special education, learning assistance (LAP) and Title I of the No Child Left Behind Act of 2001.

The district or individual school shall conduct a needs assessment and shall develop a plan for the use of LAP funds. Such a plan shall be determined in consultation with an advisory committee, including, but not limited to, parents of participants; teachers; principals; administrators; and school directors. The plan shall include:

- A. District and school-level data on reading, writing and mathematics achievement;
- B. Processes to identify under-achieving students to be served at each site for program services;
- C. How accelerated learning plans are developed and implemented for participating schools;
- D. How state and classroom assessments are used to inform instruction;
- E. How focused and intentional instruction strategies are identified and implemented;
- F. How highly qualified staff are developed and support the program at each site;
- G. How resources from other federal, state, district and school programs are coordinated with School Improvement plans and district strategic plans to support underachieving students;
- H. How a program evaluation will be conducted to determine the direction and elements of the program for the following school year; and
- I. Identification of the program activities the district will implement.

The plan shall be approved by the board of directors prior to submission to the state.

In compliance with the federal law, the board of directors adopts a parent involvement policy, developed jointly with, agreed upon by and distributed to the parents of children participating in the federal remediation program. The parent involvement policy is 2180—Parent, Family, and Community Partnerships.

The superintendent is directed to identify eligible students and their special needs; design a program(s) that will satisfy those needs by interfacing, when advantageous, federal remediation assistance, learning assistance (LAP), and special education services; monitor the progress of such programs; and provide assurances to state and federal agencies that such programs are in compliance with program requirements of each program with regard to conditions such as staff qualifications, staff-student ratios, student records, facilities and materials, financial accounting, reporting and program and student evaluation.

Cross References:	Board Policy 2161	Education of Students with Disabilities
	Board Policy 2180	Parent, Family and Community
		Partnerships
	Board Policy 4130	Title 1, Parent Involvement
	Board Policy 6100	Revenues from Local, State and Federal
		Sources
Legal References:	RCW 28A.165.010-090	Learning Assistance Program
	WAC 392-162	Special Program — Remediation
		Assistance
Management Resources:	<i>Policy News</i> , June 2005	Learning Assistance Policy Updated

## PROCEDURE REMEDIATION PROGRAMS

To receive services from federal remediation, learning assistance (LAP), or special education programs, a student must meet the qualifying criteria for that program:

- A. Students with any handicapping condition may receive both special education and federal remediation services, if eligible for both services. A student may receive federal remediation services only in academic areas in which the student does not have a qualifying deficit for special education services.
- B. Students whose special education is limited to services provided by a communication disorders specialist, physical therapist, or occupational therapist may receive LAP services. Such students may receive any type of LAP services for which they are eligible.
- C. A student may receive either federal remediation or LAP service in an academic area for which the student qualifies, but not both services. A student may receive federal remediation services in any one eligibility area and LAP services in another eligibility area.
- D. A student eligible for special education may receive federal remediation or LAP services only if the student has the capacity to make substantial progress toward functioning at a level appropriate to the student's chronological age without substantially modifying the level or intensity of the federal remediation or LAP instruction.

### Program Alternatives

Special education, federal remediation, and LAP services may be combined to benefit the special needs student:

- A. **Separate programs.** The student may be served separately by more than one special needs program.
- B. **Cooperative programs.** Staff members from special education, federal remediation, and/or LAP programs may work together to serve more than one group of special needs students in a school. A special education teacher and a federal remediation instructional assistant may provide services for students who are eligible for special education and/or federal remediation services. Staff time and other expenditures should be documented separately for each program for financial purposes.
- C. **Unified program.** One teacher certified to teach special education may provide services to all students in the school who are eligible for special education, federal remediation, and LAP. The teacher may be assisted by a teacher aide or instructional assistant. The salary and nonsalary costs may be prorated to special education, federal remediation, and LAP budget accounts according to the proportion of services provided for students eligible for each of the types of service.

## **TRANSITIONAL BILINGUAL INSTRUCTION PROGRAM**

The Auburn Board of Directors has the highest commitment toward ensuring an equal educational opportunity for every student. While English is the basic language of instruction in the district's schools, the district will provide a Transitional Bilingual Instruction Program for children whose primary language is not English, and whose English skills are sufficiently deficient or absent to impair learning. The district's Transitional Bilingual Instruction Program is designed to enable students to achieve competency in English. Annually, the board of directors will approve the district's Transitional Bilingual Instruction Program.

The district and its staff shall:

- A. Communicate, whenever feasible, with parents of English language learners in a language they can understand;
- B. Assess and determine, by means of a state approved placement test, student eligibility within 10 days of enrollment and attendance;
- C. Annually assess, by means of the state approved test, improvement in English language proficiency for each eligible English language learner;
- D. Provide professional development training for administrators, teachers, counselors and other staff on the district's bilingual instruction program, appropriate use of instructional strategies and assessment results, and curriculum and instructional materials for use with culturally and linguistically diverse students; and
- E. Provide for continuous improvement and evaluation of the district's program to determine its effectiveness.

For purposes of providing such services, the superintendent shall establish procedures for implementing the district's Transitional Bilingual Instruction Program.

Legal References:	RCW 28A.180	Transitional Bilingual Instructional Program
	WAC 392-160	Transitional Bilingual Instruction Program
	WAC 162-28-040	English language limitations and national origin discrimination.

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised: 11.08.10**

## **PROCEDURE TRANSITIONAL BILINGUAL INSTRUCTION PROGRAM**

The following procedures are instituted for purposes of implementing a Transitional Bilingual Instruction Program.

A Transitional Bilingual Instruction Program, as defined by state law, means a system of instruction which uses two languages, one of which is English, to build upon and expand language skills to enable the pupil to achieve competency in English. Or in those cases where the use of two languages is not practicable, appropriate instruction for English language learners may be provided primarily in English.

The district will provide English language learners appropriate core academic instruction in addition to language instruction. The district's Transitional Bilingual Instruction Program is intended to supplement core academic instruction.

### **Program Application and Description**

Annually, and prior to August 1 of each year, the district will submit an application to the Office of Superintendent of Public Instruction requesting funding to support its Transitional Bilingual Instruction Program. In its application, the district will provide a description of its research-based program models including staffing and implementation strategies.

### **Eligibility**

At the time of registration, the parents/guardians of each student shall be asked to complete a home language survey which identifies the child's primary language. Students that indicate on the home language survey a primary language other than English will be assessed within ten school days of enrollment and attendance using the Washington Language Proficiency Placement Test to determine eligibility for the transitional bilingual instruction program. Any student who scores a level one (beginning/advanced beginning), two (intermediate), or three (advanced) will be eligible for the program. Students who score at level four (transitional) are not eligible for the program. Staff will determine the appropriate instructional program for each eligible student.

### **Parent/Guardian Notification**

Parents/guardians will be notified, in writing, of their child's initial eligibility and notified annually of their child's continuing eligibility in the Transitional Bilingual Instruction Program. At a minimum the parent/guardian notification will contain:

- How the child's eligibility was determined and the child's current level of English proficiency;
- A description of the district's program and how it will meet the child's educational needs;
- The specific exit requirements for the program; and
- Information on the parent's right to refuse services.

Communication with parents/guardians should be provided, when feasible, in the parents' primary language.

### **Continued Eligibility/Annual Assessment**

Each eligible English language learner must be assessed annually using the state-approved language proficiency test to determine continued eligibility. Students remain eligible until they reach level four (transitional) on the annual state-approved language proficiency test.

### **Expected Graduation Year**

For eligible English language learners who require extended time to meet high school graduation requirements, the district may set an expected graduation year beyond the typical four years of high school or through the school year in which a student turns 21.

### **Record Keeping and Documentation**

The district will maintain records of eligible students and comply with state reporting requirements. Original documents will be kept in the student cumulative folder and copies in the program folder if applicable. These documents include the home language survey, parent notification letters, parental waiver (if applicable), and language proficiency test assessment data.

### **Communication Plan**

The district will develop and provide to parents/guardians, district staff, and interested stakeholders a user friendly description of the Transitional Bilingual Instruction Program offered in the district. The description will include the process for identifying and serving English language learners and provide contact information for the district's transitional bilingual instruction program manager.

### **Report to the Board**

Annually, prior to the board of directors' program approval, the superintendent or designee will report on the status of the district's Transitional Bilingual Instruction Program.

## **SUBSTANCE ABUSE PROGRAM**

The board recognizes that the abuse of alcohol, and the use and abuse of controlled illegal, addictive, or harmful substances including anabolic steroids is a societal problem and may represent an impairment to the normal development, well-being and academic performance of students. To ensure the safety, health and well-being of all students, the board is committed to the development of a program which emphasizes drug and alcohol abuse prevention, intervention, aftercare support and necessary corrective actions. The program will address the legal, social and health consequences of drug and alcohol use, and provide information about effective techniques for resisting peer pressure to use illicit drugs or alcohol. The program will be age-appropriate and developmentally based for all students in all grades.

The board recognizes the effects to the school, home and community resulting from the abuse of alcohol and the use and abuse of controlled illegal, addictive or harmful substances including anabolic steroids. While the primary obligation to seek assistance rests with the student and his/her parent(s)/guardian(s), school staff shall work with the home and community to develop and implement a comprehensive prevention and intervention program. The board of directors shall seek the support, cooperation and coordination of public and private agencies through formation of an advisory committee, including representatives from the instructional staff, students, parents, state and local law enforcement staff and the county coordinator of alcohol and drug treatment or a representative of a treatment provider.

The superintendent is directed to develop and implement procedures to assess the scope of the problem of the use of addictive substances such as alcohol, drugs and nicotine, and to reduce and/or eliminate the problems associated with the use of alcohol, drugs and nicotine.

Parents and interested community members are encouraged to visit the school and/or classroom to observe classroom activities and review instructional materials. At the conclusion of each year, the district will evaluate the effectiveness of the program.

Cross References:	Board Policy 5203	Staff Assistance Program
Legal References:	RCW 28A.210.310	Prohibition on use of tobacco products on school property.
	28A.170.075	Substance Abuse Prevention and Intervention
	20 U.S.C. 3171 et seq.	Drug-free Schools and Community Act

## **PROCEDURE SUBSTANCE ABUSE PROGRAM**

Actions taken by staff in dealing with student use of alcohol and the use and abuse of controlled illegal, addictive, or harmful substances including anabolic steroids will have, as their first concern, the welfare of the student involved and the other students in the school. Although a helping relationship rather than an investigative and punitive approach will be emphasized, necessary and appropriate disciplinary action will be taken when laws or school regulations are violated. Law enforcement agencies will be called upon for investigative and consultative assistance where illegal drug or alcohol activity has occurred.

### **Prevention**

The prevention program shall focus on classroom instruction, guidance services, and the school climate.

### **Instruction**

This dimension of the prevention program shall focus on:

- A. The effects of addictive substances such as alcohol, drugs, and nicotine upon the body.
- B. Skill development related to self esteem, goal setting, decision making, conflict management, problem solving, refusal, and communication.

### **Guidance Services**

Staff shall meet with students, individually and in small groups, to supplement addictive substance prevention, instruction, and skill development. Staff will also assist parents to maximize the prevention efforts of the school.

### **School Climate**

A facilitative school environment can help students to achieve in a productive manner (academically, socially, and emotionally). The school shall strive to be a place where:

- A. Students, staff, and parents respect themselves and others.
- B. Individuals can be trusted to do what they say they will do.
- C. High morale is evident.
- D. Each person feels that he/she has a voice in the decisions that affect him/her.
- E. All feel that they are continuing to learn and grow.
- F. All value diversity and accept it as an opportunity for growth and development.
- G. All possess a "sense of belonging."
- H. All feel that they can make a difference to someone else.

To this end, the school will encourage the formation of "natural helper," Core Team, and any education and/or prevention promotions that increase the awareness of the effects of substance abuse. Student support groups shall assist students concerned about their own substance abuse, students living in families suffering from substance abuse, and students concerned about the substance abuse of someone else.

## **Intervention**

The goal of the intervention program shall be to eliminate use of alcohol and the use and abuse of controlled, illegal, addictive, or harmful substances including anabolic steroids abuse by students.

Ongoing inservice will be provided for faculty and staff. Important aspects of inservice training will include dimensions of the family illness and dynamics of the addiction process; enabling behaviors; intervention techniques; children in chemically dependent families; student experimentation, abuse, and dependency; parental involvement and community resources; prevention issues and strategies; treatment and aftercare support; and implementation of the program into the classroom/building.

Staff roles for the intervention program are as follows:

- A. Administrators, counselors, selected staff, and nurse meet weekly for the purpose of identifying any student(s) who may be in need of assistance. Such staff shall be sensitive to identifying symptoms of substance abuse. Suspected student(s) shall be referred to the Core Team, consisting of staff members who have exhibited a strong interest in attending to the needs of such students and who have received specialized training in substance abuse dependency.
- B. The Core Team will meet regularly to review referrals; confer with students and, if warranted, counselors, administrators and/or parents; collect data; make recommendations for services; and maintain a confidential system of record keeping. Parents will be involved before any action is taken.
- C. Students returning to school from a community inpatient or outpatient treatment program will be given aftercare support by the Core Team. Such students will receive support from “natural helpers” so that they may develop a strong sense of bond with other students and the school. Primary aftercare responsibility for students returning from a community treatment program rests with the student, parent and community treatment program personnel. School staff, the student, parent(s), and community treatment personnel will work cooperatively to facilitate the aftercare plan.

## **Corrective Action**

If a student appears at school or at a school-sponsored function demonstrating behavior which indicates that he/she may be under the influence of addictive substances and/or admits to an administrator that he/she is under the influence of addictive substances, the school will take the following action:

- A. The parents will be notified to arrange for appropriate treatment.
- B. If the student's illegal use of addictive substances is confirmed, the school administration may request the assistance of a law enforcement official in investigating the source of the addictive substance.
- C. Appropriate school disciplinary action will be taken.

If school authorities find a student in possession of addictive substances at school, the addictive substances will be confiscated and turned over to law enforcement officials for investigation and disposal. Appropriate school disciplinary action will be taken by a school administrator regardless of law enforcement action.

If a school administrator receives information concerning sales and use of addictive substances outside of school, the information will be reported to law enforcement officials for their investigation.

## SEXUAL HEALTH EDUCATION

The Auburn Board of Directors is authorized by law to determine whether sexual health education instruction will be offered in the district. The board has determined that such a program will be offered to students, consistent with state law.

Sexual health education instruction offered by the district shall be medically and scientifically accurate, age appropriate, appropriate for students regardless of gender, race, disability status, or sexual orientation and include information about abstinence and other methods of preventing unintended pregnancy and sexually transmitted diseases. Abstinence will not be taught to the exclusion of other instruction on contraceptives and disease prevention. The district's sexual health education program shall be consistent with the *2005 Guidelines for Sexual Health Information and Disease Prevention* developed by the Department of Health and the Office of Superintendent of Public Instruction.

The superintendent will provide parents/guardians an opportunity to review the materials to be used and provide information on excluding their child from sexual health education instruction.

Cross Reference:	Board Policy 2020	Curriculum Development and Adoption of Instructional Materials
	Board Policy 2126	AIDS Prevention Education
Legal References:	RCW 28A.300.475	Medically Accurate Sexual Health Education — Curricula — Participation excused — Parental review
	RCW 28A.600.480(2)	Reporting of harassment, intimidation, or bullying Retaliation prohibited — Immunity
	WAC 392-410-140	Sex Health Education — Definition — Optional course or subject matter — Excusal of students
Management Resources:	<i>Policy News</i> , February 2009	Healthy Youth Act
	<i>Policy News</i> , August 2007	Sex Education Curriculum and Instruction

**Adoption Date: 11.08.10**  
**Auburn School District**  
**Revised:**

## PROCEDURE SEXUAL HEALTH EDUCATION

All instruction and materials for the district's sexual health education program, will meet the following criteria:

- Medically and scientifically accurate;
- Age appropriate;
- Appropriate for students regardless of gender, race, disability status or sexual orientation;
- Consistent with the *2005 Guidelines for Sexual Health and Disease Prevention*;
- Include instruction about abstinence; and
- Include instruction about contraceptives and other methods of disease prevention.

### **Definitions:**

The district's program will provide sexual health education as defined by the Healthy Youth Act.

#### A. Sexual health education:

The Healthy Youth Act defines sexual health education as:

1. The physiological, psychological, and sociological developmental processes experienced by an individual;
2. The development of intrapersonal and interpersonal skills to communicate respectfully and effectively to reduce health risks and choose healthy behaviors;
3. Health care and prevention resources;
4. The development of meaningful relationships and avoidance of exploitative relationships; and
5. Understanding of the influences of family, peers, community, and the media throughout life on healthy sexual relationships.

#### B. Medically and scientifically accurate:

The Healthy Youth Act defines medically and scientifically accurate as information that is verified or supported by research in compliance with scientific methods, is published in peer review journals, where appropriate, and is recognized as accurate and objective by professional organizations and agencies with expertise in the field of sexual health including but not limited to, the American College of Obstetricians and Gynecologists, the Washington State Department of Health (DOH), and the Federal Centers for Disease Control and Prevention.

#### C. *2005 Guidelines for Sexual Health and Disease Prevention*:

A publication by the DOH and the Office of Superintendent of Public Instruction (OSPI) that provides the fundamental framework for establishing a medically and scientifically accurate sexual health education program for students. A copy of the *Guidelines for Sexual Health Information and Disease Prevention* is located on the DOH and OSPI Web sites.

### **Adoption of a Sexual Health Education Program**

School districts shall involve parents and school district community groups in the planning, development, evaluation, and revision of any instruction in sexual health education offered as a part of the school program.

The district must ensure that all instructional materials are medically and scientifically accurate. The DOH is available to provide technical assistance in determining medical and scientific accuracy. When choosing curriculum, the district staff may examine the list of materials reviewed for medical and scientific accuracy that are located on the DOH website at [www.doh.wa.gov](http://www.doh.wa.gov).

In determining curriculum, the district staff may review the OSPI's list of commonly used sexual health education curricula that were reviewed for their alignment with the guidelines. Although the list is not exhaustive, the list is updated annually and is posted on the OSPI website at [www.k12.wa.us](http://www.k12.wa.us). Staff may also apply the OSPI Sexual Health Education Alignment tool to curriculum under consideration as a resource in assessing the curriculum. Ultimately, the district's sexual health education program will ensure that in the K-12 life of a child, the sexual health education program is consistent with the *2005 Guidelines for Sexual Health and Disease Prevention*.

For technical assistance, staff may contact the Health and Sexuality Education Program supervisor at the OSPI.

### **Parental/Guardian Notification Process**

One month prior to teaching a program in sexual health education, each school will provide written notice to parents of the planned instruction.

### **Parent/Guardian Material Review Process**

One month prior to providing instruction in sexual health education, the district will notify parents that all instructional materials are available to parents/guardians for inspection. The materials will include written materials and electronically formatted materials. The opportunity for inspection will be provided at a time and place convenient for parent/guardian participation such as evenings or weekends.

### **Excluding Student from a Program/Opt-Out**

A parent/guardian who wishes to have a student excused from planned instruction in sexual health education must file a written request with the board of directors or its designee, at least (*insert here the number of days*) days prior to the planned instruction. The district will make the appropriate opt-out form available. Excused students shall be provided with appropriate alternative educational opportunities. Sample notification and opt out letters are available from OSPI.

## HIV/AIDS PREVENTION EDUCATION

The life-threatening dangers of HIV (human immunodeficiency virus) and AIDS (acquired immune deficiency syndrome) and its prevention shall be taught in the district. HIV/AIDS prevention education shall be limited to the discussion of the life-threatening dangers of the disease, its transmission and prevention. Students shall receive such education at least once each school year beginning no later than the fifth grade.

The HIV/AIDS prevention education program shall be developed in consultation with teachers, administrators, parents, and other community members including, but not limited to, persons from medical, public health, and mental health organizations and agencies. The curricula and materials used in the HIV/AIDS education program may be the model curricula and resources available through OSPI or, if developed by the school district, be approved for medical accuracy by the State Department of Health, HIV/AIDS Prevention and Education Services (Office on AIDS). District-developed curricula shall be submitted to HIV/AIDS Prevention and Education Services accompanied by an affidavit of medical accuracy stating that the material in the district-developed curricula has been compared to the model curricula for medical accuracy and that in the opinion of the district the district-developed materials are medically accurate. Upon submission of the affidavit and curricula, the district may use these materials until the approval procedure to be conducted by HIV/AIDS Prevention and Education Services has been completed.

At least one month before teaching HIV/AIDS prevention education in any classroom the district will conduct, during weekend and evening hours for the parents and guardians of students, at least one presentation concerning the curricula and materials that will be used for such education. The parents and guardians shall be notified of the presentation and that the curricula and materials are available for inspection. No student may be required to participate in HIV/AIDS prevention education if the student's parent or guardian, having attended one of the district presentations, objects in writing to participation.

The curriculum for HIV/AIDS prevention education shall be designed to teach students which behaviors place a person dangerously at risk of infection with the human immunodeficiency virus (HIV) and methods to avoid such risk including, at least:

- The dangers of drug abuse, especially that involving the use of hypodermic needles; and
- The dangers of sexual intercourse, with or without condoms.

The program of HIV/AIDS prevention education shall stress the life-threatening dangers of contracting HIV/AIDS and shall stress that abstinence from sexual activity is the only certain means for preventing the transmission of HIV through sexual contact. The instruction shall also stress that condoms and other artificial means of birth control are not a certain means of preventing the transmission of HIV; and, reliance on condoms puts an individual at risk for exposure to the disease.

Cross References:	Board Policy 3414	Infectious Diseases
	Board Policy 2125	Health, Family Life and Sex Education
Legal References:	RCW 28A.230.070	AIDS Education in public schools
	RCW 28A.300.475	Medically accurate sexual health education
	70.24.250	Repository and Clearing House for AIDS
		Education and Training Materials
Management Resources:	<i>Policy_News</i> , December 2008	HIV/AIDS Prevention Education

**Adoption Date: 05.08.06**  
**Auburn School District**  
**Revised: 11.08.10**

## **CHARACTER DEVELOPMENT**

As part of its mission, the board is committed to the development of the fundamental principles of honesty, honor, industry and economy. To this end, the school and its staff will practice and teach morality, altruism, diligence and a respect for human dignity. The educational philosophy and practices of the school shall go beyond knowledge of character and/or moral development; it shall also involve prizing what is good and doing what is good.

The superintendent shall convey clear expectations for teachers and administrators regarding their roles regarding character and/or moral development.

Legal References:      RCW 28A.230.020

Fundamentals in conduct

**Adoption Date: 11.08.10**  
**Auburn School District**  
**Revised:**

## **PROCEDURE CHARACTER DEVELOPMENT**

Moral and/or character development occurs both affectively and cognitively. For purposes of providing a focus for a school that strives to enhance character development, the following attributes of a morally mature person as defined by the ASCD Panel on Moral Education are offered as targets for a school that wishes to facilitate a program of character development:

The morally mature person habitually:

**A. Respects human dignity**, which includes

1. Showing regard for the worth and rights of all persons,
2. Avoiding deception and dishonesty,
3. Promoting human equality,
4. Respecting freedom of conscience,
5. Working with people of different views, and
6. Refraining from prejudiced actions.

**B. Cares about the welfare of others**, which includes

1. Recognizing interdependence among people,
2. Caring for one's country,
3. Seeking social justice,
4. Taking pleasure in helping others, and
5. Working to help others reach moral maturity.

**C. Integrates individual interests and social responsibilities**, which includes

1. Becoming involved in community life,
2. Doing a fair share of community work,
3. Displaying self-regarding and other-regarding moral virtues — self- control, diligence, fairness, kindness, honesty, civility — in everyday life,
4. Fulfilling commitments, and
5. Developing self-esteem through relationships with others.

**D. Demonstrates integrity**, which includes

1. Practicing diligence,
2. Taking stands for moral principles,
3. Displaying moral courage,
4. Knowing when to compromise and when to confront, and
5. Accepting responsibility for one's choices.

**E. Reflects on moral choices**, which includes

1. Recognizing the moral issues involved in a situation,
2. Applying moral principles when making moral judgments,
3. Thinking about the consequences of decisions, and
4. Seeking to be informed about important moral issues in society and the world.

F. **Seeks peaceful resolution of conflict**, which includes

1. Striving for the fair resolution of personal and social conflicts,
2. Avoiding physical and verbal aggression,
3. Listening carefully to others, and
4. Encouraging others to communicate.

## **DIVERSITY-MULTICULTURAL EDUCATION**

The Board recognizes the cultural diversity of students, staff, parents and community members of our school district and acknowledges the educational importance of valuing the diversity of all people in our pluralistic society. Diversity includes but is not limited to: race, religion, gender, culture, age, physically challenged and all other perceived differences.

The Board recognizes that diversity-multicultural education is an interdisciplinary process to be integrated into the total school program rather than a single, one-time event or series of activities.

To this end, the Board is committed and supportive of the following:

- A. The inherent dignity and the equal and inalienable rights of all students and staff.
- B. The right to and responsibility for an educational environment which extends equal rights to all without discrimination through its policies and practices.
- C. Universal respect for and observance of these rights to ensure that all students are provided a school and classroom environment in which they are free to learn, encouraged to accept and respect themselves and to treat others with dignity and respect.
- D. A staffing composition of administrators, teachers and all other personnel that is representative of the cultural diversity in the district. Membership in all school district committees shall also be representative of the cultural diversity in the district.
- E. An education of superior quality for all students that includes greater appreciation of and respect for human individuality and cultural differences and similarities which contribute to our democratic nation as a whole, and more particularly the cultural contributions that make up our community.
- F. Training in diversity-multicultural education issues for all board members, district staff, administrators, teachers, paraprofessionals, volunteers and community members participating in school-sponsored activities.

The superintendent is directed to integrate the purposes and aims of diversity-multicultural education into all aspects of the school program.

## **GUIDANCE AND COUNSELING**

The Auburn Board of Directors recognizes that guidance and counseling is an important part of the district's total program of instruction and is integral in achieving the district's mission of academic excellence and success for all students. The district will provide counseling and guidance services in accordance with state laws and regulations, school improvement plans, ethical standards, and district policies and procedures.

The Board believes school counselors serve a vital role in maximizing student achievement and supporting a safe, compassionate learning environment. In the Auburn district, the purpose and role of the school counselor is to plan, organize, and deliver a comprehensive school guidance and counseling program that personalizes education and supports, promotes, and enhances the academic, personal, social, and career development of all students, based on the national standards for school counseling programs of the American School Counselor Association.

It is the goal of the Auburn Board of Directors that the district's comprehensive school guidance and counseling program will assist every student in acquiring the knowledge, skills and attitudes needed to become an effective student, responsible citizen, productive worker and a lifelong learner.

The Board will provide resources to support the foundation, content, and continuous improvement of a comprehensive K-12 school counseling program, consistent with best practices described in state and national models. All school counseling programs will include the following elements: guidance curriculum, individual student planning, responsive services, and systems support for the counseling program. The superintendent or a designee will develop procedures to implement this policy.

Legal References:     RCW 28A.410.043

School counselor certification

**Adoption Date: 11.08.10**  
**Auburn School District**  
**Revised:**



## CO-CURRICULAR PROGRAM

The board recognizes that the goals and objectives of the district can best be achieved by providing a broad offering of purposeful learning experiences, some of which are more appropriately conducted outside of the approved curriculum of the district. Such activities shall ordinarily be conducted wholly or partly outside the regular school day and shall be available to all students who voluntarily elect to participate. The co-curricular program encompasses approved curriculum-related activities.

The board shall approve all activities included within the ASB program. The principal is authorized to approve curriculum-related activities that are not part of the ASB program and shall make school facilities available for them and designate staff members to support and supervise them.

The criteria to be used by the principal for approving curriculum-related activities are:

- A. The purposes and/or objectives shall be part of a specific program or course offering;
- B. The participating students shall be currently enrolled in a related course or program or possess the entry level knowledge and/or skills to successfully participate in the activity;
- C. The group shall be supervised by a qualified staff member;
- D. The cost of the activity must not be prohibitive to student or district;
- E. The activity must comply with Title IX requirements;
- F. All activity must take place on school premises unless approved in advance by the school principal; and,
- G. The activity must not be secretive in nature.

Curriculum related activities, whether approved by the board as part of the ASB or by the principal, must meet at least one of the following criteria:

- A. The subject matter of the activity is actually taught or will soon be taught in a regularly offered course;
- B. The subject matter of the activity concerns the body of courses as a whole;
- C. Participation in the activity is required for a particular course; or
- D. Participation in the activity results in academic credit.

The board directs the superintendent to develop appropriate procedures for proper planning, funding, approval and implementation of all activities offered within the above guidelines.

The principal shall be responsible for administering the co-curricular program in the school. An opportunity will be made available in each school for students, including those with disabilities, to participate in some aspect of the program. A survey shall be conducted at least once every three (3) years to assure that the recreational and athletic activities program accurately responds to the needs and desires of both boys and girls.

The district shall evaluate its intramural and interscholastic program at least once each year to ensure that equal opportunities are available to members of both sexes with respect to participation in interscholastic and/or intramural programs.

Cross References: Board Policy 2151

Legal References: 20 U.S.C. §§ 4074  
RCW 28A.325.020

RCW 28A.600.200

RCW 28A.640.020

WAC 392-138-010

WAC 392-190-030

WAC 392-190-040

Interscholastic Athletics

Equal Access Act

Associated student bodies — Powers  
and responsibilities affecting

Interscholastic athletic and other extra-  
curricular activities for students,  
regulation of — Delegation,  
conditions

Regulations, guidelines to eliminate  
discrimination — Scope

Definitions

General — Recreational and athletic  
activities — Equal opportunity  
factors considered

Recreational and athletic activities —  
student interest — Required survey  
instrument

## **PROCEDURE CO-CURRICULAR PROGRAM**

The co-curricular program as defined consists of:

- A. Activities that are curriculum related and have been approved as part of the associated student body program; and
- B. Curriculum-related activities that are not part of the associated student body program and which satisfy the conditions and criteria established in Policy 2150.

Activities which operate as an approved associated student body program must have met all conditions as specified in the ASB Constitution. The school principal shall be responsible for assigning a staff member(s) to supervise all such approved programs.

When an activity does not satisfy the ASB program conditions or ASB status would not be necessary or beneficial, interested students and a proposed staff member sponsor may seek approval and recognition as a curriculum-related activity from the school principal. Each approved group shall operate under the guidelines set forth by the principal, including, but not limited to, objectives, membership, supervision, proposed activities, and funding.

In order to be curriculum related, an activity must meet at least one of the following criteria:

- A. The subject matter of the activity is actually taught or will soon be taught in a regularly offered course;
- B. The subject matter of the activity concerns the body of courses as a whole;
- C. Participation in the activity is requiring for a particular course; or
- D. Participation in the activity results in academic credit.

Recognized curriculum-related groups shall have use of school facilities and equipment under terms set forth by the school principal. Groups that are not recognized as a part of the co-curricular program may apply for use of school facilities under conditions set forth in Policy 4260, Use of School Facilities.

## **INTERSCHOLASTIC ACTIVITIES**

The board recognizes the value of a program of interscholastic activities as an integral part of the total school experience to all students of the district and to the community. The program of interscholastic activities shall include all activities relating to competitive sport contests, games or events, or exhibitions involving individual students or teams of students of this district when such events occur between separate schools within this district or with any schools outside this district. The board expects that:

- A. All interscholastic activities and events shall be in compliance with the rules and regulations of the Washington Interscholastic Activities Association (WIAA). The schools of the district shall not participate in any out-of-season athletics that are not sanctioned by the WIAA. The district shall not be responsible or liable for nonschool-sponsored programs or for programs that are organized, promoted or participated in by staff members without school approval. The district shall not be responsible for or control and incur liability for summer and/or out-of-season activities unless specifically sponsored by the school district. The superintendent shall establish rules defining the circumstances under which school facilities may be used and under which announcements of summer sports leagues and/or clinics may be channeled to students.
- B. An athletic coach must be properly trained and qualified for an assignment as described in the coach's job description.
- C. A syllabus which outlines the skills, techniques and safety measures associated with a coaching assignment will be distributed to each coach. A coach must secure permission in advance if he/she wishes to deviate from the syllabus.
- D. Coaching stipends and all gifts to a coach that exceed five hundred dollars (\$500.00) in a season shall be approved by the board of directors.
- E. Inservice training opportunities will be afforded each coach so that he/she is trained to attend to the health care needs of participants. Prior to a sports season, the coach will prepare a plan for handling medical emergencies at practice sessions and games (home and away).
- F. Participants will be issued equipment that has been properly maintained and fitted.
- G. All facilities and equipment utilized in the interscholastic activity program, whether or not the property of the district, shall be inspected on a regular basis.
- H. Nonprescribed medications, including such items as analgesic balms, vitamins and salt tablets, must be approved by the superintendent before they may be available for use by coaches and/or athletic trainers. After athletic training medications have been approved, the coach and/or trainer must secure authorization from the parent and the student's doctor before the medications may be used during the athletic season. If such release is not on file, the nonprescribed medications may not be used. This provision does not preclude the coach and/or trainer from using approved first aid items.

A sign will be posted that warns students that eligibility to participate may be denied if anabolic steroids are used for the purpose of enhancing athletic ability.

- I. The board recognizes that certain risks are associated with participation in interscholastic sports. While the district will strive to prevent injuries and accidents to students, each participant and his/her parent(s) or guardian(s) will be required to sign a statement which indicates that the parent(s) and the student acknowledge the risks of injuries resulting from such participation and give assurance that the student will follow the instructions of the coach.
- J. Each participant shall be required to furnish evidence of physical fitness prior to becoming a member of an interscholastic team. A written report shall be completed when a student is injured while participating in a school-supervised activity. A participant shall be free of injury and shall have fully recovered from illness before participating in any activity.
- K. Each student participating in interscholastic athletic activities is required to have or obtain medical insurance for expenses incurred as a result of injuries sustained while participating in the extracurricular activity. Students shall provide evidence of coverage with a minimum limit of \$25,000 in medical expenses or shall obtain such coverage through the insurance plan offered to all students participating in activities in the district. No student will be denied the ability to participate solely because the student's family, by reason of low income, is unable to pay the entire amount of the premium for such insurance. The superintendent or his or her designee may approve partial or full waiver of premiums to permit all students to obtain the required medical insurance.

The superintendent shall annually prepare, approve and present to the board for its consideration a program of interscholastic activities for the school year. The superintendent shall prepare rules for the conduct of student activities including, but not limited to, use of alcoholic beverages; use of tobacco; use or possession of illegal chemical substances or opiates not prescribed by a physician; physical appearance; curfew; unsportsmanlike conduct; absence from practice; gambling; or any infraction of civil law. Rules and disciplinary actions related to rule violations shall be distributed to each participant and his/her parents prior to the beginning of an interscholastic activity season.

Cross References:	Board Policy 2121	Substance Abuse Program
	Board Policy 3413	Student Immunization and Life Threatening Conditions
	Board Policy 3414	Infectious Diseases
	Board Policy 3416	Medication at School
	Board Policy 3418	Emergency Treatment
	Board Policy 3422	Competitive Sports — Concussion and Head Injuries
	Board Policy 4260	Use of School Facilities
	Board Policy 6510	Safety
	Board Policy 6512	Infection Control Program
	WIAA Handbook	

Legal References: RCW 28A.400.350

RCW 28A.600.200

RCW 69.41.330

RCW 69.41.340

Management Resources: *Policy News*, August 2009

*Policy News*, October 2007

Liability, life, health, health care,  
accident, disability, and salary  
insurance authorized — when  
required — Premiums

Interscholar athletic and other extra-  
curricular activities for students —  
Authority to regulate – Delegation  
of authority — Conditions

Public Warnings — School districts

Student athletics — Violations —  
Penalty

Concussion and Head Injuries

Legislation

Elimination of Outdated and Obsolete  
Policies

## **PROCEDURE INTERSCHOLASTIC ACTIVITIES**

### **Coach's Duties**

In accordance with district policy and the coach's job description, the coach has the duty to:

#### **Instruct Participants**

The coach should employ the latest methods or proper instruction using sound progression in presenting motor skills. If an injury occurs while using an improper instructional method, negligence may be present.

#### **Warn Participants**

The coach should inform all athletes and their parents of the inherent risks involved in participation in the particular sport, including the very small risk of infection with a blood-borne pathogen. The coach must describe, using a variety of methods, the catastrophic and common non-catastrophic injuries unique to the sport.

#### **Supervise Participants**

The daily plan should show how the coach plans to conduct general supervision of the sport, and how he/she will supervise specific drills and other components of the daily practice. Adequacy of supervision should be reviewed in terms of quality and quantity. Factors to consider include, but are not limited to: the age of the students, the size of the students, the equipment involved, the maturity level of the students, the first aid equipment and training available, the appropriate certification of supervisors where required, and the safety training of the personnel involved.

#### **Provide Safe Equipment and Facilities**

Equipment should be properly fitted and maintained. Athletes should be instructed on how to conduct a daily inspection. Facilities should be free of hazards and inspected regularly.

#### **Maintain Records of Injuries**

A report should be completed for each accident. Injury reports should be maintained for a period of five years after the student's 21st birthday.

#### **Evaluate Fitness of Participants**

The coach has a duty to evaluate the physical fitness, the medical condition, and the skill level of athletes. Failure to evaluate and maintain records of those evaluations may be cause for negligence should an injury occur involving fatigue or lack of skill.

#### **Provide Equal Protection and Due Process**

While participation in co-curricular activities is a privilege, a participant who allegedly violates the conduct code must be afforded the opportunity of a fair hearing.

#### **Transport Athletes Safely**

A coach has a duty to see that athletes are safely transported to and from contests and to and from practices if practices are held at sites other than the immediate school grounds.

**Group Participants**

The coach has the duty to employ a recognized system of grouping for participants in a particular sport that will avoid unequal and unsafe participation, based upon skill level, age, maturity, sex, size, and experience.

**Foresee Danger**

A coach should be able to reasonably anticipate foreseeable dangers that may occur if the activity is continued in a facility, or with equipment, or in a situation, and take precautions protecting the children in his/her custody from such dangers.

**Protect from Loss**

A participant is required to present evidence that he/she is covered by an accident policy. A blanket catastrophic (“no fault”) insurance provides coverage for serious injuries.

The duties listed above are not meant to be comprehensive. In carrying out the duties of the assignment, a staff member is expected to act as a reasonable professional would have acted under similar circumstances. A staff member who supervises a sports activity is expected to know the intricacies of the activity that he/she is leading.

**Summer Sports Activities/Clinics**

Rules governing out-of-school and/or out-of-season student sports participation are as follows:

- A. A practice is defined as a teaching phase of a sport to any present, past or future squad member while a student in grade 7-12 during the school year or during the summer. The school may not sponsor, promote, or direct activities which resemble out-of-season practices or contests during the school year or summer.

A school staff member who sponsors, promotes or directs such activities during the summer vacation shall clearly indicate that he/she is operating independent of the school district. As such, the school district shall be free of liability associated with the activity.

- B. Students shall be advised that participation in a commercial summer camp or clinic or other similar type of activity shall not begin until the conclusion of the final WIAA state tournament of the school year. Participants in a fall school sports program may not attend any summer camp/clinic in that sport after August 1 until the first fall sports turnout. The school should announce by school bulletin that summer sports camp/clinic is neither endorsed nor sponsored by the district.
- C. A coach (contracted or volunteer) may not sponsor, promote, coach or direct activities which resemble out-of-season practices or contests in the sport they coach to any of their squad members or future squad members (grades 7-12) until after the school year's final WIAA state tournament.
- D. The use of the school bulletin board, public address system, or school newspaper for promotional purposes to announce sports clinics/camps shall fall within the same guidelines as applied to other commercial endeavors.
- E. School facilities to be used for summer activity and/or sports camps may be rented consistent with the rates, rules, and regulations applicable for other commercial uses.

A user shall hold the district free and without harm from any loss or damage, liability, or expense that may arise during or be caused in any way such use of school facilities. Authorization for use of school facilities shall not be considered as endorsement of or approval of the activity group or organization nor for the purposes it represents.

## **ATHLETIC CODE**

The opportunity to participate in the interscholastic athletic program is a privilege granted to all students of the district. Participants in this voluntary program are expected to conform to specific conduct standards established by the principals and athletic coaches.

A student who is found by a certificated staff member of the student's school to be in violation of any rules is subject to removal from the team. Provision is made for a student who has allegedly violated one or more of the conduct rules to appeal a disciplinary action as specified in this code.

The following rules shall be applicable for a sports season:

### **Use and/or Possession of Alcoholic Beverages, Tobacco**

An athlete who is found to be in possession of alcohol or tobacco products may be removed from the athletic team for three weeks (first offense). If the student violates the rule twice during the sports season, he/she will be dropped from the team for the season.

### **Use and/or Possession of Illegal Chemical Substances or Opiates**

An athlete who is found to be in possession of one or more of the above will be removed from the team for the balance of the sports season.

### **Physical Appearance**

An athlete shall maintain the dress and grooming standards of the team. First offense: verbal warning. Repeated offenses: removal from the activity for five (5) school days.

### **Curfew**

An athlete shall be at his/her home by \_\_\_\_\_ p.m. each night of the sports season unless detained by a school activity. First offense: verbal warning. Repeated offense: removal from activity for five (5) school days.

### **Unsportsmanlike Conduct**

An athlete shall exhibit appropriate conduct in practices and/or contests. First offense: verbal warning. Repeated offense: removal from activity for five (5) school days.

### **Attendance at School**

An athlete shall attend school for at least one half day on the day of an athletic contest. Penalty: If an athlete receives an unexcused absence for any portion of the day, the athlete shall be ineligible to participate in contest on that day. If excused, the athlete may participate if he/she was in attendance for one half day or more.

### **Absence from Practice**

An athlete is expected to be in attendance at all team practices unless excused for illness or by prior approval. Penalty: ineligible to participate in next contest.

### **Violation of Law on School Grounds**

When a student is found guilty of an offense committed while on school grounds or at a school activity, the corrective action will depend upon the nature of the violation.

### **Repeated Offenses**

If a student repeatedly violates one of the above rules, he/she may be removed from the team for the remainder of the sports season.

### **APPEAL PROCESS FOR DISCIPLINARY ACTION**

When infractions occur within the athletic program, the following process may be followed:

- A. Upon the imposition of penalty for infraction(s) of said rules or regulations, any aggrieved student and parents of said student shall have the right to an informal conference with the building principal and/or designee, activities director, and coach (Building Hearing Committee) to request that they refrain from enforcing the decision of the coach or ask the coach to reconsider. If the students and parents do not make a written request for this informal conference within five (5) school days of the action grieved, they will have waived their right to the conference and appeal procedure. The informal conference is to be held within three (3) school days of the request.
- B. If the parties are unable to agree at the informal conference, the aggrieved party may appeal to the building eligibility committee. The building eligibility committee consists of the activities director and three student peers and three building staff members named by the building administrator. The building eligibility committee must meet within three (3) school days of the appeals request. The aggrieved party and the coach(es) shall be available as a resource.
- C. The building eligibility committee will hear the case in detail and will render a decision within three (3) school days after hearing the case.
- D. The aggrieved party may appeal to the superintendent of schools within three (3) school days of the appeals decision. The superintendent of schools, after hearing the case in detail, shall render a decision within ten (10) school days of the hearing.
- E. The aggrieved party may appeal the superintendent's decision to the disciplinary appeal council established in Policy 3300, Corrective Actions or Punishments, or to the board of directors in the absence of a disciplinary council, within three (3) school days. The disciplinary council or board of directors, after hearing the case in detail, shall render a decision on the case within ten (10) school days of the hearing. This decision shall be final.

## NONCURRICULUM-RELATED STUDENT GROUPS

Pursuant to the Equal Access Act, the board authorizes non-curriculum-related student groups to meet before, after school or during noninstructional time, subject to the approval of the principal. Such approval shall be granted provided that activities of the group are not disruptive to school operations and the members of the group comply with the rules established by the superintendent and/or school principal. The board authorizes the superintendent to develop administrative procedures to create or maintain this "limited open forum."

The principal shall approve the noncurriculum-related student meeting or activity provided that:

1. The meeting shall be voluntary and initiated by students.
2. The school or its staff shall not be a sponsor of the group.
3. The meeting shall not materially and substantially interfere with the orderly operation of the school.
4. Students shall be responsible for the direction, control and conduct of the meeting. Guests must be registered and must not be regular participants.
5. The use of public funds for other than incidental and/or monitoring costs shall not be permitted. Funds acquired by non-curriculum related student groups shall be held in an associated student body account which shall be accessible by that student group.
6. A staff member shall not be compelled to attend when the meeting is contrary to his/her belief.
7. The constitutional rights of all persons shall be respected.

The principal shall be responsible for the assignment of a room and for the approval and/or assignment of a staff member to monitor the meeting.

Cross References:      Board Policy 2150                      Co-curricular Program

Legal References:      20 U.S.C. 4071-4074                      Equal Access Act  
                                 Wash. Const. Art. I, § 11  
                                 Wash. Const. Art. IX, § 4

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised: 11.08.10**

## **PROCEDURE NONCURRICULUM-RELATED STUDENT GROUPS**

A group of students who wish to conduct a meeting on school premises during noninstructional time shall submit a request to the school principal at least five school-business days prior to the desired meeting date. The principal will grant or deny the request at least two school-business days prior to the scheduled date.

The application shall provide:

- A. The name of each student who is making the request,
- B. The name of the monitor of the proposed group (if any),
- C. A description of the proposed meeting along with its stated purpose,
- D. The name(s) and affiliations of non-students (if any) who will be invited,
- E. Statements that:
  - 1. Students shall be voluntarily attending the meeting,
  - 2. Any non-students shall not be directing, conducting, controlling or regularly attending future meetings and/or activities,
- F. The time and frequency of meetings for the proposed group.

## **SPECIAL EDUCATION AND RELATED SERVICES FOR ELIGIBLE STUDENTS**

The district recognizes that students whose disabilities adversely impact educational performance and who require specially designed instruction can improve their educational performance when they receive special education and related services tailored to fit their needs. The district adopts the state's full educational opportunity goal to provide students in need of special education services with a free appropriate public education.

Special education programs for students eligible for special education shall be an integral part of the general educational programs of this district and shall be operated in compliance with federal and state requirements governing special education. The district will provide a continuum of placement options which may include services within and outside the district depending on the student's needs.

Not all students with disabilities are eligible for special education services. The needs of those students will be addressed individually and, if appropriate, the student will be provided accommodations or modifications required under Section 504 of the Rehabilitation Act in accordance with district policy and procedures. *Title II of the Americans with Disabilities Act, and the Washington laws against discrimination. Free Appropriate Public Education (FAPE).*

### **Mediation or Resolution Agreements**

The board authorizes the superintendent or a designee to bind the district to a mediation or resolution agreement.

### **Commencement Exercise/Certificate of Attendance**

In order to participate in commencement exercises, students must have met the minimum criteria for graduation prior to the date of the exercise and otherwise be in good standing with their school through the commencement date. Minimum criteria for participation may be adjusted for students with an IEP whose disabilities have impacted their opportunity to accumulate credits. Each student's IEP team will determine the student's graduation plan, including graduation date. IEP students who have attended four years of high school and need additional time to complete IEP goals and/or credits may request participation in commencement exercises. IEP students will receive a certificate of attendance until they complete their credits for graduation.

The district superintendent shall develop and maintain special education procedures necessary to implement this policy. This policy and the procedures shall be available to the public.

Cross-References:	Board Policy 2162	Education of Students with Disabilities under Section 504
	Board Policy 2163	Response to Intervention
	Board Policy 2410	High School Graduation Requirements
	Board Policy 3231	Student Records
	Board Policy 3241	Classroom Management, Corrective Actions or Punishment
	Board Policy 3246	Restraint, Isolation and Other Uses of Reasonable Force

Legal References:	RCW 28A.605.020	Parents' Access to Classroom or School Sponsored Activities—Limitation
	RCW 28A.600.485	Restraint of students with individualized education programs or plans developed under Section 504 of the Rehabilitation Act of 1973—
		Procedures—Definitions
	RCW 28A.600.486	District policy on the use of isolation and restraint—Notice to parents and guardians of children who have individualized education programs or plans developed under Section 504 of the Rehabilitation Act of 1973
	Chapter 28A.155 RCW 49.60	Special Education Discrimination—Human Rights Commission
	WAC 392-172A	Rules for the Provision of Special Education
	20 U.S.C. 1400 et seq.	Individuals with Disabilities Education Improvement Act of 2004
	42 U.S.C. 12131-12133 28 CFR Part 35	Americans with Disabilities Act of 1990 Nondiscrimination on the Basis of Disability in State and Local Government Services
	34 CFR Part 99	Family Education Rights and Privacy Act (FERPA)
	29 U.S.C. 794	Section 504 of the Rehabilitation Act of 1973, as amended by the Rehabilitation Act Amendments of 1974, Pub. L. 93-516, 29 U.S.C. 794
	34 CFR Part 104	Nondiscrimination on the basis of handicap in programs and activities receiving or benefiting from federal financial assistance
	34 CFR Part 300	Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities
	34 CFR Part 303	Early Intervention Program for Infants and Toddlers with Disabilities

Management Resources:

2016, March Issue

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*Policy News*, December 1999

*Policy News*, June 2007

*Policy News*, December 2007

Rule Adoption Leads to Special  
Education Policy

Graduation Ceremonies for Special  
Education Students

Updated Special Education Policy and  
Procedure

**Adoption Date: 11.27.95**

**Auburn School District**

**Revised: 06.12.00; 06.14.04; 03.24.08; 11.08.10; 12.12.16**

## **PROCEDURE SPECIAL EDUCATION AND RELATED SERVICES FOR ELIGIBLE STUDENTS**

The purpose of the district's special education program procedures is to address program areas where state and federal regulations require specific local procedures or permit local discretionary choices.

The state regulations governing implementation of special education services pursuant to the Individuals with Disabilities Education Improvement Act (IDEA) of 2004 are addressed in Chapter 392-172A WAC. These procedures do not address all of the requirements established in the regulations. District personnel who are not familiar with the regulations need to contact the special education department director if there are questions regarding special education. These procedures describe how the district implements its special education program.

### **FREE APPROPRIATE PUBLIC EDUCATION**

The district will apply annually for Federal Part B and state special education funding to assist in the provision of special education and any necessary related services. This funding is in addition to students' basic education funding and state special education funding.

The superintendent, in consultation with building staff, shall annually determine whether to use Early Intervening Services (EIS) funding for students who have not been identified as needing special education or related services, but who need additional academic and behavioral support to succeed in a general education environment.

The district shall annually report to the Office of Superintendent of Public Instruction (OSPI) the number of students receiving EIS; and the number of students who received EIS and subsequently received special education and related services under Part B of IDEA during the preceding two-year period.

Services to eligible special education students age three to 21 will be provided without charge to the student. This does not include incidental fees that are normally charged to all students. Special education services will include preschool, elementary and secondary education and are provided in conformance with the student's Individual Education Program (IEP).

The district provides a continuum of services for students, regardless of the funding source. Where the district is unable to provide all or part of the special education or necessary related services, it will make arrangements through contracts with other public or non-public sources, inter-district agreements or interagency coordination.

### **EARLY INTERVENTION**

The district participates in the provision of early intervention services to eligible children with a disability, birth to three, consistent with the state lead educational agency's policies and procedures and the regulations implementing Part C of the IDEA.

## STUDENTS COVERED BY PUBLIC OR PRIVATE INSURANCE

The district may use Medicaid or other public insurance benefits programs in which a student participates to provide or pay for services required to provide a FAPE, as permitted by the public insurance program. However, the district shall not:

- Require parents to sign up for or enroll in public benefits or insurance programs in order for their student to receive FAPE under Part B of the IDEA;
- Require parents to incur an out-of-pocket expense such as the payment of a deductible or co-pay amount incurred in filing a claim;
- Use a parent's or student's benefits under a public insurance program if that use would:
  - Decrease available lifetime coverage or any other insured benefit;
  - Result in the family paying for services required after school hours that would otherwise be covered by the public insurance program;
  - Increase premiums or result in discontinuation of insurance; or
  - Risk loss of eligibility for home and community-based waivers, based on aggregate health-related expenditures.

The district may access a parent's private insurance proceeds to provide FAPE to an eligible student only if the parent provides informed consent to the district. Whenever the district proposes to access the parent's private insurance proceeds, the district shall:

- Obtain parent consent in accordance with Chapter 392-172A WAC each time the district uses benefits for a new procedure; and
- Inform the parents that their refusal to permit the district to access their insurance does not relieve the district of its responsibility to ensure that all required services are provided at no cost to the parents.

Before first accessing a parent's or student's public benefits for the first time and annually after the first notification, the district will provide written notification using the prior written notice provisions under WAC 392-172A-05010(3) that includes:

- A statement of the parental consent provisions;
- A statement of the "no cost" provisions;
- A statement that the parents may withdraw their consent to disclose personally identifiable information to the agency responsible for administering the state's public benefits or insurance, and
- A statement that a parent's withdrawal or refusal to consent does not relieve the school district of its responsibility to ensure that all required services are provided at no cost to the parents.

After providing the required notification, the district will obtain written informed consent from the parent allowing the district to disclose information from the student's educational records to the agency responsible for administering the state's public benefits or insurance programs. The consent will specify:

- The personally identifiable information that may be disclosed, such as records or information about the services that may be provided to the student;
- The purpose of the disclosure;
- The agency to which the disclosure will be made; and
- That the parent understands and agrees that the public agency may access the parent's or student's public benefits or insurance to apply for services under the act.

To avoid financial cost to parents who would otherwise consent to use private insurance, or public benefits if the parent would incur a cost such as a deductible or co-pay, the district may use its Part B funds to pay the cost the parents would incur.

#### PARENT PARTICIPATION IN MEETINGS

The district encourages parental involvement and sharing of information between district and parents to support the provision of appropriate services to its students. As used in these procedures, the term "parent" includes biological and adoptive parents, legal guardians, persons acting in the place of a parent, such as relatives and stepparents, foster parents, persons appointed as surrogate parents and adult students.

Parents (and as appropriate, students) will be provided the opportunity to participate in any meetings with respect to the identification, evaluation, educational placement and provision of a FAPE.

When a meeting is scheduled parents will be:

- Notified of the meeting early enough that they will have an opportunity to attend; and
- Notified of the purpose, time, and location of the meeting and who will be in attendance.

When the meeting is to address the IEP or placement, the parent will be:

- Notified that the district or the parent may invite others who have knowledge or special expertise of the student; and
- Meetings shall be scheduled at a mutually agreeable time and place.

The district shall take whatever action is necessary to ensure that the parent understands the proceedings of the IEP team meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.

The staff person responsible for inviting the parents to meetings will keep documentation of the information provided and the methods used to notify the parents of the meeting. The district may proceed with the IEP or placement meeting if the district is not able to convince the parent to attend. In this case, the district will document its attempts to arrange the meeting. This documentation will include records of telephone calls and the results, copies of correspondence sent to the parent and/or other means used to contact the parent.

This documentation will be kept in the student's special education file. Notification and documentation of attempts will be the responsibility of the case manager.

If the parent cannot attend the IEP or placement meeting but wishes to participate, the district will arrange for other means to participate. This can include individual or conference phone calls, video or other means of conferencing.

A meeting does not include informal or unscheduled conversations involving district personnel; conversations on issues such as teaching methodology, lesson plans, coordination of service provisions; or preparatory activities that district personnel engage in to develop a proposal or a response to a parent proposal to be discussed at a later meeting.

The district will ensure parents have access to their child's classroom and school-sponsored activities for purposes of observing class procedure, teaching material and class conduct. Such access must not disrupt the classroom procedure or learning activities. Follow building and district procedures to arrange.

## IDENTIFICATION AND REFERRAL (CHILD FIND)

### IDENTIFICATION

The purpose of child find is to locate, evaluate and identify children with suspected disabilities in need of special education services including those who are not currently receiving special education and related services and who may be eligible for those services. Activities are to reach:

- Children residing in the school district boundaries including preschool-aged children;
- Children attending private elementary and secondary schools located within the district boundaries;
- Highly mobile children (such as homeless, foster care and migrant children);
- Children who have a disability and may need special education services even though they are advancing from grade to grade; and
- Children at home or home schooled.

The district will consult with parents and representatives of private school students to ensure its child find activities are comparable in private schools located within district boundaries. These consultations will occur annually by meetings and/or written communication.

The district reaches students who may be eligible for special education services through:

- Notification to parents of child find activities in its annual informational packet;
- Notification to parents district-wide through local papers or other media;
- Information regarding child find on the district's website;
- Notification to private schools located in the district's boundaries;

- District informational mailings;
- Posting notices regarding screening and referral in school buildings and public locations including laundromats, day cares, community preschool sites and physicians' offices;
- Notifying and coordinating with the designated Part C lead agencies;
- Early childhood screenings conducted by the district;
- Coordination with other public and private agencies and practitioners;
- Written information provided to district staff on referral procedures;
- Training teachers and administrators on referral/evaluation/identification procedures;
- Review of student behavior, discipline and absentee information and information gathered from district-wide assessment activities.

When district staff have concerns that a student may have a suspected disability which could result in eligibility for special education services, they will notify the special education department.

The district's special education department conducts early childhood screenings for ages birth to five. These occur monthly at various elementary schools. When parents or others inquire about screenings, the caller will be referred to the special education department.

The screening process involves the following:

- Parents are asked to provide information to assist in assessing their child; and
- Children are screened to assess cognitive, communication, physical, social-emotional and adaptive development.

Parents will be notified at the screening of the results and the parents will also be provided written notice of the results within 10 days of the screening. If the screening supports evaluation, obtain written consent for evaluation at the exit interview if possible, or include consent forms with the written notice notifying the parents of the results. If the screening results indicate that the child does not need an evaluation, written notice shall be sent to the parents within 10 days of the screening explaining the basis for the district's decision not to evaluate. Evaluation occurs in accordance with evaluation procedures.

## REFERRAL

A student whether or not enrolled in school, may be referred for a special education evaluation by parents, district staff or other persons knowledgeable about the student. Each building principal will designate a person responsible for ensuring that district staff understands the referral process. Referrals are required to be in writing unless the person referring is unable to write. A person who makes a referral orally should be asked to either make the referral in writing or go to the main office of the building for assistance in making the referral.

When a referral is made, the district must act within a 25 school-day timeline to make a decision about whether or not the student will receive an evaluation for eligibility for special education services.

All certificated employees will document referrals immediately upon a referral being made to or by them. All other staff receiving a referral from another person shall notify a school counselor or school psychologist. The school counselor: (a) records the referral; (b) provides written notice of the referral to the parent; and (c) advises the case study/guidance team to collect and review district data and information provided by the parent to determine whether evaluation is warranted.

During the referral period the case study/guidance team will collect and review existing information from all sources, including parents. Examples may include:

- Child's history, including developmental milestones;
- Report cards and progress reports;
- Individual teacher's or other provider information regarding the child including observations;
- Assessment data;
- Medical information, if provided;
- Other information that may be relevant to assist in determining whether the child should be evaluated.

If the review of data occurs at a meeting, the parent will be invited. The case study/guidance team provides written notice to the parents of the decision regarding evaluation, whether or not the parents attend the meeting.

Recommendations regarding evaluation are forwarded to the special education department.

After special education staff reviews the request for evaluation and supporting data and does not suspect that the child has a disability, the district may deny the request. In this case, written notice, including the reason for the denial and the information used as the basis for the denial, must be given to the parent.

If the determination is that the child should be evaluated, the reviewers shall include information about the recommended areas of evaluation, including the need for further medical evaluation of the student. This information will assist the district in providing parents prior written notice and will assist the district in selecting appropriate evaluation group members. The evaluation case manager is responsible for notifying parents of the results using prior written notice. When the determination is that the child will be evaluated, parent consent for evaluation and consent for release of appropriate records will be sent with the notice.

The evaluation case manager will seek parental consent to conduct the evaluation. The school district is not required to obtain consent from the biological parent if:

- The student is a ward of the state and does not reside with a parent;
- The parent cannot be located, or their rights have been terminated; or
- Consent for an evaluation is given by an individual appointed to represent the student.

When the parent provides consent, the district shall select an evaluation group. The evaluation group is to complete the evaluation with 35 school days after parent consent, unless:

- The parents and district agree in writing to extending the timeline;
- The parent fails or refuses to make the student available for the evaluation; or
- The student enrolls in another school district after the evaluation is begun but before completion and the parent and new district have an agreement for completion of the evaluation.

If a parent does not provide consent, notify the evaluation case manager. District staff will make a determination as to whether it wishes to use mediation to seek agreement to evaluate or file a due process hearing to override the parent's refusal to consent. The district may not override a parent's refusal to consent for an evaluation if the student is homeschooled or is unilaterally placed in a private school.

#### Evaluation of Students moving from Part C to Part B and Participation in Transition Planning Conferences

The district will participate in transition planning conferences, arranged by the local lead agency as designee of the Part C lead agency for each student who may be eligible for preschool services. Transition plans will be designed to promote uninterrupted provision of appropriate services to the child (note--adjust this section to fit your district process).

- Student Special Services will serve as the point of contact with the family resource coordinator for timely execution of transition planning conferences that are arranged at least 90 days before the student's third birthday by the designee of the Part C agency;
- The district will follow the procedures for obtaining consent and conducting an initial evaluation, if it determines that the student will be evaluated to determine eligibility for Part B services;

The district will follow the procedures for timelines and evaluation requirements for students moving from Part C to Part B except:

- Students turning three, who were previously determined eligible for early intervention services under Part C of IDEA, will be evaluated for initial eligibility for special education services under Part B of IDEA. The evaluation must be completed in enough time to develop an initial IEP by the date of the student's third birthday.

#### EVALUATION REQUIREMENTS

The purpose of the evaluation is to collect information about a student's functional, developmental and academic skills and achievements from a variety of sources, to determine whether a student qualifies for special education and related services, and to develop an IEP. This includes information provided by the parent. All information gathered in this process is reviewed by the IEP team or other group of qualified professionals.

The evaluation must be an individual assessment designed to determine:

- Whether the student is eligible for special education and any necessary related services; and,
- The nature and extent of special education and related services needed by the student, including information related to enabling the child to be involved in and progress in the general education curriculum.

The district shall select the members of the evaluation group. Members selected must be knowledgeable about the student and the areas of suspected disabilities. Qualifications of a group member include having the appropriate professional license or certification and may include outside practitioners when necessary. When assessing for specific learning disabilities, the parent and a group of qualified professionals must be part of the group. If the student requires a medical evaluation in order to determine eligibility, the district will coordinate with the parents to arrange for the evaluation at district expense or through the use of public or private insurance if the parent consents to the use of the insurance.

There are many legal requirements for conducting evaluations. Evaluation procedures or materials must be free of racial, cultural or sexual/gender bias and they must be used for the purpose for which they are valid and reliable. Tests must be appropriate for the student's age and stage of developmental level. Tests should be administered in the native language of the student or conducted in the mode of communication most familiar to the student. If it appears to be clearly not feasible to conduct a procedure or test in the mode of communication most frequently used by the student, the IEP team will contact the special education administrator to develop an individualized strategy for valid evaluation of the student's skills. The inclusion of parents in this collaboration is desirable and strongly encouraged.

Specific areas to be included in the evaluation are determined by the team of qualified professionals, as appropriate, as part of a review of existing data concerning the student. The evaluation does not rely on one source or procedure as the sole criterion for determination and should include:

- Review of existing data, including corresponding response to intervention (RTI) documentation;
- Relevant functional and developmental information;
- Information from parents;
- Information from other providers;
- Information related to enabling access to and progress within the general education curriculum and assisting in determining whether there is a disability and the content of the IEP;
- Current classroom-based evaluations, using criterion-referenced and curriculum-based methods, anecdotal records and observations;
- Teacher and related service providers' observations;
- Testing and other evaluation materials, which may include medical or other evaluations when necessary.

All current evaluation data as well as data previously reviewed by the team must be considered. Professional members of the evaluation team need to be familiar with qualifying disability definitions and criteria in federal and state rules.

This review of existing data may be in the form of a meeting of IEP team members, or may be conducted without a meeting. It could include data provided by parents, data gathered in the general education classroom or from state and district level assessments. The data may provide information about the student's physical condition, social or cultural background and adaptive behavior.

When additional assessments are necessary, the group members have the responsibility of selecting, administering, interpreting and making judgments about evaluation methods and results, and ensuring that the tests and assessments are administered by qualified personnel in accordance with the instructions of the test producer. The gathering of additional data in combination with existing data must be sufficiently comprehensive to address all areas of the suspected disability and any special education needs, whether linked to the disability category or not. If the IEP team determines that no additional data is needed, the IEP team will notify the student's parent of that determination and the reasons for it, and inform them of their right to request additional assessments. The district will follow the evaluation procedures outlined in WAC 392-172A.

Parents and district staff are encouraged to work towards consensus, but the school district has the ultimate responsibility to determine whether the student has a disability or not. The school district will provide the parent with prior written notice of the eligibility decision, as well as a copy of the evaluation report. If the parent disagrees with the eligibility decision they need to be informed of their dispute resolution options described in the procedural safeguards.

#### SPECIFIC LEARNING DISABILITY (SLD)

- The district continues to use the severe discrepancy approach for identifying students with a SLD.

#### EVALUATION OF TRANSFER STUDENTS

If a student transfers into the school district while an evaluation process is pending from the other district, the evaluation case manager is responsible for determining the status of evaluations conducted to date and making a determination as to whether the evaluation can be completed within the 35 school day timeline from the date the parent provided consent. If the determination is that additional time will be needed, the parents will be provided prior written notice of the timeline needed to complete the evaluation and the reasons for the additional time needed.

#### ELIGIBILITY

The evaluation group and the parent will determine whether or not the student is a special education student.

- A student is not eligible if the determinant factor is lack of appropriate instruction in reading or math, based upon the state's grade level expectations or limited English proficiency.
- Eligibility may be determined by documented professional judgment when:

- Properly validated tests are unavailable; or
- Corroborating evidence indicates that results were influenced due to measuring a disability.

The parent will be provided with a copy of the evaluation report and the documentation of determination of eligibility.

Parents will also be provided with prior written notice of the eligibility decision within 10 school days of the decision. The special education department is responsible for sending the notice.

Students remain eligible for special education services until one of four events occur:

- The student is determined through a reevaluation to no longer be eligible for special education;
- The student has met the district's high school graduation requirements;
- The student has reached age 21. A special education student whose 21st birthday occurs after August 31, shall continue to be eligible for special education and any necessary related services for the remainder of the school year; or
- The student no longer receives special education services based upon a parent's written revocation of services.

When a special education student is expected to graduate prior to age 21, or when graduation is part of the transition plan, the IEP team will document a student's progress towards achieving course credits towards graduation on the transition portion of the IEP. The district will provide prior written notice to parents and adult students that the student is expected to graduate and will no longer be eligible for special education services. The district will also provide the parents and student with a summary of academic achievement and functional performance and recommendations to assist the student with postsecondary goals. Refer to high school graduation policy 2410 and procedure 2410P.

### EVALUATION REPORT

Each person conducting an assessment of the student will specify the procedures and instruments used and their results and the significance of findings related to the student's instructional program, including a specification of the factors interfering with performance and the special education and related services needed.

The evaluation group will determine who is most appropriate to develop the evaluation report reflecting the evaluation information. This will be completed before the conclusion of the evaluation period and will, at a minimum:

- Identify the disability which requires special education and related services, if a disability exists;
- Discuss assessments and review data supporting conclusions regarding eligibility;
- Include the additional information required for the specific learning disability eligibility category;
- Describe how the disability or disabilities affect the student's involvement and progress in the general curriculum;
- Make recommendations to the IEP team with respect to special education and related services needed, materials or equipment, instructional and curricular practices, student management strategies, the need for extended school year services beyond 180 school days and location of services;
- Include other information, as determined through the evaluation process and parent input;
- Include the additional information required for the specific learning disability eligibility category;
- Provide any necessary professional judgments and the facts or reasons in support of the judgments; and
- Be signed and dated by the evaluation group members certifying their agreement. Any group member who disagrees with the conclusions shall prepare a statement presenting the conclusion.

The evaluation case manager is responsible for notifying parents of the date, time and location of evaluation meetings by following the procedures in the parent participation section for inviting parents to meetings.

### REEVALUATIONS

A reevaluation of a student receiving special education or related services is conducted if academic achievement and functional performance has improved to warrant a reevaluation, if the IEP team suspects that the student may no longer be a student with a disability or if the child's parent or teacher requests a reevaluation. A reevaluation does not occur more than once per year, unless parent and school agree otherwise. A reevaluation must occur at least once every three years, unless parent and school staff agree that a reevaluation is unnecessary. An agreement that an evaluation is unnecessary shall be confirmed in writing to the parent. The evaluation case manager will schedule a review of this determination and notify the special education department.

Students who turn six who met the eligibility requirements for the disability category of "Developmentally Delayed" (DD) under the criteria for ages three to six years need not be reevaluated at age six under the criteria for six to nine years until three years after their initial evaluation was completed.

Students who were previously eligible under the category "Developmentally Delayed" must be reevaluated before age nine to determine eligibility within another category.

As part of any reevaluation, the IEP team members and other professionals the district determines appropriate will review existing data that includes:

- Evaluations and information provided by the parents;
- Current classroom-based assessment, local or state assessments and classroom based observations; and
- Observations by other teachers and related services providers data.

Based on this review the team will determine whether any additional data is necessary to determine:

- Whether the student continues to be eligible for special education and any necessary related services;
- The present levels of performance and educational needs; and
- Whether any additions or modifications to the student's program are needed.

This review can occur with or without a meeting or through individual review. If the IEP team members and any other persons reviewing the data determine that no further testing is necessary, the district will notify the parents of this determination, using written prior notice and will inform parents that they have the right to request assessments if they disagree with the determination that additional testing is not necessary. Parent consent is not required if the reevaluation does not require additional testing:

- If additional testing is needed, the district will request written parental consent for reevaluation and provide prior written notice identifying the areas of assessment;
- If the parents do not return the signed consent form, the district shall send another letter explaining the need for reevaluation and parent consent and will enclose another consent form and a copy of the prior written notice. In addition, the district will document its reasonable attempts to obtain consent such as telephone calls, emails, personal contact and other efforts to obtain consent;
- If the parents do not respond to the request for consent, and the district has documented its reasonable attempts to obtain consent, the district can proceed with the reevaluation;
- If the parents refuse to consent to the reevaluation, the evaluation group will notify the special education director so that the district can determine whether it will seek mediation in order to obtain consent or request a due process hearing to ask an administrative judge to override the parents' refusal to consent.

After the reevaluation is completed, the district will both invite parents to the eligibility meeting and will provide prior written notice after the meeting of the results of reevaluation to parents in their primary language, indicating one or more of the following:

- Whether the student continues to be eligible and in need of special education;
- Present levels of performance and educational needs of the student; and
- Whether any additions or modifications to the special education and related services are needed to enable the student to meet IEP annual goals and to participate, as appropriate, in the general curriculum.

This notice will occur within ten school days of the eligibility decision. The special education department is responsible for sending the notice.

### REEVALUATION AND GRADUATION

No reevaluation is required when special education eligibility terminates due to graduation from high school with a regular diploma or due to reaching the end of the school year during which the student turned 21. Instead, the district will provide prior written notice and the IEP team will provide the student with a summary of academic achievement and functional performance including recommendations on how to assist the student in meeting post-secondary goals.

### INDEPENDENT EDUCATIONAL EVALUATIONS (IEE)

Parents of students eligible for special education, students referred for special education and determined to not be eligible or students determined not to need an evaluation have a right to obtain an IEE at public expense, each time the district conducts an evaluation of the student.

When parents request an IEE the district must decide within 15 calendar days whether or not it agrees to provide it. Any parent request for an independent evaluation should be immediately referred to the special education administrator. The special education administrator shall review the request and determine whether or not the request is warranted. If the district denies the request to pay for an IEE, it must file for a due process hearing within 15 calendar days of the parent's request. The district may request mediation as an option after filing the due process hearing. If the parents withdraw their request for an IEE the due process hearing can be dismissed.

When a parent requests an IEE, the district must provide parents a list of district criteria and evaluators. If the school district initiates a hearing and a decision is made that the district's evaluation is appropriate, the parent still has the right to an IEE but not a public expense. A parent is only entitled to one IEE at public expense each time the district conducts an evaluation with which the parent disagrees.

If the parent obtains an IEE at either public or private expense, any results of the IEE must be considered by the district if providing FAPE. The IEE may also be presented as evidence at a hearing regarding the student.

The following criteria are established for the selection of an individual to conduct an IEE at public expense. These criteria are established in order to identify the knowledge, experience and qualifications of individuals selected to conduct the evaluations. Any individual selected to conduct either a district evaluation or an IEE must be:

- Licensed, credentialed or otherwise qualified within the state of Washington or state of residence/practice to perform an evaluation in the specific professional discipline for which an independent evaluation is sought;
- Knowledgeable and experienced in evaluating children with similar disabilities;
- Geographically located within the state of Washington; and
- Available to the district at a maximum fee which does not exceed by more than 25% the prevailing average for similar evaluations within the state of Washington.

Exceptions to the criteria will be granted only when it can be shown that the unique circumstances of the child or the disability:

- Make it impossible to identify anyone within the state of Washington who holds the appropriate credentials or experience necessary to conduct the evaluation; or
- Require a specialized evaluator whose fee exceeds the prevailing average by more than 25%; or
- Include factors which would warrant an exception in order to obtain an appropriate evaluation.

## INDIVIDUALIZED EDUCATION PROGRAMS (IEP)

### IEP DEVELOPMENT

The IEP is the written statement reflecting the implementation of instructional programs and other services for special education students based on the evaluation and student needs.

An IEP must be in effect before initiation of special education services. The IEP must be developed within 30 calendar days after the student's initial determination of eligibility for special services. IEPs must be updated annually, or revised more frequently if needed to adjust the program and services.

Parent consent is required before the initial provision of special education services. If a parent refuses to consent to the provision of special education services, the district may not use mediation or due process to override a parent's refusal. When a parent refuses to provide consent the evaluation case manager will notify that parent that the district does not have a FAPE obligation to the student. The notification will be documented in the student's file.

The district will maintain a copy of the current IEP which is accessible to all staff members responsible for providing education, other services or implementation of the IEP. All staff members will be informed of their responsibilities for its implementation. This includes not only teachers and other service providers, but also bus drivers, playground and lunchroom supervisors, nursing staff and others who may be responsible for the proper implementation. The building principal is responsible for ensuring that staff members are knowledgeable about their responsibilities.

IEPs will be implemented without undue delay following IEP meetings, regardless of the payment source for special education and or related services.

Parents are members of the IEP team and shall have the opportunity to fully participate. The district will make sure that the parents understand the proceedings, including arranging for an interpreter for parents who are deaf or whose native language is other than English. The district will also ensure that meeting locations are accessible. The IEP case manager is responsible for coordinating interpreters and making arrangements for the meeting location.

The district will provide parents/guardians with a copy of the district's Required Notification of Isolation or Restraint of Students with IEPs or Section 504 Plans policy (Policy 3247) when the student's IEP is created.

The IEP team includes:

- The parents of the student;
- Not less than one general education teacher (or preschool teacher) of the student if the student is, or will be, participating in the general education environment;
- Not less than one special education teacher, or if appropriate, not less than one special education provider of the student;
- A representative of the district, who is qualified to provide or supervise the provision of special education and related services, is knowledgeable about general education curriculum, and is knowledgeable about the availability of district resources;
- An individual who can interpret the instructional implications of the evaluation results;
- Any other individuals who have knowledge or special expertise about the student. These individuals may be invited by both the district and the parents, at the discretion of the person making the invitation;
- The student, when appropriate, or when required;
- Students must be invited when the purpose of the meeting includes discussion of transition needs or services;
- If another agency is or may be responsible for payment or provision of transition services, an agency representative will be invited, with the parent's consent. If the agency representative cannot attend the meeting, district personnel shall keep the representative informed of the meeting and obtain agency information that will assist in the service provision;
- Parents will be notified of the participation of the Part C service coordinator or other designated representatives of the Part C system as specified by the state lead educational agency for Part C at the initial IEP meeting for a child previously served under Part C of IDEA.

The parents and district must agree in writing before any of the above team members are excused from all or part of a meeting. If a team member's area of the IEP is being discussed or modified, then the parent and district must consent to their excusal; and that specific team member must provide advance written input for their part of the IEP prior to the meeting. The IEP case manager consults a special education administrator.

Existing team members may fill more than one of these roles if they meet the criteria for the role.

Sometimes parents do not attend IEP meetings. There will also be times the parents do not agree with the IEP as proposed and, despite attempts to reach agreement on IEP content, the team does not reach agreement. If a parent attends the IEP meeting and agreement is not reached on the IEP, the team shall determine whether another IEP meeting should be scheduled as soon as mutually possible, or whether there is enough information to complete the IEP. When the decision is made that the IEP will be implemented, the district must send prior written notice of the decisions reached to the parent, including the date the IEP will be implemented.

When the parents do not attend the IEP meeting, despite the district's efforts to ensure participation, or if the team does not reach agreement, it is the district's obligation to offer an appropriate educational program:

- Have IEP members present sign the IEP (or document participation if any member is unwilling to sign);
- Send a copy to the parent, and provide the parent prior written notice that the district intends to implement the IEP;
- Forward the documentation of actual or attempted contacts to the special education department for processing when parents do not attend the meeting.

When making changes to an IEP after the annual IEP meeting for a school year, the parent and the district may agree not to convene an IEP meeting for the purpose of making changes. The parent and the district must complete a written document indicating the changes and inform IEP team members and appropriate individuals of the changes. The IEP case manager is responsible for documentation of IEP amendments. If the parent requests that the district revise the IEP to include the amendments, the IEP case manager will revise the IEP.

#### IEP PREPARATION AND CONTENT

IEP teams will consider the recommendations in the most recent evaluation to develop the IEP. In developing the IEP, the team should consider:

- The strengths of the student including the academic, developmental and functional needs of the student and the concerns of the parents for enhancing the education of their child;
- Whether positive behavioral interventions and supports, including a behavioral intervention plan, as defined by WAC 392-172A-01031, are needed to address the student's behavior;

- The language needs of the student as those needs relate to the student's IEP, for a student with limited English proficiency;
- Whether Braille instruction is appropriate for a student who is blind or visually impaired;
- The communication needs of the student (and in the case of a student who is deaf or hard of hearing, consider the student's language and communication needs), opportunities for direct communications with peers and professional personnel in the student's language and communication mode; academic level; and full range of needs, including opportunity for direct instruction in the student's language and communication mode; and
- Whether assistive technology devices or services are needed.

IEP content includes:

- The student's present levels of academic and functional performance with a description of how the disability(ies) affect the student's involvement and progress in the general curriculum or preschool activities;
- Measurable academic and functional annual goals for the student (including benchmarks or short term objectives if the student is participating in alternate assessments) that will meet the student's needs resulting from the disability(ies) to enable involvement and progress in the general curriculum or in preschool activities, and will meet the student's other educational needs;
- A statement of special education services, any necessary related services, and supplementary aids and services based on peer-reviewed research to the extent practicable to be provided to the student and program modifications or supports for personnel so that the student may advance towards annual goals, progress in the general curriculum and be educated and participate with other special education students and non-disabled students and participate in extracurricular and other nonacademic activities;
- A statement of the extent, if any, that the student will not participate with non-disabled students in general classroom, extra-curricular and non-academic activities;
- A statement of any individual appropriate accommodations in the administration of state or district-wide assessments of student achievement that are needed to measure academic achievement and functional performance of the child on state assessments. If the team determines that the student will not participate in a particular assessment, the IEP will address why the student cannot participate in the regular assessment(s) and why the particular alternative assessment is appropriate for the child;
- The date for the beginning of services and the anticipated frequency, location and duration of services and modifications;
- A statement of how the student's progress towards goals will be measured, how the student's parents will be regularly informed of their child's progress towards the annual goals and whether the progress is sufficient to enable the student to achieve the goal by the end of the year. Information to the parents can be provided through the use of progress reports or report cards or other agreed means, but the information must be provided at least as often as information is provided to students without disabilities;

- The projected beginning date for the special education and related services;
- With an IEP that is in effect when the child turns 16, or sooner if the IEP team determines it is appropriate, a statement of needed transition services and any interagency responsibilities or needed linkages. Transition services description must include appropriate measurable postsecondary goals based on age appropriate transition and assessments related to training, education, employment, independent living skills where appropriate; and transition services (including course of study) needed to assist the child in reaching those goals;
- Emergency response protocols, if determined necessary by the IEP team for the student to receive FAPE and parents provide consent. Emergency response protocols must meet the requirements stated in WAC 392-172A-02105 .
- A behavioral intervention plan (BIP), if determined necessary by the IEP team for a student to receive FAPE. The BIP must meet the requirements stated in WAC 392-172A-01301;
- The procedures by which parents/guardians will be notified of the use of isolation or restraint or a restraint device on the student
- A statement regarding transfer of rights at the age of majority. The IEP case manager will provide prior written notice to the student one year prior to student turning 18 years of age;
- Extended school year (ESY) services. The consideration for ESY services is a team decision, based on information provided in the evaluation report and based on the individual needs of a student. ESY services are not limited by categories of disability, or limited by type amount or duration of the services. If the need for ESY services is not addressed in the IEP and ESY services may be appropriate for the student, the IEP team will meet by May 15 to address the need for ESY. Factors for the team to consider when determining the need for ESY may include, but are not limited to: 1) Evidence of regression or recoupment time based on documented evidence; or 2) A documented determination based on the professional judgment of the IEP team including consideration of the nature and severity of the student's disability, the rate of progress and emerging skills.

#### USE OF ISOLATION, RESTRAINT AND RESTRAINT DEVICES:

##### A. Definitions

1. Imminent: The state or condition of being likely to occur at any moment or near at hand, rather than distant or remote.
2. Isolation: Restricting a student alone within a room or any other form of enclosure, from which the student may not leave. It does not include a student's voluntary use of a quiet space for self-calming, or temporary removal of a student from his or her regular instructional area to an unlocked area for purposes of carrying out an appropriate positive behavior intervention plan.
3. Likelihood of serious harm: A substantial risk that physical harm will be inflicted by a student:

- a. upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself;
  - b. upon another, as evidenced by behavior that has caused such harm or that places another person or persons in reasonable fear of sustaining such harm;
  - c. upon the property of others, as evidenced by behavior that has caused substantial loss or damage to the property of others; or
  - d. after the student has threatened the physical safety of another and has history of one or more violent acts.
4. Positive behavioral intervention: Strategies and instruction that can be implemented in a strategic manner in order to provide alternatives to challenging behaviors, reinforce desired behaviors, and reduce or eliminate the frequency and severity of challenging behaviors. Positive behavioral interventions include the consideration of environmental factors that may trigger challenging behaviors and teaching a student the skills to manage his or her own behavior.
  5. Restraint: Physical intervention or force used to control a student, including the use of a restraint device. It does not include appropriate use of a prescribed medical, orthopedic or therapeutic device when used as intended, such as to achieve proper body position, balance or alignment or to permit a student to safely participate in activities.
  6. Restraint device: A device used to assist in controlling a student, including, but not limited to, metal handcuffs, plastic ties, ankle restraints, leather cuffs, other hospital-type restraints, pepper spray, tasers, or batons. Restraint device does not mean a seat harness used to safely transport students. This definition is consistent with RCW 28A.600.485(1)(c), and is not intended to endorse or encourage the use of such devices or techniques with district students.
- B. Practices presumed to be unreasonable when correcting or restraining any student under the age of 18:

Under RCW 9A.16.100, the following is a non-exclusive list of acts that are presumed unreasonable when correcting or restraining a child:

1. throwing, kicking, burning, or cutting a child;
2. striking a child with a closed fist;
3. shaking a child under the age of three;
4. interfering with a child's breathing;
5. threatening a child with a deadly weapon; or

6. doing any other act that is likely to cause bodily harm to a student greater than transient pain or minor temporary marks.

This non-exclusive list should not be read so as to imply that another, unlisted form of correction or restraint is permissible. Whether or not an unlisted use of force or restraint is presumptively permissible depends upon a balanced consideration of all relevant state laws and regulations, and whether the use is reasonable under the totality of the circumstances.

C. Conditions specific to use of isolation:

1. The isolation must be discontinued as soon as the likelihood of serious harm has dissipated;
2. The enclosure will be ventilated, lighted and temperature controlled from inside or outside for purposes of human occupancy.
3. The isolation enclosure will permit continuous visual monitoring of the student from outside the enclosure.
4. An adult responsible for supervising the student will remain in visual or auditory range of the student at all times.
5. Either the student shall be capable of releasing himself or herself from the enclosure, or the student shall continuously remain within view of an adult responsible for supervising the student.
6. Any staff member or other adults using isolation must be trained and certified by a qualified provider in the use of isolation, unless trained personnel are not immediately available due to the unforeseeable nature of the emergency.

D. Conditions specific to use of restraint and restraint devices:

1. The use of restraint or a restraint device must be discontinued as soon as the likelihood of serious harm has dissipated;
2. The restraint or restraint device will not interfere with the student's breathing;
3. Any staff member or other adults using restraint or restraint devices must be trained and certified by a qualified provider in the use of such restraint or restraint devices, unless trained personnel are not immediately available due to the unforeseeable nature of the emergency.
4. In the case of a restraint device, either the student will be capable of releasing himself or herself from the restraint device or the student shall continuously remain within view of an adult responsible for supervising the student.

E. Prohibited practices involving restraint, use of force, and discipline:

The following practices are prohibited with students eligible for special education services:

1. District personnel are prohibited from using aversive interventions;
2. District personnel are prohibited from physically restraining or isolating a student, except when the student's behavior poses an imminent likelihood of serious harm as defined above;
3. No student may be stimulated by contact with electric current, including, but not limited to, tasers;
4. A student may not be denied or subjected to an unreasonable delay in the provision of food or liquid as a form of punishment;
5. A student may not be the recipient of force or restraint that is either unreasonable under the circumstances or deemed to be an unreasonable form of corporal punishment as a matter of state law (see above, for example, for a list of practices presumed to be unreasonable when used in correcting or restraining a child);
6. A student must not be denied or subjected to an unreasonable delay in the provision of common hygiene care;
7. A student must not be denied or subjected to an unreasonable delay in the provision of medication;
8. A student may not be excluded from his or her regular instructional or service area and isolated within a room or any other form of enclosure, except under the conditions set forth in WAC 392-172A-02110;
9. A student must not be forced to listen to noise or sound that the student finds painful;
10. A student must not be forced to smell or be sprayed in the face with a noxious or potentially harmful substance;
11. A student must not be forced to taste or ingest a substance which is not commonly consumed or which is not commonly consumed in its existing form or concentration;
12. A student's head must not be partially or wholly submerged in water or any other liquid.
13. A student must not be physically restrained or immobilized by binding or otherwise attaching the student's limbs together or by binding or otherwise attaching any part of the student's body to an object, except under the conditions set forth in WAC 392-172A.02110.

#### F. Documentation and Reporting Requirements

Districts must follow the documentation and reporting requirements for any use of isolation, restraint, or a restraint device consistent with RCW 28A.600.485 and the parental notification requirement of RCW 28A.155.210. See Policy and Procedure 3246.

#### G. Post-incident notification and review

The principal or designee must make a reasonable effort to verbally inform the student's parent or guardian of the use of restraint or isolation within 24 hours of the incident. The principal or designee must also send written notification as soon as practical, but postmarked no later than five business days after the restraint or isolation was used with a student. If the school or district customarily provides the parent or guardian with school-related information in a language other than English, the written report must be provided to the parent or guardian in that language.

The principal or designee will review the incident with the student and the parent or guardian (though not necessarily at the same time) to address the behavior that precipitated the use of the restraint or isolation and the appropriateness of the response. The principal or designee will review the incident with the staff person(s) who administered the restraint or isolation to discuss whether proper procedures were followed and what staff training or support is needed to help the student avoid similar incidents.

#### TRANSFER STUDENTS

Students who transfer from one district to another within the state continue to be eligible for special education and any necessary related services. When a special education student transfers into the district, appropriate building staff will notify the special education department. The special education department in consultation with parents will review the student's IEP to ensure the district provides services comparable to those in the previous IEP until the district adopts the previous IEP or develops, adopts and implements a new IEP.

When a student, who was identified as eligible for special education, transfers from out of state into the district, the appropriate building personnel will notify the special education department as soon as possible. The school psychologist will review the evaluation, eligibility documentation and IEP to determine whether or not the student meets state eligibility criteria. If the student meets the state eligibility criteria, follow the procedures described in the previous paragraph to provide comparable services until the district develops an IEP for the student. If the student needs to be evaluated to determine eligibility in this state, the school psychologist will notify the parents, obtain consent and evaluate the student for eligibility within 35 school days of the receipt of the parents' consent. The district, in consultation with the parents, will continue to provide special education services comparable to the services on the student's IEP, pending the results of the initial evaluation.

The district must take reasonable steps to promptly obtain records, including IEP supporting documents and any other records related to special education or related services from the previous school. The school psychologist who case manages the transfer review file will be responsible for ensuring that all paperwork is received from the previous placement.

## PLACEMENT

No student may receive special education and related services without being determined eligible for services and, thus, the evaluation process and IEP development precedes a special education placement. When a student has been evaluated and the evaluation team and parent have determined student eligibility and the need for special education and related services, programming decisions must occur. These decisions are made on the basis of information generated through the evaluation and IEP processes. The actual program is considered within the context of least restrictive environment (LRE) and the continuum of placement alternatives (reviewed below). When determining initial eligibility for special education, including determination of the appropriate placement, the parent or adult student must provide written consent for services before the student receives special education services. If the parents do not consent to the provision of special education and related services, the district will not provide special education services to the student. The district will notify the parents that the student is eligible for services and that the district is willing to provide the services when the parent provides written consent. The notification will also inform parents that the district has no FAPE obligation to the student when parents refuse to provide consent.

When program decisions are addressed by the IEP team, proper consideration must be given to the LRE. Within the educational setting, the student should be placed, whenever possible:

- In the school the disabled student would normally attend; and,
- With non-disabled students in the general educational setting to the maximum extent possible.

Special classes, separate schools or removal of students with disabilities from the general education environment occurs only when the nature or severity of the disability is such that education in the general education classroom with use of supplementary aids and services cannot be satisfactorily achieved.

If the IEP team believes that the student will not be successful within the general education classroom, the team will consider:

- The educational benefits of full-time placement in a regular classroom;
- The non-academic benefits of such a placement;
- The effect the student will have on the teacher and other students in the regular classroom; and
- The costs of placing the student in the regular classroom.

The degree to which the student is to be integrated into the general classroom setting is dependent upon the identified needs of the student. This placement is to occur unless the nature of the needs is so severe that this cannot be satisfactorily achieved, even with supplementary aids and services. If the placement is in another building, the appropriate educational placement will be as close to the student's home as reasonably possible.

Within the nonacademic setting, students will be provided nonacademic and extracurricular activities with non-disabled students. These opportunities may include but not be limited to participation in recreational activities, school assemblies, clubs, counseling services and health services. Limits on nonparticipation or conditions of participation must be designated in the IEP.

The district will also make opportunities available for students eligible for special education to participate with non-disabled students in the district's art, music, PE, library, industrial arts, computer, consumer classes and home economics classes.

Within the district, a continuum of alternative placement options exists spanning within a class, resource room, self-contained, home-bound and out-of-district provisions. These options are intended to address the individual needs of students and they are considered according to the following process:

The placement of each student with a disability will be determined annually, or sooner if appropriate, by the IEP team.

The appropriateness of placement options will be based upon various decisions including:

- Data-based judgments in IEP development;
- Judgments (data-based) in determining LRE;
- The reasonable probability of the placement option(s) assisting the student to attain annual goals and objectives and the quality of services needed; and
- The consideration of potentially harmful effects upon the student or on the quality of services needed.

Placement options along the continuum must include alternative placement options identified in the definition of special education and make provisions for supplementary services such as resource room or itinerant instruction to be provided in concert with the general education placement.

#### STUDENTS UNILATERALLY ENROLLED IN PRIVATE SCHOOLS BY PARENTS

Prior to December 1 of each year, the district shall conduct an annual count of the number of private elementary and secondary school students eligible for special education who are unilaterally enrolled by their parents in a private school located within district boundaries and who do not wish to enroll in a public school to receive special education and related services. The district special education administrator shall have timely and meaningful consultation with appropriate representatives and parents of private school students *and* make determinations about who will receive services and what services will be provided. The purpose of the child count is to determine the proportionate amount that the district must spend on providing special education and related services, including transportation, to private elementary or secondary school students in the next fiscal year.

The district is required to spend a proportionate amount of federal special education Part B and Section 619 funds to provide special education and related services to private elementary school students. In order to determine which students will receive services, what services will be provided, how and where the services will be provided, and how services provided will be evaluated, the district shall consult with appropriate representatives and parents of private school students. The district shall make the final decision with respect to services to be provided to eligible private school students. The special education office will notify each approved private school or preschool operating in the district seeking recommendations of persons to serve as representatives of special education private school students in consultations with the district. An initial meeting will be called by the district to establish a work plan and schedule with the private school student representatives to discuss how to identify students, which students will receive services, what services will be provided, how and where services will be provided, and how services will be evaluated.

The special education administrator is responsible for private school involvement and service plan development. A private school student has no individual entitlement to any service or amount of service (s)he would have received if enrolled in a public school to receive FAPE. However, for each private school student receiving special education or related services, the district shall initiate and conduct meetings to develop, review and revise a services plan describing the specific special education and related services that the district will provide. The services plan must: (1) meet IEP content requirements with respect to the services to be provided; and (2) be developed, reviewed, implemented and revised annually consistent with the requirements for IEP review. The district shall make every effort to include a representative from the private school at each meeting. If the private school representative is not able to attend, the district shall use other methods, including individual or conference telephone calls, to assure the representative's participation.

Private school students may receive a different amount of services than special education students in public schools. However, the services provided to special education private school students will be provided by personnel meeting the same standards as personnel providing the services in the district.

Services to students in private schools not subject to sectarian control or influence may be provided on site. District personnel may be made available to nonsectarian private schools only to the extent necessary to provide the services required, if those services are not normally provided by the private school. Services shall not include payment of nonsectarian private school teachers' or other employees' salaries, except for services performed outside regular private school hours and under public supervision and control.

Equipment and/or supplies may be placed on nonsectarian private school premises for the period of time necessary for the services plan program, but the district shall retain and exercise title and administrative control of said equipment/supplies. The district shall keep records and make an accounting assuring that said equipment/supplies is/are used solely for the services plan program. Said equipment/supplies shall be removed if necessary to avoid its/their use for other purposes or if no longer needed for the services plan program. No district funds shall be used for repairs, minor remodeling or construction of private school facilities.

The district shall provide services to students in private schools subject to sectarian control or influence in a manner that: (1) maintains physical and administrative separation between the private and public school programs; and (2) does not benefit the private school at public expense.

## PROCEDURAL SAFEGUARDS

### CONSENT

The district will obtain informed, written parental consent before:

- Conducting an initial evaluation;
- Providing initial special education and related services to a student; and
- Conducting a reevaluation if the reevaluation includes administration of additional assessments.

Parental consent is not required to review existing data as part of an evaluation or reevaluation, or to administer a test or other evaluation that is administered to all students unless consent is required of all students' parents.

Informed consent means that the parent or adult student:

- Has been fully informed of all information that is relevant to the activity for which the district is asking consent, and that the information is provided in his or her native language or other mode of communication;
- Understands and agrees in writing to the activity for which consent is sought and the consent describes the activity and lists any records which will be released and to whom; and
- Understands that the granting of consent is voluntary and may be revoked at any time. If consent is revoked, the revocation does not negate an action that has occurred after the consent was given and before the consent was revoked.

The district may not use a parent's refusal to consent to one service or activity to deny the parent or child any other service, benefit or activity of the district.

If the district is unable to obtain a parent's consent, the district may use mediation procedures to obtain a parent's consent or request a due process hearing asking the administrative law judge to override the parent's refusal to consent to an evaluation or reevaluation. The district may not request a due process hearing to override a parent's refusal to consent to initial special education services. The district may not use mediation or due process procedures to override a parent's refusal to consent to an evaluation or reevaluation if the student is homeschooled or enrolled in a private school.

### Revocation of Consent

Parents may revoke consent for the continued receipt of special education and related services. If parents revoke consent, the staff member receiving the revocation will forward the revocation to the school psychologist.

Upon receipt of the parent's written notice of revocation, the school psychologist:

- Will provide prior written notice for a reasonable time before the district stops providing services. The notice will include information about the effect of revocation and will inform the parent of the date the district will stop providing special education and related services.

Discontinuation of special education and related services in response to the parent's written revocation will not be in violation of FAPE and eliminates the district's requirement to convene an IEP meeting or develop an IEP. However, the district does have a continuing Child Find duty, and staff will follow referral procedures if they believe the student should be referred for special education. In addition, parents may request that the district conduct an initial evaluation for eligibility for special education services after they have revoked consent for continued services.

## NOTICE OF PROCEDURAL SAFEGUARDS

In addition to protections provided to parents of eligible students, parents also have procedural safeguard protections when a student's identification, evaluation or placement is at issue. The school district will provide a copy of the procedural safeguards notice to the parents and adult students one time a year and:

- Upon initial referral or parent request for evaluation;
- Upon receipt of the parent's first state complaint and first request for due process hearing in a school year;
- Upon a disciplinary action that will result in a disciplinary change of placement; and
- Upon request by the parent.

The procedural safeguard notice used by the district includes a full explanation of all the procedural safeguards relating to independent educational evaluation, prior written notice, parental consent, access to educational records, discipline procedures for students who are subject to placement in an interim alternative educational setting, requirements for unilateral placement by parents of children in private schools at public expense, state complaint procedures, mediation, the child's placement during pendency of due process proceedings including requirements for disclosure of evidence, due process hearings, civil actions and attorney's fees. Copies of the district's special education procedural safeguards are available at all schools within the district and the Administrative Annex.

## PRIOR WRITTEN NOTICE

Prior written notices are provided to parents when a district makes a decision relating to a student's identification, evaluation, placement or provision of a FAPE. Prior written notices document the decisions made by the IEP teams and evaluation group.

The district will provide prior written notice to the parent of an eligible student or of a student referred for a special education evaluation whenever the district proposes or refuses to initiate or change the identification, evaluation, educational placement or provision of a FAPE to the student.

The prior written notice will include:

- A statement that the parents of a special education student have procedural safeguard protections and if a copy of the procedural safeguards do not accompany the notice, a statement that describes how a copy of the statement of procedural safeguards may be obtained;
- A description of the action proposed or refused by the district;
- An explanation of why the district proposes or refuses to take the action and a description of other options that the district considered and the reasons why the options were rejected;
- A description of any other factors which are relevant to the district's proposal or refusal;

- A description of each evaluation procedure, test, record or report the district used as a basis for the proposal or refusal;
- A description of any evaluation procedures the district proposes to conduct and sources for parents to contact to obtain assistance in understanding the procedural safeguards provision of this chapter.

Prior written notice and the notice of procedural safeguards must be provided in the native language of the parent or other mode of communication used by the parent unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the district will take steps to ensure that the notice is translated orally or by other means to the parent. This may involve:

- Arranging for an interpreter if English is not the native language of the parent or if the parent has a hearing impairment; or
- Providing notice orally if the written language is not a native language.

The district will document, in writing, how this information was provided and that the parent understands the content of the notice. The case manager is responsible for sending prior written notices after evaluation, eligibility, IEP team and placement decisions.

#### TRANSFER OF EDUCATIONAL RIGHTS TO AN ADULT STUDENT

When a student eligible for special education reaches the age of 18, all educational rights under Part B of the IDEA, previously exercised by the parent, transfer to the student, unless the student is determined incapacitated in a guardianship proceeding. When the student turns 18, the district will notify the parent and student that the educational rights have transferred to the student and will send any required notices to both the parent and the adult student. The IEP case manager is responsible for providing the notice.

At an IEP meeting occurring one year before the student turns 18, the district will inform the parents and the student that educational rights will transfer to the student and the district will inform the student about those educational rights. This information will be documented on the IEP.

#### Appointment of an Educational Representative

A student over the age of 18 is presumed to be capable of making educational decisions and able to provide informed consent unless he or she is determined to be “incapacitated” through a legal guardianship proceeding. If a parent, another interested party, or the district believes that a student over the age of 18 is unable to provide informed consent or to make educational decisions, and the student does not have a legal guardian, the parent or other interested party may ask the district to appoint an educational representative. This determination will only be made if two separate professionals state that they conducted an examination and interviewed the student, and concluded the student is incapable of providing informed consent. The district will inform the student of the decision and appoint either, the spouse, the student’s parents, another adult or a surrogate educational representative to represent the student. The appointment of the educational representative will continue for one year.

The student or other adult may challenge the certification at any time. If a challenge occurs, the district will not rely on the education representative, until the representative is recertified.

### CONFIDENTIALITY AND RECORDS MANAGEMENT

The superintendent or building principal is responsible for maintaining the confidentiality of personally identifiable information pertaining to special education and all other students. The special education department will maintain, for public inspection, a current list of the names and positions of district employees who have access to personally identifiable information of special education students. The district will provide parent and adult students, upon request, a list of the types and locations of educational records collected, maintained or used by the district.

The district will provide instruction annually to employees collecting or using personally identifiable information on the procedures to protect the confidentiality of personally identifiable information. The training will address the protections outlined in WAC 392-172A, state law and federal regulations implementing the Family Educational Rights and Privacy Act, FERPA, (34 CFR Part 99).

Upon request, the parent(s) of a special education student or adult student will be afforded an opportunity to inspect, review and challenge all educational records which shall include, but not be limited to, the identification, evaluation, delivery of educational services and provision of FAPE to the student. The district shall comply with the request promptly and before any meeting regarding an IEP or hearing relating to the identification, evaluation, educational placement of the student or provision of FAPE to the student, including disciplinary proceedings. In any case, the district shall respond no more than 45-calendar days after the date the district received the request. If an educational record includes information on more than one student, the parents (and/or adult student) may only inspect and review information relating to their child. School personnel receiving requests for educational records will immediately forward the request to the special education administrator.

If parents believe that information in an education record is inaccurate or misleading or violates the privacy or rights of the student, they may request that the district amend the information. Policy and Procedure 3600, Student Records, describes the process and timelines for challenges and hearings regarding student records.

The district follows the guidelines for records retention outlined in the Secretary of State's, *General Records Retention Schedule and Records Management Manual*. The district shall inform parents or adult students when personally identifiable information collected, maintained or used is no longer needed to provide educational services to the student. The information shall be destroyed at the request of the parent(s) or adult student, or will be provided to the parent or adult student upon their request. However, a permanent record of the student's name, address and phone number, his or her grades, attendance, record, classes attended, grade level completed and year completed will be maintained without time limitation.

Records management is also governed by Policy and Procedure 3600, Public Access to District Records.

## SURROGATE PARENTS

A surrogate parent is a person appointed by the school district to act on behalf of a student to help ensure the rights of the student to a FAPE when a parent cannot be identified, the whereabouts of the parent are unknown or the student is a ward of the state and does not have a foster parent.

The special education administrator is responsible for determining the need for appointment of a surrogate parent.

Natural or adoptive parents, foster parents, persons acting in the place of a parent such as stepparents or relatives and persons with legal custody or guardianship are considered parents. Students who are homeless and not living with a parent may need a surrogate parent.

The following is guidance for the district to follow to assist in determining the status of the parent's rights to make educational decisions:

In cases where the student is in out of home care the district must determine the legal custodial status of the child.

- Parents who have voluntarily placed their child in state placement still retain legal custody of the child and retain the right to make educational decisions. In this situation the student is not a ward of the state.
- Parents whose children are placed in group care, pending a determination of "dependency" may still retain rights to make educational decisions unless otherwise ordered by the court.
- When a disposition order and order of dependency is issued, the state becomes the legal as well as physical custodian of the child. Parents may no longer have the right to make educational decisions during this stage of dependency.
- Parents whose parental rights are terminated no longer have the right to make educational decisions on behalf their child.

When a student is placed in foster care the foster parent may act as the parent. When a student is placed in group care, the district will work with the parents, case-worker(s), foster parents and others who have knowledge of the student's legal status in order to determine the need for appointment of a surrogate.

When selecting a surrogate parent the district will select a person willing to participate in making decisions regarding the student's educational program, including participation in the identification, evaluation, placement of and provisions of FAPE to the student.

If a student is referred for special education or a special education student transfers into the district who may require a surrogate parent, the district special education office will be notified of the potential need. The special education office will then select a trained individual who can adequately represent the student to ensure that all student rights are observed.

The person selected as a surrogate:

- (1) Must have no interest that conflicts with the interests of the student he or she represents;
- (2) Must have knowledge and skills that assure adequate representation of the student; and
- (3) May not be an employee of a school district and/or other agency which is involved in the education or care of the student. This includes OSPI, DSHS, district employees and group care providers.

The district will, at a minimum, review with the surrogate parent procedural safeguards, parent involvement in the special education process, parent education publications and special education regulations. The district will also cooperate with other districts, the ESD or OSPI in training surrogate parents and in establishing a list of persons willing and able to serve as surrogate parents.

## MEDIATION

The purpose of mediation is to offer both the parent and the school district an alternative to a formal due process hearing. Mediation is voluntary and requires the consent and agreement of both parties. Mediation cannot be used to deny or delay access by a parent to a due process hearing. Mediation is used to resolve disagreements concerning the identification, evaluation and delivery of educational services or provision of a FAPE to a special education student. Mediation may be terminated by either party at any time during the process.

The primary participants are the parents, school district representatives and mediator. The process is voluntary, confidential and informal. It is a collaborative process, conducted in a nonadversarial manner. Mediation services will be provided by the Office of Superintendent of Public Instruction (OSPI) at no cost to either party.

The district's special education director is responsible for coordinating requests for mediation. If a parent requests mediation, notify the director and the director will respond to the parent and coordinate with OSPI's contracted agent. Staff members are reminded that discussions that occur during the mediation process are confidential.

One person designated by the district to attend the mediation must have authority to bind the district in any agreement reached through mediation.

## DUE PROCESS HEARING

Both parents and districts may file due process hearings involving the identification, evaluation, placement or provision of FAPE to a student. IDEA requires that specific information be provided as part of a due process hearing request. The requirements are identified in the notice of procedural safeguards. If parents request information about how to file a due process hearing, the district will provide the parent with a due process hearing request that contains the required information. Due process hearing request forms are available at the special education department and on the OSPI Special Education and Administrative Resources website.

If any staff receives a request for a due process hearing, a copy of the request should be immediately forwarded to the special education administrator. If the parent has not filed the request for hearing with OSPI, the district will forward the parent request to OSPI Administrative Resources Section. The district may not delay or deny a parent's due process hearing request. Parents are entitled to a copy of the notice of procedural safeguards if this is the first due process hearing in a school year. The district special education administrator is responsible for providing the parents a copy of the procedural safeguards in this situation and documenting that the safeguards were provided to the parent.

When a parent files a due process hearing, the student remains in the placement at the time of the request for hearing unless the parents and district agree to a different placement. See the discipline section below for placements when a disciplinary action is challenged.

When parents file a request for a due process hearing, the special education director will immediately schedule a resolution meeting. The meeting must occur within 15 days after a parent files a due process request with the district and provides a copy of the request to OSPI or within seven days if the hearing request involves an expedited hearing regarding discipline. The special education director will determine the appropriate district staff that will attend the resolution meeting. The district will ensure that one of the district representatives attending the resolution meeting has authority to bind the district in any resolution agreement. The district will not bring district counsel to a resolution meeting unless the parent is bringing an attorney to the meeting.

Any resolution agreement reached will be documented in writing and is binding on the parties. The document will inform the parent of their right to void the agreement within three business days of signing the agreement.

## DISCIPLINE

Students eligible for special education may be disciplined consistent with the disciplinary rules that apply to all students. The district shall determine on a case by case basis whether discipline that is permitted under WAC 392-400 should occur. However, students eligible for special education must not be improperly excluded from school for disciplinary reasons that are related to their disability or related to the district's failure to implement a student's IEP. The district shall take steps to ensure that each employee, contractor and other agents of the district responsible for education or care of a student is knowledgeable of special education disciplinary rules.

### Removal Up to Ten Days

The building administrator may order the removal of a special education student from a current placement. The district need not provide services to a special education student removed from the current placement for ten school days or less in any school year, if services are not provided to a student without disabilities.

### Removal for More than Ten Days

Once a student has been removed from placement for a total of 10 school days in the same school year, and if the district determines that the removal is not a change of placement, the district must, during subsequent days of removal, provide appropriate services to the extent necessary to enable the student to participate in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP the case manager in consultation with one or more of the student's teachers, shall make the determination of such necessary services.

### CHANGE IN PLACEMENT

A change of placement occurs when a special education student is:

- Removed from current placement for more than ten consecutive school days in a school year; or
- Subjected to a series of removals in a school year and which constitute a pattern of removal because: 1) the series of removals total more than 10 school days in a year; 2) the student behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and 3) because of factors such as the length of each removal, the total amount of time a student is removed, and the proximity of the removals to one another.

Whether a pattern of removal constitutes a change in placement is determined on a case-by-case basis by the building principal and special education is subject to review through due process and judicial proceedings. When exceeding 10 days, the building administrator will contact the special education director.

### MANIFESTATION DETERMINATION

Within 10 school days after the date on which the decision to change the placement is made the district shall conduct a "manifestation determination" of the relationship between the student's disability and the behavior subject to the disciplinary action.

The review of the relationship between a student's disability and the behavior subject to the disciplinary action shall be done in a meeting by the parent and relevant members of the IEP team who are selected by the parent and the district. The IEP case manager will notify the parent in order to determine relevant IEP team member and providing notice of the meeting. The team shall review all relevant information in the student's file, including the IEP, teacher observations and information provided by the parent to determine:

- If the conduct was caused by or had a direct and substantial relationship to the child's disability; or
- If the conduct in question was the direct result of the district's failure to implement the student's IEP.

If the team determines that the behavior resulted from any of the above, the behavior must be considered a manifestation of the student's disability and the contemplated disciplinary action shall not proceed.

If the team determines, specifically, that the conduct was the direct result of the district's failure to implement the IEP, the district must take immediate action to remedy the deficiencies.

If the IEP team determines that the conduct was a manifestation of the student's disability, the team must:

- 1) Conduct a functional behavioral assessment (unless already completed) and implement a behavioral intervention plan; or
- 2) Review the existing behavioral intervention plan and modify it to address the behavior; and
- 3) Return the child to the placement removed from unless the parents and the district agree a change is necessary as part of the behavioral intervention plan, or unless the infraction involves drugs, weapons or serious bodily injury.

#### SPECIAL CIRCUMSTANCES

School personnel may order a change in placement to an appropriate interim alternative educational setting for the same amount of time that a student without disabilities would be subject to discipline, but for not more than 45 school days, if a special education student:

- Possesses a "dangerous weapon" or carries such a weapon to school or to a school function; or
- Knowingly possesses or uses "illegal drugs" while at school or a school function; or
- Sells or solicits the sale of a "controlled substance" while at school or a school function.
- Inflicts serious bodily injury upon another person while at school or a school function. Serious bodily injury means a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

Any interim alternative educational setting in which the student is placed is determined by the student's IEP team and will:

- Be selected so as to enable the student to participate in the general curriculum, although in another setting and to progress toward meeting the goals set out in the student's IEP; and
- Include services and modifications designed to address the behavior or to prevent the behavior from recurring.

The district may ask an administrative law judge, or seek injunctive relief through a court having jurisdiction of the parties, to order a change in placement to an appropriate interim alternative educational setting for not more than 45 school days or seek injunctive relief through a court having jurisdiction of the parties when:

- The district can demonstrate beyond a preponderance of the evidence that maintaining said student's current placement is substantially likely to result in injury to the student or others;
- The district has made reasonable efforts to minimize the risk of harm in the current placement, including the use of supplementary aids and services; and
- The proposed interim alternative educational setting has been proposed by school personnel in consultation with the student's special education teacher and meets the requirements of WAC 392-172A.

Unless the parent and the district agree otherwise, if a parent requests a hearing to challenge either the manifestation determination or the interim alternative educational setting, the student must remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the 45 day period, whichever occurs first.

#### BASIS OF KNOWLEDGE

A student who has not been determined eligible for special education services may assert the protections if the district had knowledge that the student was eligible for special education before the behavior that precipitated disciplinary action occurred.

The district is deemed to have knowledge if:

- The parent expressed concern in writing (or orally if the parent does not know how to write or has a disability that prevents a written statement) to district supervisory or administrative personnel or a teacher that the student is in need of special education and related services;
- The parent requested that the student be evaluated for special education services; or
- The teacher or other school personnel has expressed specific concern about a pattern of behavior demonstrated by the student to the director of the special education department or to other supervisory staff.

If instituting disciplinary action that would exceed ten days and the principal believes that one or more of these events applies to the student, the principal will notify the special education department to determine the appropriate disciplinary procedures.

The district is not deemed to have knowledge if, as a result of receiving the information described above, the district either:

- Conducted a special education evaluation of the student and determined that the student was not eligible for services; or
- The parent of the student has not allowed an evaluation of the child or has refused services.

If the district is not deemed to have knowledge that a student is a special education student, the student may be disciplined as a student without disabilities who engages in comparable behaviors. The district shall conduct an evaluation, which is requested during the time period such a student is subjected to disciplinary measures, in an expedited manner. Until the evaluation is completed, such a student shall remain in the educational placement determined by the district, which can include suspension or expulsion without educational services.

Notwithstanding the foregoing, the district may report a crime committed by a special education student to appropriate authorities. In the event of such a report, the district shall ensure that copies of the student's special education and disciplinary records are transmitted for consideration by the appropriate authorities to whom the crime is reported, to the extent transmission of the records is permitted by the Family Educational Rights and Privacy Act (FERPA).

### STAFF QUALIFICATIONS

All employees of the district funded in whole or part with state or federal excess special education funds will meet the standards established by the State Board of Education (SBE) and defined in WAC 392-172-A-02090.

All employees will hold such credentials, certificates or permits as are now or hereafter required by the SBE for the particular position of employment and shall meet such supplemental standards established by the district.

All special education teachers providing, designing, supervising, evaluating or monitoring the provision of special education shall possess "substantial professional training." This shall be shown by the issuance of an appropriate special education endorsement on an individual teaching certificate issued by the superintendent of public instruction.

In the event a special education teacher does not have a certificate endorsed in special education, a district may apply for a pre-endorsement waiver through the special education section of the OSPI. To qualify for the special education pre-endorsement waiver, the teacher must meet SBE criteria.

If the district must temporarily assign a classroom teacher without a special education endorsement to a special education position, the district human resources department will document in writing that:

- The district is unable to recruit a teacher with the proper endorsement who was qualified for the position; and/or
- The need for a teacher with such an endorsement could not have been reasonably anticipated and the recruitment of such a classroom teacher at the time of assignment was not reasonably practical; and/or
- The reassignment of another teacher within the district would be unreasonably disruptive to the current assignments of other classroom teachers or would have an adverse effect on the educational program of the students assigned to the other teacher.

If one or more of these criteria can be documented and the district determines that a teacher has the competencies to be an effective special education teacher and the teacher has completed six-semester hours or nine-quarter hours of course work which are applicable to the special education endorsement, the district can assign the teacher to special education in compliance with the process for making out-of-endorsement assignments and reporting them to the state.

Classified staff will present evidence of skills and knowledge necessary to meet the needs of students with disabilities. The district will provide training to classified staff to meet the state recommended core competencies.

### PERSONNEL DEVELOPMENT

In order to provide a staff development program to improve the quality of instructional programs, the following procedures will be employed:

- Special education concerns will be identified through a staff needs assessment completed by administrators, teachers, educational staff associates, program assistants, parents and volunteers;
- All personnel who use restraint, restraint devices and/or isolation must be certified and annually trained in the use of such restraint, restraint devices and/or isolation;
- Inservice training schedules will be developed based upon the results of the district assessment and in support of needs identified;
- Training activities will be conducted for regular general and special education staff, staff of other agencies and organizations and private school staff providing services for special education student; and
- Training for classified staff in the state recommended core competencies will occur through the district, paraeducator.com and ESD staff.

### PUBLIC PARTICIPATION

Any application and any required policies, procedures, evaluations, plans and reports are readily available to parents and other members of the public through the district's special education office and the office of the superintendent. A notice regarding the availability of such documents will be placed on the district's website and in the district's newsletter.

## **EDUCATION OF STUDENTS WITH DISABILITIES UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973**

It is the intent of the district to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services. Students may be disabled under this policy even though they are not eligible for services pursuant to the Individuals with Disabilities Education (IDEA).

Section 504 of the Rehabilitation Act of 1973 is a civil rights law which protects the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education. A child is a “qualified disabled person” under Section 504 if he or she (1) has a physical or mental impairment that substantially limits one or more major life activities (such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working), has a record of such an impairment, or is regarded as having such an impairment; and (2) is between the ages of 3 to 21 years old.

The district shall comply with the federal policies that require free appropriate public education, childfind, equal educational opportunity, confidentiality of information, parent involvement, participation in least restrictive environment, evaluations, placement, reevaluation, programming to meet individual needs, placement procedures, nonacademic services, preschool and adult education programs, disciplinary exclusion, transportation, procedural requirements, appropriate funding, accessibility, special issues related to drug or alcohol addicted students, special considerations for students having AIDS or HIV infection, and special issues related to ADD/ADHD students.

### **A. Free Appropriate Public Education**

The district shall provide a free appropriate public education (regular or special education and related aids and services) to school-age children with disabilities in the district's jurisdiction. Instruction shall be individually designed to meet the needs of the students with disabilities as adequately as the needs of the students without disabilities are met.

### **B. Childfind**

The district shall annually undertake to identify and locate every qualified student with a disability residing in the district's jurisdiction who is not receiving a public education, and take appropriate steps to notify children with a disability and their parents or guardians of the district's responsibilities under Section 504.

### **C. Equal Educational Opportunity**

The district shall provide students with disabilities an equal opportunity to participate in and benefit from the educational services it provides to students without disabilities. The teachers of students with disabilities shall meet comparable standards for certification that teachers of students without disabilities meet. Facilities shall be of comparable quality and appropriate materials and equipment shall be available.

#### D. Confidentiality of Information

The confidentiality of student records will be maintained throughout the period of time when such records are collected, stored, disclosed, or destroyed by the district.

#### E. Parent Involvement

The district shall obtain the informal consent of parents or guardians before conducting an initial evaluation of a student. The district will notify parents or guardians of the evaluation results and any programming and placement recommendations. The district will notify parents or guardians before initially placing a student with disabilities, conducting subsequent evaluations of the student, or implementing a significant change in the student's placement. The district shall notify parents or guardians of their right to review and challenge the district's program and placement decisions if they disagree with them. Section 504 does not give parents the right to participate in a meeting during which their child's program is designed and placement is determined, as does the IDEA. However, this practice is recommended.

#### F. Participation in the Least Restrictive Environment

1. Academic setting. To the maximum extent appropriate to the needs of students with disabilities, the district shall educate students with disabilities with students without disabilities. In order to remove a child from the regular educational environment, the district must demonstrate that education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily for the student with disabilities. Whenever the district places a student in a setting other than the regular education environment pursuant to this paragraph, it shall take into account the proximity of the alternate setting to the student's home.
2. Non-academic setting. In providing or arranging for the provision of non-academic and extra-curricular services and activities, including meals, recess periods, and the services and activities set forth in 34 CFR 104.37, the district shall ensure that students with disabilities participate with students without disabilities in such activities and services to the maximum extent appropriate to the needs of the student with disabilities in question.

#### G. Evaluations

1. If a student needs or is believed to need special education or related services, the district shall evaluate the student prior to placement and before any subsequent "significant change in that placement."

Examples of significant changes in placement include:

- a. Expulsion;
- b. Suspensions which exceed 10 consecutive days in a school year;
- c. Cumulative short-term suspensions which create a pattern of exclusion;
- d. Transferring a student to home instruction;
- e. Graduation from high school; and/or
- f. Significantly changing the composition of the student's class.

