

# Employee Handbook 2023-2024

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8902 Zier Rd. Yakima, WA 98908

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## Table of Contents

Section 1 .....	5
Purpose and Intent of the Handbook.....	5
Equal Employment Opportunity Employer.....	5
Section 2 .....	5
Our Mission .....	5
Our Beliefs.....	6
Section 3 .....	6
Required/Important Training & Policies - Bloodborne Pathogens.....	6
Bloodborne Pathogen Program: The Exposure Control Plan.....	7
Bloodborne Pathogens Training: Annual Update .....	8
Section 4 .....	9
Employee Safety & Workers' Compensation Procedures .....	9
Employee Safety Program.....	9
Workers' Compensation Benefits .....	11
Section 5 .....	13
First Aid and CPR.....	13
Section 6 .....	13
District Policy and Procedures.....	13
2145 Students: Suicide Prevention.....	13
2145P Students: Suicide Prevention .....	14
A. Prevention .....	14
5161 Personnel: CIVILITY .....	17
5161P Personnel: CIVILITY .....	19
5201 Personnel: Drug-Free Schools, Community and Workplace .....	20

5201F <i>Personnel</i> : NOTICE TO EMPLOYEES - Drug Free Workplace.....	22
4215 Community Relations: Use of Tobacco, Nicotine Products and Delivery Devices.....	23
4210 Community Relations: Regulation of Dangerous Weapons on School Premises.....	24
5256 <i>Personnel</i> : Staff Access to Networked Information Resources.....	27
5256P <i>Personnel</i> : Staff Access to Networked Information Resources: Procedures .....	28
5253 <i>Personnel</i> : Maintaining Professional Staff/Student Boundaries .....	29
5253P <i>Personnel</i> : Maintaining Professional Staff /Student Boundaries.....	31
5010 <i>Personnel</i> : Nondiscrimination and Affirmative Action.....	32
5010P <i>Personnel</i> : Nondiscrimination and Affirmative Action.....	35
5011 <i>Personnel</i> : Sexual Harassment of Staff Prohibited.....	40
3211 <i>Students</i> : Gender-Inclusive Schools.....	45
3211P <i>Students</i> : Gender-Inclusive Schools\.....	46
3421 <i>Students</i> : Child Abuse, Neglect, and Exploitation Prevention .....	48
3207 <i>Students</i> : Prohibition of Harassment, Intimidation, or Bullying .....	50
3207P <i>Student</i> : Prohibition of Harassment, Intimidation and Bullying .....	53
Hazardous Substances .....	61
Pesticide Notification, Posting and Recordkeeping Requirements .....	62
Section 7 .....	63
Emergency Procedure.....	63
Emergency Numbers .....	63
WVSD SCHOOLS.....	63
Crisis Alerts .....	64
How to Initiate Crisis Responses.....	64
LOCKDOWN .....	64
SECURE AND TEACH .....	64
SHELTER IN PLACE.....	64
EVACUATE.....	65
Section 8 .....	65
Other: Supervisor or Record, Dealing with Difficult People.....	65
Supervisor of Record.....	65
Dealing with Difficult Persons.....	66
Section 9 .....	67

Leave of Absence Policy and Procedure .....	67
5400 Personnel: Personnel Leaves .....	67
5401 Personnel: Sick Leave .....	69
5402 Personnel: Maternity Leave .....	70
5403 Personnel: Emergency Leave.....	72
5404 Personnel: Family Leave .....	74
5406 Personnel: Leave Sharing .....	75
5406P <i>Personnel</i> : Leave Sharing - Procedure.....	77
5407 Personnel: Military Leave.....	78
5407P <i>Personnel</i> : Military Leave - Procedure .....	79
5408 <i>Personnel</i> : Jury Duty and Subpoena Leave .....	80
5409 <i>Personnel</i> : Discretionary Leaves.....	80
Section 10.....	82
Personnel Records Policy .....	82
5260 Personnel: Personnel Records .....	82
Section 11.....	83
Substitute Teacher/Parapro Requests.....	83
Absence Management (AESOP) Substitute Procedures .....	83
Section 12.....	85
Safe Schools Policies for Review .....	85
WVSD #208 - Safe Schools - Review of Policies.....	85
2145 Suicide Prevention.....	85
2320 Field Trips.....	86
3143 District Notification of Juvenile Offenders .....	86
3144 Release of Information Concerning Student Sexual and Kidnapping Offenders .....	86
3200 Student Rights and Responsibilities (Annual review of student conduct standards and enforcement procedures) .....	86
3205 Sexual Harassment of Student Prohibited.....	86
3207 Prohibition of Harassment, Intimidation, and Bullying.....	86
3210 Non-Discrimination .....	87
3230 Searches of Students and Student Privacy.....	87
3240 Student Conduct .....	87

3211 Gender-Inclusive Schools.....	88
3241 Classroom Management, Corrective Actions or Punishment.....	88
3242 Closed Campus .....	88
3244 Prohibition of Corporal Punishment .....	88
3246 Restraint, Isolation and Other uses of Reasonable Force.....	88
3414 Infectious Disease (Blood-borne Pathogens).....	88
3415 Students with Life-threatening Health Conditions (Emergency Care Plans).....	89
3416 Medication at School.....	89
3418 Emergency Treatment .....	89
3420 Anaphylaxis Prevention .....	89
3421 Child Abuse and Neglect Reporting.....	90
3432 Emergencies.....	90
4200 Safe and Orderly Learning Environment.....	91
4210 Regulation of Dangerous Weapons on School Premises .....	91
4215 Use of Tobacco and Nicotine Products and Deliver Devices.....	92
4310 Relations with Law Enforcement, Child Protective Agencies, and the County Health Department .....	92
4314 Notification of Threats of Violence or Harm .....	92
4315 Release of Information Concerning Sexual and Kidnapping Offenders .....	93
5011 Sexual Harassment of District Staff Prohibited.....	93
5201 Drug-free Schools.....	93
5253 Maintaining Professional Staff/Student Boundaries .....	94
5256 Staff Access to Networked Information Resources (Electronic Communications) .....	94
5270 Resolution of Staff Complaints.....	94
5271 Reporting Improper Governmental Action .....	95
5281 Disciplinary Action and Discharge.....	95
5630 Volunteers.....	96
6500 Risk Management .....	96
6510 Safety.....	96
6511 Staff Safety (Safety procedures; First Aid/CPR procedures) .....	96
6512 Infection Control Program (Universal infectious disease prevention practices) .....	97
6513 Workplace Violence Prevention .....	97

6590 Sexual Harassment .....	98
6605 Student Safety Walking to School and Riding Buses.....	98
6625 Private Vehicle Transportation .....	98
6700 Nutrition and Food Services-Breakfast and Lunch Program.....	99
6895 Pesticide Notification .....	99

## Section 1

### Purpose and Intent of the Handbook

This handbook has been developed to provide all staff with district, state, and federal mandates and expectations governing your employment with the West Valley School District. Your site administrator is required to review the contents of this handbook with you on an annual basis. We recommend, however, that you take time to periodically review it to become comfortable or familiar with the information, processes, and procedures contained in the handbook.

For represented groups, please refer to the collective bargaining agreement for additional information pertaining to sections included in this handbook.

Collective Bargaining Agreements can be found on the District website, [www.wvsvd208.org](http://www.wvsvd208.org)

### Equal Employment Opportunity Employer

The West Valley 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 or 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 has been designated to handle questions and complaints of alleged discrimination:

Civil Rights Compliance and Title IX Coordinator:  
 William Connolly, Assistant Superintendent  
 8902 Zier Road, Yakima, WA 98908  
 (509) 972-6006  
[connollyw@wvsvd208.org](mailto:connollyw@wvsvd208.org)

Section 504/ADA Coordinator:  
 Stacey Drake, Assistant Superintendent  
 8902 Zier Road, Yakima WA 98908  
 (509) 972-6005  
[drakes@wvsvd208.org](mailto:drakes@wvsvd208.org)

## Section 2

### Our Mission

The mission of the West Valley School District, a vital partner in a proud and caring community, is to ensure that all students achieve their highest level of knowledge, skills and attitudes necessary to be responsible and productive citizens, effective communicators, creative problem solvers and life-long learners. Through mutual support and the combined

efforts of our families, schools and community we will provide a safe, high quality learning environment in which each student experiences success every day.

## Our Beliefs

We believe.....

- all individuals are entitled to an education that will maximize their potential.
- success builds self-esteem; self-esteem builds success.
- every individual has intrinsic value and deserves to be treated with respect.
- every individual is responsible for contributing to and improving the quality of life.
- the primary responsibility for the child belongs to the family.
- education is a shared responsibility of the family, student, school and community.
- every individual can learn.
- the family, the schools and the community depend on each other for strength.
- every individual has a unique set of characteristics and capabilities.
- striving for excellence has risk and is worth the cost.
- the strongest influence in the development of the individual is the family.
- people choose their own behavior.
- higher expectations for the individual lead to higher performance.

## Section 3

### Required/Important Training & Policies - Bloodborne Pathogens

What is a Bloodborne Pathogens Exposure Incident?

#### An Exposure Incident is:

- A blood splash in the eyes, nose or mouth.
- A blood spill on your skin that is chapped, cut or scraped. \*\*
- Being cut or stuck with a sharp object that has been contaminated with someone else's blood.

**\*\*NOTE:** Intact skin is an excellent barrier to organisms. A blood splash or spill on intact skin (skin that is NOT chapped, cut, scraped, etc.) is **NOT** an exposure incident! If a blood spill occurs on intact skin, simply wash with soap and water as soon as possible.

#### Prevention:

**PUT ON YOUR PROTECTIVE GLOVES! *It only takes 15 seconds.***

What do you do if you have an exposure incident?

- Milk or bleed a puncture or cut, then wash well with soap and water as soon as possible.
- Wash the affected area immediately with soap and water.
- Flush eyes and mucous membrane for 5 minutes with clear running water.
- Inform your immediate supervisor or principal of the exposure incident or the HR Department at 972-6015.

Call 575-2949 (Yakima Worker Care) and make an appointment for an exposure evaluation.

Tell them you are an employee of the West Valley School District.

## **Bloodborne Pathogen Program: The Exposure Control Plan**

### **What is an Exposure Control Plan?**

An exposure control plan is a District safety precaution to protect employees from contracting blood borne pathogens, such as Hepatitis.

### **Who Does the Plan Cover?**

The District has designated specific jobs as being considered at “reasonable risk” of coming in contact with human blood or other body fluids. The exposure plan is designed for these District employees. Only designated employees are required to take the annual training, and only designated employees are offered the Hepatitis B inoculation. If the employee identified as being at “reasonable risk” does not wish to take the inoculation, they must sign a declination form. New employees are also required to take the training, but only those in “reasonable risk” jobs are offered the inoculations.

The District has designated the following jobs as having reasonable risk:

- self-contained special education teachers and aides
- shop teachers
- physical education teachers
- communication disorder specialists and aides
- elementary principals
- elementary psychologists/counselors
- elementary and secondary office secretaries
- basic education funded aides (primary playground supervisors)
- custodians
- warehouse workers
- all maintenance personnel
- coaches of football, wrestling and basketball, and athletic directors
- science teachers
- bus drivers

### **How are Employees Protected?**

Two methods of protection are offered in the program. Employees at “reasonable risk” are offered protection from one of the bloodborne pathogens by being provided the opportunity to be inoculated against Hepatitis B. The other basic method of protection from blood borne pathogens is using Universal Precautions in handling potentially contaminated materials. Universal Precautions are merely those actions we take as employees to protect ourselves from getting a blood borne disease from another person. Specific Universal Precautions are taught in the training sessions and the specific supplies needed are supplied by the District. Specific items are supplied to various rooms in the District to be more readily available to employees.

**Health Rooms:** Latex gloves, Sharps Box, goggles, protective gown, absorbent, disinfectant, antiseptic hand cleaner, and an updated first aid kit including a mouth guard.

**Custodian Rooms:** Latex gloves, absorbent, disinfectant, antiseptic hand cleaner, utility

gloves, and plastic bags for all building waste baskets.

**Designated Special Education Rooms and shop classes:** Latex gloves, absorbent, disinfectant, plastic bags, and antiseptic hand cleaner.

**Warehouse:** Latex gloves, goggles, antiseptic hand cleaner, and protective gown.

**Playground Supervisors:** Each playground supervisor should carry with them a pair of latex gloves, a CPR mouth guard, and some absorbent material for wounds. Each building should determine how these materials are to be carried and is responsible for the furnishing of each.

First aid kits should also be located in the kitchens, shops, maintenance areas, and accompanying each athletic activity. It is the responsibility of each building, department, and/or District Program Supervisors to furnish these.

### **Plastic Bags**

West Valley School District has decided to treat all waste materials as if it were contaminated. This means that we do not need to differentiate between red and any other color plastic bag. All waste material bags should be tied and disposed of. Tied bags should never be reopened or emptied.

### **Required Precautions**

Employees should always clean body fluid spills as illustrated in the training session. Latex gloves are required when dealing with potentially hazardous situations involving blood or other body fluids. Hand washing with an antiseptic hand cleaner is a necessary precaution. Other protective equipment should be used when deemed appropriate. Each main custodial room will have a contaminated waste kit, with the proper cleanup procedures included within the kit.

### **Bloodborne Pathogens Training: Annual Update**

**Who is required to take the yearly update?** All District Staff

**What are the objectives of the annual training?**

- Understand the definition of blood borne diseases
- Know the definition of universal precautions
- Learn how to avoid exposure
- Identify the transmission routes for BBP
- Know what to do if exposed to BBP
- Know who is eligible for the vaccine
- Know the resources for getting answers to or information for concerns or questions about blood borne pathogens

**When is the training offered?** Annual training sessions are offered online through Safeschools.com.

District administrators can contact the HR Department, to set up individual staff online trainings.



