

STUDENT RIGHTS

DUE PROCESS

Students may be subject to discipline, suspension or expulsion, including emergency expulsion, for violating district policies and regulations and school rules. The procedures for appealing these actions are found in Policy 3241, Regulation 3241R and WAC 392-400-240 through 320. In general, these require that student discipline be administered fairly and equitably and be subject to due process considerations. Copies of all policies and regulations, including Policy 3240 and Regulation 4210R, are available from the Public Information Office in the Central Administration Building or on the district's Web site at www.tacomaschools.org/school-board/policies/index.asp.

FREEDOM OF EXPRESSION

1. Students are entitled to express their personal opinions verbally, symbolically and in writing. Student expression may not contain language or ideas of such a nature that it is reasonably probable that the expression will cause violent or unlawful behavior, be libelous, slanderous, profane, vulgar or obscene, or will materially and substantially interfere with the maintenance and operation of the schools, including, but not limited to, the preservation of the educational process. Intentionally intimidating, demeaning, harassing or threatening any students or staff based on race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital or veteran status, or disability will not be tolerated. The district also prohibits the use of racial, ethnic, and/or sexual slurs, including sexual harassment.

2. School-sponsored student publications and presentations are not public forums. School officials may review and exercise editorial control over school-sponsored student publications and presentations.

3. To prevent interference with the school program by non-school publications and distribution of leaflets and handbills, the principal will determine the time and place of distribution and clarify student responsibility for content.

4. Student groups which are not authorized by the Associated Student Body may conduct meetings during non-instructional time by submitting an application to the school principal. School personnel may not participate in the meeting and non-students may not initiate, direct, control or regularly attend the meetings.

5. Freedom of peaceful assembly is regulated in time, place and manner by the building administrator.

Demonstrations which interfere with the operation of the school or classroom are prohibited. Class attendance takes precedence over freedom to assemble.

6. Commercial solicitation is not allowed unless authorized by the principal.

7. Distribution of unlawful materials in school buildings or on the grounds is prohibited.

8. Any violation by any student(s) of the limitations of freedom of expression may subject the student to such discipline (to include suspension/expulsion) as may be deemed appropriate by the school authority, provided that such discipline occurs only for just cause and is in accordance with due process of law. (RCW 28A.600.010, RCW 28A.305.160)

HARASSMENT, INTIMIDATION AND BULLYING

The board of directors is committed to a safe and civil educational environment for all students, employees, volunteers and patrons, free from harassment, intimidation or bullying. This environment stresses the prevention of harassment, intimidation or bullying by integrating prevention and intervention education into building and support sites through a coalition of students, staff and parents.

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

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

"Other distinguishing characteristics" can include, but are not limited to, physical appearance, clothing or other apparel, socioeconomic status, gender identity and marital status. Harassment, intimidation or bullying can take many forms including: slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, hazing or other written, oral or physical actions. "Intentional acts"

refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

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

The goals of this policy include appropriate intervention, restoration of a positive climate, and support for victims and others impacted by the violation. The district will take prompt, equitable and remedial action within its authority on reports, complaints and grievances alleging harassment, intimidation or bullying that come to the attention of the district, either formally or informally. Depending upon the frequency and severity of the conduct, appropriate responses to violations of this policy may include intervention, counseling, correction, discipline and/or referral to law enforcement to remediate the impact on the victim and the climate, and to change the behavior of the perpetrator. Child abuse shall be reported to law enforcement or Child Protective Services, as required by law, and criminal misconduct will be reported to law enforcement.

Students, staff, district contractors or volunteers who engage in harassment, intimidation or bullying will receive appropriate discipline, sanctions or other appropriate interventions. Other school visitors who engage in this conduct will have their access to school property and activities restricted, and their actions will be reported to the proper authorities, as appropriate.

False reports or retaliation for harassment, intimidation or bullying also constitute violations of this policy. Coercion, discrimination or reprisals taken against persons filing complaints or persons acting as witnesses to complaints shall result in appropriate disciplinary action or sanctions according to district policy or other applicable laws or regulations. Persons who knowingly file false allegations or report or corroborate false allegations shall also be subject to appropriate disciplinary action or sanctions according to district policy or other applicable laws or regulations.

In accordance with applicable laws and regulations, students, parents, staff, volunteers and other interested parties shall be informed of this policy and the accompanying regulation pertaining to the filing of complaints. The policy shall be posted in each district building and information regarding it will be provided in student, staff, volunteer and parent handbooks. District employees and volunteers will be provided with

appropriate information on the recognition and prevention of harassment, intimidation and bullying and their rights and responsibilities under this policy.

Annually, for the first three years after adoption of this policy, the superintendent or designee shall 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 regulation. The superintendent's designated compliance officer will be included in the committee. The superintendent shall make an annual report to the board reviewing the use and changes to the policy and regulation, if applicable. The superintendent is encouraged to involve staff, students, volunteers and parents in the review process.

NOTIFICATION OF THREATS OF VIOLENCE OR HARM

Individual-directed threats of violence or harm are communications that create fear of physical harm to a specific individual or individuals, communicated directly or indirectly by any means.

Building-directed threats of violence or harm are direct or indirect communications by any means of the intent to cause damage to a school building or school property (e.g., bomb threats), or to harm students, employees, volunteers, patrons or visitors.

The district will address threats of violence or harm in a manner consistent with the district's safety policies and comprehensive safe-school plans.