2. The district shall establish policies and procedures for evaluation and placement which assure that tests and other evaluation materials:
  - a. Have been validated and are administered by trained personnel
  - b. Are tailored to assess educational need and are not merely based on IQ scores
  - c. Reflect aptitude or achievement or whatever else the tests purport to measure and do not reflect the student's impaired sensory, manual, or speaking skills (unless the test is designed to measure these particular deficits)

#### H. Placement Procedures

In interpreting evaluation data and in making placement decisions, the district shall (1) draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior, (2) establish procedures to ensure that information obtained from all such sources is documented and carefully considered, (3) ensure that the placement decision is made by a group of persons, including persons knowledgeable about the student, the meaning of the evaluation data, and the placement options, and (4) ensure that the student is educated with his/her peers without disabilities to the maximum extent appropriate.

Residential placements will be provided by the district if necessary to provide a free appropriate education to a student with disabilities.

In regard to out-of-district placements, if the district affords a free appropriate education to a student but the parent chooses to place the child elsewhere, the district is not responsible to pay for the out-of-district placement.

#### I. Reevaluations

The district shall provide for periodic reevaluation of students with disabilities. No time frame is specified in Section 504; however, the every 3 years requirement of the IDEA will be encouraged. A reevaluation is also required before any "significant change of placement," as defined above in Part "G."

#### J. Programming to Meet Individual Needs

The district recognizes that to be appropriate, educational programs for students with disabilities must be designed to meet their individual needs to the same extent that the needs of students without disabilities are met. To adequately meet individual needs, academic and related services for students with disabilities may need to be significantly different in character from those offered to students without disabilities. A documented procedure such as the development of an individualized accommodation plan by a knowledgeable team of educational professionals is recommended.

## K. Nonacademic Services

The district shall provide nonacademic and extracurricular services and activities in such a manner as is necessary to afford students with disabilities an equal opportunity for participation in such services and activities. Nonacademic and extracurricular services and activities may include counseling services, physical recreation athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the district, referrals to agencies which provide assistance to persons with disabilities, and employment of students, including both employment by the district and assistance in making available outside employment. The reasonable health and safety standards for all students shall be observed.

1. **Counseling Services.** In providing personal, academic or vocational counseling, guidance, or placement services to its students, the district shall provide these services without discrimination on the basis of disability. The district shall ensure that qualified students with disabilities are not counseled toward more restrictive career objectives than are students without disabilities with similar interests and abilities.
2. **Physical education and athletics.** In providing physical education courses and athletics and similar programs and activities to any of its students, the district shall not discriminate on the basis of disability. As the district offers physical education courses and operates or supports interscholastic, club, or intramural athletics, it shall provide an equal opportunity for qualified students with disabilities to participate in these activities. The district may offer to students with disabilities physical education and athletic activities that are separate or different from those offered to students without disabilities only if separation or differentiation is consistent with the requirements of 34 CFR § 104.34 and only if no qualified student with disabilities is denied the opportunity to compete for teams or to participate in courses that are not separate or different.

## L. Preschool and Adult education Programs

In the operation of preschool education, or day care program or activity, or an adult education program or activity, the district shall not, on the basis of disability, exclude qualified students with disabilities from the program or activity and shall take into account the needs of such persons in determining the aid, benefits, or services to be provided under the program or activity.

## M. Disciplinary Exclusion

1. Students with disabilities are protected from being improperly excluded from school for disciplinary reasons. Certain disciplinary exclusions of students with disabilities from school constitute a significant change in the student's educational placement. Such disciplinary exclusions cannot be implemented until the district has satisfied the required change of placement procedures.

2. Qualified students with disabilities should be recognized as having a disabling condition before discipline is imposed on them, especially before imposing long-term suspension (a suspension of more than five days duration) or regular expulsion upon a qualified student with disabilities that could constitute a significant change of placement. The school principal or educational staff person responsible for the imposition of discipline must ensure that a group of qualified professionals determine whether or not there is a causal relationship between the student's misconduct and his or her disability. They are also to consider the appropriateness of the student's current placement and program. This determination will take into account the student's current evaluation and Individualized Accommodation Plan (IAP), under Section 504. For students considered disabled under Section 504, there is no obligation to provide educational services during periods of long-term suspension or expulsion when the student's misconduct has been properly determined not to be disability-related or due to an inappropriate placement or program. When a student's misconduct is determined causally related to his/her disabling condition, procedures at #4 below shall be instituted in lieu of either long-term suspension or expulsion.
3. When a student poses an immediate and continuing danger to him or herself and/or others (see WAC 180-40-295), an emergency expulsion of up to ten (10) days may be used to alleviate immediate risk on the condition that procedures at WAC 180-40-300, be modified to require the regular disciplinary hearing be held within ten (10) school business days whether the student or parent/guardian requests a hearing or not. The purpose of this regular disciplinary hearing is to determine the nature of, and consequences for, the misconduct.

In the event the student is covered by or believed to be covered by Section 504, the Section 504 Compliance Officer (or designee) must attend and participate in this hearing. The Section 504 Compliance Officer (or designee) shall advise the hearing officer on Section 504 restrictions. Even if the student and/or parent/guardian refuse to attend this hearing, the hearing shall be held.

4. When a student has engaged in misconduct which is causally related to his or her disability, aside from emergency expulsion (see #3 above), expulsion and/or long term suspension should not be imposed which results in more than ten (10) lost school days (cumulative for the entire school year, considering earlier short term suspension [if any] as counting toward the cumulative total).

Instead, the need for additional evaluation and/or a change of placement should be considered. In this circumstance, the principal or designee responsible for the imposition of discipline, the Section 504 Compliance Officer, and a team of professionals from the school who are knowledgeable about the student will meet to determine if there is a need for further evaluation or a change of program or placement. If further evaluation is recommended, it will be conducted as soon as possible. If the student poses an immediate risk to him or herself or others, the procedure at 3. above may be instituted by the principal or designee.

5. Students and their parent/guardian shall be notified of the results of the decision regarding the causal relationship of the misconduct and the student's disability and of their right to challenge this decision. Students/parents/guardians objecting to procedures outlined in 1. through 4. above shall be entitled to exercise their rights under Section 504 to file a grievance or initiate a due process hearing. See O. Procedural Requirements, subsection 7.c., following.
6. Students who are considered disabled under Section 504 are subject to the same disciplinary processes and results as students without disabilities for misconduct regarding the use, sale, or possession of drugs or alcohol at school. The extra due process requirements regarding change of placement do not apply.

#### N. Transportation

If the district places a student in a program not operated by the district, the district shall assure that adequate transportation to and from the program is provided at no cost to the parent.

Since the district provides transportation to all its students within a certain geographic area, it shall not discriminate in its provision of transportation to students with disabilities.

If the district proposes to terminate bus transportation for inappropriate bus behavior of a qualified student with disability, the district shall first determine the relationship between the student's behavior and his or her disabling condition, the appropriateness of the related service of transportation, and the need for reevaluation. The parent or guardian shall be provided with notice of the results of such determinations and of their right to challenge such determinations.

The length of the bus rides for qualified students with disabilities should not be longer than that of students without disabilities.

#### O. Procedural Requirements

The district shall ensure compliance with the requirements of Section 504 by doing the following:

1. Provide written assurance of non-discrimination whenever the district receives federal money.
2. Designate an employee to coordinate the district's Section 504 compliance activities. The Section 504 Coordinator for the district is the assistant superintendent of human resources.
3. Provide grievance procedures to resolve complaints of discrimination; students, parents, or employees are entitled to file grievances. (The grievance procedures for the district are set out in the Procedure for Policy 3210, Nondiscrimination.)

4. Provide notice to students, parents, employees, unions, and professional organizations of nondiscrimination in admission or access to, or treatment or employment in, its programs or activities. Notice shall also specify the section 504 coordinator for the district. Notice shall also be included in the student/parent handbooks.
5. Annually identify and locate all Section 504 qualified children with disabilities in the district's geographic area who are not receiving a public education.
6. Annually notify person with disability and their parents or guardians of the district's responsibilities under Section 504.
7. Establish and implement procedural safeguards to be provided to parents or guardians with respect to actions regarding the identification, evaluation, or educational placement of persons who, because of disability, need or are believed to need special instruction or related services, that includes:
  - a. Notice of their rights;
  - b. An opportunity to examine relevant records;
  - c. An impartial hearing may be initiated by either the parents/guardian or the school district, with opportunity for participation by the student's parents or guardian. The student/parent is entitled to have representation by legal counsel; and
  - d. A review procedure.

P. Appropriate Funding

The district recognizes that the regular education funding of the district is the funding source for serving students who are qualified as disabled under Section 504 only. However, if students are dual identified as Section 504 and IDEA eligible, state and federal special education funds can be used. The district shall not use money appropriated by the IDEA to serve students found disabled under Section 504 but not the IDEA. The district may use the IDEA money to evaluate a student if the district believes that the student may also be eligible under the IDEA.

Q. Accessibility

1. District's responsibility to make buildings accessible: facilities which were constructed prior to June 3, 1977, need not necessarily be made accessible so long as the program or activity, viewed in its entirety, is readily accessible to persons with disabilities.
2. District's options other than major modifications: the district can redesign equipment, reassign classes or other services to accessible buildings, assign aides to students, deliver services at alternate accessible sites, or alter existing facilities. So long as there are other methods which are as effective in achieving compliance, a district need not undertake structural changes to a building.

3. District recognition of unacceptable accommodations: carrying a student upstairs; segregating all students with mobility impairments due to inaccessibility of other buildings; having students with disabilities eat on a separate floor due to an inaccessible cafeteria; denying certain programs such as music, art, or assemblies because these programs are inaccessible.
4. District obligation for new buildings and additions: buildings or additions constructed since 1980 must be designed and constructed to allow persons with disabilities the ability to access and use them readily.
5. District's obligation when a building is altered: to the maximum extent feasible, all facilities which are altered after 1980 must be altered to allow accessibility and usability by persons with disabilities.
6. District recognition of the meaning of the phrase "to the maximum extent possible:" this provision covers the occasional instance where the nature of an existing facility is such as to make it impractical or prohibitively expensive to renovate in a manner that results in its being entirely barrier-free. However, in all of these instances, the alteration should provide the maximum amount of physical accessibility feasible.

#### R. Special Issues Related to Drug or Alcohol Addicted Students

If a district suspects that the drug or alcohol problem of a student may be substantially limiting a major life activity, such as learning, the district is obligated to recommend an evaluation. If the evaluation verifies the existence of a disabling condition which substantially limits a major life activity, the student is considered disabled under Section 504 and should be planned for appropriately.

With the passage of the Americans with Disabilities Act in 1990, Congress specifically amended Section 504 to exclude persons who are "currently engaging in the illegal use of drugs" from the definition of individuals with disabilities. Therefore, the school district is not required to consider whether a current illegal drug user could successfully participate in the district's education programs. Furthermore, the district is not required to make accommodations for the student if he or she is currently using drugs. The district can treat the student as it treats students without disabilities.

Congress did not amend Section 504 with respect to students with alcoholism in so far as their coverage as qualified persons with disabilities. Unlike students addicted to drugs, students whose alcoholism constitutes a disabling condition under Section 504 and who continue to use alcohol, are protected by Section 504, although these protections are limited as follows: for purposes of programs and activities providing educational services, the district may take disciplinary action pertaining to the use, sale, or possession of illegal drugs or alcohol at school against any student with disabilities who currently is engaged in the illegal use of drugs or in the use of alcohol at school to the same extent that such disciplinary action is taken against students without disabilities. Furthermore, the due process procedures at 34 CFR § 104.36 shall not apply to such disciplinary actions.

S. Special Considerations for Students Having Aids or HIV Infection

Students with Acquired Immune Deficiency Syndrome (AIDS), AIDS Related Complex (ARC), or otherwise infected with Human Immunodeficiency Virus (HIV-infected) are individuals with disabilities under Section 504. They either qualify as actually having a physical impairment which substantially limits a major life activity, or are regarded as having such a disabling condition. Depending on the nature of the disease and the student's other conditions, the student may also qualify for services under the IDEA.

Placement of the student must be made by a group of persons knowledgeable about the child, the meaning of the evaluation and medical information, and placement options. A public health representative should be on the team. Unless currently presenting a risk of contagion due to the stage of the disease (e.g., a contagious opportunistic infection, open lesions that cannot be covered) or parents and school agree on an alternative, a student with AIDS should remain in the regular classroom.

T. Special Considerations for ADD/ADHD Students

If a district suspects or has knowledge that a student has an Attention Deficit Disorder (ADD) or Attention Deficit Hyperactivity Disorder (ADHD) that may be substantially limiting a major life activity, such as learning, the district is obligated to recommend an evaluation.

Evaluation of the student, and service and placement recommendations should be made by a group of persons knowledgeable about the child, the meaning of the evaluation and medical information, and service and placement options. A qualified medical practitioner's assessment should be considered as well as the impact the student's ADD/ADHD has on his or her ability to learn or to otherwise benefit from his or her educational program. The district shall ensure that the student's educational program meets the full range of his or her individual educational needs.

Cross Reference:	Board Policy 2161 Board Policy 3210	Education of Students with Disabilities Nondiscrimination
Legal References:	34 CFR Part 104  45 CFR Part 99 PL 101-336  WAC 392-168-120	Section 504 of the Rehabilitation Act of 1973 Family Education and Privacy Act Section 512 Americans with Disabilities Act of 1990 Hatch Amendment

## **PROCEDURE EDUCATION OF STUDENTS WITH DISABILITIES UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973**

<b><u>STEP</u></b>	<b><u>DESCRIPTION OF ACTIVITY</u></b>
1. Concern	Student, parent, teacher, counselor, or administrator believe they are observing in a student substantially limited performance in one or more major life activities that is believed to be caused by a physical or mental impairment.
2. Referral	The concerned individual should complete the Referral Form and give it to the designated building team.
3. Screening	The designated building team reviews the referral, completes an appropriate student's files review, and consults with teachers, parents/guardians, peers, professionals, and/or student.
<b>Decision to be made: Does this student appear to have a disability under section 504?</b>	
	If yes: Provide the parent/guardian with a copy of the Section 504 rights. If further information is needed, provide notice to parents for evaluation and obtain their consent in writing. Also obtain written consent for a mutual exchange of information from parent/guardian as appropriate.
	If no: Provide screening results to source of referral with accompanying recommendations. Provide written notice to parents that student does not qualify.
4. Evaluation	Conduct all evaluations deemed appropriate and for which the parent/guardian have given written permission.
5. Eligibility	A Section 504 MDT is recommended to be composed of one of the student's teachers (and/or the student's counselor), a building administrator, and persons knowledgeable about the student's disability and the meaning of the evaluation data and service options. The MDT convenes to review all evaluation results, determine eligibility as a student with a disability under Section 504, and document the meeting in writing. The team composition may vary according to the needs of the student.
	If no: Consider other referral sources or options for the student and/or school. Provide written notice to parents that student doesn't qualify.
	If yes: <b>The second decision to be made</b> Does the student also seem to have a disability under one of the IDEA conditions?
	If yes: Refer to IDEA MDT for appropriate disposition.
	If no: Proceed to step 6.

**NOTE:** Whatever the disposition of the case at step 5, the MDT should complete a written Section 504 eligibility statement.

<u>STEP</u>	<u>DESCRIPTION OF ACTIVITY</u>
6. Develop Accommodation Plan	Once eligibility under Section 504 has been determined, the process moves to ACCOMMODATION the development of a student accommodation plan. This plan is to be developed by PLAN a professional team that may or may not be the same individuals who were involved at the ELIGIBILITY step 5, but a similar <b>minimum</b> team composition is recommended.
7. Parent Permission	Provide parents with a copy of the student accommodation plan and get their written permission to initiate the plan.
8. Educational Services	The educational services are implemented as outlined in the student SERVICES accommodation plan. One individual should be designated as the case manager to monitor the implementation of the plan and the progress of the student.
9. Periodic Review	Each student accommodation plan should be reviewed by the team periodically. Three issues which should be addressed at the review are as follows: (1) the need for additional evaluation information, (2) the continued eligibility as a student with a disability under Section 504, and (3) the contents of the plan and service provider.

NOTE: Due process hearing or mediation requests must be made directly to the district 504 Compliance Officer. If a parent requests a due process hearing or mediation, districts should contact the Office of State Superintendent of Public Instruction; Special Services Department; Old Capitol Building; PO Box 47200; Olympia, Washington, 98504-7200; (360) 753-6733 to obtain a list of qualified hearing officers or mediators and a sample hearing officer or mediator contract. Districts are responsible for hearing officers or mediators. Districts are responsible for arranging for hearing officer and mediator expenses. When contacting OSPI, be sure they understand that the dispute is under § 504 and that the district is just obtaining information, not seeking to have a special education hearing set up with a state administrative law judge. OPSI encourage districts to first utilize mediation as a method to resolve disputes.

## **RESPONSE TO INTERVENTION**

It is the district's policy to ensure that all students receive high quality, scientific, research-based general education core instruction and, as appropriate, strategic and intensive intervention supports matched to student needs. The district utilizes the core principles of the Response to Intervention (RTI) process which combines systematic assessment, decision-making and a multi-tiered services delivery model to improve educational and behavioral outcomes for all students.

The district's process identifies students' challenges early and provides appropriate instruction by ensuring students are successful in the general education classroom. In implementing the RTI process, the district shall apply:

- A. Scientific, research-based interventions in the general education setting;
- B. Measure the student's response to intervention; and
- C. Use RTI data to inform instruction

The superintendent shall develop procedures to implement student interventions; and use teacher observations, and classroom, school, or district assessments to identify students who are at risk of academic or behavioral problems and thereby in need of scientific research-based interventions.

Intervention shall consist of a three levels of assistance that increase in intensity. The three levels shall include:

- A. Screening and classroom interventions;
- B. Targeted small group intervention; and
- C. Intensive interventions

### **Parent Involvement in the RTI Process**

The district shall inform parents regarding the use of scientific, research-based interventions, including: a) the state's policies regarding the amount and nature of students' performance data collected and the general education services provided; b) strategies used to increase the student's rate of learning; c) and the parents' right to request a special education evaluation.

Management Resources:

*Policy News*, December 2007

Response to Intervention (RTI)

**Adoption Date: 11.08.10**  
**Auburn School District**  
**Revised:**

## PROCEDURE RESPONSE TO INTERVENTION

### **Model District General Education Response to Intervention Procedures**

When using a process based on a student's response to scientific, research-based intervention that may be used for the identification of students with a specific learning disability, the district will implement the response to intervention (RTI) procedures listed below in all or some of its schools, and at all or some grade levels. The district will continue to increase its RTI efforts to reach district-wide implementation by the 20XX-20XX school year. (*Briefly describe plan to implement RTI on a district-wide basis.*)

The district provides information about its RTI policy and procedures via (*insert methods (i.e., district website, school website, student handbooks, quarterly newsletters, etc.)*), which includes a description of parents' rights under a RTI process consistent with WAC 392-172A-03055(4)(b) and WAC 392-172A-03080(1)(g)(ii)(A)-(C) at <http://www.k12.wa.us/SpecialEd/regulations.aspx>.

### **Tier I: Core Classroom Instruction**

High quality, effective, and engaging Tier I instruction is delivered in the general education setting, by a general education teacher and is designed to meet the needs of all students. Tier I includes the research-based core curriculum. Curriculum is implemented and instruction is delivered as planned and intended (i.e., with fidelity), as determined through regularly scheduled monitoring of fidelity by the building principal or designee.

### **Universal Screening**

Universal Tier I instructional screenings in the areas of (*Optional: specify content areas (i.e., reading, mathematics, written expression, behavior)*) are conducted at least three times throughout the school year at fixed intervals to identify each student's level of proficiency. Universal screenings are administered and scored by trained (*insert staff (i.e., central office administrator, building leadership team, classroom teachers, etc.)*), (*insert timeframes (i.e., within the first two week of September, January and May; or fall, winter, spring)*). Universal screening results are aggregated at the (*insert levels (i.e., building, grade level, classroom, and student level)*) and provided to the building principal and the school based team within (*insert timeframe (i.e., one school day, one week)*) from the time the screenings are administered. (*Optional: District may also attach a matrix noting the tools used for universal screening, progress monitoring and conducting diagnostic assessments at each grade level and content area by Tier*)

### **Tier I: Intervention**

If 80% or more of children in a classroom score below benchmark on any instructional screening, the school-based team, including the building principal, will meet to consider the need for additional classroom supports and interventions at Tier I.

## **Students Below Cut Score**

The district's established cut scores, based upon accurate and efficient universal screening measures, identify which students are at academic risk. After confirming that Tier I instruction was monitored and implemented with fidelity, students who score below the district's cut scores shall receive Tier II strategic interventions. Students who score below benchmark, but above the established cut score will be reviewed by the school based team as described below.

## **Students Below Benchmark but Above Cut Scores**

Following each universal screening administration during the school year, the (*insert title of team, such as a: Student Support Team (SST), Decision-Making Team (DMT), Collaborative Academic Support Team (CAST), Problem Solving Team (PST), Intervention Support Team (IST), or Grade Level Team (GLT)*) will review the program and progress of any student who does not score at benchmark on any instructional screening, but who does score above the district's established cut score, to assure the student is receiving differentiated, needs-based instruction. In addition, the team's review will include the fidelity of program implementation, pacing and appropriateness of instructional groupings.

### **Tier I: Progress Monitoring**

Using curriculum-based measures and/or assessments (CBMs or CBAs), monitoring of the student's progress toward end-of-year benchmarks will occur (*insert frequency (twice per week; weekly)*) until progress monitoring data consistently demonstrates the student is on a trajectory to meet end-of-year benchmarks. Student progress monitoring at Tier I is administered and scored by the general education teacher. If, after six weeks of progress monitoring, the student is not on a trajectory to meet end-of-year benchmarks, the student shall be provided Tier II strategic interventions, unless the school-based team specifically determines and can substantiate, based on the progress monitoring data, that further progress monitoring is required before Tier II strategic interventions are provided.

For students who have "exited" from a higher level of intervention, general education teachers will monitor the progress of those students (*insert frequency (i.e., weekly; monthly)*) (*insert duration as appropriate (i.e., for 6 weeks)*) to ensure they are continuing to make sufficient progress.

### **Tier II: Strategic Interventions**

Tier II strategic interventions will be designed by the (*insert title of school based team*) and delivered primarily in the general education setting, by a general education teacher, but may be delivered in other or additional settings or by other trained staff as appropriate to the specific intervention (*(Optional) in the areas of (insert content areas (i.e., reading, writing, mathematics, behavior))*) at (*insert grade levels*). Tier II interventions are scientifically, research based, matched to student need, and implemented with fidelity and monitored by the principal or his or her designee. Tier II interventions will be described on a student intervention plan using form (*insert title or number (OSPI has developed an intervention form which may be accessed on the website at <http://www.k12.wa.us/SpecialEd/RTI.aspx> under Appendix F of the RTI manual and may be modified as needed to meet the districts needs)*).

Tier II interventions are provided in addition to regularly scheduled core instruction in the general education curriculum and will be delivered in groups of no more than six students, ideally, at least three times each school week for not less than 30 minutes per session. Tier II interventions will be delivered for at least six weeks unless progress monitoring data reveals a need for a change in intervention, frequency, or duration.

### **Tier II: Progress Monitoring**

Using CBMs and/or CBAs, progress will be monitored at least every two weeks, or more frequently as determined by the school based team, against established benchmarks. Tier II progress monitoring measures are administered, scored, and results are charted by (*insert titles of staff trained to administer progress monitoring measures at this level (i.e., general education teachers; para-educators; reading specialist; etc.)*) The student's parents will be provided results of these repeated assessments of achievement (*insert frequency (i.e., at every 6 week interval; monthly; etc)*) using form (*insert title or number*).

### **Responsiveness and Non-Responsiveness to Tier II Intervention**

If, after six school weeks of Tier II intervention, the student has made no progress toward benchmarks based on at least three progress monitoring data points below the aim line, or has made progress, but is not on a trajectory to meet end-of-year benchmarks, the (*insert title of school based team*) will meet to review the student's program and progress, to assure the student is receiving differentiated, needs-based instruction. In addition, the team's review will include fidelity of program implementation, pacing and appropriateness of instructional groupings. Based on its review, the team will determine whether:

- A. Additional diagnostic assessments are warranted, and if so, in what areas and by whom;
- B. Additional changes to the instructional or behavioral interventions are required;
- C. The Tier II intervention should continue because progress monitoring data indicate the intervention is working even though the student has not yet met benchmarks;
- D. The student should return to Tier I core instruction with continued progress monitoring because the student has met benchmarks; or
- E. The student requires Tier III intensive intervention.

If, after an additional six weeks of Tier II intervention using the same, modified, or different strategies (or up to a total of 12 school weeks of Tier II intervention), the student has made no progress toward benchmarks, the student shall begin receiving Tier III intensive interventions. If not yet administered, diagnostic assessments will be conducted by (*insert staff (reading specialist; speech and language pathologist, school psychologist, etc.)*) and results will be utilized in designing the Tier III intensive intervention.

If the student has made progress, but is not on a trajectory to meet end-of-year benchmarks, (A) through (E) above shall be revisited by the school based team accordingly.

### **Tier III: Intensive Interventions**

Tier III intensive interventions will be designed by the (*insert title of team*) and delivered primarily in the general education setting, by a general education teacher, and additional staff, but is likely to be delivered in other or additional settings, or by other trained staff as appropriate to the specific intervention. Tier III intensive interventions are scientifically, research based, matched to student need, and implemented with fidelity, as monitored by the principal or his or her designee. Tier III interventions will be in addition to regularly scheduled core instruction in the general education curriculum, and will be delivered in group settings smaller than those for intervention delivered in Tier II, and with an increased frequency (i.e., five times per week), duration, but not less than six weeks, and/or intensity (i.e., 60 minutes per session) than provided within Tier II. Tier III intensive interventions will be described in the student's intervention plan.

### **Tier III: Progress Monitoring**

Using CBMs or CBAs, progress will be monitored weekly against established benchmarks. Tier III progress monitoring measures are administered, scored, and results are charted by (*insert titles of staff trained to administer progress monitoring measures at this level (i.e., general education teacher, school psychologist, title 1 teacher, special education teacher, reading specialist, para-educator, etc)*). The student's parents will be provided results of these repeated assessments of achievement (*insert frequency (i.e., at every 6 week interval; monthly; etc)*) using form (*insert title or number*).

### **Non-Responsive to Tier III Intensive Intervention**

If, after six school weeks of Tier III interventions (or up to a total of 18 school weeks of combined Tier II or III interventions), the student has made no progress toward benchmarks as indicated by at least three data points below the aim line, the (*insert title of team*) will consider a referral for an initial evaluation for special education services or other long-term planning, such as an evaluation for services under Section 504 of the Rehabilitation Act. If appropriate, the Tier III intervention will be continued after any necessary modification during the evaluation process, if the student has not received at least two phases of Tier III intensive interventions.

### **Responsive to Tier III Intensive Intervention**

If, after six school weeks of Tier III interventions (or up to a total of 18 school weeks of intervention), the student has made progress toward benchmarks, but is not on a trajectory to meet end-of-year benchmarks, the (*insert title of team*) will meet to review the student's program and progress, to assure the student is receiving differentiated, needs-based instruction. In addition, the team's review will include fidelity of program implementation, pacing, and appropriateness of instructional groupings. Based on its review, the team will determine whether:

- Additional diagnostic assessments are warranted, and if so, in what areas and by whom;  
Additional changes to the instructional or behavioral interventions are required;  
The Tier III intervention should continue because progress monitoring data indicate the intervention is working even though the student has not yet met benchmarks;  
The student should return to Tier I or Tier II with continued progress monitoring, as prescribed above, because the student has met or is on trajectory to meet end-of-year benchmarks; or  
A referral for an initial evaluation for special education is required.

If, after an additional six school weeks of Tier III interventions (or up to a total of 24 school weeks of combined Tier II and Tier III interventions), the student has made progress toward benchmarks, but is not on a trajectory to meet end-of-year benchmarks, the (*insert title of team*) will refer the student for an initial evaluation for special education services.

These procedures are designed to permit students to move between Tiers of intervention based on the student's progress against benchmarks as determined by the (*insert title of team*). Student intervention plans and progress monitoring and diagnostic data will be provided to the special education evaluation group at the time of referral.

## **HOME OR HOSPITAL INSTRUCTION**

Upon request from a parent or an adult student, home or hospital instruction shall be provided to students who are unable to attend school for an estimated period of 4 weeks or more because of disability or illness. A written statement from a qualified medical practitioner verifying that the student will not be able to attend school for an estimated period of four weeks or more shall accompany the request. The district shall not pay for any costs incurred in securing the medical verification.

Cross Reference: Board Policy 2161  
Board Policy 2162

Education of Students with Disabilities  
Education of Students with Disabilities  
Under Section 504 of the  
Rehabilitation Act of 1973

Legal References: RCW 28A.155  
WAC 392-122-145

Special Education  
State Handicapped Program — Home  
and Hospital Care

## **PROCEDURE HOME OR HOSPITAL INSTRUCTION**

### **Request**

The procedures for instituting home/hospital instruction are as follows:

- A. Parent completes application form for home/hospital instruction.
- B. The district office and family physician complete the SPI E-310 form.
- C. Home/hospital instruction shall begin when the family physician signs form SPI E-310.

### **Role of Instructor**

The instructor shall:

- A. Contact parents and arrange home/hospital instruction schedule.
- B. Discuss with the parent any conditions surrounding the student's disability or educational development which may have a bearing on the program.
- C. Discuss the need for a supervising adult to be in the home during the teacher's visit.
- D. Discuss the need for an appropriate learning environment.
  - 1. Other youngsters and/or adults should remain out of the room while the lesson is in progress.
  - 2. The student should be awake, properly dressed, and ready for lessons at the appropriate time.
  - 3. Adequate study time should be scheduled each day, taking into account the physical limitations of the student.
- E. Evaluate the student's work and make a report to the student's home school.

### **Termination**

Instruction may be terminated in the following manner:

- A. The qualified medical practitioner determines the advisability of the student returning to school.
- B. Extension of the original instruction period must be requested by the parent or guardian, and verified by the attending qualified medical practitioner.
- C. Home/hospital instructor contacts payroll office when student returns to school.

### **Procedures for Initiating Home/Hospital Instruction**

The function of the home/hospital instructor is to provide instructional assistance and serve as a liaison between the student and the school in the following manner:

- A. Elementary (emphasizes reading, math, and language skills)
  - 1. Contact school principal.
  - 2. Contact classroom teacher initially and on a weekly basis.
  - 3. Obtain current academic standing.
  - 4. Obtain books, materials, and assignments from the homeroom teacher.
  - 5. Keep parents/guardians informed as to the progress of the student.
  - 6. Provide a statement to the student's home school for the cumulative record regarding the grades earned by the student while on home/hospital instruction. Grading shall be the responsibility of the classroom teacher. This statement is due immediately upon termination of the home/hospital instruction.
  
- B. Middle/Senior High (receives instruction in required subjects)
  - 1. Contact school counselor and have counselor set up initial meeting with home/hospital instructor and classroom teacher.
  - 2. Obtain current academic standing.
  - 3. Contact each classroom teacher on a weekly basis and arrange for books, materials, and assignments; also include a class schedule, class outlines, etc., of what the student needs to fulfill credit requirements for quarter, semester, and year.
  - 4. Provide a statement to the student's home school for the cumulative record regarding the grades earned by the student while on home/hospital instruction. Grading shall be the responsibility of the classroom teacher. This statement is due immediately upon termination of home/hospital instruction.

If the student is unable to complete regular classroom assignments, the home/hospital instructor will work with the regular classroom teacher to modify or develop alternative classroom assignments to meet required course work.

### **Instructor Reimbursement Procedures**

- A. The week before payroll cut-off date, the payroll office will contact home/hospital instructor advising of the payroll cut-off date for that particular month.
  
- B. When the time sheets and mileage sheets are received by the payroll office, the amounts will be computed and submitted for payment.

## CAREER AND TECHNICAL EDUCATION

The district will provide a program of Career and Technical Education to assist students in the making of informed and meaningful educational and career choices; and to prepare students for post-secondary options. The district's Career and Technical Education is a planned program of courses and learning experiences that begins with exploration of career options. Additionally, the district's Career and Technical Education program supports basic academic and life skills, enables achievement of high academic standards, incorporates leadership training, provides options for high skill development and high-wage employment preparation and includes advanced and continuing education courses. The program and its courses will be included as part of the regular curriculum of the district.

The district will establish local Career and Technical Advisory Committees to assist in the design and delivery of the district's Career and Technical Education program. Committees will advise the district on current labor market needs and the programs necessary to meet those needs. The district's Career and Technical Education program will be related to employment demands, current and future, and to the needs and interests of students.

The board will annually review and approve the district plan for the design and delivery of its career and technical education program. The plan will ensure academic rigor, align with education reform, establish program performance targets, address the skill gaps of Washington's economy and provide opportunities for dual credit.

The superintendent will develop procedures which will ensure that all programs and courses are operated in conformity with the district's plan for Career and Technical Education. Additionally, the superintendent will seek and utilize all available state and federal sources of revenue for the financial support of Career and Technical Education in the district.

Legal References:	RCW 28A.150.500	Educational agencies offering vocational educational programs — Local advisory committees — Advice on current job needs
	RCW 28A.700	Secondary career and technical education
	RCW 28A.230.130	Program to help students meet minimum entrance requirements at baccalaureate-granting institutions or to pursue career or other opportunities — Exceptions

Management Resources:  
*Policy News*, February 2009      Career and Technical Education Programs

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised: 11.08.10**

## **PROCEDURE CAREER AND TECHNICAL EDUCATION**

The district's plan for its Career and Technical Education program will be approved annually by the board of directors. All components of the plan will meet the Career and Technical Education program standards as established by the Office of State Superintendent of Public Instruction (OSPI).

### **A. The District's Career and Technical Education (CTE) Plan:**

The district's CTE Plan describes how the district will deliver career and technical education to its students. The components of the district's CTE plan will ensure:

1. Application and contextualization of the related state academic learning standards;
2. Responsiveness to state-wide or local high-demand occupations;
3. Compliance with the five-year plan requirements of the federal Carl D. Perkins Career and Technical Education Act;
4. Sufficient equipment and facilities to meet industry standards;
5. Adequate student and teacher opportunities to connect to the business community including, but not limited to, industry job shadowing, mentorships, and internships;
6. The integration and application of leadership and employability skills;
7. Instructors connect student learning with work, home, and community
8. Preparatory programs leading to a certificate or credential that is state or nationally recognized;
9. Courses are sequential, rigorous, and based on an analysis of technical skill attainment;
10. Performance Measures and Targets established by the state are met or exceeded;
11. No discrimination on the basis of race, color, national origin, gender, sex, sexual orientation, religion, or military status in counseling students for Career and Technical Programs;
12. Teachers are CTE certified in the areas in which they instruct; and
13. Courses are structured so that the maximum number of students per class are determined by the number of training stations, safety factors, and individual instruction requirements of the specific skills being developed.

### **B. Performance Measures and Target – Accountability**

The district will adopt performance measures and targets in at least the following areas:

1. Sufficiency of courses allowing students to earn dual credit for high school and college;
2. Rates of student participation in and completion of high-demand programs; and
3. Performance measures and targets established by the workforce training and education coordinating board, including but not limited to student academic and technical skill attainment, graduation rates, post-graduation employment or enrollment in post-secondary education, and other measures and targets as required by the federal Carl D. Perkins Act.

### **C. Course Equivalencies**

Each of the district's high schools shall adopt core academic course equivalencies for high school Career and Technical courses, provided that the Career and Technical Education course has been reviewed and approved for equivalency credit by a district team appointed by the superintendent or a designee, in accordance with district policy 2413, Equivalency Credit for Career and Technical Educational Courses.

### **D. Career and Technical Education Programs of Study**

A program of study is a sequence of courses that identifies the secondary and post-secondary content that students need to take to ensure that they will have the knowledge and skills needed for a seamless transition to post-secondary options.

The district's CTE program(s) of study will:

1. Incorporate secondary CTE academic and elective courses and local graduation requirements as well as post-secondary education elements;
2. Include coherent and rigorous academic content aligned with state learning standards and relevant career and technical content in a coordinated, non-duplicative progression of courses that are aligned with post-secondary education in a related field;
3. Include courses aligned with appropriate state academic, industry, leadership and employability standards; and
4. Lead to industry-recognized credentials, an academic certificate or degree, apprenticeship, employment or certificate at the post-secondary level.

### **E. Career Guidance and Counseling**

Career guidance and counseling programs shall include the exploration of options and opportunities for Career and Technical education at the secondary and post-secondary level and exploration of career opportunities in emerging and high-demand programs. (See WSSDA model policy 2140, Guidance and Counseling)

### **F. Advisory Committees**

1. Advisory committees will participate in the determination of program goals and review and evaluate program curricula, equipment, and effectiveness.
2. Advisory committee participants will include representatives of business and labor who reflect the local industry and the community. Members will actively consult with other representatives of business, industry, labor and agriculture.
3. The superintendent, in consultation with the director of CTE programs, will select members of the advisory committees. Advisory committee members will be approved by the board.

## **PARENT, FAMILY AND COMMUNITY PARTNERSHIPS**

### **Vision**

Students master academic skills and develop civic responsibility because of family, school and community support enhanced by school partnerships with parents, families and community organizations that enable parents to:

- A. Understand their children's school experience;
- B. Participate as volunteers in school;
- C. Support student learning at home;
- D. Develop effective parenting skills;
- E. Participate in important decisions affecting their children; and
- F. Rely on community resources to support their parenting efforts.

### **Structure**

#### **A. Building Level: Parent and Community Partnership Plans**

Each school and the families and community it serves is different. Therefore, each school must have its own approach to parent and community partnerships. Working together, staff and parents at each school shall develop a three-year plan to achieve the following goals:

1. Multiple techniques assure that (a) all parents understand their children's school experience and (b) the school staff understands parents' and community expectations for the school.
2. School staff work with parent and community volunteers in the school in ways that are beneficial to students and that strengthen school and community relations.
3. Families receive information about how to support their children's learning at home and will have access to someone to advise them when they encounter difficulty.
4. All staff members are able to refer parents to resources for assistance in developing their parenting skills, or to obtain advice on family financial, health or welfare issues. Connections are maintained with community resources and agencies to assure current information and continuous cooperation.
5. Representatives of parents and the community served by the school have a full and equal role in the school's student learning improvement team. All parents have the opportunity to review and advice on their student's learning experiences.
6. Collaborations and exchanges are established with businesses and agencies in the community to broaden the learning opportunities for students and expand options for teachers.

Each school's Family and Community Partnership plan shall include a timeline for implementation, success indicators, evaluation procedures, and a system for reporting to the community and the school district. When a parent is unavailable to fulfill the parent's role, reasonable efforts will be made to identify an adult, acceptable to the family, to act as a communicator and supporter for the student's education.

**B. District Level: Expectations, Support and Resources**

The success of each school's plan depends upon its appropriateness to the school's service area. Just as those plans must meet the expectations of this policy, they must have the support of the district. The district shall develop a three-year plan to achieve the following goals:

1. Inservice training enables teachers and administrators to perfect their skills in working with parents and families as partners in students' learning.
2. Financial and staff resources are allocated to assist and support the implementation of individual school plans.
3. When hiring and promoting personnel, consideration is given to experience and performance in developing effective parent, family and community partnerships.
4. Family resource centers are developed by the district in partnership with individual schools or other community organizations to support the development of parenting skills, including helping parents to develop the capacity to support students' learning at home.
5. Partnerships with other units of government and public and private social, health, welfare and fraternal agencies are developed to create a community support system to strengthen families' ability to guide the academic and character development of their children.

**Accountability**

- A. An information system shall be developed to enable the district to assess progress toward its Parent, Family and Community Partnership goals. Using the information reported to it, the board shall review progress each year toward the policy's goals reported by each school and the district.
- B. Subject to legal and contract requirements, criteria shall be included in personnel performance reviews to assess the effectiveness of district personnel in carrying out their role in Parent, Family and Community Partnerships.

**Advocacy**

- A. Each year, the board shall focus the community's attention on Parent, Family and Community partnerships by reviewing progress toward the district's goals and hosting a community forum to promote discussion among school, parent and community leaders about how they can continue to work together to support the academic and civic development of students.
- B. The board shall use polling, community meetings and participation in the meetings of other organizations to (1) understand public expectations for the schools and (2) explain the school's work in strengthening parents' and families' ability to support students' academic and civic development.

## HIGHLY CAPABLE PROGRAMS

In accordance with the philosophy to develop the special abilities of each student, the district shall offer appropriate instructional programs to meet the needs of highly capable students of school age. The framework for such programs shall encompass, but not be limited to, the following objectives:

- A. Expansion of academic attainments and intellectual skills;
- B. Stimulation of intellectual curiosity, independence and responsibility;
- C. Development of a positive attitude toward self and others; and
- D. Development of originality and creativity.

The board will annually approve the district's highly capable application which describes the number of students served by grade level; the district's plan to identify students; program services; instructional program description; professional development; program evaluation and fiscal report; and assurances that the district is legally compliant.

The superintendent shall establish procedures consistent with state guidelines for nominating, assessing and selecting children of demonstrated achievement or potential ability in terms of general intellectual ability, academic aptitude and creative or productive thinking.

Legal References:     RCW 28A.185.030  
                              WAC 392-170

Programs — Authority of local school  
                  districts — Selection of students  
Special service program — Highly  
                  capable students

Management Resources: *Policy News*, April 2008

Highly Capable Programs

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised: 06.14.04; 11.08.10**

## **PROCEDURE HIGHLY CAPABLE PROGRAMS**

The following procedures shall be employed to nominate, assess, and select students to participate in the program:

### **Nomination**

Anyone may nominate a child to the program, including teachers, other staff, parents, students, and members of the community. Nominators will be sent the district's nomination form to recommend a child for consideration in the program.

### **Assessment**

The district will screen each nominee using multiple measures such as DIBELS, Easy CBM, MAPs, and/or PSAT to identify students who qualify for further assessment.

Prior to conducting assessment(s) the school administrator or designee shall obtain written parental permission.

Nominees identified through the screening process will be assessed using multiple criteria from a variety of sources and data, including tests that measure cognitive ability, academic achievement and evidence of exceptional creativity. Test results shall be recorded in the student's cumulative file.

### **Selection**

A multi-disciplinary selection team composed of a district administrator, psychologist, or other individual who can interpret cognitive and achievement test results and a teacher will review data that has been collected for each of the nominated students. They will select those students who would receive the most benefit from participating in the program. The district will:

- A. Notify parents of students who have been selected. Parents shall receive a full explanation of the procedures for identification, program options and the appeal process;
- B. Obtain parental permission to provide services and programs;
- C. Schedule a meeting of all such parents; and
- D. Conduct an annual parent meeting to review each student's educational plan.

### **Program Design**

The District will offer highly capable students the following programs:

### **Elementary**

- *First-Fifth Grade PACE (Program for Accelerated and Clustered Education)* -- Highly Capable programs are offered at each of our 14 elementary schools. In a cluster group model, highly capable students are placed together in grade level general education classrooms. Above grade level core curricula is delivered to this group as needed by a trained teacher. In walk to read/walk to math models, highly capable students shown to need above grade level instruction in core content areas walk to classrooms in the school for this instruction at their assessed level of need.
- *Fourth and Fifth Grade STEP (Student Teacher Enrichment Program)* -- The Auburn School District has a unique program that serves exceptionally intelligent, intellectually gifted 4th and 5th grade students whose needs may not be easily met in the general classroom. STEP provides specific instruction to these academically talented students in a self-contained program.

### **Secondary**

- *Middle School PACE (Program for Accelerated and Clustered Education) Honors and Acceleration* -- Students selected for highly capable programs may be placed in Honors or Pre-AP classes in cohort groups for their core ELA or social studies course. Students requiring above grade level instruction in mathematics and science (if available) will be placed in appropriate accelerated courses.
- *High School PACE (Program for Accelerated and Clustered Education) Honors, Acceleration* -- The Auburn School District offers an individualized program based on highly capable student needs which may include: High School Honors courses, Advanced Placement Courses, Advanced Career and Technical Education courses, University in the High School, Running Start, and Online learning experiences.

Each individual student or group of students with similar needs shall have a program plan. Services will be made available based on that plan and include a continuum of services.

### **Reporting**

The superintendent or designee shall provide an end-of-the-year report to the Office of Superintendent of Public Instruction (OSPI).

## **GRADE ORGANIZATION**

Instructional programs shall be coordinated between each grade and between levels of schools. Grade organization may vary among the schools as individual schools and communities use shared-decision making in recommending to the board their preferred grade organization. The board will make the final decision to assure smooth transitions between the various buildings as students progress.

## SCHOOL CALENDAR

In order to permit staff, students and parents to make plans for their own work and vacation schedules, the board shall adopt a school calendar or calendars by June 1 of each year. Multiple calendars may be developed where some schools are on modified school calendars for the forthcoming school. Following this action, staff, students, parents and patrons will be advised of the school calendar(s).

Legal References:	RCW 28A.150.040	School year — Beginning — End
	28A.150.220	Basic Education Act of 1977 —
		Definitions — Program requirements
		— Program accessibility — Rules
	28A.330.100(7)	and regulations
	41.59.130	Additional powers of board
		Employer's responsibilities and rights
		preserved
	WAC 80-16-215	Minimum 180-school day year

## **PROCEDURE SCHOOL CALENDAR**

Annually, by March 1, the superintendent will prepare several possible calendars for study purposes. These calendars will be reviewed with principals. Each will explain the options available to their staff members. Staff will be asked to express their preference through an advisory ballot.

Parents will also be advised through the district newsletter of the possible calendars under study for the following year. They will be encouraged to express their opinions. Results of these surveys will be presented to the board at its April meeting. The board shall be asked to adopt a calendar or calendars at the May meeting.

## **SUMMER SCHOOL**

The district's summer program of instructional offerings shall be for the purposes of remediation and enrichment. Fees shall be charged to cover costs for which revenues are not otherwise provided. To the extent that the district can absorb the cost, fees may be waived or reduced for students whose families would have difficulty paying the full fee. The USDA Child Nutrition Program guidelines shall be used to determine qualifications for waivers or reductions. Priority in fee waivers and reductions shall be given to remediation courses. Parents shall be informed of the availability of any fee waivers or reductions in the notice of the summer school program.

Legal References:    RCW 28A.320.500

                          28A.320.510

Summer and/or other student vacation  
period programs — Authorized —  
Tuition and fees  
Night schools, summer schools,  
meetings, use of facilities

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised: 11.08.10**

## **ALTERNATIVE LEARNING EXPERIENCE PROGRAMS**

The district establishes the Virtual and Learning Center Programs at West Auburn High School, an alternative learning experience program, provided on site or over the internet or by other electronic means, as defined in WAC 392-121-182.

- A. Every student enrolled in the program shall have a written individual plan developed in collaboration with the student, the student's parents, and other interested parties. The student's supervisor, who must be certificated instructional staff or a contractor as defined in WAC 392-121-188, must approve the plan and has primary responsibility and accountability for the plan. The student learning plan must meet the following minimum criteria. The plan must:
1. Include a schedule of the duration of the program, including the beginning and ending dates;
  2. Describe the specific learning goals and performance objectives of the alternative learning experience. This requirement may be met through course syllabi or other detailed descriptions of learning requirements.
  3. Describe the average number of hours per week that the student will engage in learning activities to accomplish the objectives of the plan;
  4. Describe how weekly contact requirements will be fulfilled;
  5. Identify instructional materials essential to successful completion of the learning plan;
  6. Include a timeline and method for evaluating student progress toward the learning goals and performance objectives specified in the learning plan; and
  7. Identify whether the alternative learning experience meets one or more of the state essential academic learning requirements defined by the district. High school alternative learning plans must identify whether the experience meets state and district graduation requirements.
- B. Annually, during a public meeting, the board will approve the ratio of certificated instructional staff to full time equivalent students enrolled in alternative learning experience programs and courses.
- C. Student performance will be supervised, monitored, assessed, evaluated, and recorded by certificated instructional staff, or by certificated staff of a contractor. Both the Virtual and Learning Center student learning plans will be supervised and evaluated by the certificated teachers at West Auburn High School. Weekly contact and progress will be logged by the certificated staff member and a monthly conference will be held to monitor progress towards graduation. The certificated teachers will record data on student performance and maintain all records supporting the individual student learning plans for each student enrolled in the Virtual and Learning Center Programs.
- D. Each student enrolled in an alternative learning experience program shall have direct personal contact with school staff at least weekly, to discuss and evaluate student progress, until completion of the course objectives or the requirements of the learning plan. Direct personal contact means a face-to-face meeting with the student and, if appropriate, with the parent or guardian.

E. Each student's educational progress will be reviewed at least monthly. The results of the reviews shall be shared with the students and with the parent or guardian of students in K-8 programs. If a student does not make satisfactory progress in the activities identified in his or her plan, a revised plan may be implemented.

F. Parent Responsibilities (Optional Policy Language):

Parents or guardians are required to participate in the program on behalf of their children in at least the following ways, or their children may be excluded or removed from the program:

1. The parent or guardian must approve their child's plan;
2. The parent or guardian must provide or implement those portions of their child's plan for alternative learning experiences that are identified in the plan under the supervision of certificated instructional staff; and
3. The parent or guardian must meet with certificated instructional staff as prescribed in their child's plan for purposes of evaluating their child's performance and/or receiving instructions on assisting with their child's alternative learning experience.

If a student's parent or guardian cannot or will not participate in the program, the supervisor of the program may accept another suitable adult who agrees to meet the policy and program requirements set out for parents on behalf of the student.

G. District Supervision:

The district shall designate one or more person(s) responsible for approving specific alternative learning experience programs or courses, monitoring compliance with WAC 392-121-182 and reporting at the end of each school year to the board of directors on the program. The annual report shall contain:

1. The alternative learning experience student headcount and full-time equivalent enrollment claimed for basic education funding;
2. A description of how certificated and classified staff are assigned program management and instructional responsibilities that maximize student learning; including the ratio of certificated instructional staff to full time equivalent students;
3. A description of how the written student learning plan is developed and student performance supervised and evaluated by certificated staff;
4. A description of how the alternative learning experience program supports the districts overall goals for academic achievement; and
5. Results of any self-evaluations conducted pursuant to WAC 392-121-182(7).

H. The district alternative learning program shall satisfy the state board of education requirements for courses of study or equivalencies; and if the program offers credit or a high school diploma, the alternative learning program must meet the minimum high school graduation requirements.

I. The district shall identify expenditures, directly related to the student learning plan, paid for by participants that are reimbursable by the district.

Cross References	Board Policy 2020	Curriculum Development and Adoption of Instructional Materials
Legal Reference:	WAC 392-121-182 RCW 28A.320.230	Alternative learning experience requirements Instructional Materials – Instructional Materials Committee

## **PROCEDURE ALTERNATIVE LEARNING EXPERIENCE PROGRAMS**

### **District Implementation Guidelines:**

- A. Alternative Learning Experiences shall be available to all students including students with disabilities.
- B. The district shall make available to students enrolled in alternative learning programs access to curricula, course content, instructional materials, and other learning resources required by the written student learning plan. These materials shall be consistent in quality with those available to the overall student population.
- C. Work-based learning shall comply with WAC 180-50-315 and 392-121-124.
- D. Contracting for alternative learning experiences shall be subject to WAC 392-121-188 and RCW 28A.150.305.
- E. The district shall provide to parents a description of the difference between home-based instruction and alternative learning programs. The parent or guardian must sign documentation indicating their understanding of the distinction. The district shall retain the statement of understanding and make it available for audit.
- F. The district shall use reliable methods to insure a student is doing his or her own work, which may include proctoring examinations or projects.
- G. District alternative learning programs, using digital or on-line learning, will be accredited through the state accreditation program or through the regional accreditation program.

### **Accountability for Student Performance:**

- A. Students participating in alternative learning experiences shall be evaluated as follows:
  - 1. Each student's progress shall be evaluated monthly based on the learning goals and performance objectives defined in the written student learning plan.
  - 2. The progress review will be conducted by certificated instructional staff and include direct personal contact (as defined by district policy) with the student. The results of the review will be shared with the student and the student's parent.
  - 3. Certificated instructional staff will determine whether the student is making satisfactory progress in meeting the written student learning plan.
  - 4. If the student fails to make satisfactory progress for two consecutive evaluation periods, an intervention plan shall be developed and implemented. The intervention plan will be developed by certificated instructional staff in collaboration with the students and for students in K-8, the student's parent or guardian.
  - 5. If, after three consecutive evaluations, the student is not making progress, a new plan designed to meet the student's needs shall be developed and implemented.

- B. Students in alternative learning programs shall be assessed using the state assessment for the student's grade level and using other annual assessments required by the district. Part-time and home school students are not required to participate in the state-wide assessments required under 28A.655.
- C. Students attending an alternative learning program outside their district shall participate in any required annual state assessments at the district of residence. The enrolling district shall coordinate the test taking.

**Program Evaluation:**

The district will periodically evaluate its program in a manner designed to objectively measure its effectiveness.

**Annual Reporting:**

The district will report annually to the Office of the Superintendent of Public Instruction on the alternative learning programs and courses offered by the district. The report shall include student headcount; full-time equivalent enrollment claimed for basic education funding; the ratio of certificated instructional staff to full-time equivalent alternative learning students; and identify alternative learning students receiving instruction under contract.

**Documentation:**

The district will retain the appropriate records for audit purposes. Documents shall include a school board policy, annual reports to the school board, reports to OSPI, student learning plans, student progress reviews and evaluations, student enrollment detail, and signed parent enrollment forms.

## **FIELD TRIPS, EXCURSIONS AND OUTDOOR EDUCATION**

The board recognizes that field trips, when used as a device for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the schools. Such trips can supplement and enrich classroom procedures by providing learning experiences in an environment beyond the classroom.

Field trips which take students out of the state or are planned to keep students out of the district overnight, must be approved in advance by the board. Outdoor education resident school plans shall be presented to the board for annual approval. The superintendent has the authority to approve all other field trips.

The superintendent shall develop procedures for the operation of a field trip or an outdoor education activity which shall insure that the safety of the student shall be protected and that parent permission is obtained before the student leaves the school. Each field trip must be integrated with the curriculum and coordinated with classroom activities which enhance its usefulness. Private vehicles may be used to transport students if approval is obtained in advance from the principal.

No staff member may solicit students for any privately arranged field trip or excursion without board permission.

Cross References:	Board Policy 6625 Board Policy 3520	Private Vehicle Transportation Student Fees, Fines, Charges
Legal References:	RCW 28A.330.100(5) RCW 67.20.020 WAC 181-87-090	Additional powers of board Parks, bathing beaches, public camps — Contracts for cooperation Improper remunerative conduct

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised: 06.14.04; 11.08.10**

## **PROCEDURE FIELD TRIPS, EXCURSIONS AND OUTDOOR EDUCATION**

Field trips are defined as travel away from school premises, under the supervision of a teacher, with an approved course of study, for the purpose of affording students a direct learning experience not available in the classroom. The transportation costs for all such field trips conducted during school hours shall be borne by the district. The following procedures shall apply:

### **Field Trips**

- A. Each school shall receive a field trip allocation.
- B. The staff member shall submit a completed field trip request form to the principal at least two weeks prior to the field trip.
- C. The staff member shall contact the site to make specific arrangements for the field trip so that the desired activity can be coordinated with the classroom studies.
- D. The staff member shall be responsible for securing additional adult supervision for the trip (one adult to a maximum of 10 students).
- E. If private vehicles are used, field trip forms shall be completed which acknowledge the name of the driver of each vehicle to be used. The principal will contact the district office to determine if the district's liability insurance coverage will protect the driver.
- F. Each student participating in a field trip must first return a permission slip signed by his/her parent. Parents shall be informed if private vehicles are to be used for the field trip.
- G. A letter of appreciation should be sent to the site host upon completion of the field trip.

### **Outdoor Education**

- A. The outdoor education plans for the coming school year shall be presented to the board for approval at the May board meeting.
- B. All staff to be involved shall be notified of plans after board approval.
- C. The proposed curricula for the outdoor education school shall be presented to teachers at least one month prior to the session.
- D. Information to parents regarding fees and waivers or reductions, if offered; special clothing; dates; supervising proposed activities; and other duties shall be sent to parents at least one month prior to the session. The parent must sign an approval form.
- E. If feasible, parents may opt to have their child participate in daytime activities only.
- F. Students who do not elect to attend shall engage in meaningful learning experiences at school.

- G. Students must purchase accident insurance or have family accident insurance.
- H. If the district can absorb the cost or has access to funds to cover waivers or reductions, students who are unable to pay the fee may be granted a waiver or reduction if they meet the USDA Child Nutrition Program guidelines.

### **Overnight Field Trips**

- A. The staff member must submit to the principal a written plan, including purpose, supervision, itinerary, cost, housing, and student costs (if any) at least two weeks prior to submission to the board.
- B. After approval by the principal, the proposal should be submitted to the superintendent at least one week prior to the board meeting.
- C. The staff member should attend the board meeting to answer any questions the board may have.
- D. After approval by the board, a written description of the overnight field trip shall be sent to the parent. All such field trips are optional. Parent permission is required.

### **International Travel**

Approval of international travel shall be subject to the United States Department of State travel warnings. Travel warnings are issued when the state department decides, based on all relevant information, to recommend that Americans avoid travel to a certain country. District travel to Canada and Mexico will be approved unless either country is identified through a travel warning. No district-sponsored international travel will be approved to any other country as long as the worldwide caution is in effect.

- A. The staff member must submit to the principal a written request for approval, including purpose, supervision, itinerary, cost, housing, and student costs six months before the date of the trip and before any fundraising begins or deposits are placed for the trip.
- B. After approval by the principal, all requests for both single and multi-school trips shall be approved by the superintendent at least one week prior to the board meeting.
- C. The staff member should attend the board meeting to answer any questions from the board.
- D. After approval by the board, a written description of the international overnight field trip shall be sent to the parent. All such international trips are optional. Parent permission is required.
- E. All signed approval forms and trip records shall be kept on file at the school.
- F. Staff members and sponsors shall obtain competitive pricing to assure maximum student participation at the lowest possible cost.

## **CONTROVERSIAL ISSUES/GUEST SPEAKERS**

The district shall offer courses of study which will afford learning experiences appropriate to the level of student understanding. The instructional program shall respect the right of students to face issues; to have free access to information; to study under teachers in situations free from prejudice; and to form, hold, and express their own opinions without personal prejudice or discrimination. The district encourages staff members to provide for the free and orderly flow and examination of ideas so that students may gain the skills to gather and arrange facts, discriminate between facts and opinion, discuss differing viewpoints, analyze problems, and draw their own tentative conclusions.

Teachers shall guide discussions and procedures, including the use of guest speakers to gain divergent points of view, with thoroughness and objectivity to acquaint students with the need to recognize opposing viewpoints, the importance of fact, the value of judgment and the virtue of respect for conflicting opinions. Teachers will exercise professional judgment in determining the appropriateness of the issue to the curriculum and the maturity of the students. When in doubt regarding appropriateness, the matter should be referred to the principal.

The superintendent shall establish procedures for the approval of the use of a guest speaker. When an invited speaker expresses opinions which are partisan or considered controversial by a large portion of the community, the school shall provide for the presentation of opposing views.

- A. If the teacher and the principal believe the guest speaker's topic is controversial, they will develop a plan whereby the issue(s) can be presented in an objective unbiased manner.
- B. In the event the speaker's topic is determined to be controversial, the teacher will notify students beforehand that any student who does not wish to attend the presentation may have alternative assignment.

## FLAG EXERCISES

Flag exercises shall be conducted in each classroom at the beginning of the school day and at the opening of all school assemblies. Students not reciting the pledge of allegiance shall maintain a respectful silence while either seated or standing. When feasible, the salute to the flag or the national anthem shall be rendered immediately preceding interschool events.

The United States flag shall be displayed upon or near every public school plant, except during inclement weather.

Legal References: RCW 28A.230.140

United States flag — Procurement,  
display, exercises — National anthem  
— Noncompliance, penalty

Management Resources: *Policy News*, August 2001

A Few Civil Liberty Reminders  
Students and ACLU raise flag issue

*Policy News*, December 1999

## **REQUIRED OBSERVANCES (VETERANS DAY, CONSTITUTION DAY, TEMPERANCE AND GOOD CITIZENSHIP DAY, AND DISABILITY HISTORY MONTH)**

Principals shall be responsible for the preparation and presentation of educational activities of approximately 60 minutes in duration in observance of Veteran's Day. The program shall be conducted during the school week preceding the 11th day of November of each year.

Constitution Day shall be observed each year on September 17 in commemoration of the September 17, 1787, signing of the United States Constitution. If September 17 occurs on a non-school day, Constitution Day shall be conducted on the preceding Friday.

Temperance and Good Citizenship Day shall be observed on January 16 or, if on a non-school day, the Friday preceding January 16.

Disability History Month will be observed during the month of October by conducting or promoting educational activities such as school assemblies or guest speaker presentations that provide instruction, awareness and understanding of disability history and people with disabilities.

Legal References:	RCW 28A.230.160	Educational activities in observance of Veteran's Day
	RCW 28A.230.158	Disability History Month--Activities
	RCW 28A.230.150	Temperance and Good Citizenship Day — Aids in programming
	36 U.S.C. 106	Constitution and Citizenship Day
Management Resources:	<i>Policy News</i> , August 2006	Constitution Day Recognition

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised: 11.08.10; 12.12.16**

## **RELIGIOUS-RELATED ACTIVITIES AND PRACTICES**

The board recognizes that views and opinions regarding the relationship of the schools and religion are diverse. While community opinions are important in shaping policy, the board must give primary credence to the United States and Washington State constitutions, state law, and the decisions made by the respective courts when establishing guidelines for making decisions regarding religious-related activities and practices. The board further accepts the declaration of the State Board of Education that “all students . . . possess the constitutional right to the free exercise of religion and to have their schools free from sectarian control or influence.” To this end, the board hereby establishes the following guidelines to preserve the rights of all students within the framework of the respective constitutions.

- A. Instruction about religious matters and/or using religious materials shall be conducted in an objective, neutral, non-devotional manner and shall serve a secular educational purpose. History, sociology, literature, the arts, and other disciplines taught in school may have a religious dimension. Study of these disciplines, including the religious dimension, shall give neither preferential nor disparaging treatment to any single religion or to religion in general and must not be introduced or utilized for devotional purposes.

Criteria used to guide academic inquiry in the study of religion shall seek the same neutrality, objectivity and educational effectiveness expected in other areas of the curriculum. In addition, materials and activities should be sensitive to America's pluralistic society and should educate rather than indoctrinate. Instructional activities should meet the three-part test established and used by the U.S. Supreme Court to determine constitutionality: (1) the activity must have a secular purpose; (2) the activity's principal or primary effect must be one that neither advances nor inhibits religion; and (3) the activity must not impose excessive involvement on the part of the school in order to maintain a neutral position towards the advancement of religion. This constitutional restriction shall not preclude a student from expressing his/her views relative to belief or non-belief about a religious-related issue in compositions, reports, music, art, debate and classroom discussion, when consistent with the assignment.

All religious-related instructional materials and/or activities must relate to a secular student learning goals or standards.

Staff shall avoid assigning work that emphasizes the religious aspects of a holiday. Individual students should be allowed, at their own direction, to use religious personages, events or symbols as a vehicle for artistic expression, if consistent with the assignment. State law prohibits staff from requiring that students reveal, analyze or critique their religious beliefs from grading academic work on its religious expression, if any; from censoring or imposing consequences on students who engage in religious expression in accordance with the law; or from imposing the religious beliefs of the staff member on students.

- B. A student may decline to participate in a school activity that is contrary to his/her religious convictions.

- C. If non-curriculum-related student groups are permitted to meet on school premises immediately before or after school hours, students shall be permitted to meet to discuss religious, political, philosophical or other issues provided such group meetings are student-initiated and student-managed in compliance with Board Policy 2153, Non-curriculum Related Student Groups.
- D. Religious groups may rent school facilities under the policy providing for facilities rental. Activities of such groups shall be clearly separated from school sponsored activities so that the school district does not support or appear to support the establishment of religion.
- E. A student may distribute religious literature under the same conditions that other literature may be distributed on the campus provided that such distribution does not intrude on the operation of the school.
- F. Material and/or announcements promoting religion may not be distributed by non-students or on behalf of groups or individuals who are not students.
- G. Religious services, programs, or assemblies shall not be conducted in school facilities during school hours or in connection with any school-sponsored or school related activity. Speakers and/or programs that convey a religious or devotional message are prohibited. This restriction does not preclude the presentation of choral or musical assemblies which may use religious music or literature as a part of the program or assembly.
- H. Musical, artistic, and dramatic presentations which have a religious theme may be included in course work and programs on the basis of their particular artistic and educational value or traditional secular usage. They shall be presented in a neutral, non-devotional manner; be related to the objective of the instructional program; and be accompanied by comparable artistic works of a nonreligious nature.

Since a variety of activities is included as part of a holiday theme, care must be exercised to focus on the historical and secular aspects of the holiday rather than its devotional meanings. Music programs shall not use the religious aspect of a holiday as the underlying message or theme. Pageants, plays, and other dramatic activities shall not be used to convey religious messages. Religious symbols such as nativity scenes, if used, shall be displayed in conjunction with a variety of secular holiday symbols so that the total presentation emphasizes the cultural rather than religious significance of the holiday.
- I. A student, upon the request of a parent, may be excused to participate in religious instruction for a portion of a school day provided the activity is not conducted on school property. (Credit shall not be granted for such instruction.)
- J. Upon receipt of a parent(s) request, a student shall be excused from attending school in observance of a religious holiday.
- K. Students may wear religious attire or symbols provided they are not materially and substantially disruptive to the educational process.

- L. As a matter of individual liberty, a student may of his/her own volition engage in private, non-disruptive prayer at any time not in conflict with learning activities. School staff shall neither encourage or discourage a student from engaging in non-disruptive oral or silent prayer or any other form of devotional activity.
- M. Commencement exercises shall be free from sectarian influence, including invocations and benedictions.
- N. There shall be no school sponsorship of baccalaureate services. Interested parents and students may plan and organize baccalaureate exercises provided that the service is not promoted through the school and staff, and student participation is voluntary.

Students, parents, and staff who are aggrieved by practices or activities conducted in the school or district may register their concern with the building principal or district superintendent.

Cross References:	Board Policy 2153	Non-curriculum-related Student Groups
	Board Policy 3122	Student Absences
	Board Policy 3220	Freedom of Expression
	Board Policy 3223	Freedom of Assembly
	Board Policy 3224	Student Dress
	Board Policy 4220	Complaints Regarding Staff or Program
	Board Policy 4237	Contests, Advertising and Promotions
	Board Policy 4235	Public Performances
	Board Policy 4260	Use of School Facilities
Legal References:	U.S. Constitution	First Amendment, Fourteenth Amendment
	Wash. Constitution	Art. I, § 11
	Wash. Constitution	Art. 9, Sec. 4 and Art. 26
	RCW 28A.600.025	Student rights of religious expression — Duty of superintendent of public instruction to inform school districts
	WAC 392-400-227	School district rules defining students' religious rights

## **PROCEDURE RELIGIOUS-RELATED ACTIVITIES AND PRACTICES**

Procedure for a Kirpan to be worn in an Auburn School District facility:

1. The principal or a designated official of the school district must meet with the student and guardian before the Kirpan is brought to school to insure that these conditions are clear to all.
2. The principal or a designated official of the school district may make reasonable inspections to confirm that the conditions specified above are being adhered to.
3. The Kirpan will have a dull and blunt blade, less than 3 inches in length.
4. Any Kirpan worn at school should be sewn or secured inside a sheath in such a way that the blade cannot be removed from the sheath.
5. The Kirpan must not be worn on the outside of the clothing and will not be visible to limit disruption to the educational process.
6. The Kirpan will never be removed from its sheath and shall not be displayed, brandished, or used in a threatening manner.
7. If any of the conditions specified above are violated, the Sikh student's privilege of wearing his or her Kirpan on a school campus may be suspended and the student may be subject to discipline under grounds for suspension or expulsion as specified in ASD Policy 3240.
8. The school district will take all reasonable steps to prevent any harassment, intimidation or provocation of the Sikh students by any employee or student in the school district and will take appropriate disciplinary action to prevent and redress such action, should it occur.

Legal References:	U.S. Constitution	First Amendment, Fourteenth Amendment
	Wash. Constitution	Art. I, § 11
	Wash. Constitution	Art. 9, Sec. 4 and Art. 26
	RCW 28A.600.025	Student rights of religious expression — Duty of superintendent of public instruction to inform school districts
	WAC 392-400-227	School district rules defining students' religious rights

## HIGH SCHOOL GRADUATION REQUIREMENTS

- A. The board will award a regular high school diploma to every student enrolled in the district who meets the requirements of graduation established by the district. Only one diploma will be awarded with no distinctions being made between the various programs of instruction which may have been pursued.

The board will establish graduation requirements which, as a minimum, satisfy those established by the State Board of Education:

Subject	Class of 2016-2017		Class of 2018-2020		Class of 2021 and Beyond	
	State	ASD	State	ASD	State	ASD
English	4	4	4	4	4	
Math	3	3	3	3		3
Science	2	2	2	2		3
Social Studies	2.5	2.5	3	3		3
CTE	1	1	1	1		1
Health and Fitness	2	2	2	2		2
Arts	1	1	1	1		2
Electives	4.5	7	4	6.5		4
World Language						2
<b>Total</b>	<b>20</b>	<b>22.5</b>	<b>20</b>	<b>22.5</b>		<b>24</b>

In addition to the minimum credit requirements, to earn a diploma each student must:

1. Pass the reading and writing or English language arts portions of the statewide assessment;
2. Complete a High School and Beyond Plan: Within the first year of high school enrollment, each student will develop a plan for satisfying the state and district's high school graduation requirements and for their first year after high school completion. The plan should be developed in collaboration with the student, parent and district staff. The plan should include how the student will satisfy the district's academic credit requirements, preparation for successfully completing the statewide assessment, a description of the student's culminating project and the student's goals for the year following graduation. Each student plan should be reviewed annually at the beginning of the school year to assess student progress, to adjust the plan, and to advise the student on steps necessary for successful completion of the plan;

3. Complete a Culminating Project: During the course of their high school career, each student shall complete a culminating project. The project will demonstrate the student's ability to think analytically, logically and creatively, and to integrate experience and knowledge to form reasoned judgments and solve problems. The project will also have a connection to the world of work in that it will demonstrate that the student understands the importance of work and how performance, effort, and decisions directly affect future career and educational opportunities;
  4. Complete math requirements: Students in the class of 2017-2018 must pass the biology end-of-course assessment or state-approved alternative. Students in the class of 2019 and beyond must pass the Next Generation Science exam or have previously passed the biology end-of-course assessment.
- B. Students in the class of 2013 and beyond must complete mathematics courses in one of the following progressive sequences.
1. Algebra I, Geometry, and Algebra II; or
  2. Integrated Mathematics I, Integrated Mathematics II, and Integrated Mathematics III; or
  3. Any combination of (a) and (b) in progressive sequence.

In lieu of a third credit of mathematics, students may choose an alternative mathematics course if the parent/guardian agrees that the third credit mathematics elective is supportive of the student's education and career goals. Before approval of the elective third mathematics credit, a meeting will be held with the student, the parent/guardian, and the school staff to discuss the student's High School and Beyond Plan and the mathematics requirements for post-secondary and career choices.

The district will obtain a signed consent from the parent for the student to enroll in the alternative third credit of mathematics. The consent form will confirm the meeting, that the parent understands the impact of the selection on the student's educational and employment options, and that the alternative is most appropriate for the needs of the student.

Students may also satisfy the mathematics requirements by earning equivalency based credit in career and technical education mathematics courses. Those credits must be recorded using the equivalent academic high school department designation.

- C. A student will receive a certificate of academic achievement only if they earn the appropriate number of credits required by the district, complete a culminating project, complete the high school and beyond plan; and meet the reading, writing and math standards on the high school statewide assessment or an appropriate alternative assessment.

Students qualifying for special education services who receive modifications to graduation requirements, as determined by their individual education plan, will earn a certificate of individual achievement.

D. High school credit will be awarded for successful completion of a specified unit of study. In this district, successful completion of a specified unit of study means:

1. Earning a passing grade according to the district's grading policy; and/or
2. Demonstrating proficiency/mastery of content standards as determined by the district; and/or
3. Successfully completing an established number of hours of planned instructional activities to be determined by the district.

The district will establish a process for determining proficiency/mastery for credit-bearing course of study.

E. The superintendent will develop procedures for implementing this policy which include:

1. Establishment of the process and assessment criteria for the high school culminating project requirements, and determination of the education plan process for identifying competencies.
2. Establishing the process for completion of the High School and Beyond Plan.
3. Recommending course and credit requirements which satisfy the State Board of Education requirements and recognize the expectations of the citizens of the district.
4. Determining which courses satisfy particular subject area requirements and whether a particular course may satisfy more than one subject area requirement, including a process for determining the credits, the district will recognize for courses taken through another program recognized by the state (e.g. another public school district or an approved private school) or those courses taken by students moving into the state from another state or country. Decisions regarding the recognition of credits earned before enrolling in the district will be based on the professional judgment of the high school principal or designee based on an evaluation of the student's former program and demonstrated knowledge and skills in the discipline for which credit is sought.
5. Making graduation requirements available in writing to students, parents, and members of the public.
6. Providing for a waiver of graduation requirements for an individual student when permitted. All state graduation requirements must be satisfied unless a waiver is permitted by law.
7. Granting credit for learning experiences conducted away from school, including National Guard high school career training.

8. Granting credit for correspondence, vocational-technical institutes and/or college courses for college or university course work the district has agreed to accept for high school credit. State law requires that the district award one high school credit for every five quarter hour credit or three semester hour credit successfully earned through a college or university, except for community college high school completion programs where the district awards the diploma. Tenth and eleventh grade students and their parents will be notified annually of the Running Start Program.
9. Granting credit for work experience.
10. Granting credit based upon competence testing in lieu of enrollment.
11. Granting credit for high school courses completed before a student attended high school, to the extent that the course work exceeded the requirements for seventh or eighth grade.
12. Counseling of students to know what is expected of them in order to graduate.
13. Preparing a list of all graduating students for the information of the board and release to the public.
14. Preparing suitable diplomas and final transcripts for graduating seniors.
15. Planning and executing graduation ceremonies.
16. Developing student learning plans for students who are not successful on one or more components of the statewide assessment.

In the event minimum test requirements are adopted by the board, a student who qualifies for special education services may satisfy those competency requirements which are incorporated into the Individualized Education Program (IEP). Satisfactory completion of the objectives incorporated into the IEP will serve as the basis for determining completion of a course.

A student will be issued a diploma after completing the district's requirements for graduation. In lieu of the certificate of academic achievement, special education students may earn a certificate of individual achievement. A student will also be advised that he/she may receive a final transcript.

Graduation requirements in effect when a student first enrolls in high school will be in effect until that student graduates unless such period is in excess of ten years.

Cross References:	Board Policy 3110	Qualifications of Attendance and Placement
	Board Policy 3241	Classroom Management, Corrective Actions or Punishment
	Board Policy 3520	Student Fees, Fines and Charges
Legal References	RCW 28A.230.090	High school graduation requirements or equivalencies — Reevaluation of graduation requirements — Review and authorization of proposed changes -- Credit for courses taken before attending high school — Postsecondary credit equivalencies
	RCW 28A.230.120	High school diplomas — Issuance — Option to receive final transcripts — Notice
	RCW 28A.600.300-400	Running start program
	RCW 28A.635.060	Defacing or injuring school property — Liability of pupil, parent or guardian — Withholding grades, diploma, or transcripts — Suspension and restitution — Voluntary work program as alternative — Rights protected
	WAC 392-410	Courses of studies and equivalencies
	WAC 180-51	High school graduation requirements
	WAC 392-348	Secondary Education
	WAC 392-121-182	Alternative Learning Experience Requirements
	WAC 392-169	Special service programs running start program
Management Resources:	Policy News, April 2012	State Board of Education revises credit requirements for graduation
	Policy News, October 2011	Policy manual revisions
	<i>Policy News</i> , June 2010	High School Proficiency Examination
	<i>Policy News</i> , April 2009	High School Graduation Requirements (Class of 2009)
	<i>Policy News</i> , February 2009	High School Graduation Requirements
	<i>Policy News</i> , August 2007	Graduation Requirements Modified by Legislature
	<i>Policy News</i> , October 2004	Graduation Requirements: High School and Beyond Plans
	<i>Policy News</i> , February 2004	High School Graduation Requirements
	<i>Policy News</i> , December 2000	2004 High School Graduation Requirements Adopted
	<i>Policy News</i> , April 1999	Variations Complicate College Credit Equivalencies

Adoption Date: 06.24.96

Auburn School District

Revised: 11.24.03; 11.08.10; 10.22.12; 04.25.16

## PROCEDURE HIGH SCHOOL GRADUATION REQUIREMENTS

### Auburn School District Waiver to State Minimum Graduation Requirements

A. The Auburn School District waiver to minimum state graduation requirements is an alternative for seniors who cannot earn the twenty two and a half credits (22.5) required for graduation from Auburn School District. A waiver from Auburn School District graduation requirements to Washington State Minimum Graduation Requirements may be granted under extenuating circumstances. The student and parents must be apprised of possible post-secondary limitations of a diploma earned with minimum requirements. A waiver application must be completed and submitted to the principal for individual consideration.

1. The waiver option may not be initiated until the first day of the second semester of the student's senior year (except in Alternative Learning school sites where the process may be initiated during the student's junior year).
2. The student must have attempted to earn required credits for graduation (no early release or late arrival).
3. Appropriate circumstances must be considered on an individual basis and may include significant personal problems, financial circumstances, or health issues. Additional circumstances may include the age of a transfer student entering the system, or the inability of the school of attendance to adjust its program for the individual student in order to enable progress toward graduation with a reasonable timeliness and success.
4. The waiver from Auburn School District graduation requirements to Washington State minimum requirements may not be granted prior to June of the student's senior year.

B. Washington State minimum high school graduation requirements are listed below.

Subject	Class of 2016-2017		Class of 2018-2020		Class of 2021 and Beyond	
	State	ASD	State	ASD	State	ASD
English	4	4	4	4	4	4
Math	3	3	3	3	3	3
Science	2	2	2	2	3	3
Social Studies	2.5	2.5	3	3	3	3
CTE	1	1	1	1	1	1
Health and Fitness	2	2	2	2	2	2
Arts	1	1	1	1	2	2
Electives	4.5	7	4	6.5	4	4
World Language					2	2
<b>Total</b>	<b>20</b>	<b>22.5</b>	<b>20</b>	<b>22.5</b>	<b>24</b>	<b>24</b>

C. All other OSPI requirements apply (passing state assessments, High School and Beyond Plan).

## **PROCEDURE HIGH SCHOOL GRADUATION REQUIREMENTS**

### **World Languages Credit for Competency/Proficiency**

The board recognizes the value of preparing students to be global citizens with skills to communicate in English and other world languages. In our state's diverse communities, it is not unusual for students to have various opportunities to develop language skills outside of the classroom at home, through living abroad, or by attending community-based or online programs. To enable students to fully benefit from the advantages of multilingualism, the district will encourage students to learn to understand, speak, read and write at a high level of proficiency. Proficiency can also be demonstrated in languages that are only spoken or signed.

#### A. Definition

For the purpose of this procedure, a world language is defined according to the definition used by the Higher Education Coordinating Board as “(a)ny natural language that has been formally studied (..)including American Sign Language (AMESLAN, the language of the deaf community), and languages no longer spoken, such as Latin and ancient Greek. However, neither computer “languages” nor forms of deaf signing aside from AMESLAN are acceptable.”

#### B. Demonstrating Competency/Proficiency in the World Language

Students seeking competency based credit must demonstrate proficiency across language. Assessments must be aligned to the American Council of Teaching of Foreign Languages (ACTFL) Proficiency Guidelines in order to assure consistency across languages. The following instruments may be used in Auburn:

- Standards-based Measurement of Proficiency (STAMP) in reading, writing, and speaking, and listening if available, for all languages for which it is available.
- American Council on the Teaching of Foreign Languages (ACTFL) assessments Oral Proficiency Interview (OPI) or Oral Proficiency Interview Computer Based (OPIC) and Written Proficiency Test (WPT), for languages for which STAMP is not available or for which ACTFL assessments are deemed more appropriate.
- Appropriate assessments for American Sign Language such as the Sign Language Proficiency Interview (SLPI).

#### C. Determining Competency and Credit Equivalencies

The district will award one or more credits based on the student demonstrating an overall proficiency level according to ACTFL Proficiency Guidelines as follows:

Novice Mid—1.0 credit

Novice High—2.0 credits

Intermediate Low—3.0 credits

Intermediate Mid—4.0 credits

Because students may demonstrate varied levels of proficiency across skills, credits will be awarded based on the lowest common level of proficiency demonstrated across the skill areas. (Example: If a student demonstrated Intermediate Mid level proficiency in Speaking, but Novice Mid in Reading and Writing, then credits would be awarded based on the lowest level of demonstrated proficiency, which would be one credit for Novice Mid.) No credit is given for separate skills.

#### D. Testing Opportunities

The district will manage the assessment process for World Languages only, providing at least one opportunity annually to take the STAMP assessment required to demonstrate proficiency. Assessments shall be proctored by district staff at sites approved by the district. Additional testing dates and languages may be available at universities in the region, in cooperation with the Office of the Superintendent of Public Instruction and the Washington Association for Language Teaching.

#### E. Paying for Assessments

The district or university will set a fee for the assessment to cover administrative costs, test fees, and or proctoring. Fees may vary depending on the assessment costs. (Fees may be adjusted for students on free/reduced lunch).

#### F. Reporting Results

The district will receive official test results for each student participating in the assessment process. The district will provide a letter to the student with a copy of the test results and an indication of how many world language credits, if any, may be awarded. Unless otherwise requested by the parent/guardian/adult student, world language credits earned will be recorded on the official high school transcript. Credits will be awarded with a grade of "Pass."

## PROCEDURE HIGH SCHOOL GRADUATION REQUIREMENTS

### Implementation of Credit Recovery—State Assessment

Students who meet standard on current state or federal accountability assessments (HSPE/EOC/Collection of Evidence) or approved alternates will be eligible to recover credit in the following ways:

<b>Assessment or Alternate</b>	<b>Previously Failed Course Eligible for Recovery</b>	<b>Amount of Credit Recovered</b>
<b>Reading (HSPE, COE, HSPB)</b>	<b>9<sup>th</sup> or 10<sup>th</sup> grade Language Arts</b>	<b>0.5</b>
<b>Writing (HSPE, COE, HSPB)</b>	<b>9<sup>th</sup> or 10<sup>th</sup> grade Language Arts</b>	<b>0.5</b>
<b>SBA ELA CCR</b>	<b>9<sup>th</sup>, 10<sup>th</sup>, or 11<sup>th</sup> grade Language Arts</b>	<b>Up to 1.0</b>
<b>SBA ELA HS or alternatives</b>	<b>9<sup>th</sup> or 10<sup>th</sup> grade Language Arts</b>	<b>Up to 1.0</b>
<b>SBA ELA OGL &amp; WA-AIM</b>	<b>SPE-SLC Language Arts</b>	<b>Up to 1.0</b>
<b>Algebra (EOC, COE, Basic)</b>	<b>Algebra</b>	<b>Up to 1.0</b>
<b>Geometry (EOC, COE, Basic)</b>	<b>Geometry</b>	<b>Up to 1.0</b>
<b>SBA Math Exam CCR</b>	<b>Algebra, Geometry, or Advanced Algebra</b>	<b>Up to 1.0</b>
<b>SBA Math Exam HS</b>	<b>Algebra or Geometry</b>	<b>Up to 1.0</b>
<b>SBA Math OGL &amp; WA-AIM</b>	<b>SPE-SLC Math</b>	<b>Up to 1.0</b>
<b>Biology (EOC, COE, Basic)</b>	<b>Biology</b>	<b>Up to 1.0</b>

This credit will be transcribed separately by a designated course code. The original grade for the course will remain on the transcript with 0 credit value.

## **PROCEDURE HIGH SCHOOL GRADUATION REQUIREMENTS**

### **Health and Fitness**

A minimum of 0.5 credits is required in a health course. The remaining 1.5 credits of this requirement must be fulfilled through a fitness course. RCW 28A.230.050 Physical education in high schools states: All high schools of the state shall emphasize the work of physical education, and carry into effect all physical education requirements established by rule of the superintendent of public instruction: PROVIDED, "That individual students may be excused from participating in physical education otherwise required under this section on account of physical disability, employment, or religious belief, or because of participation in directed athletics or military science and tactics or for other good cause." Students may apply for and may be granted a waiver only in their senior year.

## **PROCEDURE HIGH SCHOOL GRADUATION REQUIREMENTS**

### **Acceptance of Alternative Credit to Meet Graduation Requirements**

#### Alternative credits for non-high school programs

The district will only accept credit toward graduation for courses that have been pre-approved for currently enrolled students seeking credits outside of Auburn School District courses. This will assure the student that the course(s) they take will translate into credit toward meeting graduation requirements.

#### Number of alternative courses accepted towards an Auburn School District diploma

Up to 1.5 credits of alternative coursework may be accepted as credit toward graduation.

The method to seek pre-approval is to complete the *Alternative Course Request for Graduation Credit* with the school counselor. The institution, specific course title, course syllabus, and accreditation status of the offering agency are some of the specific items that must be supplied. A course may be listed in some instances without being accepted as meeting graduation requirements. Courses not meeting graduation requirements on transcript history from a previous school district will also not be accepted as meeting graduation requirements by the Auburn School District. Posting of credits from other institutions must meet Auburn School District criteria to count toward graduation requirements.

#### Evaluation criteria for course acceptance toward graduation credit:

Criteria used to determine the pre-approved acceptance of an alternative course for graduation credit include, but not limited to:

- The course is from an institution with comparable accreditation to secondary schools in the Auburn School District.
- The course substantially parallels an existing offering at the 9-12 level in the Auburn School District.
- The scope, sequence, and material covered substantially matches an existing 9-12 level Auburn School District course.
- The rigor of the labs/activities involved match in depth, material, and setting an existing 9-12 level Auburn School District course.
- The required written and produced learning activities substantially meet benchmark expectations for an existing 9-12 level Auburn School District course.
- Elective credit not offered in Auburn School District which is at a high school or beyond level and aligned to the student 5 year plan.

### Home school credit

Home schooling credits will be evaluated based on district criteria at the time a student wishes to enroll full time in the public school system. Home school coursework will not be accepted for graduation credit when done while concurrently working toward credit in the public school setting. A student is either a home school student receiving auxiliary credit in the public school setting or they are a public school student not taking home school credit.

### College-level credit

College-level coursework at an accredited institution will be accepted based on state law regarding translation of college credit into high school credit. If you are seeking to use this type of credit to meet graduation requirements, you must complete the *Alternative Course Request for Graduation Credit* form and have the specific course pre-approved through your school counselor.

### Appeal process

The principal or designee is responsible for determining which credits will be recognized by the district for students enrolling from another state-approved learning program (public school, approved private school, or home school), or from out-of-state, or out-of-country. Credits from unaccredited programs or home schools shall be evaluated as listed above. Decisions of the principal or designee may be appealed to the superintendent within fifteen (15) school days of the initial decision. (WAC 180-51).

## **PROCEDURE HIGH SCHOOL GRADUATION REQUIREMENTS**

### **Non-Credit Graduation Requirements**

In addition to required local and state credits, to be eligible to graduate in Washington, high school students must complete a High School and Beyond Plan, and pass specific state examinations.

#### **High School and Beyond Plan**

Each high school student must successfully create, annually review, and complete an education plan for their high school experience and the year following graduation. This requirement also applies to Running Start students. The High School and Beyond Plan should include the following elements:

- a. Personal interests, abilities and relationship to current career goals.
- b. A four-year plan for course taking that is related to graduation requirements and the student's interests and goals, including consideration of dual credit opportunities within such a plan.
- c. Research on post-secondary training and education related to one's career goals, including comparative information on the benefits and costs of available choices, post-secondary site visits and participation in career fairs and career interest surveys & PSAT/SAT/ASVAB results.
- d. Completion of an application for post-secondary education and training.
- e. Completion of a resume.

Individual high schools may require a student presentation of the High School and Beyond Plan.

#### **Washington State Examinations**

The following requirements for Washington State Examinations are accurate as of the date of printing. For updated information on assessment requirements, go to [www.k12.wa.us](http://www.k12.wa.us).

#### **Class of 2014**

For the Class of 2014, students will be required to pass the reading, writing, and math high school state exams and participate in the biology end-of-course exam, state-approved alternatives or assessments for students in special education. Students will need to pass one math end-of-course exams.

#### **Class of 2015-2018**

Beginning with the Class of 2015, students will be required to pass the reading and writing high school state exams. Students will need to pass a math end-of-course exam and a biology end-of-course exam. There are state-approved alternative assessments for students in special education.

### Class of 2019 and Beyond

Beginning with the Class of 2019, students will be required to pass the Smarter Balanced ELA and mathematics assessments and a biology end-of-course exam. There are state-approved alternative assessments for students in special education.

Refer to the Washington State Office of Public Instruction website at <http://www.k12.wa.us/> for more information on state assessments and end-of-course examinations.

### **Certificate of Academic Achievement and Certificate of Individual Achievement**

#### Certificate of Academic Achievement (CAA)

Students must pass state assessments in reading, writing and math (science for students in the class of 2015 and beyond) or state-approved alternatives to earn a Certificate of Academic Achievement. State-approved alternatives include: Collection of Evidence, SAT or ACT, AP, GPA Comparison. To learn more about state-approved alternatives, please visit <http://www.k12.wa.us/assessment/CAAoptions>. State-approved alternatives may be accessed after taking the state exam in every subject area at least once. Students must take the state exam at least twice before accessing the Collection of Evidence.

#### Certificate of Individual Achievement (CIA)

The CIA is only for students in special education. Students can earn a CIA by passing the HSPE-Basic, SBA- Basic, EOC-Basic, WA-AIM, or locally determined assessment in reading, writing, math and science.

Graduation requirements information can be found at the Washington State Office of the Superintendent of Public Instruction's website at <http://www.k12.wa.us/GraduationRequirements/default.aspx>

## **PROCEDURE HIGH SCHOOL GRADUATION REQUIREMENTS**

### **Social Studies**

For the graduating classes of 2013-17, students are required to complete two and one-half credits in social studies that at a minimum align with the state's essential academic learning requirements in civics, economics, geography, history, and social studies at grade ten and or above plus content determined by the district. (WAC 180-51-075)

- One credit shall be required in United States history and government which shall include the study of the Constitution of the United States. No other course content may be substituted as an equivalency for this requirement.
- One-half credit shall be required in Washington State history and government which shall include study of the Constitution of the state of Washington and is encouraged to include information on the culture, history, and government of the American Indian people who were the first inhabitants of the state.
- One credit shall be required in contemporary world history, geography, and problems. Courses in economics, sociology, civics, political science, international relations, or related courses with emphasis on current problems may be accepted as equivalencies.

For the graduating class of 2018 and beyond, students are required to complete three credits in social studies. The social studies requirement shall consist of the following mandatory courses or equivalencies:

- One credit shall be required in United States history.
- One credit shall be required in contemporary world history, geography, and problems. Courses in economics, sociology, civics, political science, international relations, or related courses with emphasis on contemporary world problems may be accepted as equivalencies.
- One-half credit shall be required in civics and include, at a minimum the content listed in RCW 28A.230.093.
- One-half credit social studies elective.

Successful completion of Washington State history and government shall be required subject to the provisions of RCW 28A.230.170, RCW 28A.230.090 and WAC 392-410-120 and shall consider including information of the American Indian peoples who were the first inhabitants of the state. Successful completion must be noted on each student's transcript. The Washington State history and government requirement may be waived by the principal for students who: have successfully completed a state history and government course of study in another state; or are in eleventh or twelfth grade and who have not completed a course of study in Washington's history and state government because of previous residence outside the state.

## **PROCEDURE HIGH SCHOOL GRADUATION REQUIREMENTS**

### **Credit for High School Courses Taken in Grades Seven and Eight**

A student who has completed high school courses before attending high school shall be given high school credit which shall be applied to fulfilling high school graduation requirements if:

- A. The course was taken with high school students, if the academic level of the course exceeds the requirements for seventh and eighth grade classes, and the student has successfully passed by completing the same course requirements and examinations as the high school students enrolled in the class; or
- B. The academic level of the course exceeds the requirements for seventh and eighth grade classes and the course would qualify for high school credit, because the course is similar or equivalent to a course offered at a high school in the district as determined by the school district board of directors.

Students who have taken and successfully completed high school courses under these circumstances shall not be required to take an additional competency examination or perform any other additional assignment to receive credit.

## **PROCEDURE HIGH SCHOOL GRADUATION REQUIREMENTS**

### **Partial Credit**

A .25 credit may be granted per course per semester at the discretion of the principal or designee.

## CERTIFICATE OF EDUCATIONAL COMPETENCY

A student who is 16 years of age or older but under 19 years of age and who has a substantial and warranted reason for leaving the regular high school program, or who has been home schooled may make application, at the option of the applicant, to the resident district or the school last attended in the state of Washington, for a certificate of educational competency. The application must be signed by the student's parent and shall include the recommendation of a staff review committee and the superintendent. Causes considered shall be those indicating that withdrawal would be in the student's best interests, including any one of the following:

- A. Personal problems which seriously impair the student's ability to make reasonable progress toward high school graduation;
- B. A financial crisis which directly affects the student and necessitates the student's employment during school hours;
- C. The lack of curriculum and instruction which constitute appropriate learning experiences for the student;
- D. The inability or failure of the school of attendance to adjust its program for the individual or otherwise make arrangements for enrollment in a program in a manner which enables the student to advance toward graduation with reasonable progress and success;
- E. The student has been home-schooled and has essentially completed high school work.

The district shall make provisions for an appeal process for any student who feels that the denial to apply for a certificate of educational competency was unwarranted.

Certificates of educational competency shall be awarded by the state superintendent of public instruction and the state board for community and technical colleges.

Cross References:	Board Policy 3114	Part-time, home-based or off-campus students
Legal References:	RCW 28A.205.030	Reentry of prior dropouts into common schools, rules — Eligibility for GED test
	RCW 28A.305.190	Certificate of educational competence, rules for issuance.
	Chapter 180-96 WAC	Certificate of educational competence
	Chapter 131 - 48 WAC	Certificate of Educational Competence (Community and Technical Colleges)

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised:**

## DIPLOMAS FOR VETERANS

The district will issue high school diplomas to an honorably discharged member of the armed forces of the United States who was scheduled to graduate from high school, but who left high school before graduation to serve in World War II, the Korean Conflict, or the Vietnam era.

To be eligible for a diploma, the veteran or his or her representative must fill out the application provided by the Washington State Department of Veteran Affairs and provide evidence of eligibility.

Veterans are eligible for the diploma even if they subsequently earned a high school equivalency certificate or are deceased.

The superintendent will determine those veterans who have substantial ties to the district. Examples include, but are not limited to: living or having lived in the district, having attended school in the district, having children or other descendants who have attended school in the district, having been employed by the district or volunteering in the district.

Cross-Reference:	Policy 2410	High School Graduation Requirements
Legal References:	RCW 28A-230-120 RCW 41.04.005	High school diplomas — Issuance — Option to receive final transcripts — Notice “Veteran” defined for certain purposes
Management Resources:	<i>Policy News</i> , June 2008 <i>Policy News</i> , June 2003 <i>Policy News</i> , April 2002	Diplomas for Veterans Honoring Veterans of the Korean Conflict WWII Veterans May Receive Diplomas

## **EQUIVALENCY CREDIT FOR CAREER AND TECHNICAL EDUCATION COURSES**

Each high school shall adopt core academic course equivalencies for high school career and technical courses, provided that the career and technical course has been reviewed and approved for equivalency credit by a district team appointed by the superintendent or a designee.

The district team shall include a school administrator, the career and technical administrator, an instructor from the core academic subject area, an instructor from the appropriate career and technical course, a school counselor and a representative from the curriculum department.

Career and technical courses approved for equivalency must meet the following criteria:

- A. Align with the state's essential academic learning requirements and grade level expectations; and
- B. Align with current industry standards, as evidenced in the curriculum frameworks. The local career and technical advisory committee shall certify that courses meet industry standards.

Cross References:	Policy 2410	High School Graduation Requirements
Legal References:	WAC 392-410 WAC 180-51  RCW 28A.230.120	Courses of Study and Equivalencies High School Graduation Requirements  High School Diplomas – Issuance- Option to receive final transcripts – Notice.
Management Resources:	<i>Policy News</i> , August 2006	Legislature Codifies Course Equivalency for Career and Technical Courses

**Adoption Date: 11.08.10**  
**Auburn School District**  
**Revised:**

## GRADING AND PROGRESS REPORTS

The board believes that the cooperation of school and home is a vital ingredient in the growth and education of the student and recognizes the responsibility to keep parents informed of student welfare and progress in school.

The issuance of grades, written progress reports and parent conferences on a regular schedule serves as the basis for continuous evaluation of the student's performance and determining changes that should be made to effect improvement. These written and verbal reports shall be designed to provide information that will be helpful to the student, teacher, counselor and parent.

The district shall comply with the marking/grading system incorporated into the statewide standardized high school transcript. Secondary students grade points shall be reported for each term; individually and cumulatively.

The board directs the superintendent to establish a system of reporting student progress and shall require all staff members to comply with such a system as part of their teaching responsibility.

At the beginning of each term, each teacher shall specify, in writing, the student learning goals or standards for his/her respective courses. If participation is used as the basis of mastery of a goal or standard, a student's grades may be adversely affected provided on that day there was a graded participation activity. If the teacher does not so advise students in writing, the teacher may not use attendance and participation in the grading process. Individual students who feel that an unjust application of attendance or tardiness factors has been made, may follow the appeal process for resolving the differences.

A student's grade report may be withheld until such time the student pays for any school property that has been lost or willfully damaged. Upon payment for damages or the equivalency through voluntary work, the grade report will be released. The student or his/her parents may appeal the imposition of a charge for damages to the superintendent and board of directors.

Cross References:	Board Policy 3122	Excused and Unexcused Absences
	Board Policy 3520	Student Fines, Fees and Charges
Legal References:	RCW 28A.150.240(2g)	Basic Education Act of 1977—Certificated teaching & administrative staff as accountable for classroom teaching—Scope—Responsibilities—Penalty
	RCW 28A.635.060	Defacing or injury school property—Liability of parent or guardian
	RCW 28A.600.030	Grading policies—Option to consider—Attendance
	WAC 392-400-235	Discipline—Conditions and limitations
	WAC 180-44-010	Responsibilities Related to Instruction
	WAC 392-415	Secondary Education—Standardized High School Transcript
	WAC 392-210	Washington State Honors Award Program

**Adoption Date: 06.24.96**  
**Auburn School District**  
**Revised: 11.08.10**

## PROCEDURE GRADING AND PROGRESS REPORTS

The grade point averages for grades 9-12 shall be calculated in the following manner:

A. Each student's "grade point average" shall be the sum of the point values of all the marks/grades received for all courses attempted divided by the sum of the credits for all course attempted. The grade point value shall be calculated by multiplying the numerical value of the mark/grade earned by the number of credits assigned to the course.

B. The numerical value of grades are:

A + 4.0

A- = 3.7

B+ = 3.3

B = 3.0

B- = 2.7

C+ = 2.3

C = 2.0

C- = 1.7

D+ = 1.3

D = 1.0

E or F = 0.0

The minimal passing mark/grade is D+1.0. Pass/fail, credit/no credit, and satisfactory/unsatisfactory marks may also be used. These non-numerical marks/grades shall be clearly identified and excluded from the calculation of grade point average.

C. Marks/grades for each course taken shall be included in the calculation of grade point averages. Only the highest mark/grade for a class/course taken more than once to improve a mark/grade shall be included in the calculation of grade point averages. Marks/grades for recurring classes shall all be included in the calculation of grade points. Grade point averages shall be rounded to two decimal places and reported for each trimester/semester or other term and for the cumulative credits earned for all course attempted in high school.

The standardized high school transcript shall contain:

A. The student's name (last name, first name, and middle name or middle initial);

B. The student's current address, address at graduation, or address at withdrawal from school (street, city, state, zip code);

C. The student's birth date and sex;

D. The student's identification number (if applicable);

E. The school's name;

F. The school's address (street, city, state, zip code, and telephone number);

G. The dates of the student's entry, reentry, withdrawal, and graduation (if applicable) related to the school issuing the transcript;

H. The student's academic history for high school (grade level and date of course completion, course titles, marks/grades earned, credits attempted, and grade point average);

I. The name and address of parent(s) or guardian(s), (street, city, state, zip code) if such information is available.

J. A list of previous high schools attended (school name, address, city, state, and month/year of entrance and exit); and

K. The signature and/or seal of the authorized school official (name, title, and date)

## **PROMOTION/RETENTION**

The board recognizes that the rate of physical, social, emotional, and academic growth will vary among individual students. Since each student grows at his/her own rate, these individual growth characteristics shall be recognized in classroom programming.

After a student has successfully completed a year of study at a specific grade level, he/she will be promoted to the next grade. Retention at the same grade may be beneficial to the student when he/she is not demonstrating minimum competency in basic skill subjects in relation to ability and grade level. Retention should not be considered, except in these instances where there is a strong likelihood that the student will benefit with minimum social and emotional disruption.

The superintendent shall establish procedures which provide that parents will be informed at least one (1) quarter in advance of any retention decision on the part of the school.

Cross References: Policy 2090

Program Evaluation

## **PROCEDURE PROMOTION/RETENTION**

Prior to the end of the third quarter, when possible, the teacher will confer with the principal regarding any student who should be considered for retention. Parents/guardians shall be invited to meet with the principal and teacher. Information will be presented to explain the student's progress to date. Parents will be advised on how they might assist the student during the balance of the school year.

At least two (2) weeks prior to the end of the school year, the parent, principal, and teacher will again meet to review the latest progress and determine if the student's need would be best served by promotion or retention. If the parent wishes the student to be promoted without regard to the school's recommendation, the parent(s) will be asked to complete a form reflecting the parent's decision.

## **HOMEWORK**

The board believes that homework is a constructive tool in the teaching/ learning process when geared to the needs and abilities of students. Purposeful assignments not only enhance student achievement but also develop self-discipline and associated good working habits. As an extension of the classroom, homework must be planned and organized; must be viewed as purposeful to the students; and must be evaluated and returned to students in a timely manner.

Homework may be assigned for one or more of the following purposes:

- A. Practice – to help students to master specific skills which have been presented in class;
- B. Preparation – to help students gain the maximum benefits from future lessons;
- C. Extension – to provide students with opportunities to transfer specific skills or concepts to new situations; and
- D. Creativity – to require students to integrate many skills and concepts in order to produce original responses.

The purposes of homework assignments, the basis for evaluating the work performed, and the guidelines and/or rules should be made clear to the student at the time of the assignment.

The school principal shall establish guidelines which clarify the nature and use of homework assignments to improve school achievement.

## QUALIFICATIONS OF ATTENDANCE AND PLACEMENT

### A. Age of Admission

Attending the schools of the district shall be recognized as a right and responsibility for those who meet the requirements prescribed by law. Every resident of the district who satisfies the minimum entry age requirement and is less than 21 years of age has the right to attend the district's schools until he/she completes high school graduation requirements. Children of age 8 and less than age 18 are required by law to attend a public school, an approved private school or educational center, unless they are receiving approved home-based instruction. Under certain circumstances children who are at least 16 and less than 18 years of age may be excused from further attendance at school. The superintendent or designee shall exercise his/her authority to grant exceptions when he/she determines that the student:

1. Is lawfully and regularly employed, and
2. Has permission of a parent, or,
3. Is emancipated pursuant to Chapter 13.64 RCW; or
4. Is subject to one of the other exceptions to compulsory attendance.

A resident student who has been granted an exception retains the right to enroll as a part-time student and shall be entitled to take any course, receive any ancillary services and take or receive any combination of courses and ancillary services which is offered by a public school to full-time students.

### B. Entrance Qualifications

To be admitted to a kindergarten program which commences in the fall of the year a child must be not less than 5 years of age prior to September 1 of that school year. To be admitted to a first grade program which commences in the fall of the year a child must be not less than 6 years of age prior to September 1 of that school year. Any student not otherwise eligible for entry to the first grade who has successfully completed a state-approved, public or private, kindergarten program of 450 or more hours including instruction in the essential academic learning requirements and other subjects that the district determines are appropriate shall be permitted entry into the first-grade program. If necessary, the student may be placed in a temporary classroom assignment for the purposes of evaluation prior to making a final determination of the student's appropriate placement. Such determination shall be made no later than the 30th calendar day following the student's first day of attendance.

#### Exemptions

Special exemptions may be made for younger pupils who appear to be sufficiently advanced to succeed in the educational program. The superintendent shall identify screening processes and instruments that shall provide reliable estimates of these skills and abilities, develop procedures for implementing this policy and establish fees to cover expenses incurred in the administration of preadmission screening processes. The district shall provide a fee waiver or a reduction in fees for low income students whose parents are unable to pay the full cost of preadmission screening.

### C. Admission of Students Aged Twenty-One or Older

A student aged 21 or older may enroll in a school in the district under the following conditions:

1. There is available space in the school and program which the student shall attend;
2. Tuition is prepaid;
3. The student provides his/her own transportation;
4. The student resides in the state of Washington; and
5. In the judgment of the superintendent, no adult education program is available at reasonable costs and the district's program is appropriate to the needs of the student.

D. Placement of Students on Admission

The decision of where to place a student seeking admission to the district rests with the principal. Generally students meeting the age of admission requirements or transferring from a public or approved private school shall be placed in kindergarten or first grade, or the grade from which they transferred. The principal shall evaluate the educational record and assessments of all other students to determine their appropriate placement. A temporary classroom assignment may be made for no more than thirty calendar days for the purpose of evaluation prior to making the final placement decision.

Cross References:	Board Policy 2121	Substance Abuse Program
	Board Policy 2140	Guidance and Counseling
	Board Policy 2108	Remediation Programs
	Board Policy 3114	Part-time, Home-based, or Off-campus Students
	Board Policy 3121	Compulsory Attendance
	Board Policy 3122	Excused and Unexcused Absences
	Board Policy 4220	Complaints Concerning Staff or Program
Legal References:	RCW 28A.225.010	Attendance mandatory — Age — Person having custody shall cause child to attend public school — When excused
	RCW 28A.225.020	School's duties upon juvenile's failure to attend school
	RCW 28A.225.160	Qualification for admission to district's schools — Fees for preadmission screening
	RCW 28A.225.220	Adults, children from other districts, agreements for attending school — Tuition
	WAC 392-335	Uniform Entry Qualifications
	WAC 392-134-010	Attendance rights of part-time public school students
	WAC 392-137	Finance — Nonresident attendance
Management Resource:	<i>Policy News</i> , April 2006	Entrance to School Policy Changes
	<i>Policy News</i> , August 1999	Districts may set K-screening fees

**Adoption Date: 10.27.97**  
**Auburn School District**  
**Revised: 06.14.04; 02.14.11**

## **PART-TIME, HOME-BASED, OR OFF-CAMPUS STUDENTS**

Part-time students are permitted to enroll and receive ancillary services, provided that such students are otherwise eligible for full-time enrollment in the school district and such courses or services are not available in the student's private school or an approved extension thereof. Part-time status also includes: any student, not enrolled in a private school, who is receiving home-based instruction and taking courses at or receiving ancillary services from the district or both, or any student involved in an approved work training program.

Home-based instruction shall consist of instructional and related educational activities, including the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of an appreciation of art and music. Such instruction shall be equivalent, as liberally construed, to the total annual program hours per grade level as established for public schools.

Home-based instruction may be provided by a parent who has filed a district declaration of intent with the superintendent by September 15, or within two (2) weeks of the beginning of any quarter, or semester. Parents may file their declaration of intent with the school district in which they reside or in a school district that has accepted their student pursuant to RCW 28A.225.225, Choice. All decisions relating to philosophy or doctrine, selection of books, teaching materials and curriculum, and methods, timing, place, and provision for the evaluation of home-based instruction shall be the responsibility of the parent. Failure of a parent to comply with the standards as specified in the law shall constitute a violation of the compulsory attendance law.

A student may be enrolled in an off-campus instruction program provided that such experiences have been approved by the superintendent or designee.

The superintendent or designee is directed to establish procedures that define the district's responsibilities for home-based and off-campus instruction.

Legal References:	RCW 28A.225.220	Adults, children from other districts, agreements for attending school--Tuition
	28A.225.225	Applications to attend nonresident district
	28A.195.010	Private schools-- Extension programs for parents to teach children in their custody-- Scope of state control--Generally
	28A.225.010	Attendance mandatory—Age--Persons having custody shall cause child to attend public school--Exceptions
	28A.200.010	Home-based instruction--Duties of parents
	28A.200.020	Home-based instruction--Certain decisions responsibility of parent
	28A.150.350	Part-time students--Defined--Enrollment authorized--Reimbursement for costs-- Funding authority recognition--Rules
	WAC 392-121-182	Enrollment time credit-off-campus--Alternative Learning Experiences--Study time off-campus Instruction Requirements
	392-134-010	Attendance rights of part-time public school students

## **HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES**

To the extent practical and as required by law, the district will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable pre-school programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs and school nutrition programs.

Homeless students are defined as lacking a fixed, regular and adequate nighttime residence, including:

- A. Sharing the housing of other persons due to loss of housing or economic hardship;
- B. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
- C. Living in emergency or transitional shelters;
- D. Are abandoned in hospitals;
- E. Awaiting foster care placement;
- F. Living in public or private places not designed for or ordinarily used as a regular sleeping accommodations for human beings;
- G. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings;
- H. Migratory children living in conditions described in the previous examples.

The superintendent shall designate an appropriate staff person to be the district's liaison for homeless students and their families.

According to the child's or youth's best interest, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in which attendance area the student is actually living, or other schools. Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as families resident in the district.

If there is an enrollment dispute, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent or guardian shall be informed of the district's decision and their appeal rights in writing. The district's liaison will carry out dispute resolution as provided by state policy. Unaccompanied youth will also be enrolled pending resolution of the dispute.

Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to district policies. However, enrollment may not be denied or delayed due to the lack of any document normally required for enrollment, including academic records, medical records, proof of residency, mailing address or other documentation. If the student does not have immediate access to immunization records, the student shall be admitted under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible and the district liaison is directed to assist. Records from the student's previous school shall be requested from the previous school pursuant to district policies. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary. However, emergency contact information cannot be demanded in a form or manner that constructs a barrier to enrollment and/or attendance at school.

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the school of origin is in a different district, or a homeless student is living in another district but will attend his or her school of origin in this district, the districts will coordinate the transportation services necessary for the student or will divide the costs equally.

The district's liaison for homeless students and their families shall coordinate with local social service agencies that provide services to homeless children and youths and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. This coordination includes providing public notice of the educational rights of homeless students where such children and youth receive services under the McKinney-Vento Act, such as schools, family shelters and soup kitchens. The district's liaison will also review and recommend amendments to district policies that may act as barriers to the enrollment of homeless students.

The superintendent or designee will:

Require district staff, including substitute and regular bus drivers to annually review the video posted on the OSPI website on identification of student homelessness;

Require every district-designated homeless student liaison to attend trainings provided by the state on identification and serving homeless youth. Ensure that the district includes in materials provided to all students at the beginning of the school year or at enrollment, information about services and support for homeless students (i.e., the brochure posted on the OSPI website).

Provide a variety of communications each year to notify students and families about services and support available to them if they experience homelessness (e.g., distributing and collecting an annual housing intake survey, providing parent brochures directly to students and families, announcing the information at school-wide assemblies, posting information on the district's website).

Cross References:	Board Policy 3120 Board Policy 3231 Board Policy 3413	Enrollment Student Records Student Immunization and Life- Threatening Conditions
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Legal References:	RCW 28A.225.215  Title I, Part C 42 U.S.C. 11431 et seq.	Enrollment of children without legal residences No Child Left Behind Act, 2002 McKinney-Vento Homeless Assistance Act
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Management Resources: *Policy News*, October 2002 NCLB Addresses Homeless Students  
*Policy News*, October 2004 Homeless Students: Enrollment Rights  
and Services Update  
*Policy and Legal News*, New law requires added identification  
December 2014 and support for homeless students

**Adopted: 10.27.97**

**Auburn School District**

**Revised: 05.10.04; 06.14.04; 02.14.11; 04.25.16**

## **PROCEDURE HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES**

### **A. Enrollment:**

1. The district will consider the best interest of the child in enrollment decisions;
2. The district will not deny or delay enrollment of homeless students;
3. The district's need for student contact information will not be in a form or manner that creates a barrier for homeless students. For example, homeless students may not be excluded for failure to have a mailing address or emergency contact information; and
4. The district's liaison will:
  - a. Ensure that public notice is disseminated where homeless children receive services;
  - b. The district's liaison will assure that students are identified by school personnel, enrolled in school, and have a full and equal opportunity to succeed; and
  - c. The district liaison will inform parents and guardians of educational and related activities and inform parents of transportation services.

### **B. Definitions:**

1. Homeless children and youth means individuals who lack a fixed, regular, and adequate nighttime residence. This includes children and youth who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason, living in motels, parks or campgrounds; or children or youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a sleeping accommodation by human beings; or children or youth living in cars, abandoned buildings or substandard housing or similar situations; or migratory children because they are living in circumstances like those described above.
2. Unaccompanied youth means a youth not in the physical custody of a parent or guardian and includes youth living on their own in any of the homeless situations described in the McKinney-Vento Homeless Education Act.

### **C. Dispute Resolution Procedure:**

The district will ensure that the child/youth attends the school in which they sought enrollment while the dispute process is being carried out.

#### **1. Notification of Appeal Process**

If the district seeks to place a homeless child in a school other than the school of origin or the school requested by the parent, the school district will inform the parent or the unaccompanied youth of the right to appeal. The district will provide the parent or unaccompanied youth with written notice including:

- a. An explanation of the child's placement and contact information for the district and the OSPI homeless liaison, including their roles;
- b. Notification of the parent's right to appeal(s);
- c. Notification of the right to enroll in the school of choice pending resolution of the dispute;

- d. A description of the dispute resolution process including a petition form that can be returned to the school to initiate the process and timelines; and
- e. A summary of the federal legislation governing placement of homeless students (McKinney-Vento Act).

## **2. Appeal to the School District Liaison – Level I**

If the parent or unaccompanied youth disagrees with the district's placement decision, they may appeal by filing a written request for dispute resolution with the school, the district's homeless liaison or a designee. If submitted to the school, it will be immediately forwarded to the homeless liaison. The request for dispute resolution must be submitted within 15 business days of receiving notification of the district's placement.

The liaison must log the complaint including a brief description of the situation and reason for the dispute and the date and time of the complaint was filed.

- a. A copy of the complaint must be forwarded to the liaison's supervisor and the superintendent;
- b. Within five business days of the receiving the complaint, the liaison must provide the parent or unaccompanied youth with a written decision and notification of the parent's right to appeal;
- c. The district will verify receipt of the Level I decision; and
- d. If the parent or unaccompanied youth wishes to appeal, notification must be provided to the district liaison within 10 business days of receipt of the Level I decision. The liaison will provide the parent with an appeals package containing:
  - i. The complaint filed with the district liaison at Level I;
  - ii. The decision rendered at Level I; and
  - iii. Additional information provided by the parent, unaccompanied youth and/or homeless liaison.

## **3. Appeal to the School Superintendent – Level II**

The parent or unaccompanied youth may appeal the district liaison's decision to the superintendent or the superintendent's designee using the appeals package provided at Level I.

- a. The superintendent will arrange for a personal conference to be held with the parent or unaccompanied youth within five business days of receiving the Level I appeals package;
- b. Within five business days of the conference with the parent or unaccompanied youth, the superintendent will provide that individual with a written decision with supporting evidence and notification of their right to appeal to the OSPI;
- c. The district will verify receipt of the Level II decision;
- d. A copy of the superintendent's decision will be forwarded to the district's homeless liaison; and
- e. If the parent or unaccompanied youth wishes to appeal to the OSPI, notification must be provided to the district homeless liaison within ten business days of receipt of the Level II decision.

**4. Appeal to the Office of the Superintendent of Public Instruction – Level III**

- a. The district superintendent will forward a copy of the Level II decision and all written documentation to the OSPI homeless liaison within five days of rendering a decision. The district will submit the entire dispute package to the OSPI in one complete package by U.S. mail;
- b. The OSPI's homeless education coordinator or designee, along with the appropriate agency director, and/or agency assistant superintendent will make a final decision within 15 business days of receiving the appeal;
- c. The OSPI's decision will be forwarded to the district's homeless liaison. The liaison will distribute the decision to the parent or unaccompanied youth and the local superintendent;
- d. The OSPI's decision will be the final resolution for placement of a homeless child or youth in the district; and
- e. The district will retain the record of all disputes, at each level, related to the placement of homeless children.

**D. Inter-district Disputes**

If districts are unable to resolve a dispute regarding the placement of a homeless student, either district may submit a written request to the OSPI seeking resolution.

The OSPI will resolve the dispute within 10 business days of notification of the dispute and inform all interested parties of the decision.

## ENROLLMENT

The superintendent shall develop procedures for enrolling students, recording attendance behavior and counseling and correcting students with attendance problems. When enrolling a student who has attended school in another school district, the parent and student will be required to briefly indicate, in writing, whether or not the student has any history of placement in a special education program; any past, current or pending disciplinary actions; any history of violent behavior or convictions, adjudications or diversion agreements related to a violent offense, a sex offense, inhaling toxic fumes, a drug offense, a liquor violation, assault, kidnapping, harassment, stalking or arson; any unpaid fines or fees from other schools; and any health conditions affecting the student's educational needs. If the district receives information that a student has a history of disciplinary actions, criminal or violent behavior, or other behavior that indicates the student could be a threat to the safety of staff or students, the student's teachers and building security personnel shall be informed.

A district may require students or their parents to provide proof of residency within the district, such as copies of phone and water bills or lease agreements. The school district shall not require proof of residency or any other information regarding an address for any student who is eligible by reason of age for the services of the district if the student does not have a legal residence. A district will not inquire into a student's citizenship or immigration status or that of his/her parents or guardians. The request for enrollment may be made by the student, parent or guardian.

Since accurate enrollment and attendance records are essential both to obtain state financial reimbursement and to fulfill the district's responsibilities under the attendance laws, staff shall be diligent in maintaining such records.

Cross Reference:	Board Policy 2255	Alternative Learning Experience Programs
Legal References:	RCW 28A.225.215	Enrollment of children without legal residences
	28A.225.330	Enrolling Students from other districts-- Requests for information and permanent records
	WAC 392-121-106	Definitions--enrolled student
	392-121-108	Enrollment exclusions
	392-121-122	Definitions--Enrolled and full-time equivalent students
	392-121-182	Alternative learning experience requirements
	392-169-022	Running start student--definition

**Adoption Date: 02.14.11**  
**Auburn School District**  
**Revised: 04.25.16**

## PROCEDURE ENROLLMENT

Enrollment and attendance records will be maintained in each school building. At the conclusion of the year, the enrollment and attendance information will be recorded on the student's permanent record card.

Annually each school will report to the district actions taken to reduce any student's absenteeism following the student's fifth absence in one month or 10th absence in one year. The district will report this information annually to the Superintendent of Public Instruction:

- A. The number of enrolled students and the number of unexcused absences;
- B. The number of enrolled students with 10 or more unexcused absences in a school year or five or more unexcused absences in a month;
- C. A description of any programs or schools developed to serve students who have had five or more absences in a month or 10 in a year including information about the number of students in the program or school and the number of unexcused absences of students during and after participation in the program. The reports will also describe any placements in an approved private nonsectarian school or program or certified program under a court order; and
- D. The number of petitions filed by a school or a parent with the juvenile court; and

The information in these reports will not disclose the names or other identification of the students or parents.

