

# Staff Handbook

## 2022 - 2023



*The mission of University Place School District, in partnership  
with our community, is to develop competent, contributing citizens.*

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### Non-Discrimination Statement

The University Place School District complies with all federal and state laws, rules, and regulations and does not discriminate on the basis of race, color, national origin (including language), sex, sexual orientation including gender expression or identity, creed, religion, age, veteran or military status, disability, or the use of a trained dog guide or service animal by a person with a disability in student education programs, co-curricular activities, and employment practices. The district is an equal opportunity/affirmative action employer encouraging application of qualified minorities, women, and disabled persons for employment and other opportunities. The University Place School District is committed to providing access to all District programs and activities and provides equal access to the Boy Scouts and other designated youth groups. For elevator access at school sites, contact the principal's office. The University Place School District is a drug-free/smoke-free workplace and educational setting. Direct inquiries regarding compliance, grievance, or appeal procedures, or concerns involving students, should be made to the District Affirmative Action Officer/Civil Rights Compliance Coordinator/ Title IX Coordinator/HIB Compliance Officer/Gender-Inclusive Schools Coordinator, Executive Director of Secondary Education, Lainey Mathews, [lmathews@upsd83.org](mailto:lmathews@upsd83.org); or Section 504/FAPE/ADA concerns should be made to Executive Director of Special Services, Kelly McClure, [kmcclure@upsd83.org](mailto:kmcclure@upsd83.org). Both can be contacted at (253) 566-5600, 3717 Grandview Drive West, University Place, WA 98466.



Educational Service Center  
3717 Grandview Drive West  
University Place, Washington 98466-2138  
(253) 566-5600  
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**Verification of Receipt of Materials Related**  
University Place School District Policies and Procedures  
2022-2023

The district maintains policies and procedures related to a variety of important topics. As part of our job to keep you informed, you have been provided with information and several documents pertaining to staff conduct. Information and/or documentation includes:

- Staff Protocols for Maintaining Professional Staff / Student Boundaries (5253/5253P)
- Prohibition of Harassment, Intimidation, and Bullying (3207/3207P)
- Code of Professional Conduct Chapter 181-87 WAC
- Mandatory Reporting – Duty to Report Suspected Child Abuse or Neglect
- Confidentiality
- Red Flag Complaints, Allegations, and Rumors
- Staff Hiring, Treatment, Evaluation, and Compensation (EL-4)
- Sexual Harassment of District Staff Prohibited (5011/5011P)
- Notification of Threats and Threat Assessments (4314/4313P)
- Non-Discrimination Policy and Complaint Procedures (3210/3210P)
- Electronic Resources and Internet Safety – (2022/2022P)
- Social Media Guidelines
- Nondiscrimination—(5010/5050P)
- COVID-19 Safety and Preparedness Plan
- Workforce Secondary Traumatic Stress (5515/5515P)
- Isolation and Restraint Procedures and Requirements (3246/3246P and RCW 28A.600.485)

Please review the statement below, sign to indicate your acknowledgement of receipt of information / documentation, and return the form to your school administrator.

My signature below indicates I have received and agree to review the above documents or information and that I have been given an opportunity to discuss these documents and ask questions. Further, an employee handbook has been made available to me online for additional information and reference. Finally, I acknowledge my responsibility to abide by district policies, procedures, and expectations as an employee of University Place School District, and I understand that failure to do so may result in disciplinary action up to and including termination.

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

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

## "Red Flag" Complaints, Allegations and Rumors

"Red Flag" reports include allegations or rumors of. . . .

- Weapon possession on campus
- Threats of harm or violence toward individuals, groups or "the school"
- Harassment, intimidation or bullying
- Physical abuse, assault or harm (*serious* student-to-student; ANY adult-to-student)
- Sexual abuse, assault or harassment (or *inappropriate touching* of any kind)
- Inappropriate relationships or boundary invasions
- Racist, racially / culturally insensitive or racially motivated comments or actions (i.e., racial slurs, graffiti, images or symbols such as swastikas, etc.)
- Discriminatory behaviors or remarks related to race, religion, gender, sexual identity, etc.

**Reports include** student to student, staff to student, student to staff or staff to staff.

### **Responding to red flag complaints, allegations and rumors:**

1. Get the basic information from the person making the report only.  
(Name, phone number, student name (s), basic facts of the report only)
2. Immediately notify a building administrator (by cell phone if needed)

## **Attendance**

All employees must enter their absence requests in EA+ (*Employee Access*) for approval by their administrator. If a substitute is needed to cover your position, you will need to request a substitute through *Substitute Online*. Instructions for both of these programs are found on the district website in the payroll department:

<http://www.upsd83.org>, Staff, Skyward.

Check with your supervisor if you have questions regarding absence procedures for your position.

Please note: A University Place School District employee who is absent without authorization for three or more consecutive workdays may be considered to have abandoned his or her position and to have resigned from the district.

## **Bargaining Agreements**

Please visit the University Place Website: <http://www.upsd83.org>, Staff, Human Resources, Bargaining Agreements & Salary Schedules to view the bargaining agreements for:

UPEA - University Place Education Association

UPCA - University Place Classified Association

UPOP - University Place Office Professional

UPPA - University Place Principals Association

## Board Meetings

Staff members are welcome at meetings of the Board of Directors. Meetings are scheduled for 6:30 p.m. on the second Wednesday of each month in most instances. Board meetings are held either in the Board Room at the Educational Service Center or at one of our schools. Check online for the location of each meeting @ [https://www.upsd83.org/school\\_board/metting\\_schedule](https://www.upsd83.org/school_board/metting_schedule)

## COVID Guidance

[K-12 Schools Requirements 2021-2022 \(wa.gov\)](#)

### Duty to Report Suspected Child Abuse or Neglect

As an employee of the district you are a mandated reporter and must report (to an administrator) any suspected child abuse or neglect. This is a new section to Chapter 26A.400 RCW.

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 school administrator shall cause a report to be made 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. Suspected child abuse must be reported to Child Protective Services or Law Enforcement.

Any staff member reporting suspected child abuse or neglect must also promptly submit document to the Superintendent on the district reporting form.

Certificated and classified school employees shall receive training regarding their reporting obligations under state law.

### Mandatory Reporting

#### Who must report?

- All Child Abuse Reports should be made in cooperation with a building administrator.
- Anyone who has reasonable cause to believe that a child has suffered abuse or neglect can, in good faith, report. If you are identified as a mandated reporter, you are required by law to report your concerns or cause a report to be made to the local Children's Administration (CA) office, Child Abuse Hotline or law enforcement.
- Classified Staff are mandated by the district to report to a building administrator
- **State law RCW 26.44.030 requires the following people to report:**  
**Professional school personnel** (including, but not limited to, teachers, counselors, administrators, child care facility personnel and school nurses)

#### Why should I report?

- The purpose of mandated reporting is to identify suspected abused and neglected children as soon as possible so they can be protected from further harm. CPS cannot act until a report is made. Mandated reporters play a critical role in preventing any future harm to children. Without detection, reporting, and intervention, a child may die as a result of severe abuse or neglect, or remain a victim for the rest of his/her life.

- Reporting should be regarded as a request for an investigation into a suspected incident of abuse or neglect; a report does not necessarily constitute a proven fact- it is the raising of a question about the condition or state of a child. Making a report can begin a process that can help parents learn to care for and protect their own children.

**When should I report?**

- If there is reasonable cause to believe that a child has suffered abuse or neglect, the report must be made at the first opportunity, but in no case longer than 48 hours. The report must include the identity of the accused, if known.

**How should I report?**

- Contact building administrator
  - o Daytime: Contact a local CPS office. (253) 983-6100, OR (800) 422-7517
  - o Nights & Weekends: Call the Child Abuse and Neglect Hotline at 1-866-ENDHARM (1-866-363-4276). This number is Washington State's toll-free, 24-hour, 7-day-a-week hotline for reporting suspected child abuse or neglect.

**State Law regarding Duty to Report Suspected Child Abuse or Neglect**

An Act Relating to school employee duty to report suspected child abuse or neglect; and adding a new section to chapter 28A.400 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION: Sec. 1. A new section is added to chapter 28A.400 RCW to read as follows:

(1) 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 school administrator shall cause a report to be made 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. During the process of making a reasonable cause determination, the school administrator shall contact all parties involved in the complaint.

(2) Certificated and classified school employees shall receive training regarding their reporting obligations under state law in their orientation training when hired and then every three years thereafter.

**Code of Professional Conduct**

**WAC 181-87-005 PURPOSE.**

The sole purpose of this chapter is to set forth policies and procedures related to reprimand, suspension, and revocation actions respecting certification of education practitioners in the state of Washington for acts of unprofessional conduct. It is recognized that grounds for the discharge, non-renewal of contracts, or other adverse change in contract status affecting the employment contracts of education practitioners are broader than stated herein. The grounds set forth as unprofessional conduct in this chapter shall not limit discharge, nonrenewal of contracts, or other employment action by employers of education practitioners.

**WAC 181-87-010 PUBLIC POLICY GOALS OF CHAPTER.**

The public policy goals of this chapter are as follows:

- (1) To protect the health, safety, and general welfare of students within the state of Washington.

(2) To assure the citizens of the state of Washington that education practitioners are accountable for acts of unprofessional conduct.

(3) To define and provide notice to education practitioners within the state of Washington of the acts of unprofessional conduct for which they are accountable pursuant to the provisions of chapter 181-86 WAC.

### **WAC 181-87-015 ACCOUNTABILITY FOR ACTS OF UNPROFESSIONAL CONDUCT.**

Any educational practitioner who commits an act of unprofessional conduct proscribed within this chapter may be held accountable for such conduct pursuant to the provisions of chapter 181-86 WAC.

### **Communicable Diseases**

School staff knowing of a case or suspected case of a communicable disease should report it to the principal and the school nurse immediately.

### **Confidentiality**

In the course of your work, you may have access to confidential information (oral, written or computer generated not otherwise available to the public at large) about employees or students, their families and/or personal business.

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student educational records.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level.

In general, schools must have **written permission** from the parent to release any information from a student's educational record except under these conditions:

- School officials with legitimate educational interest;
- Other schools where the student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accreditation organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies and state and local with a juvenile justice system pursuant to specific State law.