## Section 4

### Employee Safety & Workers' Compensation Procedures

#### Employee Safety Program

West Valley School District is a member of the Educational Service District (ESD) 105 Workers' Compensation Cooperative and is committed to preventing accidents and injuries to its employees.

#### 1. Reporting Unsafe Acts or Conditions

- Immediately report any unsafe acts or conditions to your supervisor, building administrator or a designated district employee
- Direct communication by use of a hazard report form or an email can be used to report hazards or unsafe acts
- When feasible, take responsibility and correct unsafe conditions (wiping up small/non-toxic spills or removing trip hazards, etc.)

#### 2. Reporting Accidents

- Immediately report accidents and/or injuries to your supervisor
- You will be asked to complete an accident report
- All accident will be investigated by the supervisor to determine cause and prevention of a reoccurrence (Supervisor accident report will be completed as well)
- Vehicle Accidents (WC coverage, Vehicle Insurance, Excess Coverage - ESD 105)

#### 3. Workers' Compensation and Industrial Insurance

- Work related injuries or illnesses are covered under workers' compensation industrial insurance
- The school district is self-insured and all workers' compensation claims are administered by the ESD 105 workers' compensation cooperative staff. The district office has claim forms if one is needed.
- The school district provides *transitional* modified duty work for injured employees who are not able to return to their regular job while they are recuperating from their injury.

(Detailed Workers' Compensation Benefits Information has been provided.)

#### 4. Personal Protective Equipment (PPE)

Check the personal protective equipment potentially needed for this job:

- |  |  |
|--|--|
| <input type="checkbox"/> Gloves (Latex, Leather, etc.)             | <input type="checkbox"/> Respirator                |
| <input type="checkbox"/> Safety Glasses, Goggles, Face Shield      | <input type="checkbox"/> Fall Protection Equipment |
| <input type="checkbox"/> Hearing Protection (Ear Plugs, Ear Muffs) | <input type="checkbox"/> Other _____               |

Use and care of the PPE needed will be explained by your direct supervisor. Along with the procedures for replacing and repair of any PPE.

#### 5. Emergency Procedures

- In-house emergency notification procedures (alarms, speaker system, etc.)
- Emergency contact numbers for police, medical and fire emergencies (i.e., 8-911) - Emergency numbers should be posted on or near all telephones.

- Review primary and secondary emergency evacuation routes from work space
  - Emergency evacuation procedures and staging areas
  - Lockdown/Secure and Teach procedures and guidelines
6. First Aid
- Location of first aid kit(s) and eyewash stations
  - Location of building AED and use
7. Hazard Communication (Chemical Safety: Worker Right to Know, Hazcom)
- Inform new employees where chemicals are used and stored in their work area
  - All chemical containers must be labeled with its contents and hazard rating
  - Show employees where material safety data sheets (MSDS) are located and how they can obtain a MSDS
  - Review what information is contained in a MSDS
  - New employees who work with and/or handle chemicals will receive additional hazard communication training
  - Inform new employees who to report chemical emergencies to (spills, etc.)
8. Safety and Health Committee
- The safety committee consists of employees elected by our staff and appointed by the district. The safety committee meets at least 4 times during the school year. Safety committee elections are held annually.
  - Provide and review a copy of employees on the safety committee
9. Safety Bulletin Board
- A safety bulletin board is located in the building staff/breakroom
  - The bulletin board must display the following information:
    - ✓ Job Safety and Health Protection
    - ✓ Notice to Employees of being self-insured and who to report an injury to
    - ✓ Your Rights as a Worker
  - Other safety notices such as first aid/CPR certified employees, safety committee minutes, safety bulletins, etc., should be posted here
10. Workplace Safety Best Practices
- Never do anything that is unsafe in order to get the job done. If the job is unsafe, report it to your supervisor or designated district contact
  - Think of ways to avoid or minimize lifting or carrying by using a hand truck or similar material handling device
  - When lifting heavy items be sure to lift with the strength of your legs and not by only bending at the waist. This will alleviate unnecessary pressure off of your lower back
  - Ask for assistance when having to lift or carry something heavy or awkward
  - Always be aware of items on the floor that can cause a slip or trip hazard
  - Never stand on chairs, desks or other furniture. Ask for a stepladder or step stool designed for stepping on when reaching for higher items.
  - Extension cords are designed for temporary use only. Use a power strip for longer term power supply

- Never bring or store chemicals from home. For your safety and the safety of your students, district approved chemicals should only be used
- Never operate equipment unless you have been trained and authorized by your supervisor (forklifts, aerial lifts, etc.)
- Never remove or disable safety guards from equipment

If you have any questions concerning the Employee Safety and Workers' Compensation procedure, call the District Safety Officer.

### Workers' Compensation Benefits

This insert is to advise you of your rights, obligations, benefits and procedures to follow under the industrial Insurance Laws (Title 51) of the State of Washington.

**General Information:** The West Valley School District is self-insured. This means your employer pays all benefits. All workers in the state receive the same benefits, regardless of the type of program. industrial insurance coverage is provided at no cost to you with the exception of the Supplemental Pension Fund, to which you may pay one-half of the state's assessment rates. Your District and ESD 105 Workers' Compensation Trust administrators your industrial injury claim. ESD 105 pays all benefits that you may be entitled to on your claim.

The Self-Insured Division of Labor and Industries receives a copy of all claims where time loss is paid. They monitor all claim actions assuring timely payment of benefits. The department also receives notice when medical only claims are closed and benefits have been paid. The District is prohibited from discriminating against you for filing, or expressing intent to file a claim.

**Specifics:** The District's Accident Prevention Program requires that you immediately report any work-related injury or occupational illness. You have one year from the date of injury to file an occupational injury claim. You have two years from the date your doctor advises you in writing that you have an occupational disease, to file a claim.

To file a claim, you must:

1. Report your injury to your supervisor.
2. Complete a self-insured claim form (obtained from the District Central Office).
3. Be treated by a practitioner for your injury or illness.

You have the right to be treated by a practitioner of your choice; however, you must remain under this/her care for a sufficient time to produce a curative result. ESD 105 Workers' Compensation Trust must approve all transfers of care.

Your doctor must provide the District or Trust with medical progress reports. The District and the Trust have the right to seek additional medical opinions regarding your condition. You may be entitled to rehabilitation as a result of your injury. Qualified workers will receive benefits as determined by law.

**Medical Costs:** The Trust is responsible for paying all related medical costs according to state law. You are not to be charged for any authorized treatment. If you find it necessary to pay a

bill, submit it to ESD 105 for reimbursement. A reimbursement form is available by calling (509)575-2885.

**Time Loss Compensation:** To qualify, you must:

1. Be disabled and unable to work due to the injury or illness.
2. Be under the care/treatment of an authorized practitioner.
3. Be certified as temporarily or totally disabled by the doctor.

**Amount:** The rate of time loss compensation is determined by your marital status and number of dependents. The maximum payment is determined by the state average wage and is set by state law.

**Waiting Period:** No payment is made for the day of injury. No payment is made for the first three days following the date of injury unless your disability continues fourteen days or longer. An unsuccessful attempt to return to work will not affect the payment for the first three days.

**Duration:** You will continue to receive time loss benefits until one of the following occurs:

- Your doctor releases you back to work.
- You return to work.
- You return to modified work approved by your doctor.
- You refuse or obstruct treatment.
- Your claim is rejected by an order from the Dept. of Labor & Industries.

**Sick Leave Buy-Back Procedure:** If you have been certified off work and sick leave is used to maintain full wages, you are required to take your time loss compensation check to your District and buy-back a pro-rated amount of used sick leave based on the dollar amount of your time loss check.

**Permanent Awards:** The Department of Labor & Industries determines all permanent awards. Permanent partial disability is a percentage of loss in function of a body part due to an industrial injury or illness. The level of disability is determined by a physician and given a monetary value by the Department of Labor & Industries as a form of compensation. Permanent Total Disability is a work-related condition, supported by medical and vocational opinion, which prevents you from being able to perform gainful employment. Such a condition may qualify you for a lifetime pension. Survivor's benefits are pension benefits available for your dependents should you suffer an on-the-job fatality. In such a case your dependent should apply for survivor's benefits.

**Reconsiderations and Appeals:** If at any time you disagree with any order or determination on your claim, you have sixty days from the date of the order, to file a protest or appeal. Should you have any questions concerning your benefits or claim, please direct them to ESD 105 Workers' Compensation Program, 33 South 2<sup>nd</sup> Ave., Yakima, WA 98902. (509)575-2885

## Section 5

### First Aid and CPR

#### Requirements:

The Department of Labor and Industries requires that at least one person be trained in first aid at each school and/or site. At schools, this person is generally the building secretary and/or playground supervisor(s). Coaches are required to have current first aid and CPR certification in order to coach. Certification must be renewed every two years.

#### Class Offering:

Classes in First Aid and CPR are offered during the school year to those in need of certification or re-certification. For coaches, the District will offer First Aid training every two years and CPR training every year to current coaching members. The District will pay the costs of the First Aid and CPR training for employees who attend the District training.

## Section 6

### District Policy and Procedures

#### 2145 Students: Suicide Prevention

The West Valley School District Board of Directors recognize that suicide is a leading cause of death among youth and that suicidal indicators such as substance abuse and violence are complex issues that should be taken seriously. While district staff may recognize potentially suicidal youth and the district can make an initial risk assessment, the district cannot provide in-depth mental health counseling. Instead, the board directs district staff to refer students who exhibit suicidal behaviors to an appropriate service for further assessment and counseling.

District staff who have knowledge of a suicide threat must take the proper steps to support the student and to report this information to the building principal or designee who will, in turn, notify the appropriate school officials, the student's family and appropriate resource services.

- As part of the District's Comprehensive Safe School Plan, the District will develop and implement a plan for recognition, initial screening, and response to emotional or behavioral distress in students, including but not limited to indicators of possible substance use, violence, and youth suicide. The District will annually provide the plan to all district staff. At a minimum, the plan will address:
  - Identification of training opportunities in recognition, screening, and referral that may be available for staff;
  - How to use the expertise of district staff who have been trained in recognition, screening, and referral;
  - How staff should respond to suspicions, concerns, or warning signs of emotional or behavioral distress in students;
  - Identification and development of partnerships with community organizations and agencies for referral of students to health, mental health, substance abuse, and social support services, including development of at least one memorandum of understanding between the district and such an entity in the community or region;
  - Protocols and procedures for communication with parents;

- How staff should respond to a crisis situation where a student is in imminent danger to himself or herself or others;
- How the district will provide support to students and staff after an incident of violence or youth suicide; and
- Training, when age appropriate, for students to learn suicide prevention information.
- Describe how staff should respond when allegations of sexual contact or abuse are made against a staff member, volunteer, parent, guardian or family member of the student, including how staff should interact with parents, law enforcement and child protective services;
- Describe how the district will provide certificated and classified staff training on the obligation to report physical abuse or sexual misconduct required under RCW 28A.400.317.

The Superintendent will develop and implement procedures and a staff training schedule to implement the District’s Comprehensive Safe School Plan.

Cross References:	Policy 2140 Policy 3207	Guidance and Counseling Harassment, Intimidation and Bullying
Legal References:	RCW 28A.410.043 RCW 28A.320.127  RCW 28A.410.226	School Counselor Certification Plan for recognition, screening, and response to Emotional or behavioral distress in students Washington professional educator standards board Training program on youth suicide screening - certificates for nurses, social workers, psychologist and counselors - adoption of standards
Cross Reference:	Policy 3207  Policy 2140	Prohibition of Harassment, Intimidation, Intimidation and Bullying Guidance and Counseling

Management Resources: Policy News, December 2014  
Policy News, April 2011

Adoption Date: 06.11  
Revised Dates: 05.15, 09.16

## 2145P Students: Suicide Prevention

### A. Prevention

Suicide prevention strategies may include, but are not be limited to, efforts to promote a positive school climate that enhances students’ feelings of connectedness with the school and each other, and is characterized by caring staff and harmonious interrelationships among students.

1. Student Health Education Program The district’s comprehensive health education program will promote the healthy mental, emotional, and social development of

students including, but not limited to, the development of problem-solving skills, coping skills and self-esteem. Developmentally appropriate suicide prevention instruction will be incorporated into the health education curriculum and designed to help students:

- a. Identify and analyze signs of depression and self-destructive behaviors and understand how feelings of depression, loss, isolation, inadequacy and anxiety can lead to thoughts of suicide;
- b. Identify alternatives to suicide and develop coping and resiliency skills;
- c. Learn to listen, share feelings and get help when communicating with friends who show signs of suicidal intent; and
- d. Identify trusted adults, school resources, and/or community crisis intervention resources where youth can get help and recognize that there is no stigma associated with seeking mental health, substance abuse and/or suicide prevention services.

## **2. Student Responsibility**

The district will encourage students to notify a teacher, principal, counselor or other adult when they are experiencing depression or thoughts of suicide or when they suspect or have knowledge of another student's despair or suicidal intentions (including self-harm). Where appropriate, the district will use students to help educate their peers to identify the warning signs of suicidal behavior and to get a suicidal student adult help.

## **3. Staff Training**

The district's suicide prevention training will help staff identify and respond to students at risk of suicide. The training shall be offered under the direction of a district counselor/ psychologist and/or in cooperation with one or more community mental health or public health agencies and may include information on:

- a. Identifying risk factors such as previous suicide attempts, history of depression or mental illness, substance use problems, bullying and harassment, family history of suicide or violence, feelings of isolation, interpersonal conflicts, a recent severe stressor or loss, family instability and other factors;
- b. Warning signs that may indicate suicidal intentions, including changes in students' appearance, personality or behavior, threats of self-harm, and/or incidents of self-harm;
- c. School and community resources/services; and
- d. District procedures for intervening when a student attempts, threatens, discloses the desire to commit suicide or displays other indicators.