For purposes of enrollment count, a "full-time equivalent student" will be:

Grade K: 20 hours or more per week or four hours or more for 90 scheduled days or 10 hours or more per week or two hours or more for 180 scheduled days.

Grade 1-3: 20 hours or more per week or four hours or more for 180 scheduled days.

Grade 4-10: 25 hours or more per week or five hours or more for 180 scheduled days.

Grade 11-12: 25 hours or more per week or five hours or more for 180 scheduled days; the equivalent in a combination of high school, community college and/or vocational-technical institute courses; or the equivalent in an alternative school program.

Alternative Learning Experiences: Full-time equivalency will be determined by documentation of all hours of learning activities pursuant to WAC 392-121-182.

Normal class change/passing time may be counted as part of this requirement. Noon intermission, however, is excluded.

No student may be counted on any school's or program's enrollment report who has been absent from school for more than 20 consecutive school days until attendance is resumed. No part-time student that has not attended school at least once within a period of 20 consecutive school days may be counted as an enrolled student until attendance is resumed. School days are defined as regularly scheduled instructional days for the general population of the school or district the student is enrolled in, regardless of the student's individualized schedule.

Procedures for handling excused and unexcused absences are defined in 3122, Excused and Unexcused Absences.

## COMPULSORY ATTENDANCE

Parents of any child eight years of age and under eighteen years of age shall cause such child to attend school and such child shall have the responsibility to and therefore shall attend for the full time when such school may be in session unless the child is enrolled in an approved private school, an educational center as provided in chapter 28A.205 RCW or is receiving home-based instruction. Parents of any child six or seven years old, who have enrolled the child in school, shall cause the child to attend school for the full time when such school may be in session, unless the child is formally withdrawn from enrollment by the parents.

Exception may be granted by the superintendent in the following circumstances:

- A. The student is physically or mentally unable to attend school;
- B. The student is attending a residential school operated by the Department of Social and Health Services;
- C. The student's parents have requested a temporary absence for purposes agreed to by the district and which will not cause a serious adverse effect on the student's educational process;
- D. The student is sixteen years of age, regularly and lawfully employed, and either has parent permission or is emancipated pursuant to chapter 13.64 RCW;
- E. The student has met graduation requirements;
- F. The student has received a certificate of educational competence (GED).

Any law enforcement officer authorized to make arrests can take a truant child into custody without a warrant and must then deliver the child to the parent or to the school.

The district shall not require enrollment for either (a) a minimum number of semesters or trimesters or (b) a minimum number of courses in a semester or trimester which exceeds the enrollment time or courses necessary for a student to meet established course, credit, and test requirements for high school graduation.

Cross References:	Board Policy 3114	Part-time, Home-based, or Off-campus Students
Legal References:	Board Policy 3122	Excused and Unexcused Absences
	AGO 1980 No. 6	Truancy--Enforcement of compulsory attendance law
	RCW 28A.225.010,	Attendance mandatory--Age--Persons having custody shall cause child to attend public school--When excused
	RCW 28A.225.080	Employment permits
	RCW 28A.225.090	Penalties in general--Defense--Suspension of fine--Complaints to court
	WAC 180-51-020	Additional local standards

**Adoption Date: 10.27.97**  
**Auburn School District**  
**Revised: 06.14.04; 02.14.11**

## **EXCUSED AND UNEXCUSED ABSENCES**

Students are expected to attend all assigned classes each day and complete required assignments. Teachers shall keep a record of absence and tardiness.

### **Excused Absences**

Regular school attendance is necessary for mastery of the educational program provided to students of the district. Students at times may appropriately be absent from class. The building principal or designee has the ultimate decision-making authority related to granting excused absences. The following principles shall govern the development and administration of attendance procedures within the district:

- A. Absences due to illness or a health condition; a religious observance, when requested by a student's parent(s); school-approved activities; family emergencies; and, as required by law, disciplinary actions or short-term suspensions shall be excused. The principal may, upon request by a parent, grant permission in advance for a student's absence providing such absence does not adversely affect the student's educational progress. A student, upon the request of a parent, may be excused for a portion of a school day to participate in religious instruction provided such is not conducted on school property, or involves the school to any degree.
- B. If an absence is excused, the student shall be permitted to make up all missed assignments outside of class under reasonable conditions and time limits established by the appropriate teacher except that in participation-type classes a student's grade may be affected because of the student's inability to make up the activities conducted during a class period.
- C. An excused absence shall be verified by the parent; adult, emancipated or appropriately aged student; or school authority responsible for the absence. If a student is to be released for health care related to family planning or abortion, the student may require that the district keep the information confidential. Students 13 and older have the right to keep information about drug, alcohol, or mental health treatment confidential. Students 14 and older have the same confidentiality rights regarding HIV and sexually transmitted diseases.
- D. As a means of instilling values of responsibility and personal accountability, a student whose absence is not excused shall experience the consequences of his/her absence. A student's grade may be affected if a graded activity or assignment occurs during the period of time when the student is absent.
- E. The school shall notify a student's parent or guardian, in writing or by telephone, whenever the student has failed to attend school after one unexcused absence within any month during the current school year. The notification shall include the potential consequences of additional unexcused absences. A conference with the parent or guardian shall be held after two unexcused absences within any month during the current school year. A student may be subjected to appropriate disciplinary action for habitual truancy. Prior to suspension or expulsion, the parent shall be notified in writing that the student has unexcused absences.

A conference shall be scheduled to determine what corrective measures should be taken to ameliorate the cause for the student's absences from school. If the parent does not attend the conference, the parent shall be notified of the steps the district has decided to take to reduce the student's absences.

Not later than the student's fifth unexcused absence in a month the district shall enter into an agreement with the student and parents that establishes school attendance requirements, refer the student to a community truancy board or file a petition and affidavit with the juvenile court alleging a violation of RCW 28A.225.010.

If such action is not successful, the district shall file a petition and affidavit with the juvenile court alleging a violation of RCW 28A.225.010 by the parent, student or parent and student no later than the seventh unexcused absence within any month during the current school year or upon the tenth unexcused absence during the current school year.

The superintendent or designee shall enforce the district's attendance policies and procedures. Because the full knowledge and cooperation of students and parents are necessary for the success of the policies and procedures, procedures shall be disseminated broadly and made available to parents and students annually.

Cross References:	Board Policy 3230 Board Policy 3241	Student Privacy Classroom Management, Corrective Actions or Punishment
Legal References:	RCW 13.34.300  28A.225  WAC 180-16-215(4)  392-400-235 392-400-260	Failure to cause juvenile to attend school as evidence under neglect petition Compulsory School Attendance  Minimum 180 school day year--Five day flexibility--Students graduating from high school Discipline--Conditions and limitations Long-term suspension--Conditions and limitations
Management Resources:	<i>Policy News</i> , June 2001	More Tweaking of Becca Petitions

**Adoption Date: 10.27.97**

**Auburn School District**

**Revised: 06.14.04; 02.14.11**

## WITHDRAWAL PRIOR TO GRADUATION

Students age 16 or older identified by themselves or staff as potential dropouts shall become a focus of attention in the following manner:

- A. Each student and his/her counselor shall meet for the purpose of discussing the reason for desiring to withdraw from school and the student's plans for the future, including the educational, counseling and related services which are available within the school and/or community.
- B. The counselor and the student's teachers shall meet to discuss the student's present status and to identify program modifications and/or options that will meet the student's present and future needs.
- C. The student, parent, counselor, and principal shall review all pertinent information and the options that are available to the student and his/her parents.

Reasonable efforts shall be made to persuade the student to remain in school and complete requirements for a diploma. If unsuccessful at that, staff shall attempt to find placement in an appropriate alternative educational setting. Failing that, the principal shall determine if there is sufficient ground to excuse the student from continued compulsory attendance. If there is, the principal shall recommend to the superintendent that the student be excused from further school attendance. No student under the age of 18 will be permitted to withdraw unless he or she is lawfully and regularly employed and either a parent agrees that the student should not be required to attend school, or the student has been emancipated in accordance with Chapter 13.64 RCW. No student under the age of 16 will be permitted to withdraw from further school attendance unless another exception to compulsory attendance has been met.

The board directs the superintendent to submit an annual early withdrawal report which outlines the age and grade level for each student, the reason(s) for leaving and any follow-up data that has been collected after the student has withdrawn.

Cross References: Board Policy 2090  
Board Policy 2108  
Board Policy 2121  
Board Policy 2140  
Board Policy 2163  
Board Policy 3121

Program Evaluation  
Remediation Program  
Substance Abuse Program  
Guidance and Counseling  
Response to Intervention  
Compulsory Attendance

Legal References: RCW 28A.225.010  
28A.225.020

Attendance mandatory--Age--Persons  
having custody shall cause child to  
attend public school--When excused  
School's duties upon juvenile's failure to  
attend school

**Adoption Date: 02.14.11**  
**Auburn School District**  
**Revised:**

## **REMOVAL/RELEASE OF STUDENT DURING SCHOOL HOURS**

The board recognizes its responsibility for the proper care of students during school hours. Students shall not be removed from school grounds, any school building or school function during school hours except by a person duly authorized in accordance with district procedures. Before a student is removed or excused, the person seeking to remove the student must present, to the satisfaction of the superintendent or principal, evidence of his/her proper authority to remove the student. A teacher should not excuse a student from class to confer with anyone unless the request is approved by the principal. The superintendent is directed to establish procedures for the removal of a student during school hours.

Prior to sending a student to his/her home for illness, discipline or a corrective action, the principal shall attempt to reach the student's parent to inform him/her of the school's action and to request that he/she come to the school for the child. If the principal cannot reach the parent, the student shall remain at school until the close of the school day. A student may be released to a law enforcement officer in accordance with the district policy.

Cross Reference: Board Policy 3418  
4310

Emergency Treatment  
Relations with Law Enforcement, Child  
Protective Agencies and County  
Health Department

Legal Reference: RCW 28A.605.010

Removing child from school grounds  
during school hours--Procedure

**Adoption Date: 10.27.97**  
**Auburn School District**  
**Revised: 02.14.11**

## CHILD CUSTODY

The board of directors presumes that the person who enrolls a student in school is the residential parent of the student. The residential parent is responsible for decisions regarding the day-to-day care and control of student. Parents, guardians or defacto parents have the two-fold right to receive information contained in the school records concerning their child and to forbid or permit the disclosure of such information to others subject to the authority granted to the residential parent.

The board, unless informed otherwise, assumes that there are no restrictions regarding the nonresidential parent's right to be kept informed of the student's school progress and activities. If restrictions are made relative to the above rights, the residential parent will be requested to submit a certified copy of the court order which curtails these right(s). If these rights are questioned by the nonresidential parent, the issue will be referred to law enforcement authorities for resolution.

Unless there are court-imposed restrictions, the nonresidential parent, upon request, will be given grade reports, notices of school activities, reports of disciplinary actions, or notices of teacher or principal conferences or summaries.

If there is a court order on file with the district that restricts and/or prohibits any parent or other person from contact with or picking up a student from school, then the student is not permitted to visit with or be released to that parent, or other person.

Cross References:	Board Policy 2420	Grading and progress reports
	Board Policy 3124	Removal/Release of Students during School Hours
	Board Policy 3231	Student Records
	Board Policy 4200	Safe and Orderly Learning Environment
	Board Policy 4310	Relations with Law Enforcement, Child Protective Agencies and County Health Department
Legal References:	CFR 45, Part 99	Family education rights and privacy act
	RCW 26.09.184	Permanent parenting plan
	13.34.200	Order terminating parent and child relationship

Management Resources:  
*Policy News*, December 2008 Child Custody

**Adoption Date: 02.14.11**  
**Auburn School District**  
**Revised:**

## DISTRICT ATTENDANCE AREAS

The board of directors shall periodically review the geographic attendance areas designated for each building in the district. As population and enrollment shifts within the district, changes in attendance areas or transfer of students may become necessary. By mid-May of each school year, the next year's estimated enrollment should be forecast for each attendance area.

Students shall attend the school designated for their respective residential areas unless individual requests for transfers have been approved according to Policy 3131.

In those cases where estimated enrollments substantially exceed class size guidelines, student transfers shall be proposed in order to operate an effective and efficient educational program during the following year. The following factors shall be considered when the district develops attendance area boundaries and considers student transfers:

- A. Minimizing disruption of students' established learning programs.
- B. Maintaining established neighborhood groupings.
- C. Keeping siblings in the same elementary school.
- D. Maintaining relationship with a middle school and/or high school attendance area.
- E. Adjusting class loads to available space.
- F. Coordinating transportation routes with attendance areas.

Prior to the implementation of any planned transfer of students, parents of students involved in such planned transfer shall be invited to a meeting at which the planned change shall be explained and discussed. An orientation to the new school shall be arranged for transferred students.

The district reserves the right to base final decisions on the needs of all schools in the district. When fall enrollments in an attendance area substantially exceed class size guidelines, students may be required to attend a school in another attendance area.

Cross References: Board Policy 2210  
Board Policy 3131

Grade Organization  
District Attendance Area Transfers

Legal References: RCW 28A.320.040

Bylaws for board and school  
government

**Adoption Date: 10.27.97**  
**Auburn School District**  
**Revised: 02.14.11**

## **DISTRICT ATTENDANCE AREA TRANSFERS**

Each student in the district is required to attend the school designated for the geographic attendance area in which he or she resides.

A parent or guardian may request that his or her child be allowed to attend another school in the district. Requests must be submitted, in writing, to the principal of the building at which the student is currently assigned. Secondary students who request attendance area transfers are subject to the Washington Interscholastic Activities Association's eligibility rules.

Transfers may be granted if:

- A. A financial, educational, safety, or health condition affecting the student would be reasonably improved as a result of the transfer;
- B. Attendance at another school in the district is more accessible to the parent's place of work or to the location of child care; or
- C. There is some other special hardship or detrimental condition affecting the student or the student's immediate family which would be alleviated as a result of the transfer. Special hardship or detrimental condition includes, but is not limited to, the following:

A student who moves to a new attendance area in the district during the school year may elect to transfer at the time of the move or at the end of the semester or grading period. For a high school sophomore or junior, transfers may only be approved to coincide with the beginning of a new grading period. A senior may elect to finish the school year without transferring to a new school, but must declare his or her preference prior to the beginning of the last semester.

The principal of the currently assigned school shall consult with the superintendent or designee and principal of the school to which the student desires to transfer to determine:

- 1. Whether space is available in the grade level or classes at the building in which the student desires to be enrolled;
- 2. Whether appropriate transportation, educational programs or services are available to improve the student's condition as stated in requesting the transfer; and
- 3. Whether the student's transfer is likely to create a risk to the health or safety of other students or staff at the new building.

Transfers must be granted at the school to which the employee is assigned if the student is a child of a full-time certificated or classified school employee unless:

- A. The student has a history of convictions, violent or disruptive behavior, or gang membership;
- B. The student has been expelled or suspended from school for more than ten consecutive days; or
- C. Enrollment of a child would displace a child who is a resident of the district (the child must be permitted to remain enrolled until he or she completes his or her schooling).

Parents shall be informed annually of the district's attendance area transfer option. The district shall make available for public inspection the Superintendent of Public Instruction's annual information booklet on enrollment options in the state at each school building, the central office and local public libraries.

Cross References:	Board Policy 3130	District Attendance Areas
Legal References:	RCW 28A.225.270 28A.225.300 28A.225.290  C 36 L 03	Intradistrict enrollment options policies Enrollment options information to parents Enrollment options information booklet  Enrolling Children of Certificated and Classified School Employees
Management Resources:	<i>Policy News</i> , June 2003	Enrolling Children of School Employees

## **RELEASE OF RESIDENT STUDENTS**

A student who resides within the boundaries of the district shall be released to 1) attend another school district or 2) enroll for ancillary services, if any, in another district as specified in the parental declaration of intent to provide home-based instruction, provided the other district agrees to accept the student if:

- A. A financial, educational, safety or health condition affecting the student would be reasonably improved as a result of the transfer;
- B. Attendance at the school in the nonresident district is more accessible to the parent's place of work or to the location of child care; or
- C. There is some other special hardship or detrimental condition affecting the student or the student's immediate family which would be alleviated as a result of the transfer. Special hardship or detrimental condition includes, a student who becomes a resident of the district in mid-year may apply for a release to complete the current school year only in his or her former district of residence, if transferring mid-year would create a special hardship or detrimental condition.
- D. The student is a child of a full-time certificated or classified school employee.

In all cases in which a resident student is released, the student or the student's parent(s) shall be solely responsible for transportation, except that a student may ride on an established district bus route if the superintendent determines that the district would incur no additional cost.

A parent or guardian shall request the release of his/her child by completing the appropriate district form including the basis for the request and the signature of the superintendent, or his or her designee, of the school district which the student will attend.

The superintendent shall grant or deny the request for release according to the above-stated criteria and promptly notify the parent(s), in writing, of his/her decision.

If the request is granted, the superintendent shall notify the nonresident district and make necessary arrangements for the transfer of student records.

If the request is denied, the superintendent shall notify the parent(s) of the right to petition the board, upon five school business days prior notice, for review of the decision and to have a hearing before the board at its next regular meeting. Following the hearing by the board, a final decision shall be promptly communicated to the parent(s) in writing.

If the request for release is denied by the board, the written decision shall inform the parent(s) or guardian of the right to appeal such decision to the superintendent of public instruction.

Resident parents shall be informed of interdistrict enrollment options annually. The district shall make available for public inspection the Superintendent of Public Instruction's annual information booklet on enrollment options in the state at each school building, the central office and local public libraries.

Legal References:	RCW 28A.225.220	Adults, children from other districts, agreements for attending school-- Tuition
	28A.225.230	Appeal from certain decisions to deny student's request to attend nonresident district-- Procedure
	28A.225.290	Enrollment options information booklet
	28A.225.300	Enrollment options information to parents
	C 36 L03	Enrolling Children of Certificated and Classified School Employees
Management Resources:	<i>Policy News</i> , February 2001	Federal Budget Implicates Policy
	<i>Policy News</i> , June 2003	Enrolling Children of School Employees

## NONRESIDENT STUDENTS

Any student who resides outside the district may apply to attend a school in the district or file the parental declaration of the intent to provide home-based instruction and enroll for ancillary services, if any. All applications for nonresident attendance or home-based instruction will be considered on an equal basis. The district shall provide information on interdistrict enrollment policies to nonresidents on request and have copies of the Superintendent of Public Instruction's annual information booklet on enrollment options in the state available for public inspection at each school building, the central office and local public libraries.

A parent or guardian shall apply for admission on behalf of his or her child by completing the appropriate district application. The superintendent or designee shall develop an application form which contains information including, but not limited to, the current legal residence of the child and the school district in which he or she is currently enrolled or receiving home-based instruction, the basis for requesting release from the resident district, and the specific building and grade level (elementary) or course offerings (secondary) in which the student desires to be enrolled if accepted by the district.

The superintendent will accept or reject an application for nonresident admission based upon the following standards:

- A. Whether space is available in the grade level or classes at the building in which the student desires to be enrolled.
- B. Whether appropriate educational programs or services are available to improve the student's condition as stated in requesting release from his or her district of residence.
- C. Whether the student's attendance in the district is likely to create a risk to the health or safety of other students or staff.
- D. Whether the student's disciplinary records indicate a history of violent or disruptive behavior or gang membership (a gang means a group of three or more persons with identifiable leadership that on an ongoing basis regularly conspires and acts in concert mainly for criminal purposes).
- E. Whether the student has been expelled or suspended from a public school for more than ten consecutive days, in which case the student may apply for admission under the district's policy for readmission of expelled students.

If the non-resident student is the child of a full-time certificated or classified school employee, the superintendent must accept the transfer request to the school to which the employee is assigned unless the nonresident student:

- A. Has a history of convictions, violent or disruptive behavior, or gang membership;
- B. Has been expelled or suspended from school for more than ten consecutive days; or
- C. Enrollment of a child would displace a child who is a resident of the district, (the child must be permitted to remain enrolled until he or she completes his or her schooling).

A student who resides in a district that does not operate a secondary program shall be permitted to enroll in secondary schools in this district in accordance with state law and regulation relating to the financial responsibility of the resident district.

The superintendent or designee, in a timely manner, shall provide all applicants with written notification of the approval or denial of the application. If the student is to be admitted, the superintendent shall notify the resident district and make necessary arrangements for the transfer of student records.

If the application is denied, the superintendent will notify the parent or guardian of the right to petition the board, upon five school business days prior notice, for review of the decision and to have a hearing before the board at its next regular meeting. Following the hearing by the board, a final decision shall be promptly communicated to the parent in writing.

The final decision of the district to deny the admission of a nonresident student may be appealed to the Superintendent of Public Instruction or his or her designee.

Cross References:	Board Policy 3120	Enrollment
Legal References:	RCW 28A.225.220	Adults, children from other districts, agreements for attending school — Tuition
	RCW 28A.225.240	Appeal from certain decisions to deny student's request to attend nonresident district — Apportionment of credit
	RCW 28A.225.290	Enrollment options information booklet
	RCW 28A.225.300	Enrollment options information to parents
	C 36 L 03	Enrolling Children of Certificated and Classified School Employees
	WAC 392-137	Finance — Nonresident attendance
Management Resources:	<i>Policy News</i> , September 1999	School safety bills impact policy
	<i>Policy News</i> , June 2003	Enrolling children of School Employees

**Adoption Date: 10.27.97**

**Auburn School District**

**Revised: 03.11.02; 06.14.06; 02.14.11**

## **PROCEDURE ADMISSION OF NON-RESIDENT STUDENTS**

This procedure identifies conditions by which non-resident students may apply to attend a school in the Auburn School District. A non-resident student is one who resides in another public school district. This procedure is to be administered by fair and equitable standards towards all students.

A parent or guardian shall apply annually for admission on behalf of his or her child by obtaining a release from the student's resident district and completing an Auburn School District Non-Resident Transfer application. The application should be submitted directly to the school to which the student is applying. Schools should record the date that the application is received. The building administrator reviews the application according to the standards described in the following procedures and forwards it to the appropriate district administrator for review and final decision. If an application is denied, the parent/guardian will be notified within five (5) days of the decision in writing. If the application is approved, the school will contact the parent/guardian to proceed with enrollment and registration, if applicable.

### **Waiver Application Timeline for Consideration:**

- March—applications for resident and non-resident transfer requests are available on the district's website or from a school for the following year.
- Applications will be accepted by all schools year-round. They will be addressed within the following structures:
  - Applications received by June 1 will be addressed by June 30;
  - Applications received by August 18 may be considered on a case-by-case basis;
  - Applications received after August 18 may be held for up to two (2) weeks after the first day of school to monitor enrollment capacity;
  - Applications received after September 15 will be considered on a case-by-case basis; generally secondary students would access enrollment in an Auburn school at a quarter or semester.

### **Non-Resident Transfer Requests for Children of Auburn School District Staff**

A non-resident student who lives in the state of Washington, and is the child or ward of an Auburn School District employee, shall be permitted to enroll in an Auburn School District school subject to the following conditions:

- A. "School employee" is defined as a regularly employed staff member.
- B. School employees assigned to a school may enroll their non-resident student(s) in the school where the employee works or in its feeder area.
- C. Itinerant or non-school based employees may enroll their non-resident student(s) in any Auburn School District school provided the enrollment does not contribute to a classroom overload.
- D. The decision of whether to enroll a non-resident student who is the child or ward of a school employee will be made after considering:
  1. Whether enrolling the student in the school and grade/courses would displace a resident student.

2. Whether the student has a history of convictions for offenses or crimes, violent or disruptive behavior, or gang membership.
  3. Whether the student has been expelled or suspended from a public school for more than ten (10) consecutive days.
  4. Whether the parent/guardian can provide transportation.
- E. Records from the non-resident student's previous school(s) will be requested and reviewed prior to accepting the non-resident student. Such records may include: current attendance records, discipline records, current transcript/report cards, and current IEP/504 plan if applicable.
- F. If a child or ward of a school employee has been admitted pursuant to this procedure, the child shall be permitted to remain enrolled at that school, or in this feeder area's kindergarten through twelfth grade continuum, until he/she has completed his/her schooling unless the school employee leaves his/her position in the district.
- G. Non-resident high school student athletes must meet the eligibility requirements of the Washington Interscholastic Activities Association (WIAA) in order to participate in varsity sports.

### **New Applications**

If the anticipated needs of resident students, homeless students, current non-resident students and non-resident students of school employees are met, and if the specific school does not exceed its student enrollment capacity, new non-resident students may be allowed to attend a school in the Auburn School District. New non-resident students will not be permitted to displace resident students in a school. The designated school and district administrators will review applications for space availability, class size, caseload, and current enrollment at the requested school before processing the transfer request.

- A. Non-resident students will be considered for enrollment at a school or in a program based on the following standards:
1. Whether the availability of existing services, based on caseload, class size, current grade level/school enrollment and other considerations can properly address the educational needs of the non-resident student as determined by the Auburn School District administrator in charge of the services the student may require.
  2. Whether the parent/guardian can provide transportation.
  3. Whether the transfer process for non-resident students has been completed.
  4. Whether the student's sibling attends the requested school.
  5. Whether the student's financial, educational, safety, or health condition would be reasonably improved by attending an Auburn school.
  6. Whether an Auburn school would be more accessible for child care or the parent's place of work.
  7. Whether the student or family has a special hardship or detrimental condition.
- B. A non-resident transfer student may not be accepted for any of the following reasons:
1. The student has a history of offenses or crimes, violent or disruptive behavior, or gang membership.
  2. The student has been expelled or suspended from a public school for more than ten (10) consecutive days.
  3. The student has not maintained a record of satisfactory academic progress in elementary and middle school, or if the student has not earned a minimum 2.5 GPA equivalent and appropriate credit attainment for his/her grade for high school students.

- C. Records from the non-resident student's previous school(s) will be requested and reviewed prior to accepting the non-resident student. Such records may include: current attendance records, discipline records, current transcript/report cards, and current IEP/504 plan if applicable.
- D. Non-resident transfer applications (new and renewals) denied due to over enrollment may be reconsidered as enrollment is monitored by district leadership.
  - 1. If a school is closed by the school board due to over enrollment, students may be considered for enrollment in a particular grade if school and district administrators have sufficient reason to believe the student's enrollment would not pose an overload in a class or caseload.
    - a. Such continued consideration would be addressed in the order an application is received.

### **Future Residents**

A parent/guardian of a non-resident student who presents valid written evidence (i.e., purchase and sale agreement or rental contract) that the family will become a resident of the Auburn School District within five (5) months, can enroll a student in the school serving the Auburn residence by completing the non-resident transfer application process.

### **WIAA Eligibility**

Non-resident high school student athletes must meet the eligibility requirements of the Washington Interscholastic Activities Association (WIAA) in order to participate in varsity sports.

### **Moving Out of District**

An enrolled student may continue to attend an Auburn school after moving out of district under the following conditions:

- A. Any student grades K-10 who moves out of district after the beginning of the school year may be permitted to remain in the Auburn School District through the completion of the current trimester (elementary school) or semester (middle or high school). These students must complete the non-resident transfer application process for this partial school year. Students may apply for a non-resident transfer application through the remainder of the school year and will be considered based on standards indicated in the new application section above.
- B. High school students who meet academic, attendance, behavior, and credit attainment requirements and have moved out of district after the beginning of their junior year will be allowed to continue enrollment with their class. These students must follow the non-resident transfer application process annually.

### **Annual Renewal**

Enrollment of a non-resident student is approved for one (1) school year at a time. A new application must be completed and approved annually. Approval will be based on the original conditions for acceptance and a review of the student's history in the Auburn School District during the past school year.

### **Matriculating Non-Resident Transfer Students**

Non-resident students are not considered in the district's matriculation process (enrolling automatically from an elementary school to middle school or a middle school to a high school) and are expected to either return to their resident district or apply to an Auburn School District school as new non-resident student transfer applicants.

### **Termination of a Non-Resident Transfer**

Enrollment of a non-resident student can be terminated under any of the following conditions, which would have led to a denial of acceptance of the original application:

- A. If, after the non-resident transfer application was approved, the information provided in the application is found to be incomplete or has changed, and /or the information was materially misrepresented on the application.
- B. If the student is excessively tardy.
- C. If the student is excessively truant.
- D. If regular and on-time transportation is not consistently occurring.
- E. If the student engages in frequent misconduct and/or disruptive behavior in violation of school rules (that indicates that the student is not being successful in the school or program).
  - 1. This may be quantified through school disciplinary removals such that the student has been expelled or suspended from school for more than ten (10) consecutive days.
- F. If the student has not maintained a record of satisfactory academic progress for elementary and middle school students or if the student has not maintained a minimum 2.5 GPA equivalent and appropriate credit attainment for his/her grade for high school students

Before the non-resident transfer of such a student is terminated under this provision, the following efforts will be made to correct concerns:

- A. Interventions will be attempted to correct the situation which must include parent contact and may additionally include:
  - 1. An attendance or behavior contract (if not a student with a disability)
  - 2. Modifications to a student's 504 plan, IEP, and/or behavior intervention plan
  - 3. Other subsequent interventions at the discretion of the school
- B. Parent notification via explanatory and summarizing letter (at least 3 weeks prior to the end of the trimester/semester if termination is to occur at the trimester/semester) that the student's continued attendance in the district is in jeopardy.
- C. Should the district elect to discontinue serving a student at any time, the parent(s) will be notified in writing of the reason for the waiver being terminated and their rights to appeal
  - 1. The decision is subject to appeal first to the building principal; if resolution is not achieved, then to an administrator of student special services or assistant superintendent, as appropriate.

2. During any appeal procedure, the student may remain in their previously approved placement until the appeal is resolved at the superintendent or designee's level as described below unless termination is a result of an expulsion or suspension. The student may return to his/her previously approved placement at the conclusion of the expulsion or suspension under the disciplinary process if the appeal has not yet been resolved. When an appeal request is received, district staff will generally have the burden of proving the propriety of denial of continued admission. However, when the issue deals with circumvention, the student/parent/guardian will have the burden of proof and the burden of proving the accuracy of information provided.

### **Appealing a Non-Resident Transfer Decision**

The following due process procedures are intended to resolve disputes that remain after application of this procedure. These due process procedures may be implemented by the student's parent/guardian as an appeal from a denial of admission to a particular school. All students age 8 to 18 must attend school. Therefore, the student will be enrolled in the school in which he/she is a resident pending exhaustion of the district appeal procedures.

- A. If a student and/or the parent/guardians wish to appeal a denial of admission to the district, a written request within five (5) working days of the denial of the non-resident transfer request must be submitted to the student special services office (if the student is eligible for an IEP or 504 plan) or the office of the assistant superintendent of family engagement and student success.
- B. The designated district administrator will issue a written decision within five (5) school business days after receipt of written request.
- C. If a student and/or parent/guardian wishes a second appeal, the district administrator's decision will be forwarded to the superintendent for his/her review. The superintendent will review the decision and such other documents and will, within seven (7) business days following receipt, issue a written decision. The superintendent's decision will be final.
- D. However, an aggrieved student/parent/guardian may appeal to the Office of the Superintendent of Public Instruction (OSPI). Appeals from a denial of admission can only be brought based on the district's failure to comply with statutory standards and board policy/procedures adopted under RCW 28A.225.225.

## INTERNATIONAL STUDENT EXCHANGE

The board recognizes the value of cultural and academic exchanges. Such experiences provide international exchange students with a balanced understanding of our country and provide U.S. students with a broad world perspective.

Students visiting our state for a short stay (B-2 visa), such as a vacation or visit with friends or family, may not enroll in school in the district. However, with prior written permission from the school, these students may visit classrooms and attend school-sponsored events.

International exchange students who come to the U.S. for a long-term visit (J-1 or F-1 visas) with the intention of attending school may register to attend school in the district through a recognized international exchange program or through the sponsorship of a school.

The district will admit such international exchange students when admission does not adversely impact the instructional program of the district.

The superintendent is directed to develop procedures, including but not limited to: number of international exchange students, selection of international exchange organizations, timing of placement process, district expectations of international exchange organizations, school expectations for international exchange students, school responsibilities, and provisions for international exchange students with F-1 visas.

Legal Reference:     RCW 28A.300.240  
                           RCW 19.166  
Management Resources: *Policy News*, June 2009

International Student Exchange  
International Student Exchange  
International Student Exchange Program  
Requirements

**Adoption Date: 10.27.97**  
**Auburn School District**  
**Revised: 02.14.11**

## **PROCEDURE INTERNATIONAL STUDENT EXCHANGE**

### **Definitions**

For purposes of this procedure, an international exchange student is defined as a student who has been issued a J-1 or F-1 visa in order to enroll in a school in the district. An international exchange organization is an organization registered with the Secretary of State's office in Washington State.

### **Number of International Exchange Students**

The district determines the number of international exchange students for placement in each school based on the capacity of the school to integrate the international student in a way that is beneficial for all. The district strives to find an acceptable number that recognizes the needs of schools and the opportunities provided by exchange programs. The district may consider the Council on Standards for International Educational Travel (CSIET) suggestion that schools work toward a goal of 1% of the total student population being comprised of exchange students.

*(Optional statement if the district desires to indicate a specific number allowed)*

The \_\_\_\_\_ School District limits the total number of international exchange students to \_\_\_\_\_ students per school annually. In addition, each sponsoring organization may place no more than \_\_\_\_\_ students in each school annually.

### **Selection of International Exchange Organizations**

- A. The district will only accept students from international exchange organizations registered with the Office of the Secretary of State of Washington State. (A list of such organizations is available on the website of the Office of Superintendent of Public Instruction at [www.k12.wa.us](http://www.k12.wa.us)); and
- B. The district reserves the right to work with international exchange organizations that have proven their commitment to high standards and responsiveness to student and district needs.

### **Timing of Placement Process**

- A. An international exchange organization wishing to enroll an international exchange student in a school in the district will submit to the district a request which provides a complete program description, including the name, address, and telephone number of the local representative. The Auburn School District must receive the application by May 1 for students planning to begin school during first semester the following fall or by October 1 for students planning to begin school for second semester.
- B. The district staff, in consultation with the appropriate building principal, will review the application. The district will provide notification of approval or denial in writing to the program representative in a timely manner, but no later than June 1 for the first semester and November 1 for the second semester.

- C. The district may, at its discretion, choose to accommodate a late applicant because federal J-1 visa regulations permit the placement of exchange students up to August 31 of each year.

### **District Expectations of International Exchange Organizations**

Each international exchange organization must:

A. For the District:

1. Each year, obtain written school enrollment authorization for student placements before confirming a placement with a host family;
2. Follow district policy on placement timing and requirements;
3. Maintain a qualified and trained local representative with responsibility for each student including ongoing communication with the school and responding to school needs;
4. Provide the name, address, and telephone number of the local program representative who will provide emergency, advisory, and liaison services to the district;
5. Notify the district as soon as student and host family match-ups are confirmed and provide the name, address, and telephone number of the student's host family to the district; and
6. Forward the student's cumulative records to the district prior to the approval for admission. The cumulative record will include transcripts and the student academic records, in English.

B. For the Host Family:

1. Arrange host family placements before exchange students leave their home country;
2. Personally interview and screen all potential host families, matching student and family interests and personalities; and
3. Maintain ongoing contact with the host family and student.

C. For the Student:

1. Screen and place exchange students based on their academic interests and abilities and not knowingly place exchange students based solely on their athletic abilities;
2. Prepare exchange students, including providing an orientation to the U.S., Washington State, the school and academic expectations;
3. Ensure that the student will receive adequate financial support for the duration of his/her stay in the district;

4. Ensure that exchange students have medical and accident insurance that meets or exceeds U.S. Department of State guidelines
5. Ensure that exchange students arrive in their host homes and school placements by the first day of classes;
6. Monitor student progress during the school year and respond to issues or problems as they develop;
7. Provide any necessary student tutorial help and support services. In the event that tutoring/ESL or special accommodations are needed, the organization must make arrangements and accept financial responsibility for such services; and
8. Inform the student of student activity costs and/or fees as required by the district.

### **School Expectations for International Exchange Students**

It is the responsibility of the international exchange organization to ensure that the international exchange student is fully aware of the expectations of the school that has accepted placement of that student.

Each international exchange student must:

- A. Be qualified to participate in regular classes and maintain a typical schedule. This means the student must have an acceptable level of proficiency in the English language, a commitment to treat coursework as important, and the social skills to enjoy participation in social and extra-curricular activities;
- B. Understand that eligibility of international exchange students to participate in extra-curricular athletics, music, forensics, and other such activities may be limited and is determined by the rules and regulations of the Washington Interscholastic Activities Association;
- C. Attain passing grades by the end of the first semester;
- D. Know and follow all school policies and rules and federal regulations related to the visa;
- E. Meet district and state graduation requirements in order to be eligible to receive a high school diploma. Each international exchange student must also understand that it is not the purpose of the international exchange experience to enable international exchange students to receive a Washington State high school diploma. Therefore, international exchange students will not be included in any class ranking lists nor will a GPA be computed for them. The district will determine whether it is appropriate for the student to participate in graduation ceremonies or to receive a high school diploma;
- F. Pay all normal expenses, including standard course and extra-curricular activity fees;

- G. Present required paperwork, including visa information, medical records, transcripts, and host family information, to the school staff member designated to coordinate the international exchange program; and
- H. Understand that enrollment eligibility for international exchange students in public schools is for one school year only.

### **School Responsibilities**

- A. Schools are expected to provide international exchange students with all rights and privileges accorded to resident students — except the right to a diploma; and
- B. The school will make every effort to integrate international exchange students into the school's social fabric. In turn, schools will encourage international exchange students to participate enthusiastically in school activities, to make friends, to make a personal contribution to the school, and to help spread the word about their country and themselves, informally, and by making presentations in classes and to community groups and talking to media when asked.

### **International Exchange Students with F1 Visa**

To enroll students with an F-1 visa, a school must apply to the US Department of Homeland Security for F-1 visa authority. Upon receiving this authority, the school becomes the sponsoring organization and must comply with all federal regulations for students with F-1 visas. The school must demonstrate receipt of payment for the annual per pupil cost of attendance for the international exchange student before issuing the I-20 form, which is required for the student to apply for the F-1 visa. As the sponsor, the school is legally responsible for the student, including but not limited to screening, placement with the host family, and meeting the needs of the student. In addition, the district expects the student and the school to follow all of the relevant expectations outlined in this procedure.

## DISTRICT NOTIFICATION OF JUVENILE OFFENDERS

A court will notify the common school in which a student is enrolled if the student has been convicted, adjudicated, or entered into a diversion agreement for any of the following offenses: a violent offense, a sex offense, a firearms offense, inhaling toxic fumes, a drug offense, liquor offense, assault, kidnapping, harassment, stalking or arson. The principal must inform any teacher of the student and any other personnel who should be aware of the information. The information may not be further disseminated.

A student convicted, adjudicated, or entering into a diversion agreement for an assault, kidnapping, harassment, stalking, or arson against a teacher shall not be assigned to that teacher's classroom during the duration or the student's attendance at that school or any school to which the teacher is assigned. Neither shall the student be assigned to a classroom where another student who was his or her victim for the offense is enrolled.

The state department of social and health services will notify the board of directors in writing at least thirty days before a juvenile convicted of a violent offense, a sex offense or stalking is discharged, paroled, given authorized leave or otherwise released to reside in the district. The department will also notify the district if any adjudicated victims of a juvenile sex offender are registered with the department and on record as attending a school within the district that the juvenile sex offender might otherwise attend.

A community residential facility to which an adjudicated juvenile is transferred shall provide written notice of the offender's criminal history to the district if the juvenile is attending school in the district while residing at the community residential facility.

Convicted juvenile sex offenders shall not attend a school in the district attended by their adjudicated victims or a victim's sibling. The offender and his or her parent or guardian shall be responsible for providing transportation or covering other costs related to the offender's attendance at another school.

Cross References:	Board Policy 2161	Special Education and Related Services for Eligible Students
	Board Policy 3140	Release of Resident Students
	Board Policy 4315	Release of Information Regarding Sexual Offenders
Legal References:	RCW 13.04.155	Notification to school principal of conviction, adjudication, or diversion agreement--provision of information to teachers and other personnel--Confidentiality
	RCW 13.40.215	Juveniles found to have committed violent or sex offense or stalking--Notification of discharge, parole, leave release, transfer, or escape — To whom given--Definitions
	RCW 28A.600.460	Classroom discipline--policies--classroom placement of student offenders--data on disciplinary actions
Management Resources:	<i>Policy News</i> , August 1997	Legislature addresses student discipline
	<i>Policy News</i> , June 1999	School safety bills impact policy

**Adoption Date: 10.27.97**  
**Auburn School District**  
**Revised: 02.14.11**

## **RELEASE OF INFORMATION CONCERNING STUDENT SEXUAL AND KIDNAPPING OFFENDERS**

The district recognizes its responsibility for the health and safety of all students, including students required to register as a sex or kidnapping offender enrolled within the district. Therefore, the board is desirous of taking appropriate precautionary measures in situations where the building principal has been advised by law enforcement officials that a student required to register as a sex or kidnapping offender is enrolling or is attending a school within the district.

### ***Principal Responsibilities***

Principals are required to respond to notification by local law enforcement and to disseminate information about students required to register as a sex or kidnapping offender to appropriate staff within the school based on the following offender levels:

#### **A. Level I**

Sex offenders are classified as Level I when their risk assessments indicate a low risk of reoffense within the community at large.

#### **B. Level II**

Sex offenders are classified as Level II when their risk assessments indicate a moderate risk of reoffense within the community at large.

#### **C. Level III**

Sex offenders are classified as Level III when their risk assessments indicate a high risk of reoffense within the community at large.

A principal receiving notice must disclose the information received as follows:

A. If the student who is required to register as a sex offender is classified as a risk Level II or III, the principal shall provide the information received to every teacher of any student required to register and to any other personnel who, in the judgment of the principal, supervises the student or for security purposes should be aware of the student's record.

B. If the student who is required to register as a sex offender is classified as a risk Level I, the principal shall provide the information received to personnel who, in judgment of the principal, for security purposes, should be aware of the student's record.

C. Students required to register as a kidnapping offender are not subject to leveling and therefore should be treated on a case-by-case basis.

The principal shall designate additional school personnel to be notified following consultation with probation/parole (or the student's family if not on court supervision) in order to identify or recognize high-risk situations. The following staff should be considered: district superintendent or designee, adjacent building principals, appropriate administrative and teaching staff, security personnel, volunteers or paraprofessionals working in the student's classrooms; and counselors, coaches, advisors, nurses, bus drivers, custodians, district daycare providers and playground supervisors that may have contact with the student.

**Collaboration**

The principal shall work with local law enforcement to coordinate the receipt of notifications regarding students registered as sex or kidnapping offenders. The principal or designee shall also consult and collaborate with department of corrections, juvenile justice staff, treatment providers, victim support groups, and families, as applicable, when working with students required to register as a sex or kidnapping offender.

**Confidentiality**

The principal and school staff will maintain confidentiality regarding these students, the same as all students in the school. Any written information or records received by a principal as a result of a notification are confidential and may not be further disseminated except as provided in state or federal law.

**Immunity from Liability**

Any school district or employee who releases the information in compliance with federal and state law is immune from civil liability for damages unless it is shown that the school district or district employee acted with gross negligence or in bad faith.

**Inquiries by the Public**

Inquiries by the public at large (including parents and students), regarding students required to register as a sex or kidnapping offender are to be referred directly to local law enforcement. Law enforcement agencies receive relevant information about the release of sex and kidnapping offenders into communities and decide when such information needs to be released to the public.

**Student Rights and Responsibilities**

All students, including those students required to register as a sex or kidnapping offender, have a constitutional right to a public education. A student required to register as a sex or kidnapping offender is also required to notify law enforcement of their intent to enroll in school.

**Written Procedures**

The superintendent or his designee shall adopt written procedures for school principals describing how they will disseminate information received from law enforcement with appropriate school personnel.

Cross Reference:	Board Policy 3143 Board Policy 3120	District Notification of Juvenile Offenders Enrollment
Legal Reference:	RCW 4.24.550  RCW 28A.225.330 [4]	Sex offenders--and kidnapping offenders-- Release of information to public--When authorized--Immunity Enrolling students from other districts-- Requests for information and permanent records--Withheld transcripts--Immunity from liability--Notification to teachers and security personnel--Rules

RCW 13.40.215	Juveniles found to have committed violent or sex offense or stalking-- Notification of discharge, parole, leave, release, transfer, or escape--To whom given--School attendance-- Definitions
RCW 72.09.345	Sex offenders--Release of information to protect public--End-of-sentence review committee—Assessment-- Records access--Review, classification, referral of offenders-- Issuance of narrative notices
RCW 9A.44.130(1)(e)(i)	Registration of sex offenders and kidnapping offenders—Procedures— Definition--Penalties
RCW 13.04.155	Notification to school principal of conviction, adjudication, or diversion agreement--Provision of information to teachers and other personnel-- Confidentiality

Family and Educational and Privacy Rights Act of 1994 (20 U.S. Code Section 1232g et.seq)

Art. IX, Section 1, Washington State Constitution

Management Resources: *Policy News*, December 2006 Student Sex and Kidnapping Offender Notice Requirements

## **PROCEDURE RELEASE OF INFORMATION CONCERNING STUDENT SEXUAL AND KIDNAPPING OFFENDERS**

### **Responsibilities**

Principals are required by law to respond to notification by local law enforcement and to disseminate information. Principals may rely on the Office of Superintendent of Public Instruction (OSPI) *Principal's Notification Checklist* for additional assistance.

### **Principals**

Principals have a responsibility to develop a:

- A. Relationship with local law enforcement (local sheriff's office) agencies dealing with students required to register as a sex or kidnapping offender.
- B. Procedure for acceptance of notifications from law enforcement (local sheriff's office).
- C. Procedure for notification of all teachers and appropriate staff regarding Level II or Level III students required to register as a sex or kidnapping offender attending the school/class.
- D. Procedure for notifying teachers or staff of selected Level I students required to register as a sex or kidnapping offender.
- E. Procedure to notify teachers and appropriate staff of their roles and responsibilities with respect to these students, including confidentiality, harassment, intimidation, and bullying issues;
- F. Protocol for responses to public inquiries about these students required to register as a sex or kidnapping offender, stressing confidentiality and FERPA rules; determine how district staff will be notified; and which staff will be in charge of monitoring these students.
- G. Procedure and protocol for safety planning to include student meetings, designing and monitoring student safety plans, implementing safeguards when students change schools, or change sex offender levels or status with parole or probation.
- H. Protocol of best practices for contacting the district superintendent with a list of juvenile sex/kidnapping offenders when notification is received from law enforcement.

### **School Staff**

Staff members are encouraged to be proactive and will notify the principal or other appropriate personnel at the school if they observe any non-student sex offender on or near school grounds. Staff will inform the principal or other appropriate personnel at the school of any suspected behavior or actions of students which may compromise the health, safety or well-being of students or staff. Staff will be prepared to respond appropriately and effectively regarding reporting harassment, intimidation, and bullying by either students or staff. It is the responsibility of staff to help all students be successful in school.

**Students**

It is the responsibility of students required to register as a sex or kidnapping offender to follow all rules and regulations of the school as outlined by the district in the student handbook, conduct themselves as defined in the student handbook, and follow all stipulations as outlined in their individual Student Safety Plans.

**Notifications**

Notifications from local law enforcement (local sheriff's office) that a student required to register as a sex or kidnapping offender is enrolled or attending school can come to the principal in a variety of methods including email, U.S. mail, or hand delivery. Although currently there is no standard notification form statewide, the following items may be found on most notifications:

Offender name, address, sex, height, weight, hair and eye color, age, ethnicity, crime, sex offender level, convicting jurisdiction, neighborhood, proximity to schools, and level descriptors.

**Notification Lists**

Upon receipt of notification, the principal or a designee will review the list of students. The list will be reviewed to determine which students are currently enrolled, currently attending school, or are new to the school district and not yet enrolled.

**Staff Notification**

The following are the risk level classifications for sex offenders:

- A. Level I sex offenders are classified as Level I when their risk assessments indicate a low risk of re-offense within the community at large.
- B. Level II sex offenders are classified as Level II when their risk assessments indicate a moderate risk of re-offense within the community at large
- C. Level III sex offenders are classified as Level III when their risk assessments indicate a high risk of re-offense within the community at large.

A principal receiving notice must disclose the information received as follows:

- A. If the student who is required to register as a sex offender is classified as a risk level II or III, the principal will provide the information received to every teacher of the student and to any other personnel who, in the judgment of the principal, supervises the student or for security purposes should be aware of the student's record.
- B. If the student who is required to register as a sex offender is classified as a risk level I, the principal will provide the information received to personnel who, in the judgment of the principal and for security purposes, should be aware of the student's record.
- C. Students required to register as a kidnapping offender are not subject to leveling and therefore should be treated on a case-by-case basis.

### **Notifying Additional School Personnel for All Offender Levels**

The principal will designate additional school personnel to be notified following consultation with probation/parole (or the student's family if not on court supervision) in order to identify or recognize high-risk situations. The following staff should be considered: district superintendent or designee, appropriate administrative and teaching staff, school resource officers, adjacent building principals, security personnel, staff working directly in the student's classrooms, and school counselors, school psychologists, coaches, advisors, school social workers, nurses, bus drivers, custodians, district daycare providers, and playground supervisors that may have contact with the student.

### **Safety Planning**

The principal will complete safety planning with school staff, local law enforcement (local sheriff's office), probation and parole, treatment providers, parents/guardians, care providers and child advocates, as appropriate, in order to provide a safe and secure environment for all students and staff. For safety planning to be effective, the district registrar will finalize formal enrollments for students required to register as a sex or kidnapping offender within 2-3 days of their enrollment request.

### **Student Meetings**

Within 10 (ten) working days of the student's enrollment or earlier, if possible, the principal or designee, working together with probation and parole professionals, will meet with the student to create and implement a Student Safety Plan. The principal or designee will determine other appropriate school personnel to be included in the meeting to assist in defining school expectations. The student's parent/guardian or care provider may also be invited. The purpose for the meeting is to help the student be successful in their transition back to school and to provide a safe school environment for all.

### **Student Safety Plan**

The principal or designee (and other school staff as applicable), in consultation with the parole counselor or probation officer (if under court supervision), will create a student safety plan for each registered sex or kidnapping offender. The plan will outline the responsibilities of the student and other stakeholders to promote those activities deemed essential in safely managing the student's behavior.

- A. The Safety Plan will outline conditions and/or limitations on each student required to register as a sex or kidnapping offender concerning their interactions on the school campus;
- B. For students not under court supervision, the Student Safety Plan should be developed in conjunction with school staff in consultation with the student's family/guardian or care provider;
- C. The plan will be based on the student's needs and include guidelines for expected intervention actions for high-risk behaviors and reinforce positive behaviors;
- D. Each plan will be reviewed semi-annually by staff designated by the principal; and

E. Plans will be reviewed more often if high-risk behaviors have been identified.

### **Monitoring the Safety Plan**

The Student Safety Plan will be monitored and changes made on an “as-needed” basis by school staff.

- A. School authorities should be prepared to take appropriate actions, especially if they notice an increase or escalation of a student’s high-risk behaviors, both for the short and long-term safety of the student required to register as a sex or kidnapping offender and all other students;
- B. School staff will report to the principal or designee and to law enforcement (local sheriff’s office) or other involved agencies (treatment providers, parole/probation) if they determine the student has not followed the plan; and
- C. Follow-through on the Student Safety Plan will be consistent with existing disciplinary policies and procedures, student conduct policies, and mandatory reporting policies.

Schools may develop school threat assessment teams and make referrals to those teams when students engage in inappropriate behaviors as defined in the Student Safety Plan.

### **When Students Move or Change Status**

When a student changes schools within the district, the current principal will notify the new principal and share the student records and safety plans with the new school. If the student’s sex offender status or probation or parole status changes, the principal will notify the school staff as part of the schools safety planning.

### **Confidentiality**

The principal and school staff will maintain confidentiality regarding these students the same as all students in the school. Any information received by a principal or school personnel as a result of a notification is confidential and may not be further disseminated except as provided in RCW 28A.225.330 and other statutes, or case law, and the Family and Educational and Privacy Rights Act of 1994 (FERPA) regulations (20 U.S.C. § 1232g et. seq.). The Student Safety Plans will only be shared with appropriate school personnel. School personnel will report violations of plan expectations to the principal when they occur.

### **Inquiries by the Public**

Community notification remains the responsibility of local law enforcement. Inquiries by the public at large (including parents and students) regarding students required to register as a sex or kidnapping offender are to be referred directly to local law enforcement (local sheriff’s office). Law enforcement agencies receive relevant information about the release of sexual and kidnapping offenders into communities and decide when such information needs to be released to the public.

**Immunity from Liability**

Any school district employee who releases information in compliance with federal and state law is immune from civil liability for damages unless it is shown that the school district or district employee acted with gross negligence or in bad faith.

## RIGHTS AND RESPONSIBILITIES

Each year, the superintendent shall develop and make available to all students, their parents, and staff handbooks pertaining to student rights, conduct, corrective actions and punishment. Such statements shall be developed with the participation of parents and the community. The school principal and staff shall confer at least annually to develop and/or review student conduct standards and the uniform enforcement of those standards as related to the established student handbooks. They shall also confer annually to establish criteria for determining when certificated employees must complete classes to improve classroom management skills.

All students who attend the district's schools shall comply with the written policies, rules, and regulations of the schools; shall pursue the required course of studies; and shall submit to the authority of staff of the schools, subject to such corrective action or punishment as the school officials shall determine.

Legal References:	RCW 28A.600.010	Government of schools, pupils, employees, rules and regulations for-- -Due process guarantees-- Enforcement
	28A.600.020	Government of schools, pupils, employees optimum learning atmosphere
	28A.600.040	Pupils to comply with rules & regulations
	28A.400.110	Principal to assure appropriate discipline
	28A.150.240	Basic Education Act of 1977-- Certificated teaching and administrative staff as accountable for class room teaching--Scope-- Responsibilities--Penalty
	28A.405.060	Course of study and regulations Enforcement--Withholding salary warrant for failure
	WAC 392-400-225	School district rules defining misconduct--Distribution of rules
	392-168	Citizen Complaint Procedure for Certain Categorical Federal Programs

## **SEXUAL HARASSMENT OF STUDENTS PROHIBITED**

This district is committed to a positive and productive education free from discrimination, including sexual harassment. This commitment extends to all students involved in academic, educational, extracurricular, athletic, and other programs or activities of the school, whether that program or activity is in a school facility, on school transportation or at a class or school training held elsewhere.

### **Definitions**

For purposes of this policy, sexual harassment means unwelcome conduct or communication of a sexual nature. Sexual harassment can occur adult to student, student to student or can be carried out by a group of students or adults and will be investigated by the District even if the alleged harasser is not a part of the school staff or student body. The district prohibits sexual harassment of students by other students, employees, or third parties involved in school district activities.

Under federal and state law, the term “sexual harassment” may include:

- Acts of sexual violence;
- Unwelcome sexual or gender-directed conduct or communication that interferes with an individual’s educational performance or creates an intimidating, hostile, or offensive environment;
- Unwelcome sexual advances;
- Unwelcome requests for sexual favors;
- Sexual demands when submission is a stated or implied condition of obtaining an education benefit;
- Sexual demands where submission or rejection is a factor in an academic or other school-related decision affecting an individual.

A “hostile environment” has been created for a student when sexual harassment is sufficiently serious to interfere with or limit the student’s ability to participate in or benefit from the school’s program. The more severe the conduct, the less need there is to demonstrate a repetitive series of incidents. In fact, a single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe, violent, or egregious.

### **Investigation and Response**

If the district knows, or reasonably should know, that sexual harassment has created a hostile environment, it will promptly investigate to determine what occurred and take appropriate steps to resolve the situation. If an investigation reveals that sexual harassment has created a hostile environment, the district will take prompt and effective steps reasonably calculated to end the sexual harassment, eliminate the hostile environment, prevent its recurrence and as appropriate, remedy its effects. The district will take prompt, equitable, and remedial action within its authority on reports, complaints and grievances alleging sexual harassment that come to the attention of the district, either formally or informally. The district will take these steps every time a complaint alleging sexual harassment comes to the attention of the district, either formally or informally.

Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. Regardless of whether the misconduct is reported to law enforcement, school staff will promptly investigate to determine what occurred and take appropriate steps to resolve the situation, to the extent that such investigation does not interfere with an ongoing criminal investigation. A criminal investigation does not relieve the district of its independent obligation to investigate and resolve sexual harassment.

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

### **Retaliation and False Allegations**

Retaliation against any person who makes or is a witness in a sexual harassment complaint is prohibited and will result in appropriate discipline. The district will take appropriate actions to protect involved persons from retaliation.

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

### **Staff Responsibilities**

The superintendent will develop and implement formal and informal procedures for receiving, investigating, and resolving complaints or reports of sexual harassment. The procedures will include reasonable and prompt timelines and delineate staff responsibilities under this policy.

Any school employee who witnesses sexual harassment or receives a report, informal complaint, or written complaint about sexual harassment is responsible for informing the district Title IX or Civil Rights Compliance Coordinator. All staff are also responsible for directing complainants to the formal complaint process.

Reports of discrimination and discriminatory harassment will be referred to the district's Title IX/Civil Rights Compliance Coordinator. Reports of disability discrimination or harassment will be referred to the district's Section 504 Coordinator.

### **Notice and Training**

The superintendent will develop procedures to provide age-appropriate information and education to district staff, students, parents, and volunteers regarding this policy and the recognition and prevention of sexual harassment. At a minimum, sexual harassment recognition and prevention and the elements of this policy will be included in staff, student, and regular volunteer orientation. This policy and the procedure, which includes the complaint process, will be posted in each district building in a place available to staff, students, parents, volunteers, and visitors. Information about the policy and procedure will be clearly stated and conspicuously posted throughout each school building, provided to each employee, and reproduced in each student, staff, volunteer, and parent handbook. Such notices will identify the District's Title IX coordinator and provide contact information, including the coordinator's email address.

Cross References:	Policy 3207	Prohibition of Harassment, Intimidation, and Bullying
	Policy 3210	Nondiscrimination
	Policy 3211	Transgender Students
	Policy 3240	Student conduct Expectations and Reasonable Sanctions
	Policy 3241	Classroom Management, discipline, and Corrective Action
	Policy 5010	Nondiscrimination and Affirmative Action
	Policy 5011	Sexual Harassment of District Staff Prohibited
Legal References:	20 U.S.C. 1681-1688	
	WAC 392-190-058	Sexual harassment
	RCW 28A.640.020	Regulations, guidelines to eliminate discrimination—Scope—Sexual harassment policies
Management Resources:	2015 – July Policy Alert	
	2014 – December Issue	
	2010 – October Issue	

**Adoption Date: 04.25.16**  
**Auburn School District**  
**Revised:**

## **PROCEDURE SEXUAL HARASSMENT OF STUDENTS PROHIBITED**

The procedure is intended to set forth the requirements of Policy 3205, including the process for a prompt, thorough, and equitable investigation of allegations of sexual harassment and the need to take appropriate steps to resolve such situations. If sexual harassment is found to have created a hostile environment, staff must take immediate action to eliminate the harassment, prevent its reoccurrence, and address its effects.

This procedure applies to sexual harassment (including sexual violence) targeted at students carried out by other students, employees, or third parties involved in school district activities. Because students can experience the continuing effects of off-campus harassment in the educational setting, the district will consider the effects of off-campus conduct when evaluating whether there is a hostile environment on campus. The district has jurisdiction over these complaints pursuant to Title IX of the Education Amendments of 1972, Chapter 28A.640, RCW and Chapter 392-190 WAC.

### **Staff Responsibilities**

- In the event of an alleged sexual assault, the school principal will immediately inform: 1) the Title IX Officer/Civil Rights Compliance Coordinator so that the district can appropriately respond to the incident consistent with its own grievance procedures; and 2) law enforcement.
- The principal will notify the targeted student(s) and their parents/guardians of their right to file a criminal complaint and a sexual harassment complaint simultaneously.

### **Confidentiality**

- If a complainant requests that his or her name not be revealed to the alleged perpetrator or asks that the district not investigate or seek action against the alleged perpetrator, the request will be forwarded to Title IX Officer/Civil Rights Compliance Coordinator for evaluation.
- The coordinator should inform the complainant that honoring the request may limit its ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator.
- If the complainant still requests that his or her name not be disclosed to the alleged perpetrator or that the district not investigate or seek action against the alleged perpetrator, the district will need to determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students, staff, and other third parties engaging in district activities, including the person who reported the sexual harassment. Although a complainant's request to have his or her name withheld may limit the district's ability to respond fully to an individual allegation of sexual harassment, the district will use other appropriate means available to address the sexual harassment.

**Retaliation**

Title IX prohibits retaliation against any individual who files a complaint under these laws or participates in a complaint investigation. When an informal or formal complaint of sexual harassment is made, the district will take steps to stop further harassment and prevent any retaliation against the person who made the complaint, was the subject of the harassment, or against those who provided information as a witness. The district will investigate all allegations of retaliation and take actions against those found to have retaliated.

**Informal Complaint Process**

Anyone may use informal procedures to report and resolve complaints of sexual harassment. Informal reports may be made to any staff member. Staff will always notify complainants of their right to file a formal complaint and the process for same. Staff will also direct potential complainants to Debbie Leighton, Title IX Officer/Civil Rights Compliance Coordinator. Additionally, staff will also inform an appropriate supervisor or professional staff member when they receive complaints of sexual harassment, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

During the course of the informal complaint process, the district will take prompt and effective steps reasonably calculated to end any harassment and to correct any discriminatory effects on the complainant. If an investigation is needed to determine what occurred, the district will take interim measures to protect the complainant before the final outcome of the district's investigation (e.g., allowing the complainant to change academic or extracurricular activities or break times to avoid contact with the alleged perpetrator).

Informal remedies may include:

- An opportunity for the complainant to explain to the alleged harasser that his or her conduct is unwelcome, offensive or inappropriate, either in writing or face-to-face;
- A statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;
- A general public statement from an administrator in a building reviewing the district sexual harassment policy without identifying the complainant;
- Developing a safety plan;
- Separating students; or
- Providing staff and/or student training.

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.

The district will inform the complainant and their parent/guardian how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

## **Formal Complaint Process**

### **Level One – Complaint to District**

Anyone may initiate a formal complaint of sexual harassment, even if the informal complaint process is being utilized. At any level in the formal complaint process, the district will take interim measures to protect the complainant before the final outcome of the district's investigation.

The following process will be followed:

#### **Filing of Complaint**

- All formal complaints will be in writing and will set forth the specific acts, conditions or circumstances alleged to have occurred and to constitute sexual harassment. The Title IX Officer/Civil Rights Compliance Coordinator may draft the complaint based on the report of the complainant for the complainant to review and approve. The superintendent or Title IX Officer/Civil Rights Compliance Coordinator may also conclude that the district needs to conduct an investigation based on information in his or her possession, regardless of the complainant's interest in filing a formal complaint.
- The time period for filing a complaint is one year from the date of the occurrence that is the subject matter of the complaint. However, a complaint filing deadline may not be imposed if the complainant was prevented from filing due to: 1) Specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint; or 2) Withholding of information that the district was required to provide under WAC 392-190-065 or WAC 392-190-005.
- Complaints may be submitted by mail, fax, e-mail or hand delivery to the district Title IX Officer/Civil Rights Compliance Coordinator, Debbie Leighton, at 915 4<sup>th</sup> Street Northeast, Auburn, Washington 98002, (253) 931-4932, [dleighton@auburn.wednet.edu](mailto:dleighton@auburn.wednet.edu). Any district employee who receives a complaint that meets these criteria will promptly notify the Title IX Officer/Civil Rights Compliance Coordinator.

#### **Investigation and Response**

- The Title IX Officer/Civil Rights Compliance Coordinator will receive and investigate all formal, written complaints of sexual harassment or information in the coordinator's possession that they believe requires further investigation. The coordinator will delegate his or her authority to participate in this process if such action is necessary to avoid any potential conflicts of interest. Upon receipt of a complaint, the coordinator will provide the complainant a copy of this procedure.
- Investigations will be carried out in a manner that is adequate in scope, reliable and impartial. During the investigation process, the complainant and accused party or parties, if the complainant has identified an accused harasser(s), will have an equal opportunity to present witnesses and relevant evidence. Complainants and witnesses may have a trusted adult with them during any district-initiated investigatory activities. The school district and complainant may also agree to resolve the complaint in lieu of an investigation. When the investigation is completed, the coordinator will compile a full written report of the complaint and the results of the investigation.

- The coordinator will respond in writing to the complainant and the alleged perpetrator within thirty (30) calendar days of receipt of the complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the complainant in writing of the reason for the extension and the anticipated response date. At the time the district responds to the complainant, the district must send a copy of the response to the Office of the Superintendent of Public Instruction (OSPI).
- The response of the coordinator will include: 1) a summary of the results of the investigation; 2) a statement as to whether a preponderance of the evidence establishes that the complainant was sexually harassed; 3) if sexual harassment is found to have occurred, the corrective measures the district deems necessary, including assurance that the district will take steps to prevent recurrence and remedy its effects on the complainant and others, if appropriate; 4) notice of the complainant's right to appeal to the school board and the necessary filing information; and 5) any corrective measures the district will take, remedies for the complainant (e.g., sources of counseling, advocacy and academic support), and notice of potential sanctions for the perpetrator(s) (e.g., discipline).
- The coordinator's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964. If the complaint alleges discriminatory harassment by a named party or parties, the coordinator will provide the accused party or parties with notice of the outcome of the investigation and notice of their right to appeal any discipline or corrective action imposed by the district.
- Any corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the superintendent's mailing of a written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy.
- The district will inform the complainant and their parent/guardian how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

## **Level Two - Appeal Superintendent**

### **Notice of Appeal and Hearing**

- If a complainant disagrees with the Title IX Officer/Civil Rights Compliance Coordinator's written decision, the complainant may appeal the decision to the superintendent, by filing a written notice of appeal within ten (10) calendar days following the date upon which the complainant received the response.
- The superintendent will schedule a hearing to commence by the twentieth (20th) calendar day following the filing of the written notice of appeal, unless otherwise agreed to by the complainant and the superintendent or for good cause.
- Both parties will be allowed to present such witnesses and testimony as the board deems relevant and material.

**Superintendent Decision**

- Unless otherwise agreed to by the complainant, the superintendent will render a written decision within thirty (30) calendar days following the filing of the notice of appeal and provide the complainant with a copy of the decision.
- The decision will be provided in a language that the complainant can understand which may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act.
- The decision will include notice of the complainant's right to appeal to the Superintendent of Public Instruction and will identify where and to whom the appeal must be filed. The district will send a copy of the appeal decision to the Office of the Superintendent of Public Instruction.

**Level Three - Complaint to the Superintendent of Public Instruction****Filing of Complaint**

- If a complainant disagrees with the decision of the superintendent, or if the district fails to comply with this procedure, the complainant may file a complaint with the Superintendent of Public Instruction.
- A complaint must be received by the Superintendent of Public Instruction on or before the twentieth (20) calendar day following the date upon which the complainant received written notice of the board of directors' decision, unless the Superintendent of Public Instruction grants an extension for good cause. Complaints may be submitted by mail, fax, electronic mail, or hand delivery.
- A complaint must be in writing and include: 1) a description of the specific acts, conditions or circumstances alleged to violate applicable anti-sexual harassment laws; 2) the name and contact information, including address, of the complainant; 3) the name and address of the district subject to the complaint; 4) a copy of the district's complaint and appeal decision, if any; and 5) a proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student or, in the case of a homeless child or youth, contact information.

**Investigation, Determination and Corrective Action**

- Upon receipt of a complaint, the Office of the Superintendent of Public Instruction may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the superintendent or board.
- Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with RCW 28A.642.010 or Chapter 392-190, WAC and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.
- All corrective actions must be completed within the timelines established by OSPI in the written decision unless OSPI grants an extension. If timely compliance is not achieved, OSPI may take action including but not limited to referring the district to appropriate state or federal agencies empowered to order compliance.

A complaint may be resolved at any time when, before the completion of the investigation, the district voluntarily agrees to resolve the complaint. OSPI may provide technical assistance and dispute resolution methods to resolve a complaint.

#### **Level Four - Administrative Hearing**

A complainant or school district that desires to appeal the written decision of the Office of the Superintendent of Public Instruction may file a written notice of appeal with OSPI within thirty (30) calendar days following the date of receipt of that office's written decision. OSPI will conduct a formal administrative hearing in conformance with the Administrative Procedures Act, Chapter 34.05, RCW.

#### **Other Complaint Options**

*Office for Civil Rights (OCR), U.S. Department of Education*

OCR enforces several federal civil rights laws which prohibit discrimination in public schools on the basis of race, color, national origin, sex, disability, and age. File complaints with OCR within 180 calendar days of the date of the alleged discrimination.

206-607-1600 | TDD: 1-800-877-8339 | [OCR.Seattle@ed.gov](mailto:OCR.Seattle@ed.gov) | [www.ed.gov/ocr](http://www.ed.gov/ocr)

*Washington State Human Rights Commission (WSHRC)*

WSHRC enforces the Washington Law Against Discrimination (RCW 49.60) which prohibits discrimination in employment and in places of public accommodation, including schools. File complaints with WSHRC within six months of the date of the alleged discrimination.

1-800-233-3247 | TTY: 1-800-300-7525 | [www.hum.wa.gov](http://www.hum.wa.gov)

#### **Mediation**

At any time during the complaint procedure set forth in WAC 392-190-065 through 392-190-075, a district may, at its own expense, offer mediation. The complainant and the district may agree to extend the complaint process deadlines in order to pursue mediation.

The purpose of mediation is to provide both the complainant and the district an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator. Mediation must be voluntary and requires the mutual agreement of both parties. It may be terminated by either party at any time during the mediation process. It may not be used to deny or delay a complainant's right to utilize the complaint procedures.

Mediation must be conducted by a qualified and impartial mediator who may not: 1) be an employee of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the subject of the complaint being mediated; or 2) have a personal or professional conflict of interest. A mediator is not considered an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.

If the parties reach agreement through mediation, they may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the course of mediation will remain confidential and may not be used as evidence in any subsequent complaint, due process hearing or civil proceeding. The agreement must be signed by the complainant and a district representative who has authority to bind the district.

**Training and Orientation**

A fixed component of all district orientation sessions for staff, students, and regular volunteers will introduce the elements of this policy. Staff will be provided information on recognizing and preventing sexual harassment. Staff will be fully informed of the formal and informal complaint processes and their roles and responsibilities under the policy and procedure.

Certificated staff will be reminded of their legal responsibility to report suspected child abuse and how that responsibility may be implicated by some allegations of sexual harassment. Regular volunteers will 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 their rights and responsibilities under this and other district policies and rules at student orientation sessions and on other appropriate occasions, which may include parents.

As part of the information on the recognition and prevention of sexual harassment staff, volunteers, students, and parents will be informed that sexual harassment may include but is not limited to:

- Demands for sexual favors in exchange for preferential treatment or something of value;
- Stating or implying that a person will lose something if he or she does not submit to a sexual request;
- Penalizing a person for refusing to submit to a sexual advance or providing a benefit to someone who does;
- Making unwelcome, offensive, or inappropriate sexually suggestive remarks, comments, gestures, or jokes; or remarks of a sexual nature about a person's appearance, gender, or conduct;
- Using derogatory sexual terms for a person;
- Standing too close, inappropriately touching, cornering, or stalking a person; or
- Displaying offensive or inappropriate sexual illustrations on school property.

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

The district is committed to a safe and civil educational environment for all students, employees, volunteers, and patrons, free from harassment, intimidation, or bullying. “Harassment, intimidation or bullying” means any intentionally written message or image, including those that are electronically transmitted; a verbal or physical act, including but not limited to one shown to be motivated by any characteristic in RCW 9A.36.080(3), (race, color, religion, ancestry, national origin, gender, sexual orientation or mental or physical disability); or other distinguishing characteristics, when an act:

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

Nothing in this section requires the affected student to actually possess a characteristic that is a basis for the harassment, intimidation or bullying. “Other distinguishing characteristics” can include but are not limited to: physical appearance, clothing or other apparel, socioeconomic status, gender identity and marital status.

Intentional acts” refers to the individual’s choice to engage in the act rather than the ultimate impact of the action(s).

### **Behaviors/Expression**

Harassment, intimidation, or bullying can take many forms including: slurs, rumors, jokes, innuendos, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, or other written, oral, physical, or electronically transmitted messages or images. 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.

This policy is a component of the district’s responsibility to create and maintain a safe, civil, respectful, and inclusive learning community and is to be implemented in conjunction with comprehensive training of staff and volunteers, including the education of students in partnership with families and the community. This policy is to be implemented in conjunction with the *Comprehensive Safe Schools Plan* that includes prevention, intervention, crisis response, recovery and annual review. Employees, in particular, are expected to support the dignity and safety of all members of the school community.

Depending upon the frequency and severity of the conduct, intervention, counseling, correction, discipline and/or referral to law enforcement will be used to remediate the impact on the victim and the climate and change the behavior of the perpetrator. This includes appropriate intervention, restoration of a positive climate and support for victims and others impacted by the violation. False reports or retaliation for harassment, intimidation and bullying also constitute violations of this policy.

The superintendent is authorized to direct the development and implementation of procedures addressing the elements of this policy, consistent with the complaint and investigation components of procedure **3205 Sexual Harassment of Students Prohibited**.

### **Students with Individual Education Plans 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 deemed 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**

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting harassment, intimidation, or bullying.

It is also a violation of district policy to knowingly report false allegations of harassment, intimidation, and bullying. Students or employees will not be disciplined for making a report in good faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

### **Compliance Officer**

The superintendent will appoint a compliance officer as the primary district contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the district.

The superintendent is authorized to direct the implementation of procedures addressing the elements of this policy.

Cross References:	Policy 2161	Special Education and Related Services for Eligible Students
	Policy 3200	Rights and Responsibilities
	Policy 3210	Nondiscrimination
	Policy 3240	Student Conduct
	Policy 3241	Classroom Management, Corrective Action and Punishment
	Policy 3205	Sexual Harassment of Students Prohibited

Legal Reference: RCW 28A.300.285

Harassment, intimidation and bullying prevention policies and procedures—  
Model policy and procedure—  
Training materials—Posting on website—Rules—Advisory committee

WAC 392-190-059

Harassment, intimidation and bullying prevention policy and procedure—  
School Districts

Management Resources: OCR Dear Colleague Letter  
October, 2014  
December Issue 2014  
October Issue 2010  
*Policy News*, April 2008  
*Policy News*, April 2002

Responding to Bullying of Students with Disabilities  
Protecting Civil Rights of Students  
Students on Student Harassment  
Cyberbullying Policy Required  
Legislature Passes and Anti-Bullying Bill

**Adoption Date: 09.09.02**

**Auburn School District**

**Revised: 07.14.08; 02.14.11; 12.14.15; 04.25.16**

## **PROCEDURE PROHIBITION OF HARASSMENT, INTIMIDATION AND BULLYING**

### A. Definitions

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

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

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

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

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

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

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

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

### B. Prevention

#### 1. Dissemination

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

2. Education

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

3. Training

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

4. Prevention Strategies

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

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

C. Compliance Officer

The district compliance officer will:

1. Serve as the district's primary contact for harassment, intimidation and bullying;
2. Provide support and assistance to the principal or designee in resolving complaints;
3. Receive copies of all Incident Reporting Forms, discipline Referral Forms, and letters to parents providing the outcomes of investigations. If a written report of harassment, intimidation or bullying indicates a potential violation of the district's nondiscrimination policy [Policy 3210], the compliance officer must promptly notify the district's civil rights compliance coordinator;
4. Be familiar with the use of the student information system. The compliance officer may use this information to identify patterns of behavior and areas of concern;
5. Ensure implementation of the policy and procedure by overseeing the investigative processes, including ensuring that investigations are prompt, impartial, and thorough;
6. Assess the training needs of staff and students to ensure successful implementation throughout the district, and ensure staff receive annual fall training;
7. Provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis; and
8. In cases where, despite school efforts, a targeted student experiences harassment, intimidation or bullying that threatens the student's health and safety, the compliance officer will facilitate a meeting between district staff and the child's parents/guardians to develop a safety plan to protect the student. A sample student safety plan is available on the OSPI website: [www.k12.wa.us/SafetyCenter/default.aspx](http://www.k12.wa.us/SafetyCenter/default.aspx).

#### D. Staff Intervention

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

#### E. Filing an Incident Reporting Form

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

#### F. Addressing Bullying—Reports

##### Step 1: Filing an Incident Report Form

In order to protect a targeted student from retaliation, a student need not reveal his identity on an Incident Reporting Form. The form may be filed anonymously, confidentially, or the student may choose to disclose his or her identity (non-confidential). However, 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. Conscientious efforts should be made to increase the confidence and trust of the person making the complaint.

##### Step 2: Receiving an Incident Reporting Form

All staff are responsible for receiving oral and written reports. Whenever possible, staff who initially receive an oral or written report of harassment, intimidation or bullying will attempt to resolve the incident immediately. If the incident is resolved to the satisfaction of the parties involved or, if the incident does not meet the definition of harassment, intimidation or bullying, no further action may be necessary under this procedure.

All reports of unresolved, severe, or persistent harassment, intimidation or bullying will be recorded on a district Incident Reporting Form and submitted to the principal or designee, unless the principal or designee is the subject of the complaint.

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

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

1. Upon receipt of the Incident Reporting Form that alleges unresolved, severe, or persistent harassment, intimidation or bullying, the school or district designee will begin the investigation. If there is potential for clear and immediate physical harm to the complainant, the district will immediately contact law enforcement and inform the parent/guardian.

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

If, during the course of an investigation, the district employee conducting the investigation becomes aware of a potential violation of the district's nondiscrimination policy [Policy 3210], the investigator will promptly notify the district's civil rights compliance officer. Upon receipt of this information, the civil rights compliance officer must notify the complainant that their complaint will proceed under the discrimination complaint procedure in WAC 392-190-066 through WAC 392-190-075 as well as the HIB complaint procedure. The notice must be provided in a language that the complainant can understand. The investigation and response timeline for the discrimination complaint procedure will follow that set forth in WAC 392-190-065 and begins when the district knows or should have known that a written report of harassment, intimidation or bullying involves allegations of a violation of the district's nondiscrimination policy.

3. Within two (2) school days after receiving the Incident Reporting Form, the school designee will notify the families of the students involved that a complaint was received and direct the families to the district's policy and procedure on harassment, intimidation and bullying.
4. In rare cases where, after consultation with the student and appropriate staff (such as a psychologist, counselor, or social worker), the district has evidence that it would threaten the health and safety of the complainant or the alleged aggressor to involve his or her parent/guardian, the district may initially refrain from contacting the parent/guardian in its investigation of harassment, intimidation and bullying. If professional school personnel suspect that a student is subject to abuse and neglect, they must follow district policy for reporting suspected cases to Child Protective Services.
5. The investigation will include, at a minimum:
  - a. An interview with the complainant;
  - b. An interview with the alleged aggressor;
  - c. A review of any previous complaints involving either the complainant or the alleged aggressor; and
  - d. Interviews with other students or staff members who may have knowledge of the alleged incident.
6. The principal or designee may determine that other steps must be taken before the investigation is complete.

7. The investigation will be completed as soon as practicable but generally no later than fifteen (15) school days from the initial complaint or report. If more time is needed to complete an investigation, the district will provide the parent/guardian and/or the student with weekly updates.
8. No later than two (2) school days after the investigation has been completed and submitted to the compliance officer, the principal or designee will respond in writing or in person to the parent/guardian of the complainant and the alleged aggressor stating:
  - a. The results of the investigation;
  - b. Whether the allegations were found to be factual;
  - c. Whether there was a violation of policy; and
  - d. The process for the complainant to file an appeal if the complainant disagrees with the results.

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

If a district chooses to contact the parent/guardian by letter, the letter will be mailed to the parent/guardian of the complainant and alleged aggressor by United States Postal Service with return receipt requested unless it is determined, after consultation with the student and appropriate staff (psychologist, counselor, social worker), that it could endanger the complainant or the alleged aggressor to involve his or her family. If professional school personnel suspect that a student is subject to abuse or neglect, as mandatory reporters, they must follow district policy for reporting suspected cases to Child Protective Services.

If the incident cannot be resolved at the school level, the principal or designee will request assistance from the district.

#### Step 4: Targeted Student's Right to Appeal

1. If the complainant or parent/guardian is dissatisfied with the results of the investigation, they may appeal to the superintendent or his or her designee by filing a written notice of appeal within five (5) school days of receiving the written decision. The superintendent or his or her designee will review the investigative report and issue a written decision on the merits of the appeal within five (5) school days of receiving the notice of appeal.
2. If the targeted student remains dissatisfied after the initial appeal to the superintendent, the student may appeal to the school board by filing a written notice of appeal with the secretary of the school board on or before the fifth (5) school day following the date upon which the complainant received the superintendent's written decision.
3. An appeal before the school board or disciplinary appeal council must be heard on or before the tenth (10th) school day following the filing of the written notice of appeal to the school board. The school board or disciplinary appeal council will review the record and render a written decision on the merits of the appeal on or before the fifth (5th) school day following the termination of the hearing, and will provide a copy to all parties involved. The board or council's decision will be the final district decision.

#### Step 5: Discipline/Corrective Action

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

Corrective measures for a student who commits an act of harassment, intimidation or bullying will be varied and graded according to the nature of the behavior, the developmental age of the student, or the student's history of problem behaviors and performance. Corrective measures that involve student discipline will be implemented according to district policy 3241, Classroom Management, Corrective Actions or Punishment.

If the conduct was of a public nature or involved groups of students or bystanders, the district should strongly consider schoolwide training or other activities to address the incident.

If staff have been found to be in violation of this policy and procedure, school districts may impose employment disciplinary action, up to and including termination. If a certificated educator is found to have committed a violation of WAC 181-87, commonly called the Code of Conduct for Professional Educators, OSPI's Office of Professional Practices may propose disciplinary action on a certificate, up to and including revocation. Contractor violations of this policy may include the loss of contracts.

#### Step 6: Support for the Targeted Student

Persons found to have been subjected to harassment, intimidation or bullying will have appropriate district support services made available to them, and the adverse impact of the harassment on the student will be addressed and remedied as appropriate.

#### G. Immunity/Retaliation

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

#### H. Other District Policies and Procedures

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

## NONDISCRIMINATION

The district shall provide equal educational opportunity and treatment for all students in all aspects of the academic and activities program without regard to race, creed, color, national origin, age, sex, sexual orientation including gender expression or identity, marital status, or non-program-related physical, sensory or mental disabilities or the use of a trained dog guide or service animal by a person with a disability. RCW 49.60 Law Against Discrimination. District programs shall be free from sexual harassment.

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

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

Cross References:	Board Policy 2020	Curriculum Development and Adoption
	Board Policy 2030	Service Animals in Schools
	Board Policy 2140	Guidance and Counseling
	Board Policy 2150	Co-Curricular Program
	Board Policy 3207	Prohibition of Harassment, Intimidation and Bullying
	Board Policy 4260	Use of School Facilities

Legal References:	RCW 28A.640.49.60 49.60	Sexual Equality Discrimination— Prohibition
	WAC 392-190 WAC 392-190-020	Equal Education Opportunity – Unlawful Training—Staff responsibilities—bias awareness
	WAC 392-190-059	Public School Employment – Affirmative Aciton Programs
	WAC 392-190-060	Compliance—School district designation of responsible employee-- Notification
	WAC 392-400-215 392-190	Student rights Equal Educational Opportunity--Sex Discrimination Prohibited
	42 U.S.C. §§ 12101-12213	Americans with Disabilities Act

### Management Resources:

2014—December Issue	
2013—April Issue	
2012—December Issue	
2011—June Issue	
<i>Policy News</i> , August 2007	Washington’s Law Against Discrimination

**Adoption Date: 10.27.97**  
**Auburn School District**  
**Revised: 02.14.11; 12.14.15**

## PROCEDURE NONDISCRIMINATION

Students, and/or parents/guardians, staff, or other individuals acting on behalf of students of the district are eligible to participate in this complaint procedure. This complaint procedure is designed to assure that the resolution of real or alleged violations are directed toward a just solution that is satisfactory to the complainant, the administration, and the board of directors. This grievance procedure will apply to the general conditions of the nondiscrimination policy (Policy No. 3210) and, more particularly, to policies dealing with guidance and counseling (Policy No. 2140), co-curricular program (Policy No. 2150), service animals in schools (Policy No. 2030), and curriculum development and instructional materials (Policy No. 2020). As used in this procedure:

- A. **“Grievance”** will mean a complaint which has been filed by a complainant (a student, an employee, a parent or guardian) relating to alleged violations of any state or federal anti-discrimination laws and
- B. **“Complaint”** will mean a written charge alleging specific acts, conditions, or circumstances which are in violation of the anti-discrimination laws.
- C. **“Respondent”** will mean the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

The primary purpose of this procedure is to secure an equitable solution to a justifiable complaint. To this end, specific steps will be taken. The district is prohibited by law from intimidating, threatening, coercing or discriminating against any individual for the purpose of interfering with their right to file a grievance under this policy and procedure and from retaliating against an individual for filing such a grievance.

### **Process for Resolution**

#### **Informal Process for Resolution**

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

#### **Formal Process for Resolution**

##### A. Level One

A written complaint must be signed by the complainant and set forth the specific acts, conditions, or circumstances alleged to be in violation. Upon receipt of a complaint, the compliance officer shall investigate the allegations set forth within 30 calendar days. The school district and complainant may agree to resolve the complaint in lieu of an investigation. The officer shall provide the superintendent with a full written report of the complaint and the results of the investigation.

The superintendent shall respond in writing to the complainant as expeditiously as possible but in no event later than 30 calendar days following receipt of the written complaint unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the complainant in writing of the reason for the extension and the anticipated response date at the time the district responds to the complainant. The response of the superintendent will include notice of the complainant's right to appeal to the school board and will identify where and to whom the appeal must be filed.

The decision of the superintendent or designee will include:

1. A summary of the results of the investigation;
2. Whether the district has failed to comply with anti-discrimination laws;
3. If non-compliance is found, corrective measures the district deems necessary to correct it; and
4. Notice of the complainant's right to appeal to the school board and the necessary filing information. The superintendent's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964.

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

#### B. Level Two

If a complainant disagrees with the superintendent's written decision or if the superintendent fails to respond, the complainant may appeal to the district board of directors by filing a written notice of appeal with the secretary of the board by the 10th calendar day following:

1. The date upon which the complainant received the superintendent's response or
2. The expiration of the 30-calendar day response period stated in Level One, whichever occurs first.

The board shall schedule a hearing to commence by the 20th calendar day following the filing of the written notice of appeal, unless otherwise agreed to by the complainant and the superintendent or for good cause. Both parties shall be allowed to present such witnesses and testimony as the board deems relevant and material. The board will render a written decision by the 10th calendar day following the termination of the hearing and will provide a copy to the complainant, unless otherwise agreed to by the complainant and the superintendent or for just cause. The response of the board will include notice of the complainant's right to appeal to the Superintendent of Public Instruction and will identify where and to whom the appeal must be filed.

### C. Level Three

If a complainant disagrees with the decision of the board of directors in connection with any matter which, if established, would constitute a violation, the complainant may appeal the board's decision to the Superintendent of Public Instruction.

1. A notice of appeal must be received by the Superintendent of Public Instruction on or before the 20th day following the date upon which the complainant received written notice of the board of directors' decision.
2. A notice of appeal must be in writing in the form required by the Superintendent of Public Instruction and must set forth:
  - a. A description of the specific acts, conditions or circumstances alleged to violate applicable anti-discrimination laws;
  - b. The name and contact information, including address, of the complainant;
  - c. The name and address of the district subject to the complaint;
  - d. A copy of the district's complaint and appeal decision, if any; and
  - e. A proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student, or, in the case of a homeless child or youth, contact information.

Upon receipt of the complaint, the Office of Superintendent of Public Instruction may initiate an investigation. Following an investigation, OSPI will make an independent determination as to whether the district has failed to comply with RCW 28A.642.010 or Chapter 392-190, WAC.

### D. Level Four—Administrative Hearing

A complainant or school district that desires to appeal the written decision of the Office of the Superintendent of Public Instruction may file a written notice of appeal with OSPI within thirty (30) calendar days following the date of receipt of that office's written decision. OSPI will conduct a formal administrative hearing in conformance with the Administrative Procedures Act, Chapter 34.05, RCW.

### E. Mediation

At any time during the discrimination complaint procedure set forth in WAC 392-190-065 through 392-190-075, a district may, at its own expense, offer mediation. The complainant and the district may agree to extend the discrimination complaint process deadlines in order to pursue mediation.

The purpose of mediation is to provide both the complainant and the district an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator. Mediation must be voluntary and requires the mutual agreement of both parties. It may be terminated by either party at any time during the mediation process. It may not be sued to deny or delay a complainant's right to utilize the complaint procedures.

Mediation must be conducted by a qualified and impartial mediator who may not: 1) be an employee of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the subject of the complaint being mediated; or 2) have a personal or professional conflict of interest. A mediator is not considered an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.

If the parties reach agreement through mediation, they may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the course of mediation will remain confidential and may not be used as evidence in any subsequent complaint, due process hearing or civil proceeding. The agreement must be signed by the complainant and a district representative who has authority to bind the district.

### **Preservation of Records**

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

## **PROCEDURE NONDISCRIMINATION**

### Nondiscrimination – Gender Expression

The board believes in fostering an educational environment that is safe and free of discrimination for all students, regardless of sex, sexual orientation, gender identity or gender expression. To that end, the board recognizes the importance of an inclusive approach toward transgender students with regard to official records, confidential health and education information, communication, restroom and locker room accessibility, sports and physical education, dress codes and other school activities, in order to provide these students with an equal opportunity for learning and achievement.

A meeting between the transgender student, their family and the principal or building administrator is encouraged to take place upon enrollment in the district or in response to a currently enrolled student's change of gender expression or identity.

The goals of the meeting are to:

- develop understanding of that student's individual needs with respect to their gender expression or identity, including any accommodations that the student is requesting or that the district will provide according to Policy 3210 and this procedure and under state and federal law; and
- develop a shared understanding of the student's day-to-day routine within the school so as to foster a relationship and help alleviate any apprehensions the student may have with regard to their attendance at school.

The school may not require the student to attend a meeting as condition of providing them with the protection to which they are entitled under Policy 3210, this procedure, and state and federal law regarding gender expression or identity.

### Communication and Use of Names and Pronouns

An appropriate school employee will privately ask known transgender or gender nonconforming students how they would like to be addressed in class, in correspondence to the home, and at conferences with the student's parent/guardian. That information will be included in the electronic student record system along with the student's legal name in order to inform teachers and staff of the name and pronoun by which to address the student. To the maximum extent possible, this information will be communicated directly with staff to facilitate the use of proper names and pronouns. A student is not required to change their official records or obtain a court-ordered name and/or gender change as a prerequisite to being addressed by the name and pronoun that corresponds to their gender identity. The district will not condone the intentional and persistent refusal to respect a student's gender identity, or inappropriate release of information regarding a student's transgender status.

### Locker Room and Restroom Accessibility

Use of locker rooms and restrooms by transgender or gender nonconforming students will be assessed on a case-by-case basis, with the goal of maximizing transgender or gender nonconforming student social integration, providing an equal opportunity to participate in physical education classes and athletic opportunities and ensuring the student's safety. Locker room and restroom options for transgender or gender nonconforming students include, but are not limited to:

- use of a private area (e.g., nearby restroom stall with a door, an area separated by a curtain, an office in the locker room, or a nearby health office restroom);
- a separate changing schedule (i.e., utilizing the locker room before or after the other students.
- provide the student access to the locker room that corresponds to the gender identity they assert at school.

Any alternative to locker rooms or restrooms will be provided in a manner that allows the student to keep his or her transgender or gender nonconforming status private. No student, however, will be required to use a locker room that conflicts with his or her gender identity.

### Sports and Physical Education Classes

The district will provide all students, including transgender students, the opportunity to participate in physical education and athletic programs/opportunities in a manner that is consistent with their gender identity.

A student may seek review of his or her eligibility for participation in interscholastic athletics by working through the Gender Identity Participation procedure set forth by the Washington Interscholastic Activities Association (WIAA).

## FREEDOM OF EXPRESSION

The free expression of student opinion is an important part of education in a democratic society. Students' verbal and written expression of opinion on school premises is to be encouraged so long as it does not substantially disrupt the operation of the school. Students are expressly prohibited from the use of vulgar and/or offensive terms in classroom or assembly settings.

The superintendent shall develop guidelines assuring that students are able to enjoy free expression of opinion while maintaining orderly conduct of the school.

### A. Student Publications

Student publications produced as part of the school's curriculum or with the support of the associated student body fund are intended to serve both as vehicles for instruction and student communication. They are operated and substantively financed by the district. Material appearing in such publications should reflect all areas of student interest, including topics about which there may be controversy and dissent. Controversial issues may be presented provided that they are treated in depth and represent a variety of viewpoints. Such materials may not: be libelous, obscene or profane; cause a substantial disruption of the school, invade the privacy of others; demean any race, religion, sex, or ethnic group; or advocate the violation of the law or advertise tobacco products, liquor, illicit drugs, or drug paraphernalia.

The superintendent shall develop guidelines to implement these standards and shall establish procedures for the prompt review of any materials which appear not to comply with the standards.

### B. Distribution of Materials

Publications or other material written by students may be distributed on school premises in accordance with procedures developed by the superintendent or designee. Such procedures may impose limits on the time, place, and manner of distribution including prior authorization for the posting of such material on school property.

Students responsible for the distribution of material which leads to a substantial disruption of school activity or otherwise interferes with school operations shall be subject to corrective action or punishment, including suspension or expulsion, consistent with student discipline policies.

Materials shall not be distributed on school grounds by non-students and non-employees of the district.

Cross Reference:	Board Policy 2340	Religious-related Activities and Practices
	3241	Corrective Actions or Punishment

Legal References:	WAC 392-400-215	Student rights
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Management Resources:	<i>Policy News</i> , August 2001	A Few Civil Liberty Reminders
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**Adoption Date: 10.27.97**  
**Auburn School District**  
**Revised: 02.14.11**

## PROCEDURE FREEDOM OF EXPRESSION

Students will enjoy the privilege of free verbal and written expression providing such expression does not disrupt the operation of the school. The principal will have the authority to monitor student verbal and written expression. Students who violate the standards for verbal and written expression will be subject to corrective action or punishment.

For purposes of verbal and written expression, the following guidelines are in effect:

A. Distribution of written materials or presentation of an oral speech in an assembly or classroom setting may be restricted:

1. Where there is evidence which reasonably supports a forecast that the expression is likely to cause material and substantial disruption of or interference with school activities, which disruption or interference cannot be prevented by reasonably available, less restrictive means or,
2. Where such expression unduly impinges upon the rights of others.

In order for a student publication or speech to be disruptive, there must exist specific facts upon which it would be reasonable to forecast that a clear and present likelihood of an immediate, substantial disruption to normal school activity would occur if the material were published and distributed. Disruption includes but is not necessarily limited to: student riots; destruction of property; widespread shouting or boisterous conduct; or substantial student participation in a school boycott, sit-in, stand-in, walk-out or other related form of activity.

B. Distribution of written material or presentation of an oral speech which are construed to be unsuitable for minors will not be permitted. Rules for determining unsuitability for minors should be consistent with those as applied to instructional materials.

C. Libelous material or speech may be prohibited. Libelous material will be defined to include defamatory falsehoods about public figures or governmental officials. In order to be libelous, the defamatory falsehood must be made with actual malice; that is, with knowledge that it is false or with reckless disregard of whether it was false or not.

D. Material may be considered profane when the language does not meet the standards of professional journalism as evidenced by the daily newspapers commonly distributed in the district. Sanctions may be imposed on a student when he/she engages in offensively "lewd and indecent speech."

E. Publications may not "invade the privacy" of individuals. Such occurrences may include: exploitation of one's personality; publications of one's private affairs with which the public has no legitimate concern; or wrongful intrusion into one's private activities in a manner that can cause mental suffering, shame, or humiliation to a reasonable person of ordinary sensibilities.

- F. Publications or oral speeches which criticize school officials or advocate violation of school rules may be prohibited when there is evidence which supports a forecast that substantial disruption of school may develop.
- G. Publications or oral speeches which advocate racial, religious, or ethnic prejudice or discrimination or seriously disparage particular racial, religious, or ethnic groups are prohibited.

### **Student Publications**

The student publications instructor or advisor will have the primary responsibility for supervising student publications and to see that provisions incorporated into the policy and procedures are met. The principal may request to review any copy prior to its publication. Such copy will be returned to the student editors within 24 hours after it has been submitted for review. Any dispute that cannot be resolved at the building level will be submitted to the superintendent for further consideration. When appropriate, the superintendent will seek legal counsel. If the complaint cannot be resolved at that level, the board, upon request, will consider the complaint at its next regular meeting.

While the district believes that students should be encouraged to exercise good judgment in the content of the student publication program, such expressive writing must be in keeping with the school's instructional mission and values. Material must be free of content that: runs counter to the instructional program, invades the privacy of individuals, demeans or otherwise damages individuals or groups, supports the violation of school rules, or is inappropriate for the maturity level of the students. Such publication activities must also teach respect for the sensitivity of others and standards of civility as well as the elements of responsible journalism.

### **Distribution of Materials**

Students' constitutional rights of freedom of speech or expression provide for the opportunity to distribute written materials on school premises. However, distribution of materials by students will not cause disruption of or interference with school activities. Systematic distribution of materials may not occur during instructional time, unless other similar non-instructional activities are permitted. Students will be subject to corrective action or punishment, including suspension or expulsion, depending on the nature of the disruption or interference resulting from distribution of materials.

## **FREEDOM OF ASSEMBLY**

Individual students and student organizations may meet in school rooms or auditoriums, or at outdoor locations on school grounds, to discuss, pass resolutions and take other lawful action respecting any matter which directly or indirectly concerns or affects them, whether or not it relates to school. Such activities shall not be permitted to interfere with the normal operation of the school.

Peaceful demonstrations are permissible, though they are to be held in designated places where they shall present no hazards to persons or property and at designated times that shall not disrupt classes or other school activities.

Cross Reference:	Board Policy 2153	Noncurriculum Related Student Groups
Legal References:	WAC 392-400-215	Student rights

## STUDENT DRESS

Preserving a beneficial learning environment and assuring the safety and well-being of all students are primary concerns of the board of directors.

Students' choices in matters of dress should be made in consultation with their parents.

Student dress shall only be regulated when, in the judgment of school administrators, there is a reasonable expectation that:

- A. A health or safety hazard shall be presented by the student's dress or appearance including possible membership in a gang or hate groups;
- B. Damage to school property shall result from the student's dress; or
- C. A material and substantial disruption of the educational process will result from the students' dress or appearance.

For the purpose of this policy, a material and substantial disruption of the educational process may be found to exist when a student's conduct is inconsistent with any part of the educational mission of the school district. Prohibited conduct includes the use of lewd, sexual, drug, tobacco or alcohol-related messages, gang-related apparel.

The uniforms of nationally recognized youth organizations and clothing worn in observance of a student's religion, are not subject to this policy.

The superintendent shall establish procedures providing guidance to students, parents, and staff regarding appropriate student dress in school or while engaging in extracurricular activities. Such procedures shall ensure that any student wearing, carrying, or displaying gang-related apparel, or exhibiting behavior or gestures which symbolize gang membership, or causing and/or participating in activities which intimidate or affect the attendance of another student shall be asked, with notice to his or her parents, to make appropriate corrections and be subject to discipline if the corrections are not undertaken.

Cross References: Board Policy 3220

Freedom of Expression

Legal References: RCW 28A.320.140  
WAC 392-400-215  
392-400-225

Schools with Special standards  
Student Rights  
School district rules defining misconduct

**Adoption Date: 10.27.97**  
**Auburn School District**  
**Revised: 02.14.11**

## **PROCEDURE STUDENT DRESS**

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

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

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

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

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

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

## **STUDENT PRIVACY AND SEARCHES**

At certain ages, students attain the right to decide for themselves what records will remain confidential, even from their parents, and what activities the student will participate in. At age eighteen, students become legal adults and must approve any disclosure of information about themselves from school records, except directory information if a request for confidentiality has not been filed. Students at age eighteen may also sign releases, authorizations or permission slips to participate in school activities and may sign themselves out of school and authorize their own absences. Students between sixteen and eighteen who have been granted legal emancipation from their parents or guardians have the same rights as eighteen year old students. Students over fourteen years of age have the right to keep private from everyone any district records indicating that they have been tested or treated for a sexually transmitted disease. Students thirteen years and older have confidentiality rights in records regarding drug, alcohol or mental health treatment. All students have confidentiality rights in family planning or abortion records.

### **A. Searches of Students and Personal Property**

Personal privacy is a fundamental aspect of individual liberty. All students possess the constitutional right to be secure in their persons, papers, and effects against unreasonable searches and seizures. Staff shall take particular care to respect students' privacy.

School officials have authority to maintain order and discipline in the schools and to protect students from exposure to illegal drugs, weapons, and contraband. The superintendent, the principal, and other staff designated by the superintendent shall have the authority to conduct reasonable searches on school property as provided by board policy.

A search is required when there are reasonable grounds to suspect a student has a firearm on school grounds, transportation or at school events.

Prior to conducting a search, school officials shall ask that the student consent to be searched by removing all items from pockets or other personal effects. If the student refuses to consent to the search, school officials may proceed to search the student, the student's personal belongings, and the student's locker, as follows:

1. Any search of a student conducted by a school district employee must be reasonably related to the discovery of contraband or other evidence of a student's violation of the law or school rules.

For the purpose of this policy, "contraband" means items, materials, or substances the possession of which is prohibited by law or district policy, including but not limited to, controlled substances, alcoholic beverages, tobacco products, or any object that can reasonably be considered a firearm or a dangerous weapon.

2. Staff shall conduct searches in a manner which is not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.

No student shall be subject to a strip search or body cavity search by school staff.

School officials may consult with local law enforcement officials regarding the advisability of a search on school premises by a law enforcement officer if evidence of criminal activity is likely to be seized.

The superintendent shall develop procedures regulating searches of students and their personal property.

## B. Locker Searches

Students may be assigned lockers for storing and securing their books, school supplies, and personal effects. Lockers, desks, and storage areas are the property of the school district. No right nor expectation of privacy exists for any student as to the use of any space issued or assigned to a student by the school and such lockers and other spaces are subject to search in accordance with district policy.

No student may use a locker, desk, or storage area as a depository for any substance or object which is prohibited by law or school rules or which poses a threat to the health, safety or welfare of the occupants of the school building or the building itself.

Any student's locker, desk, or other storage area shall be subject to search if reasonable grounds exist to suspect that the search will yield evidence of the student's violation of the law or school rules. Any search of an individual student's locker shall be conducted according to board policy governing personal searches.

All student lockers may be searched at any time without prior notice and without reasonable suspicion that the search will yield evidence of any particular student's violation of the law or school rules. If the school official conducting such a search develops a reasonable suspicion that any container inside the locker, including but not limited to a purse, backpack, gym bag, or an article of clothing, contains evidence of a student's violation of the law or school rules, the container may be searched according to board policy governing personal searches.

The superintendent shall establish procedures for conducting searches of lockers, desks, or storage areas.

Cross References:	Board Policy 3414 3231	Infectious Diseases Student Records
Legal References:	RCW 13.64.060  28A.320.040  28A.600.020  28A.600.210-240  WAC 392-400-215	Power and Capacity of emancipated minor Bylaws for board and school government Exclusion of student from classroom-- Written disciplinary procedures-- Long-term suspension or expulsion School official searches of student lockers Student rights
Management Resources:	<i>Policy News</i> , June 1999	School safety bills impact policy

## **PROCEDURE STUDENT PRIVACY AND SEARCHES**

### **Searches of Students and Their Property**

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 will report a student's suspicious activity to the principal prior to initiating a search, except in emergency situations. A search is required when there are reasonable grounds to suspect a student has a firearm on school grounds, transportation or at school events.

#### **A. Establishing reasonable grounds.**

The following review of the basis for the search should occur before conducting a search:

1. 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.
2. If suspicion could be confirmed, would such conduct be a violation of the law or school rules?
3. Is the student likely to possess or have concealed any item, material, or substance which is itself prohibited or which would be evidence of a violation of the law or a school rule?

#### **B. 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 will be conducted as follows:

1. 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.
2. 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.
3. 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 consent to the search. If a parent or guardian cannot be reached in a reasonable time, the principal may conduct the search without the student's consent.

## **Locker Searches**

Lockers, desks, and storage areas are the property of the school district. When assigned a locker, desk, or storage area, a student will 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.

A student's locker desk or storage area may be searched 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 will report a student's suspicious activity to the principal prior to initiating a search, except in emergency situations when the risk of harm to students or staff demands immediate action.

Building principals should refer to these procedures for conducting searches of students and their property for guidance in establishing whether a search is reasonable under the circumstances.

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 property or to ensure that all lockers, desks, or storage areas are being kept clean and free from potential health or safety hazards. Periodic inspections of lockers will reinforce the district's ownership of lockers and the minimal expectation of privacy students have in the contents of their lockers.

During a search of all student lockers, if the school official conducting the search discovers any container within the locker which may conceal contraband, the container may be searched according to district procedures governing searches of students and their property. A "container" for the purpose of this policy may include, but is not limited to: an article of clothing, a handbag, purse, backpack, gym bag or any other item in which contraband material may be concealed.

## **STUDENT RECORDS (DRAFT 5-2-17)**

The district shall maintain those student records necessary for the educational guidance and/or welfare of students, for orderly and efficient operation of schools and as required by law. All information related to individual students shall be treated in a confidential and professional manner. The district will use reasonable methods to ensure that teachers and other school officials obtain access to only those education records in which they have legitimate educational interests. **District personnel shall not inquire about or record a student's or a family member's immigration status, and pursuant to the Family Education Rights and Privacy Act ("FERPA"), shall not disclose the immigration status of any student ~~or other personally identifiable information~~, unless permission is granted in writing by the adult student or student's parent or guardian or the information is requested under a valid subpoena or warrant.** When information is released in compliance with state and federal law the district and district employees are immune from civil liability unless they acted with gross negligence or in bad faith.

**The district will retain records in compliance with the current, approved versions of the Local Government General Records Retention Schedule (CORE) and the School Districts and Educational Service Districts Records Retention Schedule, both of which are published on the Secretary of State's website at: [www.sos.wa.gov/archives/recordsretentionschedules.aspx](http://www.sos.wa.gov/archives/recordsretentionschedules.aspx).**

Student records are the property of the district but shall be available in an orderly and timely manner to students and parents. "Parent" includes the state department of social and health services when a minor student has been found dependent and placed in state custody. A parent or adult student may challenge any information in a student record believed inaccurate, misleading or in violation of the privacy or other rights of the student.

Student records shall be forwarded to other school agencies upon request. A high school student may grant authority to the district which permits prospective employers to review the student's transcript. Parental or adult student consent shall be required before the district may release student records other than to a school agency or organization, except as otherwise provided by law.

A grades report, transcript, or diploma shall not be released until a student has made restitution for damages assessed as a result of losing or damaging school materials or equipment. If a student has transferred to another school district that has requested the student's records, but the student has an outstanding fee or fine, only records pertaining to the student's academic performance, special placement, immunization history and discipline actions shall be sent to the enrolling school. The content of those records shall be communicated to the enrolling district within two school days and copies of the records shall be sent as soon as possible. The official transcript will not be released until the outstanding fee or fine is discharged. The enrolling school shall be notified that the official transcript is being withheld due to an unpaid fee or fine.

The superintendent shall establish procedures governing the content, management and control of student records.

Cross References: **Board Policy 2100**

**Board Policy 3205**

Board Policy 3520

**Educational Opportunities for  
Military Children**

**Sexual Harassment of Students  
Prohibited**

Student Fees, Fines, Charges

Legal References:	<p>Board Policy 4020</p> <p><b>Board Policy 4040</b></p> <p>20 U.S.C. § 1232g</p> <p>CFR 34 , Part 99</p> <p><b>RCW 28A.150.510</b></p> <p><b>RCW 28A.195.070</b></p> <p><b>RCW 28A.225.151</b></p> <p>RCW 28A.225.330</p> <p><b>RCW 28A.230.120</b></p> <p><b>RCW 28A.230.180</b></p> <p><b>RCW 28A.600.475</b></p> <p><b>RCW 28A.605.030</b></p> <p>RCW 28A.635.060</p> <p><b>RCW 40.24.030</b></p> <p><b>Chapter 392-172A WAC</b></p> <p>70.02</p>	<p>Confidential Communications</p> <p><b>Public Access to District Records</b></p> <p>Family Education Rights and Privacy Act</p> <p>Family Education Rights and Privacy Act Regulations</p> <p><b>Tranmittal of education records to DSHS—Disclosure of educational records—Data sharing agreements—Comprehensive needs requirement document—Report</b></p> <p><b>Official transcript withholding—Transmittal of information</b></p> <p><b>Reports</b></p> <p>Enrolling students from other districts--</p> <p>Requests for information and permanent records--Withheld transcripts-Immunity from liability-- Notification to teachers and security personnel--Rules</p> <p>High school diplomas—Issuance-- Option to receive final transcripts-- Notice</p> <p>Educational and career opportunities in the military, student access to information on, when</p> <p><b>Exchange of information with law enforcement and juvenile court officials—Notification of parents and students</b></p> <p><b>Student education records—Parental review—release of records-- Procedure</b></p> <p>Defacing or injuring school property-- Liability of pupil, parent or guardian—<b>Withholding grades, diploma, or transcripts— Suspension and restitution— Voluntary work program as alternative—Rights protected</b></p> <p>Address Confidentiality Program-- Application—Certification</p> <p><b>Rules for the provision of special education</b></p> <p><del>Medical records—health care information access and disclosure</del></p>
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**Chapter 392-182 WAC**

WAC 392-500-025

WAC 392-415

WAC 181-87-093

**WAC 392-121-182**

**WAC 392-122-228**

WAC 246-105

~~WAC 392-415-060-070~~

**WAC 392-500-025**

**Student Health Records**

Pupil tests and records--Pupil personnel records--School district policy in writing

Secondary education--standardized high school transcript

Failure to assure the transfer of student record information or student records

**Alternative learning experiences**

**Alternative learning experiences for juvenile students incarcerated in adult jail facilities**

Immunization of child care and school children against certain vaccine-preventable diseases

~~State standardized high school transcript~~

**Pupil tests and records—Tests—**

**School district policy in writing**

Management Resources: *Policy News*, April 2001

*Policy News*, December 2003

*Policy News*, February 2010

*Policy News*, February 2013

*Policy News*, December 2014

Compliance Office Provides FERPA Update

Updated Legal References for Catheterization, Facilities Planning and Student Records Policies

Family Education Rights and Privacy Act Revisions

**Adoption Date: 10.27.97**

**Auburn School District**

**Revised: 06.14.04; 02.14.11**

## **PARENT AND STUDENT RIGHTS IN ADMINISTRATION OF SURVEYS, ANALYSIS OR EVALUATIONS**

All instructional materials, including supplementary materials and teachers manuals used with any survey, analysis, or evaluation in a program or project supported by federal funds, are available for inspection by parents and guardians.

No student will be required as part of any project or program supported by federal funds to submit to survey, analysis, or evaluation that reveals information concerning:

1. Political affiliations;
2. Potentially embarrassing mental or psychological problems;
3. Sexual behavior and attitudes;
4. Illegal, anti-social, self-incriminating or demeaning behavior;
5. Critical appraisals of close family members;
6. Privileged or similar relationships;
7. Religious practices, affiliations, or beliefs of the student or student's parent; or
8. Income other than information necessary to establish eligibility for a program; without the prior consent of adult or emancipated students, or written permission of parents.

The district shall make arrangements to protect student privacy during the administration of surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

Legal References: 20 U.S.C. 1232h(c)  
34 CFR Parts 75, 76,  
and 98 (1984)

No Child Left Behind Act of 2001  
Student rights in research,  
experimental activities and testing

Management Resources: *Policy News*, April 2003 Districts Required to Review Collection  
and Dissemination of Information

**Adoption Date: 02.14.11**  
**Auburn School District**  
**Revised:**

## STUDENT CONDUCT

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

Students are expected to:

- A. Respect the rights, person, and property of others;
- B. Preserve the degree of order necessary for a positive climate for learning; and
- C. Submit to the authority of staff and respond accordingly.
- D. Comply with district rules and regulations;
- E. Submit to the authority of staff and reasonable discipline imposed by school employees and respond accordingly.

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

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

Cross References:	Board Policy 3241	Classroom Management, Discipline and Corrective Action
	Board Policy 6605	Student Safety Walking to School and Riding Buses
Legal References:	RCW 4.24.190	Action against parent for wilful injury to property by minor--Monetary limitation--Common law liability preserved
	9A.16.020	Use of force--when lawful
	9.41	Firearms and dangerous weapons
	9.91.160	Personal protection spray devices
	28A.210.310	Prohibition on use of tobacco products on school property
	28A.320.128	Notice and disclosure policies—Threats of violence—Student conduct— Immunity for good faith notice— Penalty
	28A.400.110	Principal to assure appropriate student discipline
	28A.600.015	Rules incorporating due process guarantees of pupils with regard to expulsions and suspensions

28A.600.020	Exclusion of student from classroom-- Written disciplinary procedures-- Long-term suspension or expulsion
28A.600.022	Suspended or expelled students— Reengagement plan
28A.600.040	Pupils to comply with rules & regulations
28A.635.060	Defacing or injuring school property— Liability of pupil, parent or guardian
28A.635.090	Interference by force or violence— Penalty
28A.635.100	Intimidating any administrator, teacher, classified employee, or student by threat of force or violence unlawful-- Penalty
WAC 392-400-205	Definitions
392-400-210	Student responsibilities and duties
392-400-215	Student rights
392-400-225	School district rules defining misconduct--Distribution of rules
392-400-226	School district rules defining harassment, intimidation and bullying prevention policies and procedures—Distribution of rules
392-400-227	School district rules defining students’ religious rights
392-400-233	Unexcused absences and tardiness
20 USC 7101 et. seq.	Safe and Drug-Free Schools and Communities Act

Management Resources:    Policy News, July, 2016  
    Policy News, August, 2014  
    Policy News, September, 2013

## **PROCEDURE STUDENT CONDUCT EXPECTATIONS AND REASONABLE SANCTIONS**

### **Student Conduct Expectations**

As authorized by chapter 28A.600 RCW, the following procedure sets forth rights and conduct expectations for students, along with the sanctions that may be imposed for violations of such expectations. At all times, this procedure will be read consistent with federal statutes and regulations, state statutes, common law, and rules promulgated by the Washington Office of the Superintendent of Public Instruction. For procedures and legal requirements related to imposition of suspension and expulsion, see Policy and Procedure 3241, Classroom Management, Discipline and Corrective Action.

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

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

### **Compliance with Rules**

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

### **Student Rights**

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

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

- Freedom of speech and press
  - Peaceably assemble
  - Petition the government and its representatives for a redress of grievances
  - The free exercise of religion and to have their schools free from sectarian control or influence, and
  - Participate in the development of rules and regulations to which they are subject and to be instructed on rules and regulations that affect them, including the periodic review and update of discipline rules, policies, and procedures;
- Establish appropriate channels to voice their opinions in the development of curriculum;
  - Representation on advisory committees affecting students and student rights;
  - Present petitions, complaints, or grievances to school authorities and the right to prompt replies;
  - Consult with teachers, counselors, administrators and other school personnel at reasonable times;
  - Be involved in school activities, provided they meet the reasonable qualifications of the sponsoring organization;
  - Free election of their peers in student government and the right to hold office;
  - Know the requirements of the course of study, be informed about and know upon what basis grades will be determined;
  - Citizenship privileges as determined by the United States and Washington State Constitution and its amendments; and
  - Annual information pertaining to the district's rules and regulations regarding students, discipline and rights.

### **Scope of District Authority**

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

- On school grounds during and immediately before or immediately after school hours;
- On school grounds at any other time when school is being used by a school group(s) or for a school activity;
- Off school grounds at a school activity, function, or event;
- Off the school grounds if the actions of the student materially or substantially affects or interferes with the educational process; or
- In school-provided transportation, or any other place while under the authority of school personnel.

### **Disruptive Conduct**

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

- Intentionally obstructing normal pedestrian or vehicular traffic on a school campus;
- Intentionally obstructing the entrance or exit of any school building or room in order to deprive others of passing through;
- Causing a disturbance or disruption on school grounds, at school activities, or on district-provided transportation, including substantially interfering with any class or activity;

- Cheating or disclosure of exams;
- Defiance of school personnel by;
  - Disobedience of reasonable requests, instruction, and directives of school personnel;
  - Refusal to leave an area when instructed to do so by school personnel;
  - Refusing a reasonable request to identify oneself to district personnel (including law enforcement officers) while under the supervision of the school; and
  - Refusal to cease prohibited behavior;
- Disruptive and/or dangerous use of motor vehicles or conduct on a school bus that endangers students;
- Extortion, theft, forgery;
- Fighting: Fighting and instigating, promoting, or escalating a fight, as well as failure to disperse. Engaging in any form of fighting where blows are exchanged is prohibited, regardless of who initiated the fight. This prohibition includes hitting, slapping, pulling hair, biting, kicking, and scratching or any other acts in which a student intentionally inflicts or attempts to inflict injury on another;
- Gambling or encouraging other students to gamble;
- Gang-related behavior, association, and/or affiliation
- Harassment of others;
- Inappropriate dress or appearance (see Policy 3224);
- Trespassing on school property or school transportation at a time or place the student's presence is not permitted;
- Occupying a school building or school grounds in order to deprive others of its use;
- Preventing students from attending class or school activities;
- Use or possession of tobacco;
- Using any object in a dangerous manner;
- Intentionally defacing or destroying the property of another.

### **Exceptional Misconduct**

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

- Arson;
- Assault, if the assault involves
  - Injury to another;
  - Bodily fluids; or
  - A weapon;
- Commission of any crime on school grounds, or the commission of a crime or other dangerous conduct anywhere that indicates the student's presence on school grounds poses a danger to other students or staff;\*
- Cumulative violations;\*
- Causing intentional, substantial damage or destruction to school property or the property of another on school grounds or at school activities;
- Dangerous use of motor vehicles on school grounds or at school activities, or endangering students on a school bus;
- Disruption of the school program by bomb scares, false fire alarms, firecrackers, etc.;\*
- Extortion;\*

- Fighting: Fighting and instigating, promoting, or escalating a fight, as well as failure to disperse. Engaging in any form of fighting where physical blows are exchanged is prohibited, regardless of who initiated the fight. This prohibition includes hitting, slapping, pulling hair, biting, kicking, choking, and scratching or any other acts in which a student intentionally inflicts or attempts to inflict injury on another;\*
- Harassment/intimidation/bullying of others;\*
- Knowingly possessing stolen property;\*
- Possession, use, sale, or delivery of illegal or controlled chemical substances, including marijuana or substances containing marijuana and alcoholic beverages, as well as possession of items reasonably determined to be drug paraphernalia as used or possessed;
- Presence on school property or at a school activity following the consumption or use elsewhere of an alcoholic beverage or a controlled substance, including marijuana;
- Sexual misconduct on school grounds, at school activities, or on school provided transportation;\*
- Theft on school grounds, at school activities, on school provided transportation, or of school property at any time;\*
- Threats of violence to other students or staff;
- Use or possession of dangerous weapons, including firearms, airguns, knives, nun-chu-ka sticks, throwing stars, stun guns, explosives and other weapons prohibited by state law and Policy 4210.