### **The following are guidelines for educational personnel to help you adhere to the FERPA requirements:**

- (1) Share only the information that is necessary.
- (2) Never share information about one student with another student or parent.
- (3) Do not discuss confidential information in outer offices, the classroom, parking lot, break room, bus garage, doorway, or anywhere where others may overhear.
- (4) Staff should not get information from a parent or student by promising information will not be shared with other appropriate school staff. Sometimes information must be shared for the sake of the student.
- (5) In an emergency, information may be given without parental consent.
- (6) Never use a student's name in casual conversations at work or at home. Never discuss students by name or by disability with family or friends.

- (7) Never discuss information about a students' family or disability.
- (8) Do not describe or mimic a student's behavior to others.
- (9) Friends, acquaintances or family members may ask questions about students in general or about a specific student. School personnel might respond with something like, "I'm sorry I can't answer that question, I need to respect the student's right to privacy." Or "I may not talk about students without their or their parent's written permission.
- (10) A good rule of thumb for school personnel is to never discuss students away from the job and never idly "gossip" about students on the job.

### **Drug-Free Workplace/Schools**

The manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited on University Place School District property. Violation of such prohibition will result in disciplinary action up to, and including, termination of employment. As a condition of employment, you must abide by the terms of this statement and must notify the district office of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (RCW 28A.320.040).

Under the Drug-Free Schools and Communities Act, all schools must be totally free of drugs and alcohol. No one is allowed to possess, use or distribute such drugs or alcohol while on district property or while taking part in any school activity.

The passage of I-502 did not change existing University Place School District policies that prohibit the production, distribution, possession, or use of marijuana on school district property or during school-sponsored activities. Violation of these policies may result in disciplinary action up to and including termination of employment.

Under Federal regulations some University Place School District employees (i.e., bus drivers) are subject to drug and alcohol testing because of the type of work they perform. Testing positive for marijuana is a violation of these regulations and will remain grounds for employment sanctions including termination, even if the marijuana use occurred outside of work hours and otherwise in accordance with state law.

We fully support the Drug-Free Schools and Community Act. It is expected that all students and employees will follow the regulations and policy prohibiting possession, use or distribution of drugs and alcohol on school property or as a part of any school activity.

### **Employee Changes – Address / Phone**

Any employee, active or inactive, may change address and/or phone numbers online in Employee Access (EA+). Directions to access employee changes can be found by entering:

<http://www.upsd83.org>, Staff, Payroll, Employee Access Information, EA Handout (pdf).

### **Electronic Resources and Internet Safety – Policy 2022**

The University Place 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 staff and students need to be proficient and safe users of information, media, and technology to succeed in a digital world.



## **Electronic Resources**

The district will develop and use electronic resources as a means for students to learn core subjects and applied skills in relevant and rigorous ways and for staff to educate them in such areas of need. 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 use these tools. The district's technology will enable educators and students to communicate, learn, share, collaborate and create; to manage their work; and to take ownership of their work.

The superintendent or designee will: 1) create strong electronic resources and develop related educational systems that support teaching and learning; 2) provide appropriate staff development opportunities regarding this policy; and 3) develop procedures to support this policy. The superintendent or designee is authorized to develop procedures and acceptable use guidelines for staff and students as to the use of district electronic resources, including those that access Internet and social media, and to regulate use of personal electronic resources on district property and related to district activities.

## **Internet Safety**

To help ensure student safety and citizenship with electronic resources, all students will be educated about Internet safety. This will include appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response.

To promote Internet safety and appropriate online behavior of students and staff as they use electronic resources and access material from the Internet, the superintendent or designee is authorized to develop or adopt Internet safety procedures, acceptable use guidelines, and related instructional materials. The superintendent or designee in evaluating such procedures and instructional materials should take into account District electronic resources, community norms, privacy rights, responsible use, and issues of concern with student or staff use of electronic resources.

As a component of district Internet safety measures, all district-owned electronic resources, including computer networks and Wi-Fi, in all district facilities capable of accessing the Internet must use filtering software to prevent access to obscene, racist, hateful or violent material. However, given the ever-changing nature of the Internet, the district cannot guarantee that a student will never be able to access objectionable material.

Further, when students use the Internet from school facilities for educational purposes, district staff will make a reasonable effort to supervise student access and use of the internet. If material is accessed that violates district policies, procedures or student guidelines for electronic resources or acceptable use, district staff may instruct the person to cease using that material and/or implement sanctions consistent with district policies, procedures, guidelines, or student codes of conduct.

Cross References:                   4400 - Election Activities  
  4040 - Public Access to District Records  
  3241 - Classroom Management, Discipline and Corrective Action  
  3231 - Student Records  
  3207 - Prohibition of Harassment, Intimidation and Bullying  
  2020 - Course Design, Selection and Adoption of Instructional Materials

Legal References:                   18 USC §§ 2510-2522 Electronic Communication Privacy Act Pub. L. No.  
  110-385 Protecting Children in the 21st Century Act

Management Resources:           2015 - June Policy Issue

2012 - October Issue  
2012 - February Issue  
Policy News, June 2008 Electronic Resources  
Policy News, June 2001 Congress Requires Internet Blocking at School  
Policy News, August 1998 Permission required to review email

**Adoption Date: June 27, 2012**

**Classification: Priority**

**Revised Dates: 1/24/18**

## **Electronic Resources and Internet Safety– Policy 2022P**

### **K-20 Network Acceptable Use Guidelines/Internet Safety Requirements**

These procedures are written to support the Electronic Resources Policy of the board of directors and to promote positive and effective digital citizenship among students and staff. Digital citizenship includes the norms of appropriate, responsible, and healthy behavior related to current technology use. Successful, technologically-fluent digital citizens recognize and value the rights, responsibilities, and opportunities of living, learning, and working in an interconnected digital world. They cultivate and manage their digital identity and reputation, and are aware of the permanence of their actions in the digital world. Expectations for student and staff behavior online are no different from face-to-face interactions.

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

In accordance with all district policies and procedures, students attending Curtis High School and staff may use personal electronic devices (e.g. laptops, mobile devices and e-readers) to further their education and the educational and research mission of the district. School staff will retain the final authority in deciding when and how students may use personal electronic devices on school grounds and during the school day. Absent a specific and articulated need (e.g. assistive technology), students do not have an absolute right to possess or use personal electronic devices at school.

### **Network**

The district network includes wired and wireless devices and peripheral equipment, files and storage, e-mail and Internet content (blogs, websites, collaboration software, social networking sites, wikis, etc.). The 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 district.

### **Acceptable network use by district staff include:**

- A. Creation of files, digital projects, videos, web pages, and podcasts 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 podcasts, email, and webpages that support education and research directly related to their position;
- C. Staff use of the network for incidental personal use in accordance with all district policies and procedures;
- D. Connection of personal electronic devices to the UP BYOD Staff Wi-Fi network.

### **Acceptable network use by district students include:**

- A. Creation of files, digital projects, videos, web pages, and podcasts using network resources in support of education and research;
- B. With parental permission, the online publication of original educational material, curriculum-related materials, and student work. Sources outside the classroom or school must be cited appropriately;

- C. The use of online resources associated with the district curriculum that support education and research.
- D. Connection of personal electronic devices (wired or wireless), when authorized, including portable devices with network capabilities, to the district student network. Connection of any personal electronic device is subject to all procedures in this document and district policy.

**Unacceptable network use by district students and staff includes but is not limited to:**

- A. Personal gain, commercial solicitation, and compensation of any kind;
- B. Actions that result in liability or cost incurred by the district;
- C. Downloading, installing and use of games, audio files, video files, games, or other applications (including shareware or freeware) without permission or approval from the Network Manager;
- D. Support for or opposition to ballot measures, candidates, and any other political activity;
- E. Hacking, cracking, vandalizing, the introduction of malware, including viruses, worms, Trojan horses, time bombs, and changes to hardware, software, and monitoring tools;
- F. Unauthorized access to other district computers, networks, and information systems;
- G. Action constituting harassment, intimidation or bullying, including cyberbullying, hate mail, defamation, discriminatory jokes, and remarks. This may also include the manufacture, distribution, or possession of inappropriate digital images;
- H. Information posted, sent, or stored online that could endanger others (e.g., bomb construction, drug manufacturing);
- I. Accessing, uploading, downloading, storage and distribution of obscene, pornographic, or sexually explicit material;
- J. Attaching unauthorized devices to the district network. Any such device will be confiscated and additional disciplinary action may be taken; or
- K. Any unlawful use of the district network, including but not limited to stalking, blackmail, violation of copyright laws, and fraud.

The 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, missed deliveries, or service interruptions caused by his/her own negligence or any other errors or omissions. The district will not be responsible for unauthorized financial obligations resulting from the use of, or access to, the district's computer network or the Internet.

**Internet Safety**

**Personal Information and Inappropriate Content:**

- A. Students and staff should not reveal personal information, including a home address and phone number on websites, 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. No student pictures or names can be published on any public class, school or district website unless the appropriate permission has been obtained according to district policy;
- D. If students encounter dangerous or inappropriate information or messages, they should notify the appropriate school authority; and
- E. Students should be aware of the persistence of their digital information, including images and social media activity, which may remain on the Internet indefinitely.

**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 district's Internet filter or conceal Internet activity are prohibited (e.g., proxies, https, special ports, modifications to 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 district will be considered SPAM and blocked from entering district e-mail boxes;
  - D. The 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 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 district;
  - F. Staff must make a reasonable effort to become familiar with the Internet and to monitor, instruct, and assist effectively;
    - a. The district may monitor use of the district network, including when accessed on personal electronic devices and devices provided by the district, such as laptops, netbooks, and tablets; and
    - b. The district will provide a procedure for staff members to request access to internet websites blocked by the district's filtering software. The procedure will indicate a timeframe for a designated school official to respond to the request. The requirements of the Children's Internet Protection Act (CIPA) will be considered in evaluation of the request.

### **Internet Safety Instruction**

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

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

### **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 district. The 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 school system or unless such work has been paid for under a written agreement with the school system. If under an agreement with the district, the work will be considered the property of the district. Staff members must obtain a student's permission prior to distributing his/her work to parties outside the school.

### **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 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 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**

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

- A. The district network, including when accessed on personal electronic devices and on devices provided by the district, such as laptops, netbooks, and tablets;
- 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
- F. Any and all information transmitted or received in connection with network and e-mail use.

No student or staff user should have any expectation of privacy when using the district's network. The district reserves the right to disclose any electronic messages 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 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 regularly. Refer to the district retention policy for specific records retention requirements.

### **Disciplinary Action**

All users of the district's electronic resources are required to comply with the district's policy and procedures and agree to abide by the provisions set forth in the district's Technology User Agreement. Violation of any of the conditions of use explained in the district's Technology User Agreement, Electronic Resources policy, or in these procedures could be cause for disciplinary action, including suspension or expulsion from school and suspension or revocation of network and computer access privileges.