## **4. Principal/Designee Prevention Planning**

School administrative teams will designate specific individuals to be promptly contacted regarding a suicide threat including the school counselor, psychologist, nurse, superintendent, the student's parent/guardian and, as necessary, local law enforcement or mental health agencies. The principal or counselor will develop a reentry plan, including a student/staff support plan for use after a suicide attempt.

- B. Intervention Whenever a staff member suspects or has knowledge of a student's suicidal intentions (including self-harm), he/she will take proper steps to support the student, promptly notify the principal or school counselor and request that

appropriate school staff conduct an initial risk interview. The principal or counselor will then notify the student's parents/guardians as soon as possible, unless notification of the parents will jeopardize the student's safety. The district may also refer the student to mental health resources in the community. Additionally, the principal or designee will ensure the student's physical safety by one of the following as appropriate: Secure immediate medical treatment if a suicide attempt has occurred; Secure emergency assistance if a suicidal act is being actively threatened; Keep the student under continuous adult supervision until the parent/guardian and/or appropriate support agent or agency can be contacted and has the opportunity to intervene; Document the incident and disposition in writing as soon as feasible; Follow-up with the parent/guardian and student, in a timely manner, to provide referrals to appropriate services as needed; Provide access to counselors or other appropriate personnel to listen to and support students and staff who are directly or indirectly involved with the incident; or Provide an opportunity for all who respond to the incident to debrief, evaluate the effectiveness of the strategies used and make recommendations for future actions.

- C. **Parent Responsibility** If a student is determined to be at risk, the principal or designee shall contact the parent/guardian and: Ask the parent/guardian whether he or she is aware of the student's mental state; Ask the parent/guardian how he/she will obtain mental counseling or appropriate support for the student; Provide names of community counseling resources, if appropriate, and offer to facilitate the referral; Determine the parent's/guardian's intent to seek appropriate services for the student; and Discuss the student's reentry into school. **Post-Event** In the event that a suicide occurs or is attempted, the principal or designee shall follow the crisis intervention procedures contained in the school safety plan. After consultation with the Superintendent or designee and the student's parents/guardians about facts that may be divulged in accordance with the laws governing confidentiality of student record information, the principal or designee may provide students, parents/guardians, and staff with information, counseling and/or referrals to community agencies as needed. School administrators may receive assistance from school counselors or other mental health professionals in determining how best to discuss the suicide or attempted suicide with students and staff. Following a suicide, the district will also assess the impact within all schools and the local community and provide appropriate information and support. **Communications** The district's suicide prevention policy and procedure and the crisis intervention plan will be available for all staff, students and community through the student, staff, volunteer and parent/guardian handbooks and in school and district offices. All requests for specific information regarding an incident will be directed to the building principal or designee. **Resources** The district will utilize school counselors, the crisis telephone hotline, physician/health care providers, mental health specialists, coaches and youth leaders, parents and clergy as resources for prevention and intervention. **Community resources include:**

1. Prevention Resources:
  - a. Washington Youth Suicide Prevention Program, [www.yspp.org](http://www.yspp.org), 206-297-5922;
  - b. Washington State Department of Health, [www.doh.wa.gov/preventsuicide](http://www.doh.wa.gov/preventsuicide); 360-236-2800;
  - c. ESD 105 Prevention/Intervention Program Coordinator: (509) 454-3104; and
  - d. 211 System - This is an information referral service, it assists with providing resources in your community.



2. **Crisis Response Resources:**
  - a. Emergency Response: 911
  - b. Yakima Health District: (509) 575-4040
  - c. National LifeLine: 1-800-273 and Talk (8255)
  - d. Central Washington Comprehensive Mental Health Suicide Prevention
  - e. Hotline: (509) 575-4200; 1-800-572-8122

Date: 06.11

Revised Dates: 11.18

### 5161 Personnel: CIVILITY

**Purpose:** The District believes that a safe, civil, and respectful environment is essential to providing a quality education to students, maintaining high student and staff achievement and promoting positive extracurricular experiences for students.

Students, parents, community members, volunteers, and District employees shall be accountable for the promotion and demonstration of civil conduct. The Board is committed to support this expectation and will not condone or accept uncivil conduct on school grounds, at school-sponsored events, or in verbal, written, or electronic communications whether by students, staff, parent, community members or administrators.

The purpose of this policy is:

- 1) To promote a working and learning environment that is safe, productive, positive and that empowers all to reach their full potential;
- 2) To provide our students with appropriate models for respectful problem-solving and conflict resolution;
- 3) Support the target(s) of uncivil conduct in a timely and appropriate manner;
- 4) To provide guidelines and support for civil interactions and communication among students, parents, community members, volunteers and District employees which encourages the free flow of ideas without fear or intimidation;
- 5) To prevent and address conduct, such as fear, anger, frustration, intimidation, alienation, and physical aggression.

**Definitions:** For purposes of this policy, “uncivil conduct” includes, but not limited to;

- 1) Using language, behavior, or tone of voice that is hostile, intimidating, malicious, derisive, sarcastic, disdainful, or degrading to another individual;
- 2) Directing vulgar, obscene, or profane gestures or words at another individual;
- 3) Yelling at another person during a meeting, conference or school event;
- 4) Repeatedly interrupting another person who is speaking at an appropriate time and place;
- 5) Imposing personal demands at times or in settings where they conflict with another’s assigned duties, supervision responsibilities, and established practices;
- 6) Taunting, jeering, or inciting others to taunt or jeer at another individual;
- 7) Gesturing in a manner that would put a reasonable person in fear for their personal safety;
- 8) Violating the privacy of another individual’s belongings (except for lawful searches by school officials conducted in connection with the administration of school rules and applicable laws);

- 9) Using racial/ethnic, religious, religion, gender, color, sexual, sexuality, or disability epithets, slurs, or other references as terms of abuse, contempt, or hostility towards another individual;
- 10) Invading personal space of another individual after being directed to move away;
- 11) Physically blocking a person's entrance or exit from a room or location;
- 12) Remaining in a classroom or school area after a District employee has directed the individual to leave;
- 13) Distributing comments about an individual, whether verbal or in writing, including on-line (electronic) that are offensive and are likely to leave a negative impact on the individual if they were to see them;
- 14) Gossip, slander, or other communication that negatively affects the workplace;
- 15) Conduct that is likely to interfere with the peaceful conduct of the activities of the campus or facility.

“Uncivil conduct” does not include the expression of controversial or differing viewpoints, so long as (1) the ideas are presented in a collegial respectful manner and at a time and place that are appropriate, (2) such expression does not materially disrupt, and may not be reasonably anticipated to disrupt, the educational process, and (3) the content of the expressed idea is reasonably related to district business.

**Expectations:** In support of this policy, the Superintendent or designee shall be responsible for the development of District training, written and oral communications, resource lists and other tools for the use of staff, students, and community members in achieving the purposes of this policy. Specific procedures appropriate to the needs of staff, students, and parents or community members will be available to all persons who have legitimate business within the District.

Persons who perceive they have been subjected to uncivil conduct will be urged to resolve their concerns through simple, direct, or assisted communication with the person(s) at the source of the concern. When this is not possible or appropriate, any person who needs help identifying and/or using appropriate problem solving or conflict resolution procedures may seek assistance from an administrator, supervisor, director, or superintendent. No retaliation will be permitted against persons for working in good faith under this policy as it relates to administrative regulations to resolve concerns. All buildings/departments are expected to guide, support, and evaluate local efforts to establish and reinforce a culture of civility and respect for all.

**Severability Clause:** If any part of this policy or its related procedures is found to be unlawful or unenforceable by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect to the full extent permitted by law.

Cross References:	Board Policy 3207	Prohibition of Harassment, Intimidation, and Bullying
	Board Policy 3205	Sexual Harassment of Students Prohibited
	Board Policy 4010	Staff Communications Responsibility
	Board Policy 4220	Complaints Concerning Staff or Programs
	Board Policy 5011	Sexual Harassment of District Staff Prohibited

Legal References: RCW 28A.635.010  
RCW 28A.635.020  
RCW 28A 635.030

**Adoption Date: 05.22**

### **5161P Personnel: CIVILITY**

Policy 5015 and the procedures that follow are intended to support all partners in the educational process; maintain a safe, nurturing work and learning environment; provide models of respectful problem-solving, and reduce the potential for serious or widespread disruptions within the school district.

These procedures are not intended to manage threatening or intimidating behavior which is serious enough to constitute harassment or to cause one to fear for his or her safety. Rather, these procedures are meant to underscore the expectation of civil conduct in all interactions within the school district, provide all individuals the tools and knowledge to eliminate uncivil conduct they experience within the District, and replace uncivil conduct with acceptable, productive interactions.

*Note: At any time, the employee's personal safety is threatened, the employee may contact law enforcement.*

*Anyone who threatens or attempts to disrupt school or school district operations, physically harm someone, intentionally cause damage, uses loud or offensive language, gestures, profanity or shows a display of temper may be directed to leave the premises by an administrator, security personnel or law enforcement.*

*If communication via e-mail, voice mail or written is demeaning, abusive, threatening or obscene the employee is not obligated to respond and should save the message and contact their immediate supervisor.*

*\*At all times, the Assistant Superintendent of Operations and/or Director of Human Resources shall be a resource to any employee whose working relationship to the individual perceived to have been uncivil creates an unusual obstacle to problem-solving.*

#### **Parents/Community Members:**

If parents or community members believe they have been treated in an uncivil manner by a district employee, they should follow the steps outlined in Policy and Procedure 4220; Complaints Concerning Staff of Programs.

#### **Employee:**

If an employee believes they have been treated in an uncivil manner by another employee, parent or community member, they should;

- 1) Request civil conduct from the individual who is acting in an uncivil manner.
- 2) If continues, document (5015F) and report the uncivil behavior to an immediate supervisor or building administrator. If appropriate, the employee and supervisor may work together to develop a mutually-agreeable response plan.
- 3) If the uncivil behavior is chronic, escalate, or be initially extreme, disciplinary action and/or legal remedies and interventions (including contacting law enforcement) may be warranted. The individual may be directed to leave the premises.

### 5201 Personnel: Drug-Free Schools, Community and Workplace

The Board has an obligation to staff, students and citizens to take reasonable steps to assure safety in the workplace and to provide safety and high-quality performance for the students that the staff serves.

The District will comply with the Drug Free Workplace Requirements for Federal Grant recipients.

“Workplace” is defined to mean the site for the performance of work done, which includes work done in connection with federal grants. That includes any school building or any school premises; any school owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

For these purposes, the Board declares that the following behaviors will not be tolerated:

- A. Reporting to work under the influence of alcohol, illegal and/or controlled substances including marijuana (cannabis).
- B. Using, possessing, transmitting alcohol, illegal and/or controlled substances, including marijuana (cannabis) and anabolic steroids, in any amount or in any manner on district property at any time or when involved in a school district activity on/or off district property. Any staff member convicted of a felony attributable to the use, possession, or sale of illegal and/or controlled substances including marijuana (cannabis) will be subject to disciplinary action, including immediate termination.
- C. Using district property or the staff member’s position within the district to make, traffic, unlawfully manufacture, distribute, or dispense alcohol, illegal and/or controlled substances, including marijuana (cannabis)

Any staff member who is taking a drug or medication whether or not prescribed by the staff member’s physician, which may adversely affect that staff member’s ability to perform work in a safe or productive manner, is required to report such use of medication to his or her supervisor. This includes drugs which are known or advertised as possibly affecting judgment, coordination, or any of the senses, including those which may cause drowsiness or dizziness.

The supervisor in conjunction with the district office, then will determine whether the staff member can remain at work and whether any work restrictions will be necessary.

As a condition of employment, each employee shall notify his or her supervisor of a conviction under any criminal drug statute violation occurring in the workplace as defined above. Such notification will be provided no later than 5 days after such conviction. The district shall inform the federal granting agencies within ten days of such conviction, regardless of the source of the information.

Each employee shall be notified of the district's policy and procedures regarding employee drug activity at work. Any staff member who violates any aspect of this policy may be subject to disciplinary action, which may include immediate discharge. As a condition of eligibility for reinstatement, an employee may be required to satisfactorily complete a drug rehabilitation or treatment program approved by the Board, at the employee's expense. Nothing in this policy will be construed to guarantee reinstatement of any employee who violates this policy, nor does the school district incur any financial obligation for treatment or rehabilitation ordered as a condition of eligibility for reinstatement.

The district may notify law enforcement agencies regarding to a staff member's violation of this policy at the district's discretion or take other actions as it the district deems appropriate.

Safety Sensitive Drug and Alcohol Test Results for Employees that Operate District Vehicles or Transport Other District Employees and/or Students:

The District will follow requirements of the Federal Highway Administration Mandated drug and alcohol Testing Program, Department of Transportation Drug and Alcohol Testing, 49 CFR 382 and 49 CFR Part 40 with the exception of tests results and consequences.

The District will adhere to a zero-tolerance policy for both drug and alcohol test results. This will be based upon a BAT result of 0.000 for the confirmation test result or a positive substance test.

Marijuana remains a drug listed in Schedule 1 of the Controlled Substances Act. The Department of Transportation's Drug and Alcohol Testing Regulation 49 CFR Part 40 does not authorize the use of Schedule 1 drugs, including marijuana for any reason.

Any results that do not meet these criteria will be considered professional misconduct in accordance with WAC 392-144-020(12) and shall result in termination.