*\*Note: While these marked offenses are “exceptional misconduct” and an immediate imposition of short-term suspension is permissible, each offense may be a “discretionary discipline offense” for which long-term suspension and expulsion/emergency expulsion cannot be imposed.*

### **Guidelines for Sanctions**

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

- Kindergarten through grade four - No student in grades kindergarten through four shall be subject to short-term suspensions for more than a total of ten (10) school days during any single semester or trimester as the case may be, and no loss of academic grades or credit shall be imposed by reason of the suspension of such a student.
- Grades five and above program - No student in grade five and above program shall be subjected to short-term suspension for more than a total of fifteen (15) school days during any single semester or ten school days during any single trimester, as the case may be.

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

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

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

### **Implementing the Guidelines for Sanctions**

It is presumed that school administrators will sanction a student for the following offenses within each listed standard range, beginning at the presumptive sanction and determining whether mitigating or aggravating factors warrant a sanction higher or lower within the standard range. School administrators are expected to use their professional judgment and experience when assigning students sanctions and will, to the best of their abilities, attempt to apply these sanctions to all similarly situated students in a fair and equitable manner. The administrator's judgment and discretion will carefully balance the duty to maintain order and discipline in a safe school environment, the appropriate corrective action needed to address the student's misconduct, and the student's long-term educational success.

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

### **ARSON:**

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

RANGE: 0-20 Day Suspension

### **PRESUMPTIVE STANDARD SANCTION:**

Elementary: Short-Term Suspension of 1 Day

Secondary: Short-Term Suspension of 5 Days

### **MITIGATING FACTORS:**

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

**AGGRAVATING FACTORS:**

- Significant damage
- Potential of serious harm
- Intent or purpose in setting fire
- Previous discipline record of student warranting progressive sanctions

The student's presence on campus is determined to be a threat to the safety of others.

**ASSAULT:**

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

RANGE: 0-10 Day Suspension

**PRESUMPTIVE STANDARD SANCTION:**

Elementary: 0 Days

Secondary: Short-Term Suspension of 5 Days

**MITIGATING FACTORS:**

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

**AGGRAVATING FACTORS:**

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

**REASONABLE SELF-DEFENSE:**

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

- A student who is being assaulted or witnesses another student being assaulted acts only in a manner that is defensive and protective of himself/herself or others;
- The student is acting in a manner that a building administrator determines is reasonable and necessary in light of the circumstances; and

- The student did not instigate, provoke, or promote the violence by his or her words or conduct immediately prior to the assault.

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

**DEFACING OR DESTRUCTION OF PROPERTY:**

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

RANGE: 0-10 Day Suspension

**PRESUMPTIVE STANDARD SANCTION:**

Elementary: Discipline other than Suspension

Secondary: Short-Term Suspension of 3 Days

Restitution will usually be required.

**MITIGATING FACTORS:**

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

**AGGRAVATING FACTORS:**

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

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

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

**DEFIANCE OF SCHOOL AUTHORITY:**

Refusal to obey reasonable requests, instructions, and directives of any school personnel, including volunteers or contractors working for the school. Defiance includes dress or appearance in violation of Policy 3224 that the student either refuses to correct at the directive of a school administrator. Defiance of school authority can also include intentional disruptive behavior.

RANGE: 0-10 Day Suspension

*Note: Defiance of school authority is a discretionary discipline offense under RCW 28A.600.015 that cannot result in long-term suspension or expulsion.*

**PRESUMPTIVE STANDARD SANCTION:**

Elementary: Discipline other than Suspension

Secondary: Discipline other than Suspension

**MITIGATING FACTORS:**

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

**AGGRAVATING FACTORS:**

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

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

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

- This section applies to any controlled substance, medication, stimulant, depressant, or mood altering compound, including simulated compounds intended to produce intoxication or euphoria, whether or not such compounds have been designated a controlled substance by state or federal law;
- This section applies to marijuana or substances containing marijuana;

- This section applies to legally prescribed drugs which a student is nevertheless not lawfully authorized to possess on school grounds, at school activities, or on district-provided transportation;
- This section applies to students who enter school grounds, school activities, or district-provided transportation following the unlawful use or consumption of drugs, alcohol, and other similar chemical substances, including students who appear to be under the influence of such substances; and
- This section applies equally to the possession or use of paraphernalia or other items used to possess, consume, store, or distribute drugs, alcohol, and/or other illegal chemical substances, including marijuana or substances containing marijuana.

**RANGE**

Elementary: 0-10 Day Suspension

Secondary: 3-20 Day Suspension

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

Elementary: Short-Term Suspension of 1 Day

Secondary: Short-Term Suspension of 10 Days

**PRESUMPTIVE STANDARD SANCTION FOR DISTRIBUTION:**

Elementary: Short-Term Suspension of 5 Days

Secondary: Long-Term Suspension of 20 Days

**MITIGATING FACTORS:**

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

**AGGRAVATING FACTORS:**

- Previous discipline record of student warranting progressive sanctions
- A relatively large amount of substance that would reasonably exceed anticipated single use
- Evidence of sophistication or pre-planning
- Evidence of distribution or intent to distribute prohibited substances
- The substance is heroin or another similar opiate (including methadone, oxycodone, etc.), cocaine, methamphetamine, or a similar substance designated as a level one or level two controlled substance with the potential for significant harm and addiction
- Distribution has been to multiple students
- Conduct is related to gang affiliation

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

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

An administrator may draw up a contract with a student serving a suspension, and a maximum of fifty percent (50%) of the suspension may be held in abeyance when the student successfully complies with the terms and conditions of the contract. This contract may include an agreement to participate in an assessment by a DASA certified provider. Consent to release information prior to the evaluation that is in compliance with DASA and WAC will be used between the school and the evaluating agency. The district requires release of the assessment recommendation(s). If available and the administrator believes it is an appropriate intervention, the contract may recommend the student complete the ASD Insight program (a release is also required). If the student does not meet the agreements in the contract, the remainder of the discipline will go into effect.

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

**FIGHTING OR FIGHTING INVOLVEMENT:**

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

**SANCTIONS:** See Assault

*Note: Where assault is not alleged and the school simply imposes discipline under fighting or fighting involvement, such offense is a discretionary discipline offense under RCW 28A.600.015 that cannot result in long-term suspension or expulsion.*

**GANG CONDUCT:**

For school discipline purposes includes:

- The creation, display, or communication of gestures, language, imagery, or symbols as defined below commonly associated with gang culture
- The promotion of gang culture and/or gang violence, and/or
- The solicitation or recruitment of gang members.

Gang imagery and symbols include, but are not limited to:

- Apparel (including shoelaces, bandanas, belts, or hats) which by virtue of color, arrangement, trademark, symbol, or any other attributes indicate or imply gang membership or affiliation
- Displays of gang affiliation on personal belongings including clothing, school assignments, notebooks, body, etc.

**RANGE:** 0-10 Day Suspension

*Note: If the school does not allege gang activity on school grounds in violation of RCW 28A.600.455 or criminal gang intimidation, some "gang conduct" may be a discretionary discipline offense under RCW 28A.600.015 that cannot result in long-term suspension or expulsion.*

**PRESUMPTIVE STANDARD SANCTION:**

Elementary: Discipline other than Suspension

Secondary: Discipline other than Suspension

**MITIGATING FACTORS:**

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

**AGGRAVATING FACTORS:**

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

Expulsion or long-term suspension for gang conduct alone, absent any other misconduct, may only occur under extraordinary circumstances following consultation with the superintendent or superintendent's designee.

**HARASSMENT, INTIMIDATION OR BULLYING:**

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

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

**RANGE**

Elementary: 0-10 Day Suspension

Secondary: 3-20 Day Suspension

**PRESUMPTIVE STANDARD SANCTION:**

Elementary: Discipline other than Suspension

Secondary: 3 Day Suspension

*\*Note: Harassment, intimidation, or bullying that does not constitute criminal "harassment" under chapter 9A.46 RCW (i.e., threats) or any other offense specifically listed in in Policy 3241 or procedure 3241P (e.g., assault or malicious mischief) is a discretionary discipline offense under RCW 28A.600.015 that cannot result in long-term suspension or expulsion.*

**MITIGATING FACTORS:**

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

**AGGRAVATING FACTORS:**

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

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

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

**RANGE: 0-10 Day Suspension**

*Note: Lewd, obscene, or profane language gesture or materials that do not constitute a "sex offense" as defined in Policy 3241 and procedure 3241P is a discretionary discipline offense under RCW 28A.600.015 that cannot result in long-term suspension or expulsion.*

**PRESUMPTIVE STANDARD SANCTION:**

Elementary: Discipline other than Suspension

Secondary: Discipline other than Suspension

**MITIGATING FACTORS:**

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

**AGGRAVATING FACTORS:**

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

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

**TARDINESS:**

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

*Note: Tardiness is a discretionary discipline offense under RCW 28A.600.015 that cannot result in long-term suspension or expulsion.*

**THEFT/STEALING:**

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

RANGE: 0-10 Day Suspension

*Note: Theft and stealing are discretionary discipline offenses under RCW 28A.600.015 that cannot result in long-term suspension or expulsion.*

**PRESUMPTIVE STANDARD SANCTION:**

Elementary: Discipline other than Suspension

Secondary: Short-Term Suspension of 2 Days

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

**MITIGATING FACTORS:**

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

**AGGRAVATING FACTORS:**

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

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

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

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

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

##### Elementary Students

See sanctions for Defiance of School Authorities

##### Secondary Students

First Offense: Complete an instructional packet that profiles the health risks of tobacco use. [Refusal or failure to complete instructional packet shall be considered to be a tobacco-related offense for which students may receive school discipline sanctions as set forth in Defiance of School Authorities.]

Second Offense: Complete an instructional packet that profiles the health risks of tobacco use and other, school-based intervention activity (this may be completed at home, in school during the student day, or after school. [Refusal to comply shall be considered to be a tobacco-related offense for which students may receive school discipline that includes short-term suspension with days that may be held in held in abeyance for community service.]

Third Offense: Complete an instructional packet that profiles the health risks of tobacco use and attend extended after school detention or other assigned consequence. [Refusal to comply shall be considered to be a tobacco-related offense for which students may receive school discipline that includes short-term suspension with days that may be held in held in abeyance for community service.]

*Note: Use or possession of tobacco or nicotine products is a discretionary discipline offense under RCW 28A.600.015 that cannot result in long-term suspension or expulsion.*

#### **TRUANCY:**

See Policy and Procedure 3122.

**WEAPONS:**

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

RANGE: 0-20 Day Suspension

**PRESUMPTIVE STANDARD SANCTION:**

Elementary: Short-Term Suspension of 3 Days

Secondary: Long-Term Suspension of 11 Days

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

**MITIGATING FACTORS:**

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

**AGGRAVATING FACTORS:**

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

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

The school district may also suspend or expel a student for up to one year if the student acts with malice as defined under RCW 9A.04.110 and displays a device that appears to be a firearm. Expulsion may result based upon the administrator's judgment of the seriousness of the act or circumstances surrounding the act, and/or the previous record of the student.

## PROCEDURE STUDENT CONDUCT

### Kirpan to be worn in an Auburn School District Facility

1. The principal or a designated official of the school district must meet with the student and guardian before the Kirpan is brought to school to insure that these conditions are clear to all.
2. The principal or a designated official of the school district may make reasonable inspections to confirm that the conditions specified above are being adhered to.
3. The Kirpan will have a dull and blunt blade, less than 3 inches in length.
4. Any Kirpan worn at school should be sewn or secured inside a sheath in such a way that the blade cannot be removed from the sheath.
5. The Kirpan must not be worn on the outside of the clothing and will not be visible to limit disruption to the educational process.
6. The Kirpan will never be removed from its sheath and shall not be displayed, brandished, or used in a threatening manner.
7. If any of the conditions specified above are violated, the Sikh student's privilege of wearing his or her Kirpan on a school campus may be suspended and the student may be subject to discipline under grounds for suspension or expulsion as specified in ASD Policy 3240.
8. The school district will take all reasonable steps to prevent any harassment, intimidation or provocation of the Sikh students by any employee or student in the school district and will take appropriate disciplinary action to prevent and redress such action, should it occur.

Cross References:     Board Policy 6605     Student Safety Walking to School and Riding Buses  
                              Board Policy 2340     Religious-Related Activities and Practices

Legal References:     RCW 4.24.190     Action against parent for willful injury to property by minor--Monetary limitation--Common law liability preserved  
  9A.16.020 Use of force--when lawful  
  9.41 Firearms and dangerous weapons  
                              28A.600.020     Exclusion of student from classroom--Written disciplinary procedures--Long-term suspension or expulsion  
                              28A.600.040     Pupils to comply with rules & regulations  
                              28A.400.110     Principal to assure appropriate student discipline  
                              WAC 392-400-205     Definitions  
                              392-400-225     School district rules defining misconduct--Distribution of rules

## **CLASSROOM MANAGEMENT, CORRECTIVE ACTIONS OR PUNISHMENT**

A student's refusal to comply with written rules and regulations established for the governing of the school will constitute sufficient cause for discipline or corrective action.

Staff are responsible for supervising student behavior, employing effective classroom management methods and enforcing the rules of student conduct in a fair, consistent and non-discriminatory manner. Corrective action must be reasonable and necessary under the circumstances and reflect the district's priority to maintain a safe and positive learning environment for all students and staff.

The district will distribute its discipline policy and procedure to students, their parents/guardians, and the community on an annual basis. Students and/or their parents/guardians will be provided all required substantive and procedural due process in regard to grievances, hearings, and/or appeals of corrective action. The district will also strive to provide trainings regarding policies and procedures related to student discipline for appropriate school and district staff whose duties require them to interact with students and enforce or implement components of student discipline.

The district will assist long-term suspended and expelled students in returning to school as soon as possible by providing them with a reengagement plan tailored to the student's individual circumstances, including consideration of the incident that led to the student's long-term suspension or expulsion.

The district will annually collect and review data on disciplinary actions taken against students within each school. The data will be disaggregated into subgroups as required by RCW 28A.300.042 and will, include students protected by the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973. The review must include short-term suspensions, long-term suspensions and expulsions. In reviewing the data, the district will determine whether it has disciplined a substantially disproportionate number of students within any of the disaggregated categories. If disproportionality is found, the district will take action to ensure that it is not the result of discrimination.

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

Cross References:	Board Policy 2121	Substance Abuse Program
	2161	Education of Students with Disabilities
	2162	Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973
	3122	Excused and Unexcused Absences
	3210	Nondiscrimination
	3240	Student conduct Expectations and Reasonable Sanctions

	3244	Prohibition of Corporal Punishment
	3520	Student Fees, Fines, or Charges
	4210	Regulation of Dangerous Weapons on School Premises
	4218	Language Access Plan
Legal References:	RCW 9A.16.100	Use of force on children--Policy-- Actions presumed unreasonable
	9.41.280	Possessing dangerous weapons on school facilities--Penalty— Exceptions
	28A.150.240	Certificated teaching and administrative staff as accountable for classroom teaching—Scope— Responsibilities—Penalty
	28A.225	Compulsory school attendance and admission
	28A.320	Provisions applicable to all districts
	28A.225.020	School's duties upon child's failure to attend school
	28A.225.030	Petition to juvenile court for violations by a parent or child--School district responsibilities
	28A.400.100	Principals and vice principals— Employment of—Qualifications-- Duties
	28A.400.110	Principal to assure appropriate student discipline--Building discipline standards--Classes to improve classroom management skills
	28A.600	Students
	34 CFR Part 100.3	Regulations implementing Civil Rights Act of 1964
	42 USC 2000d et seq.	Civil Rights Act of 1964
	WAC 392-190-048	Access to course offerings—Student discipline
	392-400	Pupils
Management Resources:	<i>Policy News</i> , July, 2016	
	<i>Policy News</i> , December, 2014	
	<i>Policy News</i> , August, 2014	
	<i>Policy News</i> , June 2010	Students and Sexting

**Adoption Date: 10.27.97**

**Auburn School District**

**Revised: 04.99; 12.06; 06.10; 02.14.11; 10.24.16**

## PROCEDURE CLASSROOM MANAGEMENT, DISCIPLINE AND CORRECTIVE ACTION

### Definitions

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

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

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

### **Superintendent Authority**

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

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

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

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

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

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

### **Notification of procedures relating to student behavior**

Principals in each school will annually publish and make available to students, parents or guardians, staff, and the community the rules, policies, and procedures of the District that establish misconduct and the written procedures for administering corrective action. The publication will also define student rights and responsibilities relating to student behavior.

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

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

### **Rights and Responsibilities of Certificated Staff**

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

- Expect students to comply with school rules;
- Develop and/or review building rules relating to student conduct and control at least once each year. Building rules will be consistent with district rules relating to student conduct;
- Receive any complaint or grievance regarding corrective action of students. Certificated staff will be given the opportunity to present their version of the incident and to meet with the complaining party in the event that a conference is arranged;
- Use such reasonable action as is necessary to protect himself/ herself, a student, or others from physical abuse or injury;
- Detain a student after school for up to 60 minutes with due consideration for bus transportation.

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

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

- Observe the rights of students;

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

**Principals will have the responsibility to:**

- Impose suspension or expulsion when appropriate;
- Notify parents when students are suspended or expelled; and
- Confer with certificated staff at least once per year to develop and/or review rules of conduct to be employed in the school and corrective actions that may be employed in the event of rule infractions.

**Unexcused Absences and Tardiness**

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

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

Additionally, a student's academic grade or credit may only be adversely affected by reason of tardiness or absences if:

- The student's attendance or participation is related to the instructional objectives or goals of the particular subject or course;
- The student's attendance or participation has been identified by the teacher pursuant to district policy as a basis for grading the subject or course; and

The circumstances pertaining to the student's inability to attend school have been taken into consideration, including whether the absences are directly related to the student's disability under Section 504 of the Rehabilitation Act of 1964, Title II of the Americans with Disabilities Act (ADA) or the Individuals with Disabilities Education Act (IDEA).

**Alternative Forms of Corrective Action**

The board encourages the use of alternative forms of correction action when possible and practicable in light of the duty to maintain safe and orderly school environments conducive to student learning. District administrators may consider alternative forms of corrective action—including programs intended to lessen the time of exclusion from class attendance—which have been approved by the board and/or superintendent.

Except in cases involving exceptional misconduct, district administrators must impose alternative forms of corrective action for incidents of misbehavior prior to imposing a suspension or expulsion for the same type of misbehavior.

### **Student disciplinary boards**

The board recognizes that a student's behavior may be positively influenced when an incident giving rise to corrective action is reviewed by a panel of the student's peers. The board may, in its discretion, authorize the establishment of one or more student disciplinary boards composed of students, which may also include teachers, administrators, parents or any combination thereof pursuant to WAC 392-400-220. The student disciplinary board may be authorized to prescribe reasonable discipline and may recommend suspension or expulsion to the appropriate school authority. The school authority will be authorized to set aside or modify the student disciplinary board's recommendation.

### **Student discipline**

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

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

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

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

### **Detention**

For minor infractions of school rules or regulations, or for minor misconduct, staff may detain students after school hours for not more than 60 minutes on any given day.

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

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

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

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

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

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

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

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

Alternatively, the board may delegate its authority to hear and decide discipline and short-term suspension grievance appeals to a school district disciplinary appeal council established pursuant to WAC 392-400-310(1).

### **Emergency removal from class or subject**

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

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

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

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

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

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

B. Any of the following offenses listed in RCW 13.04.155, including:

1. any violent offense as defined in RCW 9.94A.030, including
  - a. any felony that Washington law defines as a class A felony or an attempt, criminal conspiracy, or solicitation to commit a class A felony;
  - b. manslaughter;
  - c. indecent liberties committed by forcible compulsion;
  - d. kidnapping;
  - e. arson;
  - f. assault in the second degree;
  - g. assault of a child in the second degree;
  - h. robbery;
  - i. drive-by shooting; and
  - j. vehicular homicide or vehicular assault caused by driving a vehicle while under the influence of intoxicating liquor or any drug, or by operating a vehicle in a reckless manner;
2. any sex offense as defined in RCW 9.94A.030, which includes any felony violation of chapter 9A.44 RCW (other than failure to register as a sex offender in violation of 9A.44.132), including rape, rape of a child, child molestation, sexual misconduct with a minor, indecent liberties, voyeurism, and any felony conviction or adjudication with a sexual motivation finding;
3. inhaling toxic fumes in violation of chapter 9.47A RCW;
4. any controlled substance violation of chapter 69.50 RCW;
5. any liquor violation of RCW 66.44.270;
6. any weapons violation of chapter 9.41 RCW, including having a dangerous weapon at school in violation of RCW 9.41.280;
7. any violation of chapter 9A.36 RCW, including assault, malicious harassment, drive-by shooting, reckless endangerment, promoting a suicide attempt, coercion, assault of a child, custodial assault, and failing to summon assistance for an injured victim of a crime in need of assistance;
8. any violation of chapter 9A.40 RCW, including kidnapping, unlawful imprisonment, custodial interference, luring, and human trafficking;
9. any violation of chapter 9A.46 RCW, including harassment, stalking, and criminal gang intimidation; and
10. any violation of chapter 9A.48 RCW, including arson, reckless burning, malicious mischief, and criminal street gang tagging, vandalism and graffiti;

C. Two or more violations of the following within a three-year period

1. criminal gang intimidation in violation of RCW 9A.46.120;
2. gang activity on school grounds in violation of RCW 28A.600.455;
3. willfully disobeying school administrative personnel in violation of RCW 28A.635.020; and
4. defacing or injuring school property in violation of RCW 28A.635.060; and

- D. Any student behavior that adversely affects the health or safety of other students or educational staff.

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

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

### **Short-Term Suspension**

#### **Conditions and Limitations**

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

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

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

#### **Continuation of Educational Services**

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

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

#### **In-School Suspension**

Students who are denied attendance at school are denied the opportunity to learn. Some schools, therefore, have created an in-school suspension program which temporarily removes the student

from his/her regular learning environment but permits the student to maintain his/her educational progress. An in-school suspension is no different from any other suspension as defined by WAC 392-400-205, and therefore triggers the same substantive and procedural due process, including student and parent/guardian notification.

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

### **Exceptional Misconduct**

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

### **Prior Notice and Conference**

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

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

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

### **Grievance and Appeal Process for Short-Term Suspension**

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

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

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

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

### **Readmission**

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

### **Reporting**

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

### **Emergency Expulsion**

#### **Conditions and Limitations**

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

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

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

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

#### **Continuation of Educational Services**

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

#### **Notice of Hearing**

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

- Hand-delivery of written notice within twenty-four hours of expulsion (school districts must document delivery of the notice by obtaining the signature of the student's

parents/guardians acknowledging receipt or the written certification of the person making the delivery); OR

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

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

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

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

### **Prehearing and Hearing**

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

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

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

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

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

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

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

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

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

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

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

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

## **Long-Term Suspension**

### **Conditions and Limitations**

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

The nature and circumstances of the violation must reasonably warrant a long-term suspension. As a general rule, no student will be long-term suspended unless other forms of corrective action

reasonably calculated to modify his/her conduct have previously been imposed upon the student as a consequence of misconduct of the same nature.

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

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

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

### **Exceptional Misconduct**

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

### **Continuation of Educational Services**

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

### **Notice of Hearing**

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

- Be provided in a language the student and his or her parents/guardians can understand, if other than English;
- Specify the alleged misconduct and the school district rule(s) alleged to have been violated;
- Set forth the proposed long-term suspension;
- Set forth the right to a hearing for the purpose of contesting the allegation(s); AND
- Set forth the facts that:

- A written or oral request for hearing must be received by *the building administrator* or their office on or before the end of the third school business day after the notice is received; and
- If such a request is not received within that period, the hearing will be deemed waived and the proposed long-term suspension may be imposed without further opportunity for the student and/or their parent/guardian to contest it.







## **CLOSED CAMPUS**

Students shall remain on school grounds from time of arrival until close of school unless officially excused.

Auburn School District will have a closed campus requiring all students to remain on the school grounds from time of arrival until officially excused. Exceptions to this policy require approval of the superintendent.

## **STUDENT DRIVING**

The board regards the use of motor vehicles and bicycles for travel to and from school as an assumption of responsibility by parents and students. The superintendent shall develop procedures governing the use of bicycles and motor vehicles while on school property and shall disseminate those procedures to all students so affected.

## PROHIBITION OF CORPORAL PUNISHMENT

Corporal punishment is any act which willfully inflicts or willfully causes the infliction of physical pain on a student and is not permitted.

Corporal punishment does not include:

- A. The use of reasonable physical force by an administrator, teacher, other school employee or volunteer as necessary to maintain order to prevent a student from harming him/herself, other students, school staff and other persons, or property;
- B. Physical pain or discomfort resulting from or caused by training for or participation in athletic competition or recreational activity voluntarily engaged in by a student;
- C. Physical exertion shared by all students in a teacher-directed class activity which may include, but is not limited to, physical education exercises, field trips, or vocational education projects; or
- D. Physical restraint used in conditions outlined in an emergency response protocol to which parents have provided signed consent and included in a student's individual education program and is carried out according to district procedures in compliance with WAC 392-172A-02110.

Cross Reference:	Board Policy 3241	Corrective Actions or Punishment
Legal References:	RCW 28A.150.300 WAC 392-400-235	Corporal punishment prohibited-- Adoption of policy Discipline--Conditions and limitations

**Adoption Date: 10.27.97**  
**School District Name**  
**Revised: 02.14.11; 07.25.16**

## STUDENTS AND TELECOMMUNICATION DEVICES

While on school property or while attending school-sponsored or school-related activities, students shall not use personal telecommunication devices including but not limited to pagers, beepers and cellular phones in a manner that poses a threat to academic integrity, disrupts the learning environment, or violates the privacy rights of others.

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

- A. Telecommunication devices shall be turned on and operated only before and after the regular school day and during the student's lunch break, unless an emergency situation exists that involves imminent physical danger or a school administrator authorizes the student to do otherwise.
- B. Students shall not send, share, view, or possess pictures, text messages, emails or other material of a sexually explicit nature in electronic or any other form on a cell phone or other electronic device, while the student is on school grounds at school sponsored events, or on school buses or vehicles provided by the district.
- C. Students who violate this policy will be subject to disciplinary action including suspension or expulsion and losing the privilege of bringing the device onto school property. In addition, an administrator may confiscate or, with reasonable suspicion, search the device which shall only be returned to the student's parent/guardian. Content or images that violate criminal laws will be forwarded to law enforcement.
- D. Students are responsible for devices they bring to school. The district shall not be responsible for loss, theft or destruction of devices brought onto school property.
- E. Students shall comply with any additional rules developed by the school concerning the appropriate use of telecommunication or other electronic devices.

Cross References: Board Policy 2022  
Board Policy 3207  
  
Board Policy 3241  
  
Board Policy 4310

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

Management Resources: *Policy News*, June 2010      Students and Sexting  
*Policy News*, February 2004      Evolution of Cell Phone Use

**Adoption Date: 03.24.08**  
**Auburn School District**  
**Revised: 02.14.11**

## **USE OF RESTRAINT OR ISOLATION AND OTHER USES OF REASONABLE FORCE**

It is the policy of the Auburn Board of Directors that the district maintains a safe learning environment while treating all students with dignity and respect. All students in the district, including those who have an individualized education program (IEP) or a plan developed under Section 504 of the Rehabilitation Act of 1973, will remain free from restraint, restraint devices, or isolation except when necessary for immediate safety. Under no circumstances will these techniques be used as a form of discipline or punishment. The district prohibits the use of corporal punishment.

Restraint or isolation may only be used on any student, including a student with an IEP or a plan developed under Section 504 of the Rehabilitation Act of 1973, when reasonably necessary to control spontaneous behavior that poses an “imminent likelihood of serious harm,” as defined by RCW 70.96B.010 and 392-172A WAC. Staff will closely monitor restraint or isolation to prevent harm to the student and will use the minimum amount of restraint or isolation appropriate to protect the safety of students and staff. The restraint or isolation will be discontinued when the likelihood of serious harm has dissipated.

The superintendent or a designee will develop procedures to implement this policy, including review, reporting, and parent/guardian notification of incidents involving restraint or isolation, as required by law.

Cross References:	Board Policy 2161  Board Policy 2162	Special Education and Related Services for Eligible Students Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973
Legal References:	RCW 28A.150.300  27A.16.020 9A.16.100  28A.155.210  28A.600.485  28A.600.486  RCW 70.96B.010	Corporal Punishment Prohibited-- Adoption of policy Use of Force--When lawful Use of Force on Children--Policy-- Actions presumed unreasonable Use of restraint or isolation – Requirement for procedures to notify parent or guardian Restraint of students – use of restraint or isolation specified in individualized education programs or plans developed under section 504 of the rehabilitation act of 1973 District policy on the use of isolation and restraint – Notice to parents and guardians of children who have individualized education programs or plans developed under section 504 of the rehabilitation act of 1973 Definitions

WAC 392-400-235  
392-172A

Discipline--Conditions and limitations  
Rules for the Provision of Special  
Education

Management Resources: *Policy News*, March, 2016

July, 2015

December 2013

July, 2013

*Policy News*, December 2008 Use of Reasonable Force Policy

**Adoption Date: 02.14.11**  
**Auburn School District**  
**Revised: 07.25.16**

## PROCEDURE USE OF RESTRAINT OR ISOLATION AND OTHER USES OF REASONABLE FORCE

### Definitions:

- A. **Restraint:** Physical intervention or force used to control a student, including the use of a restraint device. It does not include appropriate use of a prescribed medical, orthopedic, or therapeutic device when used as intended, such as to achieve proper body position, balance or alignment or to permit a student to safely participate in activities.
- B. **Restraint device:** A device used to assist in controlling a student, including, but not limited to metal handcuffs, plastic ties, ankle restraints, leather cuffs or other hospital-type restraints, pepper spray, tasers, or batons. Restraint device does not mean a seat harness used to safely transport students or other safety devices, including safety belts for wheelchairs, changing tables, booster seats, and other ambulatory or therapeutic devices when used for the purpose intended for the safety of a student. This definition is consistent with RCW 28A.600.485 (1)(c), and is not intended to encourage the use of such devices with district students.
- C. **Isolation:** Restricting a student alone within a room or any other form of enclosure, from which the student may not leave. It does not include a student's voluntary use of a quiet space for self-calming or temporary removal of a student from his or her regular instructional area to an unlocked area for purposes of carrying out an appropriate positive behavior intervention plan.
- D. **Imminent:** The state or condition of being likely to occur at any moment or near at hand, rather than distant or remote.
- E. **Likelihood of serious harm:** A substantial risk that:
- A student will inflict physical harm upon himself or herself, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself;
  - A student will inflict serious harm upon another, as evidenced by behavior that has caused such harm or that places another person or persons in reasonable fear of sustaining such harm; or
  - A student will inflict physical harm upon the property of others, as evidenced by behavior that has caused substantial loss or damage to the property of others; or
  - The student has threatened the physical safety of another and has a history of one or more violent acts.

- F. **School police officer:** An employee of the school district responsible for security services in the district under the direction of a school administrator but who also is a commissioned officer.
- G. **School resource officer:** A commissioned law enforcement officer who provides law enforcement services and may perform other duties for the district and is assigned by the employing police department or agency to work in collaboration with the district.
- H. **School security officer:** A classified or contracted school district employee other than a school resource officer who provides security services in the district under the direction of a school administrator.

**Use of restraint or isolation:**

1. Restraint or isolation may only be used when reasonably necessary to control spontaneous behavior that poses an imminent likelihood of serious harm.
2. Consistent with the provisions found in chapter 392-172A WAC, an individualized education program (IEP) or plan developed under Section 504 of the Rehabilitation Act of 1973 may only include the use of restraint or isolation as a planned behavior intervention if the student's individual needs require more specific advanced educational planning and the parent/guardian agrees.
3. Restraint or isolation will not be used as a form of discipline or punishment.
4. Restraint or isolation should not be used as an intervention if the school employee, school resource officer, or school security officer knows that the student has a health condition or physical problem and the condition or problem would be exacerbated by the use of such techniques.

**Degree of force:**

1. Staff shall use the least amount of restraint or isolation appropriate to protect the safety of students and staff under the circumstances.
2. Restraint or isolation must be discontinued as soon as the likelihood of serious harm has dissipated.
3. Restraint or isolation should not be used as an intervention if the school employee, school resource officer, or school security officer knows that the student has a health condition or physical problem and the condition or problem would be exacerbated by the use of such techniques.

**Monitoring:**

Staff must continually monitor the student when isolation or restraint is used. The monitoring must be conducted by direct visual or auditory observation of the student. Monitoring must include regularly evaluating the student for signs of physical distress.

**Post-incident notification and review:**

The principal or designee must make a reasonable effort to verbally inform the student's parent or guardian of the use of restraint or isolation within 24 hours of the incident. The principal or designee must also send written notification as soon as practical, but postmarked no later than five business days after the restraint or isolation was used with a student. If the school or district customarily provides the parent or guardian with school-related information in a language other than English, the written report must be provided to the parent or guardian in that language.

The principal or designee will review the incident with the student and the parent or guardian (though not necessarily at the same time) to address the behavior that precipitated the use of the restraint or isolation and the appropriateness of the response. The principal or designee will review the incident with the staff person(s) who administered the restraint or isolation to discuss whether proper procedures were followed and what staff training or support is needed to help the student avoid similar incidents.

IEPs and 504 plans will include the above procedures for notification of parents/guardians regarding the use of isolation and restraint on their child.

**Incident report:**

Any school employee, school resource officer, school police officer, or school security officer who uses restraint or isolation on a student during school-sponsored instruction or activities must inform the principal or designee as soon as possible and, within two (2) business days, submit a written report of the incident to the district office. The written report must contain, at a minimum, the following information:

- The date and time of the incident;
- The name and job title of the staff member who administered the restraint or isolation;
- A description of the activity that led to the restraint or isolation;
- The type of restraint or isolation used on the student and the duration;
- Whether the student or staff was physically injured during incident involving restraint or isolation and any medical care provided; and
- Any recommendations for changing the nature or amount of resources available to the student and staff members in order to avoid similar incidents.

**Resolution of concerns about the use of restraint or isolation:**

A student or his/her parent or guardian who has concerns regarding a specific incident involving restraint or isolation may seek to resolve the concerns by using the district's complaint process, which is set forth in Policy 4220, Complaints Concerning Staff or Programs.

**Staff training requirements:**

All training will include instruction in positive management of student behavior, cultural sensitivity, effective communication for defusing and de-escalating disruptive or dangerous behavior and safe and appropriate use of isolation and restraint. Annually, administrators will provide all staff with the district-established policy and procedure regarding the use of reasonable force.

All staff should be informed of de-escalation strategies and proper physical intervention procedures. Appropriate staff, and those who are required or reasonably anticipated to use restraint or isolation, will be trained in the use of such interventions.

**Annual report:**

The building administrator or a designee will maintain a log of all instances of use of restraint or isolation, as defined by this procedure, which will be presented to the superintendent annually. The superintendent will provide an annual report to the board regarding the district's use of restraint or isolation.

## **STUDENT HEALTH**

The superintendent shall arrange for health services to be provided to all students. Such services shall include but not be limited to:

- A. The maintenance of student health records;
- B. The development of procedures at each building for the isolation and temporary care of students who become ill during the school day;
- C. Consulting services of a qualified health specialist for staff, students and parents;
- D. Vision and hearing screening; and
- E. Immunization records and screening.

Cross Reference: Board Policy 3416

Medication at School

Legal References: RCW 28A.330.100  
28A.210.300

Additional powers of board  
School physician or school nurse may be employed

## **AUTOMATED EXTERNAL DEFIBRILLATORS (AED)**

The Auburn Board of Directors recognizes that by equipping schools with automated external defibrillators (AEDs) and training employees in their use, the potential to save lives in the event of a health emergency, including cardiac arrest, is increased. The board authorizes the district to place AEDs at designated school sites. Schools and district facilities with an AED on site shall train selected staff in their use according to the guidelines provided by the Washington State Department of Health.

This policy does not create any implied or expressed guarantee, or obligation to use an AED, nor does it create an expectation that an AED will be present or a trained employee be able to use an AED, even if a condition arose that made the use of an AED beneficial.

A person who uses an AED at the scene of an emergency and all other persons and entities providing services are immune from civil liability for any personal injury that results from any act or omission in the use of the AED in an emergency setting, unless the acts or omissions amount to gross negligence or willful or wanton misconduct.

The superintendent or designee will develop procedures for the placement, maintenance, and use of AEDs in schools.

Legal References:	RCW 4.24. 300	Immunity from liability for certain types of medical care
	RCW 70.54.310	Semiautomatic external defibrillator – Duty of Acquirer-Immunity from Civil Liability

Management Resources:	<i>Policy News</i> , April 2011	Legal Aspects of Defibrillator Use Defined
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**Adoption Date: 03.26.12**  
**Auburn School District**  
**Revised:**

## **PROCEDURE AUTOMATED EXTERNAL DEFIBRILLATORS**

- A. The purpose of this procedure is to assist employees who are trained and willing to use an AED in the event such use is necessary. These procedures do not create an obligation to use the AEDs nor do they create an expectation that trained staff will be present at every event where use of the AED might be beneficial.
  
- B. The district will place AEDs in the following locations: [*insert specific locations here*]. At every location where an AED is present, the district will select and train staff members in its use. If an event occurs requiring use of an AED, trained staff will:
  - 1. Dial 911 immediately;
  - 2. Follow Cardio-Pulmonary Resuscitation (CPR) procedures; and
  - 3. Retrieve and use the AED as training dictates.

### **Pre-placement**

#### A. Approved equipment:

- 1. All AEDs purchased or donated for placement in district facilities must meet the requirements of, and be approved by \_\_\_\_\_ County Emergency Medical Services (EMS);
- 2. To the extent possible, the brand of AED used should be the same throughout district facilities to provide consistency in training and operation;
- 3. The district will maintain, on file, a specifications/technical information sheet for each approved AED model purchased or donated to the district; and
- 4. The district will notify local EMS of the existence and location of the AEDs.

#### B. Training:

- 1. Selected staff will be provided with an initial training course approved by the Washington State Department of Health in the use of AEDs. A copy of the training certificate will be kept in the employee's personnel file;
- 2. Upon acquiring the defibrillator, medical direction in using CPR and using the AED will be obtained from a licensed physician;
- 3. AED use will be included in CPR training programs arranged by the district and directed by a licensed physician. The course will include demonstrating proficiency in adult CPR, and the following:

- a. Safe and effective use of the AED device and
  - b. Common troubleshooting techniques for an AED.
4. Proficiency re-training for district employees certified in AED-CPR skills will be required every two years;
  5. Employees receiving training in the use of the AED may include nurses, athletic/activities directors, coaches, facility operations managers, security supervisors, health room assistants, and office staff with health room responsibilities. Absent a contractual requirement, training is voluntary;
  6. Employees should use the AED only to the extent their training allows; and
  7. Employees trained to use an AED will only be held to the standards embodied in the state's Good Samaritan Legislation (RCW 4.24.300).

### **Pre-Event**

#### A. Accessibility, availability, security:

1. During school hours, the AED will be housed in a designated location that allows for security and visibility. Ideally, the AED will be placed near a phone. Staff should be able to access the device outside of school hours;
2. Outside of school hours, the AED may be moved from its normal location by trained staff in order to support athletic or academic activities. A sign must be left in its place that clearly indicates who has the AED, its exact temporary location, and estimated time of return; and
3. Community members and individuals using district facilities on a contractual basis are not guaranteed access to an AED or AED-trained staff.

#### B. Routine maintenance:

1. A schedule for maintaining the AED will be dictated by the product manufacturer and the Washington Department of Health;
2. Most AEDs perform periodic self-diagnosis, including a check of battery strength and an evaluation of internal components;
3. *[Insert name of staff member]* will be responsible for checking the AED, including monitoring battery and maintenance indicators and will immediately contact the appropriate staff member if the device needs to be serviced or if supplies are missing or will soon expire; and
4. Periodic maintenance of the AED will be documented by dating and initialing a card located in the AED storage cabinet.

**Event**

- A. Staff trained in the use of an AED are volunteers and are not expected to place their own safety in jeopardy in order to aid others. The scene around the victim must be made safe before a rescue is attempted;
- B. If an event occurs requiring use of an AED, trained staff should first ensure that EMS has been contacted and then proceed as their training in use of the AED dictates; and
- C. Upon arrival of EMS personnel, school district employees will immediately turn responsibility for care of the victim over to EMS.

**Post-Event:**

A. Event data:

- 1. Immediately following the incident, the supervising employee [*insert position of employee here*] will contact EMS to retrieve data from the AED; and
- 2. The supervising employee [*insert position of employee here*] will document the name of the fire/rescue responder and include this information on the district accident form.

B. Return of the AED to operational service:

As soon as possible after the event, a designated staff member [*identify position responsible here*] will complete a post-event checklist to ensure that the AED is returned to operational condition, including replacement of any single use items.

C. Critical event stress debriefing:

District employees may arrange an informal debriefing for school district and community members regarding the incident. EMS may also assist in setting up a debriefing.

## **STUDENT IMMUNIZATION AND LIFE THREATENING HEALTH CONDITIONS (DRAFT 5-2-17)**

### ***Immunizations***

In order to safeguard the school community from the spread of certain communicable diseases and in recognition that prevention is a means of combating the spread of disease, the board requires a student to present evidence of his/her having been immunized against ~~the following~~ diseases as recommended by the State Board of Health: ~~diphtheria, pertussis (whooping cough), tetanus, poliomyelitis, measles, rubella, mumps, hepatitis B, varicella (chickenpox) for children under 13 years of age, and haemophilus influenzae type B disease.~~ A student satisfies the ~~measles requirement upon a physician's verification that the student has had measles (rubeola).~~

### ***Exemptions from Immunization***

The district will allow for exemptions from immunization requirements only as allowed for by [RCW 28A.210.090](#).

### ***Meningococcal Immunizations Information Distribution***

The district shall provide parents and guardians of students in sixth grade and above with information about meningococcal disease at the beginning of every school year. The information shall address the characteristics of the disease; where to find additional information about the disease; vaccinations for children; and current recommendations from the Centers for Disease Control and Prevention regarding receiving the vaccine.

### ***Human Papillomavirus Disease Information***

At the beginning of every school year, from sixth through twelfth grade, the district shall provide parents and guardians with information provided by the state Department of Health about human papillomavirus disease and its vaccine.

The information shall include the causes and symptoms of human papillomavirus, how the disease is spread, the places where parents and guardians may obtain additional information and vaccinations for their children and current recommendations from the Centers for Disease Control Prevention regarding the vaccine.

### ***Life-Threatening Health Conditions***

Prior to attendance at school, each child with a life-threatening health condition shall present a medication or treatment order addressing the condition. A life-threatening health condition means a condition that will put the child in danger of death during the school day if a medication or treatment order providing authority to a registered nurse and nursing plan are not in place. Following submission of the medication or treatment order, a nursing plan shall be developed.

Students who have a life-threatening health condition and no medication or treatment order presented to the school shall be excluded from school, to the extent that the district can do so consistent with federal requirements for students with disabilities under the Individuals with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, and pursuant to the following due process requirements:

- A. Written notice to the parents, guardians, or persons in loco parentis delivered to the parents in person or by certified mail.

- B. Notice of the applicable laws, including a copy of the laws and rules.
- C. The order that the student shall be excluded from school immediately and until a medication or treatment order is presented.
- D. Describe the rights of the parents and student to a hearing, the hearing process and explain that the exclusion continues until the medication or treatment plan is presented or the hearing officer determines that the student should no longer be excluded from school.
- E. If the parents request a hearing, the district shall schedule one within three school days of receiving the request, unless more time is requested by the parents.
- F. The hearing process shall be consistent with the procedures established for disciplinary cases pursuant to Chapter 180-40 WAC.

**The superintendent will establish procedures necessary to implement this policy.**

Cross References:	<b>Board Policy 2100</b>  Board Policy 2161  Board Policy 2162 <b>Board Policy 3241</b>	<b>Educational Opportunities for Military</b> Special Education and Related Services for Eligible Students Education of Students with Disabilities <b>Classroom Management, Discipline and Corrective Action</b>
Legal References:	RCW 28A.210 <del>WAC 246-100-166</del> <b>Chapter 046-105 WAC</b>  WAC 392-182 <b>WAC 392-380</b>	Health--Screening and requirements Immunization of child care and school children against certain vaccine-preventable diseases Student--Health records <b>Public school pupils—Immunization</b>
Management Resources:	<i>Policy News</i> , October 2002  <i>Policy News</i> , June 2005  <i>Policy News</i> , April 2006 <i>Policy News</i> , August 2007	Legislature Addresses “Life-Threatening Conditions” Distribution of Information on Meningococcal Disease Chickenpox Immunization Required Human Papillomavirus Disease Notification

**Adoption Date: 10.27.97**  
**Auburn School District**  
**Revised: 08.23.04; 02.14.11**

## **PROCEDURE STUDENT IMMUNIZATION AND LIFE THREATENING HEALTH CONDITIONS**

### **Certificate of Immunization**

Immediately upon enrollment in the district, a certificate of immunization status, distributed by the Washington Department of Health, will be completed by the student's parent. The certificate will be made a part of the student's permanent record.

If a student has not received any or all of the required immunizations, he/she will submit evidence of the initiation of an immunization schedule and will be placed in a "conditional admittance" category. He/she may remain in school for one school year provided that there is documentation that the immunization schedule is being maintained. Failure to maintain the schedule or submit documentation will be sufficient cause to exclude the student from school.

### **Exemptions from Immunization**

Exemptions from one or more vaccines will be granted for medical reason upon certification by a physician that there is a medical reason for not administering the vaccine.

Exemptions for personal or religious reasons will be granted upon request of the parent. To request an exemption, a parent or guardian must submit a signed written certification that the parent/guardian has either a philosophical or personal objection to the immunization of the child. Forms must include a statement to be signed by a health care practitioner stating that he or she provided the parent/guardian with information about the benefits and risks of immunization to the child. The form may be signed by a health care practitioner at any time prior to the enrollment of the child in a school or licensed day care. Photocopies of the signed form or a letter from the health care practitioner will be accepted in lieu of the original form.

Any parent or legal guardian of the child who exempts the child due to religious beliefs is not required to have a form from a health care practitioner if the parent or legal guardian demonstrates membership in a religious body or a church in which the religious beliefs or teachings of the church preclude a health care practitioner from providing medical treatment to the child.

The permanent file of students with exemptions will be marked for easy identification should the department of health order that exempted students be excluded from school temporarily during an outbreak or an epidemic.

If proof of immunization or a certificate of exemption is not received upon the student's enrollment in school, the principal will provide written notice to the parents or guardians informing them of:

- A. The immunization requirements;
- B. The potential denial of further attendance by the student;

- C. The procedural due process rights; and
- D. The immunization services that are available.

**Exclusion from School**

Following proper notification, the school will exclude the student for noncompliance with the immunization laws pursuant to the appeal process procedures for student expulsions (Policy 3241). Parents have a right to a hearing, provided they notify the school within three days after receiving the exclusion order from the school principal. If the parent requests a hearing, the parent or guardian and school principal will be notified, in writing, of the time and place for the hearing and will present the case to a hearing officer appointed by the superintendent.

## INFECTIOUS DISEASES

In order to safeguard the school community from the spread of certain communicable diseases, the superintendent shall implement procedures assuring that all school buildings are in compliance with State Board of Health rules and regulations regarding the presence of persons who have or have been exposed to infectious diseases deemed dangerous to the public health. Such procedures shall also prescribe the manner in which safeguards are taken to remove the danger to others.

The district shall require that the parents or guardian complete a medical history form at the beginning of each school year. The nurse or school physician may use such reports to advise the parent of the need for further medical attention and to plan for potential health problems in school.

The board authorizes the school principal to exclude a student who has been diagnosed by a physician or is suspected of having an infectious disease in accordance with the regulations within the most current Infectious Disease Control Guide. The principal and/or school nurse shall report the presence of suspected case or cases of reportable communicable disease to the appropriate local health authority as required by the State Board of Health. Such information concerning a student's present and past health condition shall be treated as confidential. The principal shall cooperate with the local health officials in the investigation of the source of the disease.

The fact that a student has been tested for a sexually transmitted disease, the test result, any information relating to the diagnosis or treatment of a sexually transmitted disease, and any information regarding drug or alcohol treatment for a student must be kept strictly confidential. If the district has a release, the information may be disclosed pursuant to the restrictions in the release.

A school principal has the authority to send an ill child home without the concurrence of the local health officer but, if the disease is reportable, the local health officer must be notified. The local health officer is the primary resource in the identification and control of infectious disease in community and school. The local health officer, in consultation with the superintendent, can take whatever action deemed necessary to control or eliminate the spread of disease, including closing a school.

Legal References:	RCW 28A.210.010	Contagious diseases, limiting contact--
		Rules and regulations
	Ch 246-110 WAC	School districts and day care centers--
		Contagious diseases
	RCW 70.02	Medical records--health care information
		access and disclosure

**Adoption Date: 10.27.97**  
**Auburn School District**  
**Revised: 02.14.11**

## **PROCEDURE INFECTIOUS DISEASES**

An infectious disease is caused by the presence of certain microorganisms in the body. Infectious diseases may or may not be communicable or in a contagious state.

Diseases in a contagious state may be controlled by excluding the student from the classroom or by referring the student for medical attention. Staff members of a school must advise the principal when a student possesses symptoms of an infectious disease. The principal must be provided with as much health information as is known about the case in a timely manner so that appropriate action can be initiated. (See Infectious Disease Control Guide)

### **List of Reportable Diseases**

The following diseases require an immediate report to the local health department at the time a case is suspected or diagnosed:

- A. Diphtheria, noncutaneous;
- B. Measles (rubella);
- C. Poliomyelitis; and
- D. Small Pox.

The following diseases or conditions require a case report within one day of diagnosis:

- A. Gastroenteritis of suspected food-borne or water-borne origin;
- B. Hemophilus influenza invasive disease (excluding otitis media) in children age five years and under;
- C. Hepatitis A and B, acute;
- D. Meningococcal disease;
- E. Pertussis;
- F. Rubella, including congenital;
- G. Salmonellosis, including paratyphoid fever and typhoid fever; and
- H. Shigellosis.

The following diseases or conditions require a case report within seven days of diagnosis:

- A. Acquired immunodeficiency syndrome (AIDS) and class IV human immunodeficiency virus (HIV);
- B. Viral encephalitis;
- C. Giardiasis;
- D. Hepatitis non-A, non-B, and unspecified;
- E. Mumps;
- F. Kawasaki syndrome;
- G. Lyme disease;
- H. Reye Syndrome;
- I. Rheumatic fever;
- J. Tetanus;
- K. Toxic shock syndrome;
- L. Tuberculosis; and
- M. Conjunctivitis (Pink Eye).

### **Cluster of Cases**

In addition to rash illnesses, any unusual cluster of diseases must be reported. In order to prevent outbreaks of measles and spread of the disease in a school, any rash illness suspected of being measles must be reported immediately. The occurrence of any generalized rash with or without fever, cough, runny nose, and reddened eyes in a school **MUST** be reported **IMMEDIATELY** by individual case (by telephone) to the local health department. Localized rash cases such as diaper rash, poison oak, etc. need not be reported.

### **Identification and Follow-Up**

- A. The length of absence from school for a student ill from a contagious disease is determined by the directions given in the Infectious Disease Control Guide or instructions provided by the health care provider, or instructions from the local health officer.
- B. The principal has the final responsibility for enforcing all exclusions.

- C. When the principal suspects a nuisance disease such as pediculosis (lice), the principal may institute screening procedures to determine if, in fact, the disease exists, he/she may exclude the student from school until successfully treated.
- D. Follow-up of suspected communicable disease cases should be carried out in order to determine any action necessary to prevent the spread of the disease to additional children.

### **Reporting at Building Level**

- A. A student who is afflicted with a reportable disease will be reported by the school principal or designee to the local health officer as per schedule. Employees learning of a student with a sexually transmitted disease will report directly to the health department and will otherwise maintain the information in strict confidence.
- B. When symptoms of communicable disease are detected in a student who is at school, the regular procedure for the disposition of ill or injured students will be followed unless the student is 14 years or older and the symptoms are of a sexually transmitted disease. In those instances, the student has confidentiality rights that proscribe notification of anyone but the health department. In all other instances, the principal or designee will:
  - 1. Call the parent, guardian, or emergency phone number to advise him/her of the signs and symptoms;
  - 2. Determine when the parent or guardian will pick up the student;
  - 3. Keep the student isolated but observed until the parent or guardian arrives; and
  - 4. Notify the teacher of the arrangements that have been made prior to removing the student from school.

### **First Aid Procedures**

- A. Wound cleansing should be conducted in the following manner:
  - 1. Soap and water are recommended for washing wounds. Individual packets with cleansing solutions can also be used;
  - 2. Gloves must be worn when cleansing wounds which may put the staff member in contact with wound secretions;
  - 3. Gloves and any cleansing materials will be discarded in a lined trash container that is disposed of daily according to WAC 296-823 – Occupational exposure to bloodborne pathogens and included in the most recent OSPI Infectious Disease Control Guide;
  - 4. Hands must be washed before and after treating the student and after removing the gloves; and
  - 5. Treatment must be documented in a health log program.

B. Thermometers will be handled in the following manner:

1. Only disposable thermometers or non-mercury thermometers with disposable sheath covers should be used when taking student's temperatures; and
2. Disposable sheath covers will be discarded in a lined trash container that is secured and disposed of daily.

### **Handling of Body Fluids**

- A. Body fluids of all persons should be considered to contain potentially infectious agents (germs). Body fluids include blood, semen, vaginal secretions, drainage from scrapes and cuts, feces, urine, vomitus, saliva, and respiratory secretions;
- B. Gloves must be worn when direct hand contact with body fluids is anticipated (e.g., treating nose bleeds, bleeding abrasions) and when handling clothes soiled by urine and/or feces and when diapering children. If gloves are not available, then hand washing is most important in preventing the spread of disease;
- C. Used gloves must be discarded in a secured lined trash container and disposed of daily according to WAC 296-823 - Bloodborne Pathogens and included in the most recent OSPI Infectious Disease Control Guide. Hands must then be washed thoroughly; and
- D. Self-treatment, when reasonable, will be encouraged.

For other universal precautions, the district will comply with WAC 296-823- Bloodborne Pathogens and the OSPI Infectious Disease Control Guideline.

### **Special Treatment of Students Infected With HIV/AIDS**

On the disclosure that a student has been identified as having acquired immunodeficiency syndrome (AIDS) (being infected with HIV), the superintendent, principal, parent, local health officer, school nurse, and the private physician will confer as necessary and determine the appropriate placement of the student. The student will be accommodated in a least restrictive manner, free of discrimination, without endangering the other students or staff. The student may only be excluded from school on the written concurrence of the public health officer and the student's personal physician, that remaining or returning to school would constitute a risk either to the student or to employees or other students.

All discussions and records will be treated as confidential, consistent with RCW 70.24.105.

Release of information regarding the testing, test result, diagnosis, or treatment of a student for a sexually transmitted disease, HIV, drug or alcohol or mental health treatment, or family planning or abortion may only be made pursuant to an effective release and only to the degree permitted by the release. To be effective, a release must be signed and dated, must specify to whom the release may be made and the time period for which the release is effective. Students 14 and older must authorize disclosure regarding HIV or sexually transmitted diseases, students 13 and older must authorize disclosure regarding drug or alcohol treatment or mental health treatment, and students of any age must authorize disclosure regarding family planning or abortion. Parents must authorize disclosure pertaining to younger students.

Any disclosure made pursuant to a release regarding sexually transmitted diseases, HIV, or drug or alcohol treatment must be accompanied by the following statement:

“This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by state law. A general authorization for the release of medical or other information is not sufficient for this purpose.”

The district will ensure that newly hired school district employees receive the HIV/AIDS training regarding:

- A. History and epidemiology of HIV/AIDS;
- B. Methods of transmission of HIV;
- C. Methods of prevention of HIV including universal precautions for handling of body fluids;
- D. Current treatment for symptoms of HIV and prognosis of disease progression;
- E. State and federal laws governing discrimination of persons with HIV/AIDS; and
- F. State and federal laws regulating confidentiality of a person’s HIV antibody status.

New employee training will be provided within six months from the first day of employment in the district.

Continuing employees will receive information, within one year of district receipt from OSPI, on new discoveries or changes in accepted knowledge of transmission, prevention, and treatment for HIV/AIDS.

### GUIDANCE SPECIFIC TO PETICULOSIS:

Given a history of perception as an infectious disease, the guidelines for addressing head lice in the schools is being incorporated into the procedures under this policy. Pediculosis, or *head lice*, infestation is a common public health nuisance in the United States among children between the ages of 3-12 years. Head lice are not known to transmit any disease and, therefore, are not considered a health hazard by the Center for Disease Control. The management of head lice should not disrupt the educational process.

Head lice appear as an infestation on the head, eyebrows, or eyelids. Signs and symptoms of head lice infestation include: itching, tickling feeling of something moving in the hair, detection of live lice and/or nits, sores, or scratch marks on the head caused by scratching.

### SCHOOL STAFF RESPONSIBILITY:

Identify students with signs of head lice infestation. The school nurse will train school staff at each school to perform lice screening of suspected students.

Notify parent/guardian of the suspected case. Provide parent/guardian a list of care options (Head Lice Letter or local Health Department Recommendations), including referral for secondary infection, if suspected. Avoid transmission of live lice by instructing students to never share headgear, combs or brushes, and to avoid head-to-head contact. If an outbreak occurs consider separating coats/backpacks by hanging on individual chairs. Keep the student's identity confidential as to avoid undue embarrassment. In most cases the student with lice may remain in class until the end of the school day and go home on the school bus. A School Nurse's discretion may be used when making this decision, after consultation with the building administrator.

### PROCEDURE TO BE FOLLOWED:

1. A student who is found with lice may remain in school and in class until the end of the day. Discretion should be used regarding individual cases. Students should be discouraged from close head-to-head contact with others.
2. Notify parent/guardians of the infestation. Provide parent/guardian information on the care options for treatment. Notification letter with treatment options should be sent home with student.
3. Siblings and close contacts of a student with live lice should be examined.
4. The student may return to school when the parent/guardian reports having treated the student and the student has no live lice found on inspection.
5. The student should be re-examined by school staff 8-10 days after returning to school to assure that there are no more live lice. The parent/guardian should be asked to continue to check at home and continue to remove nits.

6. Students with repeated infestations may require the school nurse to offer extra assistance to this family or referral to their primary care provider or public health for additional support to manage the problem.
7. In the elementary schools when a student is identified with live lice or nits, send the lice letter home to classmates in his/her room or grade level.
8. When there is evidence of an outbreak in a classroom (such as three students with no close contact except at school, within a consecutive 2-week period) the whole class may be screened by trained staff.
9. In chronic infestations, the school staff may offer extra assistance to provide practices to prevent the spread of lice. This could be the fostering of good personal hygiene practices: possibly combing out nits at school if parent agrees and student is cooperative in order to ensure free and appropriate public education and reduce absences.

The above guidelines are based on OSPI's Infectious Disease Control last updated on September 24, 2013. Please see guidelines for additional information.

## **ACCOMMODATING STUDENTS WITH DIABETES**

The ESA (Educational Staff Associate) school nurse is appointed to:

- Consult and coordinate with the parents and health care providers of students with diabetes; and
- Train and supervise the appropriate staff in the care of students with diabetes.
- Develop and follow an individual health plan for each student with diabetes. Each individual health care plan shall include an individual emergency plan element. The health plans shall be updated annually and more frequently as needed.

Parents of students with diabetes may designate an adult to provide care for their student consistent with the student's individual health care plan. At parent request, school district employees may volunteer to be a parent-designated adult under this policy, but they shall not be required to participate. Parent-designated adults who are school employees shall file a voluntary, written, current and unexpired letter of intent stating their willingness to be a parent-designated adult. Parent-designated adults who are not school employees are required to show evidence of comparable training and meet school district requirements for volunteers. Parent-designated adults (both school employees and volunteers) shall receive additional training from a parent-selected health care professional or expert in diabetic care to provide the care requested by the parent. The ESA school nurse is not responsible for the supervision of procedures authorized by the parents and carried out by the parent-designated adult.

In addition to adhering to the requirements of each individual health care plan for the general care of students with diabetes, the district shall:

- Acquire necessary parent requests and instructions for treatment.
- Acquire monitoring and treatment orders from licensed health care providers prescribing within the scope of their licensed authority.
- Provide sufficient and secure storage for medical equipment and medication provided by the parent.
- Permit students with diabetes to perform blood glucose tests, administer insulin, treat hypoglycemia and hyperglycemia, with easy access to the necessary supplies, equipment and medication necessary under their individual health care plan. This includes the option for students to carry the necessary supplies, equipment and medication on their person and perform monitoring and treatment functions wherever they are on school grounds or at school sponsored events.
- Permit students with diabetes unrestricted access to necessary food and water on schedule and as needed and unrestricted access to bathroom facilities. When food is served at school events, provision shall be made for appropriate food to be available to students with diabetes.
- School meals shall not be withheld from any student for disciplinary reasons. Students with diabetes shall not miss meals because they are not able to pay for them. The charge for the meal will be billed to the parent or adult student and collected consistent with district policies.
- Parents and health care providers of students with diabetes will be provided with a description of their student's school schedule to facilitate the timing of monitoring, treatment and food consumption.
- Each student's individual health care plan shall be distributed to appropriate staff based on the student's needs and the staff member's contact with the student.



## MEDICATION AT SCHOOL

Under normal circumstances prescribed and over-the-counter medication should be dispensed before and/or after school hours under supervision of the parent or guardian. If a student must receive prescribed or over-the-counter oral or topical medication, eye drops, ear drops or nasal spray (“medications”) from an authorized staff member, the parent must submit a written authorization accompanied by a written request from a licensed health professional prescribing within the scope of his or her prescriptive authority. If the medication will be administered for more than 15 consecutive days, the health professional must also provide written, current and unexpired instructions for the administration of the medication.

The superintendent shall establish procedures for:

- A. Training and supervision of staff members in the administration of prescribed or over the counter (OTC) medication to students by a physician or registered nurse;
- B. Designating staff members who may administer prescribed or OTC medication to students;
- C. Obtaining signed and dated parental and health professional request for the dispensing of prescribed or OTC medications, including instructions from health professional if the medication is to be given for more than 15 days;
- D. Storing prescribed OTC medication in a locked or limited access facility;
- E. Maintaining records pertaining to the administration of prescribed or OTC medication; and
- F. Permitting, under limited circumstances, students to carry and self-administer medications necessary to their attendance at school.

Nasal inhalers, suppositories, and non-emergency injections may not be administered by school staff other than registered nurses and licensed practical nurses. No medication will be administered by injection by school staff except when a student is susceptible to a predetermined, life-endangering situation [See Policy 3420, Anaphylaxis Prevention and Response]. In such an instance, the parent will submit a written and signed permission statement. Such an authorization will be supported by signed and dated written orders accompanied by supporting directions from the licensed health professional. A staff member will be trained prior to injecting a medication.

If the district decides to discontinue administering a student’s medication, the superintendent or designee must provide notice to the student’s parent or guardian orally and in writing prior to the discontinuance. There must be a valid reason for the discontinuance that does not compromise the health of the student or violate legal protections for the disabled.

Administration of legend (prescribed) drugs or controlled substances by nasal spray

If a school nurse is on the premises, he/she may administer a nasal spray containing a prescribed drug or controlled substance to a student. If a school nurse is not on school premises, a nasal spray containing a legend (prescribed) drug or controlled substance may be administered by: 1) a trained school employee, provided that person has received appropriate RN delegation and volunteered for the training pursuant to RCW 28A.210.260; or 2) a parent-designated adult.

A parent-designated adult is a volunteer, who may be a school district employee, who receives additional training from a healthcare professional or expert in epileptic seizure care selected by the parents who provides care for the student consistent with the student's individual health plan on file with the school.

#### Required Notification of EMS

After every administration of any legend (prescribed) drug or controlled substance by nasal spray to a student, Emergency Medical Services (911) will be summoned as soon as practicable.

Cross References: Board Policy 3420 Anaphylaxis Prevention and Response  
Board Policy 3419 Self-administration of Asthma and  
Anaphylaxis Medications

Legal References: RCW 28A.210.260 Public and private schools-  
Administration of medication—  
Conditions  
RCW 28A.210.270 Public and private schools—  
Administration of medication—  
Immunity from liability—  
Discontinuance, procedure

Management Resources: *Policy News*, February 2001 Oral Medication Definition Expanded  
2012—August Issue  
2014—February Issue

**Adoption Date: 10.27.97**

**School District Name:**

**Revised: 04.05.06; 02.14.11; 12.28.15**

## PROCEDURE MEDICATION AT SCHOOL

Each school principal will authorize two staff members to administer prescribed or non-prescribed oral medication. These designated staff members will receive RN delegation each school year.

For purposes of this procedure, "medication" means oral medication, topical medication, eye drops and nasal spray. Oral medications are administered by mouth either by swallowing or by inhaling and may include administration by mask if the mask covers the mouth or mouth and nose.

Medication may be dispensed to students on a scheduled basis upon written authorization from a parent with a written request by a licensed health professional prescribing within the scope of their prescriptive authority. If the medication is to be administered more than 15 consecutive days, the written request must be accompanied by written instructions from a licensed health professional. Requests will be valid for not more than the current school year. The prescribed or OTC medication must be properly labeled and be contained in the original container. The dispenser of prescribed or OTC medication will:

- A. Collect the medication directly from the parent (students should not transport medication to school), collect an authorization form properly signed by the parent and by the prescribing health professional, and collect instructions from the prescribing health professional if the ~~oral~~ medication is to be administered for more than 15 consecutive days;
- B. Store the prescription or OTC medication in a locked, substantially constructed cabinet;
- C. Maintain a daily record which indicates that the prescribed or OTC medication was dispensed.
- D. Provide for supervision by a physician or registered nurse.

A copy of this policy will be provided to the parent upon request for administration of medication in the schools.

Prescribed and over-the-counter oral or topical medications, eye drops or ear drops may be administered by a registered nurse, a licensed practical nurse or an authorized staff member.

Nasal sprays containing legend (prescription) drugs or controlled substances may only be administered by a school nurse or, if a school nurse is not present on school premises, an authorized school employee; or a parent-designated adult with training as required by RCW 28A.210.260.

No prescribed medication will be administered by injection by staff except when a student is susceptible to a predetermined, life-endangering situation. The parent will submit a written statement which grants a staff member the authority to act according to the specific written orders and supporting directions provided by licensed health professional prescribing within his or her prescriptive authority (e.g., medication administered to counteract a reaction to an insect sting). Such medication will be administered by staff trained by the supervising registered nurse to administer such an injection. See Policy 3420 Anaphylaxis Prevention and Response.

Written orders for emergency medication, signed and dated, from the licensed health professional prescribing within his or her prescriptive authority will:

- A. State that the student suffers from an allergy which may result in an anaphylactic reaction;
- B. Identify the drug, the mode of administration, the dose. Epinephrine administered by inhalation, rather than injection, may be a treatment option. This decision must be made by the licensed health professional prescribing within his or her prescriptive authority;
- C. Indicate when the injection will be administered based on anticipated symptoms or time lapse from exposure to the allergen;
- D. Recommend follow-up after administration, which may include care of the stinger, need for a tourniquet, administration of additional medications, transport to hospital; and
- E. Specify how to report to the health professional prescribing within his or her prescriptive authority and any record keeping recommendations.

If a health professional and a student's parent request that a student be permitted to carry his/or her own medication and/or be permitted to self-administer the medication, the principal may grant permission after consulting with the school nurse. The process for requesting and providing instructions will be the same as established for oral medications. The principal and nurse will take into account the age, maturity, and capability of the student; the nature of the medication; the circumstances under which the student will or may have to self-administer the medication, and other issues relevant in the specific case before authorizing a student to carry and/or self-administer medication at school. Except in the case of multi-dose devices (like asthma inhalers), students will only carry one day's supply of medication at a time. Violations of any conditions placed on the student permitted to carry and/or self-administer his or her own medication may result in termination of that permission, as well as the imposition of discipline when appropriate.

#### Parent-Designated Adult Care of Students with Epilepsy

Parents of students with epilepsy may designate an adult to provide care for their student consistent with the student's individual health care plan. At parent request, school district employees may volunteer to be a parent-designated adult under this policy, but they will not be required to participate. Parent-designated adults who are school employees will file a voluntary, written, current and unexpired letter of intent stating their willingness to be a parent-designated adult. Parent-designated adults who are school employees are required to receive training in caring for students with epilepsy from the school nurse. Parent-designated adults will receive additional training from a parent-selected health care professional or expert in epileptic care to provide the care (including medication administration) requested by the parent.

Parent-designated adults who are not school employees are required to show evidence of comparable training and meet school district requirements for volunteers. Parent-designated adults will receive additional training from a parent-selected health care professional or expert in epileptic care to provide the care requested by the parent. The school nurse is not responsible for the supervision of procedures authorized by the parents and carried out by the parent-designated adult.

## CATHETERIZATION

The board authorizes that qualified staff provide for clean, intermittent bladder catheterization (CIC) of students or assisted self-catheterization in conformance to rules adopted by the state board of nursing.

Employees who are not licensed nurses and whose job descriptions do not require performing catheterizations may file a written statement of refusal to perform catheterizations. Refusal will not adversely affect the employees job status or be grounds for dismissal.

Catheterization is permitted under the following conditions:

- A. Parent, legal guardian, or other person having legal control over the student file a written, current, and unexpired request that the district provide for the catheterization of the student;
- B. Licensed physician of the student file a written, current, and unexpired request that catheterization of the student be provided for during the hours when school is in session or the hours when the student is under the supervision of school officials.
- C. A registered nurse provide written, current, and unexpired instructions regarding catheterization which states which staff members are designated to provide for catheterization and a description of the nature and extent of any supervision that is required.
- D. A staff member who is authorized to provide for catheterization must receive training from a registered nurse consistent with the rules of the state board of nursing. Licensed practical nurses are trained to provide catheterization as part of their professional preparation and are not subject to this training requirement.

The district and its staff and the staff member who provides for catheterization in substantial compliance with this policy and the rules of the state board of nursing shall not be liable in any criminal action or for civil damages arising from providing catheterization. ,The district may discontinue catheterization service for a student without being liable so long as the affected parents/guardians are given advance oral/written notice.

Cross References:	Board Policy 2161	Education of Students with Disabling Conditions
Legal References:	RCW 28A.210.290	Catheterization of School Students--Immunity from liability
	28A.210.255	Provision of health services in public and private schools--Employee job description
	28A.210.280	Catheterization of public and private school students
	WAC 246-840-820	Provision for clean, Intermittent Catheterization in schools
Management Resources:	<i>Policy News</i> , June 2003	Catheterization Policy Update
	<i>Policy News</i> , December 2003	Updated Legal References for Catheterization, Facilities Planning and Student Records Policies

**Adoption Date: 10.27.97**  
**Auburn School District**  
**Revised: 06.14.04; 02.14.11**

## **PROCEDURE CATHETERIZATION**

- A. The State Department of Health has established the following rules:
1. The student's medical file will contain a written request from the parent(s) or guardian for the clean, intermittent catheterization of the student.
  2. The student's medical file will contain written permission from the parent(s) or guardian for the performance of the clean, intermittent catheterization procedure by the non-licensed school employee.
  3. The student's medical file will contain a current written order for clean, intermittent catheterization from the student's physician and will include written instructions for the procedure. The order will be reviewed and/or revised each school year.
  4. The service will be offered to all disabled students and may be offered to the nondisabled students, at the discretion of the school board.
  5. A licensed registered nurse will develop instructions specific for the needs of the student. These will be made available to the non-licensed school employee and will be updated each school year.
  6. The supervision of the self-catheterizing student will be based on the needs of the student and the skill of the non-licensed school employee.
  7. A licensed registered nurse, designated by the school board, will be responsible for the training of the non-licensed school employees who are assigned to perform clean, intermittent catheterization of the students.
  8. The training of the non-licensed school employee will include but not be limited to:
    - a. An initial inservice training, of a length to be determined by the licensed registered nurse.
    - b. An update of the instructions and a review of the procedure each school year.
    - c. Anatomy, physiology and pathophysiology of the urinary system including common anomalies for the age group served by the employee.
    - d. Techniques common to the urinary catheterization procedure.
    - e. Identification and care of the required equipment.
    - f. Common signs and symptoms of infection and recommended procedures to prevent the development of infections.
    - g. Identification of the psychosocial needs of the parent/guardian and the students with emphasis on the needs for privacy and confidentiality.
    - h. Documentation requirements.
    - i. Communication skills including the requirements for reporting to the registered nurse or the physician.
    - j. Medications commonly prescribed for the clean, intermittent catheterization of the patient and their side effects.

- k. Contraindications for clean, intermittent catheterization and the procedure to be followed if the non-licensed school employee is unable to catheterize the student.
  - l. Training in catheterization specific to the student's needs.
  - m. Developmental growth patterns of the age group served by the employee.
  - n. Utilization of a teaching model to demonstrate catheterization techniques with return demonstration performed by the non-licensed school employee, if a model is available.
  - o. The training of the non-licensed school employee will be documented in the employee's permanent file.
- B. The district will record the names of individuals receiving the catheterization training and the training dates. These records will be kept available for audits.

## **EMERGENCY TREATMENT**

The board recognizes that schools are responsible for providing first aid or emergency treatment in case of sudden illness or injury to a student, but that further medical attention is the responsibility of the parent or guardian.

When a student is injured, it is the responsibility of staff to see that immediate care and attention is given the injured party until relieved by a superior, a nurse or a doctor. Word of the accident should be sent to the principal's office and to the nurse. The principal or designated staff should immediately contact the parent so that the parent can arrange for care or treatment of the injured.

In the event that the parent or emergency contact cannot be reached and in the judgment of the principal or person in charge immediate medical attention is required, the injured student may be taken directly to the hospital and treated by the physician on call. However, an injured or ill student should only be moved if a first aid provider has determined that it is safe to do so or that it is safe to transport the student in a private vehicle. Students with head or neck injuries should only be moved or transported by emergency medical technicians. When the parent is located, he/she may then choose to continue the treatment or make other arrangements.

The district is not qualified, under law, to comply with directives to physicians limiting medical treatment and will not accept such directives.

The superintendent shall establish procedures to be followed in any accident, and for providing first aid or emergency treatment to a student who is ill or injured.

Cross Reference: Board Policy 3124

Removal/Release of Student During  
School Hours

**Adoption Date: 10.27.97**  
**Auburn School District**  
**Revised: 06.14.04; 02.14.11**

## PROCEDURE EMERGENCY TREATMENT

Staff are encouraged to become trained and/or maintain skills in recognized first aid procedures, especially through Red Cross certified providers. Staff should act in a reasonable and prudent manner in obtaining immediate care for an injured student and should exercise professional judgment and skills in aiding an injured person. Staff who aid an injured person during the school day or during a school event are protected by the district's liability insurance if acting in compliance with the policies and procedures of the district, except when the individual is operating outside the scope of his/her employment or designated duties.

Any child who appears to be very ill or who has received a serious injury should be either sent home or to a physician or hospital as quickly as possible. The principal will be responsible for making the appropriate decision. In the event the principal or nurse is not available, the staff member designated by the principal to take charge in emergency situations will be responsible for the decision. For a life-threatening emergency (severe bleeding, shock, breathing difficulty, heart attack, head or neck injuries), call for an aid car. The principal, nurse, responsible designated person, or involved staff member should contact the parent as quickly as possible to determine whether the child should:

- A. Be sent to a hospital;
- B. Be sent to a doctor;
- C. Be sent home; or
- D. Remain at school.

If the parent cannot be contacted, staff should call the emergency number listed on the child's enrollment card to determine the next course of action.

If a seriously ill or injured child is sent home or to the hospital by private automobile, staff should ensure that someone trained in first aid accompanies the child. This is in addition to the driver of the vehicle. Staff should not let a student walk home if he/she has a high fever (102+), has a head injury, or is likely to go into shock from injury. Even if the parent says to send the child, staff should not send a student home unaccompanied if the way home is not likely to be a safe route.

If illness or injury is not life-threatening, the parent should arrange transportation. If ambulance service is required, ask the parent to call the ambulance or secure permission from the parent to call one. The student should be sent to the hospital of the parent's choice. Be sure to notify the hospital that the student is on the way.

If the injury is deemed to be minor, the trained staff member should:

- A. Administer basic first aid to the child as necessary (following flip chart in nurse's office or standard Red Cross procedure);

- B. Notify the nurse, principal, or responsible designated person. The nurse may be consulted by phone if not in the building;
- C. Remain with the student until released by the principal, nurse, responsible person, or the parent; and
- D. The nurse, principal, or other responsible person so designated should make the decision whether an ill or injured student who has received first aid should return to class. If there is any doubt, the parent should be consulted.

If a serious injury occurs during a physical education class or during an athletic team practice or game, emergency procedures will be conducted in the following manner:

- A. **Stop** play immediately at first indication of possible injury or illness;
- B. **Look** for obvious deformity or other deviation from the athlete's normal structure or motion;
- C. **Listen** to the athlete's description of his/her complaint and how the injury occurred; and
- D. **Act**, but move the athlete only after serious injury is ruled out.

The teacher or coach should avoid being hurried into moving an athlete who has been hurt. He/she should attempt to restore life-sustaining functions, (e.g., stop/repair uncontrolled bleeding, suffocation, cardiac arrest) before moving the athlete to an emergency facility. An athlete with a suspected head, neck, or spinal injury should not be moved. If no physician is available, call 911 and proceed with caution according to first aid procedures. If he/she must accompany the student to a doctor, the activity or event should cease.

An accident report must be completed by the activity director, as soon as possible, from information provided by the person at the scene of the accident. The written report should include a description of the circumstances of the illness or injury and procedures followed in handling it at school. A copy should be included in the student's folder and a copy should be sent to the superintendent.

School staff may not accept and may not agree to comply with directives to physicians that would withhold or withdraw life-sustaining treatment from students.

## **SELF-ADMINISTRATION OF ASTHMA AND ANAPHYLAXIS MEDICATIONS**

It is the policy of the board of directors that students with asthma or anaphylaxis are afforded the opportunity to self-administer prescribed medications. The student's parent or guardian shall submit a written request and other documentation required by the school. The student's prescribing health care provider must provide a written treatment plan.

The student shall demonstrate competence, to possess and self-administer prescribed medications during school and at school sponsored events, to the school's professional registered nurse.

The superintendent is directed to establish procedures that implement this policy and to develop emergency rescue procedures.

Legal Reference: 42 U.S.C. 280, Section 399  
Chapter 462, Laws of 2005

Public Health Service Act  
Relating to the prevention, diagnosis,  
and treatment of asthma.

**Adoption Date: 02.14.11**  
**Auburn School District**  
**Revised:**

## **PROCEDURE SELF-ADMINISTRATION OF ASTHMA AND ANAPHYLAXIS MEDICATIONS**

- A. Students with asthma are authorized, in consultation with the school's professional registered nurse, to possess and self-administer medication for asthma or anaphylaxis during the school day, during school-sponsored events, or while traveling to and from school or school-sponsored activities. The student will be authorized to possess and self-administer medication if the following conditions are met:
1. The parent or guardian must submit a written request for the student to self-administer medication(s) for asthma or anaphylaxis;
  2. A health care practitioner has prescribed the medication for use by the student during school hours and the student has received instructions in the correct and responsible way to use the medication(s);
  3. The student demonstrates to the health care practitioner and a professional registered nurse at the school the skill necessary to use the medication and to use the device necessary to administer the medication;
  4. The health care practitioner provides a written treatment plan for managing the asthma or anaphylaxis episodes of the student and for use of medication during school hours. The written treatment plan should include name and dosage of the medication, frequency with which it may be administered, possible side effects, and the circumstances that warrant its use;
  5. The parent or guardian must sign a statement acknowledging that the district will incur no liability as a result of any injury arising from the self-administration of medication by the student and that the parents or guardians will indemnify and hold harmless the district and its employees or agents against any claims arising out of the self administration of medication by the student.
- B. The authorization to self medicate will be valid for the current school year only. The parent or guardian must renew the authorization each school year.
- C. In the event of an asthma or anaphylaxis emergency, the district will have the following easily accessible:
1. The student's written treatment plan;
  2. The parent or guardian's written request that the student self medicate; and
  3. The parent or guardian's signed release of liability form.
- D. Backup medication, if provided by the parent or guardian, will be kept at a location in the school to which the student has immediate access in the event of an asthma or anaphylaxis emergency.

- E. A student's authorization to possess and self-administer medication for asthma or anaphylaxis may be limited or revoked by the building principal after consultation with the school's professional registered nurse and the student's parents or guardian if the student demonstrates an inability to responsibly possess and self-administer such medication.

### **Asthma Rescue Procedures**

In the event of an asthma or anaphylactic episode, the school nurse will be immediately contacted. In the absence of the school nurse, the person responsible for school health duties will be contacted. The district will follow the procedures outline in the most recent addition of the AMES: Asthma Management in Educational Settings including:

- A. Managing the student's school environment;
- B. Training school personnel in rescue procedures;
- C. Accompanying all students exhibiting symptoms;
- D. Providing care as designed in the student's emergency care plan;
- E. Calling 911, if appropriate;
- F. Notifying the student's parent or guardian;
- G. Documenting interventions; and
- H. Reviewing the student's emergency care plan and making changes, if necessary.

## **ANAPHYLAXIS PREVENTION**

The Auburn Board of Directors expects school administrators, teachers, and support staff to be informed and aware of life-threatening allergic reactions (anaphylaxis) and how to deal with the resulting medical emergencies. For students, some common life threatening allergens are peanuts, tree nuts, fish, bee or other insect stings, latex and some medications. Affected students require planned care and support during the school day and during school-sponsored activities.

Parents/guardians are responsible for informing the school about their student's potential risk for anaphylaxis and for ensuring the provision of ongoing health information and necessary medical supplies. The district will take reasonable measures to avoid allergens for affected students. The district will also train all staff in the awareness of anaphylaxis and prepare them to respond to emergencies. Additionally, student-specific training will be provided for appropriate personnel.

Even with the district's best efforts, staff and parents/guardians need to be aware that it is not possible to achieve a completely allergen-free environment. However, the district will take precautions to reduce the risk of a student having an anaphylactic reaction by developing strategies to minimize the presence of allergens in schools.

The superintendent will establish procedures to support this policy.

Legal References: RCW 28A.210.380

Anaphylaxis – Policy Guidelines –  
Procedures – Reports

Management Resources:

*Policy News*, February 2009

Anaphylaxis Prevention Policy Required

## **PROCEDURE ANAPHYLAXIS PREVENTION**

- A. For students with a medically diagnosed life-threatening allergy, the district will take appropriate steps for the student's safety, including implementing a nursing care plan.

### **Parent/Guardian Responsibility**

- B. Prior to enrolling a student, the parent/guardian will inform the school in writing of the medically diagnosed allergy(ies) and risk of anaphylaxis. Upon receiving the diagnosis, school staff will contact the parent/guardian to develop a nursing care plan. A nursing care plan will be developed for each student with a medically diagnosed life-threatening allergy.

### **Nursing Care Plan**

- C. The written plan will identify the student's allergies, symptoms of exposure, practical strategies to minimize the risks, and how to respond in an emergency.
- D. The principal or designee (school nurse) may arrange a meeting (*or telephone call*) with the parent/guardian prior to the first day of attendance to develop and discuss the nursing care plan. The plan will be developed by the parent, school nurse, and appropriate school staff. If the treatment plan includes self-administration of medications, the parents, students, and staff will comply with model policy and procedure 3419, *Self-Administration of Asthma and Anaphylaxis Medication*.
- E. Annually and prior to the first day of attendance, the student health file will contain: 1) a completed nursing care plan; 2) a written description of the treatment order signed by a licensed health care provider; and 3) an adequate and current supply of auto-injectors (or other medications). The school will also recommend to the parents that a medical alert bracelet be worn by the student at all times. The parents/guardians are responsible for notifying the school if the student's condition changes and for providing the medical treatment order, the auto-injectors, and medications.
- F. Students who have a medically diagnosed life-threatening allergy and no medication or treatment order presented to the school, will be excluded from school to the extent that the district can do so consistent with federal requirements for students with disabilities under the Individuals with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, and pursuant to the following due process requirements:
- G. Written notice to the parents, guardians, or persons in loco parentis is delivered in person or by certified mail;
- H. Notice of the applicable laws, including a copy of the laws and rules; and
- I. The order that the student will be excluded from school immediately and until a medications or a treatment order is presented.

**Communications Plan and Responsibility of School Staff**

- J. After the nursing care plan is developed, the school principal or a designee will inform appropriate staff regarding the affected student. The school nurse (R.N.) will train appropriate staff regarding the affected student and the nursing care plan. The plan will be distributed to appropriate staff and placed in appropriate locations in the district (class room, office, school bus, lunchroom etc.). With the permission of parents/guardian and the student, (if appropriate), other students and parents may be given information about the student's condition.

**Inservice Training**

- K. Annually, each school principal will provide an inservice training on how to minimize exposure and how to respond to an anaphylaxis emergency. The training will include a review of avoidance strategies, recognition of symptoms, the emergency protocols to deal with an anaphylaxis episode, and use of an auto injector.
- L. Student specific training and additional information will be provided (by the school nurse) to teachers, teacher's assistants, clerical staff, food service workers, and bus drivers who will have known contact with a diagnosed student.

**Controlling the Exposure to Allergens**

- M. Controlling the exposure to allergens requires the cooperation of parents, students, the health care community, school employees, and the board. The district will inform parents of the presence of a student with life-threatening allergies in their child's classroom and/or school and the measures being taken to protect the affected student. Parents will be asked to cooperate and avoid including the allergen in school lunches and snacks or other products. The district will discourage the sharing of food, utensils, and containers. The district will take other precautions such as avoiding the use of party balloons or contact with latex gloves. Additionally, play areas will be specified that are lowest risk for the affected student.
- N. The district will also identify high-risk events and areas for students with life-threatening allergies, such as foods and beverages brought to school for seasonal events, school equipment, and curricular materials used by large numbers of students (play-dough, stuffed toys, science projects, etc.)
- O. During school-sponsored activities, appropriate supervisors, staff and parents will be made aware of the identity of the student with life-threatening allergies, the allergens, symptoms and treatment. The lead teacher will ensure that the auto-injector is brought on field trips.

## **CHILD ABUSE, NEGLECT AND EXPLOITATION PREVENTION**

Child abuse, neglect, and exploitation are both violations of children's human rights and an obstacle to their educational development. The board directs that staff shall be alert for any evidence of such abuse, neglect, or exploitation. For purposes of this policy, "child abuse, neglect, or exploitation" shall mean:

- A. Inflicting physical injury on a child by other than accidental means, causing death, disfigurement, skin bruising, impairment of physical or emotional health, or loss or impairment of any bodily function.
- B. Creating a substantial risk of physical harm to a child's bodily functioning.
- C. Committing or allowing to be committed any sexual offense against a child as defined in the criminal code, or intentionally touching, either directly or through the clothing, the genitals, anus or breasts of a child for other than hygiene, child care or health care purposes.
- D. Committing acts which are cruel or inhumane regardless of observable injury. Such acts may include, but are not limited to, instances of extreme discipline demonstrating a disregard of a child's pain or mental suffering.
- E. Assaulting or criminally mistreating a child as defined by the criminal code.
- F. Failing to provide food, shelter, clothing, supervision or health care necessary to a child's health or safety.
- G. Engaging in actions or omissions resulting in injury to or creating a substantial risk to the physical or mental health or development of a child.
- H. Failing to take reasonable steps to prevent the occurrence of the preceding actions.

Child abuse can include abuse by another minor and so may be included in incidents of student misconduct.

When feasible, the district will provide community education programs for prospective parents, foster parents, and adoptive parents on parenting skills and on the problems of child abuse and methods to avoid child abuse situations. The district shall also encourage staff to participate in inservice programs that deal with the issues surrounding child abuse.

The superintendent shall develop reporting procedures, including sample indicators of abuse and neglect, and shall disseminate the procedures to all staff. The purpose is to identify and report, as soon as possible to the proper authorities, all evidence of child abuse or neglect. Staff shall receive training regarding reporting obligations during their initial orientation and every three years after initial employment.

Classified and certified staff are legally responsible for reporting all suspected cases of child abuse and neglect. A certificated or classified school employee who has knowledge or reasonable cause to believe that a student has been a victim of physical abuse or sexual misconduct by another school employee shall report such abuse or misconduct to the appropriate school administrator. The administrator shall report to the proper law enforcement agency if he or she has reasonable cause to believe that the misconduct or abuse has occurred as required under RCW 26.44.030. Under state law, staff is free from liability for reporting instances of abuse or neglect and professional staff are criminally liable for failure to do so.

Staff need not verify that a child has in fact been abused or neglected. Any conditions or information that may reasonably be related to abuse or neglect should be reported. Legal authorities have the responsibility for investigating each case and taking such action as is appropriate under the circumstances. School staff shall not make any student available for an investigative interview, with government officials, unless the child consents. If the child is under 12 years of age and the request is from law enforcement officials, the law enforcement official must obtain parental consent, a court order, a warrant, or stipulate the existence of exigent circumstances.

Cross References:	Board Policy 4310	Relations with the Law Enforcement and Child Protective Agencies
Legal References:	RCW 13.34.300	Failure to cause juvenile to attend school as evidence under neglect petition
	26.44.020	Child abuse — Definitions
	26.44.030	Reports — Duty and authority to make — Duty of receiving agency — Duty to notify — Case planning and consultation — Penalty for unauthorized exchange of information — Filing dependency petitions — Interviews of children — Records — Risk assessment process
	28A.620.010	Community education provisions — Purposes
	28A.620.020	Community education provisions — Restrictions
	43.43.830	Background checks — Access to children or vulnerable persons
	28A.320.160	Alleged sexual misconduct by school employee — Parental notification — Information on public records act.
	28A.400.317	Physical abuse or sexual misconduct by school employees — Duty to Report — Training
	WAC 388-15-009	Definition of child abuse, neglect or exploitation
	AGO 1987, No. 9	Children — Child Abuse — Reporting by School Officials — Alleged Abuse by Student

Management Resources:

<i>Policy News</i> , April 2010	Child Abuse Interviews at Schools
<i>Policy News</i> , February 2007	Physical Abuse and Sexual Misconduct Notice Requirements
<i>Policy News</i> , June 1999	23% of districts out-of-compliance on child abuse policies

**Adoption Date: 10.27.97**

**Auburn School District**

**Revised: 04.20.07; 02.14.11**

## **STUDENT SPORTS — CONCUSSION AND HEAD INJURIES**

The Auburn Board of Directors recognizes that concussions and head injuries are commonly reported injuries in children and adolescents who participate in sports and other recreational activities. The board acknowledges the risk of catastrophic injuries or death is significant when a concussion or head injury is not properly evaluated and managed. Therefore, all competitive sport activities in the district will be identified by the administration.

Consistent with Washington law, the district will utilize guidelines developed with the Washington Interscholastic Activities Association (WIAA) and other pertinent information and forms to inform and educate coaches, youth athletes, and their parents and/or guardians of the nature and risk of concussions or head injuries, including the dangers associated with continuing to play after a concussion or head injury.

Annually, the district will distribute a head injury and concussion information sheet to all parents and guardians of student participants in competitive sport activities. The parent/guardian and student must return a signed acknowledgement indicating that they have reviewed and understand the information provided before the student participates in any covered activity. Until this acknowledgement form is returned and on file with the district, the student may not practice or compete.

All coaches, including volunteers, will complete training as required in the district procedure. Additionally, all coaches of competitive sport activities will comply with WIAA guidelines for the management of head injuries and concussions.

Cross References: Policy 4260

Use of School Facilities

Legal References: RCW 28A.600  
RCW 4.24.660

Students  
Liability of school districts under  
contract with youth programs.

Management Resources: *Policy News*, August 2009

Concussion and Head Injuries  
Legislation

**Adoption Date: 02.14.11**  
**Auburn School District**  
**Revised:**

## **PROCEDURE STUDENT SPORTS—CONCUSSION AND HEAD INJURIES**

### **A. Athletic Director or Administrator in Charge of Athletics Duties:**

1. **Updating:** Each spring, the athletic director, or the administrator in charge of athletics if there is no athletic director, will review any changes that have been made in forms required for concussion and head injury management by consulting with the WIAA or the WIAA Web site. If there are any updated forms, they will be adopted and used for the upcoming school year.
2. **Identifying Sports:** By June 30 of each year, the athletic director or administrator in charge will identify competitive sport activities in the district for which compliance with the concussion and head injury policy is required. A list of competitive sports activities and the district's policy and procedure 3422 will be distributed to all coaching staff and volunteers.

**B. Coach Training:** All coaches will undergo training in head injury and concussion management at least once every two years by one of the following means: (1) through attendance at a WIAA or similar clock hour presentation which uses WIAA guidelines or (2) by completing WIAA online training.

**C. Parent Information Sheet:** On a yearly basis, a concussion and head injury information sheet will be signed and returned by the youth athlete and the athlete's parent and/or guardian prior to the youth athlete's initiating practice or competition. This information sheet may be incorporated into the parent permission sheet which allows students to participate in extracurricular athletics.

**D. Coach's Responsibility:** A youth athlete who is suspected of sustaining a concussion or head injury in a practice or game will be immediately removed from play.

**E. Return to Play after Concussion or Head Injury:** A student athlete who has been removed from play may not return to play until the athlete is evaluated by a licensed health care provider trained in the evaluation and management of concussion and receives written clearance to return to play from that health care provider. The health care provider may be a volunteer.

## EMERGENCIES

### Drills:

#### 1. Fire Drills

Students shall receive instruction so that in case of fire or sudden emergency, they shall be able to leave their particular building in the shortest time possible or take such other steps as the particular emergency demands, and without confusion or panic. Fire drills shall be held six times each year.

The superintendent is directed to develop emergency evacuation procedures for each building.

#### 2. Lockdowns

Students will receive instruction so that in the event of the breach of security of a school building or campus; staff, students and visitors will be able to take positions in secure enclosures. A lockdown drill shall be held at least once each school year.

#### 3. Evacuations

Students will receive instruction so that in the event the school or district needs to be evacuated, they will be able to leave the building in the shortest time possible and take the safest route possible to another school or facility.

#### 4. Shelter-in-Place

Students will receive instruction so that in the case of a hazardous vapor release that doesn't allow time to evacuate the campus, they will be able to remain inside and take the steps necessary to eliminate or minimize the health and safety hazard. A shelter-in-place drill shall be held at least once each school year.

Annually, at least one drill will be conducted using the school mapping system.

#### 5. Earthquakes

The board recognizes the importance of protecting staff, students and facilities in the event of an earthquake. Facilities shall be designed and maintained in a manner that recognizes the potential danger from such an occurrence. Likewise, staff must be prepared to take necessary action to protect students and staff from harm.

The superintendent shall establish guidelines and action taken by building principals should an earthquake occur while school is in session.

#### 6. Bomb Threats

The superintendent shall establish procedures for action in the event that any threat is received toward the school by telephone, letter, orally or by other means.

#### 7. Emergency School Closure or Evacuation

When weather conditions or other circumstances make it unsafe to operate schools, the superintendent is directed to determine whether schools should be started late, closed for the day or transportation will be provided only on emergency routes. Those decisions will be communicated through community media resources pursuant to a plan developed by the superintendent or designee.

#### 8. Pandemic/Epidemic

The board recognizes that a pandemic outbreak is a serious threat that could affect students, staff and the community. The superintendent or a designee shall serve as a liaison between the school district and local health officials. The district liaison, in consultation with local health officials, shall ensure that a pandemic/epidemic plan exists in the district and establish procedures to provide for staff and student safety during such an emergency.

When an emergency within a school or its surrounding area necessitates evacuation and/or total or partial closure of the schools within the district, staff shall be responsible for aiding in the safe evacuation of the students within the endangered school or its surrounding area.

The superintendent shall establish procedures for the emergency closure of a building or department.

Legal References:    RCW 19.27.110  
                              28A.320.125

International Fire Code  
Safe school plans — Requirements —  
Duties of school districts, schools,  
and educational service districts —  
Reports — Drills — Rules

Management Resources: *Policy News*, August 2008  
*Policy News*, October 2006  
*Policy News*, February 1999

School Safety Plans  
Pandemic Flu Planning for School  
Districts  
Fire drills required monthly

## **PROCEDURE EMERGENCIES**

### **Fire**

#### Fire and Fire Drills: General Instructions

##### A. In the event of a fire:

1. Give the fire alarm signal (one long continuous signal);
2. Call and report the fire; and
3. Authority to sound the fire alarm system in the event of a real emergency is possessed by any person who discovers the fire.

##### B. Fire drills

1. Instructions must be given to all students on the FIRST DAY of school in September, each year;
2. A fire drill should be held during the first week of school and monthly; and
3. It is particularly important that kindergarten children, representing the one large group of children new to the schools, be given instructions in fire drill procedures for the building.

##### C. Authority to Call Drills

The sounding of a fire alarm for the purpose of a drill is an authority possessed solely by the principal, or someone authorized by him/her.

##### D. Purpose of Fire Drills

Fire drills are held to familiarize the occupants of a building with the signals, evacuation routine, and exits so that in case of emergency there will be no hesitation or confusion in leaving the building.

These drills are for the safety of all persons involved and each person must realize that the success of the drill is dependent upon his/her actions and cooperation. Therefore:

1. All persons in the building must take part in the fire drill; and
2. Every fire alarm should be considered as a warning of an actual fire.

##### E. Frequency - Fire Drills in Schools

1. Fire drills will be held as often as necessary to assure rapid and orderly evacuation of the school building. During severe weather, fire drills may be postponed. A record of all fire drills will be kept on the premises subject to inspection by the fire chief; and

2. In schools, fire drills include complete evacuation of all persons from the building.

#### F. Warning Signals - Fire Drills

The fire warning signal will be one long continuous signal, whether by bell, siren, or horn.

An emergency warning signal, either by whistle or hand siren, should be planned for and, occasionally, used, thereby anticipating possible power failure.

#### G. Responsibilities of Staff

##### 1. Principals will:

- a. Be in complete charge of all matters pertaining to organizing and conducting fire drills in the building and will be responsible for the efficiency of the drill and all corrective actions or punishments taken for violation of the rules and regulations;
- b. Be thoroughly familiar with the fire alarm system, all firefighting equipment, all means of egress, and any special features of the building that might prove dangerous to human life, (storerooms, lunchrooms, attic spaces, ventilators, etc.) or where fire may spread quickly;
- c. Be responsible for notifying custodians, engineers, and lunchroom staff that, in case of an actual fire, the ventilating systems, the oil burners, gas meters, ovens, etc. are shut off;
- d. Appoint all subordinate officers (see e. immediately below) and instruct them in the general plan of the drills and details of their specific duties, such as instruction regarding:
  - i. How to send an alarm to the fire department (including how the fire alarm system operates--both electrical and emergency);
  - ii. How to use all in-school firefighting equipment; and
  - iii. The importance of quick action to send in a fire alarm signal, and to vacate the building--even if in-school firefighting equipment is in use.
- e. Appoint subordinate officers:
  - i. **Searchers** - These are teachers assigned to inspect sections of the buildings to make sure that everyone is out. Cloakrooms, lavatories, teachers' room, and all other places frequented by students or teachers must be checked. Searchers will rejoin their classes as soon as the inspection is completed.
  - ii. **Traffic Guards** - These are students appointed by the principal to open doors, assist in traffic control, and maintain order.

- iii. **Fire Drill Aides** - These are students appointed by either the principal or teachers to assist in any way deemed necessary, and to take the place of teacher searchers in their absence only. They may be used as messengers or assigned to aid disabled students or those who are ill or faint.
  - iv. **Safety Coordinator** - In case of actual fire, during the absence of the principal, it must be clearly understood by the entire staff which person will be in charge.
2. Teachers will:
- a. Be in charge of their respective classes;
  - b. Issue all commands relative to participation in the fire drills except as delegated by them to aides;
  - c. Unless assigned as searchers, lead their classes to the designated outside stations; and
  - d. Immediately report to the principal or fire drill aides, if any student is unaccounted for after a visual check of students.

#### H. Drills on Request

Occasionally, fire department representatives may come to schools and request an immediate fire drill. In general, this is their method of checking upon the quality of the drill program and principals are expected to cooperate fully, even to the extent of calling a drill at an inconvenient time.

##### 1. Procedures

In case of fire, the principal will:

- a. Sound the alarm;
  - b. Call and identify self to fire department officials, directing them to the location of the fire, and give them any necessary special information;
  - c. Make a building search; and
  - d. Ensure that teachers and students perform all activities assigned to them during fire drills.
2. During Fire Drills - when the alarm begins:
- a. Teachers will lead students to the designated exit;
  - b. Students will walk briskly (no running), with arm's length spacing and without talking, laughing, or breaking from the ranks (no student may leave the line);

- c. Students not in the classroom will join the line of the first group of students met (the student must not return to the classroom);
  - d. Teachers will check roll when assigned area is reached;
  - e. Teachers will not leave the students gathered at a designated area unless someone is placed in charge;
  - f. Teachers will notify the principal if any student is missing; and
  - g. The principal will initiate a search for any missing students.
3. After a Fire Drill:
- a. The principal will give the all clear signal (a short steady signal);
  - b. Teachers will lead the students back into the classroom;
  - c. Teachers will check the roll;
  - d. Students will not loiter in the halls;
  - e. Teachers will notify the principal if any student is missing; and
  - f. The principal will initiate a search for any missing student.
4. After a FALSE ALARM, the principal will:
- a. Notify the fire department of the incident and
  - b. Notify school officials of the incident.

### **Earthquake**

The threat of an earthquake in Western Washington is ever present. As with other unforeseen events, the district must be prepared to care for students and staff until danger subsides.

Each school principal, in consultation with staff, is required to prepare a plan and conduct an emergency earthquake drill at least twice annually. The building staff is encouraged to contact the district office and the county emergency service department for technical assistance.

#### **A. Preparation**

The principal and building staff will be responsible for conducting an annual inspection of the building early in the school year for the purpose of identifying potential hazards in the event of an earthquake; e.g., securing all bookcases to wall to prevent collapse. Those hazards that cannot be corrected by building-level personnel will be corrected by district maintenance personnel as soon as resources permit.

## B. Information to Parents

Parents should be advised that:

1. If there is an earthquake while children are on their way to school, they should “duck and cover away from power lines, buildings, and trees.” Once the earthquake has stopped, they should proceed to school. If the quake occurs on their way home, after protecting themselves until the quake stops, they should proceed to their home.
2. A parent is advised not to remove a child from the school grounds unless they have first checked with school officials. If a parent were to remove a child without checking out, others could be needlessly hurt while searching for a missing child.
3. They should avoid calling the school. The phones, if they are functioning, may be needed by school staff. Parents of injured children will be notified first. All schools will have trained staff to help injured children until other medical assistance arrives.

Staff members should attempt to account for all students and staff before re-entry, the principal must feel absolutely certain, on the basis of thorough inspection of both structures and utility conduits, that the facility is safe; but no students or staff will be dismissed until procedures have been approved by the superintendent’s office if district-wide communications are in operation.

## C. General Responsibilities

The principal must become familiar with the alarm system, all means of egress, and any special features of the facility which might endanger human life. Staff should be appointed and instructed in the general earthquake plan. The building administrator should carry out all communication functions, coordinate post-quake building inspections, and signal re-entry when safety is assured.

Teachers will see that all members of their respective classes take protective action appropriate to their situations; evacuate classes in an orderly and expeditious manner; maintain order; supervise evacuated students; and insure orderly re-entry when signaled.

Monitors may be appointed from the more mature students in each class to assist teachers. Monitors should be assigned to substitute for any teacher who may be injured.

The custodian will assist in the inspection of the facility, including utility conduits, and shut down mechanical/electrical systems as required. Other staff members will act as searchers; assist in evacuation and care of injured or disabled individuals; help remove hazardous materials or debris; and carry out any additional assigned functions.

### 1. Staff Instructions (during quake)

Staff should maintain control in the following manner:

- a. In a classroom, students should get under desk or table, face away from window, away from bookshelves and heavy objects that may fall, crouch on kneel close to ground, place head close to knees, cover side of head with elbows and clasp hands firmly behind neck, close eyes tightly, and remain in place until instructed otherwise or until the “all clear” signal is given;
  - b. In gymnasiums or assembly areas, students should exit such facilities as expeditiously as possible. Individuals should move to designated areas;
  - c. On a stairway, students should move to the interior wall and “duck and cover.” (Individuals should evacuate exterior stairs and move to designated areas); and
  - d. If outdoors, students should move to designated areas, as far away as possible from buildings, poles, wires, and other elevated objects, and lie down or crouch low to the ground. Staff and students should be aware of encroaching danger that may demand further movement.
2. Staff Instructions (after quake)

The principal and custodian should inspect facilities before instructing staff and students to evacuate. Classes should be evacuated through exits to a safe area. Students should move away from buildings and remain there until given further instructions. Responsible student or staff should be posted to prevent re-entry.

Following this evacuation, the principal should:

- a. Check for injuries among students and staff (do not attempt to move seriously injured persons unless they are in immediate danger of further injury);
- b. Check for fires or fire hazards;
- c. Check utility lines and appliances for damage. If gas leaks exist, shut off the main gas valves and shut off electrical power if there is damage to the wiring (do not use matches, lighters, or open flame appliances until you are sure no gas leaks exist, and do not operate electrical switches or appliances if gas leaks are suspected);
- d. Instruct students not to touch power lines or objects touched by the wires (all wires should be treated as live);
- e. Clean up spilled medicines, drugs, chemicals, and other potentially harmful materials immediately;
- f. Do not eat or drink anything from open containers near shattered glass (liquids may be strained through a clean handkerchief or cloth if danger of glass contamination exists);
- g. Check the chimney over its entire length for cracks and damage, particularly in the attic and at the roof line (unnoticed damage could lead to a fire);

- h. Check closets and storage shelf areas (open closet and cupboard doors carefully and watch for objects falling from shelves);
- i. Keep the streets clear for emergency vehicles;
- j. Be prepared for “after-shocks;”
- k. Respond to requests for help from police, fire department, and civil defense but do not go into damaged areas unless your help has been requested; and
- l. Plan for student/staff needs during the time that may elapse before assistance arrives (e.g. four to eight hours).

### **Bomb Threats**

Most bomb threat messages are very brief. When possible, every effort should be made to obtain detailed information from the caller such as: exact location of the bomb, time set for detonation, description of the bomb, and type of explosive used. Details such as: time of call, exact words used, sex, estimated age, identifiable accent, voice description of caller, and identifiable background noise should also be noted.

#### **A. Evacuation Decision**

The principal should notify the district office immediately. The principal should be ready to provide specific information regarding the “threatening call” and indicate if the building(s) will be evacuated and/or searched.

**If the principal determines the threat is a hoax**, he/she will conduct a quiet search of the building. No classes will be dismissed. A written report should be submitted to the superintendent.

**If the principal determines that the message is a dangerous threat**, law enforcement officers and the district office should be contacted. A routine fire drill should be initiated at least 15 minutes prior to the time of possible detonation. Teaching staff should remain with their classes until such time as the danger of explosion is past. Search procedures should be conducted under the direction of law enforcement officers. A written report should be submitted to the superintendent.

#### **B. Search Procedures**

Each building should have a volunteer search team composed of staff members. The person most qualified to search buildings or space is the person using the area.

##### **1. How a Search is to be Made**

The room to be searched may be divided into three (3) parts. The bottom third of the room, from eye level to the floor where most of the objects are located; the middle third from eye level upward toward the ceiling; and the top third of the room. The top third will have such items as light fixtures or a ceiling vent which can usually be observed from the floor. The search should be conducted systematically in a clockwise or counter-clockwise manner. Searchers should look into areas that are open and listen in those areas (cabinets, desks, lockers) where opening every closed area is impossible.

Most homemade bombs are made with spring-wound clocks and give off a ticking sound. The more sophisticated bombs use other devices such as batteries, chemicals, or may even be plugged into a light switch.

## 2. What to Look for

**ALL UNIDENTIFIED PACKAGES FOUND DURING BOMB SEARCHES SHOULD BE CONSIDERED DANGEROUS AND LEFT UNTOUCHED, TO BE EXAMINED AND IDENTIFIED BY A QUALIFIED BOMB EXPERT.** Bombs come in many shapes and sizes. Some are disguised, while others may be as crude as sticks of dynamite held together with twine or tape. One must be suspicious of any package that cannot be identified. Example: a brown paper package found ticking in an unlocked locker should always be considered dangerous.

## 3. Search without Evacuation

If the preliminary decision is to search the building without evacuating the students, the principal should enlist the voluntary aid of the staff to conduct a cursory search of the building. Particular attention should be paid to those areas that are accessible to the public, such as hallways, stairways and stairwells, restrooms, unlocked lockers, unlocked unused classrooms, closets, and the like. A search should also be made on the outside of the building on low window ledges, window wells, and the base of all outside walls.

## 4. Search with Evacuation

If the decision is to evacuate staff and students, the principal should have the team conduct a more thorough search of the entire building. The signal to be used for evacuation is through the use of the fire drill routine. When a threat appears to be “dangerous,” the principal should enlist the aid of the local police and fire department in conducting the search. All searchers should vacate the building for a short period of time when the alleged bomb is to detonate. After the search has been made and the danger period is over, the students may then return to their classrooms for resumption of normal activities.

## 5. Search with Evacuation during Valid Bomb Threats

When the bomb threat is judged to be valid the building should be cleared immediately of all personnel so that the police can assume the responsibility of conducting the search. A staff member should be stationed at each entrance to prevent unauthorized persons from returning to the building until the area is declared safe.

## 6. Disposition of Suspected Bombs

In the event of the discovery of a suspected bomb, the following steps will be taken:

- a. **DO NOT TOUCH OR ATTEMPT TO MOVE THE PACKAGE IN ANY MANNER;**
- b. Avoid moving any article or articles which in any way may be connected with the bomb to act as a triggering mechanism. Bombs have been set off by turning on a light switch or lifting a telephone receiver;
- c. Clear the danger area of all occupants; and
- d. Assign staff at entrances to prevent others from entering.

The decision of whether or not to evacuate depends on the circumstances of each call. Every call should be handled individually and evaluated separately. If there is doubt as to what action to take, the safety of students and staff must be paramount and evacuation procedures should be followed.

Persons to be evacuated from the area should be moved to a minimum of 300 feet from the point of possible explosion. Power, gas, and fuel lines leading to a danger area should be shut off as soon as practical. All flammable liquids and materials should be removed from the surrounding area as well as any portable materials of value.

If an actual bomb explosion does occur, the police department should maintain a guard around the area to prevent re-entry by any unauthorized person. However, inspection is necessary to insure the safety of all persons having business in the bombed area. Fire marshals, building inspectors, etc., should be requested to inspect the building regarding supporting walls, damaged overhead structure, broken gas lines, live power lines, etc. Their inspection should precede any police or security investigation and should be designed to prevent any further injury.

### **Emergency School Evacuation**

When an emergency within a school or department necessitates total or partial closure of the schools within the district, threatens the safety and well being of students, and/or interferes in the normal operation of the school, the following emergency procedure must be followed:

- A. The report of an emergency will be directed to the superintendent's office;
- B. If the nature of the emergency calls for immediate action on the part of a principal, he/she will take necessary action and report such action to the superintendent's office;
- C. The superintendent's office will contact those departments and/or schools who must assist in the emergency action; and

- D. When appropriate, the superintendent's office will contact the city police department and the county department of emergency services.

The principal will instruct staff including teachers, secretaries, cooks, custodians, aides, and bus drivers as to their respective responsibilities in an evacuation exercise.

The principal will be responsible for organizing and conducting such emergency evacuation drills as are necessary and will objectively evaluate the activity following each such drill. In the absence of the principal, staff should be able to conduct all aspects of the evacuation procedure.

### **Pandemic/Epidemic**

If anyone within the school is discovered or suspected to have a communicable disease that may result in an epidemic/pandemic that person will be immediately quarantined pending further medical examination. Local health officials will be notified immediately.

Any student or staff member found to be infected with a communicable disease that bears risk of pandemic/epidemic will not be allowed to attend school until medical clearance is provided by the individual's primary care physician or other medical personnel indicating that the risk of that individual transmitting the disease no longer exists.

In the event of prolonged school closings and/or extended absences by staff or students as the result of a flu pandemic or other catastrophe, the superintendent will develop a pandemic/epidemic emergency plan that includes at a minimum:

- A. The chain of command for the emergency plan and the individuals responsible for specific duties such as quarantine;
- B. The specific steps the district will take to stop the spread of the disease;
- C. The process for identifying sick students;
- D. The transportation plan for sick students;
- E. Disease containment measures for the district;
- F. A continuing education plan for students, such a plan may include providing students with assignments via mail, local access cable television, or the school district's Web site;
- G. Procedures for dealing with student privacy rights;
- H. A continuity of operations plan for central office functions including employee leave, pay and benefits during a pandemic; and
- I. An ongoing communication plan for staff, students and parents.

## ASSOCIATED STUDENT BODIES

An associated student body (ASB) shall be formed in each school within the Auburn School District whenever one or more students in that school engage in money-raising activities with the approval and at the direction or under the supervision of the district. An associated student body shall be a formal organization of students, including sub-components or affiliated student groups. Each associated student body shall submit a constitution and bylaws to the board for approval. The constitution and bylaws shall identify how student activities become approved as student body activities and establish standards for their supervision, governance and financing. Subject to such approval process, any lawful activity which promotes the educational, recreational or cultural growth of students as an optional extracurricular or co-curricular activity may be considered for recognition as an associated student body activity. Any lawful fundraising practices that are consistent with the goals of the district and which do not bring disrespect to the district or its students may be acceptable methods and means for raising funds for student body activities. The board of directors may act or delegate the authority to a staff member to act as the associated student body for any school which contains no grade higher than grade six.

The principal shall designate a staff member as the primary advisor to the ASB and assure that all groups affiliated with the ASB have an advisor assigned to assist them. Advisors shall have the authority and responsibility to intervene in any activities that are inconsistent with district policy, ASB standards, student safety or ordinarily accepted standards of behavior in the community. When in doubt, advisors shall consult the principal regarding the propriety of proposed student activities. Student activities cannot include support or opposition to any political candidate or ballot measure.

Each ASB shall prepare and submit annually a budget for the support of the ASB program to the board for approval. All property and money acquired by ASBs, except private nonassociated student body funds, shall be district funds and shall be deposited and disbursed from the district's associated student body program fund. Money acquired by associated student body groups through fundraising and donations for scholarships, student exchanges and charitable purposes shall be private nonassociated student body fund moneys. Solicitation of funds for nonassociated student body fund purposes must be voluntary and must be accompanied by notice of the intended use of the proceeds and the fact that the district will hold the funds in trust for their intended purpose. Nonassociated student body fund moneys shall be disbursed as determined by the group raising the money. Private nonassociated student body funds shall be held in trust by the district for the purposes indicated during the fund raising activities until the student group doing the fundraising requests disbursement of the funds and the accounts of the fundraising are complete and reconciled.

Cross Reference: Board Policy 6020  
Legal References: RCW 28A.325.020

RCW 28A.325.030

Ch. 392-138 WAC

System of Funds and Accounts  
Associated student bodies--Powers and responsibilities affecting  
Associated student body program fund--Created--Source of funds—  
Expenditures--Budgeting--Care of other moneys received by students for private purposes  
Finance--Associated student body moneys

**Adoption Date: 10.27.97**  
**Auburn School District**  
**Revised: 02.14.11**

## **PROCEDURE ASSOCIATED STUDENT BODIES**

The Associated Student Bodies (ASB) in the schools of the district will operate within the following guidelines:

### **Structure**

- A. ASBs are mandatory in grades 7 through 12 whenever students engage in money raising activities with the approval and under the supervision of the district. ASBs are not mandatory at the elementary level (K-6). However, any money raised with the approval and under the supervision of the district must be administered in the same way as ASB money. The school principal is designated to act as the ASB for K-6 school buildings; and
- B. The school board has authority over ASBs. ASBs are subject to the same laws as the district, including accounting procedures, budgets, and warrants.

### **Financial Operations**

- A. The district must have an ASB program fund budget approved by the school board;
- B. All ASB money is accounted for, spent, invested, and budgeted the same way as other public money;
- C. Disbursements may be made either by warrant, imprest bank accounts, procurement card or petty cash funds;
- D. ASB purchases must comply with state bid procedure as outlined in the district bid requirements policy and procedure. Purchases of the same goods or services for more than one school must be considered together when establishing the purchase amount and applicability of bid requirements;
- E. All property acquired with ASB moneys becomes property of the school district;
- F. Associated student body groups may raise private non-associated student body fund moneys through fundraising and donations for scholarships, student exchanges, and charitable purposes. Such fundraising and donation solicitation must meet the requirements for other ASB fundraising and those requirements specific to non-associated student body funds, including clear notice to all donors of the purpose of the fundraising. Students wishing to use district facilities to raise private non-associated student body funds must comply with district policy and procedures regarding community use of school facilities. For handling the accounting for complex fundraising programs for private non-associated student body fund money, the district will recoup its costs;
- G. Purposes that directly further or support the school district's program--both co-curricular and extracurricular--are suitable uses for ASB funds, if the activities are optional for students; and
- H. ASB funds may not be used for gifts or recognition to individuals for private benefit. Private non-associated student body funds may be raised for scholarships, student exchanges, and charitable purposes, pursuant to district policy and procedure.

## STUDENT FEES, FINES, CHARGES

The district shall provide an educational program for the students as free of costs as possible. The superintendent may approve the use of supplementary supplies or materials for which a charge is made to the student so long as the charge does not exceed the cost of the supplies or materials, students are free to purchase them elsewhere, or provide reasonable alternatives, and a proper accounting is made of all moneys received by staff for supplies and materials.

The board delegates authority to the superintendent to establish appropriate fees and procedures governing the collection of fees. Arrangements shall be made for the waiver or reduction of fees for students whose families, by reason of their low income, would have difficulty paying the full fee. The USDA Child Nutrition Program guidelines shall be used to determine qualification for waiver. The superintendent shall establish a procedure for notifying parents of the availability of fee waivers and reductions.

A student shall be responsible for the cost of replacing materials or property which are lost or damaged due to negligence. A student's grades, transcripts or diploma may be withheld until restitution is made by payment or the equivalency through voluntary work. The student or his/her parents may appeal the imposition of a charge for damages to the superintendent and board of directors.

The student and his/her parents shall be notified regarding the nature of the violation or damage, how restitution may be made, and how an appeal may be instituted.

If a student has transferred to another school district that has requested the student's records, but that student has an outstanding fee or fine, only records pertaining to the student's academic performance, special placement, immunization history, attendance, history of violent behavior, violent offenses, sex offenses, inhaling toxic fumes, drug offenses, liquor violations, assault, kidnapping, harassment, stalking or arson, and discipline actions shall be sent to the enrolling school. The content of those records shall be communicated to the enrolling district within two school days and copies of the records shall be sent as soon as possible. The official transcript will not be sent until the outstanding fee or fine is discharged. The enrolling school shall be notified that the official transcript is being withheld due to an unpaid fee or fine.

Legal References:	AGO 1965-66, No. 113	Fees--Tuition--Supplies--Authority of school districts to charge tuition fees or textbook fees
	AGO 1973, No. 11	Tuition & Fees--Authority of school districts to charge various fees
	RCW 28A.225.330	Enrolling students from other districts
	28A.320.230(f)	Instructional materials--Instructional materials committee
	28A.330.100	Additional powers of board
	28A.635.060	Defacing or injuring school property--Liability of parent or guardian
	28A.220.040	Fiscal support--Reimbursement to school districts--Enrollment fees--Deposit
	WAC 246-100-166	Immunization of day care and school children against certain vaccine-preventable diseases
Management Resources:	<i>Policy News</i> , June 1999	School Safety Bills Impact Policy

## **PROCEDURE STUDENT FEES, FINES, CHARGES**

Student fee schedules for individual buildings must be approved on an annual basis. Each building will submit an annual report which includes a report indicating the fees collected by each department. In establishing fees for classes, the following guidelines will be used:

- A. Class registration literature will describe fees for each class or activity and the process for obtaining a waiver or fee reduction;
- B. A fee may be collected for any program in which the resultant product is in excess of minimum requirements and, at the student's option, becomes the personal property of the student. Fees may not exceed the cost of the materials. The district will furnish materials for those introductory units of instruction where a student is acquiring the fundamental skills for the course. A student must be able to obtain the highest grade offered for the course without being required to purchase extra materials;
- C. A fee may be collected for personal physical education and athletic equipment, apparel, and towels or towel service. However, any student may provide his/her own if it meets reasonable requirements and standards relating to health and safety;
- D. A reasonable fee, not to exceed the actual annual maintenance cost, for the use of musical instruments and uniforms owned or rented by the district may be collected;
- E. Students may be required to furnish personal or consumable items including pencils, paper, erasers, and notebooks;
- F. Security deposits for the return of materials or equipment may be collected. Provisions will be made to return the deposit when the student returns the item at the conclusion of the school term; and
- G. A fee may be collected for a unit of instruction where the activity necessitates the use of facilities not available on the school premises, and participation in the course is optional on the part of the student. A waiver or fee reduction need not be offered for such activities.