### **Accessibility of Electronic Resources**

Federal law prohibits people, on the basis of disability (such as seeing and hearing impairments), from being excluded from participation in, being denied the benefits of, or otherwise being subjected to discrimination by the district. To ensure that individuals with disabilities have equal access to district programs, activities, and services, the content and functionality of websites associated with the district should be accessible. Such websites may include, but are not limited to, the district's homepage, teacher websites, district-operated social media pages, and online class lectures.

District staff with authority to create or modify website content or functionality associated with the district will take reasonable measures to ensure that such content or functionality is accessible to individuals with disabilities. Any such staff member with questions about how to comply with this requirement should consult with the Instructional Technology Specialist.

**Adoption Date: 1/24/18**

### **Fingerprinting**

Washington State law requires that any person newly hired by a school district or an educational service district with regularly scheduled, unsupervised access to children be fingerprinted for state and national background checks. Since this process could take several weeks, you are urged to initiate this process as soon as possible.

If you need more information on fingerprinting please contact the district office.

### **Gender-Inclusive Schools -- Policy 3211**

The board believes in fostering an educational environment that is safe and free of discrimination for all students, regardless of gender expression, gender identity, or sex. To that end, the board recognizes the importance of an inclusive approach toward transgender and gender-expansive students with regard to key terms, communication and the use of names and pronouns, student records, confidential health and education information, communication, restroom and locker room use and accessibility, sports and physical education, dress codes, and other school activities, in order to provide these students with an equal opportunity for learning and achievement.

This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful and inclusive learning community and will be implemented in conjunction with training of staff and volunteers. Specific training requirements are included in the accompanying procedure. The superintendent will appoint a primary 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 district compliance officer will participate in at least one mandatory training opportunity offered by OSPI.

This policy and its procedure will support that effort by facilitating district compliance with local, state and federal laws concerning harassment, intimidation, bullying, and discrimination.

Cross References:       2145 - Suicide Prevention 3  
                              3207 - Prohibition of Harassment, Intimidation, and Bullying  
                              3210 - Nondiscrimination  
                              3231 - Student Records

Legal References:       RCW 28A.642 Discrimination Prohibition  
                              20 U.S.C. 1232g, 34 C.F.R., Part 99 - Family Education Rights and Privacy Act

Management Resources: 2019 – July Issue  
                              2014 - December Issue  
                              2013 - December Issue Prohibiting Discrimination in Washington Public Schools - OSPI  
                                  Guidelines for school districts to implement Chapters 28A.640 and 28A.642  
                                  RCW and Chapter 392-190 WAC (February 2012)

Adoption Date: 11/4/15  
Classification: Essential  
Revised Dates: 10/9/19

## Gender-Inclusive Schools -- Policy 3211P

The principal or building administrator—or an appropriate, designated school employee—is encouraged to request a meeting with a transgender or gender-expansive student upon the student's enrollment in the district or in response to a currently enrolled student's change of gender expression or identity. Before contacting a student's parents, the school will consult with the student about the student's preferences regarding family involvement and honor those preferences.

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 3211 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 meet as a condition of providing them with the protection to which they are entitled under Policy 3211, this procedure, and state and federal law regarding gender expression or identity. However, the purpose of the meeting is for the school to gain a better understanding of how such protections can be provided to the student. In some cases, the school will be unaware of problems until the student communicates their needs.

### Key Definitions/Terms

- **Assigned sex at birth:** The sex a person was given at birth, usually based on anatomy or chromosomes (e.g., male, female, intersex, etc.).
- **Cisgender:** A term used to describe people whose assigned sex matches their gender identity and/or gender expression (e.g., someone who was assigned female at birth and whose gender identity and/or gender expression is also female).
- **Gender Expansive:** A wider, more flexible range of gender identities or expressions than those typically associated with the binary gender system.
- **Gender Expression:** The external ways in which a person expresses their gender to the world, such as through their behavior, emotions, mannerisms, dress, grooming habits, interests, and activities.
- **Gender Identity:** A person's internal and deeply-felt sense of being female, male, both, nonbinary, gender-expansive, or other—regardless of the gender assigned at birth.
- **Transgender:** A term often used to describe a person whose gender identity or expression, or both, are different from those traditionally associated with their sex assigned at birth.
- **Transitioning:** The process in which a person goes from living and identifying as one gender to living and identifying as another.

### Communication and Use of Names and Pronouns

An appropriate school employee will privately ask known transgender or gender-expansive 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. However, the student's legal name should be accessible by only necessary staff members—it should not be visible to teachers or other staff who have access to the electronic records system.

When appropriate or necessary, 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.

When communicating with transgender or gender expansive students regarding particular issues such as conduct, discipline, grades, attendance or health, school employees will focus on the conduct or particular issues rather than making assumptions regarding the student's actual or perceived gender identity or gender expression. Before communicating with parents of transgender or gender expansive students, it's important to ask the student how school employees should refer to the student when talking with their parents and guardians. For families who are supportive, using the student's name and pronoun could be affirming for the student. For parents who are not supportive, or who are not aware of the student's transition at school, referring to their name and pronoun could be very dangerous. The district will not condone the intentional or persistent refusal to respect a student's gender identity or gender expression, or inappropriate release of information regarding a student's transgender or gender-expansive status.

### **Official Records**

The standardized high school transcript is the only official record that requires a student's legal name. School staff should adopt practices to avoid the inadvertent disclosure of the student's transgender or gender-expansive status. The District will change a student's official records to reflect a change in legal name upon receipt of:

1. Documentation that the student's legal name or gender has been changed pursuant to a court order or through amendment of state or federally-issued identification; or
2. A written, signed statement explaining that the student has exercised a common-law name change and has changed their name for all intents and purposes and that the change has not been made for fraudulent reasons.

Schools may change a student's official gender designation upon parent or student request pursuant to the Office of the Superintendent of Public Instruction's (OSPI's) process found at: <https://www.k12.wa.us/sites/default/files/public/cedars/pubdocs/2018-19cedarsreportingguidance.pdf>. The process should not be overly cumbersome, and the district may not require verification from a physician.

The school must use the name and gender by which the student identifies on all other records, including but not limited to school identification cards, classroom seating charts, athletic rosters, yearbook entries, diplomas, and directory information.

### **Confidential Health or Educational Information**

Information about a student's gender identity, legal name, or assigned sex at birth may constitute confidential medical or educational information. Disclosing this information to other students, their parents, or other third parties may violate privacy laws, such as the federal Family Education Rights and Privacy Act (FERPA) (20 U.S.C. §1232; 34 C.F.R. Part 99). Therefore, to ensure the safety and well-being of the student, school employees should not disclose a student's transgender or gender-expansive status to others, including the student's parents and/or other school personnel, unless the school is (1) legally required to do so or (2) the student has authorized such disclosure.

### **Restroom Accessibility**

Students will be allowed to use the restroom that corresponds to the gender identity they assert at school. No student will be required to use a restroom that conflicts with their gender identity. Any student— regardless of gender identity—who requests greater privacy should be given access to an alternative restroom. However,



schools may not require a student to use an alternative restroom because of their transgender or gender-expansive status.

### **Locker Room Accessibility**

Use of locker rooms by transgender or gender-expansive students will be assessed on a case-by-case basis, with the goal of maximizing transgender or gender-expansive student social integration, providing an equal opportunity to participate in physical education classes and athletic opportunities and ensuring the student's safety. In most cases, the district should provide the student access to the locker room that corresponds to the gender identity they assert at school. Reasonable alternatives to locker room conditions for any student who wants additional privacy 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).

The school will provide accommodations needed to allow the student to keep their transgender or gender expansive status private whenever this is possible. No student 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 and gender-expansive 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).

### **Dress Codes**

The District will allow students to dress in a manner that is consistent with their gender identity and/or gender expression within the constraints of the dress codes adopted at their school site and within the constraints of the District guidelines for dress as they relate to health and safety issues (e.g., prohibitions on wearing gang-related apparel). School dress codes will be gender-neutral and will not restrict a student's clothing choices on the basis of gender.

### **Other School Activities**

In any school activity or other circumstance involving separation by gender (i.e., class discussions, field trips, or overnight trips), students will be permitted to participate in accordance with the gender identity they assert at school. Teachers and other school employees will make every effort to separate students based on factors other than gender where practicable. In situations where students are separated by gender for overnight accommodations, all students shall be assigned to accommodations in accordance with the gender identity they assert at school. Further, a school may not require transgender students to stay in single-occupancy accommodations or disclose personal information when not required of other students. This does not prevent a school from honoring a student's voluntary request for single-occupancy accommodations if they make that request.

### **Training and Professional Development**

The district will designate one person to be the primary contact regarding this policy and procedure relating to transgender or gender expansive students. The primary contact must participate in at least one mandatory training

opportunity offered by OSPI. When possible, the District will conduct staff training and in an effort to build the skills of all staff members to prevent, identify and respond to harassment and discrimination. The content of such professional development should include, but not be limited to:

- Terms and concepts related to gender identity, gender expression, and gender diversity in children and adolescents;
- Appropriate strategies for communicating with students and parents about issues related to gender identity and gender expression, while protecting student privacy;
- Strategies for preventing and intervening in incidents of harassment and discrimination, including bullying and cyber-bullying;
- District and staff responsibilities under applicable laws and district policies regarding harassment, discrimination, gender identity, gender expression issues.

### **Discrimination and Harassment Complaints**

Discrimination and harassment on the basis of sex, gender identity, or gender expression are prohibited within the district. It is the responsibility of each school, the District, and all staff to ensure that all students, including transgender and gender-expansive students, have a safe school environment. The scope of this responsibility includes ensuring that any incident of discrimination or harassment is given immediate attention and/or reported to the person designated as the primary contact relating to transgender or gender expansive students. The primary contact will communicate with the district's Civil Rights Compliance Coordinator.

Complaints alleging discrimination or harassment based on a person's actual or perceived gender identity or expression are to be taken seriously and handled in the same manner as other discrimination and harassment complaints. This includes investigating the incident and taking age and developmentally appropriate corrective action. Anyone may file a complaint alleging a violation of this policy using the complaint process outlined in the district's Nondiscrimination Procedure 3210P.

The district will share this policy and procedure with students, parents / guardians, employees, and volunteers.