Cross References:	Board Policy 4215	Use of Tobacco, Nicotine Products and Deliver Devices
	Board Policy 5280	Termination of Employment
	Board Policy 5203	Staff Assistance Program
	Board Policy 5201	Drug-Free Schools, Community and Workplace
	Board Policy 5201F	Notice to Employees - Drug-Free Workplace

Board Policy 5202	Federal Motor Carrier Safety Administration Mandated Drug and Alcohol Testing Program
Board Policy 5202P	Federal Highway Administration Mandated Drug and Alcohol Testing Program
Board Policy 5281	Disciplinary Action and Discharge
Board Policy 5281P	Disciplinary Action and Discharge

Legal References:	RCW 69.50.435	Violations committed in or on certain public places or facilities - Additional penalty - Defenses - Construction - Definitions
	20 USC 7101 - 7118	Safe and Drug-Free Schools and Communities Act
	21 USC 812	Controlled Substance Act
	41 U.S.C. § 8103	Drug Free Workplace Requirements for Federal Grant Recipients
	FHAM	Federal Highway Administration Drug and Alcohol Testing Program
	49 CFR Part 40	Procedures for Transportation Workplace Drug and Alcohol Testing Programs
	49 CFR Part 382	Controlled Substances and Alcohol Use and Testing DOT Department of Transportation Drug and Alcohol Testing and Compliance
	WAC 392-144-020(12)	School Bus Driver Qualifications

Management Resources:

Policy & Legal News, February 2013	Policy Revisions
Policy News, December 2011	Changes in WSSDA's Policy
Reference Manual Policy News, February 1999	
Bus drivers still tested for marijuana Adoption	

Date: 04.01.98 Revised: 8.14; 10.16

**5201F *Personnel*: NOTICE TO EMPLOYEES - Drug Free Workplace**

YOU ARE HEREBY NOTIFIED that it is a violation of the policy of the West Valley School District for any employee to unlawfully manufacture, distribute, dispense, possess or use on or in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 CFR 1300.11 through 1300.15.

“Workplace” is defined as the site for the performance of work. That includes any place where work on a school District federal grant is performed, including a school building or other school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school District.

YOU ARE FURTHER NOTIFIED that it is a condition of your continued employment on any federal grant that you will comply with the above policy of the school District and will notify your supervisor of your conviction of any criminal drug statute. Such notification shall be no later than five days after such conviction.

An employee who violates the terms of the school District's drug-free workplace policy may be suspended, discharged, or non-renewed in accordance with the provisions of the board policy and state law.

An employee may be required to satisfactorily complete a drug rehabilitation or treatment program approved by the board, at the employee's expense, as a condition of eligibility for reinstatement. However, reinstatement of an employee who has violated the drug-free workplace policy is not guaranteed, or does the school District incur any financial obligation for an employee's treatment or rehabilitation.

Revised: 10.16

#### 4215 Community Relations: Use of Tobacco, Nicotine Products and Delivery Devices

The Board of Directors recognizes that to protect students from exposure to the addictive substance of nicotine, employees and officers of the school district, and all members of the community, have an obligation as role models to refrain from use of tobacco products and delivery devices on school property at all times. Tobacco products and delivery devices include, but are not limited to cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, electronic smoking/vapor devices, and vapor products, 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 all school district property, including all district buildings, grounds and district owned vehicles, and within five hundred feet of schools. Possession by or distribution of tobacco products to any person under twenty-one years of age is prohibited.

The use of Federal Drug Administration (FDA) approved nicotine replacement therapy in the form of a nicotine patch, gum or lozenge is permitted. However, students and employees must follow applicable policies regarding use of medication at school.

Notices advising students, district employees and community members of this policy 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:	Board Policy 3200	Student Rights and Responsibilities
	Board Policy 3241	Student Discipline
	Board Policy 3416	Medication at School
	Board Policy 5201	Drug-Free Schools, Community and Workplace

Board Policy 5280 Separation from Employment

Legal References:

- RCW 28A.210.260 Public and private schools - Administration of medication Conditions.  
RCW 28A.210.270 Public and private schools - Administration of medication Immunity from liability - Discontinuance, procedure.  
RCW 28A.210.310 Prohibition on use of tobacco products on school property Chapter 70.155 RCW Tobacco - Access to Minors Management

Resources:

- Policy News, October 2019  
Policy News, July 2016  
Policy News, October 2010 Electronic Cigarettes  
Policy News, December 2010 Addressing the Use of “Electronic” Cigarettes  
Policy News, February 2014

Revised: 10.00; 8.03; 10.10, 12.10, 10.14; 09.16; 01.20

#### 4210 Community Relations: Regulation of Dangerous Weapons on School Premises

Unless specifically authorized by this policy, it is a violation of district policy for any person to carry a firearm or dangerous weapon on district property or school-provided transportation. This prohibition applies to any facility owned, rented, or leased by the District. If the District leases or rents part of a property for District use, firearms and dangerous weapons are prohibited on any portion of the premises where the district has the right of exclusive use.

Carrying a dangerous weapon onto school premises, school-provided transportation, or areas of other facilities being used exclusively for school activities in violation of RCW 9.41.280 is also a criminal offense. It is the policy of this District that the presence of firearms and other dangerous weapons in the workplace or educational environment is to be minimized as much as possible. As such, the following activities are prohibited by this policy regardless of whether such possession would violate state law, and regardless of whether the weapon is secured in a vehicle or possessed by a person with a concealed weapons permit:

1. No District employee may bring any firearm or dangerous weapon onto any District property without prior authorization of the Superintendent.
2. No person or entity renting, leasing, or otherwise being granted the right to temporary use of District-owned property may possess, or allow its guests to possess, firearms or dangerous weapons on District-owned property.

The superintendent is directed to ensure that all school facilities post “Gun-Free Zone” signs, and that all violations of this policy and RCW 9.41.280 are reported annually to the Superintendent of Public Instruction.

**Dangerous Weapons** The term “dangerous weapons” under state law includes:

- Any firearm;



- Any device commonly known as “nunchaku sticks,” consisting of two or more length of wood, metal, plastic, or similar substance connected with wire, rope, or other means;
- Any device, commonly known as “throwing stars,” which are multi-pointed, metal objects designed to embed upon impact from any aspect;
- Any air gun, including any air pistol or air rifle, designed to propel a BB, pellet, or other projectile by the discharge of compressed air, carbon dioxide, or other gas;
- Any portable device manufactured to function as a weapon and which is commonly known as a stun gun, including a projectile stun gun which projects wired probes that are attached to the device that emit an electrical charge designed to administer to a person or an animal an electric shock, charge, or impulse;
- Any device, object, or instrument that is used or intended to be used as a weapon with the intent to injure a person by an electric shock, charge, or impulse;
- The following instruments:
  - Any dirk or dagger;
  - Any knife with a blade longer than three inches;
  - Any knife with a blade that is automatically released by a spring mechanism or other mechanical device;
  - Any knife having a blade that opens, or falls, or is ejected into position by the force of gravity, or by outward, downward, or centrifugal thrust or movement; and
  - Any razor with an unguarded blade;
- Any slung shot, sandbag, or sandclub;
- Metal knuckles;
- A sling shot;
- Any metal pipe or bar used or intended to be used as a club;
- Any explosive;
- Any weapon containing poisonous or injurious gas;
- Any implement or instrument that has the capacity to inflict death and from the manner in which it is used, is likely to produce or may easily and readily produce death.

In addition, the District considers the following weapons in violation of this policy:

- Any knife or razor not listed above, except for instruments authorized or provided for specific school activities;
- Any object other than those listed above that is used in a manner to intimidate, threaten, or injure another person and is capable of easily and readily producing such injury.

### **Reporting Dangerous Weapons**

**Students:** If the District believes that a student has violated this policy, an appropriate school authority will promptly notify the student’s parents or guardians and the appropriate law enforcement agency of known or suspected violations of this policy.

Students who have possessed a firearm on any school premises, school-provided transportation, or school-sponsored activities at any facility shall be expelled for not less than one year pursuant to RCW 28A.600.420. The superintendent may modify the one-year expulsion for a firearm on a case-by-case basis. Further, the district may also suspend or expel a student for up to one year if the student acts with malice (as defined under RCW 9A.04.110) and displays

a device that appears to be a firearm.

All expulsion and / or suspension and all other discipline of students who violate this policy will be subject to District Policy 3241 - Student Discipline.

**Staff:** If a District employee believes that another District employee has violated this policy, the employee will report his or her concerns to an appropriate school or District authority for further inquiry. Any disciplinary action of an employee who willfully violates this policy will be subject to District Policy 5281 - Disciplinary Action and Discharge.

**Exceptions:** The following persons may carry firearms into school buildings, as necessary, although students engaged in these activities are restricted to the possession of rifles on school 3 premises:

- A. Persons engaged in District-authorized military or law enforcement or School Resource Officer activities; including District-contracted security.
- B. Persons involved in a District Superintendent authorized convention, showing, demonstration, lecture or firearm safety course;
- C. Persons competing in District Superintendent authorized firearm or air gun competitions; and
- D. Any federal, state or local law enforcement officer.

The following persons who are over eighteen years of age, not employed by the District, not renting or leasing District facilities, and not enrolled as students, may possess firearms outside of school buildings on school property under only the following limited circumstances:

- A. Persons with concealed weapons permits issued pursuant to RCW 9.41.070 who are picking up or dropping off students; and
- B. Persons conducting legitimate business at the school and in lawful possession of a firearm or dangerous weapon if the weapon is secured within an attended vehicle, is unloaded and secured in a vehicle, or is concealed from view in a locked, unattended vehicle. Pursuant to RCW 9.41.050, no one may lawfully possess a loaded handgun in a vehicle unless the person has a valid concealed pistol permit.

Persons may bring dangerous weapons, other than firearms, onto school premises if the weapons are lawfully within the person's possession and are to be used in a school-authorized martial arts class.

**Personal Protection Spray:** Persons over eighteen years of age, and persons between fourteen and eighteen years of age with written parental or guardian permission, may possess personal protection spray devices on school property. No one under eighteen years of age may deliver such devices. No one eighteen years or older may deliver a spray device to anyone under fourteen, or to anyone between fourteen and eighteen who does not have parental permission.

Personal protection spray devices may not be used other than in self-defense as defined by state law. Possession, transmission, or use of personal protection spray devices under any other circumstances is a violation of district policy.

Cross References: 3241 - Student Discipline  
4260 - Use of School Facilities  
6112 - Rental or Lease of District Real Property

Legal References: RCW 9A.16.020 Use of force - when lawful  
RCW 9.41.250 Dangerous weapons—Penalty  
RCW 9.41.280 Dangerous weapons on facilities penalty Exceptions  
RCW 9.91.160 Personal protection spray devices  
RCW 9.94A.825 Deadly weapon special verdict—definition  
RCW 28A.600.420 Firearms on school premises, transportation, or  
facilities – Penalty – Exemptions

Management Resources: 2019 - October Issue  
2016 - July Issue Policy News, August 2006 Weapons on School  
Premises Policy News, August 1998 State Encourages Modification  
of Weapons Policy  
Policy News, October 1997 Legislature also addresses “lookalike”  
firearms Adoption Date: Classification: Essential

Revised Dates: 08.98; 08.06; 12.11; 07.16; 01.20

### **5256 *Personnel*: Staff Access to Networked Information Resources**

With the spread of telecommunications throughout the modern work place, the Board recognizes that employees will change the ways they share ideas, transmit information, and contact each other. The Board encourages staff to make use of telecommunications to explore educational topics, conduct research, and contact others in the educational world. The Board anticipates that new technology will expedite the sharing of effective practices and lessons across the District and will help staff stay on the leading edge of practices by forming partnerships with others across the nation and the world. As staff members connect to the global community, their use of these new tools and systems bring not only new opportunities but also new responsibilities.

The Board expects that all employees will learn to use electronic mail and telecommunications tools and apply them daily in appropriate ways in performing of tasks associated with their positions and assignments. Toward that end, the Board directs the Superintendent to provide staff with training in the proper and effective use of telecommunications and electronic mail.

Communication over networks should not be considered private. Messages may sometimes be diverted accidentally to a destination other than the one intended. Privacy in these communications is not guaranteed. Network supervision and maintenance may require review and inspection of directories or messages. The District network supervisor may examine communications in order to maintain system integrity. In addition, the District reserves the right to access stored records in cases where there may be reasonable cause to suspect wrongdoing or misuse of the system.

When conducting School business, email communications are considered public records and are

subject to state laws regarding records management and retention, Therefore, when using email to conduct school district business, staff are directed to use their school district email account. Staff are prohibited from conducting school business via a personal email account. In addition, staff are prohibited from conducting school business via text messaging. Any use of social media school district business must be documented with a screen shot and retained in accordance with the procedures for Policy 6570, *Property, Data and Records Management*.

The Board directs the Superintendent to specify behaviors that are permitted and those that are not permitted, as well as develop appropriate procedures to guide employees in the use of electronic mail and telecommunications. Employees should use discretion when using electronic mail and telecommunications to share confidential information about students or other employees and should restrict distribution to a “need to know” basis.

Adopted 10/14/02

### **5256P Personnel: Staff Access to Networked Information Resources: Procedures EMAIL SHOULD BE CHECKED DAILY**

Staff will employ electronic mail on a daily basis at work as a primary tool for communications. The district may rely upon this medium to communicate information, and all staff will be responsible for checking and reading messages daily.

### **PROFESSIONAL RULES OF CONDUCT APPLY**

The Network is provided for staff and students to conduct research and communication with others. Communication over the network is often public in nature; therefore, general rules and standards for professional behavior and communications will apply.

### **PROFESSIONAL DISCRETION APPLIED TO CONFIDENTIAL COMMUNICATION & DATA**

Employees should use professional discretion when using electronic mail and telecommunications to share confidential information about students or other employees and should restrict distribution to a “need to know” basis.