Fees will not be levied for:

- A. Field trips required as part of a basic educational program or course;
- B. Textbooks (non-consumable) which are designated as basic instructional material for a course of study; or
- C. Instructional costs for necessary staff employed in any course or educational program.

Fee waivers and reductions will be granted to students whose families would have difficulty paying by reason of their low income. The USDA Child Nutrition Program guidelines will be used to determine qualification for a fee waiver or reduction.

Fines or damage charges may be levied for lost textbooks, library books, or equipment. In the event the student does not make proper restitution, grades, transcripts, and/or diplomas will be withheld. A student may make restitution through a voluntary work program. If a student has transferred to another school that has requested the student's records without paying an outstanding fine or fee, only records pertaining to the student's academic performance, special placement, immunization history, and discipline actions will be sent to the enrolling school. This information will be communicated to the enrolling district within two school days and the confirming records will be sent as soon as possible. The official transcript will not be sent until the outstanding fee or fine is discharged. The enrolling school will be notified that the official transcript is being withheld due to an unpaid fee or fine.

Care will be exercised by advising students and their parents, in writing, regarding the nature of the damages, how restitution may be made, and how a student or his/her parents may appeal. A parent and/or student, after first consulting with the teacher or activity advisor/coach assigning the fine, has a right to appeal the imposition of a fine through an informal conference with the principal. The parent and/or student, after exhausting this remedy, shall have the right to present a written and/or oral grievance to the superintendent or designee.

All fees will be deposited with the business office on a regular basis. The respective departments and schools will be credited by the amount of their deposit.

## **FUNDRAISING ACTIVITIES INVOLVING STUDENTS**

The board acknowledges that the solicitation of funds from students, staff and citizens must be limited since students are a captive audience and since solicitation can disrupt the program of the schools. Solicitation and collection of money by students for any purpose, including the collection of money in exchange for tickets, papers, magazine subscriptions, or for any other goods or services for the benefit of an approved school organization, may be permitted by the superintendent providing that the instructional program is not adversely affected.

The superintendent shall establish rules and regulations for the solicitation of funds by approved school organizations, official school-parent groups and by outside organizations. The principal shall distribute these rules and regulations to each student organization granted permission to solicit funds.

Cross Reference: Board Policy 3510

Associated Student Bodies

Legal References: WAC 392-138-030(2)

Powers--Authority and policy of board  
of directors

## **PROCEDURE FUNDRAISING ACTIVITIES INVOLVING STUDENTS**

Guidelines for student fundraising activities are as follows:

- A. Student participation must be voluntary;
- B. The fundraising activity must be such that it is not likely to create a poor public relations image;
- C. Fundraising activity efforts must not interfere with the educational program;
- D. Fundraising activities conducted by associated student bodies or sub-groups thereof must conform to the district ASB accounting requirements. Expenditures of all ASB funds must be approved by the ASB;
- E. Fundraising activities conducted by outside groups (including parent groups) must not involve the official student body organizations and must not utilize district materials, supplies, facilities, or staff unless reimbursement is made;
- F. Sponsorship of fundraising activities by schools' official parent groups, even where moneys realized will be donated to associated student bodies, is encouraged to minimize accounting difficulties. If fundraising activities are co-sponsored by a student body organization and a parent group, an arrangement for the proportional sharing of expenses and profits or losses should be made prior to initiation of fundraising;
- G. The following fundraising activities are approved:
  - 1. Sales of goods (candy, T-shirts, etc.), magazines, apples (if maintained in cold storage);
  - 2. Car washes, school supplies, rummage and garage sales, pancake breakfasts, spaghetti dinners;
  - 3. Paper drives, bottle drives, etc. that do not interfere with the school day;
  - 4. Carnivals when organized and supervised by the school and/or the recognized parent group;
  - 5. Skating and bowling parties provided there is adequate supervision and liability protection;
  - 6. Band-a-thons, bike-a-thons, and walk-a-thons;
  - 7. Basketball games if liability insurance for participants and facilities is included in the contract;

8. Talent, variety, musical, and drama productions (after school hours); and
  9. Any major purpose fundraising activity that is not listed above must have the approval of the superintendent;
- H. Fundraising activities in excess of \$\_\_\_\_\_ must be submitted by the principal to the superintendent for approval. Application for approval must include:
1. The sponsoring group;
  2. The proposed activity;
  3. The manner in which the money is to be collected; and
  4. The purpose.
- I. When the ASB shares in the receipts derived from vending machine operations or from the sale of student pictures, such activities must be in compliance with policy; and
- J. Any outside group other than an official school-parent group must have central office approval before conducting fundraising activities within a school or schools. Such outside organizations or persons seeking to raise funds from or through students:
1. Must work through established official parent organizations and not with or through student body organizations or the administration;
  2. May not use school materials, supplies, facilities, or staff without proper reimbursement. Requests to the administration for access to students for purposes of fundraising should be referred to the appropriate parent organization, which will have the option of permitting the outside group to utilize the parent organization's normal method of communication to transmit information concerning the fundraising;
  3. Will not collect money in school buildings as part of fundraising activities. Fund collections must be made by other means in other locations under the supervision of the official parent groups, except that each school may permit the official parent organization to maintain one box in the school's central office for deposit of envelopes containing funds from a permissible fundraising activity; and
  4. May display a sign announcing a fundraising activity. Brochures explaining the program may be made available to students through the school office.

## **PUBLIC INFORMATION PROGRAM**

The district shall strive to maintain effective two-way communication channels with the public. Such channels shall enable the board and staff to interpret the schools' performance and needs to the community and provide a means for citizens to express their needs and expectations to the board and staff.

The superintendent shall establish and maintain a communication process within the school system and between it and the community. Such a public information program shall provide for a district annual report, news releases at appropriate times, news media coverage of district programs and events, and regular direct communication between individual schools and the patrons they serve. The public information program shall also assist staff in improving their skill and understanding in communicating with the public.

Community opinion may be solicited through parent organizations, parent-teacher conferences, open houses and other such events or activities which may bring staff and citizens together. At times, board meetings may be scheduled at neighborhood schools. Survey instruments and/or questionnaires may be developed in order to gain a broad perspective of community opinion.

The board is a nonpartisan public body and as such shall not endorse political candidates. Neither staff nor students shall be asked to disseminate campaign materials from the schools nor shall any of the district's facilities or communications services be used to disseminate such material.

The superintendent shall identify staff who have significant public information responsibilities and establish guidelines for their work. The guidelines shall address such matters as authority for making releases and the nature and content of bulletins to parents.

Cross Reference: Board Policy 2106  
Legal References: RCW 28A.150.230

Program Compliance  
Basic Education Act of 1977 — District  
school directors as accountable for  
proper operation of district — Scope  
— Responsibilities

## **PROCEDURE PUBLIC INFORMATION PROGRAM**

Principals are encouraged to initiate media coverage of their school programs and activities. The superintendent shall authorize the release of information when the topic being covered involves more than one building. The following guidelines relate to the public information program:

- A. Media representatives shall be supplied factual information with the request that they not publish or broadcast any facts which are injurious to staff or students or which would serve no constructive purpose.
- B. Media representatives should be kept fully informed on all aspects of the program so that any reporting shall be done on the basis of a complete and accurate overview.
- C. Students should be informed that they have the right to deny an interview or photograph. A release form signed by a parent shall be secured before allowing an individual to photograph and conduct an interview that would "single out" any special education student or identify a student whose parents have signed a form to withhold directory information.
- D. During regular school hours, all media representatives must report to the building office for identification and authorization before going to any part of the building or contacting any individual.
- E. Staff members shall secure authorization from the principal before contacting the media on behalf of the school. This shall not preclude a staff member from contacting the media as a private individual.

### **Annual District Report**

The Annual District Report shall include but not be limited to:

- A. Criteria used for staff evaluations;
- B. A summary of the student performance towards Washington State Essential Learning Requirements;
- C. Results of district-wide achievement testing;
- D. Budget information, including student enrollment, classroom staff, support staff, administrative staff, and special levy expenditures.

## **STAFF COMMUNICATIONS RESPONSIBILITY**

Staff share the responsibility for communicating and interpreting the district mission, its policies, programs, goals, and objectives to members of the community. Staff shall perform their services and functions to the best of their ability and communicate with members of the community, parents, students, and other staff in a sincere, courteous, and considerate manner. Staff shall strive to develop and maintain cooperative school-community relations and to achieve the understanding and mutual respect that are essential to the success of any organization.

Confidential information about students or other staff shall be released only as permitted by statute and district policies and procedures.

Cross Reference:      Board Policy 4020

Confidential Communications

**Adoption Date: 10.09.95**  
**Auburn School District**  
**Revised: 03.28.11**

## CONFIDENTIAL COMMUNICATIONS

The board recognizes that school staff must exercise a delicate balance regarding the treatment of information that was revealed in confidence. A staff member may, in his/her professional judgment, treat information received from a student as confidential while at other times decide to disclose what was learned to the school administration, law enforcement officers (including child protective services), the county health department, other staff members, or the student's parents. The staff member should advise the student regarding the limitations and restrictions regarding confidentiality. The student should be encouraged to reveal confidences to his/her parents. If the staff member intends to disclose the confidence, the student should be informed prior to such action.

The following guidelines are established to assist staff members in making appropriate decisions regarding confidential information and/or communications:

- A. Information contained in the student's cumulative record folder is confidential and is only accessible through the custodian of student records. Information secured through the authorization of the records custodian shall remain confidential and be used only for the purpose that its access was granted.
- B. While certain professionals may have a legal confidential relationship as in attorney-client communications, school staff members, including counselors (except licensed psychologists), do not possess a confidentiality privilege.
- C. A staff member is expected to reveal information given by a student when there is a reasonable likelihood that a crime has or will be committed, (e.g., child abuse, sale of drugs, suicidal ideation).
- D. A staff member shall exercise professional judgment regarding the sharing of student disclosed information when there is reasonable likelihood that the student's welfare may be endangered.
- E. If district officials determine there is a specific threat to the health or safety of a student or any other individual, it may disclose otherwise confidential student information to appropriate parties, as allowed by the Family Educational Rights and Privacy Act (FERPA).
- F. A staff member is encouraged to assist the student by offering suggestions regarding the availability of community services to assist a student in dealing with personal matters, (e.g. substance abuse, mental illness, sexually-transmitted diseases, pregnancy). The staff member should encourage the student to discuss such matters with his/her parents. Staff members are encouraged to discuss problems of this nature with the school principal prior to making contact with others.

Cross References: Board Policy 2140  
Board Policy 2121  
Board Policy 3231  
Board Policy 4040  
Board Policy 5260

Legal References: RCW 26.44.030

Guidance and Counseling  
Drug and Alcohol Use/Abuse Program  
Student Records  
Public Access to District Records  
Personnel Records  
Reports — Duty and authority to make  
— Duty of receiving agency

**Adoption Date: 10.09.95**  
**Auburn School District**  
**Revised: 03.28.11**

## **PUBLIC ACCESS TO DISTRICT RECORDS**

Full access to information concerning the administration and operations of the district shall be afforded to the public as provided by the Public Disclosure Law, mindful of the right of individuals to privacy and of the desirability of efficient administration of the district. Public access to district records shall be afforded according to the procedures developed by the superintendent and periodically reviewed by the board.

“School district records” include any writing, printing, photocopying, photographing, etc., containing information relating to the conduct of operations and functions of the district which is prepared, owned, used, or retained by the district. “Writing” means handwriting, typewriting, printing, photocopying, photographing, and every other means of recording any form of communication on representation, including letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings and other documents including existing data compilations from which information may be obtained or translated. “School district records” do not include the personal notes and memoranda of staff which remain in the sole possession of the maker and which are not generally accessible or revealed to other persons.

The superintendent or designee shall serve as “public records coordinator” with responsibility and authority for ensuring compliance with the requirements of state law and this policy. As coordinator he/she shall authorize the inspection and copying of the district's records only in accordance with the criteria set forth in this policy.

### Electronic Records

Electronic records (including e-mail and web content) created and received by the district in the transaction of public business are public records for the purposes of RCW 40.14 and will be managed consistent with all of the laws and regulations governing the retention disclosure, destruction and archiving of public records. Electronic records will be retained in electronic format and remain usable, searchable, retrievable and authentic for the length of the designated retention period. The district will retain records in compliance with the General Records Retention Schedule for School Districts and Educational Service Districts in Washington State.

Cross Reference:	Board Policy 3231	Student Privacy
Legal Reference:	RCW 40.14	Preservation and destruction of public records
	Ch. 42.17 RCW	Disclosure — Campaign Finances — Lobbying
	Ch. 42.56	Public Records Act
	WAC 392-172A	Rules for the provision of special education
	20 U.S.C. § 1232g	Federal Education Rights Privacy Act (FERPA).
Management Resources:	<i>Policy News</i> , February 2010	Federal Education Rights and Privacy Act Revisions
	<i>Policy News</i> , June 2006	Public Records Act
	<i>Policy News</i> , October 2005	Public Disclosure

**Adoption Date: 10.09.95**

**Auburn School District**

**Revised: 04.05.06; 03.28.11**

## **PROCEDURE PUBLIC ACCESS TO DISTRICT RECORDS**

In accordance with RCW Chapter 42.56, the district shall make available for public inspection and copying all district records, or portions, except those which contain the following information:

- A. Personal information from any file maintained for students (RCW 42.56.230(1)). Information from student records shall be disclosed only in accordance with the requirements of the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g and adopted district policy;
- B. Personal information in files maintained for staff to the extent that disclosure would violate their right to privacy (Requests for verification of employment are not public records and will not be disclosed. Performance evaluations that do not discuss specific instances of misconduct are private and not of legitimate public concern. They will not be disclosed) (RCW 42.56.230(2));
- C. Test questions, scoring keys, or other examination data used to administer academic tests (RCW 42.56.250(1));
- D. The contents of real estate appraisals, made for or by the district relative to the acquisition of property, until the project is abandoned or until such time as all of the property has been acquired, but in no event shall disclosure be denied for more than three years after the appraisal (RCW 42.56.260);
- E. Preliminary drafts, notes, recommendations, and intra-district memoranda in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by the district in connection with any district action (RCW 42.56.280);
- F. Records which are relevant to a controversy in which the district is a party but which records would not be available to another party under the rules of pretrial discovery for cases pending in the superior courts (RCW 42.56.290);
- G. Records or portions of records the disclosure of which would violate personal rights of privacy (RCW 42.56.210 and RCW 42.56.070);
- H. Records or portions of records the disclosure of which would violate governmental interests (RCW 42.56.210);
- I. The residence addresses, telephone numbers, personal wireless telephone numbers, personal electronic mail addresses, social security numbers and emergency contact information of employees or volunteers at a public agency held in personnel records, rosters, and mailing lists (RCW 42.56.250(3)).
- J. The names, dates of birth, residential addresses and telephone numbers, personal wireless telephone numbers, personal electronic mail addresses, social security numbers and emergency contact information of dependents of employees and volunteers of a public agency.
- K. Personally identifiable information for special education students — WAC 392-172A.

If the district denies any request, in whole or in part, for inspection and copying of records, the district shall provide the requesting party with a written statement of the reason for the denial setting forth the specific exemption (and statutory section) which applies. No request shall be denied solely on the basis that the request is overbroad.

If the record which is requested for inspection and/or copying contains both information exempted from disclosure and nonexempt information, the district shall, to the extent practicable, produce the record with the exempt portion deleted and shall provide a written explanation for the deletion.

The district may inquire into the purpose for which a record is requested and may use the answer to aid in determining whether the public has a legitimate interest in obtaining the information, but the district may not decline to furnish the records for public inspection and copying solely because the requester refuses to furnish a reason for the request.

The district may condition access to a public record containing a list of individuals on the requester's promise that the record will not be used for a commercial purpose, but may not require the requester to enter into a hold harmless agreement to that effect.

The public records coordinator is authorized to seek an injunction to prevent the disclosure of records otherwise disclosable when he/she determines that there is reasonable cause to believe that the disclosure would clearly not be in the public interest and would substantially and irreparably damage any person or would substantially or irreparably damage vital governmental functions.

The coordinator shall inform any employee and appropriate collective bargaining unit representative when a record naming the employee has been requested. The employee and representative shall be informed of the district's intended response to the request.

### **Cut-Off**

Whenever applicable, the retention period starts with the "cut-off." "Cut-off" is a term used to indicate files or records may be terminated on a predetermined date. "Cut-off" prevents current records from attaining unmanageable size and facilitates the filing of new records. Calendar year records may be "cut-off" on December 31, and a new file established on January 1; all fiscal year records can be "cut-off" only upon the completion of an action or event, such as termination of contract, final payment of a contract, termination of employment, etc. Regardless of the duration of the retention period, records series should be kept in the office files after "cut-off" only as long as is necessary to satisfy: (1) active reference; (2) audit, when required; and (3) other operational requirements. Once these three factors have been satisfied, the records should be transferred to a records center or to an appropriate alternative format, including electronically for the remainder of the retention period.

## **DISTRIBUTION OF MATERIALS**

The board recognizes that nonprofit organizations may want to distribute materials in the school district that are non-curricular but that have social, recreational or educational value for students.

Any nonprofit group wishing to distribute informational material must first submit, to the superintendent or a designee, a copy of the material and a statement of the educational value the program provides to students.

Informational materials to be distributed must also be approved by the building principal and meet certain standards prior to distribution. The primary purpose of the standards is to prevent the exploitation of students by individuals or groups.

It is the responsibility of the superintendent, in conjunction with the building principals to draft procedures regarding this policy.

Cross References:	Board Policy 2340	Religious-Related Activities and Practices
	Board Policy 3220	Freedom of Expression

Management Resources:	<i>Policy News</i> , April 2005	Distribution of Materials
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**Adoption Date: 03.28.11**  
**Auburn School District**  
**Revised:**

## **PROCEDURE DISTRIBUTION OF MATERIALS**

Individuals seeking distribution of information about its program shall submit to the superintendent a statement of the recreational or educational value to students.

Dissemination of the information does not reflect the districts endorsement or sponsorship of the activity. All materials distributed must contain the statement "The district does not sponsor this event and the district assumes no responsibility for it. In consideration of the privilege to distribute materials, the Auburn District shall be held harmless from any cause of action filed in any court or administrative tribunal arising out of the distribution of these materials, including costs, attorney's fees and judgments or awards."

The district or the school will not distribute materials that:

- A. Are obscene, lewd, or vulgar;
- B. Are libelous;
- C. Contain language that is intimidating, demeaning, harassing or threatening on the basis of race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, disability, marital or veteran status, including, but not limited to, racial, sexual, or ethnic slurs;
- D. Promote commercial enterprises;
- E. Promote the violation of existing laws, regulation or ordinances, or official school policy, rules or regulations; or
- F. Proselytize or disparage religious beliefs.

The \_\_\_\_\_ (*identify appropriate staff person*) shall review and determine whether the materials are approved for distribution to students. Any further review shall be by the superintendent/designee whose decision is final.

## **CITIZENS' ADVISORY COMMITTEES AND TASK FORCES**

The superintendent and/or board may appoint a citizens' advisory committee or task force as necessary to gather public input and/or establish interaction with the community about selected issues. The committee shall study school matters and submit their findings and recommendations to the superintendent and/or board. This committee shall be formed by authorization of the board. Such authorization shall include a description of the responsibilities and reporting relationships and shall specify the duration of the committee's existence.

## **PROCEDURE CITIZENS' ADVISORY COMMITTEES AND TASK FORCES**

The following guidelines have been prepared to assist a citizens' advisory committee or task force:

- A. A specific charge or assignment shall be made to the committee.
- B. The board shall appoint a committee member based upon the person's interest and the board's judgment of the individual's potential contribution to the accomplishment of the committee's task.
- C. The committee shall be advisory only. The board does not and, under the law, cannot relinquish its decision-making responsibilities.
- D. The committee shall make periodic progress reports to the board; such interim reports, as well as the committee's final findings and recommendations, shall become matters of public record by virtue of their presentation to the board in a public board meeting.
- E. Minority recommendations, as well as those of the majority, shall be welcomed by the board.
- F. The duration of the committee shall be indicated when it is established. The board may authorize the committee to continue its work beyond the original termination date.
- G. Staff consultants and other resource assistance shall be made available. The committee may elect to request advice or opinions from others as well, including representative citizens.
- H. Committee meeting guidelines are as follows:
  - 1. The frequency of meetings, meeting times, meeting places and the nature of the meeting announcements shall normally be determined by the committee.
  - 2. The committee may invite public attendance if it feels such attendance shall facilitate the accomplishment of its goals.
  - 3. The committee shall develop meeting procedures to assist in the orderly pursuit of its task.
- I. Expenses of the committee may be allowed if authorized in advance.
- J. Appointment of the committee chair shall be the prerogative of the board.
- K. By agreeing to serve on the committee, a person indicates his/her willingness to comply with the board's guidelines for a citizens' advisory committee/task force and with specific guidelines and procedures developed for the committee.

## **SCHOOL-SUPPORT ORGANIZATIONS**

The board encourages the formation of a parent-teacher-student association or similar organization at each school building for the purpose of providing an opportunity through which parents, teachers and students may unite their efforts and interests to enhance the school program. In schools where no such organization exists, another parent group can be recognized by the school principal as the official body through which parents, staff and students may unite their efforts for similar purposes.

Booster clubs and/or special interest organizations may be formed to support and strengthen specific activities conducted within the school or district. All such groups must receive the approval of the school principal or superintendent in order to be recognized as a booster organization. Staff participation, cooperation and support are encouraged in such recognized organizations.

Legal References:      RCW 9.46.0321

Bingo, raffles, amusement games—No  
license required, when

## **PROCEDURE SCHOOL-SUPPORT ORGANIZATIONS**

The following guidelines are provided for use by booster and/or PTSA/PTSO groups which are involved in money-raising activities:

- A. Local booster clubs and PTSAs/PTSOs should be incorporated as nonprofit organizations.
- B. In order to receive nonprofit status, the group must file articles of incorporation and bylaws with the Secretary of State. A nonprofit organization must adhere to state laws [RCW 24.03].
- C. The board of directors of the school district has established a fee schedule that governs the use of facilities by a school-support organization.
- D. The nonprofit organization must operate without cost to the district.
- E. The Washington State Gambling Commission, the Department of Licensing and the Internal Revenue Service have licensing regulations covering fundraising activities by nonprofit corporations.
  1. A nonprofit corporation may conduct sales or benefit affairs which include athletic or sports events, bazaars, benefits, campaigns, circuses, contests, dances, drives, entertainments, exhibitions, expositions, parties, performances, picnics, sales, social gatherings, theaters, and variety shows.
  2. A nonprofit corporation may operate bingo activities, raffles, and amusement games under requirements regulated by the Washington State Gambling Commission [RCW 9.46].
  3. A charitable organization involved in sales and benefits grossing over \$5,000 must obtain IRS recognition.
  4. When bingo, raffles, and amusement games are conducted, the State Gambling Act controls. These activities, under the State Gambling Act, may be conducted by nonprofit organizations without a gambling permit under certain conditions specified in law [RCW 9.46.0311]. However, a nonprofit organization must obtain IRS recognition as a tax exempt association regardless of gross income.

## **FAMILY ENGAGEMENT**

It is the policy of the Auburn School District board of directors to encourage and support family involvement in education at home, in our schools and communities, and in school governance. The board recognizes the diversity of family structures, circumstances, and cultural backgrounds and respects families as important decision makers for their children's education. The board is committed to the creation and implementation of culturally inclusive and effective school-family partnerships throughout the school district and in each school and believes these partnerships to be critical to the success of every student. The district's family involvement efforts will be comprehensive and coordinated.

The board recognizes that family involvement in education has a positive effect on student achievement and is an important strategy in reducing achievement gaps. The intent of this policy is to create and maintain a district-wide climate conducive to the involvement of families and to develop and sustain partnerships that support student learning and positive child and youth development in all schools.

The board is committed to professional development opportunities for staff and leadership to enhance understanding of effective family involvement strategies. The board also recognizes the importance of administrative leadership in setting expectations and creating a climate conducive to school-family partnerships.

In support of the implementation of this policy, a copy will be distributed to all schools, school staff, families, teachers and community members. Further, the district will provide support and guidance to parents and teachers as they plan and implement effective family involvement efforts.

The Auburn School District board of directors supports the development, implementation, and regular evaluation of family involvement efforts that includes parents and family members at all grade levels in a variety of roles. The district will use the results of the evaluation to enhance school-family partnerships within the district.

## **PROCEDURE FAMILY ENGAGEMENT**

### **DEFINITIONS:**

The term “family” is used to denote parents, extended family, guardians, or other persons with whom the student lives. “Parent” or “family” may also include community members or other concerned adults involved in the student’s life, pursuant to state and federal laws surrounding confidentiality.

“Family Involvement” refers to school/family partnerships. It is the collaborative interaction between educators and families in activities that promote student learning and positive child and youth development at home, in school, and in the community, including but not limited to regular, two-way and meaningful communication between parents and school personnel; outreach to families; parent education; volunteering; school decision making; and advocacy.

### **IMPLEMENTATION:**

The superintendent will identify a district administrator to supervise the implementation of this policy and procedure and each school in the district will develop a family involvement plan aligned with their academic goals and/or school improvement plan and, if applicable, Title 1 services. Each plan will be tailored to the realities of school families, be culturally relevant to the school population, and delineate strategies to greater family participation in education (particularly families who are economically disadvantaged, have disabilities, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background).

The district’s family involvement efforts will have six overarching goals, facilitated by the Office of Family Engagement and Student Success. They will include, but not be limited to, the following research-based National Standards for Parent/Family Involvement in schools:

- A. Communicating: Implement effective two-way communication between all parents and schools regarding district policies and procedures, local school operating procedures, and an individual child’s progress;
- B. Parenting: Information and programs for parents on how to establish a home environment to support learning and appropriate behavior;
- C. Student Learning: Information and programs for parents about how they can assist their own children to learn and meet the student’s short-term and long-term educational goals;
- D. Volunteering: Provide activities to encourage a variety of parental volunteer opportunities in schools both in the classroom and in other areas of the school including attendance at local school programs and events;
- E. School Decision-Making and Advocacy: Assistance to develop parental involvement in educational advocacy, including school district committees; and
- F. Collaborating with Community: Identification and utilization of community resources to strengthen school and family partnerships and student learning.

### **Evaluation**

The content and effectiveness of this policy and procedure, and the individual school plans will be evaluated by the superintendent or his/her appointee annually with regard to the quality and effectiveness of the strategies presented in the plan. The findings of the evaluation will be used to design strategies for more effective family engagement and, if necessary, to revise this policy and procedure.

## TITLE I PARENTAL INVOLVEMENT

The board recognizes that parent involvement contributes to the achievement of academic standards by students participating in district programs. The board views the education of students as a cooperative effort among school, parents and community. The board expects that its schools will carry out programs, activities and procedures in accordance with the statutory definition of parental involvement. Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring that parents:

- A. Play an integral role in assisting their child's learning;
- B. Are encouraged to be actively involved in their child's education at school; and
- C. Are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child.

The board of directors adopts as part of this policy the following guidance for parent involvement. The district shall:

- A. Put into operation programs, activities and procedures for the involvement of parents in all of its Title I schools consistent with federal laws including the development and evaluation of policy. Those programs, activities and procedures will be planned and operated with meaningful consultation with parents of participating children;
- B. Provide the coordination, technical assistance, and other support necessary to assist participating schools in the planning and implementing of effective parent involvement activities to improve student academic achievement and school performance.
- C. Coordinate and integrate Title I parental involvement strategies with parent involvement strategies under other programs, such as Head Start, Even Start, Parents As Teachers, Home Instruction, Preschool Youngsters, State-run preschools;
- D. Conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this policy in improving the academic quality of the schools served with Title I funds including: identifying barriers to greater participation of parents in Title I-related activities, with particular attention to participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children; and

Legal References: PL 107-110, Section 1118(a)

Management Resources: *Policy News*, October 2008    Family Involvement Policy  
*Policy News*, June 2005    Title I Parental Involvement Policy  
*Policy News*, August 2003    No Child Left Behind Update

**Adoption Date: 03.28.11**  
**Auburn School District**  
**Revised:**

## PROCEDURE TITLE I PARENTAL INVOLVEMENT

The superintendent or designee shall ensure that the district's Title I Parent Involvement policy, plan and programs comply with the requirements of federal law.

- A. The district will take the following actions to involve parents in the joint development of its district-wide parental involvement plan:
  1. An annual meeting of parents of participating Title I students shall be held to explain the goals and purposes of the Title I program. *(Insert here when and where the meeting will be held, who will be invited and who is responsible for planning the annual meeting.)*
  2. Parents will be given the opportunity to participate in the development, operation and evaluation of the program. *(Insert here what opportunities will be provided and how parents will be informed that they can participate in development, operation and evaluation of the program.)*
  3. Parents will be encouraged to participate in planning activities, to offer suggestions, and to ask questions regarding policies and programs. *(Describe the outreach efforts that the district will use to receive input from parents.)*
- B. The district will take the following actions to involve parents in the process of school review and improvement:
  1. Parents will be given the opportunity to review the school improvement plan. *(Describe when, where and how this opportunity will be provided.)*
  2. Parents will be encouraged to participate in the building self-review. *(Describe when and how parents will be encouraged to participate.)*
- C. The district will provide the following coordination, technical assistance, and other support to assist Title I, Part A schools in planning and implementing effective parental involvement activities:
  1. Identify barriers to greater participation by parents in parental involvement activities;
  2. Use findings of the evaluation to design strategies for more effective parental involvement; and
  3. Revise, when necessary, the district and school parent involvement policies.
- D. The district will coordinate and integrate parental involvement strategies with similar strategies under the following other programs, such as:
  1. Head Start;
  2. Even Start;
  3. Learning Assistance Program;
  4. Special Education; and
  5. State-operated preschool programs.

The district shall facilitate removing barriers to parental involvement by activities such as:

1. Conducting joint parent meetings with other programs;
2. Holding meetings at various times of the day and evening;

3. Arranging for in-home conferences;
  4. Title I funds may be used to facilitate parent attendance at meetings by payment of transportation and child care costs.
- E. The district will conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of the parental involvement policy.
- F. The district will build the schools' and parent's capacity for strong parental involvement through the following:
1. The school district will, with the assistance of its Title I, Part A schools, provide information to parents of children served by the school district or school, as appropriate, in understanding topics such as the following:
    - a. The state's essential academic learning requirements,
    - b. The state and local academic assessments including alternate assessments,
    - c. How to monitor their child's progress, and
    - d. How to work with educators. (*Describe how the district will assist parents, i.e. through a quarterly newsletter, by assigning staff members as mentors, by having community meetings, etc.*)
  2. The school district will, with the assistance of its schools, provide materials and training to help parents work with their children to improve their children's academic achievement, by:
    - a. Giving guidance as to how parents can assist at home in the education of their child;
    - b. Holding parent meetings at various times of the day and evening to provide parents:
      - Opportunities to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children.
      - Opportunities to submit parent comments about the program to the district.
      - Opportunities to meet with the classroom and Title I, Part A teachers to discuss their children's progress.
- G. School district personnel will work with teachers, principals and other staff to reach out to, communicate with, and engage parents as equal partners. The district will provide:
1. An explanation of the reasons supporting their child's selection for the program;
  2. A description and explanation of the school's curriculum;
  3. Information in the academic assessment used to measure student progress; and
  4. Information on the proficiency levels students are expected to meet.
- (*Describe how the district will provide this information to parents, i.e. a newsletter, community meetings, etc.*)
- H. The school district will take the following actions to ensure that information related to the school and parent programs, meetings, and other activities, is sent to the parents of participating children in an understandable and uniform format, including alternative formats upon request and, to the extent practicable, in a language the parents can understand:

1. Distribute the Title I Family Involvement policy on an annual basis (*Describe how this will occur i.e. school bulletin, website, beginning of school information*); and
2. To the extent needed and practicable, distribute the Title I Family Involvement policy in multiple languages or formats.

#### School-Based Parent Involvement Policy

- A. In addition to the district-wide policy on family involvement, each school offering Title I, Part A services will have a separate school building parent involvement policy.

The building-level Title I , Part A parent involvement policy will meet the following requirements: a) Each building in the district receiving Title I, Part A funds shall jointly develop with and distribute to parents of students served in the program a written building-level policy, agreed upon by parents of Title I served students; b) The policy will outline how parents, school staff and students share responsibility for student achievement in meeting academic standards; c) Parents will be notified of the policy in an understandable and uniform format; d) To the extent practicable, the policy will be provided in a language the parents can understand; and e) The policy will be evaluated with parents annually.

## **SAFE AND ORDERLY LEARNING ENVIRONMENT**

### **Contacts with Staff**

The learning environment and the staff's time for students shall be free from interruption. Except in emergencies, staff shall not be interrupted in their work. Brief messages shall be recorded so as to permit the staff member to return the call when free.

Certificated staff shall be available for consultation with students and patrons one-half hour before and after school time. Students and patrons are urged to make appointments with staff to assure an uninterrupted conference.

No one shall solicit funds or conduct private business with staff on school time and premises.

### **Visitors**

The board welcomes and encourages visits to school by parents, other adult residents of the community and interested educators. The superintendent shall establish guidelines governing school visits to insure orderly operation of the educational process and the safety of students and staff.

### **Disruption of School Operations**

If any person is under the influence of drugs or alcohol or is disrupting or obstructing any school program, activity, or meeting, or threatens to do so or is committing, threatening to imminently commit or inciting another to imminently commit any act which would disturb or interfere with or obstruct any lawful task, function, process or procedure of any student, official, classified or certificated staff member or invitee of the school district, the superintendent or staff member in charge shall direct the person to leave immediately. If such a person refuses to leave, the superintendent or staff member shall immediately call for the assistance of a law enforcement officer.

Legal Reference:	RCW 28A.635.020	Wilfully disobeying school administrative personnel or refusing to leave public property, violations, when — Penalty
	RCW 28A.635.030	Disturbing school, school activities, or meetings
	RCW 28A.635.090	Interfering by force or violence — Penalty
	RCW 28A.635.100	Intimidating any administrator, teacher, classified employee, or student by threat of force or violence unlawful — Penalty
	RCW 28A.605.020	Parents' access to classroom or school sponsored activities
	20 U.S.C. § 9528	No Child Left Behind Act, Military Recruiter Provision

**Adoption Date: 10.09.95**  
**Auburn School District**  
**Revised: 03.28.11**

## **PROCEDURE SAFE AND ORDERLY LEARNING ENVIRONMENT**

### **Visitors**

The following guidelines are established to permit visitors to observe the educational program with minimal disruption:

- A. All visitors must register at the office upon their arrival at school.
- B. Visitors whose purpose is to influence or solicit students shall not be permitted on the school grounds unless the visit furthers the educational program of the district. Military recruiters will be provided the same opportunities to meet with students as higher education and employer representatives.
- C. If the visitor wishes to observe a classroom, the time shall be arranged after the principal has conferred with the teacher.
- D. If the purpose of the classroom visitation is to observe learning and teaching activities, the visitor may be asked to confer with the teacher before or after the observation to enhance understanding of the activities.
- E. The principal may withhold approval if particular events such as testing would be adversely affected by a visit. Similarly, if a visitor's presence becomes disruptive, the principal may withdraw approval. In either case, the principal shall give reasons for the action.
- F. If a dispute arises regarding limitations upon or withholding of approval for visits:
  1. The visitor shall first discuss the matter with the principal;
  2. If it is not satisfactorily resolved, the visitor may request a meeting with the superintendent.

The latter shall promptly meet with the visitor, investigate the dispute and render a written decision, which shall be final, subject only to the citizen's right to raise an issue at a regular session of the board.

### **Disruption at School Activities**

The following guidelines are suggested as basic security measures to prevent/reduce disruptive activities in the school:

- A. All visitors are required to check into the office upon entering a school building. All entrances must be posted;
- B. Staff members are responsible for monitoring hallways and playgrounds. Unfamiliar persons are to be directed to the office;
- C. A visitor's badge with the current date should be worn conspicuously;
- D. Written guidelines pertaining to rights of noncustodial parents should be readily accessible to direct staff about what to do if a noncustodial parent shows up demanding to:
  1. Meet with the teacher of his/her child;
  2. Visit with his/her child; or
  3. Remove his/her child from the school premises.
- E. If a visitor is under the influence of alcohol or drugs, is committing a disruptive act or invites another person to do so, the staff member shall exercise the right to order the visitor off school premises. If the visitor fails to comply, the staff member shall contact the school office which may, in turn, report the disturbance to a law enforcement officer.

## **REGULATION OF DANGEROUS WEAPONS ON SCHOOL PREMISES**

It is a violation of district policy and state law for any person to carry a firearm or dangerous weapon on school premises, school-provided transportation or areas of other facilities being used exclusively for school activities.

The superintendent is directed to see that all school facilities post “Gun-Free Zone” signs, and that all violations of this policy and RCW 9.41.280 are reported annually to the Superintendent of Public Instruction.

The following persons may carry firearms into school buildings, as necessary, although students engaged in these activities are restricted to the possession of rifles on school premises:

- A. Persons engaged in military, law enforcement, or school district security activities;
- B. Persons involved in a school authorized convention, showing, demonstration, lecture or firearm safety course;
- C. Persons competing in school authorized firearm or air gun competitions; and
- D. Any federal, state or local law enforcement officer.

The following persons over eighteen years of age and not enrolled as students may have firearms in their possession on school property outside of school buildings:

- A. Persons with concealed weapons permits issued pursuant to RCW 9.41.070 who are picking up or dropping off students; and
- B. Persons conducting legitimate business at the school and in lawful possession of a firearm or dangerous weapon if the weapon is secured within an attended vehicle, is unloaded and secured in a vehicle, or is concealed from view in a locked, unattended vehicle.

Persons may bring dangerous weapons, other than firearms, onto school premises if the weapons are lawfully within the person's possession and are to be used in a school-authorized martial arts class.

Personal protection spray devices may not be used other than in self-defense as defined by state law. Possession, transmission, or use of personal protection spray devices under any other circumstances is a violation of district policy.

School officials shall notify the student's parents or guardians and the appropriate law enforcement agency of known or suspected violations of this policy.

Cross References: Board Policy 3240  
Board Policy 3241

Student Conduct  
Corrective Actions or Punishment

Legal References: RCW 9.41.280  
RCW 9A.16.020  
RCW 9.91.160  
RCW 28A.600.420

Dangerous weapons on school grounds  
Use of force — when lawful  
Personal Protection Spray devices  
Firearms on school premises,  
transportation, or facilities —  
Penalty — Exemptions

Management Resources:  
*Policy News*, August 2006  
*Policy News*, August 1998  
  
*Policy News*, October 1997

Weapons on School Premises  
State Encourages Modification of  
Weapons Policy  
Legislature also addresses “look-alike”  
firearms

## USE OF TOBACCO ON SCHOOL PROPERTY

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

Any use of such products and delivery devices by staff, students, visitors and community members will be prohibited on school district property. Possession by or distribution of tobacco products to minors is prohibited. This will include all district buildings, grounds, and district-owned vehicles.

The use of Federal Drug Administration (FDA) approved nicotine replacement therapy in the form of a nicotine patch, gum, or lozenge is permitted. However, students and employees must follow applicable policies regarding use of medication at school.

Notices advising students, district employees, and community members of this policy shall be posted in appropriate locations in all district buildings and at other district facilities as determined by the superintendent and will be included in the employee and student handbooks. Employees and students are subject to discipline for violations of this policy and school district employees are responsible for the enforcement of the policy.

Cross References:	Board Policy 3200	Student Rights and Responsibilities
	Board Policy 3241	Classroom Management, Corrective Actions or Punishments
	Board Policy 3416	Medication at School
	Board Policy 5201	Drug-Free Schools, Community and Workplace
	Board Policy 5280	Termination of Employment

Legal References:	RCW 28A.210.310	Prohibition on use of tobacco products on school property
	RCW 70.155.080	Purchasing, obtaining or possessing tobacco by persons under 18— Civil infraction— Jurisdiction
	RCW 28A.210.260	Public and Private Schools—Administration of Medication—Conditions
	RCW 28A.210.270	Public and Private Schools—administration of Medication—Immunity from Liability— Discontinuance, procedure

Management Resources: *Policy News*, October 2010    Electronic Cigarettes  
2010 – December issue  
2014 – February issue

**Adoption Date: 03.10.97**  
**Auburn School District**  
**Revised: 03.28.11; 11.24.14**

## **COMPLAINTS CONCERNING STAFF OR PROGRAMS**

Constructive criticism can be helpful to the district. At the same time, the board has confidence in its staff and programs and shall act to protect them from unwarranted criticism or disruptive interference. Complaints received by the board or a board member shall be referred to the superintendent for investigation.

The superintendent shall develop procedures to handle complaints concerning staff or programs. Complaints regarding instructional materials should be pursued in the manner provided for in Policy 2020 (Curriculum Development and Adoption of Instructional Materials).

Legal References:      RCW 28A.405.300

Chapter 42.30 RCW

Adverse change in contract status of  
certificated employee —  
Determination of probable cause —  
Notice — Opportunity for hearing  
Open Public Meetings Act

## **PROCEDURE COMPLAINTS CONCERNING STAFF OR PROGRAMS**

Most complaints can be resolved by informal discussions between the citizen and the staff member. Should the matter not be resolved, the principal shall attempt to resolve the issue through a conference with the citizen and the staff member.

The following procedures apply to the processing of a complaint which cannot be resolved in the manner described above:

- A. If the problem is not satisfactorily resolved at the building level, the citizen should file a written complaint with the superintendent which describes the problem and a suggested solution. The superintendent should send copies to the principal and staff member.
- B. The principal and staff member shall respond to the superintendent in writing or in person.
- C. The superintendent shall then attempt to resolve the matter through a conference with the citizen, staff member, and principal.
- D. If the matter is still not resolved, the superintendent shall present the issue to the board. If the complaint is against a staff member, the complaint shall be handled in executive session in the presence of the staff member. The board shall attempt to make a final resolution of the matter. Any formal actions by the board must take place at an open meeting. If such action may adversely affect the contract status of the staff member, the board shall give written notice to the staff member of his/her rights to a hearing.

## **PUBLIC PERFORMANCES**

The board recognizes the scholastic and social values that may be derived from student participation in various activities sponsored by community organizations.

Students may perform as a representative of the district, any school or other organization of the district subject to the approval of the principal. Permission and approval to perform as a representative of the school or district shall be contingent upon the principal's determination that such participation is in the best interests of the student, school and district.

While students may perform in traditional musical events during the holiday season, a school-sponsored group shall not perform or make such presentations in a worship service.

The activity, program, performance or contest under consideration shall have educational value consistent with the goals and objectives of the district. Participation shall not result in exploitation of or liability to the student, school or district. Students shall not receive any remuneration for performing as representatives of the school or district but shall be permitted to request and accept reasonable donations for attendance at public performances held during non-school hours to assist with support of such organizations.

## **CONTESTS, ADVERTISING AND PROMOTIONS**

Any club, association or other organization must have prior approval for students' participation in any contest, advertising campaign or promotion. Approval may be given by the superintendent following recommendation by the teacher and principal. Criteria to be used are:

- A. The objectives of the contest, campaign, or promotion shall be consistent with the district's goals and policies;
- B. The proposed activity shall have educational value to the participants and be free of objectionable advancement of the name, product or special interest of the sponsoring group; and
- C. Participation by a student shall not interfere with his/her program of curricular or co-curricular activities.

Cross Reference:      Board Policy 3220                      Freedom of Expression

Legal Reference:      AGO 9503.00 1995 No. 3                      Use of School Districts' Facilities by  
Student Groups for Religious  
Purposes

**Adoption Date: 10.09.95**  
**Auburn School District**  
**Revised: 03.28.11**

## USE OF SCHOOL FACILITIES

The board subscribes to the belief that public schools are owned and operated by and for its patrons. The public is encouraged to use school facilities but shall be expected to reimburse the district for such use to insure that funds intended for education are not used for other purposes. On recommendation of the superintendent, the board shall set the rental rates schedule.

The superintendent is authorized to establish procedures for use of school facilities, including rental rates, supervisory requirements, restrictions, and security. Those using school facilities shall maintain insurance for accident and liability covering persons using the district's facilities under the sponsorship of the organization. Community athletics programs that use district facilities shall not discriminate against any person on the basis of sex in the operation, conduct or administration of their programs. For rental rate purposes, organizations seeking the use of school facilities have been divided into three categories:

School or Child-related Groups or Other Government Agencies include those organizations whose main purpose is to promote the welfare of boys and girls or to provide members of the community access to government programs or opportunities for civic participation. Examples are: Scouts, Campfire, PTA, 4-H, city or county sponsored recreation groups, polling places, political caucuses and governmental groups. When facilities are used outside of regular school hours or the district incurs extra utility, cleaning, or supervision costs, a fee, to be established by the superintendent, shall be charged to recoup those costs. Additionally, youth organizations engaged in sports activities and using school facilities must provide a statement of compliance with the policies for the management of concussion and head injury in youth sports as required by RCW 28A.600 along with appropriate insurance.

Nonprofit Groups includes those organizations which might wish to use school facilities for lectures, promotional activities, rallies, entertainment, college courses, or other activities for which public halls or commercial facilities generally are rented or owned. The district shall charge a rental rate in excess of costs incurred, except that such excess charges may be waived when a service club or other nonprofit group is raising funds for charitable purposes. Similar treatment may be granted public universities and colleges when offering college courses within the community or when any university/college is offering a course for staff at the request of the district. Nonprofit groups of the kind that, in most communities, have their own facilities (churches, lodges, veterans groups, granges, etc.) who wish to use district facilities on a regular but temporary basis may do so under this rental rate :

Commercial Enterprises include profit-making organizations and business-related enterprises. While the district would prefer these organizations use commercial or private facilities, facilities may be rented for non-regular use at the prevailing rate charged by commercial facilities in the area.

District-sponsored activities, including curricular and co-curricular functions, retain first priority in use of facilities. Authorization for use of school facilities shall not be considered as endorsement of or approval of the activity group or organization nor for the purposes it represents.

Cross Reference:	Board Policy 3422	Student Sports—Concussion, Head Injury and Sudden Cardiac Arrest
Legal References:	RCW 28A.230.180	Access to campus and student information directories by official recruiting representatives—
		Informing students of educational and career opportunities
	RCW 4.24.660	Liability of school districts under contracts with youth programs
	RCW 28A.320.510	Night schools, summer schools, meetings, use of facilities for
	RCW 28A.335.150	Permitting use and rental of playgrounds, athletic fields, or athletic facilities
	RCW 28A.335.155	Use of buildings for youth programs — Limited immunity
	20 USC Sec. 7905	Boy Scouts of America Equal Access Act
	34 CFR Sec. 108.6	Equal Access to Public School Facilities for the Boy Scouts of America and Other Designated Youth Groups
	AGO 1973 No. 26, I-276	School districts — Use of school facilities for presentation of programs — Legislature — Elections
Management Resources:		
	2014, February Issue	
	2013, July Issue	
	2013, June Issue	
	2011, December Issue	
	<i>Policy News</i> , August 2009	Concussion and Head Injuries Legislation

## **PROCEDURE USE OF SCHOOL FACILITIES**

Application for use of school facilities shall be made to the facilities coordinator.

Professional fundraisers representing charities must provide evidence that the fundraiser:

- A. Is recognized by the Philanthropic Division of the Better Business Bureau;
- B. Is registered and bonded by the state of Washington; and
- C. Will give the charity at least sixty (60) percent of the gross revenues.

The superintendent shall develop and recommend to the board a fee schedule applicable for use of school facilities. The fee schedule shall be evaluated on a biennial basis.

Sponsoring organizations shall provide sufficient, competent adult and/or special supervision, and the amount of adequate supervision shall be agreed upon at the time the authorization is issued.

Alcoholic beverages and illegal drugs shall not be permitted in school facilities or on school property at any time. Tobacco use is prohibited in school facilities and on school property. All applicants for use of school facilities shall hold the district free and without harm from any loss or damage, liability or expense that may arise during or be caused in any way by such use or occupancy of school facilities. Also, in the event that property loss or damage is incurred during such use or occupancy, the amount of damage shall be decided by the superintendent and approved by the board and a bill for damages shall be presented to the group using or occupying the facilities during the time the loss or damage was sustained.

All applicants for use of school facilities shall maintain accident and liability insurance for persons using district facilities under the applicant's sponsorship in an amount not less than \$50,000 due to bodily injury or death of one person or at least \$100,000 due to bodily injury or death of two or more persons in any incident. If use of the district's facilities is to be ongoing, the applicant shall provide evidence to the district once every thirty days that the insurance remains in effect.

Additionally, youth organizations engaged in sports activities and using school facilities must submit a signed statement of compliance with the policies, described in RCW 28A.600 for the management of concussion and head injury in youth sports.

The superintendent possesses the authority to make the decision on use of school facilities by a group. The group may appeal such decision to the board.

Because of the value of district's playing fields to the community's total recreational opportunity, the fields may be used by all residents. The use must be appropriate and compatible with each play field and its surrounding area. Such use shall not result in destruction, damages, or undue wear or pose a hazard to children or others. Activities which endanger others or cause damage to fields and lawns are restricted. Should damage to fields and lawns occur, the superintendent shall make reasonable effort to obtain restitution for the damage.

A custodian or other authorized staff member must be on the premises when any nonschool group is using school facilities.

## **POLITICAL RELATIONSHIPS WITH GOVERNMENTAL AGENCIES**

The board recognizes and encourages the right of its employees, as citizens, to engage in political activity. School property and school time, supported by public funds, may not be used for political purposes.

District employees, when authorized by the board or superintendent, may provide information or communicate on matters pertaining to school district affairs or advocate the official position or interests of the district to any elected official or officer or employee of any agency. The district shall submit quarterly statements in compliance with requirements of the Public Disclosure Commission.

District employees who hold elective or appointive public office in an organization are not entitled to time off from their school duties for reasons incident to such offices except as such time may qualify under leave policies of the district.

The superintendent is directed to establish procedures that are in compliance with the Public Disclosure Commission.

Cross Reference:	Board Policy 5252 Board Policy 5525	Staff Participation in Political Professional, Civic and Service Organizations
Legal Reference:	RCW 42.17.130 RCW 42.17.190	Forbids use of public office or agency facilities in campaigns Legislative activities of state agencies and other units of government

## **PROCEDURE POLITICAL RELATIONSHIPS WITH GOVERNMENTAL AGENCIES**

All “lobbying” activities on behalf of the school district shall be conducted under the direction of the superintendent and/or board. For purposes of this procedure, “lobbying” means attempting to influence the passage or defeat of any legislation or the adoption or rejection of any rule, standard, rate or other legislative enactment by any state agency.

The district shall file a quarterly report (PDC Form L-5) with the Public Disclosure Commission when “in person lobbying” exceeds four days or parts of days during any three-month period in aggregate for all employees at the district. In-person lobbying includes testifying at legislative committee hearings and state agency hearings on rules and regulations but does not include attendance merely to monitor or observe testimony and debate. Quarterly reports are due at the Public Disclosure Commission on or before April 30, July 31, October 31 and January 3.

District funds shall not be expended for dinners, entertainment or campaign contributions.

**RELATIONS WITH ~~THE~~ LAW ENFORCEMENT,  
IMMIGRATION AGENTS ~~CHILD PROTECTIVE AGENCIES~~  
~~AND THE COUNTY HEALTH DEPARTMENT AND OTHER~~  
GOVERNMENT AGENCIES (DRAFT 5-2-17)**

The primary responsibility for maintaining proper order and conduct in the schools is that of staff. Staff shall be responsible for holding students accountable for infractions of school rules, which may include minor violations of the law occurring during school hours or at school activities.

Where there is substantial threat to the health and safety of students or others such as in the case of bomb threats, mass demonstrations with threat of violence, individual threats of substantial bodily harm, trafficking in prohibited drugs or the scheduling of events where large crowds may be difficult to handle, law enforcement shall be called upon for assistance. Information regarding major violations of the law shall be communicated to the appropriate law enforcement agency.

The district shall strive to develop and maintain cooperative working relationship with law enforcement. The superintendent shall meet with law enforcement, child protective authorities and health department officials to establish agreed upon procedures for cooperation between law enforcement, child protective, health, and school authorities. Such procedures should address the handling of child abuse and neglect allegations and cases, the handling of bomb threats, arrests by law enforcement officers on school premises, the availability of law enforcement personnel for crowd control purposes, the processes for investigating possible criminal activity involving students, reporting of communicable disease cases and investigations, and other matters that affect school and law enforcement cooperation. Such procedures shall be made available to affected staff and periodically revised.

**Any request by immigration agents for information about a particular student or to access a school site shall be initially denied and immediately forwarded to the superintendent or designee in consultation with legal counsel for review and a decision on whether to reverse the denial and allow access to the site and/or a decision on whether the information will ensure district compliance with applicable laws. The request must be provided with adequate notice so that the superintendent or designee can take steps to provide for the emotional and physical safety of its students and staff.**

- **Should an immigration agent request access to a school site, the superintendent or designee shall ask for the immigration agent's credentials, ask the agent why the agent is requesting access, and ask to see a warrant signed by a federal or state judge.**
- **Immigration agents must provide written authority from ICE instructing them to enter district property and for what purpose as well as a warrant signed by a federal or state judge which specifies the name of the person under arrest.**

Cross Reference: Board Policy 3226  
Board Policy 3231  
Board Policy 3414  
Board Policy 3432  
Legal Reference: RCW 28A.635.020

Interviews and Interrogations of  
Students on School Premises  
Student Records  
Infectious Diseases  
Emergencies  
Wilfully disobeying school  
administrative personnel or refusing

RCW 26.44.030	to leave public property, violations, when — Penalty
RCW 26.44.050	Interviews of children
	Abuse or neglect of a child—Duty of law enforcement agency or department of socialand health services--Taking child into custody without court order
RCW 26.44.110	<b>Information about rights—Custody without court order--Written statement required--Contents</b>
RCW 26.44.115	<del>Notice required</del> <b>Child taken into custody under court order— Information to parents</b>

Management Resources:

*Policy News*, February 1998  
*Policy News*, April 2001

*Policy Alert*, April 2013  
*Policy Alert*, July 2013

FERPA limits student records access  
Compliance Office Provides FERPA  
Update

**Adoption Date: 10.09.95**  
**Auburn School District**  
**Revised: 03.28.11**

## **PROCEDURE RELATIONS WITH THE LAW ENFORCEMENT, CHILD PROTECTIVE AGENCIES AND THE COUNTY HEALTH DEPARTMENT**

- A. A law enforcement officer shall contact the principal upon entering a school building.
- B. An officer may request and be granted such student information as address, telephone number, parents' names, date of birth and other directory information, if the parent or student over 18 years of age has not filed a written objection to the release of directory information. Student records protected by the federal Family Educational Rights and Privacy Act may only be examined or released following written permission of a minor student's parent or an adult student, pursuant to a court order or subpoena, in response to a health or safety emergency, or in order to better serve the student in the juvenile justice system prior to adjudication.
- C. The district encourages interrogations of students to take place off school premises, in order to minimize interruption to the instructional program.
  - 1. When an onsite interview/interrogation is warranted by the circumstances of the case and the student is twelve (12) years of age and over, the principal or designee shall make a reasonable effort to first contact the parent(s)/legal guardian(s) or if they can't be contacted a designated adult noted on the student's emergency contact card, for their consent. Parent contact will not be required where the law enforcement indicates that allegations of child abuse or neglect are alleged. Law enforcement personnel must recognize the potential time delay for the parent to be contacted and a reasonable time for the parent to arrive if the parent chooses to be present. If unable to contact parents/guardians or a designated adult after a reasonable time, the officer may nevertheless proceed with the interview/interrogation if the student consents or when, in the judgment of the officer, an emergency exists and further delay would impair the handling of that emergency. The officer shall advise and afford a student all legal rights required by law.
  - 2. If a student is under twelve (12) years of age, parents/guardians or designated adult notification and permission is required before any interview interrogation will take place unless the law enforcement official has a warrant, a court order or the official stipulates that exigent circumstances exist.
- D. An officer is not required to have a warrant in order for the school to release the student into law enforcement custody. In the event a student is taken into custody by a law enforcement officer, the school will immediately notify the parent or guardian unless prohibited by law enforcement because a case of child abuse or neglect is involved, or some other similar, specified reason exists for prohibiting notification. School authorities shall request that this denial and the reasons for it be put in writing.
- E. If a court has released a student on conditions related to school, including attendance, behavior or progress, the administration shall encourage the court to include, as a condition of release, the written permission of the adult student or parent of a minor student to release the student's records to the court or its designee.

### **Relations with Child Protective Agencies**

- A. A child protective services worker shall contact the principal upon entering a school building.
- B. A child protective worker may request and be granted such information as address, telephone number, parents' names, date of birth and other directory information if the parent or student over 18 years of age has not filed a written objection to the release of directory information. Information contained in the student's cumulative folder and any supplementary records shall be available for inspection on evidence that a student is a ward of the state.

Student records protected by the federal Family Educational Rights and Privacy Act may only be examined or released following written permission of a minor student's parent or an adult student, pursuant to a court order or subpoena, in response to a health or safety emergency, or in order to better serve the student in the juvenile justice system prior to adjudication.

- C. While the district encourages interviews of a student to take place off school premises, the principal shall permit a child protective worker to conduct any questioning when child abuse or neglect is involved outside of the presence of parents. However, school personnel shall not make any child available for an investigative interview unless the child has given consent. Parental notification of the interview shall occur at the earliest possible point in the investigation that will not jeopardize the safety or protection of the child or the course of the investigation. Prior to commencing the interview, the child protective services or law enforcement agency shall determine whether the child wishes a third party to be present for the interview and, if so, shall make reasonable efforts to accommodate the child's wishes. Unless the child objects, the child protective services or law enforcement agency shall make reasonable efforts to include a third party in any interview so long as the presence of the third party will not jeopardize the course of the investigation.
- D. A child protective worker is required to have a warrant in order for the school to release custody of the student. However, if the child protective worker is accompanied by a law enforcement officer, no warrant shall be required. In the event a student is taken into custody, the school shall duly notify the parent or guardian unless directed not to by the law enforcement officer.

### **Relations with Health Department Officials**

- A. A health department official shall contact the principal on entering a school building.
- B. A health department official may request and be granted such information as address and date of birth if the parent or student over 18 years of age has not filed a written objection to the release of directory information. Information contained in a student's cumulative folder and any supplementary records shall be available only with prior written consent of the parent or adult student pursuant to a court order or subpoena, in response to a health or safety emergency or in order to better serve the student in the juvenile justice system prior to adjudication.
- C. While the district encourages interviews of students to take place off school premises, the principal shall permit a health official to conduct a confidential interview with a student suspected of being a contact with an individual infected with a communicable disease when the interview is to be held during school hours, and the principal chooses not to release the student to travel to the health department.

## **GIFTS TO STAFF**

Students and their parents shall be discouraged from the routine presentation of gifts to school district employees on occasions such as Christmas and birthdays. Should a student feel a spontaneous desire to present a gift to a staff member, the gift shall not be elaborate or unduly expensive. Gifts which are received should be accepted without any extra attention. The board shall consider as always welcome and more appropriate, the writing of letters to staff members expressing gratitude and appreciation.

No school district employee is to receive any commission, expense-paid trip, or anything of value from individuals or companies supplying equipment or materials to the district.

## **NOTIFICATION OF THREATS OF VIOLENCE OR HARM**

Students and school employees who are subjects of threats of violence or harm shall be notified of the threats in a timely manner. Parents shall be included in notifications to students who are subjects of threats of violence or harm. If there is a specific and significant threat to the health or safety of a student or other individuals, the district may disclose information from education records to appropriate parties whose knowledge of the information is necessary. Timing and details of the notice will be as extensive as permitted by the federal Family Educational Rights and Privacy Act, other legal limitations, and the circumstances.

Individual-directed threats of violence or harm are communications that create fear of physical harm to a specific individual or individuals, communicated directly or indirectly by any means.

Building-directed threats of violence or harm are direct or indirect communications by any means of the intent to cause damage to a school building or school property (e.g., bomb threats), or to harm students, employees, volunteers, patrons or visitors.

The district will address threats of violence or harm in a manner consistent with the district's safety policies and comprehensive safe school plans.

Persons found to have made threats of violence or harm against district property, students, employees or others will be subject to relevant district discipline policies and will be referred to appropriate community agencies including law enforcement and mental health services. District staff shall work with in-district and community-based professionals and services in all relevant disciplines to address threats of violence or harm, those threatened and those making the threats. Necessary information about the person making the threat shall be communicated by the principal to teachers and staff, including security personnel.

State law provides the district, school district directors and district staff with immunity from liability for providing notice of threats in good faith. Persons who make a knowingly false notification of a threat are subject to appropriate district discipline policies and may be referred for prosecution.

The superintendent is directed to develop and implement procedures consistent with this policy.

Cross References:	Board Policy 3207	Prohibition of Harassment, Intimidation and Bullying
	Board Policy 3240	Student Conduct
	Board Policy 3241	Classroom Management, Corrective Actions or Punishment
	Board Policy 5281	Disciplinary Action or Discharge
	Board Policy 6513	Workplace Violence Prevention



## **PROCEDURE NOTIFICATION OF THREATS OF VIOLENCE OR HARM**

Staff, students, volunteers, and others involved in school activities have the responsibility to report any threats of violence or harm to designated school officials. Based on the significance and credibility of the threat, it shall be reported to law enforcement. Staff shall involve in-district multi-disciplinary professionals in evaluating the threat and the needs of the person making the threat. Consultation with or referrals to community-based professionals and services are encouraged where appropriate.

Under the Family Educational Rights and Privacy Act, the district may only release student records with parent or adult student permission or in a health or safety emergency. For that reason, the district will identify students who have made threats of violence or harm when notifying the subjects of the threats under the following conditions:

- A. The parent or adult student has given permission to disclose the student's identity or other information to the subject of the student's threat.
- B. The identity of the student and the details of the threat are being disclosed to relevant district staff who have been determined to have legitimate educational interest in the information.
- C. The identity of the student or the details of the threat are being released because the release of the information is necessary to protect the health or safety of the student or other individuals. In making this determination, school officials shall use their best judgment, and may take into account the "totality of the circumstances" pertaining to the safety or health of a student or other individuals.
- D. The district is responding to a court order or subpoena. The district must make a reasonable effort to notify the parents of the student or adult student of the subpoena in advance of complying so that the family can seek protective action unless the court order or subpoena expressly forbids such notification.

Relevant information about the threat that does not improperly identify a student shall be provided to the subject of the threat and the subject shall be advised that, if law enforcement has been involved in the matter, the law enforcement agency may have more information that can be shared with the subject.

To promote the safety of all concerned, the principal shall determine if classroom teachers, school staff, school security, and others working with the student(s) involved in the threat circumstance, should be notified. Subject to the confidentiality provisions cited above, principals shall consider all available information when determining the extent of information to be shared, including prior disciplinary records, official juvenile court records, and documented history of violence of the person who made the threat.

When considering the appropriate discipline for a student who has made a threat of violence or harm, the student's prior disciplinary records shall be taken into account. Emergency expulsion shall be considered, based on the credibility and significance of the threat. Discipline shall only be imposed on students with disabilities consistent with policy and the legal requirements for special education.

If the threat by a student was significant and credible enough to warrant expulsion, the student may only be readmitted to the district through the readmission application process provided for in district policy. The readmission application process shall include meeting district readmission criteria established at the time of expulsion and should include completion of an assessment by an appropriate professional, with a report to the district, when the district determines such an assessment is necessary.

Discipline against district staff for making threats of violence or harm shall be consistent with district policy and procedure regarding staff discipline, and any relevant collective bargaining requirements.

## **RELEASE OF INFORMATION CONCERNING SEXUAL AND KIDNAPPING OFFENDERS**

Law enforcement agencies receive relevant information about the release of sexual and kidnapping offenders into communities. Law enforcement agencies decide when such information needs to be released to the public. The school district has a public safety role to play in the dissemination of such information to staff, parents, students and the community and will disseminate such information under the following conditions:

- A. Receipt of a specific request from a law enforcement agency that information be disseminated to staff and/or students and parents. In every case where students are notified, parents will be notified as soon as possible.
- B. Receipt of the actual sex offender documents to be distributed. The district may duplicate the sex offender documents, but they will be distributed in the form received from the law enforcement agency.

Cross Reference: Board Policy 3143

District Notification of Juvenile  
Offenders

Legal Reference: RCW 4.24.550

Sex offenders — and kidnapping  
offenders — Release of information  
to public — When authorized —  
Immunity

Management Resources:

*Policy News*, August 1998

*Policy News*, October 2010

State encourages modification of  
weapons policy  
Release of Sex Offender Information

**Adoption Date: 10.09.95**  
**Auburn School District**  
**Revised: 03.28.11**

## **COOPERATIVE PROGRAMS WITH OTHER DISTRICTS AND PUBLIC AGENCIES**

Whenever it appears to the economic, administrative, and educational advantage of the district to participate in cooperative programs with other units of local government, the superintendent shall prepare and present for the board's consideration an analysis of each cooperative proposal. Cooperative programs between two or more small school districts shall not affect the small school factor of participating schools.

Cooperative agreements shall comply with the requirements of the Interlocal Cooperation Act, with assurances that all parties to the agreement have the legal authority to engage in the activities contemplated by the agreement.

Legal References:	RCW 28A.225.250	Voluntary, tuition free attendance programs among school districts,scope — Rules and regulations
	Chapter 39.34 RCW	Interlocal Cooperation Act
	Chapter 48.62 RCW	Local Government Insurance
	Chapter 392-135 WAC	Finances — Interdistrict Cooperation Programs

## **COOPERATION WITH PRIVATE AND PAROCHIAL SCHOOLS AND DAY CARE AGENCIES**

The district shall cooperate with private and parochial schools, including day care agencies, both in federally assisted programs and other aspects of district operations in ways that are permitted by law. The primary obligation of the district shall be to its students, and such cooperation shall not interfere with or diminish the quality of services offered to its students.

Legal References:      RCW 28A.150.350

RCW 28A.235.120

RCW 28A.205

Part-time students — Defined —  
Enrollment authorized —  
Reimbursement for costs — Funding  
authority recognition — Rules,  
regulations

Lunchrooms — Establishment and  
operation — Personnel for —  
Agreement for  
Educational Centers

**Adoption Date: 10.09.95**  
**Auburn School District**  
**Revised: 03.28.11**

## ELECTION ACTIVITIES

The district, as part of its mission to educate and instill civic virtue, will assure that public facilities are not to be used to assist in any candidate's campaign or to support or oppose any ballot measure, and will assure that the community is appropriately informed about district and education related ballot measures through objective and fair presentations of the facts related to those measures.

The board will consider adopting resolutions expressing the board's collective opinion on ballot measures (state and local, including district levy and bond measures) that impact the effective operation of the schools. Such a resolution will be considered at a board meeting, the short title and proposition number of the ballot measure will be included in the meeting notice, and an equal opportunity will be provided for views on both sides of the issue to be expressed.

Prior to an election on a district ballot measure, the district will publish, to the entire community, an objective and fair presentation of the facts relevant to the ballot measure. Normal and regular publications of the district will also continue to be published during election cycles and may contain fair, objective and relevant discussions of the facts of pending election issues.

The superintendent is directed to develop procedures for implementing this policy and communicating the policy and procedures to staff.

Cross References:	Board Policy 2022	Electronic Information System (K-20 Network)
	Board Policy 5252	Staff Participation in Political Activities
Legal References:	RCW 28A.320.090	Preparing and distributing information on the district's instructional program, operation and maintenance — Limitation
	RCW 42.17.130	Forbids use of public office or agency facilities in campaigns
	WAC 390-05-271	General application of RCW 42.17.130
	WAC 390-05-273	Definition of normal and regular conduct
Management Resources:	<i>Policy News</i> , August 2001,	PDC Issues Election Guidelines for Schools

**Adoption Date:**  
**Auburn School District:**  
**Revised: 03.28.11**

## **PROCEDURE ELECTION ACTIVITIES PUBLIC DISCLOSURE COMMISSION**

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112  
Toll Free 1-877-601-2828 • E-mail: [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov) • Website: [www.pdcc.wa.gov](http://www.pdcc.wa.gov)

### **Guidelines for School Districts in Election Campaigns**

#### **PUBLIC DISCLOSURE LAW RE: USE OF FACILITIES IN CAMPAIGNS**

##### **RCW 42.17.130**

##### **Forbids use of public office or agency facilities in campaigns.**

No elective official nor any employee of his office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency: PROVIDED, That the foregoing provisions of this section shall not apply to the following activities:

- (1) Action taken at an open public meeting by members of an elected legislative body to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;
- (2) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;
- (3) Activities which are part of the normal and regular conduct of the office or agency.

##### **RCW 28A.320.090**

##### **Preparing and distributing information on district's instructional program, operation and maintenance--Limitation.**

The board of directors of any school district shall have authority to authorize the expenditure of funds for the purpose of preparing and distributing information to the general public to explain the instructional program, operation and maintenance of the schools of the district: PROVIDED, That nothing contained herein shall be construed to authorize preparation and distribution of information to the general public for the purpose of influencing the outcome of a school district election.

**WAC 390-05-271**

**General applications of RCW 42.17.130.**

- (1) RCW 42.17.130 does not restrict the right of any individual to express his or her own personal views concerning, supporting, or opposing any candidate or ballot proposition, if such expression does not involve a use of the facilities of a public office or agency.
- (2) RCW 42.17.130 does not prevent a public office or agency from (a) making facilities available on a nondiscriminatory, equal access basis for political uses or (b) making an objective and fair presentation of facts relevant to a ballot proposition, if such action is part of the normal and regular conduct of the office or agency.

**WAC 390-05-273**

**Definition of normal and regular conduct.**

Normal and regular conduct of a public office or agency, as that term is used in the proviso to RCW 42.17.130, means conduct which is (1) lawful, i.e., specifically authorized, either expressly or by necessary implication, in an appropriate enactment, and (2) usual, i.e., not effected or authorized in or by some extraordinary means or manner. No local office or agency may authorize a use of public facilities for the purpose of assisting a candidate's campaign or promoting or opposing a ballot proposition, in the absence of a constitutional, charter, or statutory provision separately authorizing such use.

Similar prohibitions on the use of public facilities by state employees and state officers are described in a memorandum from the Attorney General's Office regarding RCW 42.52 and available at [www.wa.gov/ago/pubs](http://www.wa.gov/ago/pubs).

**BASIC PRINCIPLES**

1. Public facilities may not be used to support or oppose a candidate or ballot proposition. RCW 42.17.130. Facilities include school district equipment, buildings, supplies, employee work time, and district publications. The statute includes an exception to the prohibition for "activities which are part of the normal and regular conduct of the office or agency."
2. School districts are authorized by statute to prepare and distribute information to the general public to explain the instructional program, operation and maintenance of the schools of the district. This includes informing the community of the needs the district faces and needs students have that the community may not realize exist. RCW 28A.320.090 which authorizes the board of directors of any school district to expend funds for this purpose provides that nothing in that statute is to be construed as authorizing preparation or distribution of information to the general public for the purpose of influencing the outcome of a school district election.

3. School districts are charged with education and instilling civic virtue.
4. School district employees do not forfeit their rights to engage in political activity because of their employment. Neither may district employees be subjected to coercion, pressure, or undue influence to participate in political activity or to take a particular position. Public officials and employees should make it clear that any participation is personal rather than officially sponsored.
5. Supervisory school personnel have a duty to know, apply, and communicate to their staffs the difference between acceptable information activities and inappropriate promotional activities in support of district ballot measures.
6. School directors are free to support school district ballot issues and engage in other political activities as long as such activities do not make use of district facilities, time or resources and do not either pressure or condone employees' use of district facilities, time or resources to support school district ballot issues.
7. The PDC is charged with enforcing RCW 42.17.130. This requires consideration and analysis of activities, which may or may not be determined to be in violation of the statute. The PDC has, over the years, developed methods of considering and analyzing activities engaged in by school districts and public offices. Among the factors considered are the normal and regular conduct of the district and the timing, tone, and tenor of activities as compared with ballot measure elections. As in any matter where intent is to be considered, hard and fast rules, which will be applicable to all situations, are difficult to establish.

The combination of a number of activities into a coordinated campaign involving close coordination between district activities and citizens' committee activities which closely resembles traditional election campaign activities and which is targeted at and/or occurs close in time to a school district ballot measure election is likely to draw close scrutiny and careful consideration by the PDC as to whether a violation has occurred.

- 8.a. Historically, the PDC has routinely advised and held that with respect to election-related publications, one districtwide objective and fair presentation of the facts per ballot measure is appropriate.

In addition, if a district has also customarily distributed this information through means other than a districtwide mailing (e.g. kid mail, regularly scheduled district or school newsletter, website, bilingual documents, or other format), that conduct has also been permitted under RCW 42.17.130 so long as the activity has been normal and regular for the district.

- 8.b. The PDC will presume that every school district may distribute districtwide an objective and fair presentation of the facts for each ballot measure. If the district distributes more than this districtwide single publication, the district must be able to demonstrate to the PDC that this conduct is normal and regular for that district. In other words, the district must be able to demonstrate that, for other major policy issues facing the district, the district has customarily communicated with its residents in a manner similar to that undertaken for the ballot measure.

Districts are urged to read the definitions of "normal and regular" at WAC 390-05-271 and WAC 390-05-273. Districts need to be aware, however, that in no case will the PDC view a marketing or sales effort related to a campaign or election as normal and regular conduct.

### **USE OF THE GUIDELINES**

This document is intended to assist school districts, employees, directors, and others in complying with the requirements of the Washington State statutes, regulations, and case law governing school districts and election campaigns. As noted in the principles, hard and fast rules are difficult to establish for every fact pattern that may appear in the course of election campaigns. The "General Considerations" column in the chart applies to the entire category and is not limited to the specific bullet point immediately to the left of the general consideration. Situations may arise which are not squarely addressed by the guidelines or which merit additional discussion. The PDC urges districts to review the guidelines in their entirety, and to consult with their own legal counsel and with the PDC. The PDC can be reached at 1-877-601-2828.

Public Disclosure Commission  
Guidelines for School Districts in Election Campaigns

Persons	Permitted	Not Permitted	General Considerations
<b>Principals or Building Administrators</b>	<ul style="list-style-type: none"> <li>• May inform staff during non-work hours<sup>1</sup> of opportunities to participate in campaign activities.<sup>2</sup></li> <li>• Are encouraged to communicate to staff the difference between acceptable and unacceptable activities related to a ballot measure.</li> <li>• In the course of normal publications for the school, may distribute an objective and fair presentation of the facts<sup>3</sup> based on and expanded upon the information<sup>4</sup> prepared by the district in accordance with the normal and regular conduct of the school and the district.<sup>5</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Shall not pressure or coerce employees to participate in campaign activities.</li> <li>• Shall not use internal memoranda solely for the purpose of informing employees of meetings supporting or opposing ballot measures.</li> <li>• Shall not coordinate informational activities with campaign efforts, in a manner that makes the district appear to be supporting or opposing a ballot measure.</li> </ul>	<ul style="list-style-type: none"> <li>• Has there been communications with staff and with union representatives regarding the prohibition on the use of the school's internal mail or email system to support or oppose a ballot measure?</li> <li>• Is the distribution of this information consistent with the normal practices of the school (such as kid mail, newsletters, websites, or some other format)?</li> </ul>

<sup>1</sup> Districts may set the definition of work hours for their employees. For example, to the extent that a district defines the lunch hour as a non-work hour, activities to support or oppose a candidate or a ballot measure that do not use public resources and that are held away from district facilities are permitted during the lunch hour.

<sup>2</sup> RCW 42.17.680(2) provides that “[n]o employer or labor organization may discriminate against an officer or employee in the terms or conditions of employment for (a) the failure to contribute to, (b) the failure in any way to support or oppose, or (c) in any way supporting or opposing a candidate, ballot proposition, political party, or political committee.”

<sup>3</sup> Throughout these guidelines, the clause “objective and fair presentation of the facts” means that in addition to presenting the facts, the materials should present accurately the costs and other anticipated impacts of a ballot measure.

<sup>4</sup> For the purposes of these guidelines, “information” refers to the documents prepared, printed, and mailed districtwide by the district's central administration solely for the purposes of informing residents regarding an upcoming ballot measure. The district and a school may continue to distribute information consistent with the customary practices of the district and a school, including but not limited to kid mail, newsletters, websites, and multi-lingual documents. These publications may continue, but if they discuss the ballot measure, the information should be an objective and fair presentation of the facts.

<sup>5</sup> For the purpose of these guidelines, the term “normal and regular” is defined in WAC 390-05-273 and clarified further by WAC 390-05-271.

Persons	Permitted	Not Permitted	General Considerations
<b>Principals or Building Administrators</b> (continued)	<ul style="list-style-type: none"> <li>• May speak at community forums and clubs to present factual and objective information on a ballot measure during regular work hours.</li> <li>• May encourage staff and members of the public to vote, as long as such encouragement routinely occurs for other elections.</li> <li>• May respond to questions regarding a ballot measure if such activity is consistent with his or her normal and regular duties.</li> <li>• May wear campaign buttons or similar items while on the job if the district's policy generally permits employees to wear political buttons.</li> <li>• May engage in campaign activities on their own time, during non-work hours and without using public resources.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall not use public resources to operate a speakers' bureau in a manner that may be viewed as promoting a ballot measure.</li> </ul>	<ul style="list-style-type: none"> <li>• Is the information provided an objective and fair presentation of the facts?</li> <li>• Is the activity consistent with the school's normal and regular course of business?</li> <li>• Do the materials accurately present the costs and other anticipated impacts of a ballot measure?</li> </ul>
<b>PTSAs</b>	<ul style="list-style-type: none"> <li>• May use school facilities for meetings supporting or opposing a ballot measure to the extent that the facilities are made available on an equal access, nondiscriminatory basis, and it is part of the normal and regular activity of the district.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall not use school facilities to produce materials that support or oppose a ballot measure, unless the district offers printing services on an equal access, nondiscriminatory basis to others.</li> </ul>	

Persons	Permitted	Not Permitted	General Considerations
<b>PTSAAs</b> (continued)	<ul style="list-style-type: none"> <li>• May print and distribute a separate newsletter advocating support for the ballot measure so long as no district resources are used (such as kid mail, newsletters, websites, or some other format).</li> <li>• May remind voters of upcoming election dates in the PTSA newsletter or in their part of the school newsletter.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall not print and distribute materials promoting the ballot measure in the school newsletter.</li> <li>• Shall not use a school or district-sponsored event to promote or oppose a candidate or a ballot measure.</li> </ul>	
<b>School Boards</b>	<ul style="list-style-type: none"> <li>• May collectively vote to support or oppose a ballot measure at a properly noticed public meeting, where opponents of the measure are given an equal opportunity to express views.<sup>6</sup></li> </ul>	<ul style="list-style-type: none"> <li>• Shall not pressure or coerce the superintendent to participate in campaign activities.</li> <li>• Shall not explicitly include passage of a ballot measure in the district's annual goals.</li> </ul>	
<b>School Board Members</b>	<ul style="list-style-type: none"> <li>• May engage in political activities on his or her own time, if no public equipment, vehicle or facility is used. (An elected official may use his or her title, but should clarify that he/she is speaking on his/her own behalf, and not on behalf of the district. If the board has adopted a resolution, the board member can then speak on behalf of the district.)</li> </ul>	<ul style="list-style-type: none"> <li>• Shall not direct district staff to perform tasks to support or oppose campaign activities or ballot measures.</li> <li>• Shall not use public facilities or resources in engaging in political activities.</li> </ul>	<ul style="list-style-type: none"> <li>• Is the board member using staff time, a public vehicle, or other public resources?</li> <li>• Has the board adopted a resolution? If yes, the board member can speak on behalf of the district. If not, has the board member made it clear that he or she is not speaking on behalf of the district?</li> </ul>

<sup>6</sup> RCW 42.17.130(1) provides that action may be “taken at an open public meeting by members of an elected legislative body to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body or members of the public are afforded an approximately equal opportunity for the expression of an opposing view.”

Persons	Permitted	Not Permitted	General Considerations
<b>Students</b>	<ul style="list-style-type: none"> <li>Students may originate school projects for credit that promote or oppose candidates or ballot measures.</li> <li>Students may use public resources to carry out school projects promoting or opposing ballot measures, to the extent that such resources are regularly and routinely made available for other student projects.</li> </ul>	<ul style="list-style-type: none"> <li>Student school projects supporting or opposing ballot measures shall not use public resources that are not regularly and routinely made available for other student projects.</li> <li>Teachers shall not assign school projects to students that require creating or distributing materials to influence an election's outcome.</li> <li>District employees and officials shall not use student projects to influence an election's outcome.</li> </ul>	<ul style="list-style-type: none"> <li>Is the school project student-initiated?</li> <li>Is the district using the student project to influence the outcome of an election?</li> </ul>
<b>Superintendents or Their Designees</b>	<ul style="list-style-type: none"> <li>May speak at community forums and clubs to present an objective and fair presentation of the facts on a ballot measure during regular work hours.<sup>7</sup></li> <li>May fully participate in campaign activities, including meeting with citizens' campaign committees to plan strategies, during non-work hours and without the use of public resources.</li> </ul>	<ul style="list-style-type: none"> <li>Shall not use public resources to operate a speakers' bureau in a manner that may be viewed as promoting a ballot measure.</li> <li>Shall not use public resources to promote or defeat a candidate or ballot measure.</li> </ul>	<ul style="list-style-type: none"> <li>Is the superintendent using public resources in a manner that promotes or opposes a candidate or a ballot measure?</li> <li>Does the presentation accurately present the costs and other anticipated impacts of a ballot measure?</li> </ul>

<sup>7</sup> Districts may set the definition of work hours for their employees. For example, to the extent that a district defines the lunch hour as a non-work hour, activities to support or oppose a candidate or a ballot measure that do not use public resources and that are held away from district facilities are permitted during the lunch hour.

Persons	Permitted	Not Permitted	General Considerations
<b>Superintendents or Their Designees</b> (continued)	<ul style="list-style-type: none"> <li>• May inform staff during non-work hours of opportunities to participate in campaign activities without using public resources.</li> <li>• May respond to questions regarding a ballot measure if such activity is consistent with his or her normal and regular duties.</li> <li>• May wear campaign buttons or similar items while on the job if the district's policy generally permits employees to wear political buttons.</li> <li>• May place window signs or bumper stickers on their privately-owned cars, even if those cars are parked on school property during working hours.</li> <li>• Are encouraged to communicate to staff the difference between acceptable and unacceptable activities related to a ballot measure.</li> <li>• May encourage staff and members of the public to vote, as long as such encouragement routinely occurs for other elections.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall not pressure or coerce employees to participate in campaign activities.</li> <li>• Shall not use district resources to organize the distribution of campaign materials.</li> </ul>	<ul style="list-style-type: none"> <li>• Does the district have a policy permitting employees to wear political buttons?</li> </ul>

Persons	Permitted	Not Permitted	General Considerations
<b>Teachers or Other Employees</b>	<ul style="list-style-type: none"> <li>• May speak at community forums and clubs to present an objective and fair presentation of the facts on a ballot measure during regular work hours if such activity is consistent with his or her normal and regular duties.</li> <li>• May inform staff during non-work hours of opportunities to participate in campaign activities without using public resources.</li> <li>• May engage in campaign activities on their own time, during non-work hours and without using public resources.</li> <li>• May respond to questions regarding a ballot measure if such activity is consistent with his or her normal and regular duties.</li> <li>• May wear campaign buttons or similar items while on the job if the district's policy generally allows employees to wear political buttons.</li> <li>• May, during non-work hours, make available campaign materials to employees in lunchrooms and break rooms, which are used only by staff or other authorized individuals.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall not use work hours or public resources to promote or oppose a candidate or ballot measure (such as gathering signatures, distributing campaign materials, arranging speaking engagements, coordinating phone banks, or fundraising).</li> <li>• Shall not pressure or coerce other employees to participate in campaign activities.</li> <li>• Shall not use district resources to organize the distribution of campaign materials.</li> </ul>	<ul style="list-style-type: none"> <li>• Do the presentations accurately present the costs and other anticipated impacts of a ballot measure?</li> <li>• Is the employee acting on his or her own time, during non-work hours?</li> <li>• Is the employee using public resources in a matter that promotes or defeats a candidate or a ballot measure?</li> <li>• Does the district have a policy permitting employees to wear political buttons?</li> </ul>

Persons	Permitted	Not Permitted	General Considerations
<b>Teachers or Other Employees</b> (continued)	<ul style="list-style-type: none"> <li>• May place window signs or bumper stickers on their cars, even if those cars are parked on school property during working hours.</li> <li>• May encourage staff and members of the public to vote, as long as such encouragement routinely occurs for other elections.</li> </ul>		
<b>Union Representatives</b>	<ul style="list-style-type: none"> <li>• May, during non-work hours, make available campaign materials to union members in lunchrooms and break rooms, which are used only by staff or other authorized individuals.</li> <li>• May distribute campaign materials at union-sponsored meetings.</li> <li>• May post campaign materials on a bulletin board, if such a board is in an area that is not accessible to the general public and if such activity is consistent with the district's policy and the collective bargaining agreements.</li> </ul>	<ul style="list-style-type: none"> <li>• Shall not use the school's internal mail or email system to communicate campaign-related information, including endorsements.</li> <li>• Shall not distribute promotional materials in classrooms or other public areas.</li> </ul>	<ul style="list-style-type: none"> <li>• Are campaign materials made available only in those areas used solely by staff or other authorized individuals?</li> <li>• Does such distribution occur during non-work hours?</li> </ul>

<b>Activities and Resources</b>	<b>Permitted</b>	<b>Not Permitted</b>	<b>General Considerations</b>
<b>Equipment and Supplies</b>	<ul style="list-style-type: none"> <li>• District employees, in the course of their employment, may use equipment (including but not limited to projectors and computers) to make an objective and fair presentation of the facts at community forums and clubs.</li> <li>• District employees, in the course of their employment, may produce information that is an objective and fair presentation of the facts using public resources.</li> </ul>	<ul style="list-style-type: none"> <li>• Public resources (including but not limited to internal mail systems, email systems, copiers, telephone) shall not be used to support or oppose a candidate or ballot measure, whether during or outside of work hours.</li> <li>• Citizens' campaign committees and other community groups shall not use district equipment (including but not limited to internal mail systems, projectors, computers, and copiers) to prepare materials for meetings regarding ballot measures.</li> </ul>	<ul style="list-style-type: none"> <li>• Do the presentations fairly and objectively present the costs and other anticipated impacts of a ballot measure?</li> </ul>
<b>Meeting Facilities</b>	<ul style="list-style-type: none"> <li>• District meeting facilities, including audio visual equipment, may be used by campaign committees for activities on the same terms and conditions available to other community groups, subject to the provisions of the district's policy.</li> </ul>		<ul style="list-style-type: none"> <li>• Can community groups typically use school facilities?</li> <li>• Are facilities made available to all groups on the same terms?</li> <li>• Has the district adopted a policy regarding the distribution of campaign materials on district property?</li> </ul>

Activities and Resources	Permitted	Not Permitted	General Considerations
<b>Lists</b>	<ul style="list-style-type: none"> <li>• Lists of names (such as district vendors or parents) that a district has obtained or created in the course of transacting its regular public business are subject to public disclosure requirements; thus, unless otherwise exempt, the lists must be released subject to public records requests.</li> <li>• Districts may charge a pre-established fee to cover the costs of providing copies of such lists on an equal access, nondiscriminatory basis.</li> </ul>	<ul style="list-style-type: none"> <li>• Districts shall not sell copies of such lists (though they may charge a pre-established fee to recover the costs of providing copies of the lists).</li> <li>• If a list is generally available as a public record, it cannot be denied to a person or group on the grounds that it might be used in a campaign.</li> </ul>	<ul style="list-style-type: none"> <li>• Is the list obtained or created in the course of the district transacting its public business?</li> <li>• Are the fees charged no greater than necessary to cover the costs of providing copies?</li> <li>• Has the district complied with laws governing access to public records, including those regarding student records, and district policy in responding to any public record requests?</li> </ul>
<b>Voting Information</b>	<ul style="list-style-type: none"> <li>• District personnel may encourage staff and members of the public to vote, as long as such encouragement routinely occurs for other elections.</li> <li>• Public facilities may be used to register people to vote and to do periodic poll checking.</li> </ul>	<ul style="list-style-type: none"> <li>• Districts shall not pressure or coerce employees to vote.</li> <li>• Districts shall not organize an effort to encourage staff to wear campaign buttons or display campaign materials.</li> </ul>	<ul style="list-style-type: none"> <li>• Is the activity related to providing voting information for elections, as opposed to advocating for or against a particular candidate or ballot measure?</li> </ul>

Activities and Resources	Permitted	Not Permitted	General Considerations
<b>District Publications (Specific to Elections)</b>	<ul style="list-style-type: none"> <li>Districts may develop an objective and fair presentation of the facts regarding district needs and the anticipated impact of a ballot measure, and may distribute it in the district's customary manner. This information<sup>8</sup> may be printed in various languages and communicated in other formats as required by the ADA.</li> <li>In the course of regular publications for the district, the district may distribute an objective and fair presentation of the facts for each ballot measure in accordance with the normal and regular conduct of the district.</li> </ul>	<ul style="list-style-type: none"> <li>Districts shall not distribute election-related information in a manner that targets specific subgroups. Targeting does not refer to mailing information to district constituencies such as parents, families within a service region, community leaders, or some other group, or to the district's regular distribution list to provide information in a manner that is consistent with the normal and regular conduct of the district.</li> <li>Districts shall not publicize information supporting or opposing a candidate or ballot measure.</li> <li>Districts shall not use electioneering or promotional expressions such as "the levy will cost the average family a pizza a week."</li> </ul>	<ul style="list-style-type: none"> <li>Does the information provide an objective and fair presentation of the facts?</li> <li>Is the format and style including tone and tenor, of the information presented in an objective and fair manner?</li> <li>Is the timing and the distribution of the information normal and regular for the district?</li> <li>Do the materials accurately present the costs and other anticipated impacts of a ballot measure?</li> </ul>

<sup>8</sup> For the purposes of these guidelines, "information" refers to the documents prepared, printed, and mailed districtwide by the district's central administration solely for the purposes of informing residents regarding an upcoming ballot measure. The district and a school may continue to distribute information consistent with the customary practices of the district and a school, including but not limited to kid mail, newsletters, websites, and multi-lingual documents. These publications may continue, but if they discuss the ballot measure, the information should be an objective and fair presentation of the facts.

Activities and Resources	Permitted	Not Permitted	General Considerations
<b>District Publications (Specific to Elections)</b> (continued)			<ul style="list-style-type: none"> <li>Does the district typically distribute information by kid mail, newsletters, websites, or some other format?</li> </ul>
<b>District Publications (Regular)</b>	<ul style="list-style-type: none"> <li>Districts may include all or part of the information regarding district needs and the anticipated impacts of a ballot measure in the district's regular publications, such as district and school newsletters. (For example, a school newsletter may specifically describe the projects and/or programs planned for that school.)</li> <li>Districts may inform staff and/or parents of community meetings related to ballot measures if other such information is normally published in a newsletter or community calendar, and if both those supporting or opposing a ballot measure have the opportunity to appear on the calendar or in the newsletter.</li> </ul>	<ul style="list-style-type: none"> <li>Districts shall not use internal memoranda or other district publications to encourage employees to participate in campaign activities.</li> <li>Districts shall not publish materials supporting or opposing a candidate or ballot measure.</li> </ul>	<ul style="list-style-type: none"> <li>Does the district routinely distribute such information?</li> <li>Does the district normally inform staff and/or parents of community activities and meetings?</li> </ul>

Activities and Resources	Permitted	Not Permitted	General Considerations
<b>District Publications (Regular)</b> (continued)	<ul style="list-style-type: none"> <li>Districts may factually report school board support for a ballot measure, so long as it is the normal and regular conduct for the district. (For example, a community newsletter that ordinarily reports on board actions may report that the board adopted a resolution supporting the district's ballot measure.)</li> <li>Districts may thank citizens for their support after an election in district publications.</li> </ul>		<ul style="list-style-type: none"> <li>Is the information presented in an objective and fair manner?</li> <li>Is the district engaging in significantly different activities during the time period immediately prior to the ballot measure compared to all other times of the school year?</li> </ul>
<b>Reader Boards/Posters</b>	<ul style="list-style-type: none"> <li>Information encouraging staff and members of the public to vote, or providing the dates of upcoming elections such as "vote on February ___", may be posted, as long as such encouragement is customarily posted for elections other than just a district ballot measure.</li> <li>Districts may thank citizens on their reader boards for their support after an election.</li> </ul>	<ul style="list-style-type: none"> <li>Districts shall not display a "vote schools" sign or other promotional messages on reader boards or posters.</li> <li>Signs advocating for or against candidates or ballot measures shall not be posted on district property in any area accessible to the general public or in classrooms.</li> </ul>	

Activities and Resources	Permitted	Not Permitted	General Considerations
<b>Reader Boards/Poster</b> (continued)	<ul style="list-style-type: none"> <li>Union representatives/employees may post campaign materials on a bulletin board, if such a board is in an area that is only accessible to staff or other authorized individuals and if such activity is consistent with the district's policy and collective bargaining agreements.</li> </ul>	<ul style="list-style-type: none"> <li>Publicly owned vehicles shall not be used to carry or display political material.</li> </ul>	
<b>Surveys and Research</b>	<ul style="list-style-type: none"> <li>Districts may conduct surveys and/or other community research, including demographic questions, to determine the community's priorities, public perception of district performance, and/or to inform the community about district programs and policies.</li> <li>Districts may conduct community research (including but not limited to the use of questionnaires, surveys, workshops, focus groups, and forums) to determine the community's priorities for both programs and/or facilities and their associated total costs and projected dollars per thousand assessment.</li> </ul>	<ul style="list-style-type: none"> <li>Districts shall not conduct surveys to determine what taxation level the public would support.</li> <li>Districts shall not conduct surveys designed to shore up support or opposition for a ballot measure.</li> </ul>	<ul style="list-style-type: none"> <li>Has the school board passed a resolution authorizing a measure to be placed on the ballot? (If so, actions may be more closely scrutinized.)</li> <li>Does the election-related survey target specific subgroups?</li> </ul>

<b>Activities and Resources</b>	<b>Permitted</b>	<b>Not Permitted</b>	<b>General Considerations</b>
<b>Surveys and Research</b> (continued)	<ul style="list-style-type: none"> <li>The surveys and/or other community research can be conducted before or after the school board has approved a resolution to place a ballot measure on the ballot. However, research conducted after the adoption of the resolution may be subject to greater scrutiny.</li> <li>Districts may publish survey results if it is consistent with the normal and regular conduct of the district.</li> </ul>	<ul style="list-style-type: none"> <li>Districts shall not target registered voters or other specific subgroups of district residents in conducting their election-related surveys.</li> <li>Districts shall not use survey results in a manner designed to support or oppose a candidate or ballot measure.</li> </ul>	<ul style="list-style-type: none"> <li>Is the survey or community research consistent with normal and regular activities of the district?</li> </ul>
<b>Technology (websites, emails, computerized calling systems)</b>	<ul style="list-style-type: none"> <li>A district may develop an objective and fair presentation of the facts and post that information on its website, including information regarding district needs and the anticipated impacts of a ballot measure. This information may be reformatted so that it is consistent with the manner in which the district customarily presents information on its website.</li> <li>District websites may permit viewers to make selections to learn about the anticipated impacts of a ballot measure for a specific school, or otherwise allow readers to explore issues in greater or lesser detail.</li> </ul>	<ul style="list-style-type: none"> <li>District computers, email systems, telephones, and other information technology systems shall not be used to aid a campaign for or against a candidate or ballot measure or otherwise to support a candidate or ballot measure.</li> <li>Electronic communication systems shall not be used to generate or forward information that supports or opposes a candidate or ballot measure.</li> </ul>	<ul style="list-style-type: none"> <li>Are the materials developed an objective and fair presentation of the facts?</li> <li>Is the district engaging in significantly different activities during the time period immediately prior to the ballot measure compared to all other times of the school year?</li> </ul>

<p><b>Technology (websites, emails, computerized calling systems)</b> (continued)</p>	<ul style="list-style-type: none"> <li>• Districts may update the information on their websites in a manner that is customary for the district.</li> <li>• Staff may respond to inquiries regarding a ballot measure in an objective and fair manner, via email or by telephone if it is part of their normal and regular duties.</li> </ul>	<ul style="list-style-type: none"> <li>• District websites shall not be used for the purposes of supporting or opposing a candidate or ballot measure.</li> </ul>	<ul style="list-style-type: none"> <li>• Do the materials accurately present the costs and other anticipated impacts of a ballot measure?</li> <li>• Has there been communications with staff and with union representatives regarding the prohibition on the use of the school's technology to support or oppose a ballot measure?</li> </ul>
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**Note on Timing of Activities:** A particular activity may be subject to the scrutiny of the Public Disclosure Commission depending in part on whether it is a part of the “normal and ordinary” conduct of a district or a school. Generally, activities that occur after a school board has passed a resolution authorizing a measure to be placed on the ballot will be subject to greater scrutiny by the Public Disclosure Commission than those occurring before such a resolution has been passed.

**Note on District Policies:** The application of these guidelines is also subject to each district’s own policies as adopted by the school board.

## **RECRUITMENT AND SELECTION OF STAFF**

### **VISION**

Staff are recruited and selected to assure that students grow and meet their full potential in district programs. Staff are highly effective and have the necessary skills and experience to meet the learning needs of all students. The district works with teacher preparation programs, communicating the teaching skills, competencies, and experiences it considers of primary importance in its staff, and providing field experiences designed to train teachers to be able to improve student learning. Decisions about hiring, assigning, or transferring staff are based on maximizing the effectiveness of that staff member within the district's programs.

### **STRUCTURE**

Staff positions are established by the board to provide the district's comprehensive program of education. New positions are established by the board as needed. The superintendent establishes the necessary skills, competencies, qualifications, education, experience, and past performance levels for each position, as it relates to the district's comprehensive program of education, and the goal of continued improvement in student learning. Selection of staff is based on which candidate is the most qualified for the position and is made pursuant to the district's standard screening, interview, and reference check process and equity requirements.

### **ACCOUNTABILITY**

Positions are created within budget parameters, and legal requirements. Part of the district's strategic and short-term planning processes analyze current and projected staffing requirements. The filling of individual positions is done with consideration to salary issues, budget parameters, and legal requirements. The superintendent regularly evaluates the effectiveness of the district's staff recruitment and selection processes and reports the findings and recommendations from the evaluation to the board.

### **ADVOCACY**

The board and district regularly communicates to staff, professional associations, employee bargaining units, teacher and professional preparation programs in higher education, students, parents, and the larger community the district's commitment to hiring those people best prepared and able to improve student achievement.

Cross References: Board Policy 5005

Board Policy 5610

Legal References: RCW 28A.400.300

RCW 28A.405.210

Employment: Disclosures, Certification Requirements, Assurances and Approval

Substitute Employment

Hiring and discharging employees —  
Leaves for employees — Seniority and leave benefits, retention upon transfers between schools

Conditions and contracts of employment —  
Determination of probable cause for non-renewal of contracts —  
Notice — Opportunity for hearing

43.43.830	Background checks — Access to children or vulnerable persons
43.43.832	Background checks — Disclosure of child abuse
WAC 162-12	Preemployment Inquiry Guide (Human Rights Commission)
AGO 62155.00 - No. 155	1961-62 Expenses of Applicants
P.L. 99-603	(IRCA)Immigration Reform and Control Act of 1986
Title 8 USC, Ch. 12 §1324a and §1324b	

## **PROCEDURE RECRUITMENT AND SELECTION OF STAFF**

Current and projected staff needs provide the basis for staff recruitment and selection. Once needs are identified, the recruitment and selection process should result in employing a staff member who is the most qualified to fulfill the need based upon the candidate's skill, training, experience and past performance.

### **Identifying Needs**

- A. Collect enrollment projections from each school building (use birth data to estimate "K" enrollment).
- B. Compare building projections with long-range district projections using the cohort survival ratio.
- C. Establish staffing needs using the lowest projections.
- D. Identify returning staff members, including returns from leave of absence and excluding retirees.
- E. Identify openings, recognizing the new requirements, goals and priorities of the district and including possible co-curricular assignment needs.
- F. Review voluntary transfer requests in relation to the provisions of the collective bargaining agreement.
- G. Identify possible involuntary transfers in relation to provisions of the collective bargaining agreement.

### **Recruiting**

- A. Review affirmative action plan and goals.
- B. Develop job description for each necessary position, including salary range.
- C. Develop job announcement using information from job description; experience, preparation, salary range and other related information.
- D. List vacancies with intention to reach potential applicants from protected employment groups in order to achieve affirmative action goals.

### **Screening**

- A. Identify screening and interviewing team with alternates prior to announcing the vacancy.
- B. Review criteria for screening.

- C. Compile a screening summary report for each candidate to be considered, including specific reasons for eliminating candidates.
- D. Select candidates to be interviewed. (Note: Findings should be stated on the screening summary report for each candidate that was considered.)
- E. Notify rejected applicants.

### **Interviewing**

- A. Prepare for interview by:
  - 1. Reviewing all duties and responsibilities of the position;
  - 2. Reviewing the minimum qualifications needed to perform the duties of the position;
  - 3. Developing a series of questions to be used in interviewing candidates, including guidelines for what to look for in response to questions; and
  - 4. Reviewing the candidate's application folder
- B. Meet with team to review interview questions and evaluation procedures.
- C. Ask each candidate to respond to a predetermined set of questions.
- D. Record the responses of each candidate.
- E. Give the candidate an opportunity to ask any question(s).
- F. Inform the candidate regarding the timeline for hiring.
- G. Rate the candidate on a scale for each response to each question.
- H. Ask one clear and concise question at a time.
- I. Avoid cross examination or pressure techniques.
- J. Insure fairness by asking the same questions developed from the established criteria for the position.
- K. Abide by the Human Rights Commission's published list of fair and unfair questions. For example:

**For Personal Information**, ASK questions such as:

1. What are your specific goals in a job?
2. What is your overall career objective?
3. What specific job characteristics are important to you? Why?
4. What job characteristics would you like to avoid? Why?
5. Do you have any commitments which would prevent you from working the scheduled hours for this position?
6. Do you have any specific health conditions which would prevent you from performing all the duties of this job?
7. Describe the best supervisor you have had.
8. Describe the worst supervisor you have had.

DO NOT ASK questions such as:

1. Is it Miss, Mrs., or Ms.? Are you married? Do you have children?
2. What does your husband/wife do? Where do you live?
3. What is the origin of your name?
4. Do you mind working for a female or a minority supervisor?
5. Do you have a disability?

**For Education Information**, ASK questions such as:

1. Which subjects did you excel in at school?
2. How did you happen to select \_\_\_ as your major?
3. Did you work at a part-time job while at school?
4. Are you interested in continuing your education? Why? When? Where?
5. Do you feel your education prepared you for the job you are seeking with us? In what ways?
6. Were you involved in any extracurricular activities?

DO NOT ASK questions such as:

1. Did you go to school on a scholarship?
2. Where did you live while attending college?
3. What organizations did you belong to in school?

**For Military Information**, ASK questions such as:

1. What other kinds of training or schooling have you received?
2. In what ways do you feel your training will help you in performing this job?
3. What did you find challenging about your assignment?

DO NOT ASK questions such as:

1. Were you drafted?
2. Where were you stationed?
3. What type of discharge did you receive from the United States military service?

**For Employment and Experience Information**, ASK questions such as:

1. Tell me about your last job and your major responsibilities.
2. What were some of the more challenging aspects of your job?
3. Describe the training you received on your last job.
4. In what ways do you feel your previous employment will help you in performing this job?
5. If we were to contact your previous employer, what would he/she describe as your strengths? What areas might he/she suggest for improvement?
6. Which of your past jobs did you enjoy the most? Least? Why?
7. What were your reasons for leaving your last job?
8. May we contact your present employer?

DO NOT ASK questions such as:

1. Why have you had so many jobs?
2. Why are you coming back to work after so many years?
3. How do you feel about working with younger/older people?

### **Verifying References**

- A. Contact candidate's previous supervisor(s). Ask prepared list of job-related questions.
- B. Visit and/or observe candidate on site (when possible).
- C. Contact any personal acquaintances who would know about the qualifications of the candidate.
- D. Rate the candidate on a scale for the response to each question.

### **Recommending**

- A. Review available information:
  1. Credentials - training, experience and recommendations.
  2. Letters of application, responses to topics on supplementary application.
  3. Responses to interview questions.
  4. Contact with previous supervisors and personal acquaintances.
- B. Select candidate to be recommended to superintendent.

- C. Prepare supporting statements on behalf of the candidate to be recommended.
- D. Place screening evaluation, interview evaluation, and telephone reference check reports in a file for possible future reference.

### **Employing**

- A. Review the written recommendation and supporting information from the interviewer(s).
- B. Inform candidate that he/she will:
  - 1. Be recommended for the position, provided that the records of the Washington State Patrol criminal investigation system reveal that the prospective staff member is free of any convictions of offenses against children and other persons. (RCW 43.43.832);
  - 2. Receive a general statement about the type of contract that will be issued (letter of intent);
  - 3. Be expected to verify in writing his/her willingness to accept a contract if offered;
  - 4. Be expected to present documents which establish his/her identity, and attest, in writing, his/her eligibility to work in this country; and
  - 5. (Classified staff) may be subjected to a background check with the Washington State Patrol in accordance with RCW 43.43.830.
- C. Present recommendation to board in executive session (supervisor may be requested to attend).
- D. Employ candidate at official board meeting noting the type of contract to be issued.
- E. Advise unsuccessful candidates.

### **Issuing Contracts**

- A. Secure official statements regarding the work experience from previous employers.
- B. Evaluate transcript in terms of salary schedule placement criteria.
- C. Issue appropriate contract--Replacement, Provisional, Temporary (less than one year), Supplemental.
- D. Issue appropriate business forms and payroll information, and register teaching certificate.

## HIRING OF RETIRED SCHOOL EMPLOYEES

The district shall recruit, select, and employ the best-qualified individuals as employees. The district may employ persons retired from the Teachers' Retirement System (TRS), the School Employees' Retirement System (SERS), or the Public Employees' Retirement System (PERS). A retired employee shall only be rehired pursuant to this district policy.

Until August 1, 2020, the district may employ teachers in TRS Plan 2 or 3 who have retired under the alternate early retirement provisions of RCW 41.32.765(3)(b) or RCW 41.32.875(3)(b). Such employment is subject to the following conditions: 1) One calendar month must have elapsed since the retiree's accrual date; 2) the retiree must be employed exclusively as either a substitute teacher as defined in RCW 41.32.010(48)(a) or in an instructional capacity (as opposed to an administrative or supervisory capacity); and 3) the district must compensate its substitute teachers at a rate that is at least 85% of the full daily amount allocated by the state to the district for substitute teacher compensation.

All retirees of TRS, SERS, or PERS may work an annual threshold of eight hundred sixty-seven (867) hours per year while receiving retirement benefits. The annual threshold for TRS Plan 1 retirees is calculated per fiscal year. All other plans are calculated per calendar year. Qualified hours are determined by whether the retiree works in an eligible position as defined by the Department of Retirement Systems (DRS).

Cross References: Board Policy 5610  
Board Policy 5050

Substitute Employment  
Contracts

Legal References: RCW 41.32  
41.40

Teachers' retirement  
Washington public employees'  
retirement system

Management Resources:  
*Policy News*, June 2007

Revisions to Retire/Rehire Law

**Adoption Date: 07.23.07**  
**Auburn School District**  
**Revised: 05.09.11; 12.12.16**

## **PROCEDURE HIRING OF RETIRED SCHOOL EMPLOYEES**

### **District Responsibilities**

The district shall abide by the following process when considering a retiree for employment:

- A. The board of directors shall approve a process for recruitment and selection of employees, including those vacancies for which a retiree applicant may be considered.
- B. Applicant(s) shall be evaluated and considered equally, selecting the candidate who best meets the needs of the district.
- C. There shall be no prearranged employment agreement or commitment to rehire an employee after retirement. Mere inquiries about post-retirement employment do not constitute an agreement.
- D. Employment shall be limited to a maximum of a one-year, non-continuing contract or appointment.
- E. The district shall make contributions to the appropriate retirement system when any retiree works more than eight hundred sixty-seven (867) hours per year.
- F. The district shall maintain records of the process followed in seeking qualified candidates that resulted in the hiring of the retiree.
- G. The board of directors shall approve the hiring and document a justifiable need for choosing the retiree.
- H. Subject to any applicable bargaining agreements, vacancies filled by retirees shall be annually reviewed by the board to determine whether the retiree will be rehired for another year of employment.
- I. The district shall provide the retiree with the same terms and conditions of employment as other appointees or employees in comparable positions with the exception of sick-leave cash-out.
- J. The district shall report the number of hours worked by the retiree to DRS.

### **Retired Employee Responsibilities**

The following conditions of employment shall apply to retirees that are re-employed:

- A. Retired applicants shall disclose to the district whether they are retired from a Washington State retirement plan.
- B. Employees must satisfy the DRS requirement for separation and retirement from service prior to accepting a retiree/rehire position with the district.
- C. Retirees are subject to the same collective bargaining membership as other one-year temporary employees.
- D. Retirees are responsible for tracking service hours during post-retirement employment among multiple employers.

## **EMPLOYMENT: DISCLOSURES, CERTIFICATION REQUIREMENTS, ASSURANCES AND APPROVAL**

The board has the legal responsibility of employing all staff. The responsibility of administering the recruitment process is assigned to the superintendent. Prior to final action by the board, a prospective staff member shall present necessary documents which establish eligibility to work and attest to his/her eligibility as required by P.L. 99-603, Immigration Reform and Control Act of 1986. As required by federal immigration law, the superintendent shall certify that he/she has: "examined the documents which were presented to me by the new hire; that the documents appear to be genuine; that they appear to relate to the individual named; and that the individual is a U.S. citizen, a legal permanent resident, or a non-immigrant alien with authorization to work." This certification shall be made on the I-9 form issued by the federal Immigration and Naturalization Service.

The district shall report all new hires to the state Department of Social and Health Services Division of Child Support as required by P.L. 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

The district shall require that every prospective staff member sign a release form allowing the district to contact school employers regarding prior acts of sexual misconduct. The applicant shall authorize current and past school district employers including employers outside of Washington to disclose to the district sexual misconduct, if any, and make available to the district all documents in the employer's personnel, investigative or other files related to the sexual misconduct. The applicant is not prohibited from employment in Washington State if the laws or policies of another state prohibit disclosure or if the out-of-state district denies the request.

### **Disclosure of Crime**

Prior to employment of any unsupervised staff member or volunteer, the district shall require the applicant to disclose whether he/she has been:

- A. Convicted of any crime against persons;
- B. Found in any dependency action under RCW 13.34 to have sexually assaulted or exploited any minor or to have physically abused any minor;
- C. Found by a court in a domestic relations proceeding under Title 26 RCW to have sexually abused or exploited any minor or to have physically abused any minor;
- D. Found in any disciplinary board final decision to have sexually abused or exploited any minor or to have physically abused any minor: or
- E. Convicted of a crime related to drugs: manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance.

For purposes of this policy, unsupervised means not in the presence of another employee or volunteer and working with children under sixteen years of age or persons developmentally disabled. The disclosure shall be made in writing and signed by the applicant and sworn to under penalty of perjury. The disclosure sheet shall specify all crimes committed against persons.

## **Background Check**

Prospective unsupervised staff members shall have their records checked through the Washington State Patrol criminal identification system and through the Federal Bureau of Investigation.

Unsupervised volunteers and employees without unsupervised access to children shall also be advised that they will be subjected to a name and birth date background check with the Washington State Patrol.

Applicants may be employed on a conditional basis pending the outcome of the background check and may begin conditional employment once completed fingerprint cards have been sent to the Washington State Patrol. If the background check reveals evidence of convictions, the candidate will not be recommended for employment, or if temporarily employed, will be terminated. When such a background check is received, the superintendent is directed to consult with legal counsel.

If a volunteer has undergone a criminal record check in the last two years for another entity, the district shall request a copy from the volunteer or have the volunteer sign a release permitting the entity for whom the check was conducted to provide a copy to the district.

## **Record Checkdata Base Access Designee**

The superintendent is directed to establish procedures for determining which staff members are authorized to access the Superintendent of Public Instruction's record check database. Fingerprint record information is highly confidential and shall not be re-disseminated to any organization or individual by district staff. Records of arrest and prosecution (RAP sheets) shall be stored in a secure location separate from personnel and applicant files and access to this information is limited to those authorized to access the SPI record check data base.

## **Certification Requirements**

The district shall require that certificated staff hold a Washington State certificate, with proper endorsement (if required for that certificate and unless eligible for out-of-endorsement assignment), for the role and responsibilities for which they are employed. Failure to meet this requirement shall be just cause for termination of employment. State law requires that the initial application for certification shall require a background check of the applicant through the Washington State Patrol criminal identification system and Federal Bureau of Investigation. No salary warrants may be issued to the staff member until the district has registered a valid certificate for the role to which he/she has been assigned.

In addition, any teacher who meets standard or continuing certification after August 30, 1987, must complete 150 hours of continuing education study every five years. Failure to satisfy this requirement will cause the certificate to lapse. If a certificated staff member with a lapsed certificate is issued a transitional certificate pursuant to WAC 181-79A-231 (7), he or she may be conditionally employed for up to two years while he or she meets the certificate reinstatement requirements.

## Classified Staff

Classified staff who are engaged to serve less than twelve (12) months, shall be advised of their employment status for the ensuing school year prior to the close of the school year. The superintendent shall give “reasonable assurance” by written notice that the staff member will be employed during the next school year.

## Board Approval

All staff members selected for employment shall be recommended by the superintendent. Staff members must receive an affirmative vote from a majority of all members of the board. In the event an authorized position must be filled before the board can take action, the superintendent has the authority to fill the position with a temporary employee who shall receive the same salary and benefits as a permanent staff member. The board will act on the superintendent's recommendation to fill the vacancy at its next regular meeting.

Cross References:	Board Policy 1610 Board Policy 5251 Board Policy 5006 Board Policy 5281 Board Policy 5520 Board Policy 5610 Board Policy 6530	Conflicts of Interest [1st Class] [2nd Class] Conflicts of Interest Certification Revocation Disciplinary Action and Discharge Staff Development Substitute Employment Insurance
Legal References:	RCW 28A.320.155  RCW 28A.400.300  RCW 28A.400.303 RCW 28A.405.060  RCW 28A. 405.210  RCW 28A.410.010  RCW 9.96A.020  RCW 43.43.830 - .840 RCW 50.44.050	Criminal history record information--School volunteers Hiring and discharging of employees--Written leave policies--Seniority and leave benefits of employees transferring between school districts and other educational employers Record checks for employees Course of study and regulations—enforcement--Withholding salary warrant for failure Conditions and contracts of employment--Determination of probable cause for nonrenewal of contracts--Nonrenewal due to enrollment decline or revenue loss—Notice--Opportunity for hearing Certification--Duty of Professional Educator Standards Board—Rules--Record check--Lapsed certificates--superintendent of public instruction as administrator Employment, occupational licensing by public entity--Prior felony conviction no disqualification--Exceptions Washington State Criminal Code Records Benefits payable, terms and conditions--"Academic year" defined

RCW 50.44.053	"Reasonable assurance" defined-- Presumption, employees of educational institutions
P.L. 99-603	Immigration Reform and Control Act of 1986 (IRCA)
P.L. 104-193	Personal Responsibility and Work Opportunity Reconciliation Act of 1996
WAC 162-12	Preemployment Inquiry Guide (Human Rights Commission)
WAC 180-16-220	Supplemental basic education program approval requirements
WAC 181-79A	Standards for Teacher, Administrator and Educational Staff Associate Certification
WAC 181-82-105	Assignment of classroom teachers within districts
WAC 181-82-110	Exceptions to classroom teacher assignment policy
WAC 181-85	Professional certification--Continuing education requirement
WAC 392-300-050	Access to record check data base
WAC 392-300-055	Prohibition of redissemination of fingerprint record information by education service districts, the State School for the Deaf, the State School for the Blind, school districts, and Bureau of Indian Affairs funded schools
WAC 392-300-060	Protection of fingerprint record information by education service district, the State School for the Deaf, the State School for the Blind, school districts, and Bureau of Indian Affairs funded schools
WAC 446-20-280	Employment--Conviction Records

## Management Resources:

<i>Policy News</i> , June 1999	School Safety Bills Impact Policy
<i>Policy News</i> , February 1999	Local Boards Decide Endorsement Waivers
<i>Policy News</i> , August 1998	District Must Report New Hires
<i>Policy News</i> , October 2001	Updates from the State Board of Education
<i>Policy News</i> , April 2004	School Employee Sexual Misconduct
<i>Policy News</i> , October 2005	Public Disclosure
<i>Policy News</i> , October 2005	Sex Offender Reporting Requirements
<i>Policy News</i> , October 2010	Employment Disclosures

**Adoption Date: 03.10.97****Auburn School District****Revised: 05.09.11**

## **PROCEDURE EMPLOYMENT: DISCLOSURES, CERTIFICATION REQUIREMENTS, ASSURANCES AND APPROVAL**

### **Citizenship Status**

Prior to official employment, the district will document the citizenship/immigration information regarding employment eligibility that is furnished by the prospective employee. The information that is recorded may come from single documents which establish both identity and authorization to work, including:

#### **Acceptable Verification Document for New Hires**

A. One document establishing both identify and employment authorization

U.S. Passport	Resident Alien Card (Form I-551)	Permanent Resident Card “Green Card” (Form I-551)
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**OR**

B. One document establishing identity

C. One document establishing employment authorization

Drivers License <b>or</b> State-issued ID Card with Photo	<b>PLUS</b>	Social Security Card
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The district must complete an Employment Eligibility Verification (I-9) for each staff member employed after November 6, 1986, and keep that form on file for three years. For updates, visit [www.uscis.gov](http://www.uscis.gov).

### **Sexual Misconduct**

For prospective employees, the school district will request sexual misconduct information from all current and former school employers, including out-of-state school employers.

All prospective employees must sign a release granting permission for the district to contact current and former employers. The release will authorize disclosure of acts of sexual misconduct and access to all school district files related to the misconduct. The prospective employee will agree to release current and past employers from liability. Refusal to allow the release of information will end consideration of the applicant.

For certificated applicants, the district will verify certification and request that the Office of Superintendent of Public Instruction release all information regarding sexual misconduct.

## **Background Check**

As per board policy, the superintendent may employ staff members on a temporary basis until the board takes final action on the recommendation of the superintendent. Unsupervised employees are subject to a background check with fingerprints to be furnished by the state patrol and Federal Bureau of Investigation. Unsupervised volunteers and employees without unsupervised access to children will have name and date of birth background checks provided by the Washington State Patrol.

If a volunteer has undergone a criminal record check in the last two years for another entity, the district will request a copy from the volunteer, or have the volunteer sign a release permitting the entity for whom the check was conducted to provide a copy to the district. The entity from whom 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 covered crime since the completion of the criminal record check.