Students and school employees who are subjects of threats of violence or harm shall be notified of the threats in a timely manner. Timing and details of the notice will be as extensive as permitted by the federal Family Educational Rights and Privacy Act (FERPA), other legal limitations and the circumstances.

Persons found to have made threats of violence or harm against district property, students, employees or others will be subject to relevant district discipline policies and will be referred to appropriate community agencies, which may include law enforcement and mental health services. District staff shall work with in-district and community-based professionals and services in all relevant disciplines to address threats of violence or harm, those threatened and those making the threats. Necessary information about the person making the threat shall be communicated by the principal to teachers and staff, including security personnel.

State law provides the district, school district directors and district staff with immunity from liability for

providing notice of threats in good faith. Persons who knowingly make a false notification of a threat are subject to appropriate district discipline policies and may be referred for prosecution.

SEXUAL HARASSMENT

It is the policy of Tacoma School District No. 10 to maintain a working and learning environment which provides for fair and equitable treatment for all its employees, students, parents, volunteers and others involved in school district activities, including freedom from sexual harassment. This policy also covers anyone else who engages in sexual harassment on school property or at school activities.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal and/or physical conduct of a sexual nature when:

- submission to the conduct or communication is either explicitly or implicitly made a term or condition of an individual's employment, grades, work opportunity or other benefits;
- submission to or rejection of the conduct or communication is used as a factor for employment/grade decisions or other school-related decisions affecting an individual; and/or
- such conduct or communication has the purpose or effect of substantially interfering with an individual's performance or creates an intimidating, hostile or offensive working/school environment.

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

The district will take prompt, equitable and remedial action on reports and complaints that come to its attention, either through formal or informal channels.

Allegations of criminal misconduct will be reported to the appropriate law enforcement agency, and suspected child abuse will be reported to law enforcement or Child Protective Services.

Individuals found to have been subjected to sexual harassment will have reasonable and appropriate school district services made available to them. Adverse consequences of the harassment shall be reviewed and remedied, if appropriate.

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending students, staff and contractors. Anyone else engaging in sexual harassment on school property or at

school activities will have access to school property and activities restricted, as appropriate.

Retaliation against any person who makes, or is a witness in, a sexual harassment complaint is prohibited and will be subject to appropriate disciplinary action.

Individuals who knowingly report false allegations of sexual harassment or corroborate false allegations will be subject to appropriate disciplinary action.

All staff members are responsible for receiving informal complaints and reports of sexual harassment and informing appropriate district personnel of the complaint or report for investigation and resolution. All staff members are also responsible for informing complainants of the formal complaint process. Staff members who fail to take prompt action to either report allegations or violation of this policy shall be subject to appropriate discipline. Administrators, managers and/or supervisors who fail to take prompt action upon receiving an allegation of sexual harassment shall be subject to action up to and including termination. The process for responding to allegations is outlined in the Discrimination Complaint Procedure.

All administrators, managers and supervisors shall receive training in this policy. Such training shall be conducted no less than every three years. New administrators shall receive training within ninety (90) days of their first day of work in the new position.

Information regarding this policy will be provided in student, staff and volunteer orientation. All students will receive information relative to this policy during the first semester of each school year. Each school shall develop a process for discussing the district's sexual harassment policy. The process shall ensure the discussion addresses the definition of sexual harassment and issues covered in this policy.

This policy shall be reproduced in each student, staff, parent and volunteer handbook. All parents will receive copies of this policy as a part of the Student Rights, Responsibilities and Regulations handbook. This policy shall be posted in each district building in a place available to staff, parents, volunteers and visitors. A copy of this policy shall appear in any publication of the school or school district setting forth the rules, regulations, procedures and standards of conduct for the school or school district.

The superintendent shall make an annual report to the board of directors reviewing the use and efficacy of this policy and related procedures. Recommendations for changes to this policy, if applicable, shall be included in the report.

Questions concerning the application of this policy are to be referred to the deputy superintendent, P.O. Box 1357, Tacoma, WA 98401-1357, telephone: 253.571.1011.

Individuals with complaints or concerns regarding application of this policy are encouraged to first contact the assistant to the superintendent. Complaints will be resolved in accordance with the Discrimination Complaint Procedure. An individual may also contact the U.S. Department of Education, Office for Civil Rights (OCR); Equal Employment Opportunity Commission (EEOC), Region X, Seattle; Washington State Human Rights Commission (HRC), Olympia; seek private legal advice or contact their local law enforcement agency, when appropriate. (Regulation 3210R/5010R)

DISCRIMINATION COMPLAINT PROCEDURE

1. Purpose: This procedure is to secure equitable solutions to discrimination complaints at the lowest possible administrative level.

2. Definition: A complaint is a claim based upon an alleged violation of Policy 3210, 5265, 5266 and/or state or federal laws, executive orders or regulations prohibiting discrimination on the basis of race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status or veteran status or disability. The district also prohibits the use of racial, ethnic and/or sexual slurs, including sexual harassment.

3. Procedure: Complaints shall be processed as rapidly as possible. The numbers of days indicated at each step shall be considered as maximum and every effort shall be made to expedite the process. Time limits may be extended by mutual consent. A letter confirming any extension will be sent. If mutual agreement to a timeline extension is not reached, the complainant may immediately appeal to the next level. In addition, in the event the district's representative fails to provide an answer at any level within the time limits prescribed, the complainant has the right to proceed immediately to the next level. The complaint will be considered abandoned and the matter settled in accordance with the district's official last answer if the complainant fails to appeal the decision to the next level within the designated appeal period.