**Adopted Date: 11/4/15**

**Revised Dates: 10/28/19**

### **Maintaining Professional Staff / Student Boundaries for All Personnel Staff Protocols**

The purpose of this protocol is to provide all staff members with information regarding appropriate and inappropriate behaviors in regards to student interactions, and to increase staff awareness of their role in protecting children from inappropriate conduct and sexual abuse by adults.

Since it may not be possible to determine whether boundary invasion behaviors are in fact sexual grooming until it is too late, boundary invasion behaviors engaged in by school employees, which are inappropriate or have questionable educational benefit, are prohibited.

Applicable Laws  
Code of Professional Conduct Chapter 181-87 WAC  
and  
Washington State Law, RCW 28A.400.317  
Physical abuse or sexual misconduct by school employees –  
Duty to report – Training, *which states*;

- (1) 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...

If you become aware of an adult engaging in behavior with children at school which may be construed as inappropriate boundary invasion, or “sexual grooming behavior,” you *must* report the matter immediately to your principal, or the District Title IX Officer if the principal is somehow involved in the conduct.

Staff members who observe such conduct must understand that such behaviors are inappropriate and take action; in doing so they protect children, the staff member, and the profession.

### **Staff Duties**

Your role in preventing sexual abuse of students and maintaining professional boundaries is two-fold: first, to avoid engaging in behaviors which could be mistaken for grooming behaviors; and second, to report situations where such behaviors take place.

1. *Do not engage in the behaviors described in this section or behaviors like them.* Keep your interactions with students on a professional level. Refer students who need emotional or other support to appropriately trained staff such as counselors. Staff can be caring while maintaining an appropriate level of professional decorum.
2. *Report the Concern.* If you observe any adult engaging in the behaviors described above with students, or in other behaviors which raise concerns, inform your principal of the appropriate person at the District Office at your earliest opportunity<sup>1</sup>.
  - a. Do not wait to report inappropriate behavior or attempt to determine for yourself whether the behavior you have observed has a plausible, innocent explanation. You may not understand the entire situation, and allowing the conduct to continue could be had for both the staff member and students.
  - b. Do not confront or discuss the matter with the suspected individual. Do not inform the person of your concern, unless it is a situation where immediate intervention is necessary to protect a child.
  - c. Maintain confidentiality. Failure to do so may impede official investigations and foster untrue rumors. You owe a legal duty of confidentiality to students on matters which a reasonable person would want to remain confidential. Therefore, you are directed not to tell your concerns to anyone other than the appropriate administrator, Child Protective Services or the police. If approached by anyone other than the appropriate administrator, CPS or the police, or a person conducting an official investigation on behalf of the District, you may not discuss the matter unless otherwise permitted in writing by the administrator in charge of the matter.
  - d. If you desire, and it is possible and appropriate, confidentiality will be maintained about the report to administration.

<sup>1</sup> Make your report to the appropriate administrator, but do not make the report to an administrator who is involved in the conduct in question.

### **Boundary Invasions (Staff / Student)**

**Definition:** A boundary invasion is any act, omission, or pattern of behavior by a school employee that **does not have an educational purpose** and could result in abuse of the staff / student professional relationship.

Acts of boundary invasion may not be illegal. However, these acts are inappropriate, violate district policy and may result in staff discipline. Boundary Invasions violate district policy and are subject to serious discipline including termination.

Suspected boundary invasions **MUST** be reported to the building principal or District Title IX Compliance Officer.

### **Examples of Obvious Boundary Invasions**

- Inappropriate physical contact
- Showing pornography to a student
- Socializing where students are consuming alcohol or drugs
- Providing students with alcohol or drugs
- Telling sexual jokes to students
- Talking about sexual topics with students that are unrelated to curriculum
- Inviting students to a teacher's home

### **Examples of Less Obvious Boundary Invasions**

- Using telephone, email, text messages, social networking sites or instant messaging to communicate with students without educational purpose
- Spending time with students outside of school without educational purpose
- Giving students a ride in a car
- Giving gifts or special favors to students
- Sharing personal problems or private, personal information with students
- Engaging in "peer-like" behavior with students

### **Boundary Invasion Response**

- Avoid Misunderstandings
  - Notify administrators and parents when interacting or communicating with students outside of the classroom setting
  - Minimize or eliminate time alone with students
- Reporting Obligations:
  - Staff members are required to promptly notify the building principal, supervisor or the District Title IX Compliance Officer of known or suspected violations of this policy.

**Violations AND failure to report concerns may result in disciplinary action up to and including termination.**

## **Maintaining Professional Staff/Student Boundaries - Policy 5253**

### **Purpose**

This policy provides all staff, students, volunteers, and community members with information about their role in protecting children from inappropriate conduct by adults. The 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" includes volunteers.

### **General Standards**

The board expects all district staff to maintain the highest professional, moral and ethical standards when they interact with students. Further, the University Place School Board expects district staff to set positive examples for students by modeling appropriate conduct and behavior. Staff members are required to maintain an atmosphere conducive to learning by consistently 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 district staff and students should be based upon mutual respect, trust, and commitment to the professional boundaries between staff and students in and outside of the educational setting, and consistent with the educational mission of the district.

District staff will not intrude on a student's physical and emotional boundaries unless the intrusion is necessary to serve a demonstrated educational purpose. An educational purpose is one that relates to the staff member's duties in the district. Inappropriate boundary invasions can take various forms. Any type of sexual conduct with a student is an inappropriate boundary invasion.

Additionally, staff members are expected to be aware of the appearance of impropriety in their own conduct and the conduct of other staff when interacting with students. Staff members will notify and discuss issues with their building administrator or supervisor whenever they suspect or question whether their own or another staff member's conduct is inappropriate or constitutes a violation of this policy.

It is also expected that all professional school personnel will continue to meet their obligations as mandatory reporters of suspected child abuse, and report any suspected child abuse to either law enforcement or Child Protective Services in a timely manner. Furthermore, all classified employees of the district are also expected to report suspected child abuse to a supervisor or district administrator.

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 with students to avoid violating this policy, the appearance of impropriety, and the appearance of favoritism. Staff members shall pro-actively discuss these circumstances with their building administrator or supervisor.

### **Use of Technology**

The board supports the use of technology to communicate for educational purposes. However, when the communication is unrelated to school work or other legitimate school business district staff are prohibited from communicating with students by phone, e-mail, text, instant messenger, or other forms of electronic or written communication. District staff members are prohibited from engaging in any conduct on social networking websites that violates the law, district policies or procedures, or other generally recognized professional standards. This prohibition includes prohibiting staff from "friending" and/or "following" students on social media.

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/designee will develop protocols for reporting and investigating allegations and develop procedures and training to accompany this policy.

Cross References:           3205 - Sexual Harassment of Students Prohibited  
                                      3207 - Prohibition of Harassment, Intimidation, and Bullying  
                                      3210 - Nondiscrimination  
                                      3421 - Child Abuse, Neglect, and Exploitation Prevention

Legal References:           Title IX of the Education Amendments of 1972  
                                      Chapter 9A.44, RCW – Sex offenses  
                                      Chapter 9A.88, RCW – Indecent exposure – Prostitution  
                                      RCW 28A.400.320 Crimes against children — Mandatory termination of classified employees — Appeal — Recovery of salary or compensation by district  
                                      RCW 28A.405.470 Crimes against children — Mandatory termination of certificated employees — Appeal — Recovery of salary or compensation by district  
                                      RCW 28A.405.475 Termination of certificated employee based on guilty plea or conviction of certain felonies — Notice to superintendent of public instruction - Record of notices  
                                      RCW 28A.410.090 Revocation or suspension of certificate or permit to teach — Criminal basis — Complaints — Investigation - Process  
                                      RCW 28A.410.095 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  
RCW 28A.410.100 Revocation of authority to teach — Hearings  
Chapter 28A.640, RCW Sexual Equality  
Chapter 28A.642, RCW Discrimination Prohibition  
Chapter 49.60, RCW – Washington State Law Against Discrimination  
Chapter 181-87 WAC Professional certification — Acts of unprofessional conduct  
Chapter 181-88 WAC Definitions of sexual misconduct, verbal and physical abuse -  
Mandatory disclosure — Prohibited agreements

Management Resources: 2019 - March 2019 - March Policy Issue  
2015 - October Issue

**Adoption Date: 12/8/10**

**Classification: Priority**

**Revised Dates: 10/25/17, 11/13/19**

### **Maintaining Professional Staff /Student Boundaries - Policy 5253P**

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 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 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**

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

- Any type of inappropriate physical contact with a student or any other conduct that might be considered harassment under the Board's policies on Sexual Harassment and Harassment Based on Other Protected Classes, and Prohibition of Harassment, Intimidation and Bullying (Policies 6590 and 3207), Title IX of the Education Amendments of 1972 (Title IX) or misconduct under WAC 181-88-060, or any conduct between staff and students that would constitute the staff member committing a violation of RCW Chapters 9A.44 or 9A.88;
- Showing pornography to a student;
- Singling out a particular student or students for personal attention and friendship beyond the professional staff-student relationship;
- Socializing where students are consuming alcohol, drugs or tobacco or providing alcohol, drugs, or tobacco to students;
- For non-guidance/counseling staff, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members are expected to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student's school performance;
- Sending students on personal errands unrelated to any educational purpose;
- Banter, allusions, jokes or innuendos of a sexual nature with students;
- Disclosing personal, sexual, family, employment concerns, or other private matters to one or more students;
- Addressing students, or permitting students to address staff members with personalized terms of endearment, pet names, or otherwise in an overly familiar manner;

- Maintaining personal contact with a student outside of school by phone, email, text message, Instant Messenger or Internet chat rooms, social networking Web sites, or letters (that do not address homework or other legitimate school business), particularly if the parent/guardian is not copied on the communication.
- Exchanging personal gifts, cards or letters with an individual student;
- Socializing or spending time with students (including but not limited to activities such as going out for beverages, meals or movies, shopping, traveling, and recreational activities) outside of school-sponsored events, except as participants in organized community activities;
- Giving a student a ride alone in a vehicle in a non-emergency situation; and/or
- Unnecessarily invading a student's privacy, (e.g. walking in on the student in the bathroom)
- Soliciting phone, email, text messages or other forms of written or electronic communication to students without building administrator/supervision and parent permission when the communication is unrelated to school work or other legitimate school business; and/or
- Any other conduct that fails to maintain professional staff/student boundaries.