All such records will be treated as confidential and only the director of personnel and one specific designee identified in writing will be authorized to access the Superintendent of Public Instruction's record check database and district record check data including records of arrest and prosecution (RAP sheets). RAP sheets will be secured by the district in storage separate from personnel and applicant records. Further use of the record following initial employment or redissemination of the records to another organization or individual is expressly prohibited. Lawful use of such information does not constitute liability for defamation, invasion of privacy, or negligence, but noncompliance with this policy, relevant rules and statutes may allow for the recovery of civil damages under applicable federal and state statutes.

Employment information disclosed by the district at the request of an employee or employment agency regarding an employee's ability to perform the job, diligence, skill, reliability or illegal or wrongful acts are presumed to be disclosed in good faith.

The district will keep a record of requests for employee information for a period of two (2) years. A copy of the record will be maintained in the employee's file.

## CERTIFICATION REVOCATION

The board of directors recognizes its responsibility to protect students from physical and/or emotional harm. Staff members are expected to exhibit "good moral character and personal fitness" as they teach or supervise students. Staff members shall not engage in unprofessional conduct including:

- A. The related acts of immorality and/or intemperance;
- B. Violation of written contract;
- C. Crime against the state or involving the physical neglect of children;
- D. The physical injury of children;
- E. Sexual misconduct with children or students;
- F. Misrepresentation or falsification in the course of professional practice;
- G. Possession, use or consumption, or being under the influence of alcohol or of a controlled substance on school premises or at a school-sponsored activity involving students;
- H. Disregard or abandonment of generally recognized professional standards;
- I. Abandonment of contract for professional services;
- J. Unauthorized professional practice;
- K. Illegal furnishing of alcohol or a controlled substance to a student; or
- L. Improper remunerative conduct.

Unprofessional conduct shall not include matters such as insubordination, violation of the collective bargaining agreement, or other employment-related acts correctable by the district or other civil remedies.

When the superintendent possesses sufficient reliable information to believe that a certificated employee is not of good moral character or personally fit or has committed an act of unprofessional conduct, within a reasonable period of time of making such determination, he/she shall file a written complaint with the Superintendent of Public Instruction.

If the district is considering action to discharge a staff member, the superintendent need not file such complaint until 10 calendar days after making the final decision to serve or not serve formal notice of discharge. Such written complaint shall state the grounds for revocation and summarize the factual basis upon which a determination has been made that an investigation by the Superintendent of Public Instruction is warranted. The Superintendent of Public Instruction shall provide the affected certificate holder with a copy of such written complaint.

Intentional failure to file a complaint is an act of unprofessional conduct and may be sufficient cause for revocation of the superintendent's professional education certificate. A staff member may voluntarily surrender his or her certificate.

The superintendent shall maintain a confidential file containing allegations and the findings related to his/her investigation.

Cross References:	Board Policy 5005	Employment Disclosures, Certification, Assurances and Approval
	Board Policy 5281	Disciplinary Action and Discharge
Legal References:	RCW 28A.400.320	Mandatory termination of classified employees
	28A.405.470	Mandatory termination of certificated employees
	28A.410.090	Revocation of Authority teach--Method--Grounds
	28A.410.100	Revocation of authority to teach--Hearings and appeals
	28A.410.110	Reinstatement prohibited for crimes
	WAC 181-79A	Standards for teacher, administrator, and educational staff associate certification
	181-86	Professional certification--Policies and procedures for administration of certification proceedings
	181-87	Professional certification--Acts of unprofessional conduct
	181-79A-155	Good Moral Character and Personal Fitness--Necessary supporting evidence applicants

**Adoption Date: 05.09.11**  
**Auburn School District**  
**Revised:**

## **NONDISCRIMINATION AND AFFIRMATIVE ACTION**

### **Nondiscrimination**

The district shall provide equal employment opportunity and treatment for all applicants and staff in recruitment, hiring, retention, assignment, transfer, promotion and training. Such equal employment opportunity shall be provided without discrimination with respect to age; gender; race; color; creed; religion; national origin (including language); sex; sexual orientation including gender expression or identity; honorably discharged veteran or military status; the presence of any sensory, mental, or physical disability; and the use of a trained dog guide or service animal.

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

### **Affirmative Action**

The district, as a recipient of public funds, is committed to undertake affirmative action which shall make effective equal employment opportunities for staff and applicants for employment. Such affirmative action shall include a review of programs, the setting of goals and the implementation of corrective employment procedures to increase the ratio of aged, disabled, ethnic minorities, women, and Vietnam veterans who are under-represented in the job classifications in relationship to the availability of such persons having requisite qualifications. Affirmative action plans may not include hiring or employment preferences based on gender or race, including color, ethnicity or national origin. Such affirmative action shall also include recruitment, selection, training, education and other programs.

The superintendent shall develop an affirmative action plan which specifies the personnel procedures to be followed by the staff of the district and shall ensure that no such procedures discriminate against any individual. Reasonable steps shall be taken to promote employment opportunities of those classes that are recognized as protected groups--aged, disabled, ethnic minorities and women and Vietnam veterans, although, under state law, racial minorities and women may not be treated preferentially in public employment.

This policy, as well as the affirmative action plan, regulations, and procedures developed according to it, shall be disseminated widely to staff in all classifications and to all interested patrons and organizations. Progress toward the goals established under this policy shall be reported annually to the board.

### **Employment of Persons with Disabilities**

In order to fulfill its commitment of nondiscrimination to those with disabilities, the following conditions shall prevail:

- A. No qualified person with disabilities shall, solely by reason of a disability, be subjected to discrimination, and the district shall not limit, segregate, or classify any applicants for employment or any staff member in any way that adversely affects his/her opportunities or status because of a disability. This prohibition applies to all aspects of employment from recruitment to promotions and includes fringe benefits and other elements of compensation.

- B. The district shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified applicant or staff member with disabilities unless it is clear that an accommodation would impose an undue hardship on the operation of the district program. Such reasonable accommodations may include:
1. Making facilities used by staff readily accessible and usable by persons with disabilities; and
  2. Job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, the provision of readers or interpreters, and other similar actions. In determining whether or not accommodation would impose an undue hardship on the district, factors to be considered include the nature and cost of the accommodation.
- C. The district shall not make use of any employment test or criteria that screens out persons with disabilities unless:
1. The test or criteria is clearly and specifically job related; and
  2. Alternative tests or criteria that do not screen out persons with disabilities are available.
- D. While the district may not make pre-employment inquiry as to whether an applicant has a disability or as to the nature and severity of any such disability, it may inquire into an applicant's ability to perform job-related functions.
- E. Any staff member who believes that there has been a violation of this policy or the law prohibiting discrimination because of a disability may initiate a grievance through the procedures for staff complaints.

### **Nondiscrimination for Military Service**

The district will not discriminate against any person who is a member of, applies to be a member, or performs, has performed, applies to perform, or has an obligation to perform service in an uniformed service, on the basis of that participation in an uniformed service. This includes in initial employment, retention in employment, promotion, or any benefit of employment. The district will also not discriminate against any person who has participated in the enforcement of these rights under state or federal law.

Cross References:	Board Policy 5270 Board Policy 5407	Resolution of Staff Complaints Military Leave
Legal References:	RCW 28A.400.310 RCW 28A.640.020 RCW 49.60 RCW 49.60.030 RCW 49.60.180 RCW 49.60.400 Chapter 73.16 RCW	Law against discrimination applicable to district's employment practices Regulations, guidelines to eliminate discrimination--Scope Discrimination--Human rights commission Freedom from discrimination--Declaration of civil rights Unfair practices of employer defined Discrimination, preferential treatment prohibited. Employment and Re-employment

WAC 392-190	Equal Education Opportunity— Unlawful
WAC 392-190-0592	Public School Employment— Affirmative Action Programs
WAC 392-200	School personnel--Employment Discrimination
WAC 392-200-015	Public school employment--affirmative action program
42 USC 2000c – 2000c-9	Title VII of the Civil Rights Act of 1964
42 USC 2000h – 2000h-6	Title IX Educational Amendments of 1972
42 USC 12101 – 12213	Americans with Disabilities Act
29 USC 706	
8 USC 1324a and 1324b	(IRCA) Immigration Reform and Control Act of 1986
38 USC §§ 2021 -2024	Uniformed Services Employment and Reemployment Rights Act
45 CFR 84 Sec 504	Vocational Rehabilitation Act of 1973
Executive Order 11246 Amended by Executive Order 11375	

Management Resources: *Policy News*, August 2007 Washington’s Law Against  
Discrimination  
*Policy News*, June 2001 State Updates Military Leave Rights

## **PROCEDURE NONDISCRIMINATION AND AFFIRMATIVE ACTION**

### **Nondiscrimination**

To ensure fairness and consistency, the following grievance procedure is to be used in the district's relationship with its staff with regard to employment problems covered by state and federal equal employment opportunity laws and/or this affirmative action program. No staff member's status with the district will be adversely affected in any way because the staff member utilized these procedures. As used in this procedure, "grievance" will mean a complaint which has been filed by a complainant relating to alleged violations of any state or federal anti-discrimination laws. A "complaint" will mean a charge alleging specific acts, conditions or circumstances which are in violation of the anti-discrimination laws. A "respondent" will mean the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

The primary purpose of this procedure is to secure an equitable solution to a justifiable complaint to this and the following steps will be taken:

### **Process for Resolution**

#### **A. Informal process for Resolution**

When a staff member has an employment problem concerning equal employment opportunity, he/she will discuss the problem with the immediate supervisor, personnel director or superintendent within 60 days of the circumstances which gave rise to the problem. The staff member may also ask the compliance officer to participate in the informal review procedure. It is intended that the informal discussion will resolve the issue. If the staff member feels he/she cannot approach the supervisor because of the supervisor's involvement in the alleged discrimination, the staff member may directly contact the compliance officer before pursuing formal procedures. If the discussion with the officer or immediate supervisor does not resolve the issue the staff member may proceed to the formal review procedures.

#### **B. Level One**

The complaint must be written, signed by the complainant and set forth the specific acts, conditions, or circumstances alleged to be in violation. Upon receipt of a complaint, the compliance officer will investigate the allegations within 30 calendar days. The school district and complainant may agree to resolve the complaint in lieu of an investigation. The officer will provide the superintendent with a full written report of the complaint and the results of the investigation. The superintendent will respond in writing to the complainant as expeditiously as possible, but in no event later than 30 calendar days following receipt of the written complaint. The response of the superintendent will include notice of the complainant's right to appeal to the school board and will identify where and to whom the appeal must be filed.

The superintendent's written response will state that the district either:

1. Denies the allegations contained in the written complaint received by the district; or
2. Will implement reasonable corrective measures to eliminate any such act, conditions or circumstance within the school district.

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

C. Level Two—Appeal to Board of Directors

If a complainant disagrees with the superintendent's written decision or if the superintendent fails to respond, the complainant may file a written notice of appeal with the secretary of the board by the 10th calendar day following:

1. The date upon which the complainant received the superintendent's response; or
2. The expiration of the 30-calendar day response period stated in Level One, whichever  
The board will schedule a hearing to commence by the 20th calendar day following the filing of the written notice of appeal unless otherwise agreed to by the complainant and the superintendent or for good cause. Both parties will be allowed to present such witnesses and testimony as the board deems relevant and material. The board will render a written decision by the 10th calendar day following the termination of the hearing and will provide a copy to all parties involved, unless otherwise agreed to by the complainant and the superintendent or for good cause. The response of the board will include notice of the complainant's right to appeal to the Superintendent of Public Instruction and will identify where and to whom the appeal must be filed.

D. Level Three—Appeal to the Superintendent of Public Instruction

If a complainant disagrees with the decision of the board of directors, the complainant may appeal the board's decision to the Superintendent of Public Instruction.

1. A notice of appeal must be received by the Superintendent of Public Instruction on or before the 20th day following the date upon which the complainant received written notice of the board of directors' decision.
2. A complaint must be in writing and include: 1) A description of the specific acts, conditions or circumstances alleged to violate applicable anti-discrimination laws; 2) The name and contact information, including address, of the complainant; 3) The name and address of the district subject to the complaint; 4) A copy of the district's complaint and appeal decision, if any; and 5) A proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information.
3. Upon receipt of a complaint, the Office of the Superintendent of Public Instruction may initiate an investigation. Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with RCW 28A.642.010 or Chapter 392-190, WAC and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified.

A complaint may be resolved at any time when, before the completion of the investigation, the district voluntarily agrees to resolve the complaint.

E. Level Four—Administrative Hearing

A complainant or school district that desires to appeal the written decision of the Office of the Superintendent of Public Instruction may file a written notice of appeal with OSPI within thirty (30) calendar days following the date of receipt of that office's written decision. OSPI will conduct a formal administrative hearing in conformance with the Administrative Procedures Act, Chapter 34.05, RCW.

F. Mediation

At any time during the discrimination complaint procedure set forth in WAC 392-190-065 through 392-190-075, a district may, at its own expense, offer mediation. The complainant and the district may agree to extend the discrimination complaint process deadlines in order to pursue mediation.

The purpose of mediation is to provide both the complainant and the district an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator. Mediation must be voluntary and requires the mutual agreement of both parties. It may be terminated by either party at any time during the mediation process. It may not be sued to deny or delay a complainant's right to utilize the complaint procedures.

Mediation must be conducted by a qualified and impartial mediator who may not:

1. Be an employee of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the subject of the complaint being mediated; or
2. Have a personal or professional conflict of interest. A mediator is not considered an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.

If the parties reach agreement through mediation, they may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the course of mediation will remain confidential and may not be used as evidence in any subsequent complaint, due process hearing or civil proceeding. The agreement must be signed by the complainant and a district representative who has authority to bind the district.

**Preservation of Records**

The files containing copies of all correspondence relative to each complaint communicated to the District and the disposition, including any corrective measures instituted by the District, will be retained in the office of the district compliance officer for a period of six (6) years.

### **Procedure—Affirmative Action Plan**

In order to secure an equitable solution to a justifiable complaint, the district will:

- A. Make efforts to modify the composition of the future work force in order to work toward a full utilization of aged, persons with disabilities, ethnic minorities, women and Vietnam veterans in the various job categories.
- B. Ensure that all applicants and staff are considered on the basis of bona fide job-related qualifications. The purpose of the affirmative action plan is to actively include persons of under-utilized classes in the employment process, not to exclude others from it. The district will continue to emphasize in all recruitment contacts that nondiscrimination is a basic element in the district's personnel procedures.
- C. Be responsible for reviewing all employment procedures and programs to assure that there is no indication of discriminatory practices. The district will continue to use aged, persons with disabilities, ethnic minorities, women and Vietnam veterans in the recruitment and employment process. Job descriptions for classified staff will be sent to the Washington Employment Service and other organizations which are recruiting sources for groups that may be under-utilized in the district's work force. Recruitment from colleges and universities will include institutions with high percentages of students of various ethnic minorities.
- D. Contract and purchase all goods and services from persons, agencies, vendors, contractors and organizations who comply with the appropriate laws and executive orders regarding.
- E. Take appropriate action to attract and retain aged, persons with disabilities, ethnic minorities, women and Vietnam veterans at all levels and in all segments of the district's work force. Criteria for selecting staff will be reviewed regularly to assure that such statements relate directly to the requirements for specific positions. However, pursuant to state law there will be no preferential employment practices based on race or gender.
- F. Upgrade present staff by providing management development training to assure that individuals of under-utilized groups are prepared for positions of new and increased responsibility.

Implementation of the affirmative action plan will be the responsibility of the superintendent. Administrators will assist in the attainment of the established goals and purposes of this affirmative action plan.

### **Dissemination**

The district will disseminate information concerning employment and developments under the affirmative action plan on a planned basis to assist in achieving the goals set forth in this plan. Affirmative action information will be disseminated by:

- A. Printing and distributing such information to staff, school libraries and offices;
- B. Publicizing such information in district newsletters;

- C. Conducting meetings with administrative staff to explain the intent and advantages of the policy and plan;
- D. Conducting faculty meetings and meetings with classified staff;
- E. Informing appropriate and interested recruiting and hiring sources; and
- F. Informing all representative staff groups in the district.

**Resources**

District Contact  
Debbie Leighton, Title IX Coordinator

State Contacts  
Superintendent of Public Instruction  
Equity and Civil Rights Office  
P.O. Box 47200  
Olympia, WA 98504-7200  
360.725.6162

Washington State Human Rights Commission  
711 South Capitol Way, Suite 402  
P.O. Box 42490  
Olympia, WA 98504-2490  
360.753.6770

Office of Civil Rights  
U.S. Department of Education  
915 Second Avenue, Room 3310  
Seattle, WA 98174  
206.607.1600

## **SEXUAL HARASSMENT OF DISTRICT STAFF PROHIBITED**

This district is committed to a positive and productive working environment free from discrimination, including sexual harassment. This commitment extends to all employees and other persons involved in academic, educational, extracurricular, athletic, and other programs or activities of the school, whether that program or activity is in a school facility, on school transportation, or at a class training held elsewhere.

### **Definitions**

For purposes of this policy, sexual harassment means unwelcome conduct or communication of a sexual nature. Sexual harassment can occur student to adult, adult to adult or can be carried out by a group of students or adults and will be investigated by the District even if the alleged harasser is not a part of the school staff or student body. The district prohibits sexual harassment of district employees by other students, employees, or third parties involved in school district activities.

Under federal and state law, the term "sexual harassment" includes:

- Acts of sexual violence;
- Unwelcome sexual or gender-directed conduct or communications that interferes with an individual's employment performance or creates an intimidation, hostile, or offensive environment;
- Unwelcome sexual advances;
- Unwelcome requests for sexual favors;
- Sexual demands when submission is a stated or implied condition of obtaining work opportunity or other benefit;
- Sexual demands where submission or rejection is a factor in a work or other school-related decision affecting an individual.

A "hostile environment" for an employee is created where the unwanted conduct is sufficiently severe or pervasive to create a work environment that a reasonable person would consider intimidation, hostile, or abusive.

### **Investigation and Response**

If the district knows, or reasonably should know, that sexual harassment has created a hostile environment, the district will promptly investigate to determine what occurred and will take appropriate steps to resolve the situation. If an investigation reveals that sexual harassment has created a hostile environment, the district will take prompt and effective steps reasonably calculated to end sexual harassment, eliminate the hostile environment, prevent its occurrence and, as appropriate, remedy its effects. The district will take prompt, equitable and remedial action within its authority every time a report, complaint, and grievance alleging sexual harassment comes to the attention of the district, either formally or informally.

Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. Regardless of whether the misconduct is reported to law enforcement, school staff will promptly investigate to determine what occurred and take appropriate steps to resolve the situation to the extent that such investigation does not interfere with an on-going criminal investigation. A criminal investigation does not relieve the district of its independent obligation to investigate and resolve sexual harassment.

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

### **Retaliation and False Allegations**

Retaliation against any person who makes or is a witness in a sexual harassment complaint is prohibited and will result in appropriate discipline. The district will take appropriate actions to protect involved persons from retaliation.

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

### **Staff Responsibilities**

The superintendent will develop and implement formal and informal procedures for receiving, investigating and resolving complaints or reports of sexual harassment. The procedures will include reasonable and prompt time lines and delineate staff responsibilities under this policy.

Any school employee who witnesses sexual harassment or receives a report, informal complaint, or written complaint about sexual harassment is responsible for informing the district's Title IX or Civil Rights Compliance Coordinator. All staff are also responsible for directing complainants to the formal complaint process.

Reports of discrimination and discriminatory harassment will be referred to the district's Title IX/Civil Rights Compliance Coordinator. Reports of disability discrimination or harassment will be referred to the district's Section 504 Coordinator.

### **Notice and Training**

The superintendent will develop procedures to provide information and education to district staff, parents, and volunteers regarding this policy and the recognition and prevention of sexual harassment. At a minimum, sexual harassment recognition and prevention and the elements of this policy will be included in staff and regular volunteer orientation. This policy and the procedure, which includes the complaint process, will be posted in each district building in a place available to staff, parents, volunteers and visitors. Information about the policy and procedure will be clearly stated and conspicuously posted throughout each school building, provided to each employee, and reproduce in each staff, volunteer, and parent handbook. Such notices will identify the District's Title IX coordinator and provide contact information, including the coordinator's email address.

Cross References:	Policy 3205	Sexual harassment of Students Prohibited
	Policy 3207	Prohibition of Harassment, Intimidation, and Bullying
	Policy 3210	Nondiscrimination
	Policy 3211	Transgender Students
	Policy 3240	Student conduct Expectations and Reasonable Sanctions
	Policy 3241	Classroom Management, discipline, and Corrective Action
	Policy 5010	Nondiscrimination and Affirmative Action
Legal References:	20 U.S.C. 1681-1688	Sexual harassment
	WAC 392-190-058	Regulations, guidelines to eliminate discrimination—Scope—Sexual
	RCW 28A.640.020	harassment policies
Management Resources:	2015 – July Policy Alert	
	2014 – December Issue	
	2010 – October Issue	

**Adoption Date: 04.25.16**  
**Auburn School District**  
**Revised:**

## **PROCEDURE SEXUAL HARASSMENT OF DISTRICT STAFF PROHIBITED**

The procedure is intended to set forth the requirements of Policy 5011, including the process for a prompt, thorough, and equitable investigation of allegations of sexual harassment and the need to take appropriate steps to resolve such situations. If sexual harassment is found to have created a hostile environment, staff must take immediate action to eliminate the harassment, prevent its reoccurrence, and address its effects.

This procedure applies to sexual harassment (including sexual violence) targeted at district employees carried out by other students, employees or third parties involved in school district activities. The district has jurisdiction over these complaints pursuant to Title IX of the Education Amendments of 1972, Chapter 28A.640, RCW and Chapter 392-190 WAC.

### **Notice**

Information about the district's sexual harassment policy will be easily understandable and conspicuously posted throughout each school building, provided to each employee and reproduced in each staff, volunteer and parent handbook. In addition to the posting and reproduction of this procedure and Policy 5011, the district will provide annual notice to employees that complaints pursuant to this procedure may be filed at the James P. Fugate Administration Building, 915 4<sup>th</sup> Street Northeast, Auburn.

### **Staff Responsibilities**

- In the event of an alleged sexual assault, the school principal will immediately inform: 1) the Title IX/Civil Rights Compliance Coordinator so that the district can appropriately respond to the incident consistent with its own grievance procedures; and 2) law enforcement.
- The principal will notify the targeted district staff person of their right to file a criminal complaint and a sexual harassment complaint simultaneously.

### **Confidentiality**

- If a complainant requests that his or her name not be revealed to the alleged perpetrator or asks that the district not investigate or seek action against the alleged perpetrator, the request will be forwarded to the Title IX Compliance Coordinator for evaluation. The Title IX Compliance Coordinator should inform the complainant that honoring the request may limit its ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator.
- If the complainant still requests that his or her name not be disclosed to the alleged perpetrator or that the district not investigate or seek action against the alleged perpetrator, the district will need to determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students, staff and other third parties engaging in district activities, including the person who reported the sexual harassment. Although a complainant's request to have his or her name withheld may limit the district's ability to respond fully to an individual allegation of sexual harassment, the district will use other appropriate means available to address the sexual harassment.

**Retaliation**

Title IX prohibits retaliation against any individual who files a complaint under these laws or participates in a complaint investigation. When an informal or formal complaint of sexual harassment is made, the district will take steps to stop further harassment and prevent any retaliation against the person who made the complaint, was the subject of the harassment, or against those who provided information as a witness. The district will investigate all allegations of retaliation and take actions against those found to have retaliated.

**Informal Complaint Process**

Anyone may use informal procedures to report and resolve complaints of sexual harassment. Informal reports may be made to any staff member. Staff will always notify complainants of their right to file a formal complaint and the process for same. Staff will also direct potential complainants to Debbie Leighton, Title IX Coordinator at [dleighton@auburn.wednet.edu](mailto:dleighton@auburn.wednet.edu). Additionally, staff will also inform an appropriate supervisor or professional staff member when they receive complaints of sexual harassment, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

During the course of the informal complaint process, the district will take prompt and effective steps reasonably calculated to end any harassment and to correct any discriminatory effects on the complainant. If an investigation is needed to determine what occurred, the district will take interim measures to protect the complainant before the final outcome of the district's investigation (e.g., allowing the complainant to change academic or extracurricular activities or break times to avoid contact with the alleged perpetrator).

Informal remedies may include:

- An opportunity for the complainant to explain to the alleged harasser that his or her conduct is unwelcome, offensive or inappropriate, either in writing or face-to-face;
- A statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;
- A general public statement from an administrator in a building reviewing the district sexual harassment policy without identifying the complainant;
- Developing a safety plan;
- Separating staff person; or
- Providing staff and/or student training.

**Formal Complaint Process****Level One – Complaint to District**

Anyone may initiate a formal complaint of sexual harassment, even if the informal complaint process is being utilized. At any level in the formal complaint process, the district will take interim measures to protect the complainant before the final outcome of the district's investigation. The following process will be followed:

**Filing of Complaint**

- All formal complaints will be in writing and will set forth the specific acts, conditions or circumstances alleged to have occurred and to constitute sexual harassment. The Title IX Coordinator may draft the complaint based on the report of the complainant for the complainant to review and approve. The superintendent or Title IX Coordinator may also conclude that the district needs to conduct an investigation based on information in his or her possession, regardless of the complainant's interest in filing a formal complaint.
- The time period for filing a complaint is one year from the date of the occurrence that is the subject matter of the complaint. However, a complaint filing deadline may not be imposed if the complainant was prevented from filing due to: 1) specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint; or 2) withholding of information that the district was required to provide under WAC 392-190-065 or WAC 392-190-005.
- Complaints may be submitted by mail, fax, e-mail or hand-delivery to the district Title IX Coordinator, Debbie Leighton, at 915 4<sup>th</sup> Street Northeast, Auburn, Washington 98002, (253) 931-4932, [dleighton@auburn.wednet.edu](mailto:dleighton@auburn.wednet.edu). Any district employee who receives a complaint that meets these criteria will promptly notify the Title IX Coordinator.

**Investigation and Response**

- The Title IX Coordinator will receive and investigate all formal, written complaints of sexual harassment or information in the coordinator's possession that they believe requires further investigation. The coordinator will delegate his or her authority to participate in this process if such action is necessary to avoid any potential conflicts of interest. Upon receipt of a complaint, the coordinator will provide the complainant a copy of this procedure.
- Investigations will be carried out in a manner that is adequate in scope, reliable and impartial. During the investigation process, the complainant and accused party or parties, if the complainant has identified an accused harasser(s), will have an equal opportunity to present witnesses and relevant evidence. Complainants and witnesses may have a trusted adult with them during any district-initiated investigatory activities. The school district and complainant may also agree to resolve the complaint in lieu of an investigation. When the investigation is completed, the coordinator will compile a full written report of the complaint and the results of the investigation.
- The coordinator will respond in writing to the complainant and the alleged perpetrator within thirty (30) calendar days of receipt of the complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the complainant in writing of the reason for the extension and the anticipated response date. At the time the district responds to the complainant, the district must send a copy of the response to the office of the superintendent of public instruction.

- The response of the coordinator will include: 1) a summary of the results of the investigation; 2) a statement as to whether a preponderance of the evidence establishes that the complainant was sexually harassed; 3) if sexual harassment is found to have occurred, the corrective measures the district deems necessary, including assurance that the district will take steps to prevent recurrence and remedy its effects on the complainant and others, if appropriate; 4) notice of the complainant's right to appeal to the school board and the necessary filing information; and 5) any corrective measures the district will take, remedies for the complainant (e.g., sources of counseling, advocacy and academic support), and notice of potential sanctions for the perpetrator(s) (e.g., discipline).
- The coordinator's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964. If the complaint alleges discriminatory harassment by a named party or parties, the coordinator will provide the accused party or parties with notice of the outcome of the investigation and notice of their right to appeal any discipline or corrective action imposed by the district.
- Any corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the superintendent's mailing of a written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy.
- The district will inform the complainant and their parent/guardian how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

## **Level Two - Appeal Superintendent**

### **Notice of Appeal and Hearing**

- If a complainant disagrees with the Title IX Coordinator's written decision, the complainant may appeal the decision to the superintendent by filing a written notice of appeal within ten (10) calendar days following the date upon which the complainant received the response.
- The superintendent will schedule a hearing to commence by the twentieth (20th) calendar day following the filing of the written notice of appeal, unless otherwise agreed to by the complainant and the superintendent or for good cause.
- Both parties will be allowed to present such witnesses and testimony as the board deems relevant and material.

### **Superintendent Decision**

- Unless otherwise agreed to by the complainant, the superintendent will render a written decision within thirty (30) calendar days following the filing of the notice of appeal and provide the complainant with a copy of the decision.
- The decision will be provided in a language that the complainant can understand which may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act.

- The decision will include notice of the complainant's right to appeal to the Superintendent of Public Instruction and will identify where and to whom the appeal must be filed. The district will send a copy of the appeal decision to the Office of the Superintendent of Public Instruction.

### **Level Three - Complaint to the Superintendent of Public Instruction**

#### **Filing of Complaint**

- If a complainant disagrees with the decision of the superintendent or if the district fails to comply with this procedure, the complainant may file a complaint with the Superintendent of Public Instruction.
- A complaint must be received by the Superintendent of Public Instruction on or before the twentieth (20) calendar day following the date upon which the complainant received written notice of the board of directors' decision, unless the Superintendent of Public Instruction grants an extension for good cause. Complaints may be submitted by mail, fax, electronic mail, or hand delivery.
- A complaint must be in writing and include: 1) a description of the specific acts, conditions or circumstances alleged to violate applicable anti-sexual harassment laws; 2) the name and contact information, including address, of the complainant; 3) the name and address of the district subject to the complaint; 4) a copy of the district's complaint and appeal decision, if any; and 5) a proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information.

#### **Investigation, Determination and Corrective Action**

- Upon receipt of a complaint, the Office of the Superintendent of Public Instruction (OSPI) may initiate an investigation which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the superintendent or board.
- Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with RCW 28A.642.010 or Chapter 392-190, WAC and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.
- All corrective actions must be completed within the timelines established by OSPI in the written decision unless OSPI grants an extension. If timely compliance is not achieved, OSPI may take action including but not limited to referring the district to appropriate state or federal agencies empowered to order compliance.

A complaint may be resolved at any time when, before the completion of the investigation, the district voluntarily agrees to resolve the complaint. OSPI may provide technical assistance and dispute resolution methods to resolve a complaint.

**Level Four - Administrative Hearing**

A complainant or school district that desires to appeal the written decision of the Office of the Superintendent of Public Instruction may file a written notice of appeal with OSPI within thirty (30) calendar days following the date of receipt of that office's written decision. OSPI will conduct a formal administrative hearing in conformance with the Administrative Procedures Act, Chapter 34.05, RCW.

**Other Complaint Options**

*Office for Civil Rights (OCR), U.S. Department of Education*

OCR enforces several federal civil rights laws which prohibit discrimination in public schools on the basis of race, color, national origin, sex, disability, and age. File complaints with OCR within 180 calendar days of the date of the alleged discrimination.

206-607-1600 | TDD: 1-800-877-8339 | OCR.Seattle@ed.gov | [www.ed.gov/ocr](http://www.ed.gov/ocr)

*Washington State Human Rights Commission (WSHRC)*

WSHRC enforces the Washington Law Against Discrimination (RCW 49.60) which prohibits discrimination in employment and in places of public accommodation, including schools. File complaints with WSHRC within six months of the date of the alleged discrimination.

1-800-233-3247 | TTY: 1-800-300-7525 | [www.hum.wa.gov](http://www.hum.wa.gov)

**Mediation**

At any time during the complaint procedure set forth in WAC 392-190-065 through 392-190-075, a district may, at its own expense, offer mediation. The complainant and the district may agree to extend the complaint process deadlines in order to pursue mediation.

The purpose of mediation is to provide both the complainant and the district an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator. Mediation must be voluntary and requires the mutual agreement of both parties. It may be terminated by either party at any time during the mediation process. It may not be used to deny or delay a complainant's right to utilize the complaint procedures.

Mediation must be conducted by a qualified and impartial mediator who may not: 1) be an employee of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the subject of the complaint being mediated; or 2) have a personal or professional conflict of interest. A mediator is not considered an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.

If the parties reach agreement through mediation, they may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the course of mediation will remain confidential and may not be used as evidence in any subsequent complaint, due process hearing or civil proceeding. The agreement must be signed by the complainant and a district representative who has authority to bind the district.

**Training and Orientation**

A fixed component of all district orientation sessions for staff, students and regular volunteers will introduce the elements of this policy. Staff will be provided information on recognizing and preventing sexual harassment. Staff will be fully informed of the formal and informal complaint processes and their roles and responsibilities under the policy and procedure.

Certificated staff will be reminded of their legal responsibility to report suspected child abuse and how that responsibility may be implicated by some allegations of sexual harassment. Regular volunteers will 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 their rights and responsibilities under this and other district policies and rules at student orientation sessions and on other appropriate occasions, which may include parents.

As part of the information on the recognition and prevention of sexual harassment staff, volunteers, students and parents will be informed that sexual harassment may include but is not limited to:

- Demands for sexual favors in exchange for preferential treatment or something of value;
- Stating or implying that a person will lose something if he or she does not submit to a sexual request;
- Penalizing a person for refusing to submit to a sexual advance, or providing a benefit to someone who does;
- Making unwelcome, offensive or inappropriate sexually suggestive remarks comments, gestures, or jokes; or remarks of a sexual nature about a person's appearance, gender or conduct;
- Using derogatory sexual terms for a person;
- Standing too close, inappropriately touching, cornering or stalking a person; or
- Displaying offensive or inappropriate sexual illustrations on school property.

## COLLECTIVE BARGAINING

The board encourages and promotes a good and fair working relationship among the staff. The board recognizes the right of staff to join labor organizations of their own choosing and to be represented by such organizations in the negotiations of such matters and according to such procedures as may be required by law or agreement of the parties. The board shall engage in collective bargaining with the properly designated bargaining units and shall abide by collective bargaining agreements reached with such properly designated bargaining units.

The chief negotiator representing the district shall be appointed by the board. The chief negotiator shall advise and inform the board regarding negotiations' progress and shall negotiate within parameters established by the board. Any agreements reached by the chief negotiator shall not be binding upon the board until formally approved by the board.

Cross Reference:	Board Policy 5021	Applicability of Personnel Policies
Legal References:	RCW 41.56.060 RCW 41.59.070	Determination of bargaining unit-- Bargaining representative Election to ascertain exclusive bargaining representative, when--Run off election--Decertification election

**Adoption Date: 05.09.11**  
**Auburn School District**  
**Revised:**

## **APPLICABILITY OF PERSONNEL POLICIES**

Except where expressly provided to the contrary, personnel policies apply to the staff of the district. However, where there is a conflict between the terms of a collective bargaining agreement and the district's policy, the law provides that the terms of the collective bargaining agreement shall prevail in regard to the staff covered by that agreement.

When a matter is not specifically provided for in the appropriate negotiated contract, the district's policies shall govern.

Cross Reference: Board Policy 5020

Collective Bargaining

Legal References: RCW 41.59.910

Construction of [public employment]  
chapter — Effect on existing  
agreements — Collective bargaining  
agreement prevails where conflict

**Adoption Date: 05.09.11**  
**Auburn School District**  
**Revised:**

## CONTRACTS

The district shall contract annually with each applicable staff member. Such contract shall be in conformity with state law and the policies and negotiated agreements of the district. The contract shall be binding on the district and on the staff member and may not be abridged or abrogated during its term by either party except by mutual consent or as may be provided elsewhere in board policy or in negotiated agreements.

The contracts for certificated staff shall be written for a period not to exceed one year. Upon the recommendation of the superintendent contracts for selected classified staff may be in writing and/or for a specific period of time not to exceed one year. Otherwise, the employment of classified staff shall be based on an annual work year commencing on the first day of work.

Supplemental contracts, which are not subject to the continuing contract statute, shall be issued for services to be rendered in addition to a staff member's normal "full-time" assignment.

### A. Certificated Staff Contracts

The district, upon recommendation of the superintendent and approval by a majority of the board of directors, shall offer a certificated staff contract to the applicant so recommended and approved, such contract to state the salary to be paid based upon the applicable salary schedule, the number of days of service, effective date and term of the contract and to include the following statement: "failure to return this contract within ten (10) days of the above date of issuance shall constitute a resignation or nonacceptance of employment or re-employment." The contract shall also include the following statement:

### B. Provisional Employment

The district shall issue to certificated first, second and third year teaching or other non-supervisory certificated staff a "provisional contract" for "provisional employees" who are subject to non-renewal of employment as provided by law for such staff members. Staff who have completed a two year provisional term with another Washington State school district shall be provisional employees only during their first year with the district. Such "provisional contract" shall include the following rider: "It is understood and agreed that the staff member has not completed three years of employment in a Washington State public school district and that the provisions of RCW 28A.405.220 are applicable during the first three years of certificated employment of the staff member by the district or the first year of employment with the district if the staff member has completed at least two years of employment in another Washington State public school district."

### C. Retire-Rehires and Persons Replacing Certificated Staff on Leave

The district shall issue one-year, non-continuing contracts to persons who have retired from a certificated position in the state of Washington and are returning to employment under the "retire-rehire" provisions of state law. The district shall issue "replacement employee" contracts upon the recommendation of the superintendent and action of the board, to certificated staff who replace certificated staff who have been granted leaves. Such contracts shall be for the duration of the leave only and are not subject to the terms of the Continuing Contract Law. Such contracts shall clearly state the terms and conditions of the contract. These contracts shall include the following rider:

“It is understood and agreed that the staff member is employed pursuant to the provisions of RCW 28A.405. In accordance with the provisions of RCW 28A.405.900, this contract shall expire automatically at the end of the contract terms set forth herein and is not subject to the provisions of RCW 28A.405.210.”

D. Adjustments

The district shall provide, for the review and adjustment of certificated staff, contracts on the basis of information filed with the human resources office by December 1. The staff member shall provide the human resources office, according to schedule, with the required information, including official college or university transcripts, official records of degrees completed, official records of approval and completion of authorized work for equivalent credits, and all other pertinent data for contract adjustment purposes.

E. Supplemental Employment Contracts

The district shall issue separate supplemental employment contracts to certificated staff for service to be rendered in excess of a normal “full-time” assignment or for service to be rendered beyond the scheduled staff day or for service to be performed beyond the scheduled staff year. Supplemental contracts will also be issued for co-curricular activities and special responsibility assignments. Separate contracts shall not exceed one year and, if not renewed, shall not constitute an adverse change in contract status. Salary for services performed under supplemental employment contracts shall be paid according to the current salary schedule for supervision of co-curricular activities or, in the case of extended time assignments, according to the applicable provisions for payment for the services rendered.

F. Consultants

Staff consultant services may be obtained when unique knowledge or technical skills are needed. A description of desired services and an estimate of time and costs shall be submitted to the superintendent or designee for action. Compensation shall be determined by the superintendent or designee, but normally may not exceed that paid to a regular staff member with comparable duties. The honorarium paid to a consultant shall be determined by the superintendent or designee, taking into account cost incurred and benefits derived there from. Compensation classification of a consultant on a personal services contract or through payroll shall be determined in compliance with the guidelines of the Internal Revenue Service.

G. Title 1 Employees

All teachers working in a program supported with Title 1 funds who were hired on or after the first day of the 2002-03 school year, shall be highly qualified, as defined by federal law and regulations.

All para-educators providing instructional support in a program supported by Title 1 funds hired after January 8, 2002, shall have a secondary school diploma or a recognized equivalent and one (1) of the following:

1. Completed at least two (2) years of study at an institution of higher learning;
2. Obtained an associate’s or higher degree; or
3. Met a rigorous standard of quality through a formal state or local assessment.

Para-educators who are hired primarily as translators or solely to conduct family involvement activities do not need to meet the new requirements. However, they must have earned a secondary school diploma or its recognized equivalent.

<p>Cross References: Board Policy 5280</p> <p>Legal References: RCW 28A.330.100 28A.400.300</p> <p style="padding-left: 100px;">28A.400.315</p> <p style="padding-left: 100px;">28A.405.210</p> <p style="padding-left: 100px;">28A.405.220</p> <p style="padding-left: 100px;">28A.405.240</p> <p style="padding-left: 100px;">28A.405.900</p> <p style="padding-left: 50px;">20 U.S.C. § 6319</p> <p>Management Resources: <i>Policy News</i>, August 2001</p> <p style="padding-left: 100px;"><i>Policy News</i>, August 2003</p> <p style="padding-left: 100px;"><i>Policy News</i>, October 2010</p>	<p>Termination of Employment</p> <p>Additional powers of the board</p> <p>Hiring and discharging of employees--</p> <p style="padding-left: 20px;">Written leave policies--Seniority and leave benefits of employees</p> <p style="padding-left: 20px;">transferring between school districts and other educational employers</p> <p>Employment contracts [not retroactive]</p> <p>Conditions and contracts of employment--Determination of probable cause for nonrenewal of contracts--Nonrenewal due to enrollment decline or revenue loss--</p> <p style="padding-left: 20px;">Notice--Opportunity for hearing</p> <p>Conditions and contracts of employment--Non-renewal of provisional employees--Procedure</p> <p>Conditions and contracts of employment</p> <p style="padding-left: 20px;">Supplemental contracts, when--</p> <p style="padding-left: 20px;">Continuing contract provisions, not applicable to</p> <p>Certain certificated employees exempt from chapter provisions</p> <p>Qualifications for teachers and paraprofessionals</p> <p>Legislature Authorizes "Retire-Rehire"</p> <p>No Child Left Behind Update</p> <p>Employment Disclosures</p>
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**Adoption Date: 05.09.11**  
**Auburn School District**  
**Revised:**

## **DRUG-FREE SCHOOLS, COMMUNITY AND WORKPLACE**

The board has an obligation to staff, students and citizens to take reasonable steps to assure safety in the workplace and to provide safety and high quality performance for the students that the staff serves.

“Workplace” is defined to mean the site for the performance of work done in connection with a federal grant. That includes any school building or any school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district where work on a federal grant is performed.

For these purposes, the board declares that the following behaviors will not be tolerated:

- A. Reporting to work under the influence of alcohol, illegal and/or controlled substances including marijuana (cannabis) and anabolic steroids.
- B. Using, possessing, transmitting alcohol, illegal chemical substances, including marijuana (cannabis) and anabolic steroids in any amount or in any manner on district property at any time or when involved in a school district activity on or off school district property. Any staff member convicted of a felony attributable to the use, possession, or sale of illegal and/or controlled substances, including marijuana (cannabis) and anabolic steroids, will be subject to disciplinary action, including immediate termination.
- C. Using district property or the staff member's position within the district to make or traffic alcohol, illegal and/or controlled substances, including marijuana (cannabis) and anabolic steroids.
- D. Using, possessing or transmitting illegal and/or controlled substances, including marijuana (cannabis) and anabolic steroids, in a manner which is detrimental to the interest of the district.

Any staff member who is taking a drug or medication, whether or not prescribed by the staff member's physician which may adversely affect that staff member's ability to perform work in a safe or productive manner, is required to report such use of medication to his or her supervisor. This includes drugs which are known or advertised as possibly affecting judgment, coordination, or any of the senses, including those which may cause drowsiness or dizziness. The supervisor, in conjunction with the district office, then will determine whether the staff member can remain at work and whether any work restrictions will be necessary.

As a condition of employment, each employee shall notify his or her supervisor of a conviction under any criminal drug statute violation occurring in the workplace as defined above. Such notification shall be provided no later than 5 days after such conviction. The district will inform the federal granting agency within 10 days of such conviction, regardless of the source of the information.

Each employee shall be notified of the district's policy and procedures regarding employee drug activity at work. Any staff member who violates any aspect of this policy may be subject to disciplinary action, which may include immediate discharge. As a condition of eligibility for reinstatement, an employee may be required to satisfactorily complete a drug rehabilitation or treatment program, at the employee's expense. Nothing in this policy shall be construed to guarantee reinstatement of any employee who violates this policy, nor does the school district incur any financial obligation for treatment or rehabilitation ordered as a condition of eligibility for reinstatement.

The district may notify law enforcement agencies regarding a staff member's violation of this policy at the district's discretion or take other actions as the district deems appropriate.

Cross References:	Board Policy 4215 Board Policy 5203 Board Policy 5280	Use of Tobacco on School Property Staff Assistance Program Termination of Employment
Legal References:	41 USC §§ 8104 20 USC §§ 7101-7118 21 U.S.C. 812 RCW 69.50.435	Drug Free Workplace Requirements for Federal Grant Recipients Safe and Drug-Free Schools and Communities Act Controlled Substance Act  Violations committed in or on certain public places or facilities—Additional penalty—Defences—Construction-- Definitions
Management Resources:	Policy News, February 1999 2013 – February Issue 2011 – December Issue	Bus drivers still tested for marijuana

**Adoption Date: 03.10.97**  
**Auburn School District**  
**Revised: 05.09.11; 11.24.14**

## **FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION MANDATED DRUG AND ALCOHOL TESTING PROGRAM**

The board of directors directs the superintendent to establish programs and procedures as mandated by and in accordance with Federal Motor Carrier Safety Administration (FMCSA) controlled substances and alcohol testing rules.

### **Prohibited Alcohol And Controlled Substance-Related Conduct**

The following alcohol and controlled substance-related activities are prohibited by the district for drivers required to possess a commercial driver's license (CDL) as part of their job responsibilities. Violations shall result in appropriate corrective action ranging from removal from the performance of safety-sensitive functions up to and including discharge.

- A. Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration in excess of the standard set by the FMCSA, 0.04 or greater.
- B. Being on duty or operating a vehicle while the driver possesses alcohol.
- C. Using alcohol while performing safety-sensitive functions.
- D. When required to take a post-accident alcohol test, using alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first.
- E. Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion, or follow-up testing requirements.
- F. Reporting for duty or remaining on duty when using any controlled substance, except when instructed by a prescribing authority who has advised the driver and the district that the substance does not adversely affect the driver's ability to safely operate a vehicle. Drivers are required to inform the district of any therapeutic drug use, although not the medication that has been prescribed. The use of any medication that could affect a driver's safe job performance is prohibited while working.
- G. Reporting for duty, remaining on duty, or driving if the driver tests positive for controlled substances.

No supervisor having actual knowledge of the above violations shall permit a driver to perform or continue to perform safety-sensitive functions.

### **Testing Requirements**

The following identify the occasions on which a driver shall be subject to alcohol or controlled substances testing. The superintendent is responsible for the development and implementation of procedures for conducting the tests and administering the exemptions consistent with the federal rules.

- A. Pre-employment testing: Prior to the first time a driver performs a safety-sensitive function for the district, the driver shall undergo testing for controlled substances. This testing requirement may be waived under FMCSA rules for CDL drivers recently employed elsewhere for whom testing records are available from their previous employers.
- B. Post-accident testing: Each surviving driver of an accident, as defined by the FMCSA, shall be tested for alcohol and controlled substances.

- C. Random testing: Annually, the district will arrange for the unannounced random alcohol and controlled substances testing of its drivers. Fifty percent (50%) of the district's drivers must be randomly selected for controlled substances testing each year, and 10% of its drivers for alcohol testing (or whatever level of testing is required in a given year by the FMCSA). Alcohol testing under this program shall take place just prior to, during or immediately after the driver engages in a safety-sensitive function for the district.
- D. Reasonable suspicion testing: A driver must submit to alcohol or controlled substance testing whenever a trained supervisor has a reasonable suspicion of alcohol misuse or controlled substance use based on specific, contemporaneous and articulable observations concerning the appearance, behavior, speech or bodily odors of the driver. Observations related to using alcohol must be made just prior to, during, or immediately after the driver engages in a safety-sensitive function for the district and the alcohol test must be given within eight hours following the determination of reasonable suspicion.
- E. Return-to-duty testing: If a driver is to be returned to performing safety-sensitive functions for the district after violating this policy or the federal regulations, the driver shall be evaluated by a substance abuse professional (SAP) who shall determine what assistance, if any, the driver needs in resolving problems associated with alcohol misuse and use of controlled substances. SAPs must require education and/or treatment in all such cases. If a driver is to be returned to performing safety-sensitive functions for the district following a violation of this policy or the federal regulations, the driver shall first be evaluated by a SAP to determine that the driver has properly followed any rehabilitation proscribed. Before a driver could be returned to performing safety-sensitive functions for the district following a violation of this policy and/or the federal regulations, the driver shall undergo a return-to-duty alcohol and/or controlled substances test resulting in an alcohol concentration below 0.02 alcohol concentration or a negative controlled substances test.
- F. Follow-up testing: Any driver that continues performing safety-sensitive functions for the district, following a violation of the alcohol or controlled substances prohibited conduct, shall be subject to follow-up alcohol or drug testing conducted just prior to, during or immediately after the driver performs safety-sensitive functions, as directed by a SAP.

### Record Retention and Reporting

The superintendent is responsible for developing procedures for securely retaining records collected under this policy with controlled access and for the time periods established by the federal regulations. The superintendent is also responsible for developing procedures for reporting data collected under this policy as required by the federal regulations.

### Education, Training, and Referral Services

The superintendent shall adopt educational materials that explain the requirements of this policy and the federal program. The educational materials shall be distributed to each driver prior to the start of the testing program and to each driver subsequently hired or transferred into a position covered by this policy. Each driver, after receiving a copy of the materials, shall sign a certificate of receipt and the district shall maintain the original of the receipt. The collective bargaining representative of the drivers, if any, shall be notified of the availability of this information. The educational materials shall include:

- A. A copy of this policy and subsequent procedures;

- B. The name of the person designated to answer questions about the materials;
- C. The categories of employees covered by the policy;
- D. A description of safety-sensitive functions, so that drivers will know which part of their tasks will be covered by this policy;
- E. A specific description of conduct prohibited by this policy and the federal program;
- F. The circumstances under which a driver is subject to testing;
- G. The procedures used in the testing program, especially those that protect the driver and the integrity of the testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct driver;
- H. The requirement that drivers must submit to testing required by this policy and the federal program, and a description of what constitutes refusal to submit to required testing and the consequences of refusal;
- I. The consequences for drivers who violate this policy and the federal program, including immediate removal from conducting safety-sensitive functions;
- J. The consequences for drivers found to have alcohol concentrations between 0.02 and 0.04; and
- K. Information about the effects of alcohol and controlled substances on an individual's health, work, and personal life and methods of intervening when a problem with alcohol or a controlled substance is suspected, including confrontation, referral to the staff assistance program, and referral to management.

Supervisors designated to determine if reasonable suspicion exists that a driver is under the influence of alcohol or controlled substances must have at least sixty minutes of training on alcohol misuse and at least sixty minutes of training on use of controlled substances. The training shall cover the physical, behavioral, speech and performance indicators of probable alcohol misuse, and use of controlled substances.

The employed driver who violates this policy or the federal regulations shall be informed of resources available for evaluation and resolving problems associated with the misuse of alcohol and use of controlled substances, including the names, addresses, and telephone numbers of SAPs and counseling and treatment programs. Costs incurred by the driver for evaluation and/or rehabilitation are the driver's responsibility (other policies may apply).

Cross References:	Board Policy 5201 Board Policy 5203 Board Policy 5281	Drug-Free Schools, Community and Workplace Staff Assistance Program Disciplinary Action and Discharge
Legal Reference:	49 CFR §§ 382.101-382.605 49 CFR § 40	
Management Resources:	<i>Policy News</i> , February 1999 <i>Policy News</i> , December 2001	Bus drivers still tested for marijuana Federal Government Amends Bus Driver Drug Testing Rules

**Adoption Date: 05.09.11**

**Auburn School District**

**Revised:**

## **PROCEDURE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION MANDATED DRUG AND ALCOHOL TESTING PROGRAM**

### **Testing Requirements**

The following identify the occasions on which a driver will be subject to alcohol or controlled substances testing. The superintendent is responsible for the development and implementation of procedures for conducting the tests and administering the exemptions consistent with the federal rules.

- A. Pre-employment testing: Prior to the first time a driver performs a safety-sensitive function for the district, the driver will undergo testing for controlled substances. This testing requirement may be waived under FMCSA rules for CDL drivers recently employed elsewhere for whom testing records are available from their previous employers.
- B. Post-accident testing: Each surviving driver of an accident, as defined by the FMCSA, will be tested for alcohol and controlled substances.
- C. Random testing: Annually, the district will arrange for the unannounced random alcohol and controlled substances testing of its drivers. Fifty percent (50%) of the district's drivers must be randomly selected for controlled substances testing each year and 10% of its drivers for alcohol testing (or whatever level of testing is required in a given year by the FMCSA). Alcohol testing under this program will take place just prior to, during, or immediately after the driver engages in a safety-sensitive function for the district.
- D. Reasonable suspicion testing: A driver must submit to alcohol or controlled substance testing whenever a trained supervisor has a reasonable suspicion of alcohol misuse or controlled substance use based on specific, contemporaneous and articulable observations concerning the appearance, behavior, speech or bodily odors of the driver. Observations related to using alcohol must be made just prior to, during, or immediately after the driver engages in a safety-sensitive function for the district and the alcohol test must be given within eight hours following the determination of reasonable suspicion.
- E. Return-to-duty testing: If a driver is to be returned to performing safety-sensitive functions for the district after violating this policy or the federal regulations, the driver will be evaluated by a substance abuse professional (SAP) who will determine what assistance, if any, the driver needs in resolving problems associated with alcohol misuse and use of controlled substances. SAPs must require education and/or treatment in all such cases. If a driver is to be returned to performing safety-sensitive functions for the district following a violation of this policy or the federal regulations, the driver will first be evaluated by a SAP to determine that the driver has properly followed any rehabilitation proscribed. Before a driver could be returned to performing safety-sensitive functions for the district following a violation of this policy and/or the federal regulations, the driver undergo a return-to-duty alcohol and/or controlled substances test resulting in an alcohol concentration below 0.02 alcohol concentration or a negative controlled substances test.
- F. Follow-up testing: Any driver that continues performing safety-sensitive functions for the district, following a determination of the alcohol or controlled substances prohibited conduct, will be subject to a follow-up alcohol testing conducted only just prior to, during or immediately after the driver performs a safety-sensitive functions or drug testing, as directed by a SAP.

### Record Retention and Reporting

Records collected under this policy will be secured and retained with controlled access and for the time periods established by the federal regulations. The data collected will be reported as required by the federal regulations.

### Education, Training and Referral Services

Educational materials that explain the requirements of policy 5202 and the federal program will be distributed to each driver prior to the start of the testing program and to each driver subsequently hired or transferred into a position covered by this policy. Each driver, after receiving a copy of the materials, will sign a certificate of receipt and the district will maintain the original of the receipt. The collective bargaining representative of the drivers, if any, will be notified of the availability of this information. The educational materials will include:

- A. A copy of this policy and subsequent procedures;
- B. The name of the person designated to answer questions about the materials;
- C. The categories of employees covered by the policy;
- D. A description of safety-sensitive functions, so that drivers will know which part of their tasks will be covered by this policy;
- E. A specific description of conduct prohibited by this policy and the federal program;
- F. The circumstances under which a driver is subject to testing;
- G. The procedures used in the testing program, especially those that protect the driver and the integrity of the testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct driver;
- H. The requirement that drivers must submit to testing required by this policy and the federal program, and a description of what constitutes refusal to submit to required testing and the consequences of refusal;
- I. The consequences for drivers who violate this policy and the federal program, including immediate removal from conducting safety-sensitive functions;
- J. The consequences for drivers found to have alcohol concentrations between 0.02 and 0.04; and
- K. Information about the effects of alcohol and controlled substances on an individual's health, work and personal life, and methods of intervening when a problem with alcohol or a controlled substance is suspected, including confrontation, referral to the staff assistance program and referral to management.

Supervisors designated to determine if reasonable suspicion exists that a driver is under the influence of alcohol or controlled substances must have at least 60 minutes of training on alcohol misuse and at least 60 minutes of training on use of controlled substances. The training shall cover the physical, behavioral, speech and performance indicators of probable alcohol misuse and use of controlled substances.

The employed driver who violates this policy or the federal regulations will be informed of resources available for evaluation and resolving problems associated with the misuse of alcohol and use of controlled substances, including the names, addresses, and telephone numbers of SAPs and counseling and treatment programs. Costs incurred by the driver for evaluation and/or rehabilitation are the driver's responsibility (other policies may apply).

## **EMPLOYEE ASSISTANCE PROGRAM**

The district will maintain, as revenues permit, an employee assistance program designed to provide support to staff members who are experiencing a job performance problem. An employee assistance program committee may be established to assist in the implementation of this policy and make program recommendations.

A wide range of problems not directly associated with a job function may affect the staff member's job performance. These problems may result from alcohol abuse or alcoholism; other drug abuse; physical, mental, or emotional illness; personal problems such as marital, family, financial, or legal difficulties; or any combination of these problems.

The employee assistance program will provide professional and confidential assistance to staff members and their families seeking assistance.

Participation in the employee assistance program will not jeopardize employment or job promotion, nor shall such participation substitute for employer action(s) regarding evaluation, probation, and/or termination as provided for under collective bargaining agreements or board policies. The program will be evaluated on an annual basis.

## **PROCEDURE EMPLOYEE ASSISTANCE PROGRAM**

### **Staff Assistance Program**

In order to achieve the objective of enhancing the personal and on-the-job life of a staff member through the staff assistance program, the district will strive to:

- A. Provide confidential, professional, and appropriate assistance to staff members and their immediate family members within the scope of the program policy;
- B. Promote education and awareness that alcoholism and chemical dependency are diseases for which there is effective treatment and rehabilitation;
- C. Promote adequate treatment coverage for chemical dependency by district-approved group insurance plans as for any other disease under these plans;
- D. Provide training in order to increase the supervisor's awareness in identifying changes in staff member's behavior and performance; and
- E. Provide training regarding the supervisor's role in relation to troubled staff members and the utilization of the staff assistance program.

### **Procedures are as follows:**

- A. Referrals may be made by a staff member, family member or a supervisor;
- B. A staff member exhibiting continuing job performance problems not readily corrected by usual administrative procedures would be appropriate for referral to the staff assistance program. When such a staff member is identified, the supervisor will contact the staff member organization representative, if applicable, to inform him/her of the conference with the staff member. The supervisor will inform the staff member of his/her right to determine whether the organization representative will be present at the conference. The staff member may invite the organization representative to the scheduled conference. The conference will be restricted to issues of job performance. Supervisors will avoid expressing opinions or judgments regarding diagnosis or causes;
- C. After the supervisor reviews job performance deficiencies with the staff member, the supervisor will inform the staff member of professional and confidential services available through the district's staff assistance program;
- D. The staff member may choose to accept or reject the offer to meet with the district's staff assistance coordinator for confidential help and referral. If the staff member rejects the offer and the job performance problems do not recur after the conference, the issue is resolved.

If the staff member chooses to participate in the staff assistance program, then the district's staff assistance coordinator will arrange a referral for the staff member to a district-retained professional agency for assessment and treatment.

- E. If the staff member rejects the offer, and the supervisor and the staff member organization representative, if applicable, recognize that the job performance problem is continuing and the staff member's performance is not satisfactory, the next step will be to offer the staff member a firm choice between accepting the assistance offered by the program or be confronted with whatever action is appropriate within the framework of existing collective bargaining agreements or board policies;
- F. The decision to request and/or accept assistance through the staff assistance program is the personal responsibility of the staff member; and
- G. All records resulting from an individual's involvement in the staff assistance program will be confidential unless the staff member provides a written release of information.

## PART-TIME STAFF

Depending upon the needs of the district, part-time staff shall be hired. The superintendent shall be responsible for recommending to the board the number of part-time positions required, if any, and nominees to fill such positions.

Wages and benefits, including but not limited to, sick leave and premiums paid by the district for medical and dental insurance, shall be pro-rated according to the percentage of the regular work week worked by each part-time staff member.

Part-time staff shall receive educational experience credits at the rates established in Chapter 392-121 WAC. If the part-time staff moves to a full-time position, the part-time service will be converted to full-time, full-year experience for salary schedule purposes. When the teaching experience is compiled, the total years of service shall be determined in accordance with state reporting requirements, the S-275 Report. Part-time staff shall be entitled to credit on the salary schedule for any educational increments earned.

Legal References:	WAC 392-121-215	Definition — Full-time equivalent (FTE) basic education certificated instructional staff.
	392-121-245	Definition — certificated years of experience.
	392-121-270	Placement of basic education certificated employees on leap salary allocation documents.
	392-121-295	Definition — District staff mix factor for basic education certificated instructional staff.

## **JOB-SHARING STAFF MEMBERS**

A job-sharing assignment is the shared performance of the duties of one full-time, regular position by employees.

The superintendent is responsible for recommending to the board when the best interests of the district would be served by creating a job-sharing assignment for a particular position.

The district reserves the authority to:

- A. Determine the number of job-sharing positions, if any, within the district;
- B. Require job-sharing employees to attend staff training or other staff development activities at one-half of full compensation;
- C. Abolish any job-sharing assignment, or change a job-sharing position to a full time position held by one employee, at the sole discretion of the district;
- D. Consider any request to create a job-sharing position in a position currently held by one employee, or vice versa;
- E. Require job-sharing staff members to work full-time in the event of the termination or resignation of one of the job-sharing staff members, or until such time as a replacement can be hired, at the sole discretion of the district.

Employees sharing a position shall sign a job-sharing contract to be developed by the superintendent. The contract shall identify contingencies which may arise during the course of employment including, but not limited to, absence or resignation of one of the job-sharing employees, computation of employee benefits, and responsibility for participation in staff meetings and committees. The purpose of such contract is to address potential conflicts in an equitable manner in advance of actual conflicts.

The conditions provided by this policy are not intended to discourage job sharing nor to impose disproportionate burdens upon job-sharing staff members. The superintendent shall establish job-sharing procedures which describe the duties, responsibilities, salaries and benefits for individuals sharing a position.

Cross References: Board Policy 5000  
Board Policy 5005

Legal References: RCW 28A.400.300

28A.405.070

Recruitment and Selection of Staff  
Employment: Disclosures, Certification,  
Assurances and Approval  
Hiring and discharging employees —  
Leaves for employees — Seniority  
and leave benefits, retention upon  
transfers between schools  
Job Sharing

**Adoption Date: 05.09.11**  
**Auburn School District**  
**Revised:**

## **JOB DESCRIPTIONS/RESPONSIBILITIES**

### **A. Duties of Classified and Certificated Staff**

Staff are subject to the policies of the district, provisions of staff agreements in effect, state board of education regulations, state superintendent of public instruction regulations and other applicable state and federal law.

Employees shall be directly responsible to the principal at their respective building for implementing the policies, instructions, rules and regulations of each principal, the superintendent and the board of directors. It shall be the duty of each employee to know the rules, policies and regulations of the school and the school district.

The superintendent shall be responsible for developing administrative procedures to assure that staff knows what is expected of them and how these expectations may be achieved. Each staff member shall receive a job description that identifies the essential functions of the job and which shall also serve as a basis for evaluation.

### **B. Principals and Program Administration**

The district shall hold principals and other administrative staff accountable for the proper and efficient conduct of classroom teaching in their schools which will meet the individual and collective needs of the particular students enrolled. Principals shall achieve and maintain standards of excellence in the instructional program so that each student exposed to this program derives the greatest academic and personal benefit from the learning experience. They have primary responsibility for the improvement of instruction in their programs. A major portion of the principal's time is to be spent with staff, including classroom observations, staff evaluations, departmental meetings, and a review of instructional materials and new and promising innovations in teaching. A principal must possess the knowledge and skill necessary to evaluate the performance of staff members in accordance with district evaluation procedures. The superintendent shall be responsible for determining the evaluation skill and/or needs in considering candidates for the position of principal as well as providing an on-going development program related to the needs of all principals.

### **C. Duties of Administrative Staff**

As authorized by the superintendent, administrative staff shall have full responsibility for the day-to-day administration of the area to which they are assigned. Administrative staff are governed by the policies of the district and are responsible for implementing the administrative procedures which relate to their assigned responsibilities.

Each administrator's duties shall include but not be limited to:

1. Planning for the improvement of the program for which he/she is responsible;
2. Evaluating that program regularly;
3. Recommending to the superintendent, through the management team, budgetary, program, staff and other changes that will enhance the program;
4. Advising the superintendent, through the management team, of the impact of proposed policies or other administrative actions on the program for which he/she is responsible;
5. Evaluating the performance of those staff reporting directly to him/her;
6. Assisting his/her subordinates to improve their performance; and
7. Promoting effective working relationships with students, staff and patrons of the district.

Cross References:	Board Policy 5240	Evaluation of Staff
Legal References:	RCW 28A.150.240	Basic Education Act of 1977 — Certificated teaching and administrative staff as accountable for classroom teaching — Scope — Responsibilities — Penalty
	28A.400.100	Principals and vice principals — Employment of — Qualifications — Duties
	28A.400.110	Principal to assure appropriate student discipline
	28A.405	Teachers — General Provisions
	28A.405.100(2)	Minimum criteria for the evaluation of certificated employees, including administrators — Procedure — Scope — Penalty
	28A.405.230	Conditions and contracts of employment — Transfer of administrator to subordinate certificated position — Procedure
	WAC 180-44	Teacher's Responsibilities
	42 U.S.C. SS 12101-12213	Americans with Disabilities Act (ADA)

## **PROCEDURE JOB DESCRIPTIONS/RESPONSIBILITIES**

### **Certificated and Classified Staff Job Descriptions**

Job descriptions are maintained in the district office. A job description will be provided to each staff member at the time of employment, when the staff member assumes a new position and when a position is modified or at any time upon the request of the staff member. Each job description will include the essential functions of the job.

When substantive changes in the assignment occur, the staff member and supervisor will list the tasks that comprise the job and determine the skills, personal characteristics, educational background and training necessary for the employee to perform successfully. In order to accomplish this task, the staff member and supervisor will be asked to:

- A. Define the job (What will or does the staff member do?);
- B. Identify the essential functions of the job;
- C. Arrange the duties in terms of the percentage of time spent;
- D. Explain the nature and extent of the supervision and guidance that is rendered to others;
- E. State how and to what extent the actions, recommendations and decisions of the staff member affect the organization or public;
- F. Describe the supervision and guidance received in the performance of the assignment;
- G. Describe the degree to which the staff member must be a self-starter, exercise judgment and create solutions to problems;
- H. State the knowledge, skills and abilities required by the job; and
- I. Identify personal contacts and/or interactions other than with supervisors or subordinates.

When a position is being created or a large number of staff members occupy similar positions, the supervisor will be responsible for developing a job description using the guidelines included in the preceding section. The supervisor will seek reactions from the staff members who presently occupy the position to verify the accuracy of the statements. Job descriptions will be prepared with the following format:

- A. Title of Position;
- B. Qualifications (minimum education, certification and other qualifications);
- C. Reports to (title of immediate supervisor);
- D. Supervises (if applicable, titles of those who are supervised directly);
- E. Job Goal (the purpose of the job as it relates to the district);
- F. Performance Responsibilities (itemized list of the tasks, duties and responsibility to fulfill job in all its dimensions);
- G. Essential Functions of the Job;
- H. Terms of Employment (time, classification or placement on salary schedule); and
- I. Evaluation (reference to evaluation procedure criteria and form).

**Principals and Program Administration**

In conformance with state law, rules and regulations, principals will be responsible for:

- A. Implementing the district's prescribed curriculum and enforcing the procedures of the district, the State Superintendent of Public Instruction and the State Board of Education, taking into due consideration individual differences among students and maintaining and rendering appropriate records and reports;
- B. Maintaining good order and discipline in school buildings and playgrounds at all times;
- C. Holding students accountable for any disorderly conduct in school;
- D. Requiring written excuses from parents of minor students in all cases of absence, tardiness or early dismissal;
- E. Giving careful attention to the maintenance of a safe and healthful atmosphere in the classroom, hallways and playground;
- F. Giving careful attention to the safety of the student in the classroom and reporting any questionable or unsafe conditions;
- G. Providing for the evaluation of each student's educational growth and development and making periodic reports to parents and other administrators;
- H. Supervising and evaluating all staff which are assigned to the building;
- I. Making recommendations to the superintendent regarding appointment, assignment, promotion, transfer, probation or dismissal of all staff assigned to their attendance area;
- J. Submitting recommendations to the superintendent regarding the fiscal needs required to maintain and improve the instructional program for their attendance area;
- K. Ensuring that the provisions of the collective bargaining agreement are followed;
- L. Maintaining effective communications with student, parents and staff;
- M. Monitoring the expenditure of all district and ASB funds; and
- N. Maintaining the equipment, facilities and grounds of the school plant.

Failure to carry out such requirements as set forth above will constitute sufficient cause for discharge.

## LENGTH OF WORK DAY

Regular building hours for teachers shall be one-half hour before school starts to one-half hour after school ends including a 30-minute duty-free lunch period. Individual schools may request a board waiver from these district-wide provisions. The starting and dismissal times for students, which may vary from school to school, shall be determined by the district.

Unless otherwise specified, the work day for certificated staff assigned to the district administrative center and all classified staff shall be 8 hours per day exclusive of the lunch period.

A classified hourly staff member shall be paid at the rate of one and one-half times the salary schedule rate when he/she works for more than 40 hours during the regular work week. The regular work day shall include one 15-minute break for each four hours of work. A lunch period of not to exceed one hour shall be scheduled but shall not be counted for pay purposes. The district shall be responsible for establishing the work-day schedule for each classified staff member.

In the event a supervisor requests that a staff member work beyond the specified working hours and thus exceeds the 40 hours during the established work week, the district may grant, at the staff member's request, compensating time off in lieu of overtime pay. A staff member may accumulate up to 240 hours of compensating time. When the staff member reaches the 240-hour limit, he/she must either take compensating time off or receive pay for such excess hours.

Custodial/maintenance and office staff shall report for work when schools are closed for bad weather when required by the superintendent or designee.

Legal References:	29 USC Ch. 8 201-216	Fair Labor Standards Act
	RCW 49.46.130	Minimum rate of compensation for employment in excess of 40- hour work week--Exceptions
	RCW 49.46.120	Chapter establishes minimum standards and is supplementary to other laws-- more favorable standards unaffected
	28A.405.140	Assistance for teacher may be required after evaluation
	WAC 296-128-550 296-128-560	Regular rate of pay Compensating time off in lieu of overtime pay

Management Resources: *Policy News*, June 2006

Certificated Staff Work Hours

**Adoption Date:**

**School District Name:**

**Revised: 04.98; 06.06; 05.09.11**

## PROCEDURE LENGTH OF WORK DAY

### **Overtime and/or Compensatory Time**

To comply with the Fair Labor Standards Act and the laws and rules of the State of Washington, the following procedures will be established:

- A. **Exempt or non-exempt status:** All certificated staff are exempt from the 40-hour work week. The district will determine the status of classified employees based upon the criteria established for defining executive (WAC 296-128-520) or professional (WAC 296-128-530) status and any additional FLSA standards.
- B. **Work week:** Seven consecutive 24-hour periods make up the work week. Staff members are entitled to 1-1/2 times the regular rate of pay for all hours worked in excess of 40 hours per week. A staff member may elect to take compensating "time off" (straight time) in lieu of overtime pay. Compensating overtime will be at the rate of 1-1/2 times the hours worked or the staff member may accumulate up to 240 hours of compensating time at which time the staff member must either take compensating "time off" or receive pay for such excess hours. Staff members will not perform any work during lunch periods or before or after work hours regardless of the voluntary nature of their work. Staff members who violate this regulation are subject to disciplinary action.
- C. **Travel time:** Travel time, during a workday, to a meeting is compensable if done in a private vehicle and when it is required by the district.
- D. **Meal periods:** Staff members will not perform any duties during the employee's meal period.
- E. **Non-working time:** Time between shifts will be free of responsibilities or obligations. Standby time can be negotiated but must be at the rate of the minimum wage or more.
- F. **Records:** Records must be kept for a minimum of three years. A staff member's signature must appear on the time slip or sheet, which shows the daily arrival and departure time. U. S. Department of Labor posters must be posted at each site.

## EVALUATION OF STAFF

### A. Evaluation of Non-administrative Certificated Staff

Evaluation of the performance and/or accomplishments of individual staff members is an important process in improving the effectiveness and efficiency of the school district. Staff is expected to perform the duties identified in their job descriptions in addition to any additional responsibilities that may be assigned by their administrator.

The superintendent shall develop a system for evaluating staff. Such a system shall provide for supervisory assignments for staff evaluation; align with state law regarding teacher observations and evaluations; evaluation of new staff; criteria and related forms to be used for evaluating non-classroom teachers, educational staff associates, and classified staff; observation and evaluation procedures; and probationary action; and non-renewal procedures. All principals and administrators with staff evaluation responsibilities shall be appropriately trained and shall be expected to demonstrate the necessary skills to implement the staff evaluation plan of the district. The district may require the teacher to take inservice training provided by the district in the area of teaching skills needing improvement. The superintendent shall annually assess the quality of evaluation that exists in each administrative unit.

### B. Evaluation of Administrative Staff

Each administrator shall be evaluated annually in order to provide guidance and direction to the administrator in the performance of his/ her assignment. Such evaluation shall be based on his/her job description, accomplishment of annual goals and performance objectives, and established evaluative criteria.

The superintendent shall develop procedures for these evaluations. Prior to the beginning of the school year, the superintendent shall inform the administrator of the criteria to be used for evaluation purposes, including the adopted goals for the district. For principals and vice-principals, a comprehensive summative evaluation assesses eight state-defined evaluation criteria. All criteria contribute to the comprehensive summative evaluation performance rating. For all other administrative staff, such criteria shall include: performance statements dealing with leadership; administration and management; school financing; professional preparation; effort toward improvement; interest in students, staff, citizens and programs; and staff evaluation.

Both staff members involved in the evaluation conference shall sign the written report and retain a copy for their respective records. The person being evaluated shall have the right to submit and attach a written disclaimer to his/her evaluation following the conference.

### C. Evaluation of Classified Staff

Criteria for evaluating classified staff shall be based upon the job description of the specific assignment.

Cross References:	Board Policy 5230	Job Descriptions/Responsibilities
	Board Policy 5280	Termination of Employment
	Board Policy 5520	Staff Development

Legal References:	RCW 28A.400.100	Principals and vice principals – Employment of—Qualifications— Duties.
	RCW 28A.405.100	Minimum criteria for the evaluation of certificated employees — Revised four-level evaluation systems for classroom teachers and for principals — Procedures — Steering committee — Models — Implementation — Reports
	RCW 28A.405.220	Conditions and contracts of employment – Nonrenewal of provisional employees –Notice - Procedure
	RCW 28A.405.300	Adverse change in contract status of certificated employee – Determination of probable cause – Notice—Opportunity for hearing
	RCW 28A.405.110	Evaluations — Legislative findings
	RCW 28A.405.120	Training for evaluators
	RCW 28A.405.130	Training in evaluation procedures required
	WAC 181-79A-140	Types of certificates
	WAC 392-191A	Professional Growth and Evaluation of School Personnel

**Adoption Date:**

**Auburn School District**

**Revised: 05.09.11; 12.28.15**

## PROCEDURE EVALUATION OF STAFF

### Certificated Classroom Teachers

Pursuant to state law implementing the Professional Growth and Evaluation of School Personnel system, the board will adopt the instructional framework and the evaluative criteria and procedures with which to evaluate all certificated classroom teachers and post the selection of the instructional framework on its website. The evaluative criteria must contain as a minimum the criteria established by the Superintendent of Public Instruction and must be prepared within six months following adoption of the Superintendent of Public Instruction's minimum criteria. The district must certify to the Superintendent of Public Instruction that evaluative criteria have been so prepared by the district. It is the responsibility of a principal or his/her designee to evaluate all certificated classroom teachers in his or her school using the board's adopted minimum criteria.

1. Comprehensive summative evaluation, annual comprehensive summative evaluation and focused evaluation

Certificated classroom teachers will receive a comprehensive summative evaluation at least once every four years. A comprehensive summative evaluation assesses all eight evaluation criteria and all criteria must contribute to the comprehensive summative evaluation performance rating. The evaluation must include an assessment of the criteria using the instructional framework rubric chosen by the district and the OSPI approved student growth rubrics. More than one measure of student growth data must be used in scoring the student growth rubrics.

Certificated classroom teachers will receive an annual comprehensive summative evaluation if they are provisional employees under RCW 28A.405.220, or received a comprehensive summative evaluation performance rating of Level 1 or Level 2 in the previous school year, once they have transitioned to the new evaluation system.

A certificated classroom teacher with four years of satisfactory evaluations in the district will may be transitioned into the revised evaluation system using a focused evaluation, and will then be evaluated on the four-year cycle for comprehensive evaluation.

Certificated classroom teachers will receive a focused evaluation in the years when a comprehensive summative evaluation is not required if they received a comprehensive summative evaluation performance rating of Level 3 or above in the previous school year. A focused evaluation includes an assessment of one of the eight criteria selected for a performance rating plus professional growth activities specifically linked to the selected criteria.

2. Observation

Certificated classroom teachers will be observed for the purposes of a summative or annual comprehensive evaluation or a focused evaluation at least twice each school year in the performance of their duties for a total observation time of no less than 60 minutes.

New certificated classroom teachers will be observed in the performance of their duties at least once during the first 90 calendar days of their employment for a total observation time of no less than 30 minutes.

Certificated classroom teachers in the third year of provisional status will be observed in the performance of their duties at least three times during the school year for a total observation time of no less than 90 minutes.

Each certificated classroom teacher will have the opportunity for confidential conferences with his or her immediate supervisor on no less than two occasions in each school year. Such confidential conference shall have as its sole purpose the aiding of the administrator in his or her assessment of the employee's professional performance.

### 3. Evaluation report

The evaluator will promptly document the results of the observation or series of observations and will, within three days, provide a copy of the evaluation report to the certificated classroom teacher. The certificated classroom teacher will sign the district's original evaluation report to indicate that he/she has received a copy, although the signature does not necessarily imply agreement with the contents of the evaluation report. The evaluator will provide the certificated classroom teacher the opportunity to attach written comments to his/her report, and then ensure each evaluation report is placed in that individual's personnel file.

### 4. Minimum criteria for evaluation of certificated classroom teachers:

Centering instruction on high expectations for student achievement. The related descriptor is: Expectations; the teacher communicates high expectations for student learning.

Demonstrating effective teaching practices. The related descriptor is: Instruction; the teacher uses research-based instructional practices to meet the needs of all students.

Recognizing individual student learning needs and developing strategies to address those needs. The related descriptor is: Differentiation; the teacher acquires and uses specific knowledge about students' cultural, individual, intellectual and social development and uses that knowledge to adjust their practice by employing strategies that advance student learning. Student growth data must be a substantial factor utilizing the OSPI-approved student growth rubrics.

Providing clear and intentional focus on subject matter content and curriculum. The related descriptor is: Content knowledge; the teacher uses content area knowledge, learning standards, appropriate pedagogy and resources to design and deliver curricula and instruction to impact student learning.

Fostering and managing a safe, positive learning environment. The related descriptor is: Learning environment; the teacher fosters and manages a safe and inclusive learning environment that takes into account the physical, emotional and intellectual well-being of students.

Using multiple student data elements to modify instruction and improve student learning. The related descriptor is: Assessment; the teacher uses multiple data elements (both formative and summative) to plan, inform, and adjust instruction, and evaluate student learning. Student growth data must be a substantial factor utilizing the OSPI-approved student growth rubrics.

Communicating and collaborating with parents and school community. The related descriptor is: Families and community; the teacher communicates and collaborates with students, families and all educational stakeholders in an ethical and professional manner to promote student learning.

Exhibiting collaborative and collegial practices focused on improving instructional practice and student learning. The related descriptor is: Professional practice; the teacher participates collaboratively in the educational community to improve instruction, advance the knowledge and practice of teaching as a profession, and ultimately impact student learning. Student growth data must be a substantial factor utilizing the OSPI-approved student growth rubrics.

#### 5. Analysis of evidence

The evaluator will analyze the evidence observed according to the appropriate criterion, the instructional framework and student growth rubrics.

The evaluator will calculate all criterion scores to derive an overall summative score and then determine the final four-level rating (summative performance rating) based on the OSPI summative evaluation scoring band.

In evaluating certificated classroom teachers, student input may be included.

#### 6. Summative performance ratings

Level 1: Unsatisfactory. Professional practice shows evidence of not understanding the concepts underlying individual components of the criteria. This level of practice is ineffective and inefficient and may represent practice that is harmful to student learning progress, professional learning environment, or individual teaching practice. This level requires immediate intervention.

Level 2: Basic. Professional practice shows a developing understanding of the knowledge and skills of the criteria required to practice, but performance is inconsistent over a period of time due to lack of experience, expertise, and/or commitment. This level may be considered minimally competent for teachers early in their careers but insufficient for more experienced teachers. This level requires specific support.

Level 3: Proficient. Professional practice shows evidence of thorough knowledge of all aspects of the profession. This is successful, accomplished, professional and effective practice. Teaching at this level utilizes a broad repertoire of strategies and activities to support student learning. At this level, teaching is strengthened and expanded through purposeful, collaborative sharing and learning with colleagues as well as ongoing self-reflection and professional improvement.

Level 4: Distinguished. Professional practice is that of a master professional whose practices operate at a qualitatively different level from those of other professional peers. To achieve this rating, a teacher would need to have received a majority of distinguished ratings on the criterion scores. A teacher at this level must show evidence of average to high impact on student growth. Ongoing, reflective teaching is demonstrated through the highest level of expertise and commitment to all students' learning, challenging professional growth and collaborative practice.

#### 7. Student growth impact rating

Upon completing the overall summative scoring process, the evaluator will combine only the student growth rubric scores to assess the student growth impact rating.

The evaluator will determine the student growth impact according to OSPI's student impact rating scoring band. A student growth score of '1' in any of the rubric rows will result in an overall low student growth impact rating.

The evaluators will analyze the student growth score in light of the overall summative score and determine the outcomes.

#### 8. Student growth rating outcomes

Certificated classroom teachers with a preliminary rating of Distinguished with low student growth rating will receive an overall Proficient rating.

Certificated classroom teachers with a low student growth rating will engage with their evaluator in a Student Growth Inquiry.

Certificated classroom teachers with a preliminary rating of Distinguished with average or high student growth rating will receive an overall Distinguished rating and will be formally recognized and/or rewarded.

Evaluations of certificated classroom teachers with a preliminary rating of Unsatisfactory and high student growth rating will be reviewed by the evaluator's supervisor.

#### 9. Student growth inquiry

Within two months of a certificated classroom teacher receiving a low student growth score or at the beginning of the following school year, the evaluator will initiate one or more of the following:

Examine student growth data in conjunction with other evidence including observation, artifacts and other student and teacher information based on appropriate classroom, school, district and state-based tools and practices;

Examine extenuating circumstances which may include one or more of the following: Goal setting process; content and expectations; student attendance and extent to which standards, curriculum and assessment are aligned;

Schedule monthly conferences focused on improving student growth to include one or more of the following topics: Student growth goal revisions, refinement, and progress; best practices related to instruction areas in need of attention; best practices related to student growth data collection and interpretation;

Create and implement a professional development plan to address student growth areas.

#### 10. Focused evaluation

Certificated classroom teachers will be observed for the purpose of focused evaluation twice each school year for a total observation time of no less than 60 minutes. The focused evaluation will include, at a minimum:

One of the eight criteria for certificated classroom teachers must be assessed in every year that a comprehensive evaluation is not required.

The selected criterion must be approved by the teacher's evaluator and may have been identified in a previous comprehensive summative evaluation as benefiting from additional attention.

The evaluation must include an assessment of the criterion using the instructional framework rubrics and the OSPI-approved student growth rubrics. More than one measure of student growth data must be used in scoring student growth rubrics.

The focused evaluation will include the student growth rubrics of the selected criterion. If criterion 3, 6, or 8 is selected, evaluators will use those student growth rubrics. If criterion 1, 2, 4, 5 or 7 is selected, evaluators will use criterion 3 or 6 student growth rubrics.

A summative score is calculated through the scoring of the instructional and student growth rubrics for the criterion selected.

A certificated classroom teacher may be transferred from a focused evaluation to a comprehensive summative evaluation at his/her request or at the direction of his/her evaluator.

Certificated classroom teachers may apply the focused evaluation professional growth activities toward the professional growth plan for professional certificate renewal as required by the professional educator standards board.

#### 11. Notice of deficiency and reasonable program for improvement

At any time after October 15, a certificated classroom teacher whose work is not judged satisfactory based on district evaluation criteria will be given a written notice of deficiency that lists specific areas of deficiencies and provides a reasonable program for improvement. For certificated classroom teachers who have been transitioned to the revised evaluation system, the following summative performance ratings mean that his/her work is not judged satisfactory:

## Level 1

Level 2 if the classroom teacher is a continuing contract employee under RCW 28A.405.210 with more than five years of teaching experience and if the Level 2 rating has been received for two consecutive years or for two years within a consecutive three-year time period.

## 12. Probation

A probationary period of 60 school days will be established for those certificated classroom teachers whose work is not judged satisfactory. This period may be extended if deemed necessary to complete a program for improvement and evaluate the probationer's performance, as long as the probation period is concluded before May 15 of the same school year. The probation period may be extended to the following school year if the probationer has five or more years of teaching experience and a comprehensive summative evaluation performance rating as of May 15 of Level 1.

The superintendent will establish the probationary period and provide the notice of deficiency to the probationer. The purpose of the probation period is to give the probationer the opportunity to demonstrate improvements in his or her area of deficiency. The establishment of a probationary period does not adversely affect the probationer's contract status within the meaning of RCW 28A.405.300.

During the period of probation, the probationer may not be transferred from the supervision of the original evaluator. The original evaluator must document any improvement of performance or probable cause for non-renewal before any consideration of a request for transfer or reassignment contemplated by either the probationer or the district can occur. During the probation period, the evaluator will meet with the probationer at least twice monthly to supervise and make a written evaluation of progress, if any, made by the probationer.

The evaluator may authorize one additional certificated staff member to evaluate the probationer and to aid them in improving their area of deficiency. Should the evaluator not authorize an additional evaluator, the probationer may request that an additional certificated employee evaluator become part of the probationary process. This request must be implemented by including an additional experienced evaluator assigned by the educational service district in which the school district is located and selected from a list of evaluation specialists compiled by the educational services district. Such additional certificated staff members will be immune from civil liability incurred or imposed during an otherwise good faith performance of an evaluation. Procedural errors occurring during a program for improvement do not invalidate the effectiveness of the plan or the ability to evaluate the probationer's performance.

### 13. Removal from probation

The probationer will be removed from probation if he or she has demonstrated improvement to the satisfaction of the evaluator in the specific areas detailed in the notice of deficiency and in the program for improvement. Certificated classroom teachers who have been transitioned to the revised evaluation system implemented by September 1, 2013, must be removed from probation if he or she has demonstrated improvement that results in a new comprehensive summative evaluation performance rating of Level 2 or above for a provisional employee or for a continuing contract employee with five or fewer years of experience or of level 3 or above for a continuing contract employee with more than five years of experience.

### 14. Lack of improvement while on probation

If a probationer does not show necessary improvement during the probation period, the evaluator will document the lack of necessary improvement and the superintendent will notify the probationer in writing that this constitutes grounds for a finding of probable cause for non-renewal as provided in Policy 5280, Termination of Employment.

When a continuing contract employee with five or more years of experience receives a comprehensive summative evaluation performance rating below Level 2 for two consecutive years, the district will implement the employee notification of discharge within 10 days of the second summative comprehensive evaluation or May 15, whichever occurs first.

### 15. Alternative Assignment

Immediately following the completion of the probationary period that does not produce necessary performance changes detailed in the initial notice of deficiencies and program for improvement, a certified classroom teacher may be removed from his or her assignment and placed into an alternative assignment for the remainder of the school year.

A certificated classroom teacher who has been transitioned to the revised evaluation system may be removed from his or her assignment and placed into an alternative assignment for the remainder of the school year immediately following the completion of a probationary period that does not result in the required comprehensive summative evaluation performance rating of Level 2 or above for a provisional employee or a continuing contract employee with five or fewer years of experience or of Level 3 or above for a continuing contract employee with more than five years of experience. The alternative assignment may not displace another staff member or adversely affect the certified classroom teacher's compensation or benefits for the remainder of the contract year. In the event such alternative assignment is not possible, the district may place the staff person on paid leave for the balance of the contract term.

## 16. Notification of Discharge

If a contract employee with five or more years of experience receives a comprehensive summative evaluation performance rating below Level 2 for two consecutive years, the district will, within 10 days of completion of the second evaluation or by May 15, whichever occurs first, implement the employee notification of discharge as provided in RCW 28A.405.300 and Policy 5280, Termination of Employment.

### Evaluation of Certificated Principals and Assistant Principals

Pursuant to state law implementing the Professional Growth and Evaluation of School Personnel system, the board will adopt the leadership framework and the evaluative criteria and procedures with which to evaluate all certificated principals and assistant principals and post the selection of the leadership framework on its website. It is the responsibility of the superintendent or his or her designee to evaluate certificated principals and assistant principals using the board adopted leadership framework.

#### 1. Comprehensive summative evaluation, annual comprehensive summative evaluation and focused evaluation

Due to the importance of instructional leadership and assuring rater agreement among evaluators, particularly those evaluating teacher performance, school districts are encouraged to conduct comprehensive summative evaluation of principal performance on an annual basis.

All principals will receive a comprehensive summative evaluation at least once every four years. A comprehensive summative evaluation assesses all eight evaluation criteria applicable to that principal and all criteria contribute to the comprehensive summative evaluation performance rating.

Principals will receive an annual comprehensive summative evaluation if they:

Are in their first three consecutive school years of employment as a principal;

Were previously employed as a principal by another school district in the state of Washington for three or more consecutive school years and are in the first full year as a principal in the school district; or

Received a comprehensive summative evaluation performance rating of Level 1 or 2 in the previous school year.

In the years when a comprehensive summative evaluation is not required, principals who received a comprehensive summative evaluation performance rating of Level 3 or above in the previous school year will receive a focused evaluation. A focused evaluation includes an assessment of one of the eight criteria selected for a performance rating plus professional growth activities specifically linked to the selected criteria.

In any given year, the principal or the supervisor may elect to conduct a comprehensive summative evaluation to be used as a basis for determining that a staff member's work is unsatisfactory or to serve as the basis for determining that there is probable cause for non-renewal, unless the locally bargained evaluation process provides otherwise.

## 2. Minimum criteria for evaluation of principals and assistant principals

Evaluation of principals and assistant principals will be based on the administrative position job description and the following minimum criteria:

Creating a school culture that promotes the ongoing improvement of learning and teaching for students and staff. The related descriptor is: An effective leader advocates, nurtures and sustains a school culture and instructional program that promotes student learning and staff professional growth.

Demonstrating commitment to closing the achievement gap. The related descriptor is: An effective leader has a commitment to closing identified gaps in achievement between groups of students, monitoring subgroup data and developing and encouraging strategies to eliminate those gaps. Student growth data must be a substantial factor utilizing the OSPI approved student growth rubrics.

Providing for school safety. The related descriptor is: An effective leader teams with the school's community to develop routines and expectations that create a physically and emotionally safe learning environment.

Leading the development, implementation and evaluation of a data-driven plan for increasing student achievement, including the use of multiple student data elements. The related descriptor is: An effective leader relies on data to promote improvement through school improvement plans in all aspects of the school and across all of the eight principal evaluation criteria. Student growth data must be a substantial factor utilizing the OSPI approved student growth rubrics.

Assisting instructional staff with alignment of curriculum, instruction, and assessment with state and local school district learning goals. The related descriptor is: An effective leader assumes responsibility to assist staff with the alignment of their teaching and classroom assessments with the state's learning goals and the school district's curriculum.

Monitoring, assisting and evaluating effective instruction and assessment practices. The related descriptor is: An effective leader monitors teaching and uses the evaluation process and other strategies to support teachers' efforts to strengthen their teaching and learning in classrooms. Student growth data must be a substantial factor utilizing the OSPI-approved student growth rubrics.

Managing both staff and fiscal resources to support student achievement and legal responsibilities. The related descriptor is: An effective leader manages human and fiscal resources in ways that enhance the likelihood that students will thrive and succeed in achieving the school's goals for them.

Partnering with the school community to promote student learning. The related descriptor is: An effective leader engages families and the community in ways that increase the success of students.

### 3. Analysis of evidence

The evaluator will analyze the evidence observed according to all eight criteria, the leadership framework rubric and the OSPI-approved student growth rubrics. More than one measure of student growth data must be used in scoring the student growth rubrics. Input from building staff may be included in the analysis.

The evaluator will calculate all criterion scores to derive an overall summative score and then determine the final four-level rating (summative performance rating) based on the OSPI-determined summative evaluation scoring band. Upon completing the overall summative scoring process, the evaluator will combine only the student growth rubric scores to assess the principal's student growth impact rating. The student growth impact rating will be determined by OSPI's student impact rating scoring band.

A student growth score of "1" in any of the rubric rows will result in an overall low student growth impact rating.

### 4. Summative performance ratings

**Level 1: Unsatisfactory.** Professional practice shows evidence of not understanding the concepts underlying individual components of the criteria. This level of practice is ineffective and inefficient and may represent practice that is harmful to student learning progress, professional learning environment, or individual leading practice. This level requires immediate intervention.

**Level 2: Basic.** Professional practice shows a developing understanding of the knowledge and skills of the criteria required to practice, but performance is inconsistent over a period of time due to lack of experience, expertise, and/or commitment. This level may be considered minimally competent for principals early in their careers but insufficient for more experienced principals. This level requires specific support.

**Level 3: Proficient.** Professional practice that shows evidence of thorough knowledge of all aspects of the profession. This is successful, accomplished, professional and effective practice. Leading at this level utilizes a broad repertoire of strategies and activities to support student learning. At this level, leading a school is strengthened and expanded through purposeful, collaborative sharing and learning with colleagues as well as ongoing self-reflection and professional improvement.

**Level 4: Distinguished.** Professional practice is that of a master professional whose practices operate at a qualitatively different level from those of other professional peers. To achieve this rating, a principal would need to have received a majority of distinguished ratings on the criterion scores. A principal at this level must show evidence of average to high impact on student growth. Ongoing, reflective leading is demonstrated through the highest level of expertise and commitment to all students' learning, challenging professional growth and collaborative practice.

5. Student growth rating outcomes

Principals with a preliminary rating of Distinguished with low student growth rating will receive an overall Proficient rating.

Principals with a low student growth rating will engage with their evaluator in a Student Growth Inquiry focused on specific areas of weak student impact.

Principals with a preliminary rating of Distinguished with average or high student growth rating will receive an overall Distinguished rating and will be formally recognized and/or rewarded.

Evaluations of principals with a preliminary rating of Unsatisfactory and high student growth rating will be reviewed by the evaluator's supervisor.

6. Comprehensive summative performance ratings

For principals who have been transitioned to the revised evaluation system, the following comprehensive summative evaluation performance ratings mean a principal's work is not judged satisfactory:

Level 1

Level 2 if the principal has more than five years of experience in the principal role and if the Level 2 comprehensive summative evaluation performance rating has been received for two consecutive years or for two years within a consecutive three-year period.

7. Student growth inquiry

Within two months of a principal receiving a low student growth score or at the beginning of the following school year, the evaluator will initiate one or more of the following:

Examine student growth data in conjunction with other evidence including observation, artifacts and other student and teacher information based on appropriate classroom, school, district and state-based tools and practices;

Examine extenuating circumstances which may include one or more of the following: Goal setting process; content and expectations; student attendance; extent to which standards, curriculum and assessment are aligned;

Schedule monthly conferences focused on improving student growth to include one or more of the following topics: Student growth goal revisions, refinement, and progress; best practices related to instruction areas in need of attention; best practices related to student growth data collection and interpretation;

Create and implement a professional development plan to address student growth areas.

8. Focused evaluation

A focused evaluation of a principal will include the following:

Assessment of one of the eight criteria for principals in every year that a comprehensive evaluation is not required.

The selected criterion must be approved by the principal's evaluator and may have been identified in a previous comprehensive summative evaluation as benefiting from additional attention.

The evaluation must include an assessment of the criterion using the leadership framework rubrics and the OSPI-approved student growth rubrics. More than one measure of student growth data must be used in scoring student growth rubrics.

The student growth rubrics selected by the principal and approved by the principal's evaluator.

A summative score determined through scoring of the leadership and student growth rubrics for the criterion selected.

A principal may be transferred from a focused evaluation to a comprehensive summative evaluation at his/her request or at the direction of his/her evaluator.

Principals may apply the focused evaluation professional growth activities toward the professional growth plan for professional certificate renewal as required by the professional educator standards board.

9. Notice of deficiency and reasonable program for improvement

At any time after October 15, a principal whose work is not judged satisfactory based on district evaluation criteria will be given a written notice of deficiency that lists specific areas of deficiencies and provides a reasonable program for improvement.

Evaluation of Certificated Support Personnel

The board will establish evaluative criteria and procedures for all certificated support personnel. The evaluative criteria must contain, as a minimum, the criteria established by the Superintendent of Public Instruction pursuant to this section and must be prepared within six months following adoption of the Superintendent of Public Instruction's minimum criteria. The district must certify to the Superintendent of Public Instruction that evaluative criteria have been so prepared by the district.

## 1. Observation

Certificated support personnel will be observed in the performance of their duties at least twice each school year. At least one observation will be for no less than 30 minutes. Total observation time for each employee for each school year will not be less than 60 minutes. Prior to being transitioned to the new evaluation system, a certificated support person who has four years of satisfactory evaluations in the district may be evaluated using a short form evaluation pursuant to RCW 28A.405.100(11). However, after being transitioned to the new evaluation system, these employees must be evaluated using either a focused or comprehensive evaluation.

New employees will be observed in the performance of their duties at least once during the first 90 calendar days of their employment for a total observation time of no less than 30 minutes.

Employees in the third year of provisional status will be observed in the performance of their duties at least three times during the school year for a total observation time of no less than 90 minutes.

Each certificated support personnel shall have the opportunity for confidential conferences with his or her immediate supervisor on no less than two occasions in each school year. Such confidential conference shall have as its sole purpose the aiding of the administrator in his or her assessment of the employee's professional performance.

## 2. Minimum Criteria for Evaluation of Certificated Support Personnel

**Knowledge and scholarship in special field:** The certificated support person demonstrates a depth and breadth of theory and content in his/her specialized field. He/she demonstrates an understanding of and knowledge about common school education and demonstrates the ability to integrate the area of specialty into the school environment.

**Specialized skills:** The certificated support person demonstrates a competent level of skill and knowledge in designing and conducting specialized programs of prevention, intervention, remediation and evaluation.

**Management of special and technical environment:** The certificated support person demonstrates an acceptable level of performance in managing and organizing the special materials, equipment and environment essential to the specialized programs.

**Professionalism:** The certificated support person demonstrates awareness of his/her limitations and strengths and demonstrates continued professional growth.

**Involvement in assisting students, parents and staff:** The certificated support person demonstrates an acceptable level of performance in identifying those needing specialized programs.

### 3. Evaluation report

The evaluator will promptly document the results of the observation or series of observations and will, within three days, provide a copy of the evaluation report to the certificated support personnel. The certificated support personnel will sign the district's original evaluation report to indicate that he/she has received a copy, although the signature does not necessarily imply agreement with the contents of the evaluation report. The evaluator will provide the certificated support personnel the opportunity to attach written comments to his/her report, and then ensure each evaluation report is placed in that individual's personnel file.

### 4. Evaluation results for certificated support personnel

Evaluation results for certificated support personnel will be used to:

Acknowledge, recognize and encourage excellence in the certificated support person's professional performance;

Document the level of performance by an employee of his/her assigned duties;

Identify discrete areas according to the criteria included on the evaluation instrument in which the employee may need improvement;

Document performance by an employee judged unsatisfactory based on the district evaluation criteria.

### 5. Notice of deficiency and reasonable program for improvement

At any time after October 15, certificated support personnel whose work is not judged satisfactory based on district evaluation criteria will be given a written notice of deficiency that lists specific areas of deficiencies and provides a reasonable program for improvement.

### 6. Probation

A probationary period of 60 school days will be established for those certificated support personnel whose work is not judged satisfactory. This period may be extended if deemed necessary to complete a program for improvement and evaluate the probationer's performance, as long as the probation period is concluded before May 15 of the same school year. The probation period may be extended to the following school year if the probationer has five or more years of teaching experience and has a comprehensive summative evaluation performance rating as of May 15 of Level 1.

The superintendent will establish the probationary period and provide the notice of deficiency to the probationer. The purpose of the probation period is to give the probationer the opportunity to demonstrate improvements in his or her area of deficiency. The establishment of a probationary period does not adversely affect the probationer's contract status within the meaning of RCW 28A.405.300.

During the period of probation, the probationer may not be transferred from the supervision of the original evaluator. The original evaluator must document any improvement of performance or probable cause for non-renewal before any consideration of a request for transfer or reassignment contemplated by either the probationer or the district can occur.

During the probation period, the evaluator will meet with the probationer at least twice monthly to supervise and make a written evaluation of progress, if any, made by the probationer. The evaluator may authorize one additional certificated staff member to evaluate the probationer and to aid them in improving their area of deficiency.

Should the evaluator not authorize an additional evaluator, the probationer may request that one additional certificated employee evaluator participate in the probationary process and this request must be implemented by including an additional experienced evaluator assigned by the educational service district in which the school district is located. Such additional certificated staff members will be immune from civil liability incurred or imposed during an otherwise good faith performance of an evaluation. Procedural errors occurring during a program for improvement do not invalidate the effectiveness of the plan or the ability to evaluate the probationer's performance.

#### 7. Removal from probation

The probationer will be removed from probation if he or she has demonstrated improvement to the satisfaction of the evaluator in the specific areas detailed in the notice of deficiency and in the program for improvement.

#### 8. Lack of improvement while on probation

If a probationer does not show necessary improvement during the probation period, the evaluator will document the lack of necessary improvement and notify the probationer in writing that this constitutes grounds for a finding of probable cause for non-renewal.

#### 9. Alternative assignment

Immediately following the completion of the probationary period that does not produce necessary performance changes detailed in the initial notice of deficiencies and program for improvement, certificated support personnel may be removed from their assignment and placed into an alternative assignment for the remainder of the school year.

The alternative assignment may not displace another staff member or adversely affect the certificated support person's compensation or benefits for the remainder of the contract year. In the event such alternative assignment is not possible, the district may place the certificated support person on paid leave for the balance of the contract term.

#### Evaluation of Other Administrative Staff

The superintendent will develop and implement a system for evaluating administrative staff other than certificated principals and assistant principals as referenced in the section above.

The evaluative criteria for other administrative staff will be:

- 1) Leadership;
- 2) Administration and management;
- 3) School finance;
- 4) Professional preparation and scholarship;
- 5) Effort toward improvement when needed;
- 6) Interest in students, staff, patrons and subjects taught in schools; and
- 7) Evaluation of staff.

#### Evaluation of Classified Staff

The superintendent will develop and implement a system for evaluating classified staff. Except as otherwise developed in accordance with the duty to bargain in chapter 41.56 RCW, the evaluative criteria for classified staff will be based upon the job description of the specific assignment.

## CONFLICTS OF INTEREST

Staff members shall not engage in nor have a direct financial interest in any activity which conflicts with his/her duties and responsibilities. Such activities where a conflict of interest may exist include but are not limited to:

- A. Receiving economic benefit from selling or promoting the sale of goods or services to the students or their parents where the knowledge of the staff member's relationship to the district is in any way utilized to influence the sale.
- B. Receiving economic benefit from the sale of instructional and training materials and/or equipment where the district has specifically engaged a staff member(s) to develop such materials or equipment. In such instances, the district shall retain a proprietary interest.
- C. Encouraging a student who is enrolled in one or more of the teacher's classes to take private lessons or to engage tutoring for fee from the staff member.
- D. Using or providing for others a list of names and home addresses obtained from school records or school-related contacts for purposes of identifying potential client or customer contacts.
- E. Participating in any way in the selection process for materials, books or equipment when an item developed by or authored by the staff member or a member of his/her family is under consideration for approval for district use.
- F. Being involved in the selection of an applicant or in the appointment, evaluation or supervision of any other staff member who is a family member.
- G. Using the interschool mail to promote sales of a product in which a staff member has a financial interest.
- H. Providing a staff or student directory for use in promoting sales of a product or service.
- I. Purchasing or otherwise acquiring surplus district property, where the staff member was involved in or had influence in the process of declaring the item(s) as surplus.

Written permission from the superintendent or principal is necessary when:

- A. A certificated staff member wishes to tutor or give private lessons for a fee to any student who is enrolled in one or more of the teacher's classes.
- B. A certificated staff member such as communication disorder specialists, psychologists or specialized music teachers, wishes to give private instruction for a fee to any student who is concurrently being served by that individual in the regular school program.

Legal Reference: WAC 181-87-090

Improper remunerative conduct

**Adoption Date: 03.10.97**  
**Auburn School District**  
**Revised: 05.09.11**

## **STAFF PARTICIPATION IN POLITICAL ACTIVITIES (DRAFT 5-2-17)**

The board recognizes the right of its employees, as citizens, to engage in political activities. A staff member may seek an elective office provided that the staff member does not campaign on school property during working hours. **District property and work time, supported by public funds, may not be used for political purposes.**

In the event the staff member is elected to office, the employee may request a leave of absence in accordance with the leave policies of the district or the provisions of ~~the~~ **any** applicable **collective bargaining agreement** ~~labor agreement for the employee.~~

No individual shall solicit on the school district property for any contribution to be used for partisan political purpose.

The superintendent is directed to establish procedures which specify the condition under which a staff member can participate in political activities.

Cross Reference: Board Policy 4400

Election Activities

Legal References: RCW 41.06.250  
RCW 42.17A.555

Political activities  
Use of public office or agency facilities  
in campaigns—Prohibition—  
Exceptions

RCW 42.17A.635

Legislative activities of state agencies,  
other unites of government,  
elective officials, employees

Management Resources: Policy Alert, October 2015

## **PROCEDURE STAFF PARTICIPATION IN POLITICAL ACTIVITIES**

Guidelines for staff participation in political activities are as follows:

- A. Any employee who intends to campaign for an elective political office is encouraged to submit a statement of intent to the superintendent at least two weeks prior to the filing date. The letter of intent to file for political office will include a statement which outlines:
  - 1. The degree to which the employee might request leave to make personal appearances during work hours; and
  - 2. The anticipated release time to conduct the duties associated with the elective office.
- B. The employee who intends to campaign for an elective office will be advised that:
  - 1. Political activities will not occur during the working hours of the employee. This will not preclude the employee from renting space if such space is available on a rental basis for candidates who are not associated with the school district;
  - 2. Political circulars, petitions or endorsements may not be distributed or posted on school property;
  - 3. The collection of campaign funds and/or the solicitation of campaign workers is prohibited on school property; and
  - 4. The use of students for writing or addressing political materials, or the distribution of such materials to or by students, is prohibited.
- C. An employee may not campaign for a political candidate or for a political issue during school hours on school property.
- D. Staff members who hold elective office are not entitled to release time from their school duties for reasons incidental to such office except as such time may qualify under the leave policies of the board or a provision of a negotiated labor agreement.
- E. Violation of any of the stated rules may constitute sufficient cause for reprimand or dismissal.

### **Political Relationships with Governmental Agencies**

All “lobbying” activities on behalf of the school district will be conducted under the direction of the superintendent and/or board. For purposes of this procedure, “lobbying” means attempting to influence the passage or defeat of any legislation or the adoption or rejection of any rule, standard, rate or other legislative enactment by any state agency.

The district will file a quarterly report (PDC Form L-5) with the Public Disclosure Commission when “in-person lobbying” exceeds four days or parts of days during any three-month period in aggregate for all employees at the district. In-person lobbying includes testifying at legislative committee hearings and state agency hearings on rules and regulations but does not include attendance merely to monitor or observe testimony and debate. Quarterly reports are due at the Public Disclosure Commission on or before May 2nd, August 1st, October 31st and January 31st

District funds will not be expended for dinners, entertainment, or campaign contributions.

## **MAINTAINING PROFESSIONAL STAFF/STUDENT BOUNDARIES (DRAFT 5-2-17)**

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

The Auburn Board of Directors expects all staff members to maintain the highest professional, moral and ethical standards in their interaction with students. Staff members are required to maintain an atmosphere conducive to learning, ~~through~~ **by** consistently ~~and fairly applied discipline and established and maintained~~ **maintaining** professional boundaries.

**Professional staff/student boundaries are consistent with the legal and ethical duty of care that district employees have for students.**

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

~~Staff members~~ **District staff** will not intrude on a student’s physical and emotional boundaries unless the intrusion is necessary to serve ~~an~~ **a demonstrated educational or physical, mental and/or emotional health** purpose. An educational purpose is one that relates to the staff member’s duties in the district. Additionally, staff members are expected to be sensitive to the appearance of impropriety in their own conduct and the conduct of other staff when interacting with students. Staff members will discuss issues with their building administrator or supervisor whenever they suspect or are unsure whether conduct is inappropriate or constitutes a violation of this policy.

**The board recognizes that staff may have familial and pre-existing social relationships with parents or guardians and students. Staff members should use appropriate professional judgment when they have a dual relationship to students to avoid violating this policy, the appearance of impropriety, and the appearance of favoritism. Staff members shall proactively discuss these circumstances with their building administrator or supervisor.**

### **Use of Technology**

The Auburn Board of Directors supports the use of technology to communicate for educational purposes. However, district ~~employees~~ **staff** are prohibited from ~~inappropriate online socializing or from engaging in any conduct on social networking Web sites~~ **communicating with students on-line or from engaging in any conduct on social networking websites** that violates the law, district policies or **procedures**, other generally recognized professional standards. ~~Employees~~ **Staff** whose conduct violates this policy may face discipline and/or termination, consistent with the district’s policies **and procedures**, acceptable use agreement and collective bargaining agreements, as applicable.

The superintendent or designee will develop staff protocols for reporting and investigating allegations and develop procedures and training to accompany this policy.

**Cross References: Policy 3205**

**Sexual Harassment of Students  
Prohibited**

**Policy 3207**

**Policy 3210**

Legal References:

**Title IX of the Education  
Amendments of 1972  
Chapter 9A.44, RCW  
Chapter 9A.88, RCW  
RCW 28A.400  
RCW 28A.400.320**

RCW 28A.405.470

RCW 28A.405.475

RCW 28A.410.090

RCW 28A.410.095

RCW 28A.410.100

**Chapter 28A.640, RCW  
Chapter 28A.642, RCW  
Chapter 49.60, RCW**

WAC 181-87

WAC 181-88

**Prohibition of Harassment,  
Intimidation and Bullying  
Nondiscrimination**

**Sex offenses**

**Indecent exposure—Prostitution**

**Crimes against children**

**Crimes against children—Mandatory  
termination of classified  
employees—Appeal—Recovery of  
salary or compensation by district**

Crimes against children--Mandatory  
termination of certificated  
employees--Appeal - Recovery of  
salary or compensation by district.

Termination of certificated employee  
based on guilty plea or conviction of  
certain felonies--Notice to  
superintendent of public instruction--  
Record of notices.

Revocation or suspension of certificate  
or permit to teach--Criminal basis—  
Complaints--Investigation—Process

Violation or noncompliance--  
Investigatory powers of  
superintendent of public instruction--  
Requirements for investigation of  
alleged sexual misconduct towards a  
child--Court orders--Contempt--  
Written findings required.

Revocation of authority to teach--  
Hearings.

**Sexual Equality**

**Discrimination Prohibition**

**Washington State law Against  
Discrimination**

Professional Certification--Acts of  
Unprofessional Conduct

**Definitions of Sexual Misconduct,  
Verbal and Physical Abuse--**

**Mandatory Disclosure--Prohibited  
Agreements**

**Management Resources: 2015, October Issue**

**Adoption Date: 05.09.11**

**Auburn School District**

**Revised:**

## **PROCEDURE MAINTAINING PROFESSIONAL STAFF/STUDENT BOUNDARIES (DRAFT 5-2-17)**

The purpose of this procedure is to provide all staff, students, volunteers and community members with information to increase their awareness of their role in protecting children from inappropriate conduct by adults.

In a professional staff/student relationship, ~~school employees~~ **staff** maintain boundaries that are consistent with the legal and ethical duty of care that school personnel have for students.

A boundary invasion is an act or omission by a ~~school employee~~ **staff member** that violates professional staff/student boundaries and has the potential to abuse the staff/student relationship.

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

### **Unacceptable Conduct Inappropriate Boundary Invasion Examples**

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

- A. Any type of inappropriate physical contact with a student or any other conduct that might be considered harassment under the board's policy on Harassment and Sexual Harassment of Students (**Policy 3205; Prohibition of Harassment, Intimidation and Bullying (Policy 3207); Nondiscrimination (Policy 3210); Title IX of the Education Amendments of 1972 (Title IX); the Washington State Law Against Discrimination (Chapter 49.60 RCW); or that constitutes misconduct under RCW 28A.640 and .642 or WAC 181-88-060; or any conduct that would constitute a violation of Chapter 9A.44 or 9A.88 RCW.**;
- B. Showing pornography to a student;
- C. Singling out a particular student or students for personal attention and friendship beyond the professional staff-student relationship;
- D. Socializing where students are consuming alcohol, drugs or tobacco;
- E. For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student's school performance;
- F. Sending students on personal errands unrelated to any educational purpose;
- G. Banter, allusions, jokes or innuendos of a sexual nature with students;
- H. Disclosing personal, sexual, family, employment concerns or other private matters to one or more students;
- I. Addressing students or permitting students to address staff members with personalized terms of endearment, pet names, or otherwise in an overly familiar manner;
- J. Maintaining personal contact with a student outside of school by phone, e-mail, instant messenger or Internet chat rooms, social networking websites, or letters (beyond homework or other legitimate school business) without including the parent/guardian;
- K. Exchanging personal gifts, cards, or letters with an individual student;
- L. Socializing or spending time with students (including but not limited to activities such as going out for beverages, meals or movies, shopping, traveling and recreational activities) outside of school-sponsored events, except as participants in organized community activities;

- M. Giving a student a ride alone in a vehicle in a non-emergency situation; and/or
- N. Unnecessarily invading a student's privacy, (e.g. walking in on the student in the bathroom).
- O. Soliciting phone, email, text messages or other forms of written or electronic communication to students without building administrator/supervisor and parent permission when the communication is unrelated to school work or other legitimate school business; or**
- P. Any other conduct that fails to maintain professional staff/student boundaries.**

### **Appearance of Impropriety**

The following activities are boundary invasions and can create an actual impropriety or the appearance of impropriety. Whenever possible, staff should avoid these situations. If unavoidable, these activities should be pre-approved by the appropriate administrator. If not pre-approved, the staff person must report the occurrence to the appropriate administrator as soon as possible.

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

### **Reporting Violations**

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

Staff members are required to promptly notify the principal or the supervisor of the employee suspected of engaging in inappropriate conduct that violates this policy.

The administrator to whom a boundary invasion concern is reported must document, in writing, the concern and provide a copy of the documentation to the assistant superintendent or director in charge of the district's human resources. The assistant superintendent or director of human resources will maintain a separate non-personnel file **documenting reports of this nature which are made** ~~of all boundary invasion reports made to human resources.~~

Whenever boundary invasion concerns occur, the person in charge of human resources will review the full history of concerns relating to the person complained about and will provide a summary to the superintendent.

**Reporting Sexual Abuse**

All professional school personnel who have reasonable cause to believe that a student has experienced sexual abuse by a staff member, volunteer, or agency personnel working in the school are required to make a report to Child Protective Services or law enforcement pursuant to board policy and procedure 3421, *Child Abuse, Neglect and Exploitation Prevention*, and RCW 26.44. Reporting suspected abuse to the building principal or supervisor does not relieve professional school personnel from their reporting responsibilities and timelines.

**Disciplinary Action**

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

**Training**

All new employees and volunteers will receive training on appropriate staff/student boundaries within three months ~~(or insert number of days/months)~~ of employment. Continuing employees will receive training every three years.

**Dissemination of Policy and Reporting Protocols**

This policy and procedure will be included on the district website and in all employee, student and volunteer handbooks. Annually, all administrators and staff will receive copies of the district's reporting protocol.

## **PERSONNEL RECORDS**

The district shall organize, compile, and maintain personnel records and files for each staff member of the district which shall be kept secure under the authority of the superintendent. The contents of the files shall be available to the superintendent and to those staff authorized by the superintendent to organize, compile, and maintain the personnel files. Staff members who have access to the files shall be required to maintain the confidentiality of the files and their contents.

A certificated or classified staff member shall be permitted, during normal district business hours, to review the contents of his/her personnel file in the presence of an authorized staff member.

A staff member annually may petition that the superintendent review all information in the staff member's personnel file(s) that is regularly maintained by the district as a part of his business records or is subject to reference for information given to persons outside of the district. The superintendent shall determine if there is any irrelevant or erroneous information in the file(s) and shall remove all such information from the file(s). If a staff member does not agree with the superintendent's determination, the staff member may, at his or her request, have placed in the staff member's personnel file a statement containing a rebuttal or correction.

Cross Reference:	Board Policy 4040	Public Access to District Records
Legal References:	RCW 28A.405.250	Certificated employees, applicants for certificated position, not to be discriminated against--Right to inspect personnel file
	42.56.230(2)	Certain personal and other records exempt (from public inspection)
	49.12.240-260	Employee inspection of personnel file

## **PROCEDURE PERSONNEL RECORDS**

### **Location**

The district will maintain a personnel file for each of its staff members.

### **Staff Member's Access to His/Her Personnel File**

Any staff member has the right to examine and copy materials from and/or have copies made of his/her personnel file during regular business hours.

The superintendent has authorized access to personnel records to the following individuals:

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_.

The superintendent or his/her designee must be present when a staff member is given access to his/her personnel file in order to offer the staff member assistance and interpretation of material contained in the file.

The district will establish a copy fee.

### **Access by Others to a Personnel File**

Any person authorized by a valid court order will have access to personnel files.

Principals and/or immediate supervisors may examine the files of staff employed in their building.

Any individual who has the written permission of a staff member may request to examine the staff member's records.

### **Contents of Personnel File**

A personnel file may contain, but is not limited to, professional certificates, transcripts from colleges or universities, a record of previous employment, evaluations, professional assessment instruments, letters of recommendation, and copies of district contracts. All material in the personnel file must be related to the staff member's work, position, salary, or employment status in the district. A staff member may petition that the personnel office review all information in the personnel file. The personnel office will determine if there is any irrelevant information and will remove all such from the file. If the staff member does not concur with that material that remains, the staff member may file a statement of rebuttal or correction to be placed into the file.

### **Adding Material**

The superintendent is responsible for placing material in the proper personnel file within 10 days of receipt or origination of said material. All materials placed in a personnel file will be signed and dated. When material is critical of a staff member, the person responsible for placing this material in the staff member's file must forward a copy of the material to the staff member. Any material critical of a staff member which is not shown to him/her within 10 days after placement in his/her file will not be allowed as evidence in any grievance or disciplinary action against such staff member.

**Staff Member's Right to Object to Material Added**

**Appeal.** A staff member may appeal to the superintendent for the removal of any material placed in his/her personnel file. This must be done by requesting a conference with the party involved for the purpose of examining the questioned material. If the staff member is not satisfied with the decision, he/she may file a grievance according to district policy.

**Rebuttal.** A staff member has the right to submit a written statement of rebuttal relating to any material in his/her personnel file and have the written rebuttal placed within the file. A former staff member will retain the right of rebuttal or correction for a period not to exceed two (2) years.

## **RESOLUTION OF STAFF COMPLAINTS**

The board recognizes the importance of establishing reasonable and effective means for resolving difficulties which may arise among staff, to reduce potential areas of grievances, and to establish and maintain recognized two-way channels of communication between supervisory personnel and staff.

The board intends to expedite the process for all concerned parties. Staff is urged to use the administrative procedures whenever they feel that a district action has aggrieved them. The procedures are established to secure a proper and equitable solution to a complaint at the lowest possible supervisory level and to facilitate an orderly procedure within which solutions may be pursued.