4. Representation: At any level in the procedure, the complainant and/or responding party may have a representative present.

LEVEL ONE: When an employee, student, parent or volunteer has a complaint as defined in this regulation, he/she should consult with the building principal, immediate administrative supervisor or deputy superin-

tendent. A complaint must be filed within 180 calendar days after the occurrence. Every effort shall be made to solve the complaint at this level in an informal manner. If the complaint is not resolved informally, the complainant may present the complaint in writing to one of the aforementioned individuals. In all instances, the building principal or immediate supervisor shall notify the deputy superintendent that a complaint has been filed. Whenever possible, the Discrimination Complaint Form should be used. Within thirty (30) working days after the complaint is received, the principal, immediate administrative supervisor or deputy superintendent shall render a decision in writing and mail it to the complainant. Should the complainant determine the decision is unsatisfactory, he/she has ten (10) working days after receipt of the written response to proceed to level two.

LEVEL TWO: An appeal may be made by filing the complaint and all correspondence from level one with the superintendent. Within fifteen (15) working days after receipt of the grievance, the superintendent or designee shall meet with the complainant in an effort to resolve the matter. Within thirty (30) working days after the meeting, the decision of the superintendent or his/her designee shall be rendered in writing and mailed to the complainant. Should the complainant determine the decision is unsatisfactory, he/she has ten (10) working days after the receipt of the written response to proceed to level three.

LEVEL THREE: An appeal may be made to the president of the school board. The board shall review the complaint and may establish a hearing to review the case. The board has thirty (30) working days to render a decision. The complainant will be notified in writing of the board's decision. If the complaint is not resolved with the district, the complainant may contact any of the following agencies: Office for Civil Rights, Region X, Henry M. Jackson Federal Bldg., Mail Code 120-9010, 915 Second Ave., #3310, Seattle, WA 98174-1099; Equal Employment Opportunity Commission, Federal Office Bldg., 909 First Ave., #400, Seattle, WA 98104-1061; Office of the Superintendent of Public Instruction, Old Capitol Bldg., Mail Stop FG-11, P.O. Box 47200, Olympia, WA 98504-7200. Any settlement of the complaint shall be applicable to that complaint only and shall not be binding authority for the disposition of any other complaint.

OPTIMUM LEARNING ATMOSPHERE

All students have the right to an education in classrooms where there is an optimum learning atmosphere. The highest consideration must be given to the judgment of a certificated staff member regarding conditions

necessary to maintain such an atmosphere. (RCW 28A.600.020)

SEARCH AND SEIZURE

A student shall be free from searches by school officials of his/her clothing and other personal property unless there are reasonable grounds to believe that the search is necessary in the aid of maintaining school discipline and order.

Student lockers, desks and other storage areas remain the property of the school district, and school officials retain the right to inspect lockers, desks or other storage areas assigned to students. No right or expectation of privacy exists for any student, and these areas may be inspected or searched by school authorities at any time without prior notice and without reasonable suspicion that the search will yield evidence of a student's violation of the law or a school rule. Any container(s) found as a result of a search of a locker, desk or other storage area may be searched if there is reasonable suspicion that the container(s) holds evidence of a student's violation of the law or school rule.

Such search should take place in the presence of the student. The methods used are to be reasonably related to the objectives of the search and not be excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction. A principal or designee may not subject a student to a strip search or body cavity search as those terms are defined in RCW 10.79.070.

Illegal items such as drugs, drug paraphernalia, firearms, weapons or other possessions reasonably determined to be a threat to the safety or security of others may be seized by school authorities. Items which are used to disrupt or interfere with the educational process may be temporarily removed from student possession. (RCW 28A.600.220 & 230, RCW 9.14.250 & 270 & 280)

SPECIAL EDUCATION SERVICES

Your school district provides special education services for all students with disabilities. These services are available in the general age range of 3-21 and are provided as near the child's home school area as possible. Parent(s)/guardian(s) may initiate referral for testing or placement of their child.

Parents/guardians of students with disabilities have basic rights in the following areas: (1) notice and consent, (2) confidentiality of records, (3) testing and assessment, (4) individualized educational program, (5) placement, and (6) due process (impartial hearing and/or mediation), a standardized process for resolving disagreements.

The school district has the legal responsibility to notify parent(s)/guardian(s) when the district proposes to initiate or change the identification, assessment or educational placement of the child or the provision of a free appropriate education to the child; or when the district, upon request of the parent(s)/guardian(s), refuses to initiate or change the identification, assessment or educational placement of the child or the provision of a free appropriate education to the child.

The school district must obtain the written consent of the parent(s)/guardian(s) prior to conducting any pre-placement assessment of a student and prior to placement of a student in a special education program. If parents/guardians do not consent, the district may ask a hearing officer to decide the issue.

For complete information regarding special education services, please ask for the parent's information packet, "Educational Excellence for All Children," available in each school office.

CHILDFIND

The ChildFind program conducts activities for locating, evaluating and identifying students with a suspected disability. Activities apply to children ages birth through 21.

Formal screenings and assessments, which could include the areas of hearing, vision, social skills, language, learning and motor skills, are completed on preschool students.