### **Appearances of Impropriety**

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

- Being alone with an individual student out of the view of others;
- Inviting or allowing individual students to visit the staff member's home;
- Visiting a student's home; and/or
- Social networking with students for non-educational purposes; and/or
- Sending or soliciting email, text messages or other electronic communications to the student, even when the communication relates to school business, except when the parent or guardian and building administrator/supervisor has consented to such communications 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 building principal or the supervisor of the employee suspected of engaging in inappropriate conduct 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 building principal or the supervisor of the employee suspected of engaging in inappropriate conduct if they become aware of a situation that may constitute a violation of this policy.

The administrator to whom a boundary invasion concerns reported must document, in writing, the concern and provide a copy of the documentation to the Executive Director of Human Resources.

All school personnel who have reasonable cause to believe that a student has experienced abuse or neglect, or sexual or physical abuse by a staff member, volunteer, or agency personnel working in the school are required to make a report pursuant to Board Policy 3425, Procedure 3425-P, RCW 26.44 and RCW 28A.400.317.

### **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 3425 Child Abuse and Chapter 26.44 RCW. Reporting suspected abuse to the building principal or supervisor does not relieve professional school personnel from their reporting responsibilities and timelines.

### **Disciplinary Action**

Staff violations of this policy may result in disciplinary action up to and including dismissal. 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 of employment. Continuing employees will receive training every three years.

### **Dissemination of Policy and Reporting Protocols**

This policy and procedure shall be included on the district Web site and in all employee, student and volunteer handbooks.

**Date: 02.10; 12.10; 1.11; 10.17**

## **Nondiscrimination and Affirmative Action– Policy 5010**

### **Nondiscrimination**

The district will provide equal employment opportunity and treatment for all applicants and staff in recruitment, hiring, retention, assignment, transfer, promotion and training. Such equal employment opportunity will be provided without discrimination with respect to race, creed, religion, color, national origin, age, honorably-discharged veteran or military status, sex, sexual orientation including gender expression or identity, marital status, the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability.

The board will designate a staff member to serve as the compliance officer.

### **Affirmative Action**

The district, as a recipient of public funds, is committed to undertake affirmative action which will make effective equal employment opportunities for staff and applicants for employment. Such affirmative action will include a review of programs, the setting of goals and the implementation of corrective employment procedures to increase the ratio of aged, persons with disabilities, 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 will also include recruitment, selection, training, education and other programs.

The superintendent will develop an affirmative action plan which specifies the personnel procedures to be followed by the staff of the district and will ensure that no such procedures discriminate against any individual. Reasonable steps will be taken to promote employment opportunities of those classes that are recognized as



protected groups — aged, persons with disabilities, 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, will be disseminated widely to staff in all classifications and to all interested patrons and organizations. Progress toward the goals established under this policy will 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 will prevail:

- A. No qualified person with disabilities will, solely by reason of a disability, be subjected to discrimination and the district will 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 will make reasonable accommodations to the known physical or mental limitations of an otherwise qualified disabled applicant or staff member 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 will 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 a uniformed service, on the basis of that participation in a uniformed service. This includes 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:                    2030 - Service Animals in Schools  
    5270 - Resolution of Staff Complaints  
    5407 - Military Leave

Legal References: RCW 28A.400.310 Law against discrimination applicable to districts' employment practices

RCW 28A.640.020 Regulations, guidelines to eliminate discrimination — Scope — Sexual harassment policies

RCW 28A.642 Discrimination prohibition

RCW 49.60 Discrimination — Human rights commission

RCW 49.60.030 Freedom from discrimination — Declaration of civil rights Vietnam Era Veterans Readjustment Act of 1974 (VEVRAA)

RCW 49.60.180 Unfair practices of employers

RCW 49.60.400 Discrimination, preferential treatment prohibited

RCW 73.16 Employment and Reemployment

WAC 392-190 Equal Education Opportunity – Unlawful Discrimination Prohibited

WAC 392-190-0592 Public school employment — Affirmative action program

42 USC 2000e1 – 2000e10 Title VII of the Civil Rights Act of 1964

20 USC 1681 - 1688 Title IX Educational Amendments of 1972

42 USC 12101 – 12213 Americans with Disabilities Act

8 USC 1324 (IRCA) Immigration Reform and Control Act of 1986

38 USC 4301-4333 Uniformed Services Employment and Reemployment Rights Act

29 USC 794 Vocational Rehabilitation Act of 1973

34 CFR 104 Nondiscrimination on the basis of handicap in Programs or activities receiving federal financial assistance

38 USC 4212 Vietnam Era Veterans Readjustment Act of 1974 (VEVRAA) Adoption

Date: **11/4/15**  
 Classification: **Encouraged**  
 Revised Dates: **8/14/19**

### **Prohibition of Harassment, Intimidation, and Bullying - Policy 3207**

The board is committed to a safe and civil educational environment for all students, employees, parents/legal guardians, volunteers, and community members that is free from harassment, intimidation, or bullying. As defined in legislation, “Harassment, intimidation or bullying” means any intentional electronic, written, verbal, or physical act including but not limited to, one shown to be motivated by any characteristic in RCW 28A.640.010 and 28A.642.010, or other distinguishing characteristics, when the act:

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

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

“Other distinguishing characteristics” can include but are not limited to physical appearance, clothing or other apparel, socioeconomic status and weight.

“Intentional acts” refers to the individual’s choice to engage in the act rather than the ultimate impact of the action(s).

### **Behaviors/Expressions**

This policy recognizes that ‘harassment,’ ‘intimidation,’ and ‘bullying’ are separate but related behaviors. Each must be addressed appropriately. The accompanying procedure differentiates the three behaviors, however, this differentiation should not be considered part of the legal definition of these behaviors

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

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

### **Training**

This policy is a component of the district’s responsibility to create and maintain a safe, civil, respectful and inclusive learning community and will be implemented in conjunction with training of staff and volunteers. Specific training requirements are included in the accompanying procedure.

### **Prevention**

The district will provide students with strategies aimed at preventing harassment, intimidation, and bullying. In its efforts to train students, the district will seek partnerships with families, law enforcement, and other community agencies.

### **Interventions**

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

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

If allegations are proven that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the aggressor or target of harassment, intimidation or bullying, and, as a result of these problems has been absent from school, the school may 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). 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 support as deemed necessary 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, or participating in an investigation.

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 district compliance officer will participate in at least one mandatory training opportunity offered by OSPI

The superintendent is authorized to direct the implementation of procedures addressing the elements of this policy.

Cross References:                    2161 - Special Education and Related Services for Eligible Students  
   3205 - Sexual Harassment of Students Prohibited  
   3210 - Nondiscrimination  
   3211 - Gender-Inclusive Schools  
   3241 - Student Discipline

Legal References:                    RCW 28A.300.285 Harassment, intimidation, and bullying  
   prevention policies and procedures — Model policy and procedure  
   — Training materials — Posting on web site — Rules — Advisory  
   committee  
   WAC 392-190-059 Harassment, intimidation and bullying  
   prevention policy and procedure – School districts.

Management Resources:            2019 - August Policy Alert  
   2019 - July Policy Issue  
   Office for Civil Rights Dear Colleague Letter: Responding to  
   Bullying of Students with Disabilities (OCR 10/21/2014)  
   2014 - December Issue  
   2010 - December Issue  
   2008 - April Issue  
   2002 - April Issue

**Adoption Date: 5/25/11**

**Classification: Essential**

**Revised Dates: 5/27/15, 10/9/19**

## Prohibition of Harassment, Intimidation, and Bullying - Policy 3207P

### A. Introduction

The University Place School District strives to provide students with optimal conditions for learning by maintaining a school environment where everyone is treated with respect and no one is physically or emotionally harmed.

In order to ensure respect and prevent harm, it is a violation of district policy for a student to be harassed, intimidated, or bullied by others in the school community, at school sponsored events, or when such actions create a substantial disruption to the educational process. The school community includes all students, school employees, school board members, contractors, unpaid volunteers, families, patrons, and other visitors. Student(s) will not be harassed because of their race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression, gender identity, mental or physical disability, or other distinguishing characteristics.

Any school staff who observes, overhears, or otherwise witnesses harassment, intimidation, or bullying or to whom such actions have been reported must take prompt and appropriate action to stop the harassment, intimidation, or bullying, and to prevent its recurrence.

### B. Definitions

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

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

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, or 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 individual is intimidated, threatened, coerced, or discriminated against for reporting harassment, intimidation, or bullying, or participating in an investigation.

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

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

### C. **Behaviors / Expressions**

“Harassment,” ‘intimidation,’ and ‘bullying’ are separate but related behaviors. Although this procedure differentiates the three behaviors, this differentiation should not be considered part of the legal definition of these behaviors. Harassment refers to any malicious act, which causes harm to any person's physical well being. It can be discriminatory harassment, malicious harassment, or sexual harassment. Intimidation refers to implied or overt threats of physical violence. Bullying refers to unwanted aggressive behavior(s) by another youth or group of youths that involves an observed or perceived power imbalance and is repeated multiple times or is highly likely to be repeated. Bullying may inflict harm on the targeted youth including physical harm. Bullying can also occur electronically using a variety of platforms and is called electronic bullying or cyberbullying

### D. **Relationship to Other Laws**

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

At least four Washington laws may apply to harassment or discrimination:

1. [RCW 28A.300.285 – Harassment, Intimidation and Bullying](#)
2. [RCW 28A.640.020 – Sexual Equality](#)
3. [RCW 28A.642 – Prohibition of Discrimination in Public Schools](#)
4. [RCW 49.60.010 – The Law Against Discrimination](#)

The district will ensure its compliance with all state laws regarding harassment, intimidation, or bullying. Nothing in this procedure prevents a student, parent/guardian, school or district from taking action to remediate harassment or discrimination based on a person’s membership in a legally protected class under local, state, or federal law.

### E. **Prevention**

#### 1. **Dissemination**

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

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

Additional distribution of the policy and procedure is subject to the requirements of chapter 392-405 WAC

#### 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 process.

#### 3. **Training**

The district compliance officer will participate in at least one mandatory training opportunity offered by OSPI. Staff will receive annual training on the school district’s policy and procedure, including, at a minimum, 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.