A complaint may be a claim by a staff member based upon alleged violation, misinterpretation or a misapplication of existing district policies or administrative procedures.

## **PROCEDURE RESOLUTION OF STAFF COMPLAINTS**

The following procedure has been established for resolving a complaint filed by a member of the staff:

### **Step One**

The staff member will present the complaint in writing to his/her immediate supervisor within 15 days of the action or incident. The written statement of the complaint will contain:

- A. The facts upon which the complaint is based as the staff member who is filing the complaint sees them;
- B. A reference to the policies of the district which have allegedly been violated; and
- C. The remedies sought.

The staff member will discuss this complaint with his/her immediate supervisor. If the complaint is against an administrator or another staff member, such individual will be present at the meeting to present the facts as he/she sees them. A sincere effort will be made to resolve the complaint at this level. If the aggrieved person does not appeal the complaint to the superintendent within 10 days of the aggrieved person's meeting with his/her immediate supervisor, the complaint will be waived.

### **Step Two**

The superintendent will, within 10 days of the receipt of the complainant's appeal, meet with that staff member to hear his/her claim. If the complaint is against an administrator or another staff member, such individual will be present at the hearing to present the facts as he/she sees them.

The superintendent will render a decision regarding the appeal within 10 days of the appeal hearing. If the complainant does not appeal the superintendent's decision to the board through the superintendent within 10 days, the complaint will be waived.

### **Step Three**

If the complainant appeals his/her complaint to the board as provided, the board will hold a hearing within 10 days to hear the appeal of the superintendent's decision. At the appeal before the board, the complainant may be accompanied by counsel if the complainant wishes. If administrators or other staff are involved, they will be present at the hearing to present the facts as they see them. The board will, within 15 days of the complaint hearing, present its decision with respect to the complaint. The board's decision as representatives of the electorate of the district will be considered final.

## **REPORTING IMPROPER GOVERNMENTAL ACTION**

The district encourages the reporting, consistent with the superintendent's procedures, of improper governmental actions by any district officers or employees and will protect employees against retaliatory employment actions for reporting improper governmental actions when the reports are made in compliance with this policy and related procedure. District officers and employees are prohibited from taking retaliatory action against an employee because the employee has in good faith reported alleged improper governmental action in accordance with this policy and related procedure.

The superintendent shall establish procedures for receiving and acting on employee reports of improper governmental actions and responding to allegations of retaliation.

Legal References:      RCW 42.41.010-060

Local Government Whistleblowers  
Protection

**Adoption Date: 03.10.97**  
**Auburn School District**  
**Revised: 05.09.11**

## **PROCEDURE**

### **REPORTING IMPROPER GOVERNMENTAL ACTION**

#### **Reporting Improper Governmental Action**

Definitions: As used in this policy and procedure, the following terms shall have the meanings indicated.

- A. "Improper governmental action" means any action by a district officer or employee:
1. That is undertaken in the performance of the officer or employee's official duties, whether or not the action is within the scope of the employee's job; and
  2. That (i) is in violation of any federal, state or local law or rule, (ii) is an abuse of authority, (iii) is of substantial and specific danger to the public health or safety, or (iv) is a gross waste of public funds.

Improper governmental action does not include personnel actions.

- B. "Retaliatory action" means any adverse change in the terms and conditions of a staff member's employment.
- C. "Emergency" means a circumstance that, if not immediately changed, may cause damage to persons or property. Employees are encouraged to report instances which they believe constitute governmental misconduct.

#### **Reporting:**

Employees who become aware of actions that they believe constitute improper governmental action should raise the issue first with their supervisor. If requested by the supervisor, the employee shall submit a written report to the supervisor or designee stating, in detail, the basis for the employee's belief that an improper governmental action has occurred.

Where the employee reasonably believes the improper governmental action involves his or her supervisor, the employee may raise the issue directly with the superintendent or the person whom the superintendent has designated to receive reports of improper governmental action.

In case of emergency where the employee believes that damage to persons or property may result if action is not taken immediately, or where the employee has a legal obligation to report (for instance, where child abuse is suspected), the employee shall report the improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action.

District employees who fail to make a good faith attempt to follow this policy and procedure in reporting improper governmental conduct shall not be eligible for the protection outlined.

#### **Response:**

The employee's supervisor, the superintendent or the superintendent's designee shall take prompt action to see that the report of improper governmental action is properly investigated.

Persons involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employees authorize the disclosure of their identities in writing.

After an investigation has been completed, the reporting employee shall receive a summary of the investigation results, except to the extent that resulting personnel actions must be kept confidential. If a reporting employee reasonably believes that an adequate investigation was not done by the district, that insufficient action has been taken, or that the improper governmental action is likely to recur, the employee may report information about the improper governmental action directly to the appropriate government agency.

**Retaliation:**

Employees who believe that they have been retaliated against for reporting an improper governmental action should advise their supervisor, the superintendent or the superintendent's designee. Appropriate action to investigate and address complaints of retaliation shall be taken.

If the complaint cannot be informally resolved, the employee shall provide written notice to the superintendent that specifies the alleged retaliatory action and the relief requested by the employee. The written complaint must be filed within 30 days of the alleged retaliation. The district will respond to the complaint within 30 days of receiving the written notice.

If the employee alleging retaliation receives no response from the district or objects to the district's response, the employee may request a hearing before a state administrative law judge. The request for a hearing must be delivered in writing to the superintendent either 15 days following the district's response or 45 days after the complaint was filed, if there was no response.

The district will apply for a hearing within five working days to:

Office of Administrative Hearings  
P. O. Box 42488  
919 Lakeridge Way SW  
Olympia, Washington 98504-2488  
(360) 664-2031

The district will consider any recommendation provided by the administrative law judge that an employee found to have retaliated against an employee who reported improper governmental action be suspended with or without pay or dismissed.

**Administration:**

A summary of this policy and procedure will be permanently posted where all employees will have reasonable access to it, the policy and procedure will be made available to any employee who requests them and the policy and procedure will be given to all new employees.

The following is a list of agencies responsible for enforcing federal, state and local laws and investigating issues involving potential improper governmental action. Employees having questions about these agencies or the procedures for reporting improper governmental action are encouraged to contact their supervisor, the superintendent or designee.

Local City Police Dept or County Sheriff's Office

Local City or County Environmental Protection Office

WA. Attorney General's Office  
Fair Practices Division  
Highways-Licenses Building  
1125 Washington Street  
Olympia, Washington 98504-0100  
(360) 753-6200

Washington Auditor's Office  
Legislative Building  
P O Box 40021  
Olympia, Washington 98504-0021  
(360) 902-0370

Washington Department of Ecology  
300 Desmond Drive or P.O. Box 47600  
Lacey, Washington 98504-7600  
(360) 407-6000

WA. Human Rights Commission  
711-South Capitol Way, Suite 402  
Olympia, Washington 98504-2490  
(360) 753-6770

WA. Dept. of Labor & Industries  
P.O. Box 4400  
Olympia, Washington 98504-4400  
(360) 902-5800

WA. Department of Natural Resources  
1111 Washington St. SE or P.O. Box 47000  
Olympia, Washington 98504-7000  
(360) 902-1000

Puget Sound Water Quality Authority  
P O Box 40900  
Olympia, Washington 98504-0900|  
(800) 547-6863 54-SOUND

Local County Prosecutor's Office

Local or County Health Department

U. S. Department of Education  
Office of the Inspector General  
915 - 2nd Ave., Seattle, WA 98174  
Audits: (206) 553-7615

Environmental Protection Agency  
Criminal Investigations  
300 Desmond Dr. Ste 102  
Lacey, WA 98503  
(360) 753-9437

Equal Employment Opportunity Comm.  
(EEOC) 909 First Ave., #400  
Seattle, WA 98104-1061  
(206) 220-6883

Federal Emergency Mgmt. Agency (FEMA)  
Region X email: mike.howard@fema.gov  
Bothell, WA  
(425) 487-4610

U S Department of Labor  
Occupational Safety and Health  
1111 - 3rd Avenue, Suite 715  
Seattle, Washington 98101-3212  
(800) 475-4020

National Transportation Safety Board  
Washington, DC  
(202) 314-6230

U S Department of Transportation  
Office of Inspector General  
915 - 2nd Avenue  
Seattle, Washington 98178  
(800) 424-9071

WA Superintendent of Public Instruction  
Old Capitol Building  
P O Box 47200  
Olympia, Washington 98504-7200  
(360) 753-6738

## **TERMINATION OF EMPLOYMENT**

The superintendent has the statutory authority to issue probable cause for termination to a certificated staff member. The board shall consider the termination of a classified staff member based upon the recommendation of the superintendent. The notice of termination shall include notice of any appeal rights the employee may have and notice of the appeal processes.

### **A. Release from Contract**

A certificated staff member may be released from contract under the following conditions:

1. A letter requesting release shall be submitted to the superintendent's office. If accepted by the board at its next meeting, the staff member shall be released from contract.
2. A release from contract may be granted by the board to allow a staff member to accept another position prior to or during the school year provided a satisfactory replacement can be obtained.
3. A release from contract may be granted by the board in case of illness or other personal matters which make it a substantial hardship for the staff member to continue his/her employment in the district.
4. Each request shall be determined upon its own merits. The needs of the district and continuity of the educational program offered to students shall receive primary consideration in the board's decision.

### **B. Resignation**

In order to permit proper staff planning and to minimize inconvenience to others who may be affected, certificated staff who plan to resign at the end of their contract period are requested to notify the superintendent of their resignation or retirement by April 1.

Those staff who are not contractually obligated to complete the current school year should notify the superintendent as early as possible of their intent to resign and no less than 30 days prior to their last working day.

### **C. Retirement**

Staff shall participate in the retirement programs under the Federal Social Security Act and the Washington State Teachers' Retirement System or the Public Employees' Retirement System. Payroll deductions shall be made and paid into the respective retirement programs in the manner prescribed by law.

Staff who become eligible to retire under the controlling retirement system and who intend to retire at the end of the current school year should notify the superintendent prior to April 1 of that year.

Those staff intending to retire who are not contractually obligated to complete the current school year should notify the superintendent as early as possible and no less than 30 days prior to their retirement date. Because of their contribution to the children of the district, retiring staff shall be given appropriate recognition. The district office may assist them in making arrangements for their retirement benefits.

#### D. Probation, Non-renewal or Termination

The employment contracts of individual certificated staff may be non-renewed at the end of the staff member's contract period by action of the superintendent. Such non-renewals may be based upon unsatisfactory performance or changes in the district's financial circumstances and/or staffing needs. Except for "provisional employees," non-renewals for unsatisfactory performance shall be preceded by a probationary period.

The superintendent shall establish procedures to assist those certificated staff whose performance, through the evaluation process, does not meet minimum requirements. The district may require the teacher to take inservice training provided by the district in the area of teaching skills needing improvement.

Classified staff are granted provisional status during the first 90 days of employment. During that period of time, they are subject to termination without advance notice. Upon satisfactory completion of 90 days of consecutive service, a staff member may be granted regular status. Regular status classified staff are employed on an annual work year basis and shall be provided at least 90 days notice before termination. Such staff member shall be entitled to an informal pretermination meeting with the superintendent prior to any action taken by the board of directors.

#### E. Program and Staff Reductions

Program and staff reductions may be required as a direct result of enrollment decline, failure of a special levy election or other events resulting in a significant reduction in revenue; or termination or reduction of funding of categorically funded projects. The board shall, after a review of such indicators as test results, community surveys, informal and formal statements of support and/or opinion, and the district's statement of philosophy, identify those educational programs and services which shall be reduced, modified or eliminated.

When the reduction, modification or elimination of programs and/or services necessitates a reduction in staff, the board shall retain staff members based upon service in the state of Washington and qualifications and experience necessary for the retained position.

A staff member who receives notice of non-renewal of contract due to enrollment decline or loss of revenue may, in his/her request for a hearing, stipulate that initiation of the arrangements for a hearing officer shall occur within ten (10) days following July 15, rather than the day the staff member submits the request for a hearing.

The superintendent shall develop procedures to implement this policy except that any staff agreement in effect shall supersede this policy.

Cross References:	Board Policy 5006	Certification Revocation
	Board Policy 5240	Evaluation of Classified, Certificated and Administrative Staff
Legal References:	RCW 28A.400.300	Hiring and Discharging Employees — Leaves for employees — Seniority and leave benefits, retention upon transfers between schools
	28A.400.320	Mandatory termination of classified employees
	28A.400.340	Discharge Notices Include Appeal Rights

28A.405.140	Assistance for teacher may be required after evaluation
28A.405.210	Conditions and contracts of employment — Determination of probable cause for non-renewal of contracts — Notice — Opportunity for hearing
28A.405.220	Conditions and contracts of employment — Non-renewal of provisional employees — Procedure
28A.405.300	Adverse change in contract status of certificated employee — Determination of probable cause — Notice — Opportunity for hearing
28A.405.310	Adverse change in contract status of certificated employee, including non-renewal of contract — Hearings — Procedure
28A.405.470	Mandatory termination of certified employees
28A.410.090	Revocation of authority to teach
41.32.240	Membership in system — Procedure when exempted person desires membership — Continuation of exemption — Persons formerly exempt, minimum period to qualify for retirement allowance
41.33.020(6)	Terms and provisions of plan
41.40.023	Membership
41.41	State Employees' Retirement — Federal Social Security
WAC 181-86	Policies and procedures for administration of certification proceedings
181-87	Acts of Unprofessional Conduct
180-44-060	Drugs and alcohol — Use of as cause for dismissal

## **PROCEDURE TERMINATION OF EMPLOYMENT**

### **Probation and Non-renewal or Termination**

#### **A. Certificated Staff**

Non-provisional certificated staff, whose performance does not meet minimum requirements, based upon the specific categories for evaluation, will receive written notice any time after October 15th. The administration will exercise the following steps:

##### **Administrator's Report**

When an administrator determines based on teaching evaluations that the performance of a staff member does not meet minimum requirements, the administrator will make a report in writing to the superintendent. The report will include the following:

1. The evaluation report; and
2. A specific and reasonable plan for improvement.

##### **Establishment of Probationary Period**

If the superintendent concurs with the administrator that the staff member's performance does not meet minimum requirements, the superintendent will place the staff member in a probationary status any time after October 15th, and for a period of sixty school days. The staff member will receive written notice of the action which will contain the following information:

1. The specific area of deficiency;
2. A specific and reasonable plan for improvement which gives the staff member the opportunity to demonstrate improvement in any area of deficiency;
3. The duration of the probationary period; and
4. The right of the staff member to have representation and/or counsel in any subsequent meeting between the staff member and the administrator.

##### **Evaluation during the Probationary Period**

1. When appropriate, the administrator may utilize district resource persons (e.g., coordinator, consultant, and other staff) who will observe the staff member's performance and offer suggestions for improvement. During the probationary period the evaluator will meet at least twice monthly with the staff member to determine progress made and make a written evaluation; and
2. The staff member may be removed from probationary status at any time, upon a showing of significant improvement in the specified areas of deficiency.

##### **Administrator's Post-Probationary Report**

At the end of the probationary period the administrator will submit a written report to the superintendent. The report will identify any improvement in the area of deficiency and will specify that the staff member has or has not demonstrated sufficient improvement in the stated area of deficiency to justify removal from probationary status.

**Action by the Superintendent**

1. Immediately after the superintendent determines that the completed probationary period did not produce the performance changes detailed in the initial notice of deficiencies and improvement program, the employee may be removed from his or her assignment and placed in alternative assignment for the remainder of the school year. The reassignment may not displace another employee or adversely affect the probationary employee's compensation or benefits during the balance of the contract year. If such a reassignment is not possible, the superintendent may place the employee on paid leave for the balance of the contract term.
2. Prior to May 15th, when the superintendent has determined that the staff member has not demonstrated sufficient improvement in the stated area of deficiency, the superintendent will make a determination of probable cause for non-renewal of the staff member's contract and will provide written notice to the staff member by May 15 or June 15 if the omnibus appropriations act has not passed the legislature by May 15. Such notice will contain notice of any appeal rights the staff member may have and notice of the appeal processes.
3. Any non-provisional certificated staff member so notified will be granted an opportunity for a hearing to determine whether or not there is sufficient cause(s) for non-renewal. The hearing may be "open" or "closed" depending on the wish of the staff member. Selection of the hearing officer and conduct of the hearing will be in accordance with RCW 28A.405.310. Should the hearing officer's decision uphold the district's non-renewal action, the certificated staff member may appeal to the superior court (RCW 28A.405.320).
4. Any certificated staff member who does not request a hearing will be adversely affected as specified in the written notice.

**B. Provisional Employees**

1. Provisional employees whose performance does not meet minimum requirements will receive written notice from the superintendent by May 15, or June 15 if the omnibus appropriations act has not passed the legislature by May 15, that the district does not intend to renew the employment contract. Such notice will cite the reason for such determination and will contain notice of any appeal rights that the employee may have and notice of the appeal processes.
2. Within 10 days of receiving such notice the provisional employee may request (in writing) the opportunity to hold an informal meeting with the superintendent. The superintendent will submit his/her recommendation for non-renewal to the board (RCW 28A.405.220). The provisional employee will be notified in writing of the superintendent's decision at least three days prior to a meeting of the board. The board will consider any written communication prior to rendering a decision.
3. The board will notify the provisional employee of its decision within 10 days following the meeting. Such decision will be considered final.
4. Any provisional employee who does not request an informal meeting shall be adversely affected as specified in the written notice.

**C. Classified Staff**

Classified staff whose performance does not satisfy the needs of the district will receive written notification from the administrator. Such written notice will contain the following information:

1. Subject to the action of the board of directors, the final date of employment with the district;
2. The right to request a pretermination meeting within five (5) working days following notice; and
3. Notice of any appeal rights that the employee may have and notice of the appeal processes.

At the pretermination meeting, the staff member will be entitled to be advised as to the reason(s) why the month-to-month employment agreement is being terminated and an opportunity to respond to any of the reasons presented. Upon the request of the staff member who is being recommended for termination, the board will meet with the staff member to determine if termination action will be taken.

### **Reduction in Force Administrative Procedures**

This reduction in force policy is prepared with special consideration to the size of the school district and the fact that both staff and program offerings are substantially more limited than is the case in larger school districts within the state of Washington.

The following administrative procedures shall be used to implement the policy set forth above:

#### **A. Guidelines for reduction in programs and services:**

1. In its efforts to provide an educational program within the district's financial resources, the board will, as much as practicable, make reductions in expenditures such as: travel, supplies, and materials and equipment before reducing staff;
2. If the educational program and services of the school district must be reduced due to a reduction in state basic education funds and or drop in enrollment, legislative or Superintendent of Public Instruction actions, or other legitimate reasons, the following guidelines will be taken into consideration in determining the program and services to be retained, reduced or eliminated:
  - a. The program to be retained will attempt to minimize the consequences of program reductions upon the student;
  - b. Health and safety standards will be maintained;
  - c. Priority will be given to those books and supplies used by students in fulfilling basic classroom objectives; and
  - d. When revenues are categorical and depend upon actual expenditures rather than budgeted amounts, every effort will be made to maintain these programs to the limit of the categorical support.

#### **B. Certificated staff reduction:**

In the event that it is necessary to reduce the number of certificated employees due to a reduction in funding or a drop in enrollment, those certificated employees who will be retained to implement the district's reduced or modified program and those certificated employees who will be terminated from employment will be identified by using the following procedures:

1. **Determination of vacant position:** By May 15 of each year, or June 15 if the omnibus appropriations act has not passed the legislature by May 15, the district will determine, as accurately as possible, the total number of certificated staff to be retained. The following reasons for leaving the district will be taken into consideration: retirement, family transfer, normal resignations, discharge or non-renewal;
2. **Certification:** Possession of a valid Washington state teaching certificate which may be required for the position(s) under consideration will be a prerequisite for retention;
3. **Retention by employee:** Certificated staff member will, in accordance with the criteria set forth below, be considered for retention in any grade level in which actual teaching experience has been gained. For the purposes of this paragraph, actual teaching experience, will mean teaching that grade level full time for at least one (1) full year. Experience in combination grade teaching will also be considered; and
4. **Selection for retention:** Certificated employees will be considered for retention in available positions within their grade level for which they qualify.
  - a. **Provisional employee:** Those employees who are provisional, as that term is used in RCW 28A.405.220 will be released first;
  - b. **Academic progress:** Consideration will be given for post graduate credits earned beyond the BA; and
  - c. **Years of experience:** Years of actual full time classroom teaching experience recognized by the state will be given consideration.

**C. Affirmative action:**

Affirmative action principles will be considered in implementing the reduction in staff.

**D. Action by board:**

Recommendations for certificated staff reduction developed in accordance with these procedures will be presented to the board prior to May 15 or June 15 if the omnibus appropriations act has not passed the legislature by May 15 for further action by the board.

**E. Employment pool:**

Those certificated employees released under the reduction in force program will be placed in an employment pool for a period of one (1) year. In the event a vacancy occurs, those certificated employees in the employment pool, will be rehired in the order in which they entered the pool if qualified, in accordance with the provisions of the above policy. Any employee released under the reduction in force program will, in writing, keep the superintendent advised of their current address and availability for reemployment. Notice of vacancies will be mailed to their last known address. Employees in the employment pool may participate in group insurance plans for a period of one (1) year, if the carrier so agrees. The district will not contribute premiums for such employees.

## **DISCIPLINARY ACTION AND DISCHARGE**

Staff who fail to fulfill their job responsibilities or follow the reasonable directions of their administrators or who conduct themselves on or off the job in ways that significantly affect their effectiveness on the job or in such other ways that the law determines to be sufficient cause shall be subject to discipline. Behavior, conduct or action which may institute disciplinary action or discharge may include, but is not limited to:

Insubordination, gross incompetence, immorality, sexual misconduct, conviction of a felony, nonprofessional conduct, mental or physical inability to perform the duties for which employed, intemperance, intentional discrimination, vulgar speech or actions, use of habit-forming drugs without pharmaceutical prescription by a doctor of medicine licensed to practice in the state of Washington, use of alcoholic beverages on school premises or at a school-sponsored activity off the school premises, and use of district supplies and equipment for personal betterment or financial gain.

Discipline shall be reasonably appropriate to the circumstances but may include suspension or discharge.

In the event that allegations or charges are made against a staff member for misconduct with minors, the superintendent may contact the child protective services central registry for evidence regarding the staff member as an adjudicated or admitted perpetrator of child abuse or neglect. Discharge or other adverse action affecting the contract status of certificated staff shall be instituted by the superintendent in the manner prescribed by law.

When allegations are made against an employee of sexual abuse, verbal abuse, or physical abuse, the district shall make a determination whether the abuse or misconduct occurred.

If the district determines that sufficient information exists to conclude that the abuse or misconduct occurred and that the abuse or misconduct resulted in the employee's leaving his or her position at the district, the district must forward known information about the employee sexual misconduct to prospective school district employers.

The district shall not enter into any contract to suppress information about verbal or physical abuse or sexual misconduct by a present or former employee. Neither shall the district expunge such information from the employee's file.

In cases where the allegations involve violations of the state professional code of conduct for certificated staff, the superintendent shall file a report with the office of professional practice in the state superintendent's office. When the district or superintendent discharges, fails to renew the contract, or permits a certificated staff member to resign, the superintendent shall notify the office of professional practice of such termination of employment.

The superintendent is authorized to suspend a provisional status classified staff member immediately. Provisional status as used herein is granted to a classified staff member for the first 90 days of employment. Thereafter, if performance has been acceptable, the classified staff member shall be granted regular status.

The superintendent is authorized to suspend a regular status classified staff member immediately. The staff member shall be advised of the right to request an informal pretermination meeting within five (5) working days following notice. At such time, the staff member may receive notice of the charges against him/her, an explanation of the evidence, and an opportunity to refute any of the charges made.

Upon the request of the suspended staff member, the board shall meet with the suspended staff member to determine if discharge action shall be taken. If a request is not received, the board shall act upon the recommendation of the superintendent.

Cross References:	Board Policy 5006	Certification Revocation
Legal References:	RCW 28A.400.300	Hiring and discharge of employees — Leaves for employees — Seniority and leave benefits, retention upon transfers between schools
	28A.400.340	Notice of discharge to contain notice or right to appeal if available
	28A.405.300	Adverse change in contract status of certificated employee — Determination of probable cause — Notice — Opportunity for hearings
	28A.405.310	Adverse change in contract status of certificated employee, including non- renewal of contract — Hearings — Procedure
	28A.410.090	Revocation of authority to teach
	28A.400.320	Mandatory termination of classified employees
	28A.405.470	Mandatory termination of certified employees
	28A.400.340	Notice of discharge to contain notice of right to appeal if available
	WAC 181-86	Policies and procedures for administration of certification proceedings
	181-87	Acts of Unprofessional Conduct
	180-44-060	Drugs and alcohol — Use of as cause for dismissal
Management Resources:	<i>Policy News</i> , October 2004	Sexual Misconduct Definitions

**Adoption Date: 03.10.97**  
**School District Name:**  
**Revised: 05.09.11**

## **PROCEDURE DISCIPLINARY ACTION AND DISCHARGE**

### **Disciplinary Action and Discharge**

When the superintendent determines that there are sufficient grounds to suspend and/or discharge a certificated staff member, the staff member shall receive written notification which specifies the probable cause for such action. The notice shall contain notice of the staff member's appeal rights, if any, and notice of the appeal processes. The staff member may submit within 10 days of such notification a written request (RCW 28A.405.310) for a hearing to determine whether or not there is sufficient cause for discharge. During the hearing, the procedures described in Board Policy 5280 (Probation and Non-renewal) shall be followed.

Staff who do not request a hearing shall be adversely affected as specified in the written notice.

Classified staff not employed under formal contract may be suspended for a specified or indefinite number of days with or without pay. A regular status classified staff member shall be advised of the right to request a pretermination meeting within five (5) working days following notice. At the hearing, the superintendent shall provide notice of charges against the classified staff member, an explanation of the evidence that has been collected and the opportunity for the staff member to clarify or refute the charges. Following this conference, the superintendent shall advise the staff member of the right to a hearing with the board prior to any formal action that may be taken by the board.

A classified staff member, who has contact with children, or a certificated staff member whose certificate is subject to revocation shall be terminated immediately for a guilty plea or conviction of any felony crime against children as stated in (F) below. Such employee shall have the right of appeal.

### **Reasons For Disciplinary Action**

Disciplinary action may be taken for the following reasons:

- A. Incompetence;
- B. Inefficiency;
- C. Misappropriation or misuse of district property;
- D. Neglect of duty;
- E. Insubordination;
- F. Conviction of any crime which adversely affects employee's ability to perform a job including the submission of a guilty plea or conviction of any felony crime involving:
  - 1. The physical neglect of a child;
  - 2. The physical injury or death of a child;
  - 3. Sexual exploitation of a child;
  - 4. Sexual offenses;
  - 5. Promotion of a minor for prostitution purposes; or
  - 6. The same or purchase of a minor child

- G. Malfeasance;
- H. Gross misconduct;
- I. Inability to perform job functions;
- J. Willful violation of district policies and procedures;
- K. Mistreatment or abuse of fellow workers, students, or members of the public;
- L. Conflict of interest;
- M. Abuse of illness, injury, or emergency leave;
- N. Sexual harassment, verbal abuse, physical abuse or sexual misconduct; or
- O. Manufacture, possession, distribution, sale or being under the influence of alcohol or controlled, illegal, addictive or harmful substances including anabolic steroids.

### **Types of Disciplinary Action**

Depending upon the nature of the work performance problem or conduct, any one or more of the following actions may be taken by the appropriate supervisor:

#### **A. Oral Reprimand**

An oral reprimand may be given to a staff member whenever such action is deemed appropriate. A record of this action should be kept in the staff member's personnel file.

#### **B. Written Reprimand**

A staff member may be given a written reprimand when previous oral warning has not resulted in the expected improvement or when more severe initial action is deemed warranted. A copy of such reprimand shall be placed in the staff member's personnel file.

#### **C. Suspension/Discharge**

A staff member may be suspended from duty without pay by his/her supervisor for any of the reasons set forth in these procedures. A staff member shall receive written notice of such suspension along with notification (oral or written) that he/she may schedule a pretermination meeting with the superintendent. Discharge action may be taken by the board based upon the recommendation of the superintendent. The staff member shall have an opportunity to meet with the board prior to such action.

A staff member may be temporarily suspended from duty with pay, if circumstances warrant, with the prior approval of the superintendent.

A classified staff member who has contact with children, or a certificated staff member shall be terminated immediately for a guilty plea or conviction of any felony crime against children as cited above in (F).

#### **D. Demotion**

A staff member may be demoted for any of the reasons set forth in these procedures. The staff member shall be given written notice including specific reasons for such demotion at least two (2) calendar weeks prior to the effective date of the proposed action. This action requires the prior approval of the superintendent.

## COMPENSATION

### A. Certificated Salaries

Staff under contract to the district shall be paid according to current staff salary schedules.

The district shall adopt annual salary schedules and reproduce the same by printing, mimeographing, or other reasonable method which shall be the basis for salaries of staff in the district.

### B. Classified Salaries

Classified staff shall be placed on the approved wage and salary guide for classes of such staff. The superintendent is authorized to credit past service of an applicant for employment in the district for placement on the wage or salary guide.

In order to advance one step on the salary schedule, a staff member must have served at least one-half of the prior work year with the district.

### C. Administrative Salaries

The board will establish and follow salary schedules for administrative staff based upon professional preparation, experience, and position. When appropriate, such salary schedules will be consistent with the terms of applicable bargaining agreements.

### D. Application of Course Credits to the Certificated Salary Schedule

The district shall provide for the review and adjustment of certificated staff contracts on the basis of information filed with the human resources office by December 1. The staff member shall provide the human resources office, according to schedule, with the required information, including official college or university transcripts, official records of degrees completed, official records of approval and completion of authorized work for equivalent credits and all other pertinent data for contract adjustment purposes.

Credits earned by certificated staff after September 1, 1995, shall be eligible for application to the state salary schedule only if the course content meets one of the following criteria:

1. The course is consistent with a school-based plan for mastery of student learning goals identified in the annual school performance report for the school in which the staff member is assigned;
2. The course pertains to the individual's current assignment or expected assignment for the subsequent school year;
3. The course is necessary to obtain an endorsement required by the Washington Professional Educator Standards Board;
4. The course is specifically required to obtain an advanced level of certification;
5. The course is part of a college or university degree program that pertains to the staff member's current or potential future assignment as instructional staff; or
6. The course addresses research-based assessment and instructional strategies for students with dyslexia, dysgraphia and language disabilities when addressing learning goal one as applicable and appropriate for individual certificated instructional staff.

E. Military, Peace Corps or Vista Service Credit

The superintendent is authorized to grant one year of increment credit for each year served in the military, Peace Corps, or Vista service or professional employment providing such service interrupted the staff member's actual teaching career. For purposes of credit, one-half or more of a year of service shall be counted as a full year.

Legal References: RCW 28A.405.200

Annual salary schedule as basis for salaries for certificated employees

WAC 392-121-200-299

Definition — Certificated years of experience

Management Resources: *Policy News*, December 2005 Addition to Certificated Staff Course Options

**Adoption Date: 05.09.11**  
**Auburn School District**  
**Revised:**

## **GARNISHMENT AND PERSONAL CREDIT PROBLEMS**

When so ordered by the Superior Court, the U.S. Secretary of Education or the Secretary's guaranty agency (in the case of defaulted student loans), the district shall comply with the directives of a Writ of Garnishment filed against a staff member of the district. Each garnishment or action for collection of debts will be reviewed by the superintendent and such information will become a part of the record of the staff member. Attempts will be made to counsel any such staff member with regard to the staff member's financial problems. The district shall not discharge a staff member for the reason that a creditor of the staff member has subjected or attempted to subject unpaid earnings of the employee to a writ of wage garnishment directed to the district. This provision shall not apply if the garnishments on three or more separate indebtednesses are served upon the district within any period of twelve (12) consecutive months by the Superior Court.

Legal References: RCW 6.27.040

6.27.170

State and public corporations subject to  
garnishment

Garnished employee not to be  
discharged--Exception

**Adoption Date: 03.10.97**  
**Auburn School District**  
**Revised: 05.09.11**

## **PROCEDURE GARNISHMENT AND PERSONAL CREDIT PROBLEMS**

### **Garnishment and Personal Credit Problems**

Garnishment shall mean a legal stoppage of a specified sum from wages to satisfy a creditor. Any writ of garnishment will be received and signed by the superintendent. Following such notice, the notice shall be:

- Forwarded to the personnel department for purposes of recording and authorizing prompt action, and
- Forwarded to payroll to make the necessary changes to the staff member's wages, and to draft a warrant for the garnished amount to be written and forwarded to the creditor as directed.

The personnel department will notify the staff member, in writing, that the garnishment is being processed and will direct the staff member to seek debt counseling. The staff member will also be notified that, if three (3) garnishments are served within a period of twelve (12) consecutive months, the staff member may be terminated.

## PERSONNEL LEAVES

Upon the recommendation of the superintendent and in accordance with the law and district policy, staff may be granted leaves pursuant to the following conditions unless the applicable collective bargaining agreement provides otherwise:

- A. Leave at Full Pay Unless Stated Otherwise. Leaves shall be with pay unless otherwise stated. If leaves are to include expenses to be paid by the district, that also shall be specifically stated.
- B. Return from Leaves. At the end of any leave shorter than 20 days in duration, sabbatical leave, or sick leave which does not exhaust the staff member's accumulated sick leave, the affected staff member is entitled to return to the position held when the leave commenced or to an appropriate comparable position.  
  
Except as may otherwise be specifically provided by law or district policy, a staff member shall be entitled to a position in the district subject to the availability of a position for which the staff member is qualified after leaves of longer duration.
- C. Prior Notice of Application. Reasonable advance notice is required for all leaves, with specific advance notice as stated in district policy.
- D. Flexibility in Granting Leaves. The superintendent, with approval of the board, may grant leaves to individuals who might not otherwise be covered, or extend leave in excess of the number of days provided by district policy, in unusual or exceptional circumstances.
- E. Leaves Prorated for Part-Time Staff. Part-time staff shall be entitled to leave benefits, unless otherwise stated in district policy, provided that the length of leaves shall be prorated according to the ratio of days and/or hours worked to the number of days and/or hours worked by a full-time staff member in the same or a similar position.
- F. Noncumulative. Leaves shall be noncumulative from year to year unless otherwise stated.

Legal References:      RCW 28A.400.300

Hiring and discharging employees —  
Leaves for employees — Seniority  
and leave benefits, retention upon  
transfers between schools.

AGO 1980 No. 22

Limitation on compensated leave for  
school district employees

**Adoption Date: 05.09.11**  
**Auburn School District**  
**Revised:**



Chapter 392-136 WAC  
AGO 1963-64 No.98

AGO 1980 No.22

Conversion of Accumulated Sick Leave  
Sick leave for certificated and  
noncertificated employees  
Limitation on compensated leave for school  
district employees

**Adoption Date: 03.10.97**  
**Auburn School District**  
**Revised: 05.09.11**

## **MATERNITY LEAVE**

A staff member may use accumulated, paid sick leave for the period of actual disability attributable to pregnancy or childbirth. This period of disability shall extend from the date of birth for a period of not more than 60 days, unless an actual period of disability which begins prior to the date of birth or continues beyond 60 days is otherwise verified in writing by the employee's physician.

If the employee's accumulated sick leave is exhausted during the period of maternity disability, the district shall grant a leave of absence without pay or fringe benefits, upon the staff member's request, for the remainder of the period of actual disability due to pregnancy or childbirth.

During any unpaid portion of such leave of absence, the staff member may pay the premiums for any district insurance plans to keep coverage in effect for the employee and her family.

### Notice Required

A pregnant staff member is requested to notify her immediate supervisor and the superintendent by the beginning of the fifth month of pregnancy.

At the time of such notice, the staff member shall submit a written request to her immediate supervisor and the superintendent for one or more of the following:

- A. Maternity leave for the period of her actual disability due to pregnancy or childbirth;
- B. Family leave for a period of up to 12 weeks, in addition to any period of maternity disability leave, the district will extend the employee's health benefit during this period of unpaid leave;
- C. Leave of absence for a period of up to the beginning of the next school term or school year. Such extended leave of absence may be approved at the discretion of the superintendent based upon consideration of educational program needs and the desires of the staff member, together with the recommendation of her personal physician or licensed practitioner; or
- D. Termination of employment by resignation.

The notice to the district shall include the approximate beginning and ending dates for the leave.

### Employment Conditions

A pregnant staff member may continue working as long as she is capable of performing her normal duties, with the written approval of her physician or licensed practitioner.

The staff member may return to work when physically able to perform her duties. If the employee intends to return to work within 60 days of childbirth, her personal physician or licensed practitioner must certify that the staff member is in good health and ready to resume her duties.

No later than 30 days after the date of birth, the staff member is requested to notify the superintendent of the specific date when she shall return to work. Unless the superintendent approves an earlier date of return, the employee shall give at least 14 days advance notice of the actual date of return.

The staff member shall return to her duties following an extended leave of absence on the date approved by the superintendent. If the employee is still experiencing a disability due to pregnancy, miscarriage, abortion, childbirth or recovery which prevents the employee from performing her duties on the scheduled date of return, an additional period of unpaid leave of absence may be approved at the discretion of the superintendent based upon consideration of educational program needs and the recommendation of the employee's personal physician or licensed practitioner.

Assignment upon Return

An employee who has taken a leave of absence only for the actual period of disability relating to pregnancy or childbirth or up to 12 weeks of family leave shall return to the same assignment or a similar position for which she is qualified with at least the same pay and benefits as she held prior to the maternity leave or family leave.

Upon return from an extended maternity leave, a staff member shall be entitled to a position in the district subject to the availability of a position for which she is qualified. An effort shall be made to place the staff member in her original position or in a comparable position.

Right to Apply for Other Leave

Nothing in this policy shall preclude a staff member's right to apply for any other applicable leave as provided by board policy.

Legal References:   RCW 28A.400.300  
                          RCW 49.78  
                          WAC 162-30-020  
                          WAC 296-134  
                          P.L. 103-3

Hiring and discharging employees —  
    Leave for employees  
Family Leave  
Maternity  
Family Leave  
Family and Medical Leave Act of 1993

**Adoption Date:**  
**Auburn School District**  
**Revised: 05.09.11**

## **EMERGENCY LEAVE**

Emergency leave may be granted for no more than three days per year and may be taken in the case of emergencies as defined in the following:

An emergency arises out of unforeseen and unexpected circumstances which create an air of crisis or extreme need. The circumstances must present a grave and clear danger that imminently threatens physical or mental health or would result in irremediable harm or in immediate disaster to life or property unless some action is taken.

A written application for emergency leave must be returned to the district office on the day of return to school.

### **Family Emergency Leaves**

The board recognizes that the demands of the workplace and of families need to be balanced to promote family stability and economic security for school district employees. Conditions for the authorized use of accumulated leave for family leaves are to be fairly construed in a manner consistent with this policy, and other relevant district policies.

Unless otherwise stated, any leave used under terms of this policy shall be deducted from the staff member's accumulated sick leave. In the event the staff member's sick leave has been exhausted, the leave shall be granted without pay.

Unless a situation is governed by an applicable collective bargaining agreement, the following shall apply:

#### **A. Domestic Violence Leave**

The district shall allow victims of domestic violence, sexual assault, or stalking and family members of victims to take reasonable leave from work, intermittent leave, or leave on a reduced leave schedule. The leave may be sick leave, other accrued leave, or leave without pay. Family member includes a child, spouse, parent, parent-in-law, grandparent, or an individual with whom the victim has a dating relationship. The employee shall provide advance notice of their intent to take leave. If advance notice is not possible due to an emergency, notice should be provided no later than the end of the first day that the employee takes the leave.

#### **B. Family Illness**

District staff members may use accrued sick leave or other accrued leave, at the employee's choice, to care for a child of the employee with a health condition that requires treatment or supervision. Staff members may use accrued sick leave or other accrued leave, at the employee's choice, to care for a spouse, parent, parent-in-law, or grandparent of the employee who has a serious health condition or an emergency condition. The district may require a signed statement from a licensed medical practitioner to verify the need for treatment, care, or supervision for any absence that exceeds five (5) consecutive days.

### C. Death in the Family

The district shall allow each staff member leave upon the death of an employee's spouse, mother, father, son, daughter, sister, brother, mother-in-law, or father-in-law. Leave also shall be allowed upon the death of a son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandmother, grandfather, granddaughter or grandson. The deaths of more than one family member resulting from a common occurrence shall be treated as a single death with respect to the length of leave granted.

### D. Birth or Adoption of a Child

The district shall grant leave upon the same terms to male employees as is available to female employees upon the birth or adoption of the employee's child. Leave shall be granted upon the same terms to employees who become adoptive parents or stepparents, at the time of birth or initial placement for adoption of a child under the age of six, as is available to employees who become biological parents. Such leave is available only when the child lives in the employee's household at the time of birth or initial placement.

Employee requests for leave of absence due to birth or initial placement for adoption of a child shall be submitted in writing to the superintendent not less than 30 days prior to the beginning date of the leave. The notice shall include the approximate beginning and ending dates for the leave requested.

An extended unpaid leave of absence for a period up to the beginning of the next school term or school year may be approved at the discretion of the superintendent based upon consideration of educational program needs and the desires of the staff member, together with any recommendation of professionals such as medical practitioners or counselors regarding the leave request.

Nothing in this section shall preclude the use of accumulated sick leave to care for a child with a health condition that requires treatment or supervision, as provided in the Family Illness section of this policy.

Cross References:	Board Policy 5021	Applicability of Personnel Policies
Legal References:	RCW 49.12.270	Sick leave, time off — Care of family members
	RCW 28A.400.300	Hiring and discharging employees — Written leave policies — Seniority and leave benefits of employees transferring between school districts
	RCW 49.76	Domestic Violence Leave

**Adoption Date: 03.10.97**  
**Auburn School District**  
**Revised: 05.09.11**

## **FAMILY LEAVE**

Every employee of the district who has worked for the district at least one year and for at least 1,250 hours in the preceding year is entitled to twelve (12) workweeks of family leave during any twelve (12) month period to:

- A. Care for a newborn child, an adopted child of the employee who is under the age of eighteen at the time of placement for adoption, or a newly placed foster child; or
- B. Care for a spouse, parent, or child of the employee who has a serious health condition, or the employee may obtain leave for a personal health condition if it renders the employee unable to perform his or her job.
- C. Respond to a qualifying exigency occurring because the employee's spouse, child, or parent is on active duty or has been notified of pending active duty in support of a contingency operation.

Leave taken for newborn or adopted child care shall be completed within one year after the date of birth or placement for adoption. Family leave authorized under this policy must be taken full time and consecutively unless an alternative schedule is approved by the superintendent or where intermittent or reduced leave is medically necessary. Instructional staff may not take reduced or intermittent leave when it would constitute 20% of the number of working days in the period during which the leave would extend without the approval of the superintendent. An instructional employee may be transferred to an alternative equivalent position that would accommodate reduced or intermittent leave, if such a position is available.

A period of family leave is in addition to any sick leave taken due to the employee's temporary disability attributable to pregnancy or childbirth, pursuant to the Policy 5402, Maternity Leave.

If both parents of a newborn or newly adopted child are employed by the school district, they shall be entitled to a total of twelve workweeks of family leave during any twelve-month period, and leave shall be granted to only one parent at a time. There is no pooling effect for spouses if the family leave is related to a serious health condition.

The superintendent may require written verification from the employee's health care provider.

The district may obtain the opinion of a second health care provider, at district expense, concerning any information pertinent to the employee's leave request. If the opinions of the health care providers differ on any matter determinative of the employee's eligibility for family leave, the two health care providers shall select a third provider, whose opinion, obtained at the employer's expense, shall be conclusive.

### **Military Caregiver Leave**

An employee who is the spouse, child, parent, or next of kin of a service member who is recovering from a serious illness or injury sustained while on active duty is entitled to twenty-six (26) weeks of unpaid leave in a 12-month period to care for the service member.

## **Return to Work**

Any employee returning from an authorized family leave shall be entitled to the same position held by the employee when the leave commenced, or to a position with equivalent benefits and pay.

Reinstatement of an employee returning from family leave need not occur if: a) the specific job is eliminated by a bona fide restructuring or a reduction-in-force resulting from lack of funds or lack of work, b) an employee on family leave takes a position with another employer outside the home, or c) the employee fails to provide the required notice of intent to take family leave or fails to return on the established ending date of leave. If an employee fails to return from family leave, the district may recover the costs of the employee's health benefits paid during the leave. Instructional staff may be required to delay their return from family leave to the beginning of the next semester under the following circumstances:

- A. The employee began leave five or more weeks before the end of the semester, the leave is for more than three weeks, and the employee would otherwise return to work within three weeks of the end of the semester.
- B. The employee began family leave (except for a personal health condition) less than five weeks before the end of the semester, the leave is for more than two weeks, and the employee would otherwise return to work within two weeks of the end of the semester.
- C. The employee began family leave (except for a personal health condition) three or fewer weeks before the end of the semester and the period of leave is more than five working days.

Cross Reference:	Board Policy 5021	Applicability of Personnel Policies
Legal References:	Ch. 49.78 RCW Ch. 296-134 WAC P.L. 103-3	Family Leave Family Leave Family and Medical Leave Act of 1993

## LEAVE SHARING

The district shall establish and administer a leave sharing plan in which eligible employees may donate excess leave for use by an eligible recipient who is suffering from, or has a relative or household member suffering from, an extraordinary or severe illness, injury, impairment, or physical or mental condition or who has been called to service in the uniform services.

Such a program is intended to extend leave benefits to an eligible recipient who otherwise would have to take leave without pay or terminate his or her employment.

The superintendent is directed to establish procedures to donate leave for staff members who earn personal holiday leave, staff members who accrue annual leave and sick leave, and staff members who accrue leave to be used for illnesses, injuries, or emergencies. The superintendent is directed to administer the leave sharing plan in a manner consistent with state law and applicable collective bargaining agreements.

Cross Reference:	Board Policy 5021	Applicability of Personnel Policies
Legal References:	RCW 28A.400.380 41.04.650-665	Leave sharing program Leave sharing program
Management Resources:	WAC 392-126-004 -104 <i>Policy News</i> , August 1999 <i>Policy News</i> , October 2004 <i>Policy News</i> , October 2010	Finance — Shared Leave Staff may share personal holiday Revisions to the State Leave Sharing Program Leave Sharing

**Adoption Date: 03.10.97**  
**Auburn School District**  
**Revised: 10.12.09; 05.09.11**

## PROCEDURE LEAVE SHARING

A. A district employee is eligible to receive donated leave if:

1. The staff member suffers from, or has a relative or household member suffering from, an extraordinary or severe illness, injury, impairment or physical or mental condition or who has been called to service in the uniform services which has caused, or is likely to cause, the staff member to:
  - a) Go on leave-without-pay status; or
  - b) Terminate his/her employment;
2. The staff member's absence and the use of shared leave are justified by documentation;
3. The staff member has depleted, or will shortly deplete, his/her annual leave and sick leave reserves;
4. The staff member has abided by district rules regarding sick leave use; and
5. The staff member has diligently pursued and been found to be ineligible to receive industrial insurance benefits.

The superintendent shall determine the amount of leave, if any, which a staff member may receive under this policy. However, a staff member shall not receive more leave than the number of contracted days remaining in the current school year. In the event that the condition requiring the employee's absence continues beyond the current school year, the employee shall not receive a total of more than 261 days of leave.

B. District employees may donate leave as follows:

1. A staff member who has an accrued annual leave balance of more than ten (10) days may request that the superintendent transfer a specified number of days to another person authorized to receive shared leave, or to the district's annual leave pool. A staff member may not request leave to be transferred that would result in an accrued annual leave balance of fewer than ten (10) days.
2. A staff member who accrues annual leave and sick leave may request that the superintendent transfer sick leave to a person authorized to receive shared leave, or to the district's shared leave pool. A donating staff member must retain a minimum of 176 hours of sick leave after the transfer.
3. A staff member who does not accrue annual leave but who has an accrued sick leave balance of more than twenty-two (22) days may request that the superintendent transfer a specified amount of sick leave to another person authorized to receive such leave, or to the district's shared leave pool. A staff member may not request a transfer that would result in an accrued sick leave balance of fewer than twenty-two (22) days. Sick leave as defined in RCW 28A.400.300 means leaves for illness, injury and emergencies.
4. A staff member who receives personal holiday leave may request that the superintendent transfer a specified amount of personal holiday leave to another person authorized to receive shared leave, or to the district's shared leave pool. A staff member may request to transfer no more than eight (8) hours of personal holiday leave during any calendar year.
5. The number of leave days transferred shall not exceed the amount authorized by the donating staff member.
6. Any leave donated by a staff member which remains unused shall be returned to the donor. To the extent administratively feasible, leave transferred by more than one staff member shall be returned on pro-rata basis.

C. Leave shall be calculated on a day-donated and day-received basis.

## MILITARY LEAVE

The district shall grant military leave, as provided by law, to each staff member who is a member of a United States Military Reserve Unit or a member of the Washington National Guard for a period not to exceed twenty-one (21) days during each year beginning October 1 and ending the following September 30, provided such reservist has been called to, or volunteered for, active duty or active duty training. Such military leave of absence shall be in addition to any vacation or sick leave to which the staff member may be entitled and shall not result in any loss of rating, privileges, or pay. During the period of military leave, the staff member shall receive his/her normal pay from the district.

Employees whose school district employment is interrupted by up to five years of service in a uniformed service are entitled to re-employment by the district following their discharge. The superintendent shall adopt procedures to implement these re-employment rights consistent with state and federal law.

### Military Leave - Spouse

The district shall allow an employee who is the spouse of a military member of the U.S. Armed Forces, National Guard, or Reserves to take up to fifteen (15) days of unpaid leave during a period of military conflict when: (1) the military spouse is on leave from a deployment; or (2) prior to deployment once the military spouse receives official notification of an impending call or order to active duty. The employee must work an average of twenty (20) hours or more each week for the district.

The employee is entitled to fifteen (15) days of unpaid leave for each deployment. The employee must provide the district notice of intent to take leave within five business days of the call to active duty or notice of leave from deployment.

Cross References:	Board Policy 5404	Family Leave
Legal References:	RCW 38.40.060 RCW 49.77 RCW Ch.73.16 AGO 61-62 No. 081  38 USC 4301-4335	Military leaves for public employees Military Family Leave Act Employment and Re-employment Public Employees — State and Municipal employees — Military leave — Reserve meetings Uniformed Services Employment and Reemployment Rights Act
Management Resources:	<i>Policy News</i> , April 2009 <i>Policy News</i> , February 2009 <i>Policy News</i> , June 2001	Military Leave Military Leave State Updates Military Leave Rights

**Adoption Date: 05.09.11**  
**Auburn School District**  
**Revised:**

## **JURY DUTY AND SUBPOENA LEAVE**

The district may grant leaves to a staff member for the days he/she is required to serve on a jury. Any expense reimbursement received by a staff member for jury duty performed on a contract day shall be retained by the staff member. The district may grant a maximum of two days leave to staff subpoenaed as witnesses in court or other legal proceedings; provided that a leave with pay shall not be granted to a staff member for a case brought or supported by a staff member union or association or for a case in which the staff member has a direct or indirect interest in the proceedings.

On any day that a staff member is released from jury duty or as a witness by the court and four or more hours of the staff member's scheduled work day remain, the staff member is to immediately inform his/her supervisor and report to work if requested to do so.

Legal References:	RCW 2.36	Juries
Management Resources:	<i>Policy News</i> , April 2007	Jury Compensation vs Expenses
	<i>Policy News</i> , February 2007	Juror Payment Provisions

**Adoption Date: 03.10.97**  
**Auburn School District**  
**Revised: 05.29.07; 05.09.11**

## **DISCRETIONARY LEAVES**

### Sabbatical Leave

- A. Sabbatical leave will include that period agreed upon and will not exceed one (1) contract year.
- B. Sabbatical leave will be for a program directly related to the individual's area of proficiency and endeavor. The program may be schooling, travel, or research.
- C. Selection of individuals will be made on the basis of a determination that personal capabilities, as well as general teaching and educational practices, will be improved.
- D. Applicants will have a minimum of six (6) years of service in the district.
- E. A maximum of two (2) percent of the employees may be granted leave during any one period of time.
- F. Leave will be granted so as to represent, as nearly as possible, the different levels: elementary, middle school, high school.
- G. The application form will be submitted to the superintendent by March 1 preceding the contracted year for which leave is requested.
- H. Final decision will be made by the superintendent with the approval of the board.
- I. An employee accepted for leave must guarantee, in writing, that he/she will return to the district for a period of not less than one (1) full year or refund the total stipend, unless the district agrees to release said employee without obligation.
- J. An employee on leave will receive fifty (50) percent of the salary scheduled for the period of leave. Payment of the salary will be by monthly stipend which will be forwarded to the employee on the regular monthly payday.
- K. An employee on leave will receive the benefit of all provisions of tenure and salary schedule.
- L. An employee on leave will submit, at least quarterly, a progress report, including official transcripts, if applicable.

### Short-term Educational Leave

The purpose of selecting employees to participate in short-term educational leaves will be for the improvement of the educational program. Workshops, institutes, curriculum development, and other recognized educational opportunities will be considered as short-term.

- 1. Authorized costs of short institutes and workshops will be paid by the district if the district requires such attendance or considers such participation in the district's best interests.

2. Funds will be a part of the money allocated for the total educational leave program and will not exceed one-third (1/3) of the total allocation unless the money allocated for the sabbatical leave program is not used.
3. Employees on short-term leave will receive their regular salary provided such employee does not accept college credit for participation.
4. Participants will be chosen by the superintendent with the approval of the board.

Cross Reference: Board Policy 5021

Applicability of Personnel Policies

**Adoption Date: 03.10.97**  
**Auburn School District**  
**Revised: 05.09.11**

## **HOLIDAYS**

The district shall observe the following school holidays and shall not operate on these days Sunday, New Years' Day (January 1), Martin Luther King, Jr. Day (third Monday in January), President's Day (third Monday in February), Memorial Day (last Monday in May), Independence Day (July 4), Labor Day (first Monday in September), Veteran's Day (November 11), Thanksgiving Day (fourth Thursday in November), the day after Thanksgiving and Christmas Day (December 25). Whenever any legal holiday, other than a Sunday, falls on Sunday, the following Monday shall be a legal holiday, and whenever any legal holiday falls on a Saturday, the preceding Friday shall be a legal holiday.

Legal References:	RCW 1.16.050	Legal holidays
	28A.150.050	School Holidays

**Adoption Date: 03.10.97**  
**Auburn School District**  
**Revised: 05.09.11**

## STAFF DEVELOPMENT

### A. Professional Growth and Development for Nonadministrative Staff

Additional training and study are prerequisites for continued growth and effectiveness of staff members. It is also necessary for staff members with increased responsibilities and new demands. Staff are encouraged to gain additional job-related skills through special study or inservice training.

The district may participate in the state Inservice Training Act of 1977.

The district shall develop and adopt a professional growth program.

Each holder of a professional education certificate, except those exempted by State Board of Education regulation, shall complete 150 hours of continuing education study every five years, in order to maintain his or her certificate.

### B. Professional Growth and Development for Administrators

The board recognizes that training and study for administrators contribute to their skill development necessary to better serve the needs of the school district. Each year the superintendent shall develop an administrative inservice program based upon the needs of the district, as well as the needs of individual administrators.

Cross References:	Board Policy 5005	Employment: Disclosures, Certification Requirements, Assurances and Approval
	Board Policy 5240	Evaluation Staff
Legal References:	RCW 28A.415.040	Inservice training act
	WAC 181-85-075	Continuing education requirement
	181-85-200	Inservice education approval standards
	392-195	Inservice training program
	392-121-255	Definition--Academic credits
	392-121-257	Definition--Inservice credits
	392-192	Professional Growth

## **PROCEDURE STAFF DEVELOPMENT**

### **Professional Growth Plan**

The minimum elements of the district's professional growth plan shall be:

- A. A Professional Growth Program Committee that will consist of at least the following: one teacher from the K-8 level; one teacher from the high school level; one itinerant certificated support staff person; one representative of counseling, assessment, library and/or other certificated support staff; one central office administrator; one K-8 building administrator; and one high school building administrator.
- B. Certificated staff shall use one or more of the following sources of information in developing their individual professional growth plans: peer review and evaluation, input by parents, input by students, personal and/or professional goals, school district goals, building goals, self-assessment, personal academic records, and school district evaluations.
- C. Materials, records or portfolios expressly developed as a result of an individual's participation in the professional growth program shall be the property of the participant and shall not be retained in the employee's personnel file or used by the district in its formal evaluation process.

### **Inservice Training Program**

In order to participate in the state Inservice Training Program the district shall:

- A. Conduct a needs assessment. Provide a signed statement of assurance to the superintendent of public instruction that the district shall implement the recommendations of the needs assessment.
- B. Appoint, by the board of directors, an advisory inservice training task force comprised of representatives from central administration, building administration, teachers, classified and support personnel, an institution of higher education and the general public.
- C. Establish with the advisory inservice training task force written goals and objectives, identify training activities relevant to the goals and objectives, and design evaluation procedures and criteria to assess the success of the training activities in meeting the goals and objectives. A majority of the task force must concur.
- D. Not supplant current district funding of existing inservice training and staff development programs with state Inservice Training Program funds.

## **SUBSTITUTE EMPLOYMENT**

The board authorizes the employment of a certificated substitute in the absence of a certificated staff member. In addition, the district may use a substitute in place of a regularly contracted staff member when:

- A. Enrollment uncertainties exist at the beginning of a school year; or
- B. Resignations of regular staff do not allow sufficient time for the district to employ an immediate replacement.

On either of the latter occasions, the district will employ a contracted staff person within a reasonable time.

The superintendent will be responsible for establishing procedures by which teachers request substitutes and by which substitute teachers are assigned, employed, and compensated.

Substitute teachers who have served for 20 full consecutive working days in the same assignment will, from the 21st day of service on, be paid according to the regular salary schedule of certificated staff.

The board authorizes the employment of a spouse of an officer as a substitute teacher when the superintendent deems that there is a shortage of substitute teachers in the district.

Retired teachers or administrators may work up to eight hundred sixty-seven (867) hours of employment.

If the superintendent reasonably anticipates that the list of qualified, willing substitutes will be exhausted, emergency substitute certification may be sought from the Office of the Superintendent of Public Instruction for persons not fully qualified for a teaching or substitute certificate. Substitutes holding emergency certification may only be assigned work when the list of fully qualified substitutes is exhausted.

The board authorizes the employment of a classified substitute in the absence of a classified staff member when a program will be adversely affected by the regular staff member's absence and when a substitute can perform the duties in a reasonable manner. A classified substitute employee's eligibility to purchase retirement service credit will be determined according to RCW 41.35 and retirement system rules. Substitute classified employee means a classified employee who is employed by the district exclusively as a substitute for an absent employee or a vacant position. The superintendent is authorized to establish procedures relating to the use of substitute classified staff.

By October 1 of each year, the district will report to the Office of the Superintendent of Public Instruction: 1) the number of substitute teachers hired per school year; 2) the number of substitute teachers hired under the expedited certification process for out-of-state teachers; 3) the full daily compensation rate per substitute teacher; and 4) the reason for hiring the substitute teacher.

Cross References:	Board Policy 1610 Board Policy 5001	Conflicts of Interest Hiring of Retired School Employees
Legal References:	Chapter 28A.300, RCW RCW 28A.330.240 RCW 28A.400.300  RCW 28A.405.900 RCW 28A.410.010  RCW 41.32.570 RCW 42.23.030(9) RCW 41.35	Superintendent of Public Instruction Employment Contracts Hiring and discharging employees — Leaves for employees — Seniority and leave benefits, retention upon between schools  Certain certificated employees exempt from chapter provisions Certification — Duty of professional educator standards board — Rules — Record check — Lapsed certificates — Superintendent of Public Instruction as administrator Postretirement employment — Suspension of pension payments Interest in contracts prohibited — Exceptions Washington school employees' retirement system
Management Resources:	2016, July Issue 2011, August Issue <i>Policy News</i> , June 2008 <i>Policy News</i> , August 2001	Substitute Employment Legislature Authorizes “Retire-Rehire”

## **PROCEDURE SUBSTITUTE EMPLOYMENT**

The following procedures shall be in effect:

- A. Substitute teachers shall be contacted from the main office.
- B. Teachers who are ill and unable to be present for duty in the morning shall call the substitute secretary between \_\_\_\_\_ a.m. and \_\_\_\_\_ a.m.
- C. Teachers who feel ill and do not expect to be able to teach the next day may call before \_\_\_\_\_ p.m. the preceding day instead of the next morning.
- D. The principal shall make an accurate and prompt report of all substitute services to the business office. The principal shall also rate the substitute teacher on the proper form and return it to the substitute secretary.
- E. Principals shall be responsible for keeping the record of days taught by the substitute and shall notify the district office when the 21st day of substituting shall begin.
- F. The superintendent's office shall notify the substitute secretary in the event leave has been granted to a teacher, indicating the beginning and termination dates.

### **In the performance of their duties, substitute teachers shall be expected to:**

- A. Have the same responsibilities and work day as regular teachers.
- B. Attend staff meetings unless excused by the principal.
- C. Follow the lesson plan prepared by the regular teacher or comply with the instructions from the principal. The principal shall review the lesson plans of the absent teacher when advance planning is possible. When not, the absent teacher shall have made provisions for the substitute in the daily plan book.
- D. On completing an assignment, prepare a definite statement of the work accomplished in each subject, specifying pages covered in various textbooks. New assignments should be noted in the teacher's assignment book or upon a card inserted in the desk copy of the text. All papers should be graded, records made and preparations for the next day completed.
- E. Maintain the "housekeeping" arrangements of the regular teacher.
- F. Administer no corporal punishment to a child. The principal should be contacted in the case of a serious behavior problem.
- G. Complete building reports, including:
  - 1. Attendance reports
  - 2. Student progress, report cards and warning slips after conferring with the principal.
  - 3. Communications to parents with the approval of the principal.
- H. Report to the principal's office before leaving the building in the evening to see if services are needed on the following day.

**Substitutes for classified staff shall be contacted in the following manner:**

- A. Food Services - The food service department will attempt to fill this temporary assignment by contacting one or more qualified individuals from the appropriate list.
- B. Transportation - The transportation department is authorized to fill this temporary assignment from a list of qualified drivers.
- C. Maintenance - Unless a state of urgency exists maintenance positions will not be filled by a substitute.
- D. Operations - The principal is authorized to employ a substitute custodian from the approved list.
- E. Secretary - The principal is authorized to employ a substitute secretary from the approved list when the position is vital to the operation of the unit e.g., one-secretary school, attendance secretary, etc.
- F. Teacher and Library Aide - The principal is authorized to employ a substitute when the role of the aide is critical to the operation of the unit e.g., playground aide, library aide.

The substitute for a classified staff member should report to the office of the unit administrator at the end of the day to determine if service, on the following day will be needed.

## **STUDENT TEACHERS**

The board encourages cooperation with colleges and universities within the state in the training of student teachers. The district shall accept student teachers from accredited institutions of higher learning with which the district has a cooperative agreement approved by the board.

The board authorizes the superintendent to honor those reasonable rules, regulations, and training guidelines of the teacher training institution. The teacher training institution shall be expected to provide liaison personnel who shall work cooperatively throughout the training process with the principal and the supervising teacher.

The superintendent shall coordinate the request for placement with building principals in order that excessive concentrations of student teachers in any given building shall be avoided. Student teachers shall comply with the policy of the district as it applies to certificated staff. The supervising teacher and the principal shall be responsible for the conduct of the student teacher.

## **PROCEDURE STUDENT TEACHERS**

The procedures for developing and implementing a student teacher agreement are as follows:

- A. The college representative shall present a student teacher agreement to the superintendent for review and approval.
- B. The superintendent shall coordinate the institution's request for placement with principals to determine if placements are possible in the subject areas requested.
- C. The college supervisor shall be notified of placements that can be accepted during the quarter.
- D. Assignment shall be made with the approval of the cooperating staff member and the principal.
- E. A student teacher shall be assigned to a teacher with no less than three years of teaching experience.
- F. A supervising teacher shall not be assigned more than one student teacher per school year.
- G. The supervising teacher shall be responsible for the class and should not delegate responsibilities until the student teacher has displayed the proficiency to accept them.
- H. A student teacher should assume the same conditions of employment as a regular teacher in terms of length of school day, supervision of co-curricular activities, staff meetings, and inservice training.

## **INTERNSHIPS**

The board recognizes the need to provide training opportunities for prospective administrators. Internships for those who are in the process of acquiring administrative credentials shall be approved on an individual basis. Specific factors to be used in considering an individual for an internship position shall include but not be limited to: academic record, teaching ability, leadership qualities, communication skills and dedication to past and present assignments.

If recommended by the screening committee, the superintendent shall be responsible for: scheduling any necessary release time, arranging for constructive supervision of the internship experience and identifying a variety of experiences which will meet the needs of the intern.

## **PROCEDURE INTERNSHIPS**

The following procedures shall be followed in the selection of interns for administrative or supervisory positions:

- A. By April 15 of each year all staff members will be advised of their opportunity to establish eligibility for an internship.
- B. A screening committee shall be appointed to assist in the selection of administrative interns. The membership should adequately represent the various levels within which the prospective administrator will work. Classroom teachers may be included in the membership of a screening committee.
- C. Through examination of the applicant's credentials and through examination and/or personal interview, a screening committee shall determine whether the applicant is qualified for consideration as an intern for an administrative position. The screening committee will be supplied with statements of criteria which relate to the specific job description. The screening committee shall interview prospective interns on the basis of specific criteria for the position. The committee shall maintain a set of notes which can be used as the basis for arriving at recommendations. The recommendations of the screening committee shall be submitted to the superintendent.
- D. The individuals recommended for consideration as interns shall be scheduled for internship assignments when and where it will be most advantageous to the district.

Following selection, the intern and his/her supervisor will set objectives and plan appropriate activities dealing with such areas as: personnel, curriculum, community relations, student relationships, finance, non-instructional operations and facilities.

## **PROGRAM PLANNING, BUDGET PREPARATION, ADOPTION AND IMPLEMENTATION**

A district's annual budget is tangible evidence of the board's commitment toward fulfilling the aims and objectives of the instructional program and providing for the efficient and effective operation of the district. The budget expresses in specific terms the services to be provided, consistent with immediate and long-range goals and resources available and establishes priorities within broad program areas such as basic education, other separately funded programs and support services. Each year a budget shall be prepared for the ensuing fiscal year. The budget shall set forth the complete financial plan of the district for the ensuing school year.

### **Notice and Conduct of Budget Hearings**

The time and place of the budget hearing shall be published through the local news media of the school district. Any person may appear and be heard for or against any part of such budget.

### **Budget: Adoption and Filing**

The budget for the ensuing school year shall be adopted by board resolution following a public hearing. Such action shall be recorded in the official minutes of the board. Copies of the budget as adopted shall be filed with the education service district for review. Copies of the budget will be filed with the state superintendent of public instruction.

The dates for adoption and filing are as follows:

Budget adopted by August 31

Budget filed with ESD by September 3

Budget filed with OSPI by September 10

### **Budget Implementation**

The board places responsibility with the superintendent for administering the operating budget, once adopted. All actions of the superintendent in executing the programs and/or activities as set forth in the adopted operating budget are authorized subject to the following provisions:

- A. Expenditure of funds for the employment and assignment of staff meet the legal requirements of the state of Washington and adopted board policies;
- B. Funds held in reserve accounts (General fund #810-890) for self-insurance and other such contingencies may not be expended unless approved for purposes designated by the board;
- C. Complete listing of expenditures for supplies, materials and services is presented for board approval and/or ratification;
- D. Purchases are made according to the legal requirements of the state of Washington and adopted board policy;
- E. Funds may be transferred from one budget classification to another subject to such restrictions as may be imposed by the board;

- F. The superintendent shall be responsible for establishing procedures to authorize and control the payroll operations of the district. The board may act on behalf of individual staff to deduct a certain amount from the staff member's paycheck and remit an agreed amount to a designee of the staff member. No involuntary deduction may be made from the wages of a staff member except for federal income tax, social security, medical aid, and state retirement, or in compliance with a court order such as garnishment; and
- G. Financial reports are submitted to the board each month.

***Reserves in the School Budget***

The district shall maintain reserves in all district funds as deemed appropriate by the board of directors.

Cross References:	Board Policy 5005 Board Policy 6213	Employment Reimbursement for Travel Expense
Legal References:	RCW 28A.300.060  28A.320.010 28A.320.020 28A.400.300  28A.320.090  28A.330.100 28A.505 28A.505.040  28A.505.060  28A.505.080 28.505.150  28A.510  WAC 392-123-054	Studies and adoption of classifications for school district budgets — Publication Corporate powers Liability for debts and judgments Hiring and discharging employees — Seniority and leave benefits, transfers between school districts Preparing & distributing information on district's instructional program, operation and maintenance — Limitation Additional powers of the board School Districts' Budgets Budget — Notice of completion — Copies — Review by ESD Budget — Hearing and adoption of — Copies filed with ESDs Budget — Disposition of copies Budgeted expenditures as appropriations — Interim expenditures — Transfer between budget classes — Liability for nonbudgeted expenditures Apportionment to District — District Accounting  Time Schedule for Budget

## **PROCEDURE PROGRAM PLANNING, BUDGET PREPARATION, ADOPTION AND IMPLEMENTATION**

Prior to presentation of the proposed budget for adoption, the superintendent or designee shall prepare for the board's study and consideration appropriate documentation supporting his/her recommendations, which shall be designed to meet the needs of students within the limits of anticipated revenues consistent with reasonable management practices.

## **FISCAL YEAR**

The district fiscal year shall begin September 1 each year and shall continue through August 31 of the succeeding calendar year.

Legal Reference:      RCW 28A.505.030

District fiscal year

**Adoption Date: 07.11.11**  
**Auburn School District**  
**Revised:**

## SYSTEM OF FUNDS AND ACCOUNTS

Accounting procedures in the district shall be in compliance with directives outlined in the manual approved by the State Superintendent of Public Instruction, Accounting Manual for School Districts. The district shall maintain a system of funds with the county treasurer in accordance with state law and the accounting manual approved by the state superintendent of public instruction. The funds are: General Fund, Capital Projects Fund, Debt Service Fund, Associated Student Body Program Fund, and Transportation Vehicle Fund, Private-Purpose Trust Fund, and the Pension and Other Employee Benefit Trust Fund.

The district may maintain a system of bank accounts as follows:

District depository and/or transmittal bank accounts;

An associated student body imprest bank account for each school having an associated student body organization approved by the board; and

Petty cash accounts in such numbers as are necessary to meet the petty cash needs of the schools and divisions of the district. The board may authorize the establishment of such accounts. Each petty cash account shall be approved by the board. A custodian shall be appointed for these accounts who shall be independent of invoice processing, check signing, general accounting and cash receipts functions. If this separation of functions is not feasible, another employee who is independent of those functions shall be responsible for reviewing the management of each account.

Legal References:	Wash.Const., Article VII, § 2	Voted bond proceeds and capital levy proceeds-- Uses
	RCW 28A.320.320	Investment of funds of district
	RCW 28A.320.330	School funds enumerated--Deposits--Uses
	RCW 28A.325.010	Fees for optional noncredit extra curricular events-- Disposition
	RCW 28A.325.020	Associated student bodies--Powers and responsibilities affecting
	RCW 28A.325.030	Associated student body program fund--Fundraising activities--Nonassociated student body program fund moneys
	RCW 28A.335.060	Surplus school property--Rental, lease or use of--disposition of moneys received from
	RCW 28A.505.140	Rules and regulations for budgetary procedures--Review when superintendent [SPI] determines budget irregularity--Revised budget, state board's financial plan until adoption
	RCW 28A.530.010	Purposes for use of voted bond proceeds
	RCW 28A.530.020	Bond issuance--Election--Resolution to specify purposes
	RCW 28A.530.080	Additional authority to contract indebtedness
	RCW 42.17.130	Use of public office or agency facilities in campaigns-- Prohibition--Exceptions
	RCW 43.09.200	Division of municipal corporations--Uniform system of accounting
	RCW 43.09.210	Division of municipal corporations--Separate accounts for each fund or activity
	RCW 84.52.053	Levies by school districts authorized--When--Procedure
	RCW 84.52.056	Excess levies for capital purposes authorized
	WAC 392-123	Finance--School District Budgeting
	WAC 392-138	Finance--ASB Moneys
	State Auditor Bulletin #301, III(E),	Petty Cash

## **PROCEDURE SYSTEM OF FUNDS AND ACCOUNTS**

### **General Fund**

The General Fund (GF) is financed primarily from local taxes, state support funds, federal grants, and local receipts. These revenues are used specifically for financing the ordinary and legally authorized operations of the district for all grades. The GF includes money which has been segregated for the purpose of carrying on specific activities such as the basic education program, the program for the handicapped and so on. The GF is managed in accordance with special regulations, restrictions and limitations and constitutes an independent fiscal and accounting entity.

### **Capital Projects Fund**

The Capital Projects Fund (CPF) contains the proceeds from the sale of voted bonds (unlimited tax general obligation bonds) and non-voted bonds (limited general obligation bonds), state of Washington financing assistance (state matching money), transfers from the district's basic education allotment, the proceeds of special levies earmarked for building purposes, earnings from capital projects fund investments, growth management impact fees, state environmental protection act mitigation payments, rental or lease proceeds, and proceeds from the sale of property. Permissible expenditures from the proceeds derived from the sale of voted bonds, including the investment earnings thereon, is governed expressly by state law and may include the acquisition of land or existing buildings, improvements to buildings and/or grounds, design and construction and/or remodeling of buildings, or initial equipment; provided that, the bond election resolution and ballot proposition approved by the voters authorizing the bonds includes these items. The Washington Constitution prohibits the use of voted bond proceeds to replace equipment. Proceeds from other sources are also governed by state law and may be used for major renovation and replacement including but not limited to roofing, heating and ventilating systems, floor covering and electrical systems; renovation of play fields and other district real property; energy audits, capital improvements and major items of equipment, furniture and implementing technology systems, facilities and projects, including acquiring hardware, licensing software and on-line applications that are an integral part of the district's technology systems. Any money from the sale of voted bonds and investment earnings thereon remaining after the authorized capital improvements have been completed may be used to: (a) acquire, construct, install, equip and make other capital improvements to the district's facilities; or (b) retire and/or defease a portion of voted bonds, all as the school board may determine by resolution after holding a public hearing pursuant to RCW 28A.530.020. Investment earnings derived from other sources in the CPF should be retained in the CPF and used for statutorily authorized purposes. The district may transfer investment earnings in the CPF, which have not been derived from voted bond proceeds, to a different fund; provided that, such investment earnings may only be expended for instructional supplies, equipment or capital outlay purposes. The superintendent should consult the board and appropriate district staff prior to altering the use of voted bond proceeds and transferring investment earnings out of the CPF.

### **Debt Service Fund**

The Debt Service Fund (DSF) is for the payment of principal of and interest on outstanding voted and non-voted bonds. Disbursements are made by the county treasurer. Provision shall be made annually for the making of a levy sufficient to meet the annual payments of principal and semiannual payments of interest. The district may transfer surplus investment earnings from the DSF to any other school district fund; provided that, such investment earnings are spent only for instructional supplies, equipment or capital outlay purposes. The district may transfer such investment earnings to other school district funds unless the resolution authorizing the voted bonds requires investment earnings to remain in the DSF to secure payment of voted bonds, thereby reducing future tax collections and the corresponding tax levy rate. The superintendent should consult with the board and appropriate staff prior to transferring interest earnings out of the DSF. Non-voted bonds are required to be repaid from the school district's DSF, rather than the fund that actually received the non-voted bond proceeds. As a result, to pay principal of and interest on the non-voted bond, an operating transfer must be used from the CPF (or other fund) to the DSF. The school district should create a separate account within the DSF to repay the non-voted bond. The district should internally segregate the money pledged to repay the non-voted bond from any excess property taxes deposited in the DSF for the repayment of voted bonds. Prior to the issuance of a non-voted bond the superintendent or a designee shall review the repayment process with the board and the county treasurer. The proceeds from the sale of real property may be placed in the DSF or CPF, except for the amount required to be expended for the costs associated with the sale of such property.

### **Associated Student Body Program Fund**

The board is responsible for the protection and control of student body financial resources just as it is for other public funds placed in its custody. The financial resources of the Associated Student Body Program Fund (ASB Fund) are for the benefit of students. Student involvement in the decision-making processes related to the use of this money is an integral part of the associated student body, except that the board may delegate the authority to a staff member to act as the associated student body for any school which contains no grade higher than grade six. Money in the ASB Fund is public money and may not be used to support or oppose any political candidate or ballot measure. Money raised by students through recognized student body organizations shall be deposited in and disbursed from the fund which is maintained by the county treasurer. The ASB Fund is subject to management and accounting procedures which are similar to those required for all other district moneys. ASB constitutions shall provide for participation by ASB representatives in the decisions to budget for and disburse ASB Fund money. Private non-associated student body fund moneys raised for scholarships, student exchanges and charitable purposes shall be held in trust by the district.

### **Transportation Vehicle Fund**

The transportation vehicle fund (TVF) includes the proceeds from the sale of transportation vehicles; lease, rental, non-voted bonds, or occasional use of surplus buses; depreciation reimbursement for district-owned buses; proceeds of TVF levies; optional transfers from the GF; and investment earnings coming from the TVF. The TVF may be used to purchase and/or rebuild buses on a contract or cash basis. Money may be transferred from the TVF to the DSF exclusively for the payment of principal of and interest on non-voted debt incurred by the TVF. Such a transfer does not constitute a transfer of money from the TVF within the meaning of RCW 28A.160.130.

## INTERFUND LOANS

Inter-fund loans between the general fund, the transportation vehicle fund, the capital projects fund, or the debt service fund may be used to alleviate a temporary cash deficiency.

Such loans shall not be used to balance the budget of the borrowing fund; nor shall they deter any function or project for which the fund was established.

The board must adopt a resolution before any inter-fund loan transaction takes place. The resolution shall contain the exact amount of the loan, the funds involved, the specific source of funds for repayment, the schedule for repayment and the interest rate involved.

Legal References: RCW 28A.505.150

WAC 392-123-135  
through 160

Budgeted expenditures as appropriations  
— Interim expenditures — Transfer  
between budget classes — Liability  
for non-budgeted expenditures  
Inter-fund loans

**Adoption Date: 07.11.11**  
**Auburn School District**  
**Revised:**

## FINANCIAL REPORTS

### Monthly Report

The business office shall prepare a monthly budget status report of the following funds:

- A. General fund,
- B. Capital projects fund,
- C. Debt service fund,
- D. Associated student body fund, and
- E. Transportation vehicle fund.

A “statement of financial condition” shall be submitted to the board each month. The superintendent or designee shall reconcile ending net cash and investments, revenues and expenditures reported by the county treasurer with the district records for all funds. As part of the budget status report, the superintendent shall provide each director with a brief written explanation of any significant deviation in revenue and/or expenditure projections that may affect the financial status of the district.

### Annual Financial and Statistical Report

At the close of each fiscal year, the superintendent, as board secretary, shall submit to the board an annual financial statistical report. The report shall include at least a summary of financial operations for the year.

Legal References:	RCW 28A.150.230	Basic Education Act of 1977 — District school directors as accountable for proper operation of district — Scope — Responsibilities
	28A.400.030(3)	Superintendent's duties
	WAC 392-123-110	Monthly financial statements and reports prepared by school district administrator
	392-123-115	Monthly budget status report for general fund operations
	392-123-120	Statement of financial condition — Financial position of the school district
	392-123-125	Personnel budget status report
	392-123-132	Reconciliation of monthly county treasurers' statement to district records

## **EXPENDITURES IN EXCESS OF BUDGET**

Total budget expenditures for each fund as adopted in the budget shall constitute the appropriations of the district for the ensuing fiscal year. The board shall be limited in the incurring of expenditures to the grand total of such appropriations.

Board members, administrators, or staff who knowingly or negligently violate or participate in a violation of this policy by incurring expenditures in excess of appropriations shall be held civilly liable, jointly and severally, for such expenditures, including consequential damages, for each such violation. If as a result of any civil or criminal action the violation is found to have been done knowingly, such board member, administrator, or staff member who is found to have participated in such breach shall immediately forfeit his/her office or employment.

In the event of an emergency requiring expenditures in excess of the budget, the board may adopt a resolution which states the conditions constituting the emergency and the amount of the appropriation necessary to correct the situation. At any other time that the budget is to be increased by making an additional appropriation, the board, after proper notice, shall adopt a resolution stating the facts and the amount of appropriation necessary to correct the situation. Any person may appear at the meeting at which the appropriation resolution is to be voted on and may be heard for or against the adoption. Passage of the resolution requires a majority vote of all members of the board.

Legal References:	RCW 28A.225.250	Cooperative programs among school districts — Rules
	RCW 28A.505.150	Budgeted expenditures as appropriations — Interim expenditures — Transfer between budget classes — Liability for non-budgeted expenditures
	RCW 28A.505.170	First class school districts — Emergency or additional appropriation resolutions — Procedure
	WAC 392-123-071	Budget extension — First class district
	WAC 392-123-072	Budget extension — Second class district

**Adoption Date: 07.11.11**  
**Auburn School District**  
**Revised:**

## **REVENUES FROM LOCAL, STATE AND FEDERAL SOURCES**

### **Revenues from Discretionary Local Taxes**

As necessary, the district shall consider the necessity of requesting voter approval of an excess property tax to be collected in the year following voter approval. Such a levy, if any, shall be in that amount permitted by law which the board determines necessary to provide educational services beyond those provided by state appropriations. The board shall solicit advice from staff and patrons prior to establishing the amount and purposes of the special levy request. The special levy being collected shall be presented by program and expenditure in the district's annual descriptive guide for patrons as required by law.

### **Revenues from State Resources**

The responsibility for financing public education in Washington falls primarily upon the state.

### **Revenues from the Federal Government**

The objective of the board is to provide the best educational services possible within resources available to the district. Federal grants and programs may provide helpful financial resources towards pursuing that objective.

The board agrees to comply with all federal and state requirements that may be a condition to receipt of federal funds including, but not limited to:

- A. Maintenance of fiscal records which show the receipt and disposition of federal funds;
- B. Provision for eligible private school students to participate in programs and/or services designed for the educationally disadvantaged as well as other programs which are supported by ECIA funds;
- C. Provision for testing to identify target students as well as to measure program results; and
- D. Provision for staff and parent involvement, program planning, budget development and program evaluation.

The district agrees to comply with Title 1 requirements pertaining to the implementation of internal controls for travel, contracted services, training, and capital outlay purchases and expenditures.

The district further assures that a district-wide salary schedule is in effect and that the staff is assigned equitably among schools. Instructional material shall also be distributed equitably among all schools. The board grants authority to directors and staff to participate in the development of any state and/or federal regulations deemed to be necessary for the implementation of federally funded programs.

## Federal Impact Funds (Native American)

Federal impact funds are provided to the district as a supplement to taxes and other revenue sources. State-appropriated funds and local taxes contribute to the development and implementation of a basic education program for all students enrolled in the district. The district gives assurance that tribes and parents of Native American children will be afforded the opportunity to make recommendations regarding the needs of their children and will be involved in the planning and development of the basic education program including those educational programs and services to be provided with P.L. 81-874 funds. Native American students shall have the equal opportunity to participate in the district's program with other students.

Recognizing that the board is the ultimate authority in defining the educational program of the district, the superintendent shall establish procedures to assure the involvement of the tribe and parents of Native American students in the development of the basic education program including the education services to be provided with P.L. 81-874 funds and the participation of Native American children in the program on an equal basis. The superintendent will provide opportunities for parents and members of the tribal council to suggest if any policy and/or procedure changes as well as program changes are necessary to better serve the needs of the Native American students.

Legal References:	RCW 28A.300.070	Receipt of federal funds for school purposes--Superintendent of public instruction to administer
	28A.150.230	Basic Education Act--District school directors as accountable for proper operation of district—Scope—Responsibilities--Publication of guide
	28A.150.250	Annual basic education allocation of funds according to average FTE student enrollment--Student/ teacher ratio standard
	28A.150.370	Additional programs for which legislative appropriations must or may be made
	84.52.0531	Levies by school districts--Maximum dollar amount for maintenance and operation support--Restrictions--Maximum levy percentage--Levy reduction funds--Rules. (Exp 1-1-08)
	WAC 392-163	Special Service Program--Title I Grants for Improving LEA Basic Programs
	180-16	State Support of Public Schools
	Public Law 81-874	
	34 CFR 223	Special Aid Provisions for Local Educational Agencies

**Adoption Date: 01.12.98**  
**Auburn School District**  
**Revised: 06.14.04; 07.11.11**  
**Reviewed: 01.28.13; 01.27.14; 01.26.15; 01.11.16; 01.09.17**

## **PROCEDURE REVENUES FROM LOCAL, STATE AND FEDERAL SOURCES**

### **Internal Controls--Title 1**

The following controls are established for the Title 1 program:

- A. All Title 1 funded purchases and expenditures shall be directly related to allowable Title 1 activities and services that are necessary to effectively carry out the objectives of the current program, and for the benefit of eligible participants.
- B. Title 1 purchases and expenditures shall be restricted to those incurred by persons with direct Title 1 duties and responsibilities and/or which benefit only eligible Title 1 participants.
- C. Title 1 funded inservice training shall be directly related to specific Title 1 program activities and provided only to persons with Title 1 program responsibilities and duties.
- D. Appropriate documentation of all Title 1 purchases and expenditures incurred shall be maintained for accountability and audit purposes.

### **Parent Involvement--Title 1**

Each school offering Title 1 programs shall comply with federal and state requirements by providing for:

- A. Written parent notification of the selection of students for services;
- B. Accessibility to parents of specific instructional objectives for their children;
- C. Periodic student progress reports to parents;
- D. Accessibility of support materials to be utilized in the home when requested by parents;
- E. Parent participation in the instructional program on a volunteer basis; and
- F. Parent input and recommendations in program planning and modification.

### **Federal Impact Funds (Native American)**

The district shall disseminate material related to the P.L.81-874 application, program evaluations and program plans and/or changes to parents of Native American children and tribal officials no later than eight weeks before the application is submitted. The district will seek input from tribal officials and the parents of Native American children regarding:

- A. The participation of Native American children in the district's education program on an equal basis;
- B. Their views regarding the P.L. 81-874 application, program evaluation and program plans; and
- C. Their recommendations regarding the needs of Native American children, the ways tribal leaders and parents can assist their children to achieve the benefits of P.L. 81-874 programs, and the overall education program and parental participation allowed.

At the board meeting immediately preceding the submission of the P.L. 81-874 application, the board will review the application and input provided by tribal officials and the parents of Native American children. Notice of the meeting location, time and topics related to the district's P.L. 81-874 application shall be published.

The district shall form a parent-teacher task force to involve tribal officials and parents of Native American children in the planning and development of education programs assisted with the district's P.L. 81-874 funds. The task force shall also assess the efficacy of the district's efforts to obtain meaningful input from tribal officials and parents of Native American children, and the responsiveness of the district in modifying its policies and procedures following input. The task force shall report its findings and recommendations to the board at a public hearing at least once per year.

Following a conclusion by the board that such an action is necessary, the district shall form an ad hoc task force to recommend to the board a modified educational program to ensure the equal participation of Native American children. The task force shall report its recommendations to the board in a public hearing.

The district shall also conduct planning and information sessions during the year. All parents of Native American students and representatives of the tribal council shall be invited to attend these meetings. At these sessions, the district may:

- A. Review the annual descriptive guide of the district;
- B. Explain how Native American students gain access to and are served by the district's education programs, and how educational programs are modified to ensure equal opportunity and participation by Native American students;
- C. Review the identified needs of the district with particular attention directed towards assessing the needs of Native American students; and
- D. Discuss proposed programs and services, as recommended by the task force, which are being considered to satisfy the stated needs and the extent to which Native American students are expected to be served.

Parents of Native American students and members of the tribal council will be advised of the Federal Impact Funds policy and procedure. Expressions of concerns and/or suggestions regarding the policies/procedures of the district are welcome. Any parent of Native American students or a member of the council may file a complaint regarding the application of P.L.81-874 funds with the district. Said complaint should be submitted in writing to the superintendent of schools. Any complaint not satisfactorily resolved may be submitted in writing to the board of directors of the district. The board may elect to respond in writing to the complaint or hold an informal hearing with the complainant(s). A decision will be rendered within twenty (20) working days following submittal of the complaint to the board.

## DISTRICT FUNDRAISING ACTIVITIES

The district recognizes that it needs a balance of state, federal, local, and nongovernmental funds to achieve its goals. The district further recognizes that dwindling state and federal funds present challenges for the district. Increasingly, the district is seeking local and nongovernmental funding sources in order to preserve, establish and enhance important district programs and educational opportunities. The district's ability to offer diverse, quality educational programs and experiences for our students depends in part on our ability to secure reliable alternative sources of funding.

To preserve and to establish district programs and educational opportunities, the board authorizes fundraising activities where such programs: (1) promote K-12 education; (2) provide educational experiences for students, and/or (3) address local funding obligations that support the educational mission of the district; (4) and/or promote the effective, efficient, or safe management and operation of the district.

District fundraising activities may include: (1) soliciting gifts and donations that are reasonably related to the pursuit of the district's objectives; (2) entering into interlocal agreements with other governments which generate additional funds for school district activities; and/or (3) operating various revenue generating enterprises consisting of the sale of goods or services that are produced by, or that are linked to, the district's educational program. Fundraising programs, including enterprise activities, shall be in the best interest of the district and shall not interfere with the operation of the district's programs and functions. District fundraising programs shall not conflict with any applicable law and or state or federal constitutional provisions, including the separation of church and state.

This policy governs the establishment and administration of district fundraising for the general fund and for particular programs in the district. It does not address fundraising programs conducted by Parent Teacher Organizations, other non-profit or citizens' organizations, or the Associated Student Body. Fundraising by the Associated Student Body is addressed by RCW28A. 325.030. and District Policy 6020 and 6020P.

The superintendent shall establish procedures for the administration of district fundraising programs to ensure compliance with all applicable laws.

Legal References:	RCW 28A.320.015	School Boards of Directors –Powers Notice of adoption of policy
	RCW 28A.320.030	Gifts, conveyances, etc., for scholarship and student aid purposes, receipt and administration
	Attorney General's Opinion	AGO 2003 No. 1

Management Resources: *Policy News*, December 2003 District Fundraising Activities

**Adoption Date: 07.11.11**  
**Auburn School District**  
**Revised:**

## **PROCEDURE DISTRICT FUNDRAISING ACTIVITIES**

The district fundraising programs for students shall: (1) promote K-12 education; (2) provide educational experiences; and/or (3) address local funding obligations that support the educational mission of the district; (4) and/or promote the effective, efficient, or safe management and operation of the district.

District fundraising activities may include: (1) soliciting gifts and donations that are reasonably related to the pursuit of the district's objectives; (2) entering into interlocal agreements with other governments which generate additional funds for school district activities; and/or (3) operating various revenue generating enterprises consisting of the sale of goods or services that are produced by, or that are linked to, the district's educational program. The purpose or use of such programs shall be consistent with the policies and programs of the district.

Proposals for district fundraising programs shall be reviewed and approved in advance by the superintendent (or designee) to ensure compliance with the following procedures. The superintendent (or designee) shall make all compliance determinations.

A. Any fundraising program charging fees shall satisfy the following criteria:

1. Fees for persons attending or participating in such programs shall only be charged when attendance or participation is optional, not mandatory;
2. Students shall not be charged a fee to enroll in a curriculum-based activity that involves a district fundraising program; and
3. A program shall not be created or continued that will require the allocation of district funds when program-specific resources are insufficient or exhausted.

B. Any fundraising program characterized as a "business enterprise" activity shall satisfy the following criteria:

1. For these purposes, "business enterprise" shall be defined as any non-Associated Student Body activity that sells goods or services for district-related purposes on an ongoing basis;
2. Such "business enterprises" shall sell products or services that are appropriate for the program's education purposes and/or promote the effective, efficient, or safe management and operation of the district;
3. Such enterprises shall not be created solely for commercial purposes;
4. Such enterprises shall purchase inventory in accordance with applicable district policy and/or practices; and
5. A business enterprise program shall not be created or continued that will require the allocation of district funds when program-specific resources are insufficient or exhausted.

C. Any fundraising program using donated personal items or services for an auction, sale, and/or raffle shall satisfy the following criteria:

1. Donated items or services must be free from health and/or safety hazards;
2. Donated items or services must be given voluntarily by individuals or businesses; and
3. Appropriate solicitation on the part of students, parents or appropriate district personnel is permissible, but actions of students and parents cannot bind the district to any contractual obligations.

- D. Any fundraising program that requires contracting with a third-party vendor or promoter shall satisfy the following criteria:
1. The contract shall further K-12 education and/or promote the effective, efficient, or safe management and operation of the district; and
  2. The district shall enter into contracts consistent with district policies and with appropriate authorization of the superintendent (or designee).
- E. Any fundraising program involving the production and/or sale of goods or services, such as a vocational education program, shall satisfy the following criteria:
1. The superintendent (or designee) must authorize the sales of any goods produced and/or any services provided by the education program;
  2. The proceeds from the sale shall be used to enhance or to expand the education programs(s), as determined by the superintendent (or designee);
  3. To the extent required, all goods produced or services provided from an educational program shall be assigned to or owned by the district; and
  4. Individual compensation for the sale of goods produced and/or for the services provided shall not be permitted, except as authorized by the superintendent, in accordance with applicable laws, district procedures, and/or practice.
- F. Any fundraising program selling surplus school personal property shall satisfy the following criteria:
1. Such programs shall not violate applicable state law or school policy governing the sale, lease, or rental of surplus and obsolete school personal property;
  2. Such programs are permitted only as provided in RCW 28A.335.180; and
  3. Such programs follow the district's policy for the disposal of surplus property, District Policy No. 6881.

## **TUITION**

Tuition shall be charged to all persons age 21 or older who wish to attend the regular educational program. The formula for determining the rate of tuition is fixed by the state superintendent of public instruction.

Consistent with existing statute, the district may charge tuition for programs or activities that are not funded by state appropriations.

Legal Reference:      RCW 28A.225.220

Adults, children from other districts,  
agreements for attending school —  
Tuition

## **RENTAL OR LEASE OF DISTRICT REAL PROPERTY**

When district real property is not needed, the board has the authority to call for bids to rent or lease any surplus real property. Notice of the intent to rent or lease property shall be published in a newspaper of general circulation in the district at least 45 days before the rental or lease takes effect, if the value of the rental or lease is \$10,000.00 or more. The district may establish a minimum acceptable bid based upon the fair market value, provided that such minimum bid is non-discriminatory within classes of users.

Such property shall be rented or leased for lawful purposes. The rental or lease shall be in the best interests of the district and shall not interfere with the conduct of the district's educational program and related activities. Proceeds from rental or lease of district property which are in excess of the operational costs incurred for such rental or lease shall be deposited in the capital projects fund or debt service fund.

At the option of the board of directors, after evaluating the sufficiency of the school district's capital projects fund for purposes of meeting demands for new construction and improvements, moneys derived from the lease or rental of real property may be deposited into the district's general fund to be used exclusively for nonrecurring costs related to operating school facilities, including but not limited to, expenses for maintenance.

Legal References:	RCW 28A.335.040	Surplus school property, rental, lease or use of — Authorized
	28A.335.050	Surplus school property, rental, lease or use of — Joint use
	28A.335.060	Surplus school property, rental lease or use of — Disposition of moneys received for
	28A.335.070	Surplus school property, rental, lease or use of — Existing contracts not impaired
	28A.335.080	Surplus school property, rental, lease or use of — Community use not impaired
	28A.335.090	Conveyance and acquisition of property — Management
	28A.335.130	Real property — Sale — Use of proceeds

## **GIFTS AND LIVING MEMORIALS**

The board recognizes that individuals and organizations in the community may wish to contribute additional supplies or equipment to enhance or extend the instructional and/or activity program.

All gifts shall become district property and shall be accepted without obligation relative to use and/or disposal.

The superintendent shall establish criteria to be met in the acceptance of gifts to the district.

Legal References:      RCW 28A.320.030

Gifts, conveyances, etc., for scholarship  
and student aid purposes, receipt and  
administration

## **PROCEDURE GIFTS AND LIVING MEMORIALS**

Equipment and material which are donated to a school or are brought to the school for temporary use shall be reviewed in terms of suitability and durability and for any possible health or safety hazards. The school principal shall be responsible for selecting other appropriate staff members to assist in the review process. If the equipment and/or materials are found to be unsuitable, the principal shall indicate the reason(s) in writing. If found to be acceptable, the principal will submit a work order for appropriate installation.

Donated playground equipment must be referred to the superintendent or designee's office before acceptance is granted.

If the value of a non-monetary gift exceed \$50, the superintendent/designee/school board will review for final approval.

All gifts shall become district property and shall be accepted without obligation relative to use and/or disposal.

Gifts in memory of an individual or living memorials can be accepted and subject to these same procedures for acceptance.

Any gift presented to the district shall satisfy the following criteria:

- A. The purpose or use shall be consistent with philosophy and programs of the district;
- B. The district shall assume only a minimum financial obligation for installation, maintenance and operation;
- C. The equipment shall be free from health and/or safety hazards;
- D. The equipment shall be free from a direct or implied commercial endorsement.
- E. The equipment must meet district standards for the intended use.

Examples of gifts:

- A. School supplies (paper, notebooks backpacks, pencils, etc.); and
- B. Playground equipment including play structures and individual play equipment (e.g.; balls, etc.)

Living memorials are funds given to the school district with a specific purpose to support students or programs. Funds given to a specific school will be approved by the principal. Funds given to the school district to benefit students or programs at more than one school will be approved by the superintendent or designee. Funds may be given one time or follow an agreed upon schedule.

Examples of living memorials:

- A. A living memorial scholarship;
- B. A living memorial to fund students' fees (e.g.; coursework, athletic, music, activity costs, etc.); and
- C. A living memorial to fund the purchase of materials and equipment for a school facility.

## **UNCOLLECTED NON-TAX REVENUE**

The superintendent will make every reasonable effort to collect all funds owed the district. However, when owed or delinquent funds inhibit regular reconciliation/bookkeeping procedures, the superintendent will implement regulations and procedures to preserve the orderly and efficient operation of the district. Bad checks which become outdated for normal collection procedures will be entered into accounts receivable or written off consistent with adopted regulations. Delinquent accounts receivable will be pursued in accordance with the regulations and procedures herein.

## INVESTMENT OF FUNDS

The superintendent *or designee* is authorized to direct and authorize the county or state treasurer to invest district moneys which are not needed for current obligations in any district fund. Such investments shall be made with the objective of producing the greatest return, consistent with prudent practice.

Legal References:	RCW 28A.320.300	Investment of funds, including funds received by ESD — Authority — Procedure
	28A.320.320	Investment of funds of district not needed for immediate necessities — Service fee
	36.29.020	Custodian of moneys — Investment of funds not required or immediate expenditures, service fee
	43.250	Investment of local government funds
	WAC 210-01	Local Government Investment Pool

## **PURCHASING: AUTHORIZATION AND CONTROL**

The superintendent is authorized to direct expenditures and purchases within the limits of the detailed annual budget for the school year. The superintendent shall establish requisition and purchase order procedures as a means of monitoring the expenditure of funds. Staff who obligate the district without proper prior authorization may be held personally responsible for payment of such obligations.

**Adoption Date: 07.11.11**  
**Auburn School District**  
**Revised:**

## **PROCEDURE PURCHASING: AUTHORIZATION AND CONTROL**

Requisitions shall be submitted via the WESPaC system in the appropriate Purchase Order Group. The requisition must be approved by all approvers in the PO group. As a minimum, requisitions shall provide the following information:

- Name of school, department and originator, and date originated;
- School department or person to which material is to be delivered;
- Budget year;
- Specifications of equipment items (manufacturer, stock number, etc.);
- Estimated cost based on latest price;

Business services shall prepare a signed purchase order from the original request.

With the exception of open purchase orders, receiving of goods ordered on purchase orders shall be received via the Online Receiving process in Skyward.

Accounts payable shall be notified of receiving of items received on an open purchase order upon receipt of the goods or services.

Upon placement of a purchase order, the business office shall encumber the expenditure against a specific budget line item to guard against the creation of liabilities in excess of revenues.

Materials desired for "examination" should include a statement notifying the vendor that the payment will be made upon acceptable performance of the goods received.

### Competitive Purchasing Under \$40,000

Informal verbal or written quotes should be obtained by responsible vendors for the goods and services required. If there is reason to believe that the lowest acceptable quote is not the best obtainable, the purchasing department may seek additional quotations and award as appropriate. A procurement card or requisition must be used to order materials.

### Requisitions

Requisitions must provide a complete description of the goods, shipping costs, shipping address, additional instructions to the vendor.

### Confirming Purchase Orders

Consistent with good purchasing policies, no acquisition should occur without proper authorization and a signed purchase order. As an exception, emergencies and immediate need requirements do arise. The employee making the acquisition must obtain an itemized invoice or provide proper invoicing information. Goods or services on a confirming purchase order should not be back ordered.

### Procurement Card

The procurement card is used like a credit card for supplies (not for travel). Users are required to follow Policy and Procedure No. 6212. Users must sign a Memo of Understanding and submit signed receipts.

### Open Purchase Orders

Open purchase orders is the use of a continuing purchase order for a designated period of time and cost for the expedient purchase of designated supplies and materials to support program requirements. An open purchase order should state the type of supplies, names authorized, total dollar limit and time limit. Open purchase orders cannot be used to purchase capital outlay items, personal services, membership fees or wages. Nor can an open purchase order be used for technology items that are standardized such as computers, printers, servers, LC projectors and software.

### Capital Outlay Purchasing

A capital outlay purchase is the replacement of or addition of a single piece of equipment with an acquisition cost or value over \$5,000. These requests may be initiated at any time. Business services may seek additional quotes and award, as appropriate, after coordination with other departments as necessary.

### ASB Purchasing

ASB purchasing is a purchase paid with ASB funds. ASB funds are considered to be Auburn School District public money and as such are treated with the same as other district public funds. ASB purchasing must follow state laws and regulations and district purchasing policies and procedures.

### Personal Services

When hiring individuals to perform work or services, a purchase order is required. If personal service contracts are provided, (in addition to the purchase order) the contract must be signed by the assistant superintendent of business services.

### Equipment Maintenance by Vendors

Purchase orders for equipment maintenance that requires fixed service or periodic maintenance and emergency repairs should have an approved purchase order number prior to contacting the vendor to schedule the service or repair. Emergency purchase orders for repairs can be expedited by business services if required.

### Revolving Fund Check

A revolving fund check may be authorized for minor purchases or to reimburse individuals for out-of-pocket small purchases. School board policy may govern the amount and type of such purchases.

### Sole or Single Source of Supply

To be a sole source or single source supplier, the supplier must provide unique services or materials that are available from only a single source and no other services or goods are available to meet the specific requirements. A single source justification form must be submitted and approved.

## CHARGE CARDS

The board authorizes the issuance of charge cards to officers and staff for district purchases, acquisitions and authorized travel. The board shall approve any contract for the issuance of credit cards, including the credit limit. The superintendent or his/her designee is responsible for the authorization and control of the use of credit card funds, subject to final board approval of payments.

Upon billing or no later than thirty (30) days of the billing date, the officer or staff member using a charge card shall submit a fully itemized expense voucher including receipts or invoices supporting purchases. Any charges not properly identified on the expense voucher or not allowed following review by the auditing officer shall be paid by the official or staff member. Any official or staff member who has been issued a charge card shall not use the card if any disallowed charges are outstanding.

The superintendent shall establish procedures for the issuance and use of charge cards.

Cross References:	Board Policy 6213	Reimbursement for Travel Expenses
Legal References:	RCW 42.24.115	Municipal corporations and political subdivisions — Issuance of charge cards to officers and employees for travel expenses
	43.09.2855	Local governments — Use of credit cards
Management Resources:	<i>Policy News</i> , April 2005	Credit Card Policy Updated

## **PROCEDURE CHARGE CARDS**

### **Issuance of Procurement Cards**

The cards will be issued in the name of the Auburn School District, with the name of the school or department administrator also embossed on the card.

Procurement cards will be issued only to the administrator who has budget authority for a school, a department or a program. To request procurement cards complete a “Memorandum of Understanding” on the Use of District Procurement Card signed by the administrator making the request.

Each card will have a cardholder, who is the administrator with budget authority for the card. Each card will also have a card custodian (i.e., office manager or ASB bookkeeper), who will be responsible for the day-to-day control of the use of the card. The cardholder is responsible for approving all card purchases and for approving the payments. The card custodian is responsible for maintaining the proper documentation and for the weekly review and reconciliation of monthly statements. Monthly statements must be reviewed, initialed, and dated by cardholder.

### **Use of Procurement Cards**

The procurement card may be used only to make purchases that are currently allowable under the purchase order, imprest account or expense reimbursement processes.

The procurement card shall NOT be used for:

- Salaries or wages
- Cash advances
- Personal service contracts
- Gifts (including meals for employees)
- Donations
- Capitalized equipment, i.e., single item of equipment costing \$5,000 or more.
- Computers, printers, software LC projectors, document cameras copiers.
- Airline tickets or travel related items. Travel cards will be available for checkout from the purchasing department.

The procurement card should be accepted wherever credit cards are accepted. The district, however, has the ability to limit the use of the card by vendor category.

If a vendor denies the district’s procurement card, please contact business services at 253-931-4970. The business services staff can check the US Bank website to determine the reason for the denial. They will attempt to resolve the issue with the vendor.

### **Card Limits**

The standard declining balance limits are as follows:

<u>Cardholder</u>	<u>Max Per Transaction</u>	<u>Max Per Card/Per Month</u>
Elementary	\$1,000	\$10,000
Middle	\$1,000	\$10,000
High	\$1,000	\$10,000
Departments	\$1,000	\$10,000

Administrators may request an increase to their limit by contacting purchasing services.

### **Record Keeping Requirements**

At a minimum, each school or department using procurement cards must maintain the following documents at their site:

- A signed “Memorandum of Understanding” for every employee who is allowed to use the card. Non-employees are not allowed to use district procurement cards.
- A sign-out log to control the use of the procurement card.
- Documentation showing approval of purchase by administrator.
- All purchases must be documented to show the vendor name, items purchased and the amount paid. The state auditor’s office requires original, detailed receipts to substantiate each purchase.

For telephone/internet purchases, an original receipt is required from the vendor. Faxed receipts are acceptable for orders placed by telephone as long as they are detailed including vendor name, items purchased, and dollar amount.

### **Weekly Review**

Each card has a default account code for every transaction. The account code can be changed to reflect the correct account for individual purchases prior to approval in Access On Line at the US Bank website.

Schools and departments must reconcile procurement card charges at least weekly, no later than the last working day of the week. The cardholder and the card custodian at each school or department will have access via the internet to the Access On Line (US Bank) that displays current transactions on cards issued to that site. The card custodian must match transactions in the electronic statement to original receipts on file.

It is the card custodian’s responsibility to ensure that all charges have been reviewed within five days. Failure to reconcile and approve payments consistent with these procedures may result in cancellation of the card.

### **Monthly Review**

Print the monthly statement on or after the 7<sup>th</sup> of every month. Verify all charges and credits have been approved. Any transactions not having prior approval can be disputed.

Billing cycle requirements from US Bank must be met to avoid finance charges, the business office will process all procurement card payments as billed when due, unless notified of a disputed charge.

### **Dispute Resolution**

If incorrect charges are found during the weekly reconciliation, contact the vendor immediately to resolve any discrepancies. If the disputed transaction cannot be resolved with the vendor, the transaction may be disputed on line. The disputed item will be included and paid in the total amount due.

When the dispute has been resolved, any credit will be put on the next statement with an explanatory note. The outstanding balance will be adjusted by the credit amount to reflect the final settlement of the disputed item.

If the transaction has been paid and must be disputed, contact the vendor and gather documentation. After receipt of documentation, the purchasing office may assist to establish a dispute. Disputed charge payments cannot be withheld from payment. After settlement, a credit will be issued on a future statement.

### **Safeguarding Procurement Cards**

Procurement cards must be kept in a secure storage area when not in use.

In case of theft or loss, the cardholder or card custodian must notify US Bank Inc. immediately at 1-800-344-5696 (24 hours a day, 365 days a year). Also report the loss to the business office as soon as possible at 253-931-4970.

In the event of a transfer or a separation from employment of a cardholder, notify business services immediately and return the card to the business office. A replacement card will be issued to the new administrator following the steps outlined in Section 1 of these procedures.

Every employee who is authorized to use the procurement card must sign a “Memorandum of Understanding on the Use of District Procurement Card.” The card custodian will retain the signed original of the memorandum on site along with all other procurement card documentation for review by the state auditor.

Only the employee who checks out the card may use the card and sign receipts.

Misuse of the procurement card may result in any or all of the following actions:

- Cancellation of the card
- Discipline of the cardholder
- Personal liability for improper charges

### **Travel Cards**

The business office will maintain a set of special travel cards for travel expenses only. The cards may be checked out and used by employees on approved travel status.

Employees wishing to use the travel cards must sign a Memorandum of Understanding on the use of the Travel Card before a travel card can be checked out from the business services during normal business hours. Only the employee who checks out the card may use the card and sign receipts.

Meal documentation must include a detailed receipt showing what was ordered and the signature of the employee who checked out the travel card. If more than one person is dining, a list of the names of each person must be attached to the meal receipt. If receipts are lost, the employee responsible must complete an Affidavit of Lost Receipt for the missing or lost receipt.

Auburn School District travel policies and procedures must be followed prior to and while traveling.

Travel cards must be returned to the business office immediately upon the employee’s return to the district, but in any event, no later than the close of business on the first business day after the employee’s return to the district.

**Reporting Improper Use of Procurement or Travel Cards**

Should a transaction appear on a procurement or travel card, which is suspected of an inappropriate or improper transaction, the following procedures must be followed.

Do not attempt to determine details regarding the transaction. Report the transactions to the purchasing coordinator.

Purchasing coordinator will contact the vendor to attempt to determine details of the transaction. If it is discovered that the transaction is a suspected misappropriation or illegal act, the information must be provided to the executive director of business services.

Executive director of business services will follow RCW 43.09.185 and Washington State auditor office procedures with regard to reporting misappropriation or other illegal act.

## REIMBURSEMENT FOR TRAVEL EXPENSES

The actual and necessary expenses of a director, administrator, staff member or designate of the district incurred in the course of performing services for the district, whether within or outside of the district, may be reimbursed in accordance with the approval and reimbursement procedures of the district. For purposes of this policy, travel expense includes amounts paid for use of personal automobiles, other transportation, and actual expenses or reimbursement in lieu of actual expenses for meals, lodging and related items that are necessary while in the conduct of official business of the district. A staff member or district officer may be reimbursed for gratuities not exceeding customary percentages for the cost of meals as well as reasonable amounts for such services as baggage handling when the costs are incurred while the individual is engaged in district business or other approved travel.

Reimbursement for travel expenses shall be made pursuant to the federal internal revenue code and internal revenue service regulations.

Legal References:	RCW 28A.320.050	Reimbursement of expenses of directors, superintendents, other school representatives, and superintendent candidates — Advancing anticipated
	42.24.090	Municipal corporations and political subdivisions — Reimbursement claims by officers and employees — Detailed account — Travel allowances and allowances in lieu of actual expenses — Certification — Forms
	Ch. 3, Sec. 4, Page 1	School Accounting Manual

Management Resources:	<i>Policy News</i> , April 2005	Credit Card Policy Updated
	<i>Policy News</i> , December 1999	IRS rules impact travel reimbursement

**Adoption Date: 07.11.11**  
**Auburn School District**  
**Revised:**

## **PROCEDURE REIMBURSEMENT FOR TRAVEL EXPENSES**

### **Travel Request**

Travel requests must be approved by the staff member's immediate supervisor prior to submission to the superintendent. Out-of-district travel must be approved by the superintendent.

The travel request must show meals, lodging, transportation, registration and any other estimated expenses for which reimbursement shall be requested upon completion of travel and the budget category to which reimbursement is to be charged.

### **Reimbursement of Claims**

Certified claims must be submitted to the district business office at least two weeks prior to the regular board meeting.

A mileage report is to be submitted each month for reimbursement of mileage in a personal vehicle inside the district. The report must show each point of departure and destination.

A statement of expenses is to be submitted for each trip for which reimbursement is being requested.

### **Reimbursable Expenses**

Lodging	Reasonable rates	Itemized receipt required
Meals	Reasonable rates	Itemized receipt required
Airline, Train, Bus Fare	Tourist rate	Cancelled ticket serves as receipt
Taxi, Parking, Toll		Receipt preferred
Mileage — personal car	<b>Inside the district:</b> Reimbursement allowed only when approved in advance by the staff member's supervisor. When travel is a necessary part of performing one's work, the staff member may receive blanket approval for the year. <b>Outside the District:</b> Reimbursement allowed only in connection with an approved travel request and when there is evidence that a district vehicle was not available for use on the day of travel. Reimbursement shall be at the rate paid to state staff.	

- A. **Hotel and Motel Expenses:** Individual receipts are required from each staff member who obtains reimbursement from the district. When two or more people share a room, the room shall be registered to all of the occupants. Each person shall obtain and pay a bill for the share of the room charge when possible. If the hotel or motel will not provide that service, the person paying the bill and requesting reimbursement shall note on the receipt all other staff members who shared the room. Hotel or motel charges are not to be billed directly to the district.

- B. **Airline Tickets:** Airline tickets (coach rate) may be charged to the district through a local travel agency for any approved travel.

### **Travel Advances**

- A. A written request for a travel advance must be submitted to the district fiscal officer.
- B. Travel advances are paid in the form of a check payable to the staff member.
- C. A statement of expense must be submitted to the district fiscal officer within ten days following completion of the travel. If the actual expenses are less than travel advance, the staff members shall reimburse the district for the difference.
- D. The Advance Travel Revolving Fund should not be used for payment of airline tickets, pre-registration fees or for reimbursements to staff or officers for travel expenses already incurred.

### **Nonreimbursable Expenses**

The following expenses are not reimbursable:

- A. Alcoholic beverages, meals or snacks other than regular meals.
- B. Personal telephone calls, postage, and memberships.
- C. Mileage to and from home.
- D. Mileage for school levy promotions and other nonofficial school functions.
- E. Entertainment.
- F. Expenses for travel extending beyond the time required for the meeting or business, unless it is in the district's financial interest to extend the travel over a Saturday night or such other rate advantages.
- G. Expenses incurred by non-employees traveling with the staff member, including room surcharges.

## VOUCHER CERTIFICATION AND APPROVAL

Expenditures shall be made on district voucher forms. Before vouchers are submitted to the board for payment, they shall be audited and certified by the district's appointed auditing officer for accuracy and proof that the goods or services have been received and are satisfactory and that previous payment has not been made. The certification must be signed and dated by the auditing officer or his/her delegate. Vouchers shall be approved by a recorded affirmative vote of a majority of the board.

The board authorizes advance payment of a voucher when a delay in payment would adversely impact the financial condition of the district. The board shall review and approve all such advance payments at its next regularly scheduled public meeting. In the event the claim is disapproved, the auditing officer and superintendent shall cause the claims to be recognized as receivables and pursue collection diligently until the funds are collected or until the board approves the payment of those claims.

The auditing officer and the superintendent shall each furnish an official bond, for not less than \$50,000, for the faithful discharge of such duties. The school district shall purchase and pay for the surety bonds.

Cross Reference:	Board Policy 6500	Risk Management
Legal References:	RCW 28A.330.080 28A.330.090 42.24.080  42.24.180	Payment of claims Auditing committee and expenditures Municipal corporations and political subdivisions — Auditing and payment — Authentication and certification Taxing District — Issuance of warrants or checks before approval by legislative body — Conditions

State Auditor's Voucher certification and approval  
Bulletin #301-III(F)

**Adoption Date: 01.12.98**  
**Auburn School District**  
**Revised: 07.11.11**

## **PROCEDURE VOUCHER CERTIFICATION AND APPROVAL**

All claims against a school district must be preaudited by the auditing officer of the municipality or his delegate. In addition, all claims must be certified by the auditing officer. This certification may be made on each individual claim voucher or, subject to the acceptance and approval of the board, a blanket voucher certification may be used so long as it indicates the particular vouchers so certified. The use of a blanket certification in no way relieves the auditing officer of his responsibility and liability for each individual voucher so certified. The certification must be signed and dated by the auditing officer or his delegate. For all claims, except expense reimbursement claims certified by officers or employees (see employee travel procedures), the certification must include the following language:

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described on voucher numbers \_\_\_\_\_ through \_\_\_\_\_ are just, due and unpaid obligation against the school district and that I am authorized to authenticate and certify to said claim.

The auditing officer's certification for employee/officer expense reimbursement claims must include the following language:

I, the undersigned, do hereby certify under penalty of perjury that the expense reimbursement claims voucher numbers \_\_\_\_\_ through \_\_\_\_\_ are just, due and unpaid obligation against the \_\_\_\_\_ School District and that I am authorized to certify to said claim.

To indicate board approval for payment of those vouchers audited and certified by the auditing officer, the following statement must be entered in the minutes of the governing body:

Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, have been recorded on a listing which has been made available to the board.

As of this date \_\_\_\_\_ the board, by a (unanimous, majority) vote, does approve for payment those vouchers included in the above list and further described as follows: (funds) voucher numbers \_\_\_\_ through \_\_\_\_ in the total amount of \$\_\_\_\_\_.

## **REIMBURSEMENT FOR GOODS AND SERVICES: WARRANTS**

A majority of the members of the board shall approve the issuance of all warrants, except that advance payments may be made on vouchers when authorized by the board.

Expenditures of district moneys shall be made on approved vouchers by a warrant signed by the secretary of the board or, in his/her absence, the board chairman.

### **Unclaimed or Reissued Warrants**

In the event that a warrant has been lost, a replacement warrant may be issued following acknowledgement of a "stop payment" with the district's depository. A replacement warrant may also be issued to the estate of a deceased staff member upon notice from the court. A replacement warrant may also be issued to a claimant whose warrant has been cancelled because of the time limitation imposed by this policy.

Cross Reference:	Board Policy 6215	Voucher Certification and Approval
Legal References:	RCW 28A.330.080 28A.330.090 63.29 39.56.040	Payment of Claims Auditing Committee and Expenditures Uniform Unclaimed Property Act Cancellation of Municipal Warrants

**Adoption Date: 07.11.11**  
**Auburn School District**  
**Revised:**

## **BID REQUIREMENTS**

### **Purchases**

All purchasing of furniture, supplies, building improvement or repairs, except books, shall be in compliance with RCW 28A.335.190 and consistent with all applicable Washington Administrative Codes. The superintendent of schools or designee shall establish bidding and contract awarding procedures for all purchases in the manner consistent with statutory authority.

Legal References:	RCW 28A.335.190	Advertising for bids — Bid procedure- Telephone solicitation, limitations — Emergencies
	RCW 28A.400.330	Crimes Against Children — Contractor Employees — Termination of Contract
	RCW39.04.155	Small Works roster — Contract award — Process
	RCW 39.04.280	Competitive Bidding Requirements — Exemptions
	RCW 39.30.060	Bids on public works — Subcontractors must be identified — When
	RCW 43.19.1911	Competitive Bids — Notice Of Modification or Cancellation — Cancellation Requirements — Lowest Responsible Bidder — Preferential Purchase — Life Cycle Costing
Management Resources:	<i>Policy News</i> , October 2005	Competitive Bid Process Changes
	<i>Policy News</i> , June 2001	Legislation Further Simplifies Bid Compliance

**Adoption Date: 02.27.95**  
**Auburn School District**  
**Revised: 09.09.02; 07.11.11**

## **PROCEDURE BID REQUIREMENTS**

1. Whenever in the opinion of the board the cost of any furniture, equipment or supplies (except books), shall equal or exceed \$75,000, formal bids shall be called for by issuing public notice placed in at least one newspaper of general circulation within the district once each week for two consecutive weeks, unless a statutory exception permits another contracting option. Clear and definite specifications shall be prepared and made available to all vendors interested in submitting a bid. For purposes of this policy, a lease-purchase agreement, whereby the district may own the property at the end of a lease term, shall be subject to the same conditions as an outright purchase.
2. When the cost of any supplies, equipment or furniture (except books) shall exceed \$40,000 but be less than \$75,000, informal bids shall be solicited from responsible vendors. The superintendent shall establish bidding and contract awarding procedures for all purchases of furniture, equipment, or supplies (except for books), the cost of which is estimated to be in excess of \$40,000.
3. No bid procedure is required for purchases of furniture, equipment or supplies under \$40,000.