For parent(s)/guardian(s) concerns about their child's development or questions about the ChildFind program, please contact the ChildFind Office at 253.571.1047. (WAC 392-172-100)

STUDENT ORGANIZATIONS

Student organizations are limited to students enrolled at the school and are encouraged if the purposes and activities are consistent with the educational program of the district and are approved by the building principal.

RIGHT TO INSPECT CURRICULAR MATERIALS

Parent(s)/guardian(s) have the right to inspect any instructional material that is used as part of the educational curriculum for their child(ren). Requests to inspect instructional materials should be made to the district's Department of Curriculum and Instruction. District staff will schedule a mutually agreeable time for the parent(s)/guardian(s) to inspect the materials within a reasonable time frame. Requests should be made to: Department of Curriculum and Instruction, Tacoma Public Schools, 601 S. 8th St., Tacoma WA 98405.

NON-EMERGENCY PHYSICAL EXAMINATIONS

The school district may schedule and conduct hearing, vision and/or scoliosis screenings. In addition, examinations that are necessary to protect the immediate health and safety of the student or of other students may be conducted without prior parental notice and consent. District staff will not conduct any invasive physical examination or screening (defined as “any medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion or injection into the body”) without prior parental approval.

REVIEW AND PRIOR APPROVAL OF CERTAIN SURVEYS, INTERVIEWS AND OTHER INFORMATION

Independent “third-party” researchers, for example colleges and universities, sometimes request permission to gather survey or interview information from students. The district’s Department of Research and Evaluation must approve any third-party research before it can begin. Part of that approval process includes prior notification to parent(s)/guardian(s) of any surveys or interviews and the opportunity to inspect the materials. After inspection of the materials, parent(s)/guardian(s) may request that their child(ren) not participate in the survey/interview. Parent(s)/guardian(s) with questions or concerns about any surveys or interviews may contact the Department of Research and Evaluation at 253.571.1192.

Other “third-party” entities sometimes request student information for the purpose of developing and evaluating or providing educational products or services for, or to, students or schools, such as:

- Recruiting activities for colleges, other post-secondary schools or the military;
- Curriculum and instructional materials; and
- Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students.

Before granting a request from a third party that is NOT for one of the above purposes, the district shall notify parent(s)/guardian(s) of the request, with sufficient time to allow the parent(s)/guardian(s) to restrict the release of the information about their child(ren). Parent(s)/guardian(s) with questions or concerns about the release of student information to third parties may contact the Department of Research and Evaluation at 253.571.1192.

Sometimes surveys conducted by the school district are viewed by some parent(s)/guardian(s) as being overly personal or private. If a survey conducted by the

school district includes one or more items pertaining to the list below, the district shall protect the privacy of individual student responses. Furthermore, the district will provide sufficient time for parent(s)/guardian(s) to review the survey and, after review, request that their child(ren) not participate if the survey contains a item or items related to:

- Political affiliations or beliefs of the student, the student’s parent or members of the student’s household;
- Mental or physical problems of the student, the student’s family or members of the student’s household;
- Sexual behavior or attitudes;
- Illegal, antisocial, self-incriminating or demeaning behavior;
- Critical appraisals of other individuals with whom respondents have close family relationships;
- Legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
- Religious practices, affiliations or beliefs of the student, the student’s parent or members of the student’s household; or
- Income (other than that required by law to determine eligibility for participation in a program for receiving financial assistance under such program).

If a survey contains any of the above items, and is required and funded in whole or in part by a program of the United States Department of Education, consent of the parent or adult student is required.

Parents who believe their rights may have been violated regarding surveys, non-emergency physical examinations or inspection of curricular materials may file a complaint with: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave. S.W., Washington, D.C. 20202-5901.

(Section 1061, No Child Left Behind Act of 2001; Family Education Rights and Privacy Act of 1975, 20 U.S.C. § 1232g.)

USE OF PESTICIDES/HERBICIDES

The following are the guidelines used by the Tacoma School District pursuant to the RCW 17.21.415.

The building administrator will be notified and is responsible for notification to staff and students of upcoming pesticide/herbicide (P/H) treatments. Notices will be provided to the school’s building administrator to be posted in designated areas at the school. Such no-

tice will normally be provided at least two days before the application of P/H. When school is not in session, treated areas will still be posted.

PUBLIC RECORDS REQUESTS

The Washington public disclosure act provides for the release of public records maintained by a public agency, such as the school district, with limited exceptions. Washington court decisions have held that employee discipline records are among those that must be released. Requests for access to, or copies of, public records should be made in writing to the director, Public Information, P.O. Box 1357, Tacoma, WA 98401-1357, specifying the records sought. Copies of records are subject to a copying charge of 15 cents/page, plus mailing costs. Chapter 42.17 RCW; Policy and Regulation 4040.

STUDENT RESPONSIBILITIES

BEHAVIOR/ATTENDANCE

1. Alcoholic beverages, illegal drugs and controlled substances—Possession, use, sale, distribution or being under the influence of alcohol, drugs, controlled substances, hallucinogens or items that are purported to be unlawful drugs or controlled substances during school time or school-sponsored activities, on school premises or transportation provided by a contractor or agent, are wrong and harmful, and are prohibited. Compliance with this prohibition is mandatory.

Students who use, possess or are under the influence of alcohol or controlled substances or possess drug-related paraphernalia shall be subject to suspension. A pre-assessment within the suspension period will be required. A further evaluation may be recommended.