It is understood that the District network administrator may review files and communications to maintain system integrity. Users should not expect that files stored on District (or building) servers are private.

### **PERSONAL USE**

Incidental personal use of networked systems on non-work time is acceptable such that it does not impact network resources or incur liability to the district. If there is any question of appropriateness or liability, contact your supervisor. Minimize impact to the network by never transferring or saving large files and by only using authorized software. The district is not liable for your personal files - do not save anything important on district resources. If you have questions regarding network resources, contact the District network administrator.

### **Examples of Behavior Not Permitted:**

The following behaviors are explicitly prohibited on District networks:

1. Sending or displaying offensive messages or pictures.
2. Using obscene language.

3. Harassing, insulting or attacking others.
4. Engaging in practices that may threaten the network (for example: loading unauthorized software, forwarding chain email letters, installing unauthorized hardware, running files that may introduce a virus).
5. Violating copyright laws.
6. Using others' passwords.
7. Trespassing in other peoples' documents or files.
8. Downloading large files during the instructional day.
9. Violating regulations prescribed by the network provider.
10. Using the District systems for personal profit or gain.
11. Maintaining personal contact with a student outside of school by phone/cell phone, texting, email, Instant Messenger or Internet chat rooms, social networking Web sites, or letters (beyond homework or other legitimate school business) without including the parent/guardian.

### 5253 Personnel: Maintaining Professional Staff/Student Boundaries

Purpose: This policy provides all staff, students, volunteers, and community members with information about their role in protecting children from inappropriate conduct by adults. This policy applies to all district staff and volunteers. For purposes of this policy and its procedure, the terms "district staff," "staff member(s)," and "staff" also include volunteers.

#### General Standards

The West Valley School District board of directors expects all district staff to maintain the highest professional, moral and ethical standards when they interact with students. District staff are required to maintain an atmosphere conducive to learning by consistently and fairly applied discipline and established and 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.

The West Valley School District board of directors recognizes that staff may have familial and pre-existing social relationships with parents or guardians and students. Staff members should

use appropriate professional judgment when they have a dual relationship to students to avoid violating this policy, the appearance of impropriety, and the appearance of favoritism. Staff members shall pro-actively discuss these circumstances with their building administrator or supervisor.

#### Use of Technology

The West Valley School board of directors 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. Employees whose conduct violates this policy may face discipline and/or termination.

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 staff 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

Revised Dates: 07.19

### 5253P Personnel: Maintaining Professional Staff /Student Boundaries

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 policy on Harassment and Sexual Harassment of Students;
- 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,
- 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, texting, email, Instant Messenger or Internet chat rooms, social networking Web sites, or letters (beyond homework or other legitimate school business) without including the parent/guardian.
- 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)

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.

Reporting Violations: Students and their parents/guardians are strongly encouraged to notify the principal (or other administrator) if they believe a teacher or other staff member may be engaging in conduct that violates this policy. Staff members are required to promptly notify the principal (or other administrator) or the superintendent if they become aware of a situation that may constitute a violation of this policy.

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. Annually, all administrators and staff will receive copies of the district's reporting protocol.

Adopted: 05.10

## 5010 Personnel: Nondiscrimination and Affirmative Action

### **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 veterans 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 West Valley School District Board of Directors will designate a staff member to serve as affirmative action/Title IX Compliance Officer.

### **Affirmative Action**

The District, as a recipient of public funds, is committed to undertake affirmative action which will make effective, equal 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 procedure to increase the rate of aged, persons with disabilities, ethnic minorities, women, and Vietnam veterans, who are under-represented in the job classifications in relation to the availability of such persons having requisite qualifications. Affirmation action plans may not include hiring or employment preferences based on gender or race, including color, ethnicity, or national origin, such affirmative action swill also include recruitment, selection, training, education and other programs.

The Superintendent or designee will develop an affirmative action plan that 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 non-discrimination to those persons with disabilities, the following conditions will prevail:

- A. No qualified person with disability 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 5010 Personnel 2 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 accommodation to the known physical or mental limitations of an otherwise qualified 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, as appropriate, 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, and acquisition or modifications 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.

The District will not use any employment tests or criteria that screens out persons with disabilities unless the test or criteria is clearly and specifically job-related. Also, the District will not use such tests or criteria if alternative tests or criteria (that do not screen out persons with disabilities) are available.

- C. 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.
- D. 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 in initial employment, retention in employment, promotion, or any benefit of employment. The District will also not discriminate against any person who has participated in the enforcement of these rights under state or federal law.

### **Cross References:**

Board Policy 2030	Service Animals in Schools
Board Policy 5270	Resolution of Staff Complaints
Board Policy 5407	Military Leave

### **Legal References:**

RCW 28A.400.310	Law against discrimination applicable to district's employment practices
RCW 28A.640.020	Regulations, guidelines to eliminate discrimination - Scope - Sexual harassment policies
3 Chapter 28A.642	RCW Discrimination prohibition
Laws of 2018, Ch 116	Wages and Advancement Opportunities - Gender
Chapter 49.60	RCW Discrimination - Human rights commission
RCW 49.60.030	Freedom from discrimination - Declaration of civil rights
RCW 49.60.180	Unfair practices of employers
RCW 49.60.400	Discrimination, preferential treatment prohibited
Chapter 73.16	RCW Employment and reemployment
Chapter 392-190	WAC 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	Immigration Reform and Control Act of 1986
38 USC §§ 4301-4333	Uniformed Services Employment and Reemployment
Rights Act 29 U.S.C. § 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

Management Resources:

- Policy and Legal News - May 2018
- Policy and Legal News - April 2017
- Policy and Legal News - December 2014
- Policy and Legal News - June 2013
- Adding Legal Reference to Policy 5010
- Policy News - June 2011 - Laws Against Discrimination Address Equal Education Opportunities
- Policy News- February 2011 - Nondiscrimination
- Policy News - August 2007 - Washington's Law Against Discrimination
- Policy News - June 2001 - State Updates Military Leave Rights

Revised 06.13; 05.15; 06.17; 06.18

**5010P Personnel: Nondiscrimination and Affirmative Action**

**Nondiscrimination:** To ensure fairness and consistency, the following grievance procedure is to be used in the district's relationship with its staff with regard to employment problems covered by state and federal equal employment opportunity laws and/or this affirmative action program. No staff member's status with the district shall be adversely affected in any way because the staff member utilized these procedures. As used in this procedure, "grievance" shall mean a complaint which has been filed by a complainant (a student, an employee, a parent or guardian) relating to alleged violations of any antidiscrimination law including Title IX regulations and Washington Administrative Code (WAC) 392-190, Section 504 of the Rehabilitation Act of 1973, 42 USC 12101 - 12213 Americans with Disabilities Act (ADA) or Title VII of the Civil Rights Act of 1964. A "complaint" shall mean a charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. A "respondent" shall mean the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

The primary purpose of this procedure is to secure an equitable solution to a justifiable complaint to this and, the following steps shall be taken:

**Affirmative Action Plan:** The needs of all persons in a pluralistic society must be understood in order to continue to create an employment atmosphere compatible with and receptive to all persons. The following goals shall assure that a meaningful educational experience may continue to exist for students and staff alike. The district will:

- A. Make efforts to modify the composition of the future work force in order to work toward a full utilization of aged, persons with disabilities, racial and ethnic minorities, women and Vietnam veterans in the various job categories.
- B. Ensure that all applicants and staff are considered on the basis of bona fide job-related qualifications. The purpose of the affirmative action plan is to actively include persons of under-utilized classes in the employment process, not to exclude others from it. The district shall continue to emphasize in all recruitment contacts that nondiscrimination is a basic element in the district's personnel procedures.
- C. Be responsible for reviewing all employment procedures and programs to assure that there is no indication of discriminatory practices. The district shall continue to use aged persons, persons with disabilities, racial and ethnic minorities, women and Vietnam veterans in the recruitment and employment process. Job descriptions for classified staff shall be sent to the Washington Employment Service and other organizations, which are recruiting sources for groups that may be under-utilized in the district's work force. Recruitment from colleges and universities shall include institutions with high percentages of students of various ethnic minorities.
- D. Contract and purchase all goods and services from persons, agencies, vendors, contractors and organizations who comply with the appropriate laws and executive orders regarding discrimination.
- E. Take appropriate action to attract and retain aged persons, persons with disabilities, racial and ethnic minorities, women and Vietnam veterans at all levels and in all segments of the district's work force. Criteria for selecting staff shall be reviewed regularly to assure that such statements relate directly to the requirements for specific positions. However, pursuant to state law there shall be no preferential employment practices based on race or gender.
- F. Upgrade present staff by providing management development training to assure that individuals of under-utilized groups are prepared for positions of new and increased responsibility.

Implementation of the affirmative action plan shall be the responsibility of the Superintendent. Administrators shall assist in the attainment of the established goals and purposes of this affirmative action plan.

**Dissemination:** The District shall disseminate information concerning employment and developments under the affirmative action plan on a planned basis to assist in achieving the goals set for in this plan. Affirmative action information shall be disseminated by:

- A. Printing and distributing such information to staff, school libraries and offices;
- B. Publicizing such information in District newsletters;
- C. Conducting meetings with administrative staff to explain the intent and advantages of the policy and plan;
- D. Conducting faculty meetings and meetings with classified staff;

- E. Informing appropriate and interested recruiting and hiring sources; and
- F. Informing all representative staff groups in the District.

**Internal Audit and Monitoring System:** The Superintendent's office, in compliance with WAC 162-12, "Pre-employment Inquiry Guide," shall record applicant flow, new hires, promotions, transfer requests, transfers, administrative internships, and terminations by age, race, sex and other protected status. An analysis shall be made of the internal and external work force availability of, racial and ethnic minorities and women.

The District shall evaluate the effectiveness of the nondiscrimination and affirmative action program and report its status to the Board semiannually. Such reports may include recommendations for changes in the affirmative action program goals. The overall responsibility for monitoring and auditing this policy is assigned to the district office. The duties include:

- A. Analysis of the categories of employment in relation to affirmative action goals;
- B. Analysis of work force data and applicant flow; 5010P Personnel 3
- C. Maintaining records relative to affirmative action information;
- D. Preparation of semiannual reports of progress toward the goals and recommended changes required to maintain the vitality of the program;
- E. Identifying in a written report to the Superintendent any employment practice or policy that is discriminatory or that does not meet the requirements of the affirmative action program; and
- F. Keeping the Superintendent advised of the progress in implementing the goals and procedures of this affirmative action program.

**Grievance Procedure:** To ensure fairness and consistency, the following review procedures are to be used in the District's relationship with its staff with regard to employment problems covered by state and federal equal employment opportunity laws and/or this affirmative action program. No staff member's status with the District shall be adversely affected in any way because the staff member utilized these procedures.

- A. **GRIEVANCE** means a complaint which has been filled by an employee relating to alleged violations of any state or federal anti-discrimination laws.
- B. **COMPLAINT** means a written charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. 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 any District, school or the District compliance officer responsible for investigating discrimination complaints. Any District employee who receives a complaint that meets these criteria will promptly notify the compliance officer.
- C. **RESPONDENT** means the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

The primary purpose of this procedure is to secure an equitable solution to justifiable complaint. To this end, specific steps will be taken. The District is prohibited by law from intimidating, threatening, coercing or discriminating against any individual for the purpose of interfering with their right to file a grievance under this procedure and from retaliating against an individual for filing such a grievance.

**A. Informal Review Procedures**

When a staff member has an employment problem concerning equal employment opportunity, he/she shall discuss the problem with the immediate supervisor, personnel director or superintendent within 60 days of the circumstances which gave rise to the problem. The staff member may also ask the compliance officer to participate in the informal review procedure. It is intended that the informal discussion shall resolve the issue. If the staff member feels he/she cannot approach the supervisor because of the supervisor's involvement in the alleged discrimination, the staff member may directly contact the compliance officer before pursuing formal procedures. If the discussion with the officer or immediate supervisor does not resolve the issue, the staff member may proceed to the formal review procedures. During the course of the informal process, the District shall notify complainant of their right to file a formal complaint.

**B. Formal Review**

**Level One: Complaint to District**

The complaint must be signed by the complaining party and set forth the specific acts, conditions, or circumstances alleged to be in violation. Upon receipt of a complaint, the compliance officer shall provide the complainant a copy of this procedure. The compliance officer shall investigate the allegations set forth within 30 calendar days of the filing of the charge. The District and complainant may agree to resolve the complaint in lieu of an investigation. The officer shall provide the superintendent with a full written report of the complaint and the results of the investigation.

The superintendent or designee shall respond in writing to the complainant as expeditiously as possible, but in no event later than 30 calendar days following receipt of the written complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the District shall 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 shall send a copy of the response to the Office of Superintendent of Public Instruction.

The decision of the superintendent or designee will include: 1) a summary of the results of the investigation; 2) whether the District has failed to comply with anti-discrimination laws; 3) if non-compliance is found, corrective measures the District deems necessary to correct it; and 4) notice of the complainant's right to appeal to the school board and the necessary filing information. The superintendent's or designee's response will be provided in a language that 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.

Any corrective measures deemed necessary shall be instituted as expeditiously as possible, but in no event later than 30 calendar days following the superintendent's mailing of a written response to the complaining party unless otherwise agreed to by the complainant.

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

If a complainant disagrees with the Superintendent or designee's written decision, the complainant may file a written notice of appeal with the Secretary of the Board by the 10th calendar day following:

- A. The date upon which the complainant received the superintendent's response; or
- B. The expiration of the 30-calendar day response period stated in Level One, whichever occurs first.