### Public Works Projects

1. Whenever in the opinion of the board the cost of any public work project shall equal or exceed \$100,000 formal bids shall be called for by issuing public notice placed in at least one newspaper of general circulation within the district once each week for two consecutive weeks, unless a statutory exception permits another contracting option. Clear and definite specifications shall be prepared and made available to all vendors interested in submitting a bid.
2. When the cost of a public works project equals or exceeds \$40,000 but is less than \$100,000 informal bids shall be solicited from responsible vendors. The superintendent shall establish bidding and contract awarding procedures for all public works projects, the cost of which is estimated to be in excess of \$40,000. However, all building improvement, repair or other public work projects estimated to be less than \$300,000 may be awarded to a contractor on the small works roster, pursuant to state's uniform small works roster process.
3. Public works projects that are less than \$40,000 may be performed by district personnel.

Limited public works projects are those estimated to cost less than \$35,000. The district may award contracts for limited public works pursuant to the state limited public works process. With prior board approval for limited public works, the district may waive the payment and performance bond requirements and the retainage requirements of law, thereby assuming liability for a contractor's nonpayment of laborers, mechanics, subcontractors, materialmen, suppliers and taxes. The district shall have the right of recovery against the contractor for any of these payments made on the contractor's behalf.

For any public works contract expected to cost over \$1,000,000.00 the bids shall include the names of subcontractors who will do the heating, ventilation and air conditioning, plumbing or electrical work. Failure to name a subcontractor or the bidder for each category of work renders the bid nonresponsive and void. Naming more than one subcontractor for a category of work, unless different contractors are named in alternative bids, also voids a bid.

Bid procedures shall be waived when the board declares an emergency for purchases involving special facilities or market conditions, for purchases of insurance or bonds or when purchases are clearly limited to a single source of supply. Any time bid requirements are waived pursuant to this provision, a document explaining the factual basis for the exception and the contract shall be recorded and open for public inspection.

The board may, by resolution, reject any and all bids and make further calls for bids in the same manner as the original call. The board reserves the right to purchase through an inter-local cooperative agreement with another governmental agency provided such agency has complied with the bidding requirements that are applicable to school district.

The board shall include in each contract a proviso requiring the contractor to prohibit any of its employees who has ever been convicted of or pled guilty to any of the child related felonies from working where he/she would have contact with public school children. The contract shall also provide that failure to comply with this requirement is grounds for immediate termination of the contract.

## **RELATIONS WITH VENDORS**

Financial and business transactions of the district shall be carried out in conformity with the law and consistent with sound and ethical business practices. Purchasing decisions shall be made on the basis of objectivity and shall not be influenced by friendships or other personal relationships. Board members, administrators, or staff shall not accept a gift or favor from vendors or prospective vendors or other firms or individuals who have had or hope to have transactions with the district. Financial interests of board members and administrators in any district purchase, sale, or other transaction shall be prohibited.

Legal References:   RCW 42.23.030  
                          RCW 42.23.040

Interest in contract prohibited —  
    Excepted cases  
    Remote interests

**Adoption Date: 07.11.11**  
**Auburn School District**  
**Revised:**

## **PROCEDURE RELATIONS WITH VENDORS**

### **Purpose**

The purpose of this procedure is to emphasize the need for purchasing ethics concerning the procurement functions applicable to school districts.

### **Procurement Function**

The procurement function is one of the major business responsibilities. Purchasing services should ensure performance within the limitations prescribed by law, by legal opinions, and in accordance with school board policies. This does not mean that the purchasing manager must be a legal expert, nor that they should not rely upon their own judgment when questionable points arise. It is important that the purchasing manager learn basic school purchasing fundamentals so that they will recognize the need for legal guidance and obtain it when necessary.

Some of the fundamental functions of the purchasing services are:

- Buy the proper product for the purpose required.
- Ensure that the product will reduce negative impacts to human health and the environment by purchasing environmentally preferable products or services whenever available.
- Have the product available when and where needed.
- Buy the proper quantity of the product.
- Pay the lowest possible price, consistent with the Auburn School District approved policies and procedures.
- Ensure that the product meets all health and safety regulations.
- Specifications governing supplies, equipment and services are a joint responsibility of the educational and business departments. In the procurement function, purchasing services should ensure that the items and services specified will meet the needs of the educational program. It is the duty of purchasing services to stress the importance of standardization where possible.

### **Administrative Rules and Regulations**

#### **Specific Purchasing Assignments**

Purchasing services should conduct all major purchase transactions for the district in accordance with state and federal laws and school district policies.

Purchasing services should identify, evaluate and recommend products and services that meet criteria which will have a lesser impact on human health and the environment compared to other similar products. Purchasing services will consult with department users, technical experts, and others to maintain the environmental criteria by which to evaluate products.

The purchasing services should establish practical and efficient office procedures, reports, records, and systems that will allow the department to give maximum effort to the acquisition of supplies, equipment and services including the tracking of preferred products for the educational program and assist the administration in its role of management.

Purchasing services should maintain a library of current trade catalogs, which should be available to all departments.

### **Purchasing and Staff Relationships**

Communications with vendors should be through the purchasing services, except in special cases where the technical details make it advisable to delegate authority to others. Copies of all pertinent correspondence between vendors and district staff should be forwarded to purchasing services.

Discussions with vendors and contractors, school district employees should be reminded that purchasing services has the authority to commit the expenditure of funds for supplies, equipment and services.

Purchases from district employees or their immediate family should be avoided. (It is suggested that the purchasing manager check with legal counsel on this matter for possible conflict of interest.)

Employees shall not participate in the selection, award and administration of any contract to a business or entity which is connected to them or have financial interest.

Purchasing staff is prohibited from soliciting gifts, gratuities, travel packages and other incentives from suppliers.

Purchasing services should strive constantly to increase its knowledge of new and environmentally referred equipment, materials, services, sources, prices, and processes in manufacturing, and should keep other departments informed.

There should be recognition of the dependence between the instructional areas and the purchasing services.

Purchasing services personnel should seek competent counsel from its colleagues regarding matters of common interest.

It is the responsibility of each using department to determine the quality and kind of supplies, equipment and services required, however, purchasing services may question and/or make recommendations relative to quality, safety, health and economy. Disagreements that cannot be reconciled between the Purchasing Services and the requisitioners should be forwarded to the proper staff members or committee for a final decision.

### **Purchasing and Vendor Relationships**

Opportunity shall be provided to all responsible vendors to do business with the district. The school board of a school district should adopt a policy regarding relationships with vendors (refer to RCW 42.23). Vendor visits should be promptly acknowledged and interviews granted or not, depending upon the circumstances. The purchasing services supervisor must be the judge and should let the vendors know their preference in handling visits. Purchasing services personnel are not required to place their time absolutely and indiscriminately at the disposal of all sales persons.

Purchasing services should not extend favoritism to any vendors. Each order should be placed on the basis of quality, price, service, delivery and any other applicable factors.

The purchasing services should conduct all necessary negotiations for any purchase order changes.

The purchasing services should not solicit funds or materials from vendors for any purpose or publicly endorse or promote commercial products.

The purchasing services and staff may visit suppliers' places of business to acquaint themselves with the product lines carried and with the vendors' ability to serve the district.

When applicable, the purchasing services shall expedite the completion or required documentation (considering applicable discounts) to vendors.

### **Businesses Owned by Employees**

To the extent Auburn School District allows companies owned by employees to sell merchandise, services and supplies to Auburn School District, it is important to also maintain integrity of the vendor relationship and prevent the appearance of impropriety, conflict of interest and influence over purchasing decisions.

Procedurally, Auburn School District requires the following process prior to purchases from companies known to be owned by Auburn School District staff.

- Obtain three quotes for each purchase from competitors to assure that the prices are competitive. This research must be conducted by staff or students wishing to make the purchase.
- All purchases must be pre-approved via a signed purchase order generated from the purchasing department and signed by the purchasing coordinator.

### **Disciplinary Actions for Violation**

Any contract made in violation of these procedures is void and shall not be the basis of any claim against the Auburn School District. Discipline actions of these procedures shall be determined administratively.

## **FOOD AND BEVERAGE CONSUMPTION**

The board recognizes that staff members and others associated with the district are expected to pay for their own food and beverages. However, under certain circumstances when the district is deriving benefit, the district may expend funds for food and beverage consumed by staff and others while in the conduct of the business of the district.

The superintendent is directed to establish procedures which reflect the intent of the board to provide for reasonable food and beverage consumption while in the conduct of business that is of benefit to the district. Such expenditures shall be supported by statements that show:

- A. The occasion for incurring expenses;
- B. The nature of expenses that were incurred; and
- C. The general nature of the business that was being conducted.

## **PROCEDURE FOOD AND BEVERAGE CONSUMPTION**

### **Ceremonies, Dedications, and Open Houses**

Reasonable expenses associated with ceremonies and/or dedications are permitted provided that the events have been authorized by the board and serve a public purpose.

### **Meetings, Study Sessions, Training Sessions**

Food and nonalcoholic beverages may be served at district expense when a meeting, study session, training session or hearing continues through normal mealtime hours and will facilitate the continuance of the session with minimum disruption. Expenses for food and beverage must be reasonable and serve a public purpose. Participants shall be restricted to officers, staff members, volunteers or “quasi-employees,” — noncompensated volunteers, or advisory committee members who might otherwise be entitled to actual monetary payment. Snacks and nonalcoholic beverages of a nominal nature may be provided at meetings, study or training sessions when such occur during non-mealtime hours. Such events must be approved by the superintendent. All expenditures must be properly documented consistent with board policy.

### **Individual Conferences**

Reasonable expenses for food and nonalcoholic beverages are permitted when staff members are engaged in conferences or meetings with individuals or small groups who have an interest in the operation of the district.

## RISK MANAGEMENT

The board believes the district must identify and measure risks of loss due to the damage or destruction of district property or to claims against the district by others claiming to have been harmed by the action or inaction of the district, its officers or staff. A risk management program shall be implemented to reduce or eliminate risks where possible, to determine which risks the district can afford to assume and to transfer to an insurance company those risks which the district does not wish to assume or cannot economically afford to assume. Such a program shall consider the benefits, if any, of joining with other units of local government for joint purchasing of insurance, joint self-funding, joint self-insuring or joint employment of a risk manager. The superintendent or designee shall assign the primary responsibility for the administration and supervision of the risk management program to a single person.

The district shall purchase and pay for surety bonds for the superintendent, business manager and such other staff and in such amounts as the board shall from time to time determine to be necessary for honest performance of the staff in the conduct of the district's financial operations.

Legal References:	RCW 4.96.020	Tortious conduct of local governmental entities and their agents — Claims — Presentment and filing — Contents
	28A.400.350	Liability, life, health, health care, accident, disability and salary insurance authorized — Premiums
	28A.400.360	Liability insurance for officials and employees authorized
	28A.400.370	Mandatory insurance protection for employees
	28A.320.100	Actions against officers, employees or agents of school districts and educational service districts — Defense, costs, fees — Payment of obligation
	28A.320.060	Officers, employees or agents of school districts or educational service districts, insurance to protect and hold personally harmless
	28A.330.100(10)	Additional powers of board
	48.62	Local government insurance transactions

Management Resources: *Policy News*, April 2010

Tort Claims

**Adoption Date: 07.11.11**  
**Auburn School District**  
**Revised:**

## PROCEDURE RISK MANAGEMENT

A. The risk manager shall:

1. File the identification and location of agent form with the county auditor;
2. Report to the superintendent situations where he/she feels the district faces the greatest potential liability, the changes he/she feels should be made to reduce the risk and the estimated cost of such changes;
3. Examine the feasibility of and conduct inservice education classes for staff in areas where he/she feels risk is great or can be lessened;
4. Assume responsibility for the district's insurance program;
5. Review annually the insurable value of the district's buildings and equipment and report to the superintendent;
6. Supervise an annual inventory of all real property and equipment, preparing the inventories in duplicate, with one copy maintained in the school and one in the district office; and
7. As directed by the superintendent, process all claims against the district.

B. Claims for Damages

1. The district will provide each claimant with instructions for completing the district's tort claim form.
2. Claimants must submit Washington Standard Tort Form #SF 210 (*if the district created its own form, insert title and number here*).
3. The claimant must complete all sections of the form, sign the form and submit it to \_\_\_\_\_ (*agent assigned by superintendent to receive all tort claims*) at \_\_\_\_\_ (*address of agency receiving claims*). The business hours are from \_\_\_\_\_ to \_\_\_\_\_ Monday through Friday, except for authorized holidays.

## **SAFETY**

The superintendent shall ensure that the district's facilities and programs are in compliance with state and federal safety and health requirements.

Cross References: Board Policy 2151  
Board Policy 6511  
Board Policy 6605

Interscholastic Activities  
Staff Safety  
Student Safety Walking to School and  
Riding Buses

Legal References: RCW 28A. 335.300

Playground matting

## **PROCEDURE SAFETY**

### **Playground Equipment**

Plans to install playground equipment, either temporarily or permanently at a school site, shall be reviewed by a committee appointed by the school principal and other appropriate staff members. A representative from the current insurance carrier shall be contacted prior to installation.

### **Guidelines:**

- A. Equipment must meet the safety criteria listed below:
    1. All playground equipment must have an immediate ground surface which limits the impact from a fall, according to ASTM F-355-72. The safety surface must extend to the maximum distance to which a fall could occur.
    2. Equipment is to be placed so as to take advantage of topography of surrounding terrain and far enough apart so that there will be a dispersion of children allowing safe, free movement with the least possible congestion.
    3. All equipment is to be free from hazardous protrusions, points and sharp edges.
    4. Exposed component materials are to be rust-free, clean and durable to use and weather with a minimum amount of splintering, flaking or other deterioration. Lead paint and creosote shall not be used.
    5. Equipment that is low to the ground and with a six (6) foot maximum vertical limit is preferred.
    6. All moving parts are to be concealed and be designed to minimize the chances of pinching or catching of clothing or of body.
    7. All equipment must be securely anchored according to manufacturer's recommendations and installed by the manufacturer or his/her authorized representative.
  - B. Equipment should require a minimum of maintenance, specifically for replacement of parts and painting.
  - C. Equipment should be aesthetically appealing and encourage active and creative use.
  - D. Equipment should be difficult to vandalize.
  - E. Unpadded cement or steel stationary poles should not be in areas intended for running games.
- The maintenance supervisor shall coordinate installation of approved equipment with the school principal. Quarterly inspections will be conducted.

## **STAFF SAFETY**

The board recognizes that safety and health standards should be incorporated into all aspects of the operation of the district. Rules for safety and prevention of accidents shall be posted in compliance with OSHA and WISHA requirements. All hazardous chemicals will be identified and properly labeled. Staff members will be trained in the use of these chemicals specific to their respective jobs. Proper records will be maintained to verify that all of the preventive and safety measures are in place. Injuries and accidents shall be reported to the district office.

The district shall have at least one staff member at each school and work site in the district who holds a valid certificate of first aid training from the department of labor and industries, U.S. Bureau of Mines or the American Red Cross or equivalent training. Each school and work site shall have first aid supplies readily accessible.

The superintendent shall develop necessary safety and health standards to comply with Department of Labor requirements.

Cross Reference: Board Policy 6510  
Board Policy 6512

Safety  
Infection Control Program

Legal References: RCW 49.17

Washington Industrial Safety and Health  
Act

**Adoption Date: 01.12.98**  
**Auburn School District**  
**Revised: 07.11.11**

## **PROCEDURE STAFF SAFETY**

The supervisor of each school and/or work site in the district is responsible for:

### **A. General Safety**

1. Maintaining a log and summary of all recordable occupational injuries and illnesses occurring at the work site. (A recordable occupational injury or illness is any injury or illness which results in an occupational fatality, lost work days, need for transfer to a new job, or medical treatment beyond first aid.)
2. Providing training programs to improve the skill and competency in the safe use of powered materials, handling equipment, use of machine tool operations, use of toxic material, and operation of utility systems prior to assignment to jobs involving such exposures.
3. Implementing an accident prevention program which describes how to report unsafe conditions, how to use protective equipment, how to respond to emergencies and how to report injuries.
4. Forming a safety and health committee composed of representative of management and employees which shall review safety and health inspections to assist in correction of identified unsafe conditions or practices and to evaluate accident investigations and recommend improvements where needed. (Minutes of the committee shall be recorded and shall be retained for one year.)
5. Maintaining a safety bulletin board sufficient in size to post and display safety bulletins, newsletters, posters, accident statistics and other safety educational material.
6. Assuring that a person who holds a valid certificate of first aid training is present or available at all times.
7. Maintaining a well-marked first aid kit or first aid station if the work site has more than 50 employees.
8. Furnishing a work place free of safety hazards and containing such safety devices and safeguards as are consistent with Labor and Industries requirements.

### **B. Worker Right to Know (chemical hazards)**

1. Preparing and maintaining an up-to-date list of hazardous chemicals present at each site.
2. Labeling of hazardous chemicals at each site.
3. Photocopying or purchasing any required hazard warnings.
4. Replacing missing, unreadable, or incorrect labels.
5. Requiring Material Safety Data Sheets (MSDS) for all incoming chemicals.
6. Maintaining current MSDS files and distributing to supervisors.
7. Maintaining easily accessible MSDS files and making them available to staff members.
8. Training staff members at time of initial assignment or whenever a new hazard is introduced.
9. Preparing a training manual which immediate supervisors can use to create training sessions specific to their site.
10. Maintaining records which show that employees have received training and information.

## **INFECTION CONTROL PROGRAM**

In order to safeguard the school community from the spread of certain vaccine-preventable diseases and in recognition that prevention is a means of combating the spread of disease, the board strongly urges that susceptible school staff members (including volunteers) provide evidence of immunity against TD (Tetanus-Diphtheria) and MMR (Measles, Mumps and Rubella). Staff members born prior to January 1, 1957, need not provide evidence of immunity to measles; these individuals are considered naturally immune.

To facilitate this prevention program, the board authorizes the superintendent to make arrangements for staff immunization at a convenient time and place, and at a nominal cost to the staff member. A “susceptible” staff member may be exempt from the requirements for immunization by filing a written objection to such immunization on the basis of religious or philosophical grounds, when a private physician certifies that the staff member's physical condition contraindicates immunization or when the staff member provides documentation of immunity by blood test.

Cross reference:	Board Policy 3414	Infectious Disease
Legal References:	WAC 246-110-001	Control of communicable disease
	296-62-08001	Bloodborne pathogens
	392-198	Training — school employees — HIV/AIDS

**Adoption Date: 07.11.11**  
**Auburn School District**  
**Revised:**

## **PROCEDURE INFECTION CONTROL PROGRAM**

In the event of an outbreak of a vaccine-preventable disease in school, the local health officer has the authority to exclude a susceptible staff member. A staff member granted an exemption for religious, philosophical or medical reasons or without an acceptable immunization record on file may be excluded, as he/she is considered to be susceptible. If excluded he/she is not eligible to receive sick leave benefits because of the exclusion itself. To qualify for benefits, he/she must be ill or temporarily physically disabled.

The superintendent or designee shall evaluate all job duties of district employees to determine which employees have reasonably anticipated on-the-job exposure to blood or other potentially infectious material. The district shall maintain a list of job classifications where employees have reasonably anticipated exposure to blood or other potentially infectious material. The hepatitis B vaccine shall be provided at the district's expense to all employees identified as having risk of directly contacting blood or other potentially infectious material at work.

In the event that an employee has a specific exposure to blood or other potentially infectious material, the employee will be provided, at district expense, with confidential medical evaluation, follow-up and treatment, if indicated.

The district shall provide annual training to all employees with reasonably anticipated exposure to blood or other potentially infectious material. All employees shall receive district-provided training on HIV/AIDS within six months of initial employment.

Records shall be kept in strict confidence regarding the hepatitis B vaccine status of all employees with reasonably anticipated exposure to blood or other potentially infectious material and for each occupational exposure an employee has to blood or other potentially infectious material. The records shall be kept for the duration of the employee's employment, plus 30 years. The district shall also keep records that employees have received appropriate training.

## **WORKPLACE VIOLENCE PREVENTION**

The district does not tolerate violence in the workplace and will work to prevent violent incidents from occurring by implementing a workplace violence prevention program. All employees of the district are responsible for implementing and maintaining the violence prevention program. The workplace violence prevention program establishes and requires adherence to work practices that are designed to make the workplace more secure. It also reinforces the ban on verbal threats or physical actions by employees that create a security hazard for others.

Additionally, the district does not tolerate domestic violence including harassment of any employee or other person while in the district's buildings or vehicles, while on district property, or while engaged in school or work-related activities. The district is committed to working with employees who are victims of domestic violence to prevent abuse and harassment from occurring in the workplace. No employees will be penalized or disciplined solely for being a victim of domestic violence. The district will provide appropriate support and assistance to employees who are victims of domestic violence. Any employee who threatens, harasses, or abuses someone in the district or from their workplace using district resources such as work time, district telephones, fax machines, mail, or e-mail shall be subject to disciplinary action up to and including discharge. Corrective action or discharge may also be taken against employees who are arrested, convicted, or permanently enjoined as a result of domestic violence when such action is directly related to their position with the district.

All violent incidents shall be reported and investigated, whether or not a physical injury has occurred. There will be no discrimination against victims of workplace violence. Copies of this policy and support materials are readily available to all employees. The superintendent or designee is directed to adopt procedures to implement this policy, including creation of the workplace violence prevention group which will: assess the district's vulnerability to workplace violence, recommend preventive actions and employee training programs, and review the program annually for possible adjustments.

Cross Reference:	Board Policy 4210	Regulation of Dangerous Weapons on School Premises
	Board Policy 5281	Disciplinary Action and Discharge
	Board Policy 6511	Staff Safety

**Adoption Date: 07.11.11**  
**Auburn School District**  
**Revised:**

## **PROCEDURE WORKPLACE VIOLENCE PREVENTION**

The workplace violence prevention group will consist of employees from the primary, elementary, and secondary grades, as well as from the classified work groups. If appropriate, workplace violence prevention groups shall be established at each school and major work site. The workplace violence prevention group is responsible for making recommendations in the following areas:

- Assessing district/building practices for potential hazards or improved security practices;
- Efforts to inform all employees about the workplace violence prevention program;
- Assuring that all employees comply with security measures;
- Recognizing employees who perform work practices that promote security in the workplace;
- Training and counseling programs to enhance awareness of workplace violence issues;
- Including workplace violence prevention in new employee orientation;
- Annual review and update of the workplace violence prevention program;
- A system for notifying the district about workplace security hazards or threats of violence; and
- Processes for protecting employees who report threats from possible retaliation.

When possible, the district will provide the following assistance to employee victims of domestic violence: resources and referral information; work schedule adjustments or leave as needed to obtain medical, law enforcement, legal, or judicial assistance; and workplace relocation. To the extent possible the district will maintain the confidentiality of employee victims of domestic violence, while taking necessary steps to protect the workplace and other employees from possible violence.

## INSURANCE

All insurance programs of the district shall be managed as part of the district's risk management program.

The board of directors shall purchase, with district funds, the type and amount of insurance necessary to protect itself as a corporate body, its individual members, its appointed officers, and its employees from financial loss arising from any claim, demand, suit, or judgment by reason of alleged negligence or other act resulting in accidental injury to any person; or in property damage within or without the school buildings while the above-named insured are acting in the discharge of their duties within the scope of their employment and/or under the direction of the board.

Cross Reference:	Board Policy 2151 Board Policy 5401 Board Policy 6500 Board Policy 6535 Board Policy 6540	Interscholastic Activities Sick Leave Risk Management Student Insurance School District Responsibility for Privately Owned Property
Legal Reference:	RCW 28A.320.060  28A.320.100  28A.335.010 28A.400.350  28A.400.370 4.24.470  4.96.010  41.50.160 50.20.050  50.44.030(3)  50.44.050	Officers, employees or agents of school districts or educational service districts, insurance to protect and hold personally harmless Actions against officers, employees or agents of school districts and educational service districts-- Defense, costs, fees--Payment of obligation School buildings, maintenance, furnishing and insuring Liability, life, health, health care, accident, disability and salary insurance authorized when required-- Premiums Mandatory insurance protection for employees Liability of officials and members of governing body of public agency-- Definition Tortious conduct of local government entities--Liability for damages Restoration of withdrawn contributions Disqualification for leaving work voluntarily without good cause Political subdivisions, instrumentalities of this state and other state Benefits payable, terms and conditions-- "Academic year" defined

51.32.090	Temporary total disability--Partial restoration of earning power--Return to available work--When employer continues wages--Limitations
29 U.S.C. A §§ 1161-1168	Consolidated Omnibus Budget Reconciliation Act
WAC 296-15	Worker's compensation self-insurance rules and regulations

## **PROCEDURE INSURANCE**

### ***Liability Insurance***

The district shall maintain sufficient liability insurance to protect it against claims for the negligent or wrongful acts of its staff or agents. The amount and terms of such insurance protection shall be reviewed annually as part of the district's risk management program.

The board shall hold individual board members, administrators, staff or agents of the district harmless and defend them from any financial loss, including reasonable attorneys' fees, arising out of any act or failure to act, provided that at the time of the act or omission complained of, the individual so indemnified was acting within the scope of his/her responsibilities or employment and in compliance with the policies and procedures of the district.

The district shall provide its staff with insurance protection while they are engaged in the maintenance of order and discipline and in the protection of students, other staff and property. Such insurance protection must include liability insurance covering injury to persons and property and insurance protecting staff from loss or damage of their personal property incurred while so engaged.

A member of the board of directors or the superintendent is immune from civil liability for damages for any discretionary decision or failure to make a discretionary decision within his or her official capacity, but liability shall remain on the district for the tortious conduct of the board members and superintendent. The superintendent shall obtain errors and omissions insurance in the amounts deemed necessary by the board.

### ***Property Damage Insurance***

The district shall maintain a comprehensive insurance program which shall provide adequate coverage, as determined by the board, in the event of loss or damage to school buildings and/or equipment, including motor vehicles.

### ***Staff Insurance***

The district shall develop and maintain an effective program of insurance for its staff. Such programs may include, but are not limited to, unemployment compensation, industrial accident and/or injury insurance, liability and medical insurance.

The district may make available liability, life, health, health care, accident, disability or salary protection insurance or any one of or a combination of these types of insurance and may contribute all or part of the cost of such insurance.

### ***Self-Insurance***

The district may make available a self-insured program to provide vision coverage for employees and their families. The district shall register the employee self-insured vision program with the Office of the State Risk Management and will submit all required financial reports annually to the State Risk Manager. Costs, claims and all fees for this program will be paid from the State of Washington employee benefits contribution. The district will select a third party administrator to manage the program and that this third party independent agency, through a contractual arrangement, administers the claim payment process on behalf of the self-insured program. The district will analyze cash reserves once a year to ensure adequate reserves and is authorized to increase premiums if cash reserves prove inadequate at any time.

### ***Workers' Compensation***

The Auburn School District is self-insured through the Puget Sound Workers Compensation Trust for the purpose of providing industrial insurance benefits to employees who sustain job-related injuries or occupational diseases. This trust has been approved by Washington State Department of Labor and Industries to administer industrial insurance benefits. Employees of a self-insured business have the same rights and responsibilities as other workers insured through the state of Washington. Employees are protected in two ways:

- A. Medical costs resulting from job-related injuries or diseases are paid under the claim; and
- B. Injured employees are paid a partial wage replacement while off work due to a job-related injury or disease under the claim when certified off work by their doctor.

When an employee is injured on the job and is unable to perform his or her duties as a result of an on-the-job injury or occupational disease and certified off work by a doctor, the employee may elect to use leave as follows (provided the employer does not elect to keep the employee on full salary through means other than use of accrued leave):

- A. Choose unpaid leave thus receiving only his or her entitled temporary total disability (TTD) benefits, or
- B. Elect to use a full day of accumulated leave (sick, annual or other similar benefit) in addition to their entitled TTD benefits, or
- C. Elect to use a proportionate share of accumulated leave to make up the difference between the workers' compensation payments and the employee's regular pay at the time of injury.

### ***Medical Insurance***

Medical plans are offered in the district on a payroll deduction plan. Staff may select from among those plans which are made available by the district's approval. The district shall make a contribution toward approved insurance premiums for each full-time staff member each month in an amount which is determined each year. The district may provide prorated contributions toward premiums for less than full-time staff. In the event of any fully funded legislative changes for payment of insurance premiums, such funds shall be provided automatically as additional contributions.

When a staff member is on leave and the staff member's accumulated paid leave has been exhausted, the district shall notify the staff member that the medical insurance benefits are exhausted and the premium is due. The district shall accept the premium from the staff member and remit it to the carrier each month during the term of an approved leave of absence.

In compliance with COBRA (Consolidated Omnibus Budget Reconciliation Act), the district will offer continuing health care coverage on a self-pay basis to staff members and their dependents following termination (for reasons other than gross misconduct), a reduction in hours, retirement, death, or loss of coverage eligibility to the dependent. These health benefits will be identical to the coverages offered to full-time staff members. For terminated or reduced-hour staff members, the coverage may last up to 18 months or until they become eligible for other health insurance, whichever is earlier. In the event of the staff member's retirement, divorce, separation or death, or loss of dependent eligibility, the coverage may last up to 36 months for the staff member and/or qualified beneficiary.

## **STUDENT INSURANCE**

Student accident insurance coverage shall be offered. The district may distribute application forms and supply the necessary claims information (time of accident, cause of accident) when requested by a student or his/her parent.

Cross Reference: Board Policy 2151

Interscholastic Activities

Legal Reference: RCW 28A.400.350

Liability, life, health, health care,  
accident, disability and salary  
insurance authorized — Premiums

**Adoption Date: 07.11 11**  
**Auburn School District**  
**Revised:**

## **SCHOOL DISTRICT'S RESPONSIBILITY FOR PRIVATELY OWNED PROPERTY**

The district shall not assume responsibility for the maintenance, repair or replacement of any privately owned property brought to a school or district function unless the use or presence of such property has been specifically requested in writing by the administration.

The district shall not make reimbursement for loss or damage to a staff member's personal equipment or material brought to school unless evidence can be shown that it was necessary or highly desirable for use in the school program. Evidence of loss or damage must show that the loss was not due to any negligence or fault of the staff member. The following guidelines shall apply:

- A. Leaving items of obvious value at the school over a weekend or vacation period should be avoided.
- B. The district shall not reimburse for loss of money or personal effects.
- C. The use of personal equipment for instructional purposes must have the prior approval of the principal or supervisor.
- D. The staff member must verify that no personal insurance coverage is applicable to the loss or damage.
- E. Claims for loss must be filed within 5 days after the damage or loss.
- F. Proper documentation shall accompany the requisition for reimbursement.

## **VIDEO SURVEILLANCE, CAMERAS, AND RECORDING EQUIPMENT ON SCHOOL GROUNDS OR PROPERTY**

Protecting district property and the health, safety, and well-being of students and staff while on district property and attending district activities are important functions of the school district. Accordingly, the board authorizes the use of security recording equipment on district property and vehicles (see Board Policy 6608) for the sole purpose of the safety, health and welfare of all students, staff, community and visitors to district property, and to safeguard district facilities and equipment.

The superintendent or designee will develop and implement procedures concerning the access, use, and retention of video recordings and public notification concerning the installation and use of video equipment.

Cross Reference:	Board Policy 3200	Student Rights and Responsibility
	Board Policy 4020	Confidential Communications
	Board Policy 4040	Public Access to District Records
	Board Policy 5620	Personnel Records
	Board Policy 6608	Video Cameras on School Buses

Auburn School District/ Auburn Education Negotiated Agreement	Section III 4b
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Legal Reference:	RCW 42.56	Washington State Public Records Act
	RCW 28A.400.110	Principal to assure appropriate student discipline
	RCW 42.56	Washington State Public Records Act
	WAC 392-400-215	Student Rights
	20 U.S.C § 1232g	Family Education Rights and Privacy Act
	CFR 34, Part 99	Family Education Rights and Privacy Act Regulations

# **PROCEDURE VIDEO SURVEILLANCE, CAMERAS, AND RECORDING EQUIPMENT ON SCHOOL GROUNDS OR PROPERTY**

## **Camera Location, Operation, and Control**

Surveillance cameras shall only be positioned in areas where it is necessary to protect district assets, provide for the personal safety of individuals on school grounds or property, or to monitor possible criminal activity.

## **Permissible Locations**

Video surveillance cameras may be used or placed in the following locations on campus:

- A. Outdoor facilities such as parking lots, walkways, picnic areas, athletic fields and stadiums, and points of ingress and egress.
- B. Indoor facilities such as foyers, lobbies, hallways, classrooms, and other common areas.
- C. School buses, both regular and activity buses.

Only individuals authorized by the superintendent, including applicable school principals and designees, shall have access to video monitors and be permitted to operate such monitors or view the video surveillance.

The school principal or authorized designees shall be responsible for maintaining and auditing the use and security of surveillance cameras, including monitors and data.

This policy does not allow for recording of audio. Any feature of video surveillance equipment that provides for or allows for the recording of audio shall have audio capabilities disabled or otherwise not used.

Any recording made by a surveillance camera, on tape or digitally, shall be considered a public record as defined in the Washington State Public Records Act (RCW 42.56).

## **Notification**

Signs shall be posted on school grounds and school property advising the presence of surveillance cameras.

Each year, the district shall inform students and parents, in writing, that the district will be using surveillance cameras, monitors, and recording equipment on school grounds and school property.

All staff shall be informed of the district's video surveillance policies and procedures by the school administration.

### **Use of Video Recordings**

This policy is based on the presumption and belief that neither students, staff, community, or visitors have a reasonable expectation of privacy in those events that occur in plain view of other students, staff, community, and visitors in those public areas of a school campus subject to video surveillance as described above.

Video recordings of actions by students or staff may be used by the district as evidence in any disciplinary action brought against any students, staff, community, or visitors arising out of conduct in or about school property.

If a surveillance camera records unlawful conduct or conduct in violation of board policies of a staff or student, the record shall be admissible as evidence in any proceeding regarding the discipline of any student or staff member.

In the event a video recording is used or intended for use as evidence in a student or staff disciplinary proceeding, that recording ceases to be a public record and from that point forward is and shall be considered a confidential student record as provided by the Family Educational Rights and Privacy Act (FERPA), or a confidential personnel record as defined in and provided by Board Policy 5620--Personnel Records.

Video recordings may be monitored by district personnel solely in the event of an incident warranting such review or as otherwise deemed reasonable and prudent in order to ensure the safety and security of students, staff, and visitors as well as district property. Images of students are considered directory information under FERPA with disclosure guided by district procedures for use of such information.

The district may use video surveillance and the resulting recordings for:

- A. The promotion of a safe school environment;
- B. The protection of district property; and
- C. Inquiries and proceedings relating to law enforcement.

### **Video and Sound Recording of Instruction**

As a general rule, students, parents, the public, and the media may not video or audio record classroom instruction or any other instructional activities that occur in school.

### **Security, Retention, and Disposal of Security Camera Data**

All security camera data shall be:

- A. Kept secure.
- B. Provided to district staff or law enforcement on a need to know basis only.
- C. Disposed of in a secure manner to protect individual privacy except for those recordings relevant to a specific incident, all recordings will be retained for 30 days after the date of recording and then be destroyed in a secure manner.

### **Video Monitors and Viewing**

Only the superintendent, superintendent designees, the school principal, and principal designees, or law enforcement personnel shall have access to video monitors while they are in operation.

Video monitors shall be placed in a secure area where access is limited to designated personnel.

Video monitors should be viewed in such a manner as to avoid public viewing.

### **Disclosure**

Recordings shall not be disclosed except in accordance with this policy and to adhere to all legal and administrative directives, including the promotion of the safety and security of students and staff, the protection of district property, and deterrence and the prevention of criminal activities.

## **TRANSPORTATION**

The district may provide transportation to and from school for a student:

- A. Whose residence is beyond the one mile radius from the school to which the student is assigned;
- B. Whose walking route to school is hazardous;
- C. Whose disability prevents him/her from walking or providing for his/her own welfare while walking; or
- D. Who has another compelling and legally sufficient reason to receive transportation services. The parent or guardian of a student whose assigned bus stop is beyond the maximum walking distance may receive reimbursement for private transportation at the state mileage reimbursement rate.

The district's transportation program shall comply in all ways with state law and regulation. Transportation services of the district may include approved bus routes, district-approved field trips, school activities (participants only) and extracurricular activities (rooters). The superintendent is authorized to permit a parent of a student enrolled in school to ride a bus when excess seating is available and private or other public transportation is not reasonably available.

The board of directors may authorize children attending an approved private school to ride a school bus provided that the bus route and stops are not altered, space is available, and a fee to cover the per seat cost for such transportation is collected.

### **Routes and Schedules**

The superintendent shall be responsible for scheduling bus transportation, including the determination of routes and bus stops as well as overseeing the transportation program.

The purpose of bus scheduling and routing is to achieve maximum service with a minimum fleet of buses insofar as this is consistent with rendering safe and reasonably equal service to all students entitled to such service. The board may authorize the use of a district-owned passenger car in lieu of a bus for transporting students to and from school.

In order to operate the transportation system as safely and efficiently as possible, the following factors shall be considered in establishing bus routes:

- A. Where an alternate route may be considered without sacrifice of efficiency or economy, preference shall be given to that route more directly serving the largest number of students.
- B. Location of bus stops may be determined by such factors as student safety, economy and efficiency. Students may be required to walk up to one mile from their home to their bus stop provided that the walking route is safe.
- C. School schedules shall be adjusted to allow maximum utilization of each bus in the system by alternating elementary and secondary trips.

The district shall apply for state transportation apportionment funds and shall maintain the records required to obtain such funding.

## **Emergency Routes and Schedules**

The district shall develop emergency bus routes and schedules to be used when weather conditions make the usual routes impassable or, in the superintendent's judgment, too hazardous. At the beginning of the school year, copies of emergency routes and schedules shall be distributed to parents with instructions on how to obtain emergency information.

If roads are closed to buses but not to private vehicles, the district may continue to operate the instructional programs of the schools without providing bus transportation until the roads are again open to buses.

Legal References:	RCW 28A.160	Student Transportation
	28A.160.020	Authorization for private school students to ride buses--Conditions
	28A.160.030	Authorizing individual transportation or other arrangements
	WAC 392-141	Transportation--State allocation for operations
	392-172-204	Transportation (Special Education)
	392-172-035	Definitions of "free appropriate, public education," "adult student," "special education student," "parent," and "public agency"

## **PROCEDURE TRANSPORTATION**

### **Route Guidelines**

Routes should be established so as to:

- A. Avoid, whenever possible, left-hand turns when entering or exiting high speed roadways.
- B. Avoid students crossing a four-lane road.
- C. Minimize stopping on multi-lane roads, unless the bus can get completely off the road.
- D. Avoid, if possible, crossing railroad tracks.
- E. Provide transportation to students who live within the distance specified for state funding from school or who would have to walk on a roadway declared unsafe by the board.
- F. Deliver students to their school no more than thirty (30) minutes before school starts. NOTE: It is desired that students arrive at school within five (5) to ten (10) minutes of starting time.
- G. Pick up students at school within five (5) minutes of dismissal, unless a delay is caused by a double run, or another guideline. In that case, students should be picked up within no more than thirty (30) minutes.
- H. Allow for a minimum "dead head" time between and to runs and no more than fifteen (15) minutes standby time between runs, provided that unless approved by the superintendent, all waiting time shall be on school property.
- I. Avoid travel on dead end roads, unless it is necessary within these guidelines and there is an ample, safe area in which a bus can turn around, without backing.
- J. Fill each bus to rated capacity, provided that it is economically feasible and within the other routing guidelines.
- K. Have minimum overlap or duplication in bus routes serving the same school.
- L. Avoid travel on private roads, drives or property and on unimproved roads (not surfaced to county/city standards) or roads which are in such bad condition as to cause damage to a bus.

### **Bus Stop Guidelines**

Bus stops shall be established which:

- A. Are frequent enough so students do not have to walk more than one (1) mile to and from the bus. Bus stops may be more frequent when the road has been declared unsafe for walking.
- B. Are located where students can stand a safe distance from the road.
- C. Allow, where possible, the bus to get completely off of the road.
- D. Provide at least 500 feet on 35-mile-per-hour roadways, and 800 feet on 50-mile-per-hour roadways of unobstructed visibility, both ways.
- E. Require as few students as possible to cross roadways with no students crossing multiple lane roads and highways.
- F. Are located where no damage is likely to occur to private property and where the number of students waiting does not create unsafe conditions and/or situations.

## **STUDENT SAFETY WALKING TO SCHOOL AND RIDING BUSES**

A comprehensive school trip safety program shall address school walk routes, bus safety and route plans, vehicle access to the school, circulation and parking at the school, pedestrian circulation on and around the school campus and safety education and enforcement.

### **Safety Advisory Committee**

The superintendent shall establish a Safety Advisory Committee (SAC) to develop a school trip safety program and to review safety concerns. The superintendent shall develop specific responsibilities and reporting relationships of the committee, including how the SAC relates to individual school safety programs.

### **Bus Safety**

The superintendent shall develop written rules establishing the procedures for bus safety and emergency exit drills and for student conduct while riding on buses.

The bus driver is responsible for the safety of his/her passengers, particularly for those who cross a roadway after leaving the bus. No bus driver shall order or allow a student to disembark at other than his/her customary boarding or alighting place unless so authorized by the superintendent. In order to assure the safety of all, the bus driver may hold students accountable for their conduct during the course of transportation and may recommend corrective action against a student. Bus drivers are expressly prohibited from using corporal punishment.

### **Emergencies**

In the event of an accident or other emergency, the bus driver shall follow the emergency procedures in accordance with the School Bus Driver Handbook (SPI). A copy of the emergency procedures shall be located in each bus. To insure the success of such emergency procedures, each bus driver shall conduct an emergency evacuation drill within the first six weeks of each school semester. The district shall conduct such other drills and procedures as may be necessary.

### **Student Conduct on Buses**

The superintendent shall establish written rules of conduct for students riding school buses. Such rules shall include as a minimum the requirements of WAC 392-145-035 and shall be reviewed annually by the superintendent and revised if necessary. If the rules are substantially revised, they shall be submitted to the board for approval.

At the beginning of each school year, a copy of the rules of conduct for students riding buses shall be provided to each student who is scheduled to ride a school bus. The classroom teacher and/or bus driver shall review the rules with the students at or near the beginning of each school year. A copy of the rules shall be available upon request at the district office.

Cross References:	Board Policy 3241	Classroom Management, Corrective Actions or Punishment
	Board Policy 6510	Safety

Legal References:	RCW 28A.600.010	Government of schools, pupils, employees, rules and regulations for — Due process guarantee — Enforcement
	WAC 392-144	School Bus Driver Qualifications
	WAC 392-400-225	School district rules defining misconduct — Distribution of rules
	WAC 392-145	Transportation — Operation rules
	WAC 392-145-015	General operating regulations
	WAC 392-145-035	Rules for students riding school buses

## **PROCEDURE STUDENT SAFETY WALKING TO SCHOOL AND RIDING BUSES**

Any misconduct by a student which, in the opinion of the bus driver or bus supervisor, is detrimental to the safe operation of the bus shall be sufficient cause for the principal to suspend the transportation privilege.

Rules of conduct for students riding buses:

- A. Students shall obey the driver and any aide assigned to the bus by the district. The driver is in full charge of the bus and passengers and shall be obeyed. If an aide is assigned to the bus by the district, he/she shall be responsible for the safe operation of the bus. When transporting classes or teams, the teacher or coach shall be primarily responsible for the behavior of the students. Students shall obey both the driver and the teacher, coach or other staff member.
- B. Students shall ride only on their assigned bus unless written permission to do otherwise has been received by school officials.
- C. Students shall not be permitted to leave the bus except at their regular stop unless written permission to do otherwise is received by school officials.
- D. Students assigned seats shall use only that seat unless permission to change is authorized by the driver.
- E. Students shall observe rules of classroom conduct while riding on buses. Noise shall be kept down to avoid distracting the driver. Students shall refrain from the use of obscene language or gestures.
- F. Students shall not smoke or ignite lighters or matches on buses.
- G. Students shall not eat on buses, except when specifically authorized and supervised by and accompanying teacher, coach or other staff member. Buses shall be kept clean.
- H. Students shall not open bus windows without the driver's permission.
- I. Students shall not extend any part of their body out of bus windows at any time.
- J. Students shall not carry or have in their possession items that can cause injury to passengers on the bus. Such items include, but are not limited to, sticks, breakable containers, weapons or firearms, straps or pins protruding from clothing, large, bulky items which cannot be held or placed between legs, etc. Books and personal belongings shall be kept out of aisles.
- K. Students shall not have animals on buses, except a dog providing assistance to a disabled student.
- L. Students shall not sit in the driver's seat or to the immediate right or left of the driver.
- M. Students shall refrain from talking to the driver unless necessary.
- N. Students shall go directly to a seat once inside the bus and remain seated at all times unless the driver instructs otherwise.
- O. Students shall get on/off the bus in an orderly manner and shall obey the instructions of the driver or school safety patrolmen on duty. There shall be no pushing and shoving when boarding or leaving the bus. Once off the bus, students shall adhere to rules for pedestrians.
- P. Students shall never cross the roadway behind a bus unless they use pedestrian crosswalks or traffic lights.

- Q. Students shall stand away from the roadway curb when any bus is approaching or leaving a stop.
- R. Students going to and from their bus stops where there are no sidewalks shall walk on the left-hand side of the roadway facing oncoming traffic. Students shall go directly to their home after leaving the bus.
- S. Students shall use lap belts on buses when available.
- T. Students shall follow emergency exit drill procedures as prescribed by the driver.
- U. Students shall not tamper with emergency doors or equipment.
- V. Students shall remain quietly seated, not exhibit disruptive behavior and turn off all noise-making devices at highway rail grade crossings.
- W. Parents of students identified as causing damage to buses shall be charged with the cost of the incurred damage. Students causing the damage may be suspended from transportation.
- X. Student misconduct shall constitute sufficient reason for suspending transportation privileges.

### **Disciplinary Procedures**

Principals are responsible for correcting students whose abusive behavior results in a bus-incident report or violates the rules above. The principal shall provide supervision during bus arrival and departure times and receive reports (written and oral) from the drivers.

The principal shall insure that students comply with the specified regulations. Principals must maintain open lines of communication among school officials, bus drivers and the transportation department.

When waiting for a bus, or going to and from a bus stop, students are responsible for conducting themselves according to the social and legal mores that apply to adults in public. That is, they must not abuse or cause damage to private or public property; they must not use obscene language or gestures; they must not engage in criminal activity. Failure to adhere to these standards may result in formal complaints by citizens which may be forwarded to principals for possible corrective action.

Students provided with transportation are responsible for complying with the district's rules of conduct for students riding buses. Failure to adhere to these rules or abusive behavior towards the public, driver, fellow passengers or the vehicle, constitutes justification for initiating corrective action against a student.

Abusive behavior on the part of a student riding a bus may result in a written report when, in the opinion of the driver or bus supervisor, there has been an infraction of the rules applicable to student conduct. The written report is the primary means by which a driver or bus supervisor communicates a student's conduct to the school and transportation department. This report, in most cases, reflects an infraction of rules which is repeated by the student after his/her having received previous oral warnings from the driver or bus supervisor. In order for drivers and bus supervisors to effectively maintain control on their buses, it is expected that action be exercised by principals when receiving such a report.

When a student's conduct constitutes an infraction of the rules, the driver or bus supervisor shall complete a report on the student describing the incident or damage that occurred. The driver or bus supervisor shall provide the student with a copy of the report, hand the original report to the principal and submit a copy to the transportation supervisor. The copy of the report concerning special education students shall be given to the principal for disposition.

The principal, upon receiving the report, shall investigate the circumstances surrounding the incident and take action according to the procedures set forth in the district's policies pertaining to corrective action and punishment. When investigating the incident, the primary concern must be with respect to the safe transport of students. Corrective action, if necessary, should be consistent throughout the district as follows:

- A. **Warning:** When a student's misconduct is of a minor nature which does not jeopardize the safety or welfare of other students or the operation of the bus.
- B. **Suspension:** When a student's misconduct is deemed to jeopardize the safety of bus passengers and operation, or when repeated warning notices fail to correct abusive behavior, or when a student incurs damage to the bus.
- C. **Expulsion:** When a student's misconduct is of such nature that the safety of the bus operation and/or of the occupants was willfully and seriously threatened (i.e., student assaulting the driver).

The action taken by the principal shall be annotated on the report and forwarded to the student's parent for signature. The transportation department shall be notified.

Drivers shall be advised to file assault and battery charges against students who physically assault them. Under no circumstances shall the driver retaliate in kind and physically assault the student as this conduct may subject him/her to legal action.

The student or parent of a student who has been suspended from receiving transportation entitlements may appeal the principal's decision by submitting a written statement to the superintendent. The superintendent shall render a decision after evaluating the issues and facts involved. If the decision is based on issues unrelated to those described in the district's rules of conduct for students riding buses, the decision shall require board concurrence before implementation.

### **Emergencies**

The transportation supervisor shall review the contents of the School Bus Driver's Handbook with each driver prior to the beginning of each school year. Each driver, in turn, is expected to follow the procedure as outlined in the handbook. At the start of each field trip or extracurricular trip, the school bus driver shall review with all passengers the location and use of the emergency exits, emergency equipment and any district emergency procedures.

In the event of an accident, the driver shall make contact with the transportation supervisor who shall:

- A. Determine the nature of the accident;
- B. Contact emergency services if there is reason to believe that there are injuries which require immediate attention;

- C. Contact the state patrol regarding the accident;
- D. Advise the superintendent of schools;
- E. Investigate the accident and gather the names of all students and witnesses;
- F. Dispatch another bus to transport the student to their destination;
- G. Contact the parent(s) or guardian(s) of any students who are injured.

To facilitate the responsibilities assigned to the transportation department, the supervisor, in cooperation with the building principals, will compile a list of students, including addresses and phone numbers, that are authorized to ride each bus route.

## **VIDEO CAMERAS ON SCHOOL BUSES**

The board authorizes the use of video cameras on district operated school buses for the purpose of reducing discipline problems, thus providing a safer environment for the transportation of students. The reason for recording the transportation environment is to provide school officials, drivers and parents/guardians/custodians with documentation when dealing with inappropriate student behavior. Disciplinary action will be in accordance with policies and procedures on Student Responsibilities and Rights.

The superintendent shall prepare procedures for use of the video equipment on buses, the authorized review process for video tapes and the proper disposal of tapes.

Cross References:     Board Policy 3200                             Student Rights and Responsibilities

**Adoption Date: 07.11.11**  
**Auburn School District**  
**Revised:**

## **PROCEDURE VIDEO CAMERAS ON SCHOOL BUSES**

### **Placement of Cameras:**

- A. Cameras shall be authorized for use in buses by the supervisor of transportation. The bus driver shall be notified of the placement in his/her bus.
- B. Drivers may request that a camera be placed in their buses. The supervisor of transportation shall discuss the reason for the request with the driver and shall decide if and when a camera shall be placed in the bus by special request.
- C. Building principals may request the supervisor of transportation to authorize placement of a video camera in a bus when they have reason to believe that a problem exists.
- D. All buses where cameras may be utilized shall have signs notifying riders that video cameras may be in use.

### **Use of the Recorded Tapes:**

- A. When the bus returns to the garage, the transportation department foreman/mechanic or supervisor shall remove the tape and retain it in a secure location for up to five (5) working days unless it is needed to support a disciplinary action.
- B. The bus driver shall be reminded that the camera was on his/her bus. If the driver wishes to view the tape, a time shall be set for this purpose.
- C. The transportation supervisor may view the tape with or without the driver.
- D. If a serious or flagrant violation of student bus rules is observed or if there is a continued violation, despite intervention, standard disciplinary action may be taken. Lesser violations shall be brought to the attention of the student and proper conduct shall be explained.
- E. Any time a tape is to be used to support a disciplinary action, the tape shall be dated, labeled and kept on file at the transportation department office for as long as deemed necessary.
- F. Tapes not used to support disciplinary action shall be reused.
- G. When a tape is used to support disciplinary action, the student or the student's parent/guardian/custodian may request to view the video. A viewing shall be arranged at the student's school or the transportation department office.
- H. A building principal or designee may request viewing of films through the transportation supervisor.
- I. The supervisor of transportation may use videos to assist drivers with student behavior management skills.

## **SPECIAL TRANSPORTATION**

The following uses of district transportation are a privilege, not a right, and, except where bound by the terms of a lease, the district may revoke that privilege through official board action at a regularly scheduled and legally advertised meeting. The superintendent shall have the authority to modify transportation services for school and extracurricular activities when the available fuel supply for regular transportation services appears to fall below the required level. Any staff member may deny transportation to any student who violates the district's written rules and regulations.

### **School Activities**

Transportation may be provided by the district for all activities which have been officially designated by the board as school activities. Activities may include, but not be limited to:

- A. Educational field trips growing out of regular classroom activity which are planned by the teacher, approved by the principal and supervised by school staff, provided that any overnight trip requires prior approval of the board; and
- B. Athletics, debate, drama or music programs or other board-approved co-curricular programs.

Participants in any other activity who feel such activity should be considered an official school activity may petition the board, through the superintendent, to have it considered as a school activity.

### **Extracurricular Activities**

The superintendent may authorize the use of district transportation vehicles transporting nonparticipating students to extracurricular activities. Such vehicles may be so used when the users pay an amount sufficient to reimburse the district for the complete cost of such use. District drivers shall be used on all such trips. Participants shall be supervised by staff.

### **Leasing of Buses**

The board may enter into a written lease agreement with any of the following:

- A. A nonprofit organization transporting handicapped children and/or persons at least 60 years of age to and from the site of activities or programs deemed beneficial to such persons by such organizations, provided that commercial bus service is not reasonably available for such purpose;
- B. A governmental agency transporting personnel, supplies and/or evacuees in the event of a major forest fire, flood or other natural disaster;
- C. A user conducting an educational recreation program supported wholly or in part by tax funds.

Such a lease agreement shall contain a clause absolving the district of any and all liability arising from the lessee's use and operation of the district's buses and a clause requiring the lessee to maintain adequate insurance to recompense the district for the potential loss of the buses leased. Potential users shall stipulate in writing that commercial or charter bus service is not reasonably available to provide the services for which a school bus is needed. The user shall reimburse the district for the actual costs plus a reasonable fee for use of the bus. Funds derived from the lease of a surplus bus shall be deposited in the transportation vehicle fund. If a bus is a part of the regular fleet, the funds derived from a rental or lease agreement may be deposited in the general fund.

### **Cooperative Programs**

The board may enter into cooperative transportation agreements with other districts when it is economically advantageous to the cooperating districts and when it does not impair the quality of educational programs available to students.

Cross Reference:	Board Policy 2320 Board Policy 6112 Board Policy 6605	Field Trips Rental or Lease of District Property Student Safety Walking to School and Riding Buses)
Legal References:	RCW 28A.160.010  28A.160.040 28A.160.070  28A.160.080 28A.160.100  28A.160.120  28A.335.060	Operation of student transportation program —Responsibility of local district — Transporting of elderly — Insurance Lease of buses to transport children with disabilities and elderly — Limitation Lease of buses to transport handicapped children and elderly — Elderly persons defined — Program limitation School buses, rental or lease for emergency purposes-Authorization School buses, transportation of general public to interscholastic activities— Limitations Agreements with other governmental entities for transportation of public or other noncommon school purposes — Limitations Surplus school property, rental, lease or use of — Disposition of moneys received from

## **PRIVATE VEHICLE TRANSPORTATION**

The board authorizes the use of private vehicles under the following circumstances:

- A. Under unusual circumstances, the district may request parents, or a responsible adult, to drive children to school in their own vehicles on a per-mile cost reimbursable basis. The transportation department determines when "in-lieu" transportation would be advantageous to the district and arranges its implementation. In cases where car pools are formed by families, reimbursement shall be provided only to the parent whose car is used to transport the students to school.
- B. Upon written approval of the principal, staff may transport students when a student's welfare is involved; when due care dictates prompt action, when engaged in occasional field trip activity or when engaged in an occasional extracurricular activity. The staff member shall acknowledge that he/she agrees to assume full responsibility for any liability or property damage, comprehensive or collision, made by or against the driver/owner of the vehicle. The district's liability insurance shall cover the risk assumed by the district. The mileage of the staff member shall be reimbursed by the district.

The superintendent shall establish procedures for the use of private auto transportation.

Legal References:	RCW 28A.160.030	Authorizing individual transportation or other arrangements
	WAC 392-143-070	Other vehicles used to transport students

**Adoption Date: 07.11 11**  
**Auburn School District**  
**Revised:**

## **DRIVER TRAINING AND RESPONSIBILITY**

School bus operators shall observe all state statutes and administrative rules governing traffic safety and school bus operation. The district shall, at the beginning of each school year, verify that each school bus driver has been provided a copy of the OSPI School Bus Driver Handbook, the district's policy and procedure on the Prohibition of Harassment, Intimidation and Bullying, any additional laws and/or rules which apply to school bus drivers, and the district's written rules for student conduct on buses.

### **Bus Driver Qualifications**

Prior to on-the-road training, the district will verify that each driver holds a commercial driver's license instruction permit and a valid Department of Transportation (DOT) medical examiner's certificate, and the district will conduct a pre-employment drug screening pursuant to federal regulations. The school district shall verify a negative result of such test prior to allowing the driver to operate a school bus on public roads, regardless of whether or not students are on board.

#### **A. Initial Authorization**

Prior to transporting students, each school bus driver must have a school bus driver's authorization issued by the Superintendent of Public Instruction; a commercial driver's license appropriate for the size vehicle they will drive, including a passenger endorsement; and a school bus endorsement (with the air brake restriction removed if they drive a bus with air brakes). A school bus driver shall also hold a valid and current first-aid card (unless the driver has a temporary school bus driver authorization). A school bus driver is required to maintain and carry a valid Department of Transportation (DOT) medical examiner's certificate and to demonstrate annually their continued ability to pass the Superintendent of Public Instruction school bus driver physical certification requirement. The school district retains the right to request more frequent medical examinations or demonstration of the physical ability requirement.

#### **B. Continuing Compliance**

At least once each school year, school bus drivers must submit to his or her supervisor a photocopy of the following: a valid commercial driver's license indicating the appropriate endorsements, a valid DOT medical examiner's certificate, and a current first-aid card. Annually, school bus drivers shall make a written disclosure verifying that he or she meets the continuing requirements for school bus drivers and verifying that his or her driving and criminal records do not indicate any disqualifying conditions

At least annually, the district will obtain an original, current and complete school bus driver abstract directly from the Department of Licensing verifying that each school bus driver is in compliance with all continuing bus driver qualifications and that his or her driving record does not indicate any disqualifying conditions.

Employees are responsible for reporting any potentially disqualifying offenses to the school district or their supervisor within 20 days. Within 20 days of receiving notice, the district shall notify OSPI in writing of the disqualifying offense.

The district shall comply with all drug testing requirements under federal law which includes random, reasonable suspicion, and post-accident testing. Failure to submit to a drug test shall result in termination.

## **Transportation by a School Employee**

Any district employee, other than a school bus driver, who transports students for school activities in a district or private vehicle, must have a valid driver's license issued by the State Department of Licensing (or their state of residence) and proof of insurance. Such drivers may only operate vehicles with a manufacturer's rated seating capacity of 10 or less including the driver. Such drivers are required to be authorized school bus drivers if they drive students on scheduled routes between home and school.

In addition, for any employees whose job assignment or supplemental contract requires the regularly scheduled transportation of students in vehicles with a manufacturer's rated seating capacity of 10 or fewer, the district shall obtain a certified abstract of the driving record of the employee before the employee transports students. This requirement is not necessary for persons transporting students in an emergency affecting health and/or safety.

## **Supervision of Students**

When a teacher, coach, or other certificated staff member is assigned to accompany students on a bus, such person shall be primarily responsible for the behavior of the students in his/her charge and shall ensure that student behavior complies with state regulations and district policy. The bus driver shall have final authority and responsibility.

## **Charter Buses or Excursion Carriers**

When the district utilizes charter buses or excursion carriers, the driver shall not have unsupervised access to children, and children shall be supervised by a responsible employee of the district. Every contract between the school district and a charter bus or excursion carrier shall contain a carrier profile from the Washington Utilities and Transportation Commission indicating a satisfactory safety rating.

Legal References: RCW 28A.160.210

46.25  
WAC 392-144  
392-145-015  
392-145-020  
through 030  
49CFR382

School bus drivers, training and  
qualifications — Rules  
Uniform Commercial Drivers Act  
School bus driver qualifications  
General operating regulations  
Rules for school bus drivers; Rules for  
students riding school buses  
FHWA CDL Drug Testing Requirements

Management Resources: *Policy News*, April 2007  
*Policy News*, Oct 2006

School Bus Driver Qualifications  
OSPI Updates Bus Driver Rules

**Adoption Date: 01.12.98**  
**Auburn School District**  
**Revised: 05.05.06; 07.11.11**

## **SCHOOL-OWNED VEHICLES**

The district may provide for the necessary transportation and expenses that are incurred in the course of performing services for the district, whether within or outside the district. All such vehicles shall be properly marked with letters of contrasting color at least 1-1/4" in height in a conspicuous place on both sides of the vehicle. A district may use a distinctive insignia which shall be at least six (6) inches in diameter across its narrowest dimension. Unless otherwise specified, all travel must be approved in advance by the staff member's immediate supervisor.

The superintendent is directed to establish procedures for the use of school-owned vehicles. The district shall comply with IRS regulations pertaining to the use of district-provided vehicles for personal commuting.

Cross References: Board Policy 6213

Reimbursement for Travel Expenses

Legal References: RCW46.08.065

Publicly owned vehicles to be marked —  
Exceptions

**Adoption Date: 01.12.98**  
**Auburn School District**  
**Revised: 07.11.11**

## CONTRACTING FOR TRANSPORTATION SERVICES

If the board enters into a contract for transportation services, the contractor shall operate such equipment according to district policy and the rules and regulations of the state board of education. The contract shall be in effect for no more than five years. Prior to entering into such a contract the district shall determine that the cost of contracting will not exceed the projected cost of operating its own system. Such assurances shall be submitted to the superintendent of public instruction for approval.

Legal References:	RCW 28A.160.010	Operation of student transportation program — Responsibility of local district — Scope — Transporting of elderly — Insurance
	28A.160.140	Contract for pupil transportation services with private nongovernmental entity — Competitive bid procedures
	28A.335.170	Contracts to lease building space and portable buildings, rent or have maintained security systems, computers and other equipment, and provide pupil transportation services
	WAC 392-144	School Bus Driver Qualifications
	392-141	Transportation — State Allocation for Operations
	392-143	Transportation — Specifications for School Buses
	392-145	Transportation — Operation Rules

## WELLNESS

The Auburn Board of Directors is committed to providing a school environment that enhances student learning and the development of lifelong wellness practices. The board supports emphasis on nutrition as well as physical activity at all grade levels. Therefore, the board supports the implementation of this policy to provide students access to nutritious food; opportunities for physical activity and developmentally appropriate exercise; provide accurate and readily available information on wellness and nutrition district-wide goals; and maintain a wellness council to review the Wellness policy and provide feedback on the implementation of the policy. Nutrition, health, and fitness topics shall be integrated within the sequential, comprehensive health education curriculum taught at each grade level, kindergarten through grade 12, and coordinated with the district's nutrition and food services operation. The district will take a proactive effort to encourage students to make nutritious food choices.

The superintendent or designee shall ensure that:

- A. A variety of healthy food choices, including competitive foods that comply with state and federal regulations, will be available for sale or service whenever food is sold or served at district-sponsored events;
- B. Evaluation of the implementation of the wellness policy occurs on a regular and ongoing basis.
- C. Support is available to assist with policy implementation.

### Nutrition

#### Child Nutrition Program

The district supports the philosophy of the National School Lunch and Breakfast programs providing wholesome and nutritious meals and appropriate nutrition education for children in the district's schools. The board authorizes the superintendent or designee to administer the Child Nutrition Program. The board authorizes the superintendent to administer the food services program, provided that any decision to enter into a contract with a private food service agency will require the approval of the board. Expenditures for food supplies shall not exceed the estimated revenues.

#### Free and Reduced-Price Food Services

The district shall provide free and reduced-price breakfasts, lunches, and milk to students according to the terms of the National School Lunch and Breakfast programs and the laws and rules of the state and federal government.

#### Use of USDA Foods

The district may use USDA foods for school menus. Child Nutrition Program shall not accept donations of food due to potential liability.

Physical Education

Health and Fitness Curriculum

The district shall adopt and implement a comprehensive health and fitness curriculum. The curriculum will provide opportunities for developmentally appropriate instruction for grades K-12.

Cross References:	Board Policy 4260	Use of School Facilities
Legal References:	RCW 28A.230.040	Physical Education – Grades 1-8
	28A.230.050	Physical Education in High Schools
	28A.235	Food Services
	28A.235.120	Meal Programs — Establishment and Operation — Personnel — Agreements
	28A.235.130	Milk for children at school expense
	28A.623.020	Nonprofit program for elderly — Authorized — Restrictions
	69.04	Intrastate Commerce in Food, Drugs and Cosmetics
	69.06.010	Food and beverage service worker’s permit — Filing, duration — Minimum training requirements
	69.06.020	Permit exclusive and valid throughout state — Fee
	69.06.030	Diseased persons — May not work — Employer may not hire
	69.06.050	Permit to be secured within fourteen days from time of employment.
	69.06.070	Limited duty permit
	WAC 392-410-135	Physical Education – Grade school and high school requirement.
	WAC 392-410-136	Physical Education Requirement-Excuse
	7 CFR, Parts 210 and 220	
	7 CFR, Part 245.5	

Management Resources: *Policy News*, December 2004 Nutrition and Physical Fitness Update  
*Policy News*, February 2005 Nutrition and Physical Fitness Policy

**Adoption Date: 07.25.05**  
**Auburn School District**  
**Revised: 07.11.11; 11.12.13**

## **PROCEDURE WELLNESS**

These Wellness procedures will be consistent with district educational and budgetary goals and are designed to optimize students' ability to make health-enhancing choices and fulfill the requirements of The Healthy, Hunger-Free Kids Act of 2010.

### **1. Nutritional Standards for Food and Beverages/Federal Competitive Food Rule**

All foods served in school from midnight through 30 minutes after school dismissal will conform to The Health, Hunger-free Kids Act of 2010 and the Competitive Food Rule of 2013.

### **2. School Meals and Ala Carte Program**

All district child nutrition Services programs, including the National School Lunch Program, the School Breakfast Program, the After School Snack Program, and the Summer Food Service Program, will meet, at a minimum, nutrition requirements established by local, state, and federal statutes and regulations; including but not limited to the USDA's Health Hunger-free Kids Act of 2010. Schools will offer varied and nutritious food choices that are consistent with the federal government's current dietary Guidelines for Americans. Menus will be planned by the registered dietitian.

#### Free and Reduced-price Food Services

The district will provide free and reduced-price breakfasts, lunches, and milk to students according to the terms of the National School Lunch and Breakfast programs and the laws and rules of the state. The district will inform parents of the eligibility standards for free or reduced-price meals. Schools will make every effort to protect the identity of students receiving such meals. A parent has the right to appeal any decision with respect to their application for free or reduced-price food services to the superintendent or designee.

### **3. USDA Foods**

The district will use foods made available under the USDA Food Program for school menus.

### **4. Qualifications of Child Nutrition Staff**

- a. Qualified child nutrition staff shall administer the school meals programs.
- b. Appropriate training shall be provided for all child nutrition staff including continuing education, professional development, and certification training.

## 5. Competitive Foods and Beverages

All competitive foods offered in Auburn School District schools will comply with the USDA Nutrition Standards for All Foods Sold in School as Required by the Healthy, Hunger-free Kids Act of 2010, also designated “Smart Snacks in Schools.” “USDA Rule for Competitive Foods.”

The health of today’s school environment continues to improve. Students across the country are now offered healthier school lunches with more fruits, vegetables, and whole grains. The *Smart Snacks in School* standards build upon those healthy advancements and ensure that kids are only offered tasty and nutritious foods during the school day.

*Smart Snacks in School* also supports efforts by school food service staff, school administrators, teachers, parents, and the school community, all working hard to instill healthy habits in students.

### Nutrition Standards for Foods

Any food sold in schools must:

- Be a “whole grain-rich” grain product; or
- Have as the first ingredient a fruit, a vegetable, a dairy product, or a protein food; or
- Be a combination food that contains at least 1/4 cup of fruit and/or vegetable.
- 

Foods must also meet several nutrient requirements:

#### Calorie limits

- Snack items: < 200 calories
- Entree items: < 350 calories

#### Sodium limits

- Snack items: < 200 mg
- Entree items: < 480 mg

#### Fat limits

- Total fat: < 35% of calories
- Saturated fat: < 10% of calories
- Trans fat: zero grams

#### Sugar limit:

- < 35% of weight from total sugars in foods

### Nutrition Standards for Beverages

All schools may sell:

- Plain water (with or without carbonation)
- Unflavored low fat milk
- Unflavored or flavored fat free milk and milk alternatives permitted by NSLP/SBP
- 100% fruit or vegetable juice and
- 100% fruit or vegetable juice diluted with water (with or without carbonation), and no added sweeteners.

Elementary schools may sell up to 8-ounce portions, while middle schools and high schools may sell up to 12-ounce portions of milk and juice. There is no portion size limit for plain water.

Beyond this, the standards allow additional “no calorie” and “lower calorie” beverage options for high school students.

- No more than 20-ounce portions of calorie-free, flavored water (with or without carbonation); and
- Other flavored and/or carbonated beverages that are labeled to contain <5 calories per 8 fluid ounces or < 10 calories per 20 fluid ounces
- No more than 12 ounce portions of beverages with < 40 calories per 8 fluid ounces, or < 60 calories per 12 fluid ounces.

### Other Requirements

#### Fundraisers

- The sale of food items that meet nutrition requirements at fundraisers are not limited in any way under the standards.
- The standards do not apply during non-school hours, on weekends, and at off-campus fundraising events.

#### Accompaniments

- Accompaniments such as cream cheese, salad dressing, and butter must be included in the nutrient profile as part of the food item sold.
- This helps control the amount of calories, fat, sugar, and sodium added to foods by accompaniments, which can be significant.

*ASB, Vending Machine Sales, and School-based Enterprises:* School-based marketing will be consistent with nutrition education and health promotion. Consistent with this goal, schools and Associated Student Bodies (ASB) will increase availability of nutritious foods and beverages available through vending machines, DECA stores, and other ASB-sponsored events so as to provide students with healthy choices. All foods sold will comply with “Smart Snacks in Schools” as published by USDA. Training on “Smart Snacks in Schools” will be provided to ASB, DECA, and Culinary Arts programs.

6. **Food Safety**

All food service equipment and facilities will meet applicable local and state standards for safe food preparation and handling, sanitation, and workplace safety.

In accordance with The Healthy Hunger-free Kids Act of 2010, the district follows a food safety program for the preparation and service of school meals based upon the Hazard Analysis and Critical Control Point (HACCP) principles and staff are trained accordingly.

For students with known food allergies that may interfere with or limit their ability to participate in the educational program, the child nutrition services will work with parents to provide reasonable accommodations in accordance with district policies and federal law.

7. **Farm to School Program**

When practical, child nutrition services will purchase fresh fruits and vegetables from local farmers in order to serve the freshest produce and support the local economy.

8. **Educational Programs in Nutrition and Physical Fitness**

The Auburn School District will provide instruction to meet the state standards for health and fitness and promote skills to maintain an active and healthy life. Current nutrition education materials will be prominently displayed in serving areas, in cafeterias, on menus, and on the website.

9. **Parent Education**

Schools will provide information to parents to support and reinforce nutrition and physical education at home. Information will be supplied by the District Wellness Committee.

10. **Physical Activity**

Schools will be encouraged to participate in regularly scheduled physical activities outside of the school day. The district will work collaboratively with community organizations to increase student awareness and promote family and community involvement in supporting and reinforcing activity/athletic programs in the schools, and student participation in community sport and activity programs.

11. **Health and Fitness Curriculum**

The district health and fitness curriculum meets state standards.

The goal for all students in grades one through eight will be to complete an average of 100 instructional minutes per week of physical education.

In addition to required physical education, students at the elementary level may have the opportunity to participate daily in recess and physical activity. Daily recess is provided for elementary school students featuring time for supervised active play. Schools are encouraged not to withhold physical activity as discipline. The district provides co-curricular physical activity programs, including fully inclusive intramural programs and physical activity clubs; and to promote the use of school facilities for physical activity programs offered by the school and/or community-based organizations outside of school hours.

## 12. **Other School-Based Activities to Promote Student Wellness**

***Fundraising Activities:*** Schools shall encourage fundraising activities that promote physical activity. During the school day, fundraising activities will comply with nutritional standards. After school fundraising activities are exempt. School staff should not use food as an incentive, reward, or punishment for individual students. Staff should use non-food alternatives as student rewards. School staff should not withhold physical activity as a punishment.

## 13. **Healthy School Environment**

The District Wellness Committee will distribute information so staff are aware of the Wellness Policy and Procedures and will post the policy and procedures on the district website.

The district will encourage healthy celebrations and provide resources to schools and families through the Wellness Committee and the child nutrition website.

## 14. **Wellness Advisory Committee**

The District Wellness Committee will meet periodically to assist in evaluation of the implementation of the wellness policy.

The committee should include child nutrition professionals and staff, parents/guardians, building-level administrators, students, nutritionists, health care professionals, health and physical education staff, educators, and interested community members.

The Wellness Advisory Committee, will, as necessary, revise the Wellness Policy and Procedures and develop work plans to facilitate the implementation. Reviews may be used to help determine policy compliance, assess progress, and determine areas of improvement.

## 15. **Policy Monitoring, Reporting, Evaluation, and Policy Review**

***Implementation and Monitoring:*** The superintendent or designee provides oversight to the implementation of wellness policies. The principal or designee at each school provides oversight to the policies in their school and will report on the school's progress annually.

Child nutrition services administrators will monitor and report, as needed, compliance with nutrition policies within school food service areas. In addition, they will report on the OSPI review and recommendations. To assist with the initial implementation of the wellness policy, school assessments should be completed annually and submitted to the Wellness Committee.

OSPI assessment will take place every three years as part of the Administrative Review.

## **OPERATIONS AND MAINTENANCE OF SCHOOL PROPERTY**

Facilities are to be maintained and operated in a safe, healthful condition and to preserve the district's investment. The superintendent shall provide for a program to maintain the district physical plant by way of a continuous program of repair, maintenance, and reconditioning. Budget recommendations shall be made each year to meet these needs and any such needs arising from an emergency.

Cross Reference: Board Policy 3520  
Legal Reference: RCW 28A.635.060

WAC 392.347.023  
Management Resources: *Policy News*, June 2009

Student Fees, Fines, Charges  
Defacing or injuring school property —  
Liability of pupil, parent, or guardian  
— Withholding grades, diploma, or  
transcripts — Suspension and  
restitution — voluntary work  
program as alternative — Rights  
protected  
State Assistance in Post 1993 Facilities  
New Rules for Asset Preservation  
Program

**Adoption Date: 07.11.11**  
**Auburn School District**  
**Revised:**

## CAPITAL ASSETS/THEFT-SENSITIVE ASSETS

### Capital Assets

The district shall maintain a comprehensive capital assets record-keeping system. The goal of the capital assets program is to protect the district against losses that would significantly affect the district's students, staff, property, budget or the ability of the district to continue to fulfill its stewardship responsibilities.

For purpose of this policy, "capital assets" shall mean land, improvements to land, easements, building improvements, vehicles, machinery, equipment, works of art and historical treasures, infrastructure and all other tangible and intangible assets that are used in operations and that have initial useful lives extending beyond a single reporting period which:

- A. Retains its shape and appearance with use;
- B. Is nonexpendable, meaning if the item is damaged or some of its parts are lost or worn out, it may be more feasible to repair it than to replace it with an entirely new item.
- C. It does not lose its identity when incorporated into a more complex unit;
- D. Is valued no less than \$5,000 unless a lesser amount is set by the district; and
- E. Has a life expectancy of at least one year.

Federal law requires a physical inventory of federally-funded assets at least once every two years.

No equipment shall be removed for personal or non-school use.

### Theft-Sensitive Assets

For purposes of this policy, "theft-sensitive" are those items identified by the district as most subject to loss (e.g., audio-visual equipment, laptop computers, digital cameras). The district should establish procedures for internal controls and conduct an annual inventory of theft-sensitive assets.

Legal References:	RCW 28A.335.090	Conveyance and acquisition of property—Management--Appraisal
	34 CFR § 80.32	Uniform Administrative requirements for grants and cooperative agreements to state and local governments--Equipment
	7 CFR § 3015, 3016	Agriculture
	45 CFR § 92.32	Health and Human Services
	Office of Management and Budget (OMB) Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, Attachment B(19)	

Management Resources:	<i>Policy News</i> , June 2008	Capital Assets/Theft-Sensitive Assets
	<i>Policy News</i> , April 2006	Fixed Assets

**Adoption Date: 07.11.11**  
**Auburn School District**  
**Revised:**

## **PROCEDURE CAPITAL ASSETS/THEFT-SENSITIVE ASSETS**

### A. Individual Responsible:

1. The district's (*insert title of position*) is responsible for inventories of district property.
2. The individual conducting the inventory shall have no direct responsibility for assets subject to the inventory count.

### B. Frequency of Inventory:

Inventory shall be conducted at least once every other fiscal year for all capital assets, except land; infrastructure; buildings; and improvements other than buildings and leasehold improvements. A theft-sensitive assets inventory shall be conducted annually.

### C. How to record items:

District assets will be marked with a unique identification number (e.g. bar code, property tag) and identified as district property. All capital assets and theft-sensitive assets will be identified and marked upon purchase or receipt.

### D. What information to record:

1. When placing a capital asset on the inventory, the (*insert title of position*) will record:
  - Description of the item;
  - Serial number or other identification number (bar code, tag number, etc.);
  - Source of the property;
  - Who holds title;
  - Acquisition date;
  - Cost of the property;
  - Percentage of federal participation in the cost of the property and the federal program charged;
  - Location of the asset;
  - Use and condition of the property; and
  - Ultimate disposition data including the date of disposal and sale price, if applicable. Federally purchased items with a per unit fair market value over \$5,000 must reimburse the federal program proportionately. Disposed items with a per unit fair market value of less than \$5,000 may be retained, sold or otherwise disposed of with no further obligation to the awarding agency.
2. When placing a theft-sensitive asset on the inventory the district shall record the information needed by the district. This should include, at a minimum, a description of the item and identification number, location and federal participation, if any.

### E. What to do when questions arise:

When questions arise during the process of the inventory, the purchasing department or building administrator will be contacted.

### F. Procedures to follow when the inventory is completed:

At the conclusion of the physical inventory, the building principals and department administrators will be provided with a written copy of the inventory that lists all the assets that have been assigned to that site and which clearly identifies all assigned items that were not found during the physical inventory.

G. What procedures to follow when equipment is located but not listed:

1. Principals and department administrators are required to attempt to locate items that have been listed as missing. Within 25 working days, the principals and department administrators are expected to return a copy of the inventory report to the purchasing department showing which items have been located and which are still missing.
2. The missing items will be consolidated on a report of potential write-offs. The (*insert title of position*) will review the report and approve the total amount of assets to be written off. Only write-off items will be removed from the capital assets inventory system.

H. Attestation of Accuracy:

The staff person conducting the inventory shall sign the bottom of each inventory page.

I. How to record assets not being used or in an obviously unserviceable condition:

Items not being used or in an obviously unserviceable condition shall be identified during the inventory and the (*insert department name*) department will be contacted by pick up for auction or disposal.

## **ENERGY MANAGEMENT/EDUCATION**

The board recognizes the responsibility to develop and maintain programs to support the conservation of energy and natural resources. In recognition of this leadership responsibility, the district shall strive to (a) institute effective energy management and (b) provide information and develop conservation attitudes and skills for the students it serves.

The superintendent or designee is authorized to establish annual energy management goals, annual energy education goals, and extrinsic rewards to school buildings in recognition of conservation accomplishments.

Cross Reference: Board Policy 2020

Curriculum Development and adoption  
of instructional materials

**Adoption Date: 07.11.11**  
**Auburn School District**  
**Revised:**

## **DISPOSAL OF SURPLUS EQUIPMENT AND/OR MATERIALS**

The district may declare property and equipment surplus and/or obsolete and may offer that property for sale. Revenue from sales shall be considered income for the appropriate fund as required by the Accounting Manual for School Districts. Surplus equipment and/or materials that are determined to have no value or if no purchases are found may be recycled or destroyed.

Prior to disposing of any surplus texts, other books, equipment, materials or relocatable facilities, the superintendent shall serve written notice in a newspaper of general circulation in the school district and to any public school district or private school in Washington State annually requesting such notice. The material or equipment shall be sold to any interested public or private school at its depreciated cost or fair market value, whichever is greater. Students shall have priority in the purchase of texts. Disposition of such surplus property to parties other than public or private schools may take place thirty days after written notice is served.

The preceding notice requirements do not apply to the loan, lease, sale or transfer of assistive devices for the use or benefit of children with disabilities, their parents, or any public or private nonprofit agency providing education, health or rehabilitation services to individuals with disabilities.

Funds derived from the rental, sale or lease of student transportation equipment shall be placed into the transportation vehicle fund. Funds derived from the sale of personal property shall be placed into the general fund.

Legal References:	RCW 28A.155.160	Assistive devices — Transfer for benefit of children with disabilities — Record inventory
	RCW 28A.335.060	Surplus school property — Rental, lease or use of — Disposition of moneys received from
	RCW 28A.335.090	Conveyance and acquisition of property — Management — Appraisal
	RCW 28A.335.180	Surplus texts and other educational aids, notice of availability — Student priority as to texts
	RCW 28A.335.205	Assistive devices — Transfer for benefit of children with disabilities — Record, inventory
	RCW 39.33.070	School districts and libraries — Disposal of obsolete or surplus reading materials — Procedures
	WAC 392-143-050	Resold School Buses

**Adoption Date: 01.12.98**  
**Auburn School District**  
**Revised: 09.09.02; 07.11.11**

## **PROCEDURE DISPOSAL OF SURPLUS EQUIPMENT AND/OR MATERIALS**

Such devices do not need to be declared surplus. The sale or transfer of such devices shall be recorded and based on the item's depreciated value. The district shall establish and maintain an inventory of assistive technology devices whose value exceeds \$100 and for each device shall establish a value that shall be adjusted annually to reflect depreciation.

“Assistive device” means any item, piece of equipment, or product system, whether acquired commercially off-the-shelf, modified or customized, that is used to increase, maintain, or improve functional capabilities of children with disabilities.

## SALE OF REAL PROPERTY

The board has exclusive control of the acquisition and disposal of all district property. This power shall be exercised only when the board determines by resolution that such property is or is not necessary for school purposes.

Once the board has considered all the factors relating to a proposed sale of real property, it shall comply with all requirements of the law, including:

- A. A market value appraisal by a professionally designated real estate appraiser or by a general real estate appraiser certified under chapter 18.140 RCW, selected by the board shall be secured.
- B. No sale of real property is to take place if the sale price would be less than 90 percent of the appraisal made by the appraiser unless the property has been on the market for one year, in which case it may be reappraised and sold for not less than 75 percent of the reappraisal value if the sale is approved by the unanimous consent of the board.
- C. If the appraised value exceeds \$70,000, notice that such a sale is being considered is to be published in a newspaper of general circulation within the district for at least two consecutive weeks. The notice shall specify the date, time, and place of a public hearing scheduled to consider the property specified for sale. Evidence concerning the proposed sale, along with the advisability of selling the parcel, is to be taken into account by the board at such a hearing.
- D. Bids may be secured or a licensed real estate broker may be engaged. If the latter, the commission shall not exceed 7 percent. Any appraiser selected by the board to appraise the market value of a parcel of property may not be a party to any contract with the district to sell the parcel for a period of three years after the appraisal. No bid award shall be made within a forty-five day period following publication of notice of the intended sale in a newspaper of general circulation in the district.

Receipts from the sale of real property shall be placed into the debt service fund or in the capital projects fund. However, after an evaluation of the sufficiency of the capital projects fund, receipts may be deposited into the district's general fund to be used exclusively for nonrecurring costs related to operating school facilities.

Legal References:	RCW 28A.335.090	Conveyance and acquisition of property-- Management--Appraisal
	RCW 28A.335.120	Real property--Sale--Notice of and hearing on-- Appraisal required--Broker or real estate appraiser services--Real estate sales contracts, limitations
	RCW 39.33.010	Sale, exchange, transfer, lease of public property authorized--Section deemed alternative
	Ch. 18.140 RCW	Certified Real Estate Appraiser Act
	RCW 28A.335.060	Surplus school property--Rental, Lease or use of--Disposition of Moneys Received From Use of Real Estate Appraisers Modified
Management Resources:	<i>Policy News</i> , June 2001	Surplus Property
	<i>Policy News</i> , February 2005	

**Adoption Date: 07.11.11**  
**Auburn School District**  
**Revised:**

## CLOSURE OF FACILITIES

The board of directors has the authority to close a school building when an unforeseen event or mechanical failure causes a facility to become unsafe, unhealthy, inaccessible, or inoperable. Prior to the closure of a school facility for foreseen circumstances, the board shall have prepared a written analysis which considers the following issues:

- A. Projected or actual enrollment declines and the likelihood that they shall remain so for a long period;
- B. The effect that the disposition or retirement shall have on other facilities and on the district's educational program offering;
- C. Student and staff displacement, including transportation costs to new facilities and staff reassignment;
- D. Potential for repair or modernization;
- E. Financial considerations in terms of such factors as staff costs, operating and maintenance cost, the potential revenue from sale or lease of property, the cost of closure and transferring operations elsewhere;
- F. Safety, health and fire regulations; and
- G. Whether or not the facility may effectively be used for other purposes.

During a 90-day period following the development of a written analysis, the board shall conduct one or more hearings to receive testimony on any issues related to the closure of a school. Each hearing notice shall be published once each week for two consecutive weeks in a newspaper of general circulation which serves the area where the school is located. The last notice shall be published at least seven days prior to the hearing. The notice shall contain the date, time, place, and purpose of the hearing. Comments received from interested parties shall be used for advisory purposes only. The final determination of whether a facility shall be closed or remain open shall be made by the board.

Legal References:      RCW 28A.150.290(2)

28A.320.010  
28A.335.020

State superintendent to make rules and regulations — Unforeseen conditions or actions to be recognized — Paperwork limited  
Corporate powers  
School Closures — Policy of citizen involvement required — Summary of effects — Hearings — Notice

**Adoption Date: 01.12.98**  
**Auburn School District**  
**Revised: 07.11.11**

## **STATE ENVIRONMENTAL POLICY ACT COMPLIANCE**

The district accepts its responsibility, as described by the Washington state legislature in the State Environmental Policy Act, specifically Chapter 43.21C.

### **Adoption by Reference**

In order to fulfill its responsibilities under the State Environmental Policy Act, the district adopts by reference the following sections or subsections of chapter 197-11 of the Washington Administrative Code.

- WAC 197-11-040: Definitions
  - 050: Lead agency
  - 055: Timing of the SEPA process
  - 060: Content of environmental review
  - 070: Limitations on actions during SEPA process
  - 080: Incomplete or unavailable information
  - 090: Supporting documents
  - 100: Information required of applicants
  - 300: Purpose of this part
  - 305: Categorical exemptions
  - 310: Threshold determination required
  - 315: Environmental checklist
  - 330: Threshold determination process
  - 335: Additional information
  - 340: Determination of nonsignificance (DNS)
  - 350: Mitigated DNS
  - 360: Determination of significance (DS)/initiation of scoping
  - 390: Effect of threshold determination
  - 400: Purpose of EIS
  - 402: General requirements
  - 405: EIS types
  - 406: EIS timing
  - 408: Scoping
  - 410: Expanded scoping (Optional)
  - 420: EIS preparation
  - 425: Style and size
  - 430: Format
  - 435: Cover letter or memo
  - 440: EIS contents
  - 442: Contents of EIS on nonproject proposals
  - 443: EIS contents when prior nonproject EIS
  - 444: Elements of the environment
  - 448: Relationship to EIS to other considerations
  - 450: Cost-benefit analysis
  - 455: Issuance of DEIS
  - 460: Issuance of FEIS
  - 500: Purpose of this part
  - 502: Inviting comment
  - 504: Availability and cost of environmental documents

- 508: SEPA register
- 535: Public hearings and meetings
- 545: Effect of no comment
- 550: Specificity of comments
- 560: FEIS response to comments
- 570: Consulted agency costs to assist lead agency
- 600: When to use existing environmental documents
- 610: Use of NEPA documents
- 620: Supplemental environmental impact statement - procedures
- 625: Addenda - procedures
- 630: Adoption - procedures
- 635: Incorporation by reference - procedures
- 640: Combining documents
- 650: Purpose of this part
- 655: Implementation
- 660: Substantive authority and mitigation
- 680: Appeals
- 700: Definitions
- 702: Act
- 704: Action
- 706: Addendum
- 708: Adoption
- 710: Affected tribe
- 712: Affecting
- 714: Agency
- 716: Applicant
- 718: Built environment
- 720: Categorical exemption
- 722: Consolidated appeal
- 724: Consulted agency
- 726: Cost-benefit analysis
- 728: County/city
- 730: Decision maker
- 732: Department
- 734: Determination of nonsignificance (DNS)
- 736: Determination of significance (DS)
- 738: EIS
- 740: Environment
- 742: Environmental checklist
- 744: Environmental document
- 746: Environmental review
- 748: Environmentally sensitive area
- 750: Expanded scoping
- 752: Impacts
- 754: Incorporation by reference
- 756: Lands covered by water
- 758: Lead agency
- 760: License
- 762: Local agency

- 764: Major action
- 766: Mitigated DNS
- 768: Mitigation
- 770: Natural environment
- 772: NEPA
- 774: Nonproject
- 776: Phased review
- 778: Preparation
- 780: Private project
- 782: Probable
- 784: Proposal
- 786: Reasonable alternative
- 788: Reasonable official
- 790: SEPA
- 792: Scope
- 793: Scoping
- 794: Significant
- 796: State agency
- 797: Threshold determination
- 799: Underlying governmental action
- 800: Categorical exemptions
- 880: Emergencies
- 890: Petitioning DOE to change exemptions
- 900: Purpose of this part
- 912: Procedures of consulted agencies
- 916: Application to ongoing actions
- 918: Lack of agency procedures
- 920: Agencies with environmental expertise
- 922: Lead agency rules
- 924: Determining the lead agency
- 926: Lead agency for governmental proposals
- 928: Lead agency for public and private proposals
- 930: Lead agency for private projects with one agency with jurisdiction
- 932: Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city
- 934: Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies
- 936: Lead agency for private projects requiring licenses from more than one state agency
- 938: Lead agencies for specific proposals
- 940: Transfer of lead agency status to a state agency
- 942: Agreements on lead agency status
- 944: Agreements on division of lead agency duties
- 946: DOE resolution of lead agency disputes
- 948: Assumption of lead agency status
- 960: Environmental checklist
- 965: Adoption notice
- 970: Determination of nonsignificance (DNS)

- 980: Determination of significance and scoping notice (DS)
- 985: Notice of assumption of lead agency status
- 990: Notice of action

### **Additional Definitions**

In addition to those definitions contained within WAC 197-11-700 to 197-11-799, the following terms shall have the following meanings, unless the context indicates otherwise:

- A. District. District means the Auburn School District No. 408, King County, state of Washington.
- B. SEPA Rules. SEPA Rules means Chapter 197-11 WAC adopted by the Council on Environmental Policy.

The policies and goals set forth herein are supplementary to those in the existing authorization of the district. The district establishes the following criteria as the basis for exercising authority relative to environmental issues. The district shall use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:

- C. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
- D. Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
- E. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
- F. Preserve important historic, cultural, and natural aspects of our national heritage;
- G. Maintain, wherever possible, an environment which supports diversity and variety of individual choice;
- H. Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
- I. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

The district recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

### **Critical Areas**

In its actions, the district shall respect "critical areas" and their modified exemption criteria which have been adopted and displayed by local governments pursuant to The Growth Management Act, Chapter 36.70A RCW.

Actions which shall be located wholly or partially within a critical area are to be treated no differently than other actions under these guidelines. A threshold determination shall be made for all such actions and an EIS shall not be automatically required for a proposal merely because it is proposed for location in a critical area.

## **Use of Exemptions**

In determining whether a proposal is exempt from SEPA, the district shall comply with the square footage and parking space threshold levels adopted by the city or county under WAC 197-11-800 (1). To determine whether or not a proposal is exempt, the district shall ascertain the total scope of the proposal and the governmental licenses required. If a proposal includes a series of actions, physically or functionally related to each other, some of which are exempt and some which are not, the proposal is not exempt and the district must complete a threshold determination.

If a proposal includes both exempt and nonexempt actions, exempt actions may be authorized with respect to the proposal prior to compliance with the procedural requirements of these guidelines subject to the following limitations:

- A. No nonexempt action shall be authorized prior to compliance with procedural and substantive requirements;
- B. No action shall be authorized which shall irrevocably commit the district to approve or authorize a nonexempt action;
- C. The district may withhold approval of an exempt action which would lead to modification of the physical environment, when such modifications would serve no purpose if later approval of a nonexempt action is not secured; and
- D. The district may withhold approval of exempt actions which would lead to substantial financial expenditures by a private applicant which would serve no purpose if later approval of a nonexempt action is not secured.

## **Lead Agency Determination and Responsibilities**

The district is lead agency for the proposals it initiates and is responsible for compliance with SEPA regulations.

## **Environmental Checklist**

Except as provided in WAC 197-11-315 the district must complete an environmental checklist (WAC 197-11-960) for any proposal that meets the definition of action (WAC 197-11-709) and is not categorically exempted in WAC 197-11-800 and 880. This checklist shall be the basis for the threshold determination.

For all proposals for which the district is the lead agency, the responsible official of the district shall make the threshold determination pursuant to the criteria and procedures of WAC 197-11-300 through -360.

## **Preparation of EIS**

The draft and final EIS shall be prepared either by the responsible official or his/her designee or a consultant retained by the school district.

In the event that an EIS is to be prepared by a consultant, the responsible official shall assure that the EIS is prepared in a responsible manner and with appropriate methodology. The responsible official shall direct the areas of research and examination to be undertaken, as well as the organization of the resulting document.

No matter who participates in the preparation of an EIS, it must be approved by the responsible official prior to distribution.

## **Public Notice**

The district will establish a mailing list for those interested citizens who wish to be informed regarding documents the district issues that require public notice. If deemed appropriate by the responsible official, the school district will place appropriate notice in the paper of general circulation which serves the area.

## **Designation of Official to Perform Consulted Agency Responsibilities for the District**

The superintendent or his designee shall be responsible for the preparation of the written comments for the district in response to a consultation request prior to a threshold determination, participation in predraft consultation or reviewing a draft EIS.

The official designated in paragraph 1 shall be responsible for compliance by the district with WAC 197-11-400 through -460 wherever the district is a consulted agency and he/she is authorized to develop operating procedures which shall ensure that responses to consultation requests are prepared in a timely fashion and include data from all appropriate departments of the district.

## **Designation of Responsible Official**

For those proposals for which the district is the lead agency, the responsible official shall be the superintendent or his/her designee. The responsible official shall make the threshold determination, supervise preparation of any required EIS and perform any other functions assigned to the "lead agency".

## **Fees**

No fee shall be collected by the district for performing its duties as a consulted agency.

The district may charge any person for copies of any document prepared pursuant to the requirements of this ordinance and for mailing thereof, in a manner provided by Chapter 42.56 RCW.

## **Publication of Notice**

The district may publish notice of action pursuant to RCW 43.21C.080 for any action to establish a time limit for judicial appeals.

The form of the notice shall be as prescribed by the department of ecology and/or substantially in the form and manner set forth in RCW 43.21C.080. The notice shall be published by the district secretary pursuant to RCW 43.21C.080.

## **Severability**

If any provision of these regulations or its application to any person or circumstances is held invalid, the remainder of these regulations or the application of the provision to other persons or circumstances shall not be affected.

## **Effective Date**

These guidelines shall become effective on February 23, 1998.

Legal References: RCW 43.21C  
WAC 197-11

State Environmental Policy  
State Environmental Policy Act (SEPA)  
Rules

Management Resources: *Policy News*, December 1998 SEPA policy requires periodic review  
and understanding

## **PESTICIDE NOTIFICATION, POSTING AND RECORD KEEPING**

The superintendent is directed to develop procedures to assure that the district complies with the requirements of law regarding pesticide notification, posting and record keeping. This includes procedures for the annual notification of staff and parents of the district's pest control policies and methods; pre-notification of staff and parents of pesticide applications; posting of sites of pesticide applications; and record keeping, including an annual summary report of pesticide usage.

Legal References: RCW 17.21

Pesticide Application Act

Management Resources: *Policy News*, June 2002

Pesticide Policies Required by July 1st

**Adoption Date: 08.11.11**  
**Auburn School District**  
**Revised:**

## **PROCEDURE PESTICIDE NOTIFICATION, POSTING AND RECORD KEEPING**

*This procedure should include a description of what pesticides may be regularly applied in the district and where the pesticides are likely to be applied. Each district needs to add this information here for itself. The state department of agriculture also suggests that the procedure include whether district employees or contractors apply pesticides in the district.*

The district shall comply with all legal requirements for record keeping regarding the application of pesticides to school grounds or school facilities. This includes creation of an annual summary report of pesticide usage and compliance with state department of agriculture rules regarding record keeping. Such records will be available on request by interested persons under the state Public Records Act and other laws.

Procedure 6895 shall be printed and distributed annually in employee handbooks and student handbooks to employees, students and parents at the start of the school year or when an employee begins work or a student enrolls.

At least 48 hours before the application of a pesticide to school facilities or school grounds, the district shall notify parents and staff of the planned application in writing, including the heading, "Notice: Pesticide Application." This notice shall be posted in a prominent place in the building office in addition to being provided to parents and staff. This pre-notification is not required if the school grounds or facilities will not be occupied by students for two days following the application of the pesticide. If the application is not made within 48 hours of the notification, another notification shall be made prior to the application. This pre-notification is not required in the case of any emergency application of pesticides to a school facility, such as an application to control stinging pests, but full notification shall be made as soon as possible after the application.

Following the application of a pesticide to school facilities (structures and vehicles), a sign shall be posted at the location of the application. The notice shall be at least 8.5 x 11 inches in size; shall include the heading, "Notice: Pesticide Application," and shall state the product name, date, time and specific location of the application; the pest for which the application was made; and a contact name and telephone number. The notice shall remain posted for 24 hours or longer if required by the label of the pesticide.

Following the application of a pesticide to school grounds, notice shall be posted at the location of the application and at each primary point of entry to the grounds. The notice shall be at least 4 x 5 inches in size and state that the landscape recently has been treated with a pesticide and provide a contact name and telephone number. The notice shall remain posted for 24 hours or longer if required by the label of the pesticide.

These notices are not required for the application of antimicrobial pesticides (substances used to sanitize or disinfect for microbial pests: viruses, bacteria, algae and protozoa). These notices are not required for the placement of insect or rodent bait that are not accessible to children.

## **FACILITIES PLANNING**

In order to provide high quality physical environment for learning and teaching, the following factors shall be considered in the planning of district facilities:

- A. Facilities shall accommodate the educational needs of students and be consistent with the educational philosophy and instructional goals of the district.
- B. Facilities shall meet or exceed all applicable health, safety and welfare regulations.
- C. When reasonable, the district shall seek state and federal moneys to the maximum extent available to supplement its own financial resources.
- D. Adverse environmental impact shall be minimized.
- E. Changing demographic conditions shall be monitored to prepare for future needs.

### **Facilities Master Plan**

In order to efficiently manage the district's present and future facilities needs, a facilities master plan shall be developed. Such plan shall cover a 10-year period, consider the local comprehensive land-use plan and other growth management policies, be reviewed annually, and include at least the following:

- A. A cost analysis to implement its facilities program;
- B. Existing and projected enrollment figures;
- C. An inventory of the district's undeveloped property and developed facilities, including an analysis of the number of students in each facility and whether the facility is over or under crowded.
- D. An analysis of the appropriateness of the facilities to meet the needs of students, staff and members of the public, including accommodation of to students of both sexes and those with disabilities, all district services, programs and activities;
- E. Recommendations as to the sale or other disposition of district property not needed in the future; and
- F. Recommendations as to the acquisition, construction or modification of new sites or existing facilities.

### **Enrollment Projections**

Enrollment shall be projected for a five-year period using methods acceptable to the state board of education for determining the district's eligibility for state construction grants. This projection shall be reviewed and revised annually and supplemented by an analysis of additional factors that may affect the student population, such as potential zoning and development changes within the district, housing projections and the development of new businesses and public projects.

Legal Reference:      42 U.S.C. § 12101 et. seq.      Americans with Disabilities Act

**Adoption Date: 07.11.11**  
**Auburn School District**  
**Revised:**

## SITE ACQUISITION

The district shall attempt to acquire building sites substantially in advance of the actual construction of facilities in order to minimize delay in construction projects and to realize financial savings to the district. The board shall periodically review its inventory of land in light of growth trends in the district and local land-use restrictions and make such transactions as it determines shall best meet the future needs of the district.

Prior to any purchase of real estate, the district shall obtain a market value appraisal by a professionally designated real estate appraiser as defined in RCW 74.46.020. The board shall select the appraiser.

In acquiring a new site, the board shall always first attempt to reach settlement with the owner through negotiations. Eminent domain proceedings shall be commenced at the outset of the decision to purchase a particular site to avoid delay in the event of a negotiations breakdown, but the district shall resort to condemnation only when it is obvious that negotiations shall not lead to an amicable settlement.

The board shall acquire school sites or facilities only when it clearly contemplates using the property for school purposes.

Legal References:	RCW 8.16	Eminent Domain by School Districts
	28A.335.130	Real property--Sale--Use of proceeds
	28A.335.090	Conveyance and acquisition of property
		— Management
	74.46.020	Definitions

## **CONSTRUCTION FINANCING**

The board shall attempt to add moneys to the capital projects fund regularly in such amounts as are available and appropriate to the district's needs. Moneys in that fund which are not immediately needed shall be invested in those securities permitted by law which shall provide maximum return to the fund. In addition to those moneys, the board may consider non-voter approved debt within statutory limits and the board shall seek authority from district electors to issue bonds or levy a special capital improvements property tax assessment for school construction when specific projects are anticipated. The board shall also seek matching funds from the state board of education to the maximum extent available as well as any federal funds that may be reasonably available.

### **State School Construction Funds**

After the board has approved the initiation of a construction project that is eligible for state construction funds, the superintendent shall notify the state board of education of the board's intent. All studies, notices, and other requirements established by the state board of education as conditions for eligibility for state construction grants shall be completed by the superintendent.

The advice of the state superintendent of public instruction shall be solicited in order to assure the district's eligibility for state financial assistance.

### **Non-Voter Approved Debt**

If the board decides it is prudent, it may authorize the issuance of non-voter approved debt within statutory limits to purchase facility sites; improve energy efficiency of buildings; or acquire, remodel or repair school facilities. Statute limits non-voter approved school district debt to three-eighths of one percent of the value of the taxable land within the district.

### **Bonds**

If the board determines that there are insufficient moneys in the capital projects fund for a construction project, the board chooses not to authorize an election for a capital levy, and the district's limit on bonded indebtedness has not been reached, the board shall authorize an election to seek the approval of voters to issue bonds in the amount needed for the project.

The legal requirements for bond elections and subsequent issuance and redemption of bonds shall be met. The resolution adopted by the board calling for the bond election shall specify the purposes of the bond including the specific buildings to be constructed or remodeled and any other purposes authorized in RCW 28A.530.010. The board resolution shall also describe the specific purposes the board anticipates for using any state financing assistance, if any. If circumstances alter the purposes for which the board believes it is in the best interest of the district to use the state funds or those raised through the bond, the board shall conduct a public hearing to consider the circumstances and to receive public testimony. At a meeting subsequent to the public hearing the board may either amend its original resolution or adopt a new one describing the specific purposes to which the state and/or bond funds will be put.

Upon the sale of bonds duly authorized as prescribed by law, the proceeds shall be credited by the county treasurer to the appropriate fund of the district.

Notice of intent to apply for state school construction funds shall be submitted to the state board of education prior to submitting a bond proposal to district voters.

Legal References:	RCW 28A.320.310	Investment of building funds —
	RCW 28A.525.020	Restrictions
	RCW 28A.525.080	Duties of state board of education
	RCW 28A.530	Federal grants — Rules and regulations
		District Bonds for Land, Buildings and
	RCW 28A.530.030	Equipment
	RCW 28A.530.080	Disposition of bond proceeds — Capital
		projects fund
	RCW 39.36.020	Additional authority to contract
		indebtedness
	WAC 392-123-180	Limitation of indebtedness prescribed
		Bond Proceeds

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**Auburn School District**  
**Revised:**

## CONSTRUCTION DESIGN

After determining that a need for new or improved facilities exists, the board, with the guidance of its professional staff, shall engage in the following processes:

- A. Select an architect, engineer, or other appropriate design professional;
- B. Conduct a site evaluation including an assessment of existing facilities, if any, on the site;
- C. Develop educational specifications, as appropriate, addressing facility and instructional needs and available financial resources;
- D. Review and approve design developed, assuring that the new or remodeled facility or part of a facility complies with applicable coding and regulations;
- E. Comply with OSPI requirements for state school construction funds for applicable projects;
- F. Solicit bids or questions as applicable;
- G. Review and approve final construction contract; and
- H. Provide construction management services.

Legal References:	Chapter 39.35 RCW	Energy Conservation in Design of Public Facilities
	42 U.S.C. § 12101 et. seq.	Americans with Disabilities Act
	WAC 392-343-080	Value engineering studies, constructability reviews, and building commissioning — Requirements and definitions
	WAC 392-343-102	Construction management
	WAC 392-344-065	Value engineering contracts
	WAC 392-344-066	Constructability review contracts
	WAC 392-344-075	Contracts — Filing

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**Auburn School District**  
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## **EDUCATIONAL SPECIFICATIONS**

Facilities shall be designed to accommodate the educational and instructional needs of the district. The professional experience and judgment of staff shall be considered in developing such educational specifications. The law requires that special attention be given the accessibility to the education program by students of both sexes and those with disabilities.

Legal References:	42 U.S.C. § 12101 et. seq.	Americans with Disabilities Act
	CFR 45, Part 84.23	
	WAC 392-190-050	Course offerings — Generally — Separate sessions or groups permissible

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**Auburn School District**  
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## **PROCEDURE EDUCATIONAL SPECIFICATIONS**

Educational specifications are written after consultation with appropriate staff, consultants and citizens. The content of a set of educational specifications would include all or part of the following items:

- A. A statement of the educational philosophy as it pertains to the specific construction project.
- B. Community and school characteristics:
  - 1. The plan of organization and expected enrollments of the school:
    - a. Grade levels and
    - b. Maximum expected enrollments with trends and projections, if necessary.
  - 2. The construction plan for the facility, is it to be a new facility, an addition, or a phased program leading to a complete facility?
  - 3. Special services to be provided:
    - a. Guidance programs;
    - b. Social worker's programs;
    - c. Provisions for exceptional children; and
    - d. Others.
  - 4. The special provisions needed for community use:
    - a. Cooperative park/school arrangement;
    - b. Parent-teacher associations;
    - c. Community athletic programs; and
    - d. Others
  - 5. The extent that adults shall use this facility;
  - 6. The extent to which students shall be transported and the facilities that must be included to handle this service adequately;
  - 7. The cafeteria services to be provided and the maximum number likely to be served;
  - 8. The policy regarding multiple use of spaces; and
  - 9. Other pertinent data relating to the project.
- C. Site Characteristics:

Site considerations necessary for this project:

  - a. Site size and location defined; and
  - b. Recommended building orientation; service drives; parking requirements for staff, students, and public; sidewalk and other approaches; outside lighting.

D. Requirements of the Physical Plant:

1. Instructional functions and spaces required. A statement of instructional purposes is to precede the description of each area:
  - a. Number of spaces required by function; and
  - b. The relationships of these spaces.
2. The noninstructional spaces required. Each space to be described by function and spaces required;
3. Relationships of spaces required:
  - a. Inter-relationship between instructional areas;
  - b. Relationship between instructional and noninstructional spaces; and
  - c. Relationship of spaces to site.
4. Environmental factors should be described in terms of educational relationships or concerns.

E. Additional information or comments as necessary to further interpret the educational program.

## **ARCHITECT AND ENGINEERING SERVICES**

When considering the acquisition of architectural and engineering services, the board of directors shall issue a notice in publication(s) of general circulation stating the general scope and nature of project(s) for which services are required.

Interested firms will be requested to submit a statement of qualifications to enable the board to determine which architectural or engineering firm will best serve the needs of the district.

The superintendent or designee is directed to establish procedures to solicit and screen qualified engineers and architects. The board and the successful architectural or engineering firm shall enter into a contract for the necessary services. In the event of an emergency, the board may waive this selection process and secure such services as needed.

Cross Reference: Board Policy 6220

Purchasing: Bids and Contracts

Legal References: RCW 28A.330.100(3)  
RCW 39.80

Additional powers of boards (1st class)  
Contracts for architectural and  
engineering services  
Architects' contracts

AGO 57-59 No.68

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**Auburn School District**  
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## **PROCEDURE ARCHITECT AND ENGINEERING SERVICES**

When architectural and engineering services are required by the district, the following procedures shall be in effect:

- A. Announcement for professional services will be sent to professional and community publications as well as to publications specifically oriented toward minority and women owned firms. The announcement shall specify:
  1. The general nature and scope of the project(s);
  2. The district representative to contact for further details; and
  3. The deadline for submission of letter of interest.
- B. Each interested architect and/or engineer shall be advised to submit a resume which includes as a minimum:
  1. Description of professional staff and respective roles for each;
  2. List of projects completed during the past two years and contact person;
  3. Status of current contract;
  4. Description of typical site supervision;
  5. References — bank, bonding company, three clients; and
  6. Exhibits of cost estimates for two most recent projects.
- C. Applicants shall be screened by selected staff to identify firms to be interviewed.
- D. Applicants shall be interviewed by a committee composed of the superintendent, supervisor of maintenance and a building principal.
- E. The superintendent shall enter into negotiations with the firm(s) to establish a professional services fee which is fair and reasonable. If the superintendent is unable to negotiate a satisfactory contract, the next highest ranked firm will be contacted.
- F. The tentative contract will be referred to the board as a recommendation.

## **CONTRACTOR ASSURANCES, SURETY BONDS AND INSURANCE**

A contract shall only be let to a contractor who is licensed or registered as required by the laws of this state.

### **Contractor Surety Bonds and Insurance**

Each contractor's bid must be accompanied by a certified or cashier's check or bid bond in the amount of at least five percent of the total bid amount, excluding taxes. Any bid which is not successful shall entitle the bidder to a refund of its security or bond. The successful bidder shall have the bond or security retained until they provide a performance and payment bond to ensure the bidder shall complete the contract. All bids received shall specify whether the district or the contractor shall carry fire, liability, or other insurance during construction.

The successful bidder is required to make, execute, and deliver to the board a good and sufficient performance bond which shall state that the contractor shall execute and faithfully perform the provisions of the contract and shall pay all subcontractors and material men as required by law.

Legal References:	RCW 39.08.010	Bond required--Conditions- Retention of contract amount in lieu of bond — Contracts of one-hundred-thousand dollars or less
	RCW 39.06.010	Contracts with unregistered or unlicensed contractors and with other violators prohibited
	RCW 39.12	Prevailing Wages on Public Works
	RCW 49.60.180	Unfair practices of employment defined
	42 U.S.C.S § 2000c et. seq.	Title VII of Civil Rights Act of 1964 (amended by CRA of 1991);
	Section 504	Rehabilitation Act of 1973

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**Auburn School District**  
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## MAINTENANCE OF RECORDS

The maintenance of adequate records is vitally important to the future facilities program within the district and to the resolution of any disputes that may arise regarding a construction project.

The superintendent or designee shall keep all reports, documents, and plans as they relate to an existing or proposed project. The records shall include copies of all correspondence relating to the project. The superintendent shall require from the architect, engineer, contractor or other parties at least the following, as they become available:

- A. Inspection and progress reports;
- B. Results from tests of material quality and composition, etc.;
- C. Drawings of buildings and sites;
- D. Conveyance records, title search, bond issuance records and any licenses and legal documents issued or executed pursuant to the project;
- E. Guarantees and warranties; and
- F. Other papers relevant to the project, such as the record of board resolutions.

Legal References:	RCW 39.04.020	Plans and specifications — Estimates — Publications — Emergencies
	RCW 39.04.040	Work to be executed according to plans — Supplemental plans
	RCW 39.04.070	Account and record of cost
	RCW 39.04.080	Certified copy to be filed — Engineers' certificate
	RCW 39.04.100	Records open to public inspection — Certified copies

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**Auburn School District**  
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## **CHANGE ORDERS**

Change orders which arise during construction of public works projects shall be approved by the school board except as follows:

- A. The superintendent or his designated representative may authorize change orders for projects when the original construction contract amount is less than \$100,000.
- B. The superintendent or his designated representative may authorize change orders when the construction cost of the change order is less than \$25,000. The school board shall be notified of such authorizations on a monthly basis for projects when the original construction contract amount is \$100,000 or more.
- C. The superintendent or his designated representative may authorize change orders that exceed \$25,000 in the event of an emergency that occurs when circumstances present a real and immediate threat to the performance of the construction project or will result in material loss or damage to property, bodily injury, or loss of life, if immediate action is not taken. The school board shall be notified of such authorizations at the next regularly scheduled school board meeting.

## **ACCEPTANCE OF COMPLETED PROJECT**

Pursuant to statute, final payment shall not be made until the district has received from the state department of revenue, state department of employment security, and state department of labor and industries certification that all taxes due, or to become due by the project's contractor, have been paid in full. The superintendent shall notify each department listed that the work is completed and officially accepted so that a determination of tax liabilities of the contractor may be made.

The contract shall provide that a percentage of the project cost shall be retained by the district as required by law to insure that the project shall remain free and clear of any materialmen, subcontractor or tax liens. The district will accept a bond submitted by the contractor for any portion of the retainage in a form acceptable to the district, and the superintendent of public instruction if state funds are part of the project, from a bonding company registered with the Washington State insurance commissioner and on the currently authorized insurance list published by the Washington State insurance commissioner, unless the district can demonstrate good cause for refusing to accept the bond.

Legal References:	RCW 60.28	Lien for Labor, Materials, Taxes on Public Works
	WAC 392-343-080	Value engineering studies, constructability reviews, and building commissioning — Requirements and definition
	WAC 392-344-067	Building commissioning contracts
	WAC 392-344-075	Contracts — Filing
	WAC 392-344-147	Retained Percentage Law Related Requirements

## **NAMING FACILITIES AND MEMORIALS**

### **Naming/Renaming of District Facilities**

The board of directors considers the naming/renaming of a district facility a matter of significance. In selecting a name, the board will give preference to names identifying the geographic area of the community served by said facility. Normally, facilities (library, playfield, gymnasium, etc.) that are a part of a school location are not independently named. However, the board will make the decision if special circumstances exist that would justify an independent name for a portion of an existing facility.

In exceptional instances, the board may elect to name/rename a facility or portion of a facility in honor of an individual who has attained a great prominence, either locally or nationally, or made a long-term contribution to the education of children in the Auburn schools. Names of persons who are living or have been deceased less than three years generally will not be considered. However, special consideration may be given to individuals still living who have made significant contributions to the local community, if circumstances warrant.

### **Memorials**

The board recognizes the desire to honor the life and memory of students and employees who have positively impacted education in the district. A suitable memorial for district employees or students will contribute to the educational setting and be consistent with district objectives. No portion of any building or site shall be named differently than the name of the school or facility. Names of persons who are living or have been deceased less than three years generally will not be considered. However, special consideration may be given to individuals still living who have made significant contributions to the local community, if circumstances warrant.

The superintendent or designee shall develop a procedure that describes the process for the application for and approval of a collective memorial and that includes a list of other suitable memorials for honoring deceased students and staff.

**Adoption Date: 05.28.02**

**Auburn School District**

**Revised: 12.22.08; 07.11.11; 07.25.16; 03.28.17**

## **PROCEDURE NAMING FACILITIES AND MEMORIALS**

The naming of a school shall take place in the following manner:

- A. The superintendent shall select a committee whose purpose it shall be to submit to the board a list of, not less than three nor more than five, names for the new school. The list shall briefly state, along with each name, why the committee nominated each name. The committee may solicit nominations from students and the community.
- B. The committee shall, whenever possible, follow these guidelines:
  1. Each name shall be known to, and significant to, the people of the district.
  2. The names submitted shall not conflict with the names of other schools in the district or surrounding districts.
  3. Only persons will be considered if they have been deceased three or more years.
- C. The board shall select the name of the new facility from the list. In recognition of the efforts of those involved in the project, a plaque containing the following information shall be attached to a new building:
  1. School name;
  2. Board-approved construction date;
  3. Completion or dedication date;
  4. Name of board members as of the board-approved construction date in the following order:
    - a. President/Chairman
    - b. Vice President/Vice Chairman
    - c. Members (alphabetically)
  5. Superintendent as of board-approved construction date; and
  6. Architect and contractor names.

Formal dedication of the facility shall take place on a date and time specified by the board.

Memorials:

The superintendent or designee, in his or her discretion, can permit 1) a memorial honoring an individual and 2) a collective memorial that equitably honors deceased members of a school or the district community (e.g., “Memorial Garden” or “Veterans Plaza”).

The dedication and any associated signage, statuary, landscaping, etc. has received the approval of the building principal and superintendent or designee.

The cost of any signage, statuary, landscaping, or other facility or site improvements shall be borne by those seeking the dedication and shall not be paid for from school district funds. Any improvements to facilities or grounds shall require approval by the district facility staff and shall not incur any prohibitive costs or create any excessive liability for the district.

The memorial shall not be used to “name” facilities and shall not be used for identification of locations and directions.

Memorials may take the form of one of the following:

1. A donated bench with plaque with deceased's name.
2. A plaque placed on a donated sculpture .
3. An annual award using the deceased's name for an attribute (i.e., good sportsmanship, leadership, etc.).
4. Planting a tree with or without a plaque in memory of an individual.

## **WORKS OF ART**

The state board of education and the state superintendent of public instruction allocates one-half of one percent of any moneys appropriated for state assistance to districts for original construction of any school facility for the acquisition of works of art. The district has the right to waive its use of the appropriation, such money will then be used by the Washington State Arts' Commission for the purchase of other public art. The selection and commissioning of an artist for, reviewing of design for, execution and placement of, and the acceptance of works of art shall be the responsibility of the Washington State Arts' Commission in consultation with the state superintendent of public instruction and the board. The school board may appoint a representative to be a part of the selection process; reject the results of the selection process; or reject the placement of a completed works of art. Waiver or rejection shall not affect state construction funds available to local school districts.

Legal Reference:      RCW 28A.335.210

Purchase of works of art-Procedures

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