The student and parent(s)/guardian(s) must agree to fulfill the recommendation and submit verification to the principal. The principal may consider shortening or holding the student's suspension in full or partial abeyance if the student complies with evaluation/treatment recommendations. If recommended by the pre-assessment or the evaluation, the student may be required to become involved with the Student Assistance Program.

For a second drug/alcohol offense, a long-term suspension will be imposed. Subsequent offenses may result in expulsion. Students who distribute, possess with intent to deliver or sell alcoholic beverages, unlawful drugs, controlled substances or hallucinogens or items that purport to be any of the foregoing shall be placed on emergency expulsion and either suspended for the

remainder of the semester/quarter or expelled. If the violation comes near the end of the term and a long-term suspension is imposed, the suspension will be for a time equal to a semester/quarter. The appropriate law enforcement/juvenile agency will also be contacted. A pre-assessment during the suspension will be required for readmission to school. A further evaluation may also be required. The student and parent(s)/guardian(s) must agree to fulfill the recommendation of the evaluation and submit verification to the principal.

The principal may consider shortening or holding the student's suspension in full or partial abeyance if the student complies with evaluation/treatment recommendations. The student will be expelled for a second offense.

School officials in charge will immediately remove anyone under the influence of alcohol or drugs from contact with other students and shall notify the parent or legal guardian. Circumstances may require the assistance of law enforcement agencies. (Policy 3241; Regulation 3240R)

2. Attendance—State law and district policy and regulations require daily and punctual attendance of all students, unless officially excused. Parents and students are both responsible for assuring attendance.

Parents must provide the school with a valid reason for an absence before it can be excused. The following constitute valid reasons for excused absences: a personal illness; health condition or medical or dental appointment; an appearance in court when required by law; a disciplinary action (i.e., short-term suspension, long-term suspension that does not result in loss of grades or credits or emergency expulsion); religious observance; a family emergency approved by the principal; school-approved activities; and a planned family activity which has been pre-approved by the principal. In all cases, the school principal determines whether an absence is excused or unexcused.

The school will inform the parent/guardian upon the first occasion of a student's unexcused absence. Upon the second occasion of an unexcused absence, the school will schedule a conference with the parent(s)/guardian(s). Steps will be taken to attempt to eliminate or reduce the student's absences.

In accordance with the state's mandatory attendance laws, if a student is absent without excuse five times within a month, the school district may file a petition with the juvenile court seeking the court's jurisdiction over the student's attendance in school; if a student is absent without excuse seven times within a month

or 10 times within a school year, the school district will file a petition with the juvenile court. Any parent found to have violated the law may be fined up to \$25 per day of unexcused absence from the school, and the student will be ordered to attend school. The court may also order the parent/guardian to provide community service at the student's school in lieu of imposing a fine. A student who fails to comply with a court order to attend school may be found in contempt of court and may be placed in juvenile detention or receive alternative sentencing from the court.

In addition to disciplinary action for nonattendance, absences may adversely affect a student's grade if the teacher (a) has shown a relationship between attendance and instructional goals and objectives of the course; (b) advised the student and parent(s)/guardian(s) in writing and by posting at the beginning of the year; and (c) obtained approval from principal for guidelines to be used in classes in which attendance may adversely affect grades or credits. (Policy 3122, Regulation 3122R, RCW 28A.225)

3. Bus rules—The school district maintains a published statement of rules for students riding buses operated by the district, First Student and Pierce Transit. These rules are available in the individual school offices.

Riding is a privilege, not a right. Students' misconduct on a vehicle will be sufficient reason to discontinue providing bus transportation to those students involved and may result in other discipline. (Regulation 6605R)

4. Closed campus—Students shall remain on the school campus during the school day unless excused by the school office or by waiver approved by the superintendent.

5. Cooperation—Students will obey the lawful instructions of school district personnel and follow school and classroom rules. (RCW 28A.600.040)

6. Discipline transfers—A principal may initiate an intra-district transfer when there is clear indication that corrective action alternatives have failed and a transfer to another school or program might correct a student's behavior and establish a positive educational experience.

Due process requirements related to a student's rights are to be followed when an intra-district transfer for disciplinary reasons is proposed. (Policy 3131)

7. Dress and appearance—Students should dress in a manner which reflects proper decorum. Dress and appearance, including, but not limited to, gang apparel,

which may cause safety or health problems or which pose a threat of disruption, are not allowed.

8. Dress code/uniforms—Students who attend schools which have dress codes or uniform requirements will be required to follow the code/requirements.

9. Identification—All persons will, upon request, identify themselves to proper school authorities in the school building, on school grounds or at school-sponsored events.

10. Off-campus events—Students at school-sponsored, off-campus events shall be governed by school district rules and regulations and are subject to the authority of school district officials.

11. Tobacco—Possession or use of tobacco products is not permitted in school buildings, on school property, in district-owned or contracted vehicles or at off-campus events. (Policy 4215)

12. Electronic devices (including, but not limited to, beepers, cell phones, pagers, laptops and personal digital assistants) may only be used in the classroom with the permission of the teachers or as provided for in an IEP or accommodation plan. Use of such devices during class, such as using the cell phone, checking/sending e-mail, playing games and surfing the Web, are considered disruptive activities and may result in the device being confiscated.

13. Improper use of district equipment—District resources and equipment, including, but not limited to, computers and Internet access, are to be used for district purposes. Improper use may subject the student to loss of privileges and other discipline, suspension or expulsion, as appropriate.