#### **F. Compliance Officer**

The district compliance officer will:

1. Serve as the district's primary contact for harassment, intimidation, or bullying. If the allegations in a written report of harassment, intimidation, or bullying indicate a violation of Policy 3207, the district staff member who receives the report must promptly notify the district compliance officer.
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.
4. Communicate with the school district's designated civil rights compliance coordinator, if a written report of harassment, intimidation, or bullying indicates a potential violation of the district's nondiscrimination policy [Policy 3210], or if during the course of an investigation, the district becomes aware of a potential violation of the district's nondiscrimination policy. At that time, the compliance officers must promptly notify the complainant that their complaint will proceed under both this policy / procedure and the nondiscrimination policy / procedure. The investigation and response timeline for the nondiscrimination procedure begin when the school district knows or should have known that a written report or investigation of Harassment, Intimidation, or Bullying involves a potential violation of the district's nondiscrimination policy;
5. 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;
6. Ensure implementation of the policy and procedure by overseeing the investigative processes, including ensuring that investigations are prompt, impartial, and thorough;
7. Assess the training needs of staff and students to ensure successful implementation throughout the district, and ensure staff receive annual fall training;
8. Provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis; and
9. 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).

#### **G. 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, other than tracking, to ensure they are not repeated.

#### **H. Filing an Incident Reporting Form**

Incident Reporting Forms may be used by students, families, or staff to report incidents of harassment, intimidation or bullying. A sample form is provided on the Office of Superintendent of Public Instruction's (OSPI) School Safety Center website:

[www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx](http://www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx)

Any student or students who believe they have 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.

## I. **Addressing Harassment, Intimidation, or Bullying – Reports**

### **Step 1: Filing an Incident Reporting Form**

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

#### Status of Reporter

##### 1. **Anonymous**

Individuals may file a report without revealing their identity. No disciplinary action will be taken against an alleged aggressor based solely on an anonymous report. Anonymous reports can be filed at the school or district office as written statements or using the Incident Reporting Form. Individuals may ask that their identities be kept secret from the accused and other students. Like anonymous reports, no disciplinary action will be taken against an alleged aggressor based solely on a confidential report. (Example: A student tells a playground supervisor about a classmate being bullied but asks that nobody know who reported the incident. The supervisor says, “I won’t be able to punish the bullies unless you or someone else who saw it is willing to let me use their names, but I can start hanging out near the basketball court, if that would help.”)

##### 2. **Non-confidential**

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

### **Step 2: Receiving an Incident Reporting Form**

All staff are responsible for receiving oral and written reports. Whenever possible staff who initially receive an oral or written report of harassment, intimidation, or bullying 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 392-190-065 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, or 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 five (5) school days from the initial complaint or report. If more time is needed to complete an investigation, the district will provide the parent/guardian and/or the student with weekly updates.
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 HIB compliance officer.

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

After completion of the investigation, the school or district designee will institute any corrective measures necessary. Corrective measures will be instituted as quickly as possible, but in no event more than five (5) school days after contact has been made to the families or guardians regarding the outcome of the investigation. Corrective measures that involve student discipline will be implemented according to [district policy and procedure 3241](#), Student Discipline. If the accused aggressor is appealing the imposition of discipline, the district may be prevented by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.

If in an investigation a principal or principal's designee found that a student knowingly made a false allegation of harassment, intimidation or bullying, that student may be subject to corrective measures, including discipline.

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

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. The superintendent or designee's decision will be the final district decision for a Harassment, Intimidation, or Bullying appeal.

Appeals for discriminatory harassment will follow the appeal procedure identified in district policy and procedure 3210, Nondiscrimination.

#### **Step 6: Discipline/Corrective Action**

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

Corrective measures for a student who commits an act of harassment, intimidation, or bullying will be varied and graded according to the nature of the behavior, the developmental age of the student, or the student's history of problem behaviors and performance. Corrective measures that involve student discipline will be implemented according to [district policy and procedure 3241](#), Student Discipline.

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 7: Support for the Targeted Student**

Persons found to have been subjected to harassment, intimidation or bullying will have appropriate district support services made available to them, and the adverse impact of the harassment on the student will be addressed and remedied as appropriate.

## J. 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.

## K. Other Resources

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

- OSPI Equity and Civil Rights Office (for discrimination complaints)  
360.725.6162  
Email: [equity@k12.wa.us](mailto:equity@k12.wa.us)  
<https://www.k12.wa.us/policy-funding/equity-and-civil-rights>
- Washington State Human Rights Commission  
800.233.3247  
[www.hum.wa.gov/index.html](http://www.hum.wa.gov/index.html)
- Office for Civil Rights, U.S. Department of Education, Region IX  
206.607.1600  
Email: [OCR.Seattle@ed.gov](mailto:OCR.Seattle@ed.gov)  
[www.ed.gov/about/offices/list/ocr/index.html](http://www.ed.gov/about/offices/list/ocr/index.html)
- Department of Justice Community Relations Service  
877.292.3804  
[www.justice.gov/crt/](http://www.justice.gov/crt/)
- Office of the Education Ombuds  
866.297-2597  
Email: [OEInfo@gov.wa.gov](mailto:OEInfo@gov.wa.gov)<http://oeo.wa.gov/>
- OSPI Safety Center  
360.725-6044  
<https://www.k12.wa.us/student-success/health-safety/school-safety-center>

## L. 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.

Adoption Date: 5/25/11

Classification: **Essential**

Revised Dates: **11.10; 05.11; 11.15, 10/28/19**

### **Safe Schools (Vector Solutions) Online Training**

The district requires all employees and substitutes to complete a set of online courses. The Safe Schools system will notify you by email when you are set up in the system and able to access the required courses. Each training typically takes 20-30 minutes each. The courses required to be completed prior to October 1<sup>st</sup> for certificated employees and within 30 days for new classified employees will vary based on one's last name.

*You will need your Employee ID# to log on. If you don't have this number, or you need help logging in, you can call the district office for help.*

Directions: On the district website, [www.upsd83.org](http://www.upsd83.org), click Staff, Human Resources, Safe Schools. In the username box, enter your Employee ID#. On the next screen, verify that your name is showing on the Welcome sentence, and click the box "Log Me In." The courses you need to take will show up under Mandatory Training.

Click the course name and the training presentation will begin. At the end of the module you will take a short quiz. You need a passing score of 80+% to move on to the next course.

### **Sexual Harassment of District Staff Prohibited - Policy 5011**

This district is committed to a positive and productive working environment free from discrimination, including sexual harassment. This commitment extends to all employees, coaches, volunteers, contractors and other persons involved in school district programs.

#### **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 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 intimidating, 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 and take 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 to end sexual harassment, eliminate the hostile environment, prevent its recurrence and, as appropriate, remedy its effects.

Engaging in sexual harassment will result in discipline, up to and including discharge from employment, or other appropriate remedies, with the offending staff or third parties in order to correct and prevent the inappropriate behaviors.

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 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.

### **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 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 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 report, informal complaint, or written complaint about sexual harassment is responsible for informing the district's Civil Rights/Title IX Officer. 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 Civil Rights/Title IX Officer.

### **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 provided to each employee and reproduce in each staff handbook. Such notices will identify the District's Civil Rights/Title IX Officer and provide contact information, including the coordinator's email address.

### **Policy Review**

The superintendent will make an annual report to the board reviewing the use and efficacy of this policy and related procedures.

Cross References:	3205 - Sexual Harassment of Students Prohibited
	3207 - Prohibition of Harassment, Intimidation and Bullying
	3210 - Nondiscrimination
	3211 - Transgender Students
	3240 - Student Conduct
	3421 - Child Abuse, Neglect, and Exploitation Prevention
	5010 - Nondiscrimination and Affirmative Action
Legal References:	RCW 28A.640.020 Regulations, guidelines to eliminate discrimination — Scope — Sexual harassment policies
	WAC 392-190-058 Sexual harassment
	20 U.S.C. 1681-1688

Adoption Date: **11/4/15**

Classification: **Essential**

Revised Dates: **10.11; 12.14; 07.15**

## **Procedure Sexual Harassment of District Staff Prohibited - Policy 5011P**

The procedure is intended to set forth the requirements of Policy 5011, including the process for a prompt, and thorough, 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 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 in each school building in a place available to staff, parents, volunteers and visitors. Information about this policy and procedure will be provided to each employee and reproduced in each staff 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 University Place Educational Service Center, 3717 Grandview Drive West, University Place, WA 98466-2138.

### **Staff Responsibilities**

In the event of an alleged sexual assault, the school principal will immediately inform: 1) the Civil Rights/Title IX Officer 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 University Place School District's Civil Rights/Title IX Officer, Superintendent or Human Resources Administrator for evaluation. The Civil Rights/Title IX Officer, Superintendent or Human Resources Administrator 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 witnesses who provided information. 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 University Place School District's Civil

Rights/Title IX Officer, Superintendent or Human Resources Administrator. 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.

Informal complaints may become formal complaints at the request of the complainant or because the district believes the complaint needs to be more thoroughly investigated. The district will inform the complainant 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.

### **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 Civil Right/ Title IX Officer may draft the complaint based on the report of the complainant for the complainant to sign, review and approve. The superintendent or Civil Rights/Title IX Officer 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 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 Civil Rights/Title IX Officer, University Place Educational Service Center, 3717 Grandview Drive, West, University Place, WA 98466-2138. Any district employee who receives a complaint that meets these criteria will promptly notify the Civil Rights/Title IX Officer.

## **Investigation and Response**

- The Civil Rights/Title IX Officer will receive and investigate all formal, written complaints of sexual harassment or information in the Officer's possession that they believe requires further investigation. The Officer 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 Officer will provide the complainant a copy of this procedure.
- Investigations will be carried out in a manner that is thorough 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 union representative 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 Officer will compile a full written report of the complaint and the results of the investigation.

## **Superintendent Response**

- The superintendent 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 superintendent or designee 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 other support), and notice of potential sanctions for the perpetrator(s) (e.g., discipline).
- The superintendent 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. If the complaint alleges discriminatory harassment by a named party or parties, the Officer 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 or grievances through the appropriate negotiated bargaining agreement process or anti-discrimination policy.
- The district will inform the complainant 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.

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

### **Notice of Appeal and Hearing**

- If a complainant disagrees with the superintendent or designee's written decision, the complainant may appeal the decision to the district board of directors, by filing a written notice of appeal with the secretary of the board within ten (10) calendar days following the date upon which the complainant received the response.



- The board 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.

### **Decision**

- Unless otherwise agreed to by the complainant, the board will render a written decision within thirty (30) calendar days following the filing of the notice of appeal and provide the complainant with a copy of the decision.
- The decision 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 board of directors, 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 person, the complaint must also include the name, address, and contact information for the alleged perpetrator.

### **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 | 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

## **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 and students 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.

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.