The Board shall schedule a hearing to commence by the twentieth (20) calendar day following the filing of the written notice of appeal, unless otherwise agreed to by the complainant and the superintendent or for good cause. Both parties shall be allowed to present such witnesses and testimony as the Board deems relevant and material. Unless otherwise agreed to by the complainant, the Board shall render a written decision thirty (30) calendar days following the filing of the notice of appeal and provide the complainant with a copy of the decision. The Decision of the board will be provided in a language 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 Office of 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 Superintendent of Public Instruction.

### **Level Three - Appeal to the Superintendent of Public Instruction**

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 to the Office of Superintendent of Public Instruction.

- A. A complaint must be received by the Office of 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 Office of Superintendent of Public Instruction grants an extension for good cause. Complaints may be submitted by mail, fax, email or hand-delivery.
- B. A complaint must be in writing and include:
  - a. A description of the specific acts, conditions or circumstances alleged to violate applicable anti-discrimination laws;
  - b. The Name and contact information, including address, of the complainant;
  - c. The name and address of the District subject to the complaint;
  - d. A copy of the District's complaint and appeal decision, if any; and

- e. A proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student, or in the case of homeless child or youth, contact information.
- C. 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.

**PRESERVATION OF RECORDS:** The files containing copies of all correspondence relative to each complaint communicated to the District and the disposition, including any corrective measures instituted by the District, shall be retained in the office of the District Compliance Officer for a period of six (6) years.

**RESOURCES:** 8902 Zier Rd, Yakima, WA 98908:

Civil Rights Compliance and Title IX Coordinator:  
William Connolly, Assistant Superintendent  
8902 Zier Road, Yakima, WA 98908  
(509) 972-6006  
[connollyw@wvdsd208.org](mailto:connollyw@wvdsd208.org)

Section 504/ADA Coordinator:  
Stacey Drake, Assistant Superintendent  
8902 Zier Road, Yakima WA 98908  
(509) 972-6005  
[drakes@wvdsd208.org](mailto:drakes@wvdsd208.org)

Date: 12.29.00, 7.22.13, 8.30.2018

## 5011 Personnel: Sexual Harassment of Staff Prohibited

### 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, although 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 an appropriate staff member who can explain the informal and formal complaint processes and what a complainant can expect. 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. Informal remedies 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; or
- A general public statement from an administrator in a building reviewing the district sexual harassment policy without identifying the complainant.

Informal complaints may become formal complaints at the request of the complainant, parent, guardian, or because the district believes the complaint needs to be more thoroughly investigated.

### **Formal 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. Potential complainants who wish to have the district hold their identity confidential will be informed that the district will almost assuredly face due process requirements that will make available to the accused all of the information that the district has related to the complaint. The district will, however, fully implement the anti-retaliation provisions of this policy to protect complainants and witnesses. Student complainants and witnesses may have a trusted adult with them during any district-initiated investigatory activities. The superintendent or designated compliance officer may conclude that the district needs to conduct an investigation based on information in his or her possession, regardless of the complainant's interest in filing a formal complaint. The following process will be followed:

- The compliance officer will receive and investigate all formal, written complaints of sexual harassment, or information in the compliance officer's possession that the officer believes requires further investigation. Upon receipt of a complaint, the compliance officer will provide the complainant a copy of this procedure.
- 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 compliance officer may draft the complaint based on the report of the complainant for the complainant to review and approve.
- 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 any district, school or to the district compliance officer responsible for investigating sexual harassment complaints.
- Any district employee who receives a complaint that meets these criteria will promptly notify the compliance officer.
- The district is prohibited by law from intimidating, threatening, coercing or discriminating against any individual for the purpose of interfering with their right to

file a complaint under this policy and procedure and from retaliating against an individual for filing such a complaint. The school district and complainant may agree to resolve the complaint in lieu of an investigation. However, the compliance officer will investigate the allegations within thirty (30) calendar days.

- When the investigation is completed the compliance officer will compile a full written report of the complaint and the results of the investigation. If the matter has not been resolved to the complainant's satisfaction, the superintendent will take further action on the report.
- The superintendent will respond in writing to the complainant and the accused 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 the district has failed to comply with sexual harassment laws; 3) if non-compliance is found, corrective measures the district deems necessary to correct it; and 4) notice of the complainant's right to appeal to the school board and the necessary filing information. The superintendent's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964.
- Any corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the superintendent's mailing of a written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy.

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

If a complainant disagrees with the superintendent's 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. 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**

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.

1. 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.
2. A complaint must be in writing and include: 1) A description of the specific acts, conditions or circumstances alleged to violate applicable anti-sexual harassment laws; 2) The name and contact information, including address, of the complainant; 3) The name and address of the district subject to the complaint; 4) A copy of the district's complaint and appeal decision, if any; and 5) A proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information.
3. 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.

- A. 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 sued to deny or delay a complainant's right to utilize the complaint procedures.

Mediation must be conducted by a qualified and impartial mediator who may not:

- 1) Be an employee of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the subject of the complaint being mediated; or 2) Have a personal or professional conflict of interest. A mediator is not considered an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.

If the parties reach agreement through mediation, they may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the course of mediation will remain confidential and may not be used as evidence in any subsequent complaint, due process hearing or civil proceeding. The agreement must be signed by the complainant and a district representative who has authority to bind the district.

**Training and Orientation:** A fixed component of all district orientation sessions for staff, students and regular volunteers will introduce the elements of this policy. Staff will be provided information on recognizing and preventing sexual harassment. Staff will be fully informed of the formal and informal complaint processes and their roles and responsibilities under the policy and procedure. Certificated staff will be reminded of their legal responsibility to report suspected child abuse, and how that responsibility may be implicated by some allegations of sexual harassment. Regular volunteers will get the portions of this component of orientation relevant to their rights and responsibilities. Students will be provided with age-appropriate information on the recognition and prevention of sexual harassment and their rights and responsibilities under this and other district policies and rules at student orientation sessions and on other appropriate occasions, which may include parents. Parents will be provided with copies of this policy and procedure and appropriate materials on the recognition and prevention of sexual harassment. A copy of the district's sexual harassment policy must be included in any publication of the district or of a school that sets forth the rules, regulations, procedures, and standards of conduct for the school or school district. The policy must also be conspicuously posted in each school district, and provided to each employee, volunteer, and student.

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.

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 compliance 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.

### Resources

William Connolly, Compliance Officer  
West Valley School District  
8902 Zier Rd. Yakima, WA 98908  
509.972.6006

Washington State Human Rights Commission  
711 S Capital Way, Suite 402  
PO Box 72490 Olympia, WA 98504-2490  
360.753.6770

State and Federal Contact:  
Office of Superintendent of Public Instruction  
Equity and Civil Rights Office  
PO Box 47200 Olympia, WA 98504-7200  
360.725.6162

Office for Civil Rights, US Department of Education  
915 Second Ave, Room 3310  
Seattle, WA 98174  
206.607.1600

Management Resources:      Policy Alert      July 2015  
   Policy Alert      March 2014

Date: 08/06; 10/11; 07/13; 05.16

### 3211 Students: Gender-Inclusive Schools

The District will provide an educational environment that is safe and free of discrimination for all students, regardless of gender expression, gender identity, or sex. This policy is a component of the District's responsibility to create and maintain a safe, civil, and respectful educational environment.

The superintendent will appoint a primary contact (compliance officer) to ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the District. The compliance officer will participate in at least one mandatory training opportunity offered by OSPI.

This policy and its procedure will support District compliance with local, state, and federal laws concerning harassment, intimidation, bullying, and discrimination.

Cross References:           2145 - Suicide Prevention  
                                  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:   2104 - December Issue  
                                  2013 - December Issue  
                                  Prohibiting Discrimination in Washington Public Schools-OPSI  
                                  Guidelines for school districts to implement Chapters 28A.640  
                                  and 28A.642 RCW and Chapter 392-190 WC (February 2012)  
                                  2019 - July Policy Review

Adoption Date: 06.22  
Classification: Essential

### 3211P Students: Gender-Inclusive Schools\

A student may initiate a conversation regarding their gender identity with any staff member, such as a school counselor. The staff member will assist the student to notify the school administration. The administrator will meet with the student 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 under this policy, procedures, and state and federal law;
- 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; and,
- document the student's genuine and sincere declaration of gender identity and gender expression.

The school may not require the student to attend a meeting as condition of providing them with the protection to which they are entitled under this policy, procedures, and state and federal law regarding gender expression or identity.

#### **Communication and Use of Names and Pronouns**

To the best of their ability, staff members will use the name and pronouns as requested by the student. Staff members will not knowingly or deliberately misuse the requested name and pronouns.

With the approval of the student's parent/guardian, the requested name will be used with District records and communications (such as Skyward) with the exception of the standardized high school transcript.

## **Official Records**

The standardized high school transcript is the only official record that requires a student's legal name. 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.

Upon request of the student's parent/guardian, schools will change a student's official gender designation 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>.

## **Confidential Health or Educational Information**

To ensure the safety and well-being of the student, school employees will not disclose a student's gender status to others, including other school personnel, other students, or the parents of other students, 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 have declared to the school administration. No student will be required to use a restroom that conflicts with their gender identity. Any student—regardless of gender identity—may use a private restroom.

## **Locker Room Accessibility**

Students will be allowed to use the locker room that corresponds to the gender identity they have declared to the school administration.

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 gender status private. No student will be required to use a locker room that conflicts with their gender identity.

## **Interscholastic Athletics and Activities**

For participation in interscholastic athletics and activities, the school's athletic director will assist students to complete the Gender Identity Participation procedures set forth by the Washington Interscholastic Activities Association (WIAA). The District will not discriminate based on gender expression, gender identity, or sex.

### **Training and Professional Development**

The District will designate one person to be the primary contact regarding this policy and procedure relating to gender identity. The primary contact must participate in at least one mandatory training opportunity offered by OSPI. The District will provide staff training, annually, in an effort to build the skills of all staff members to prevent, identify and respond to harassment, intimidation, bullying, and discrimination.

### **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 have a safe school environment. The scope of this responsibility includes ensuring that any incident of discrimination or harassment is given immediate attention and reported to the person designated as the primary contact for this Policy 3211, Gender Inclusive Schools. 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.

Anyone may file a complaint for harassment, intimidation, and bullying using the complaint process outlined in the District's Prohibition of Harassment, Intimidation, and Bullying Procedure 3207P.

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

Adoption Date: 06.22

Classification: Essential

### **3421 Students: Child Abuse, Neglect, and Exploitation Prevention**

Child abuse or neglect, including exploitation are violations of children's human rights and an obstacle to their educational development. The board directs that staff will be alert for any evidence of child abuse or neglect, including exploitation.

For purposes of this policy, the term "child" means anyone under the age of 18.

"Child abuse or neglect means:





	Board Policy 4310	District Relations with the Law Enforcement and other Government Agencies
	Board Policy 3253	Maintaining Professional Staff/Student Boundaries
Legal References:	RCW 13.34.300	Relevance failure to cause juvenile to attend school as evidence to neglect petition
	RCW 26.44.020	Definitions
	RCW 26.44.030	Reports – Duty and authority to make – Duty of receiving agency – Duty to notify – Case planning and consultation – Penalty for unauthorized exchange of information – Filing dependency petitions – Investigations - Interviews of children – Records – Risk assessment process
	RCW 28A.320.160	Alleged sexual misconduct by school employee – Parental notification – Information on public records act.
	RCW 28A.400.317	Physical abuse or sexual misconduct by school employees – Duty to Report – Training
	RCW 28A.620.010	Purposes
	RCW 28A.620.020	Restrictions - Classes on parenting skills and child abuse prevention encouraged
	RCW 43.43.830	Background checks – Access to children or vulnerable Persons-Definitions
	WAC 110-30-0030	What is child abuse or neglect?
	AGO 1987, No. 9	Children – Child Abuse – Reporting by School Officials – Alleged Abuse by Student
Management Resources:		Policy News, June 2015 Policy News, April 2010 Policy News, February 2007 Physical Abuse and Sexual Misconduct Notice Requirements Policy News, June 1999 23% of districts out-of compliance on child abuse policies

Adopted Date:

Classification: Encouraged

Revised: Dates: 06.99; 02.07; 06.07; 08.07; 08.08; 11.08; 04.16; 01.23

### 3207 Students: Prohibition of Harassment, Intimidation, or Bullying

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 intentionally written message or image – including those that are electronically transmitted – 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 an 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.

This policy recognizes that ‘harassment,’ ‘imitation,’ and ‘bullying’ are separate but related behaviors. Each must be addressed appropriately.” 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**

**Harassment** refers to any malicious act, which causes harm to any person’s physical or mental 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 or distress on the targeted youth including physical, psychological, social, or educational harm. Bullying can also occur through technology and is called electronic bullying or cyberbullying.

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.

The District’s prohibition of harassment, intimidation, and or bullying shall apply:

- On school District property at any time;
- Off school District property at any school activity, function, or event;
- On school buses or vehicles provided by the District.
- Off school District property if the actions of the student materially or substantially effect the education process and/or student attendance at school.

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

### **Retaliation/False Allegations**

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting harassment, intimidation, or bullying, 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  
                          3200 - Rights and Responsibilities  
                          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: Office for Civil Rights Dear Colleague Letter: Responding to Bullying of Students with Disabilities (OCR 10/21/2014)  
2019 - July Issue  
2014 - December Issue  
2010 - December Issue  
2008 - April Issue  
2002 - April Issue

Adoption Date:

Classification: Essential

Revised Dates: 04.02; 10.07; 04.08; 12.10; 12.11;12.13; 12.14; 01.15; 07.19; 01.20

## 3207P Student: Prohibition of Harassment, Intimidation and Bullying

### A. Introduction

The West Valley 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 reoccurrence.