14. Loitering—A student shall leave the school campus at the official close of the school day unless permission to do otherwise has been granted.

EXCEPTIONAL MISCONDUCT

The following are prohibited during school time, on school district property or transportation or premises provided by contractors or agents, during school-sponsored activities, or if conducted in a manner materially or substantially affecting the educational process. The following are exceptional misconduct and can be cause for discipline, disciplinary transfer, suspension or expulsion, as well as reporting to law enforcement.

1. Arson—Intentionally attempting to or setting a fire or causing an explosion.

2. Assault/fighting—Creating a reasonable apprehension of or making harmful or offensive contact with another.

3. Bomb threat—Unwarranted verbal or written indication of a bomb or other incendiary device on school property.

4. Burglary—Entering or remaining unlawfully in a building with intent to commit a crime.

5. Extortion, blackmail, coercion—Attempting to obtain money, services or property by threat of injury to a person or property.

6. False alarm—Activating a fire alarm for other than the intended purpose of the alarm.

7. Interference with school authorities—Interfering with the discharge of the official duties of district or contractors' personnel or volunteers by force or violence.

8. Intimidation/threat—Interfering with the discharge of the duties of district personnel or employees of district contractors or the peaceful conduct of other students by intimidation with threat of force or violence.

9. Harassment—Intentionally intimidating, annoying or bothering another person.

10. Malicious mischief—Intentionally causing damage to any property.

11. Possession of stolen property—Knowingly receiving, retaining, possessing, concealing or disposing of stolen property.

12. Robbery—Taking another's property by force or threat of force.

13. Theft—Stealing.

14. Trespass—Entering or remaining unlawfully in school buildings or on any part of school grounds.

15. Disruptive conduct—Conduct or expression causing substantial or material disruption or obstruction of any school function or operation, including, but not limited to, refusing to comply with a staff person's directive, using vulgar or profane language, or engaging in verbal or physical harassment.

16. Fireworks/bullets—Possession, use or distribution of firecrackers, fireworks, bullets or other forms of ammunition.

17. Misrepresentation—The forging of any signature or the making of any false entry or the alteration of any document, including computer records, used or intended to be used, in connection with the operation of the school or cheating, plagiarizing or turning in another person's work.

Suspension or expulsion will be imposed for the following activities:

18. Alcoholic beverages, illegal drugs and controlled substances—A student shall not possess, use, sell, distribute, attempt to distribute, be under the influence of or show evidence of having used any alcohol, illegal drug or controlled substance or item which is purported to be an illegal drug or controlled substance or hallucinogen. (Regulation 3240R)

19. Weapons and explosives—Possess or use a weapon, explosive or other item apparently capable of causing bodily harm. Firearms/weapons/air guns are not allowed in school, at school-sponsored activities, on school grounds, facilities or school-provided transportation. If a student brings a firearm to school, it will result in an immediate expulsion for no less than one calendar year, including notification of parents and law enforcement. The expulsion may be modified by the school district on a case-by-case basis. (Regulations 3240R, 3241R, Policy 4210)

METAL DETECTORS—To protect students, staff and patrons, promote an environment for learning, and prevent weapons from being brought to school or related events, metal detectors may be used to screen persons entering school buildings, vehicles and school events. Students who do not submit to the screening shall be disciplined. Patrons who refuse to comply with the screening will be denied entry. Items prohibited by law or school rules will be confiscated. If weapons are found, law enforcement personnel will be notified.

Definitions of suspension and expulsion

SUSPENSION—Denial of attendance for more than one (1) class period or denial of admission to or entry upon school district property for a stated period of time.

SHORT-TERM SUSPENSION—A suspension of no more than up to ten (10) consecutive school days.

LONG-TERM SUSPENSION—A suspension which exceeds a short-term suspension (more than 10 consecutive school days.)

EXPULSION—Denial of attendance at a class or schedule of classes or denial of admission to or entry upon school district property for an indefinite period of time. (WAC 392-400-205 applies to all of the above.)

EMERGENCY EXPULSION—A student may be immediately removed from school if the student's presence poses an immediate and continuing danger to the student, other students or school personnel, or is an im-

mediate and continuing threat of substantial disruption of the educational process. (WAC 392-400-295)

Information regarding appeal rights is contained in Policy 3241 and Regulation 3241R. The policy and regulation are available from Public Information, 253.571.1015, or on the district's Web site at www.tacomamaschools.org.

STUDENT REGULATIONS

ATHLETICS

Students participating in athletic activities must maintain a minimum of a "C" grade average and have no more than one failure the semester preceding competition.

Complete eligibility requirements are printed in the athletic handbook available in the school office or the district athletic office. Denial of student attendance or participation in extracurricular activities is subject to due process requirements. (Policy 2150, Regulation 2150R)

Students, parents, staff members or volunteers may request the addition of interscholastic sports and other modifications to the athletic activities program. Requests for addition or modification may include, but are not limited to, the evaluation of a club or intramural team or sport for interscholastic competition or to increase the number or size of a team currently engaged in interscholastic play. Forms to request additions or modifications may be obtained from the district's athletic director, 253.571.1123, or the district's Title IX officer, the deputy superintendent, 253.571.1011, at the district's Central Administration Building.

Within 30 calendar days of receiving a request, the district's athletic director and/or Title IX officer shall respond in writing to the requesting party. The response may grant the request, deny the request or advise that the request will be reviewed further for possible adoption, pending an annual review of the district's activities program pursuant to district procedure. If the request is subject to further review, the district's response shall provide a date that a final response will be provided, which shall be no later than Aug. 1 of the school year in which the request was received.