### **Policy and Procedure Review**

Annually, the superintendent or designee will convene an ad hoc committee composed of representatives of certificated and classified staff, volunteers, students and parents to review the use and efficacy of this policy and procedure. The Civil Rights/Title IX-Officer will be included in the committee. Based on the review of the committee, the superintendent will prepare a report to the board including, if necessary, any recommended policy changes. The superintendent will consider adopting changes to this procedure if recommended by the committee.

**Revised Dates: 08.06; 10.11; 03.14; 01.15; 06.15; 11.15**

### **Social Media Guidelines**

Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing websites (e.g. YouTube), editorial comments posted on the Internet, virtual reality sites and social networking sites (e.g. Facebook, Instagram, Twitter, LinkedIn, etc.). Electronic media also includes all forms of telecommunication such as landlines, cell phones, and Web-based applications.

Electronic communications and social media websites have become part of our everyday lives. They are how more and more people interact with each other. While these sites allow people to interact in ways never before seen, they bring with them a new level of responsibility for the user. Across the country, employees – both in the public and private sectors – have done things in the “online world” that have affected their careers. There are cases where employees have been disciplined or terminated because of something that appeared on an online social media website or other online communication.

The purpose of this information is to provide employees with guidance on what they should and shouldn't do in the cyber world. The goal is to help staff avoid any unintended situations that could potentially have an adverse effect on their employment status. Employees do not have a right to privacy with respect to their electronic media communications with students and parents.

When using social media sites, all district guidelines for acceptable use and appropriate boundaries still apply. Please reference:

- Policy 5253 Maintaining Professional Staff / Student Boundaries
- WAC 181-87 Code of Professional Conduct
- Policy 2022 Electronic Resources: Internet / Network Acceptable Use Policy

Some additional points to be aware of include the following:

- Employees will be held to the same professional standards in their public use of electronic media as they are for any other public conduct.
- Employees are expected to conduct themselves in a professional and appropriate manner when dealing with students and parents.
- All official communication between district staff and students should be handled through official district channels, i.e. use district email, do not use personal email. Refrain from accepting UPSD students as “friends” on social networking sites.
- Participation in social networking sites for work purposes must be done with the knowledge and approval of the employee's supervisor when student involvement is anticipated or immediately following the commencement of any unanticipated student involvement.

- Employees are expected to notify parents when social media is used to communicate with students for any purpose.
- Employees are expected to be familiar with the administration of the service. Specific attention should be focused on how to set up privacy controls.
- Employees are expected to be familiar with their target audience when posting items online as some may be perceived as offensive to some recipients and may be a violation of state and/or district rules and policies.
- If material posted on said website for personal reasons interferes with an employee's ability to perform his/her job, it may be subject to disciplinary action up to and including termination.
- Employees should never post information that is considered proprietary, copyrighted, defamatory, libelous or obscene (as defined by the courts) as it may be a violation of state and/or district rules and policies.
- Employees do not have a right to privacy with respect to their electronic media communications with students and parents.
- Employees should think carefully before completing a post or hitting the send button; consider whether a particular posting puts your professional reputation and effectiveness as a District employee at risk.

The reality is that both the Internet and social networking sites are constantly changing and these guidelines are intended to give employees points to consider when using these tools.

Common sense and professional decorum are a District expectation. The application of this policy will be consistent with federal law.

#### **Staff Hiring, Treatment, Compensation and Evaluation - EL-4**

With respect to treatment of staff, the superintendent shall ensure that staff members are treated with respect and dignity. With respect to employment compensation and benefits for employees, the superintendent shall employ the highest quality staff at the most reasonable cost to the district and recommend for board approval, salary schedules that represent fair, competitive compensation for employees while ensuring the fiscal integrity and public image of the district. With respect to evaluation of employees, the superintendent shall implement an evaluation system that measures employee performance in terms of achieving and complying with the Board's policies.

Accordingly, the superintendent shall effect:

- 1) A working environment for staff that is safe, civil and otherwise conducive to teaching and learning;
- 2) Hiring practices that implement the district's affirmative action plan and ensure reasonable background inquiries of employees and volunteers;
- 3) Familiarity of the staff with this policy and personnel policies that, among other things, provide effective handling of grievances and protect against discrimination, harassment and other mistreatment;
- 4) Employee access to the Board when administrative grievance procedures are exhausted and the employee alleges that district policy has been violated;
- 5) Safe handling of confidential information; and
- 6) Administration of an evaluation system that: improves instruction; accurately and completely measures and documents performance of all employees; encourages professional growth; and links employee performance with multiple measures of targeted outcomes.

<b>Adopted:</b>	<b>July 10, 2019</b>
<b>Monitoring Method:</b>	<b>Internal Report</b>
<b>Monitoring Frequency:</b>	<b>Annually in June</b>

# Substitutes

Any teacher requiring the services of a substitute will use our electronic sub online system.

[www.substituteonline.com](http://www.substituteonline.com)



With 3 clicks you **Log-on**, **Enter a New Absence** and **Submit** the absence.

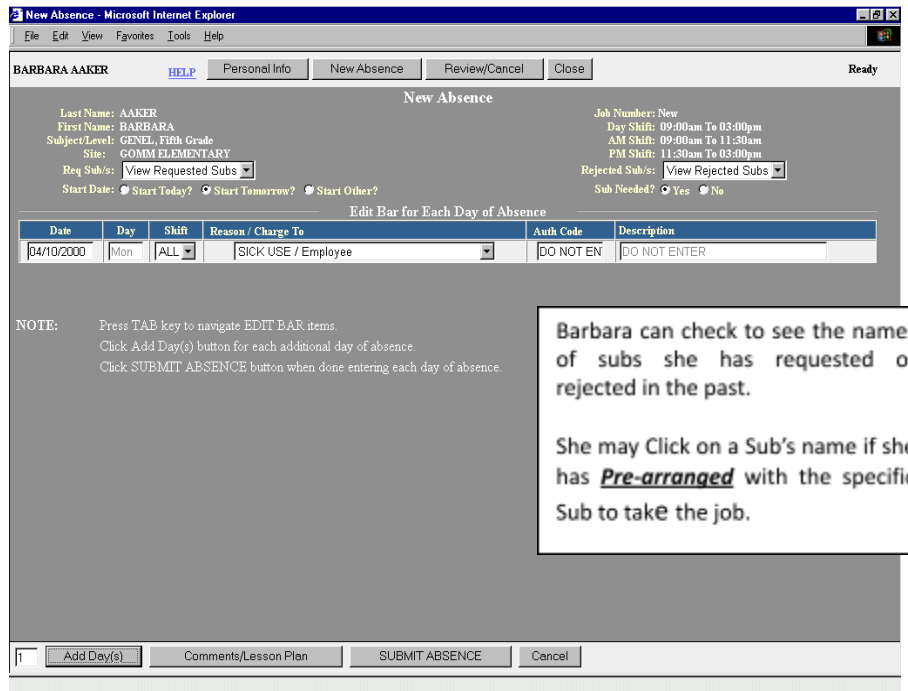
As an **approved** employee, you must first Logon. The Logon screen should appear with the Logon button visible. If you do not see the Logon button, you need to first adjust your System Monitor Properties to 800 by 600 pixels.

The program requires your **Last Name** and **Password**. Click the **Logon** button when ready. The program assumes you are reporting a **New Absence**.

The option to enter a new absence appears automatically.

Barbara Aaker teaches 5<sup>th</sup> grade at Gomm Elementary. She is logging in on Sunday evening so the system assumes she will be absent tomorrow, Monday, ALL day shift due to SICK USE charged to her. She may make changes on this **Edit Bar** regarding the date, shift, and/or reason. If it is only for one day, she may click **SUBMIT ABSENCE** now.

If her absence is for several days in a row, she may click Add Days for each consecutive day.



NOTE: Press TAB key to navigate EDIT BAR items.  
Click Add Day(s) button for each additional day of absence.  
Click SUBMIT ABSENCE button when done entering each day of absence.

Barbara can check to see the names of subs she has requested or rejected in the past.

She may Click on a Sub's name if she has **Pre-arranged** with the specific Sub to take the job.

She may also leave detailed lesson plans, update them at any time or copy and paste.

Help is just a click away

At any time she may click the **Review/Cancel** button to verify a sub or cancel an absence request.

New Absence - Microsoft Internet Explorer

File Edit View Favorites Tools Help

BARBARA AAKER [HELP](#) Personal Info New Absence Review/Cancel Close

Ready

**New Absence**

Last Name: AAKER Job Number: New  
First Name: BARBARA Day Shift: 09:00am To 03:00pm  
Subject/Level: GENEL, Fifth Grade AM Shift: 09:00am To 11:30am  
Site: GONIM ELEMENTARY PM Shift: 11:30am To 03:00pm  
Req Sub/s: [View Requested Subs](#) Rejected Sub/s: [View Rejected Subs](#)  
Start Date:  Start Today?  Start Tomorrow?  Start Other? Sub Needed?  Yes  No

**Edit Bar for Each Day of Absence**

Date	Day	Shift	Reason / Charge To	Auth Code	Description
04/11/2000	Tue	ALL	SICK USE / Employee	DO NOT EN	DO NOT ENTER

**Actual Days of Absence**

Cancel	Day	Date	Shift	Reason / Charge To	Auth Code	Description
<input type="checkbox"/>	Mon	04/10/2000	ALL	SICK USE / Employee	None	None

**Microsoft Internet Explorer**

You are submitting this 1 day absence. Your absence DOES require a substitute. After pressing OK, the screen will clear and you may choose the Review/Cancel option to verify your confirmation number and the current substitute status.

OK Cancel

1 Add Day(s) Comments/Lesson Plan SUBMIT ABSENCE Cancel

Start C Bernasconi - DeskTracy http://www.substituteonlin... New Absence - Micro... Microsoft Word - Document1

The 3<sup>rd</sup> and final click is to say OK if the confirmation screen is correct. Barbara will then receive a confirmation number.

## Suicide / Emotional Crisis Prevention and Reporting

- REPORT suicide threats, suicidal comments or other signs of emotional crisis to a school counselor and/or administrator immediately.
- Keep students in crisis under continual supervision. DO NOT RELEASE students until a report is made.
- The UPSD Suicide/Emotional Crisis Response and Prevention Plan is available online.
- Each school has a “student support team” consisting of administrators, counselors and other staff. Members of this team can respond when students are in crisis.

## Use of Tobacco and Nicotine Products and Delivery Devices - Policy 4215

The board of directors recognizes that to protect students from exposure to the addictive substance of nicotine, employees and officers of the school district, students, and all members of the community, must 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.