### 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.

**Harassment** refers to any malicious act, which causes harm to any person's physical or mental 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 or distress on the targeted youth including 2 physical, psychological, social, or educational harm. Bullying can also occur through technology and is called electronic bullying or cyberbullying

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.

Incidents may be reported verbally or in writing by students, families, or staff. The District form to document a formal complaint shall be available at each school and on the District's website (Form 3207F).

**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. 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.

#### **D. 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 Formal Complaint Form or a link to the web-based form (Form 3207F).

##### **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 Formal Complaint 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.

#### **E. 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 potential 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 Formal Compliant 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, the compliance officer must promptly notify the district's civil rights compliance coordinator. At that time, the compliance officers must promptly notify the complainant that their complaint will proceed under both this 4 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 or 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).

#### **F. 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.

#### **G. Filing a Formal Complaint**

Form A Formal Complaint Form may be used by students, families, or staff to report incidents of harassment, intimidation or bullying. The District Formal Complaint Form (Form 3207F) can be accessed via the District website.



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.

## H. Addressing Harassment, Intimidation, or Bullying - Reports

### Step 1: Filing a Formal Complaint Form

In order to protect a targeted student from retaliation, a student need not reveal his identity on a Formal Complaint 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. Schools may identify complaint boxes, use online reporting processes, or develop other methods for receiving anonymous, unsigned reports. Possible responses to an anonymous report include enhanced monitoring of specific locations at certain times of day or increased monitoring of specific students or staff. (Example: An unsigned Formal Complaint Form dropped on a teacher's desk led to the increased monitoring of the boys' locker room in 5th period.)

##### 2. Confidential

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.")

##### 3. 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 a Formal Complaint 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 Formal Complaint 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 Formal Complaint 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 (<https://www.k12.wa.us/student-success/health-safety/school-safetycenter/safety-planning-toolkit>) 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 Formal Complaint 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 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. 8 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**

1. If the complainant or parent/guardian is dissatisfied with the results of the investigation, they may appeal to the superintendent or his or her designee by filing a written notice of appeal within five (5) school days of receiving the written decision. The superintendent or his or her designee will review the investigative report and issue a written decision on the merits of the appeal within five (5) school days of receiving the notice of appeal.
2. If the targeted student remains dissatisfied after the initial appeal to the superintendent, the student may appeal to the school board by filing a written notice of appeal with the secretary of the school board on or before the fifth (5) school day following the date upon which the complainant received the superintendent's written decision.
3. An appeal before the school board or disciplinary appeal council must be heard on or before the tenth (10th) school day following the filing of the written notice of appeal to the school board. The school board or disciplinary appeal council will review the record and render a written decision on the merits of the appeal on or before the fifth (5th) school day following the termination of the hearing, and will provide a copy to all parties involved. The board or council's decision will be the final district decision.

#### **Step 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 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.

I. **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.

J. **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: [OEOinfo@gov.wa.gov](mailto:OEOinfo@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>

K. **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:

Classification:

Revised Dates: 04.02; 04.08; 12.10; 12.11; 12.14; 01.15; 01.20

### **Hazardous Substances**

All employers are responsible for informing and training workers about the hazardous chemicals in their workplaces, maintaining warning labels, and making available MSDS's (Material Safety Data Sheets) for hazardous chemicals.

All workplaces where employees are exposed to hazardous chemicals must have a written plan, which describes how the standard will be implemented in that facility. This written program must describe how the requirements for labels and other forms of warning, material safety data sheets, and employee information and training are going to be met in the facility. The written plan for each WEST VALLEY building is located in the Head Custodian's office. You may also be able to obtain this information from your supervisor.

Products that you may encounter in the workplace include:

- Copier and printer toners
- Office Supplies (i.e., Whiteout, etc.)
- Cleaning supplies that are used by the custodian (i.e., disinfectants, carpet stain remover, etc.)

Most chemicals are located in the custodian's supply closet. The person with primary responsibility for handling and storing hazardous chemicals in each building is the Head Custodian.

### **Pesticide Notification, Posting and Recordkeeping Requirements**

The District shall comply with all legal requirements for recordkeeping regarding the application of pesticides to school grounds or school facilities. This includes creation of an annual summary report of pesticide usage and compliance with state Department of Agriculture rules regarding recordkeeping. Such records will be available on request by interested persons under the state Public Records Act and other laws. Procedure 6895 shall be printed and distributed annually in employee handbooks and student handbooks to employees, students and parents at the start of the school year or when an employee begins work or a student enrolls.

At least 48 hours before the application of a pesticide to school facilities or school grounds, the District shall notify parents and staff of the planned application in writing, including the heading, "Notice: Pesticide Application." This notice shall be posted in a prominent place in the building office in addition to being provided to parents and staff. This pre-notification is not required if the school grounds or facilities will not be occupied by students for two days following the application of the pesticide. If the application is not made within 48 hours of the notification, another notification shall be made prior to the application. This pre-notification is not required in the case of any emergency application of pesticides to a school facility, such as an application to control stinging pests, but full notification shall be made as soon as possible after the application.

Following the application of a pesticide to school facilities (structures and vehicles) a sign shall be posted at the location of the application. The notice shall be at least 8.5 x 11 inches in size, shall include the heading, "Notice: Pesticide Application," and shall state the product name; date, time and specific location of the application; the pest for which the application was made; and a contact name and telephone number. The notice shall remain posted for 24 hours, or longer if required by the label of the pesticide.

Following the application of a pesticide to school grounds, a notice shall be posted at the location of the application and at each primary point of entry to the grounds. The notice shall be at least 4 x 5 inches in size and state that the landscape recently has been treated with a pesticide and provide a contact name and telephone number. The notice shall remain posted for 24 hours, or longer if required by the label of the pesticide.

These notices are not required for the application of anti-microbial pesticides (substances used to sanitize or disinfect for microbial pests: viruses, bacteria, algae and protozoa). These notices are not required for the placement of insect or rodent bait that are not accessible to children.

For outside playground, grass areas, and athletic fields the District will normally use Round-up (ground killer), Turflan, Horsepower, and Weedar (broad leaf), Casaron and Surflan (Pre-emergent), and Scyth (burns lines into the athletic fields). For insects, the name brands may change, but the use of some kind of sprays for insects will be used. Presently, the District is using Fast Kill III (roach and ant killer), Flying Insect Killer (flies, mosquitoes, cockroaches, beetles, etc.), and Jet Force II (wasp and hornet).

Revised: 05.28.02

## Section 7

### Emergency Procedure

#### Emergency Numbers

Fire/Ambulance/Police	911	Pacific Power	1(888)221.7070
W.V. Fire Department	509.966.3111	Cascade Natural Gas	1(888)522.1130
Yakima Fire Department	509.575.6060	Nob Hill Water	509.966.0272
Yakima Co. Sheriff	509.574.2500	City of Yakima Water	575-6154
City of Yakima Police	509.575.6200	Memorial Hospital	509.575.8000
State Patrol	509.575.2320	Red Cross	509.457.1690
Child Protective Services	509.225.6556		
Comprehensive Mental Health Crisis Line	509.575.4200		

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#### WVSD SCHOOLS

Ahtanum Valley Elementary	965.2031	W.V. Central Office	972.6000
Apple Valley Elementary	965.2060	Maintenance	972.6030
Cottonwood Elementary	965.2052	Transportation	966.2403
Mountainview Elementary	965.2070	School Nurse	972.3629
Summitview Elementary	965.2050	W.V. Junior High	972.5800

Wide Hollow Elementary	972.5550	WV Innovation Center	902.8810
W.V. Middle School	972.5700	W.V. High School	972.5900

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## Crisis Alerts

### How to Initiate Crisis Responses

#### LOCKDOWN

##### RESPONSE TO: Definite threat of harm

1. **Initiate**
  - a. Dial **CODE: (Building Designated Code\*)** to access All Call
  - b. For “Lockdown” Auto Call Dial **Building Designated Code\***
2. **Announce**
  - a. Say: “**Attention Everyone:**”
  - b. *If it is a drill, state that here*
  - c. Say: “**Lockdown, Lockdown, Lockdown**”
  - d. **Details:** Give an accurate, brief, clear description of the situation.
  - e. *If it is a drill, repeat that here.*
3. **Call 911**
  - a. Or direct someone to do so

#### SECURE AND TEACH

##### RESPONSE TO: Potential threat of harm

1. **Initiate**
  - a. Dial **CODE: (Building Designated Code\*)** to access All Call
  - b. for “SAT” Auto Call Dial **Building Designated Code\***
2. **Announce**
  - a. Say: “**Attention Everyone:**”
  - b. *If it is a drill, state that here*
  - c. Say: “**Secure and Teach, Secure and Teach, Secure and Teach**”
  - d. **Details:** Give an accurate, brief, clear description of the situation.
  - e. *If it is a drill, repeat that here.*
3. **Call 911**
  - a. Or direct someone to do so

#### SHELTER IN PLACE

##### RESPONSE TO: Chemical, biological or radioactive threat

2. **Initiate**
  - a. Dial **CODE:(Building Designated Code\*)** to access All Call
  - b. for “SAT” Auto Call Dial **Building Designated Code\***
3. **Announce**
  - a. Say: “**Attention Everyone:**”
  - b. *If it is a drill, state that here*
  - c. Say: “**Shelter in Place, Shelter in Place, Shelter in Place**”
  - d. **Details:** Give an accurate, brief, clear description of the situation.



- e. *If it is a drill, repeat that here.*
- 4. **Call 911**
  - a. Or direct someone to do so

## EVACUATE

### RESPONSE TO: Fire or other internal threat

1. **Initiate**
  - a. Dial **CODE:(Building Designated Code\*)** to access All Call
  - b. for “SAT” Auto Call Dial **Building Designated Code\***
1. **Announce**
  - a. Say: “**Attention Everyone:**”
  - b. *If it is a drill, state that here*
  - c. Say: “**Evacuate, Evacuate, Evacuate**”
  - d. **Details:** Give an accurate, brief, clear description of the situation.
  - e. *If it is a drill, repeat that here.*
1. **Call 911**
  - a. Or direct someone to do so
2. **\*Please check with Building Principal or Direct Supervisor for Building Designated Code**

## Section 8

### Other: Supervisor or Record, Dealing with Difficult People

#### Supervisor of Record

#### Supervision of Buildings

Principals and Directors are to ensure there is adequate supervision to maintain a safe and appropriate learning environment in their schools and work sites. The level of supervision needed will depend on the size of the building and the activities scheduled during the time of the principal’s/director’s absence.

In the case of schools, for brief absences from the building, it is not necessary to employ a substitute for principals. When the principal is to be gone for an extended period, principals are to request administrative substitutes through the superintendent at the time of their leave request.

An integral part of supervision is regular communication with staff. Therefore, supervisors are expected to keep their secretaries and staff informed of their location and emergency contact numbers (i.e. pager numbers, cellular telephone numbers). The supervisor should also communicate to staff who will be in charge in their absence (Assistant/Supervisor of Record).

Principals and Directors are also encouraged to inform administrators who may serve as emergency contacts if needed. District office staff will also serve as a support role or for an emergency point of contact. [See Emergency Procedures Handbook or telephone contact list.]

## Dealing with Difficult Persons

In the West Valley School District, we enjoy a generally positive relationship with our students, parents, and community. However, at times we do encounter challenging individuals. The guidelines here are to outline the District's recommended procedures concerning how best to respond in word or action to the "inappropriate" behavior of unreasonable, uncooperative and offensive language, to personal insults, to threats of legal action, or threats/attacks to family, property or us. The purpose of these guidelines is:

- 1) To provide support for District employees.
- 2) To extinguish any possible hope that such behavior is an effective strategy in dealing successfully with any school district employee.
- 3) To clearly inform employees who are forced to encounter such people of the District's expectations for their performance.

The District expectation for employees on the matter remains essentially the same as it always has been.

### **Secretaries, Paraprofessional, Custodians and Bus Drivers:**

Do not listen to or engage in such conversation longer than necessary to establish that a person's words or conduct serve no purpose other than to offend, intimidate, threaten, or hinder.

Do assist fellow employees in attempting to "settle down" an unreasonable, uncooperative, offensive person by moving to an office anyone who is obviously angered or upset. Stay with a fellow employee until the situation has been diffused or until a supervisor arrives.

Do remain courteous, but firm, in instructing the offensive person that the District has instructed you not to engage in conversations of this type. Offer to contact your supervisor for them to continue their conversation, but indicate you have other immediate duties to perform and must devote your attention to those matters, now.

Do ask the question if someone continues to occupy you, "Do you realize you are preventing me from carrying out my duties?" or "Are you refusing to let me turn my attention to my duties?"

Do hang up the telephone on offensive or threatening persons after getting a name and number by stating, "I understand you are upset. I will have my immediate supervisor call you as soon as practical. Goodbye." If they refuse to give a name, simply indicate you have been instructed not to continue this type of call and say, "goodbye."

### **Teachers/Counselors:**

The District expects these employees, by virtue of professional preparation and experience, to deal effectively with angry people. However, they are not expected to deal with angry people who deliberately offend, attempt to intimidate, coerce a decision, or prevent a teacher from performing their duty. Teachers are expected to make a statement about the behavior they observe and ask, "Is this so?" or "In my judgment, your behavior is

inappropriate, and you are not working with me to resolve a problem. I must refer you immediately to my supervisor so I can return to my other duties.”

**Administrators:**

The nature of these positions requires us to be more certain of a person’s intentions, and therefore more willing to listen to a greater variety of angry conduct than other District personnel do. Even at this level, however, people must operate within a range of acceptable behavior before we agree to mutually solve a problem they are having. Our posture on such matters should be, “I’ll be happy to work on some possible solutions or give you an explanation and hear your complaint only after we establish how we talk to each other.” At the point when a person becomes uncooperative, combative, or threatening, simply indicate they may see the Superintendent and instruct them to leave the school property immediately as they are keeping you from carrying out your duties and obligations to other students.