CHILD ABUSE REPORTING

Certain personnel are required to notify Child Protective Services or law enforcement when they reasonably believe a student has been abused or neglected. By doing so, they are protected from civil and

criminal liability. Child abuse and/or neglect cases must be reported within 48 hours. (RCW 26.44.030, RCW 26.44.040, Policy 3421)

School counselors are available to work with students individually on concerns including divorce, child abuse, etc. Contact your school's counseling office. Children's Advocacy Center of Pierce County is also available at 253.403.1478.

CONTROVERSIAL ISSUES

The district has issued regulations considered necessary to provide for study of such issues which have publicly evoked opposing viewpoints in society. Contact your school principal for guidelines. (Policy 2331)

DETENTION

Pupils may be detained after school for up to 30 minutes to make up missed or incomplete assignments and for disciplinary reasons, provided parent(s)/guardian(s) have been notified. Students shall not be detained if detention interferes with their regular bus transportation home unless arrangements are made with student's parent(s)/guardian(s) for alternative transportation. (Policy 3241)

DRUG AND ALCOHOL COUNSELING PROGRAM

All Tacoma School District students have the opportunity to confer with a community drug/alcohol specialist contracted to provide alcohol and other drug assessments, referral and case management into community treatment. Students completing treatment may request case management services to ensure an individualized plan for transition back to the school from inpatient settings and assistance in connecting with support services available both in the school and community. Washington law (RCW 69.54.060; 65.54.070) states that "any person 14 years of age or older may give consent for himself to receive counseling, care, treatment or rehabilitation by an approved drug treatment center or person licensed by the state related to conditions and problems caused by drug or alcohol abuse. When an individual submits him/herself for care, treatment, counseling or rehabilitation to any organization, institution or corporation, public or private, confidentiality is guaranteed."

If you are concerned about your son/daughter and possible involvement with alcohol and/or other drugs, please call the building administrator or counselor.

INTERVIEW, CUSTODY OF STUDENTS

On occasion, it is necessary for law enforcement officers or Child Protective Services (CPS) authorities to interview students or take them into custody during school hours. In such instances, the district will act in

accordance with procedures established in Policy 3241, Policy 4310 and Regulation 3241R.

STUDENT DRIVING AND PARKING REGULATIONS

Parking regulations will be in effect at all high schools, except Tacoma School of the Arts. See the school principal for specific requirements. (Policy 3243, Regulation 3243R) A student may not occupy a vehicle without permission or drive during the school day without the consent of the parent and principal. A student may transport another student during the school day only with the consent of the student passenger's parent and if consistent with the terms of the student's driver's license.

Middle school students are prohibited from bringing vehicles to school.

Parking on school district property is at the owner's/driver's own risk. The school district does not assume responsibility for damage to or loss of privately owned vehicles or property in vehicles.

PERSONAL PROPERTY

Students bringing personal property on to school district property do so at their own risk. The school district does not assume responsibility for lost, damaged or stolen property.

PROCEDURES FOR VISITING SCHOOLS

Parent(s)/guardian(s) and other patrons of Tacoma School District are encouraged to visit their schools. Guidelines for non-student visitations to schools are available through your school principal. (RCW 28A.605.020, Regulation 4200R)

REMOVING STUDENTS FROM CLASS

Teachers have the authority to exclude a student from the classroom (or the instructional or activity area) if:

- The student is disrupting the educational process, or
- The student is violating the rules or standards for student behavior established for that school building.

The teacher responsible for supervising the student may exclude him/her for part of the day, the entire day or until the teacher has conferred with the principal.

The teacher must attempt to correct the student before excluding, except in emergency circumstances. The circumstances are outlined in WAC 392-400-290.

Teachers must consent before a student may be returned during the balance of the same class or activity period from which he/she has been excluded. (WAC 392-400-230, Regulation 3124R)

REMOVING STUDENTS FROM GROUNDS

A student will not be released from school grounds, any school building or school function during school hours except by a person duly authorized in accordance with district procedures. Before a student is removed or excused, the person seeking to remove the student must present to the satisfaction of the principal evidence of his/her proper authority to remove the student. Exceptions will be made when protective custody is dictated by appropriate legal authorities and in cases where the student is subject to arrest. (RCW 28A.605.010)

WITHHOLDING GRADES, TRANSCRIPTS AND DIPLOMAS

A grade report, transcript or diploma will not be released until a student has made restitution for damages assessed as a result of losing or damaging school materials or equipment. If a student has transferred to another school district that has requested the student's records, but the student has an outstanding fee or fine, only records pertaining to the student's academic performance, special placement, immunization history and discipline actions shall be sent to the enrolling school. The grades, diploma and official transcript will not be released until the outstanding fee or fine is paid or, if the student and parent are unable to pay the damages, discharged under a program of voluntary work.

If the student or the student's parent(s)/guardian(s) does not pay for willful or malicious damage done by the student to district property, or complete voluntary work in lieu of payment of monetary damages, the district may seek recovery in court against the parents for the damage. (RCW 4.24.100, RCW 28A.635.060, Policy 3231)

POSSESSION OF WEAPONS IS A CRIME

Under state and federal law, a student shall be expelled for not less than one year for possession of a firearm on school premises, school-provided transportation or areas of facilities being used exclusively by public schools.