Notices advising students, district employees and community members of this policy will 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:      5201 - Drug-Free Schools, Community and Workplace  
                                 3416 - Medication at School  
                                 3241 - Classroom Management, Corrective Actions Or Punishment

Legal References:      RCW 28A.210.270 Public and private schools — Administration of medication  
                                 — Immunity from liability — Discontinuance, procedure.  
                                 RCW 28A.210.260 Public and private schools — Administration of medication  
                                 — Conditions.  
                                 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

Management            2014 - February Issue  
Resources:              2010 - December Issue  
                                 2010 - October Issue

Adoption Date: **10/22/14**

Classification: **Essential**

Revised Dates: **2/28/18, 12/17/19**

## Use of District Equipment or Facilities for Private Gain

State statutes and regulations prohibit the use of public property and equipment for personal gain. Employees may request to use district facilities for purposes related to their professional position through the principal/supervisor of the facility being requested. Requests for use of district facilities for private purposes must be submitted on a Facility Use Application/ Agreement form to the business office.

District equipment, such as copy machines, computers, vehicles, shop equipment and tools, etc. is not to be used for personal gain or to promote a private enterprise even though an offer to pay may be made.

Employees may be subject to searches of their work area, computer, email, property, or vehicle located on district property at management's discretion, and that they will be expected to cooperate or risk discipline. There should be no expectation of privacy. Employees should not bring any personal belongings to the worksite that they wish to keep private.

## Whistleblower Protection Act

Employees who seek to prevent, or who report acts by governmental officials which the employee believes to be unlawful or against the public interest, are entitled to protection against discharge or other forms of retaliation by their employers. These protections flow from the state and federal constitutions and from several state statutes, including RCW 42.41.

## Workers' Compensation Filing Information

### IF A JOB INJURY OR DISEASE OCCURS:

University Place School District is subject to Washington industrial insurance laws and has been approved by the state to cover its own workers' compensation benefits. Self-insured employers must provide all benefits required by the laws. The Department of Labor and Industries regulates your employer's compliance with these laws. If you become injured on the job or develop an occupational disease, you will be entitled to industrial insurance benefits. Your claim will be handled and your benefits paid by your employer.

### IN CASE OF INJURY OR DISEASE:

**REPORT YOUR INJURY OR DISEASE to your supervisor (listed below).**

Your employer will provide you with information for completing the online "Self-Insured Accident Report" (SIF-2). You should complete this form before you seek medical treatment, if possible.

In the event that you sustain an injury as a result of a third party who is not an employee of this organization, you may elect to seek damages from that third party. It is essential that you contact our claims administration office, Puget Sound Workers' Compensation Trust, and advise them of the nature and cause of your injuries prior to entering into any agreement with the responsible third party.

**GET MEDICAL CARE. You have the right to go to the doctor of your choice.**

Complete a "Physician's Initial Report" form at your doctor's office. Have your doctor mail this form to your employer's claims administration address listed below. The claims administrator will evaluate your claim for benefits. All medical bills that result from an allowable on the job injury or occupational disease will be paid by your employer. You may be entitled to wage replacement or other benefits. Your employer will explain this to you.



**IMPORTANT:**

*Your employer cannot deny you the right to file a claim, and your employer cannot penalize you or discriminate against you for filing a claim.* Every worker is entitled to workers' compensation benefits for any injury or illness which results from his/her job.

*Any false claim filed by a worker may be prosecuted to the full extent of the law.*

If you have any questions or concerns, contact your employer's representative (at the claims administration address or phone number below), or call the Department of Labor and Industries, Self-Insurance Section (360) 902-6901.

**EMPLOYER MUST COMPLETE THE FOLLOWING:**

**Report your injury to:**

Your Supervisor

**Claims administration address:**

Puget Sound Workers' Compensation Trust  
800 Oakesdale Ave SW  
Renton WA 98057-5221  
425-917-7667  
253-778-7667 (Tacoma area toll free)

**Workforce Secondary Traumatic Stress - Policy 5515**

**Purpose**

The University Place School Board is committed to preventing and addressing secondary traumatic stress for District personnel by supporting mental health in the workplace. Everyday school staff work with students experiencing trauma and loss. As a result, teachers, school counselors, administrators, and other school staff may experience secondary traumatic stress. Secondary traumatic stress may occur when one person learns firsthand of the traumatic experiences of another. Symptoms of secondary traumatic stress can be wide-ranging, disruptive and harmful.

**Policy Statement**

The District will promote a positive workplace climate that includes a focus on diversity and inclusion. The district will establish a district-wide workforce mental health committee with the following functions:

- Share secondary traumatic stress, stress management, and other mental health resources with staff;
- Share links to a secondary traumatic stress self-assessment tool;
- Report to the Board at least once per year with a summary of committee activities.

The District will regularly assess district-level and school building-level implementation of this policy and procedure. The assessment will include input from the District's workforce. The District will provide appropriate resources and training to staff for continuous improvement.

Legal References: 28A.300 RCW  
28A.400 RCW

Adoption Date: 8/11/2021  
Classification: **Essential**

**Procedure – Workforce Secondary Traumatic Stress - Policy 5515 P**

**District-wide Workforce Mental Health Committee**

- A. The District will establish a District-Wide Workforce Mental Health Committee composed of classified, certificated and administrative staff members. The District will seek committee members who have the interest and skills to best serve the committee.
- B. The committee will seek resources related to secondary traumatic stress from OSPI, the ESD, and the School Employees' Benefits board.
- C. Materials and resources related to secondary traumatic stress will be shared with district staff. D. The duties of the committee will include:
  - Sharing supports available through the Office of the Superintendent of Public Instruction, the Educational Service District, and the School Employees' Benefits Board;
  - Sharing links to a secondary traumatic stress self-assessment tool;
  - Utilizing data collected from staff
  - Providing a written report to the Board at least once per year with a summary of committee activities.

Adoption Date: 8/11/2021  
 Classification: **Essential**

## **UPSD Discrimination and Sexual Harassment Complaint Procedures**

### **DISCRIMINATION**

University Place School District does not discriminate in any programs or activities on the basis of sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog guide or service animal and provides equal access to the Boy Scouts and other designated youth groups. The following employee(s) has been designated to handle questions and complaints of alleged discrimination:

- Civil Rights Coordinator, Lainey Mathews, lmathews@upsd83.org, 3717 Grandview Drive West, University Place, WA 98466, and 253-566-5600
- Title IX Coordinator, Lainey Mathews, lmathews@upsd83.org, 3717 Grandview Drive West, University Place, WA 98466, and 253-566-5600
- Gender-Inclusive Schools Coordinator, Lainey Mathews, lmathews@upsd83.org, 3717 Grandview Drive West, University Place, WA 98466, and 253-566-5600
- Section 504 Coordinator, Kelly McClure, kmclure@upsd83.org, 3717 Grandview Drive West, University Place, WA 98466, and 253-566-5600

**You can report discrimination and discriminatory harassment** to any school staff member or to the district's Civil Rights Coordinator, listed above. You also have the right to file a formal complaint (see below). For a copy of the district's nondiscrimination policy and procedure, contact your school or district office or on our website at [www.upsd83.org](http://www.upsd83.org).

### **SEXUAL HARASSMENT**

Students and staff are protected against sexual harassment by anyone in any school program or activity, including on the school campus, on the school bus, or off-campus during a school-sponsored activity.

#### **Sexual Harassment as defined by Washington State Law RCW 28A.640.020:**

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

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

### **Examples of Sexual Harassment:**

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

### **Sexual Harassment as defined by Title IX Regulations:**

Under Title IX Law, no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Sexual Harassment is conduct on the basis of sex that satisfies one or more of the following:

- An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
- Sexual assault, dating violence, domestic violence, or stalking as defined by the Clery Act.

**You can report sexual harassment** to any school staff member or to the district's Title IX Coordinator, who is listed above. You also have the right to file a complaint (see below). For a copy of your district's sexual harassment policy and procedure, contact your school or district office, or on our website at [www.upsd83.org](http://www.upsd83.org).

### **COMPLAINT OPTIONS: DISCRIMINATION AND SEXUAL HARASSMENT**

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

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

#### **Complaint to the School District**

**Step 1. Write Out Your Complaint** - In most cases, complaints must be filed within one year from the date of the incident or conduct that is the subject of the complaint. A complaint must be in writing. Be sure to describe the conduct or incident, explain why you believe discrimination, discriminatory harassment, or sexual harassment has taken place, and describe what actions you believe the district should take to resolve the problem. Send your written complaint-by mail, fax, email, or hand delivery-to the district superintendent or civil rights compliance coordinator.

**Step 2: School District Investigates Your Complaint** - Once the district receives your written complaint, the coordinator will give you a copy of the complaint procedure and make sure a prompt and thorough investigation

takes place. The superintendent or designee will respond to you in writing within 30 calendar days-unless you agree on a different time period. If your complaint involves exceptional circumstances that demand a lengthier investigation, the district will notify you in writing to explain why staff need a time extension and the new date for their written response.

**Step 3: School District Responds to Your Complaint** - In its written response, the district will include a summary of the results of the investigation, a determination of whether or not the district failed to comply with civil rights laws, notification that you can appeal this determination, and any measures necessary to bring the district into compliance with civil rights laws. Corrective measures will be put into effect within 30 calendar days after this written response-unless you agree to a different time period.

### **Appeal to the School District**

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

### **Complaint to OSPI**

If you do not agree with the school district's appeal decision, state law provides the option to file a formal complaint with the Office of Superintendent of Public Instruction (OSPI). This is a separate complaint process that can take place if one of these two conditions has occurred: (1) you have completed the district's complaint and appeal process, or (2) the district has not followed the complaint and appeal process correctly.

You have 20 calendar days to file a complaint to OSPI from the day you received the decision on your appeal. You can send your written complaint to the Equity and Civil Rights Office at OSPI:

**Email:** [Equity@k12.wa.us](mailto:Equity@k12.wa.us) **Fax:** 360-664-2967

**Mail or hand deliver:** PO Box 47200, 600 Washington St. S.E., Olympia, WA 98504-7200

For more information, visit [www.k12.wa.us/Equity/Complaints.aspx](http://www.k12.wa.us/Equity/Complaints.aspx), or contact OSPI's Equity and Civil Rights Office at 360-725-6162/TTY: 360-664-3631 or by e-mail at [equity@k12.wa.us](mailto:equity@k12.wa.us).

### **Other Discrimination Complaint Options**

Office for Civil Rights, U.S. Department of Education,

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*

1-800-233-3247 | TTY: 1-800-300-7525 | [www.hum.wa.gov](http://www.hum.wa.gov)