In addition to being expelled or suspended from school, it is a crime under Washington state law for a person (not just students) to knowingly carry a dangerous weapon on school premises, as authorized by RCW 9.41.280. The penalty for conviction could be up to a year imprisonment and a \$5,000 fine. (RCW 9.41.280) (Policy 4210, Regulation 3240R)

USE OF DIGITAL RESOURCES

The Tacoma School District offers access through its digital resources to library materials, databases and the Internet. Digital resources offer significant opportunities to enhance a student's education. The Tacoma School District uses Internet filtering for all computers networked in district facilities. However, it is not

possible for the district to completely limit access to materials with inappropriate content. Therefore, it is important that each student's parent or guardian carefully consider and make an informed decision concerning whether to permit his/her child to have access to the district's digital resources including the Internet.

With this educational opportunity also comes responsibility. It is important that parents and students read and discuss the district's Acceptable Use Policy for Digital Resources and the accompanying regulation. A summary of the regulation follows. Complete text of the Acceptable Use Policy for Digital Resources (Policy 6973 and Regulation 6973R) are available on the district Web site (www.tacomaschools.org/schoolboard/policies/index.asp) or can be requested from the school.

In using the district digital resources, students accept the responsibility to:

- use the digital resources for educational purposes only;
- abide by district policies and federal/state laws, including copyright laws;
- adhere to school guidelines on use of the network and notify staff prior to using the Internet;
- use good behavior just as in a classroom or hallway; general school rules for behavior and communication apply;
- respect district property and be responsible in the use of the hardware and software; do not destroy, modify, delete or add software to district computers without permission; do not interfere or disrupt other users, services or equipment, including distributing unsolicited advertising; and
- use digital resources in a legal, moral and ethical manner; do not use digital resources for illegal, harassing, antisocial or indecent purposes; do not access or process obscene, pornographic or other inappropriate materials.

The Tacoma School District reserves the right to review and monitor activity on the network for responsible use consistent with the district's Acceptable Use Policy for Digital Resources and Regulation, and to remove a user's privilege to access the network at any time the district determines that the user is engaged in unauthorized activity or violating the policy. Disciplinary action, if any, shall be consistent with the district's standard policies and procedures.

The Tacoma School District provides access to the district's digital resources to its students. If you want the

district not to allow your child access to the Internet, you should check the appropriate box on the attached "Parent Request" form. Be sure to fill in the requested information on the form, including your signature, and return it to your school's principal by Sept. 28, 2007. By not completing and returning the form, you are granting permission for your child to access the district's digital resources including the Internet.

STUDENT RECORDS, PHOTOGRAPHS AND INFORMATION

Each student has one complete set of records; one portion is kept at his/her school while the remainder may be maintained in the Central Administration Building files.

Student records located at school contain achievement information, standardized test scores, enrollment, directory information, health records, attendance, staff evaluations, comments, letters, disciplinary action and awards.

Student records for special education students located in the Central Administration Building files contain reports and assessments by staff specialists in speech, hearing, social/emotional, child study, visually disabled, etc.; individualized educational programs; state-approved reports and assessments such as special education programs and summer counseling; reports from individuals or agencies outside of school; and disciplinary action.

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the district receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading.

Parents or eligible students may ask the Tacoma School District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise him/her of his/her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional employment responsibility. A school official is a person employed by the district as an administrator, supervisor, instructor or support staff member (including, but not limited to, health or medical staff and law enforcement unit personnel); a person serving on the school board; a person or company with whom the district has contracted to perform a special task (including, but not limited to an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his/her tasks.

Upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

The district may disclose appropriately designated "directory information" without written consent, unless you have advised the district to the contrary in accordance with district procedures as described below. The primary purpose of directory information is to allow the school district to include this type of information from your child's education records in certain school publications. Examples include a playbill showing your child's role in a drama production; the annual year-book; honor roll or other recognition lists; graduation programs; and rosters for athletic teams and officially recognized activities.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. The school district has designated the following information as directory information: student's name; participation in officially recognized activities and sports; weight and height of members of athletic teams; photographs,

degrees, honors and awards received; date and place of birth; dates of attendance, grade level, and the school currently attending or most recently attended; and post-high school career plans.

Also, under directory information, the district will release the child's current school, address, and telephone number to law enforcement personnel, Child Protective Services, prosecuting attorney's office, and to military recruiters and institutions of higher learning. Under certain conditions not covered by directory information, including allegations of child abuse, the District may also be required by state and federal law to release additional student information to the police, Child Protective Services and to juvenile justice authorities.

If you do not want the school district to disclose directory information from your child's education records without your prior written consent, or to disclose your child's name, address and home telephone number (or your name, address and telephone number if you are a student) to military recruiters, complete and submit the information on the attached "Parent/Student Request" form and sign in the appropriate space provided. If you do not want photographs taken of your child for television, newspaper or school district publications, please indicate that refusal on this form. Students participating in the state Address Confidentiality Program will have a substitute address established by the Office of the Secretary of State, rather than a residential address. If you are a participant in this program, you may wish to submit the attached form to maintain the confidentiality of directory information. Return the completed form to your school's principal by Sept. 28, 2007. This form needs to be completed every year. For more information, please call 253.571.1015. If no form is on file, it will be assumed that permission for release of directory information and/or photos has been granted.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue SW
Washington, DC 20202-4605