There is little we can do to make a situation we are describing here anything but a distasteful experience. We can, however, be as supportive as possible to those who have had to represent us in such encounters. Support could include time away from regular duties to collect thoughts and regain composure, immediate assistance in contacting law enforcement or legal advice when necessary, and follow-up conferences by an administrator with the offending party.

Obviously, these guidelines cannot effectively address all the possible situations you encounter. Every situation is unique. Your good judgment will still be required to deal with unreasonable, uncooperative, offensive persons.

## Section 9

### Leave of Absence Policy and Procedure

#### 5400 Personnel: Personnel Leaves

Upon the approval of the Superintendent and in accordance with the law and district policy, staff may be granted leaves pursuant to the following conditions, unless the applicable collective bargaining agreement provides otherwise:

- A. Leave Without Pay Unless Stated Otherwise. Leaves shall be without pay unless otherwise stated. If leaves are to include expenses to be paid by the district, that also shall be specifically stated.
- B. Leaves in Units of Full or Half Days. Leaves may be granted in units of half or full days only.
- C. Return from Leaves. At the end of any leave shorter than 20 days in duration, sabbatical leave, or sick leave which does not exhaust the staff member’s accumulated sick leave, the affected staff member is entitled to return to the position held when the leave commenced or to an appropriate comparable position.

Except as may otherwise be specifically provided by law or district policy, a staff member shall be entitled to a position in the district subject to the

availability of a position for which the staff member is qualified after leaves of longer duration.

- D. Prior Notice of Application. Reasonable advance notice is required for all leaves, with specific advance notice as stated in district policy.
- E. Flexibility in Granting Leaves. The Superintendent may grant leaves to individuals who might not otherwise be covered, or extend leave in excess of the number of days provided by district policy, in unusual or exceptional circumstances.
- F. Leaves Prorated for Part-Time Staff. Part-time staff shall be entitled to leave benefits, unless otherwise stated in district policy, provided that the length of leaves shall be prorated according to the ratio of days and/or hours worked to the number of days and/or hours worked by a full-time staff member in the same or a similar position.
- G. Noncumulative. Leaves shall be noncumulative from year to year unless otherwise stated.

Legal References:     RCW 28A.400.300     Hiring and discharging employees--Leaves for employees--Seniority and leave benefits, retention upon transfers between schools.  
                                  AGO No. 22             Limitation on compensated leave for school district employees

Adoption Date: 12.29.00; 07.23.12

TO: WVSD EMPLOYEES

FROM: Human Resources Department

DATE: April 11, 2022

RE: Leave of Absence Requests

CC: West Valley Board of Directors and Dr. Peter Finch, Superintendent

This memo is intended to communicate the proper procedure when an employee must take a leave of absence (sick leave, maternity leave, paternity leave, and family medical leave), which is any health-related illness that will cause an employee to miss ten (10) or more days of work. This process aligns with statute (WAC 357-31) and is consistent with the Collective Bargaining Agreements of all represented employees in the West Valley School District.

If an employee must take a medical leave of absence, they are required to take the following actions:

- Communicate intended leave with your immediate supervisor.
- Write a written request for the medical leave to the Superintendent and submit letter to Human Resources. Include anticipated dates of the leave.
- Provide Human Resources with a doctor's note verifying leave.
- If you are eligible for a leave sharing pool, please submit a written request to open a pool with Human Resources.
- If you will run out of sick leave and go into unpaid time during your leave, please discuss the procedure for applying for the Family Medical Leave Act (FMLA) and/or Paid Family Medical Leave Act (PFMLA) with the Benefits Coordinator.
- Once you have a definitive date of return to work, submit a letter to Human Resources, which states the exact date you will return to work. Also, you will need a "Certificate to Return to Work" from your doctor.

If you have any questions regarding a medical leave of absence, please contact Human Resources Department, 509-972-6015.

#### 5401 Personnel: Sick Leave

The District shall grant each full-time, certificated and classified staff member of the District 12 sick leave days annually. Unused sick leave may be accumulated on a year-to-year basis up to a maximum of the number of contract days in a contract period, not to exceed one year. The District may require a signed statement from a physician for any absence in excess of five consecutive days. If sick leave benefits are exhausted, the Board may grant leave without pay for the balance of the year upon the recommendation of the Superintendent.

Attendance Incentive. In January of the year following any year in which a minimum of 60 days of sick leave is accrued, and each January thereafter, any eligible staff member may exercise an option either:

- (1) to receive remuneration for unused sick accumulated in the previous year in an amount equal to one day's monetary compensation of the staff member for each four full days of accrued sick leave in excess of 60 days; or
- (2) to add that year's sick leave to the staff member's accumulated sick leave.

All such leave for which the staff member receives compensation shall be deducted from accumulated sick leave at the rate of four days for every one day's monetary compensation. A staff member may cash-out all accrued sick leave at the above rate at the time of separation due to retirement, provided that the retiree provides documentation from the appropriate state retirement system. Such leave shall be accrued at the rate of no more than one day per month.

The administrator of the estate of a deceased staff member may also cash-out all accumulated sick leave at the rate of one day's monetary compensation for every four days of leave. A certified copy of the death certificate must be submitted to the District office or proper documentation of court appointment as administrator of the estate.

An employee who is at least age fifty five, has ten years of service in the retirement system, and is a member of either the teachers' or school employees' retirement system plan 3, or is at least age fifty five, has at least fifteen years of service in the retirement system and is a member of either the teachers' or school employees' retirement system plan 2 may cash-out all accumulated sick leave at the rate of one day's monetary compensation for every four days of leave at the time of separation from employment.

Earned sick shall not be accumulated in excess of 180 days as of December 31 of each year, except that an employee may exercise the annual January cash-out option for all days accumulated in excess of this maximum.

Legal References:	RCW 28A.400.210	Employee attendance incentive program Remuneration for unused sick leave
	RCW 28A.400.300	Hiring and discharging employees--Leaves for employees--Seniority and leave benefits, retention upon transfers between schools
	WAC 392-136	Conversion of Accumulated Sick Leave
	AGO 1963-64 No.98	Sick leave for certificated and non-certificated employees
	AGO 1980 No.22	Limitation on compensated leave for school District employees

Adoption Date: 10.15.00

#### 5402 Personnel: Maternity Leave

A staff member may use accumulated, paid sick leave for the period of actual disability attributable to pregnancy or childbirth. This period of disability shall extend from the date of birth for a period of not more than 60 days, unless an actual period of disability which begins prior to the date of birth or continues beyond 60 days is otherwise verified in writing by the employee's physician.

If the employee's accumulated sick leave is exhausted during the period of maternity disability, the District shall grant a leave of absence without pay or fringe benefits, upon the staff member's request, for the remainder of the period of actual disability due to pregnancy or childbirth.

During any unpaid portion of such leave of absence, the staff member may pay the premiums for any District insurance plans to keep coverage in effect for the employee and her family.

Notice Required. A pregnant staff member is requested to notify her immediate supervisor and the Superintendent by the beginning of the fifth month of pregnancy.

At the time of such notice the staff member shall submit a written request to her immediate supervisor and the Superintendent for one or more of the following:

- A. Maternity leave for the period of her actual disability due to pregnancy or childbirth;
- B. Family leave for a period of up to 12 weeks, in addition to any period of maternity disability leave, the District will extend the employee's health benefit during this period of unpaid leave;
- C. Leave of absence for a period of up to the beginning of the next school term or school year. Such extended leave of absence may be approved at the discretion of the Superintendent based upon consideration of educational program needs and the desires of the staff member, together with the recommendation of her personal physician or licensed practitioner; or
- D. Termination of employment by resignation.

The notice to the District shall include the approximate beginning and ending dates for the leave.

Employment Conditions. A pregnant staff member may continue working as long as she is capable of performing her normal duties, with the written approval of her physician or licensed practitioner.

The staff member may return to work when physically able to perform her duties. If the employee intends to return to work within 60 days of childbirth, her personal physician or licensed practitioner must certify that the staff member is in good health and ready to resume her duties.

No later than 30 days after the date of birth, the staff member is requested to notify the Superintendent of the specific date when she shall return to work. Unless the Superintendent approves an earlier date of return, the employee shall give at least 14 days advance notice of the actual date of return.

The staff member shall return to her duties following an extended leave of absence on the date approved by the Superintendent. If the employee is still experiencing a disability due to pregnancy, miscarriage, abortion, childbirth or recovery which prevents the employee from performing her duties on the scheduled date of return, an additional period of unpaid leave of absence may be approved at the discretion of the Superintendent based upon consideration of educational program needs and the recommendation of the employee's personal physician or licensed practitioner.

Assignment upon Return. An employee who has taken a leave of absence only for the actual period of disability relating to pregnancy or childbirth or up to twelve weeks of family leave shall return to the same assignment, or a similar position for which she is qualified with at least the same pay and benefits, as she held prior to the maternity leave or family leave. Upon return from an extended maternity leave, a staff member shall be entitled to a position in the District subject to the availability of a position for which she is qualified. An effort shall be made to place the staff member in her original position or in a comparable position.

Right to Apply for Other Leave. Nothing in this policy shall preclude a staff member's right to apply for any other applicable leave as provided by Board policy.

Adoption Date: 04.01.98

#### 5403 Personnel: Emergency Leave

Emergency leave may be granted for no more than two (2) days per year and may be taken in the case of emergencies as defined in the following:

An emergency arises out of unforeseen and unexpected circumstances which create an air of crisis or extreme need. The circumstances must present a grave and clear danger that imminently threatens physical or mental health or would result in irreparable harm or in immediate disaster to life or property unless some action is taken.

A written application for emergency leave must be returned to the District office on the day of return to school.

#### Family Emergency Leaves:

The Board recognizes that the demands of the workplace and of families need to be balanced to promote family stability and economic security for school district employees. Conditions for the authorized use of accumulated sick leave for family leaves are to be fairly construed in a manner consistent with this policy, and other relevant district policies.

Unless otherwise stated, any leave used under terms of this policy shall be deducted from the staff member's accumulated sick leave. In the event the staff member's sick leave has been exhausted, the leave may be granted without pay.

Unless a situation is governed by an applicable collective bargaining agreement, the following shall apply:

##### A. Domestic Violence Leave:

The District shall allow victims of domestic violence, sexual assault, or stalking and family members of victims to take reasonable leave from work, intermittent leave or leave on a reduced leave schedule. The leave may be sick leave, other accrued leave or leave without pay. Family member includes a child, spouse, parent, parent-in-law, grandparent or an individual with whom the victim has a dating relationship. The employee shall provide advance notice of their intent to take leave. If advance notice is not possible, due to an emergency, notice should be provided no later than the end of the first day that the employee takes the leave.

##### B. Family Illness:

District staff members may use accrued sick leave or other accrued leave, at the employee's choice, to care for a child of the employee with a health condition that requires treatment or supervision. Staff members may use accrued sick leave or other accrued leave, at the employee's choice, to care for a spouse, parent, parent-in-law or grandparent of the employee who has a serious health condition or an emergency condition. The district may require a signed



statement from a licensed medical practitioner to verify the need for treatment, care or supervision for any absence which exceeds five (5) consecutive days.

C. Death in the Family:

The District shall allow each full-time staff member a maximum of five (5) days leave upon the death of an employee’s spouse, mother, father, son, daughter, sister, brother, mother-in-law, or father-in-law. Leave also shall be allowed upon the death of a son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandmother, grandfather, granddaughter or grandson. The deaths of more than one family member resulting from a common occurrence shall be treated as a single death with respect to the length of leave granted.

D. Birth or Adoption of a Child:

The District shall grant leave upon the same terms to male employees as is available to female employees upon the birth or adoption of the employee’s child. Leave shall be granted upon the same terms to employees who become adoptive parents or stepparents, at the time of birth or initial placement for adoption of a child under the age of six, as is available to employees who become biological parents. Such leave is available only when the child lives in the employee’s household at the time of birth or initial placement.

Employee requests for leave of absence due to birth or initial placement for adoption of a child shall be submitted in writing to the Superintendent not less than 30 days prior to the beginning date of the leave. The notice shall include the approximate beginning and ending dates for the leave requested.

An extended unpaid leave of absence for a period up to the beginning of the next school term or school year may be approved at the discretion of the Superintendent based upon consideration of educational program needs and the desires of the staff member, together with any recommendation of professionals such as medical practitioners or counselors regarding the leave request.

Nothing in this section shall preclude the use of accumulated sick leave to care for a child with a health condition that requires treatment or supervision, as provided in the Family Illness section of this policy.

Cross References:	Board Policy 5021	Applicability of Personnel Policies
Legal References:	RCW 49.12.270	Sick leave, time off - Care of family members
	RCW 28A.400.300	Hiring and discharging employees - Written leave policies - Seniority and leave benefits, of employees transferring between school districts

Date Amended: 10/28/02; 06/22/09

#### 5404 Personnel: Family Leave

Every employee of the district who has worked for the district at least one year and for at least 1,250 hours in the preceding year is entitled to twelve (12) workweeks of family leave during any twelve (12) month period to:

- A. Care for a newborn child, an adopted child of the employee who is under the age of eighteen at the time of placement for adoption, or a newly placed foster child; or
- B. Care for a spouse, parent or child of the employee who has a serious health condition, or the employee may obtain leave for a personal health condition if it renders the employee unable to perform his or her job.
- C. Respond to a qualifying exigency occurring because the employee's spouse, son or daughter, or parent is on active duty or has been notified of pending active duty in support of a contingency operation.

Leave taken for newborn or adopted childcare shall be completed within one year after the date of birth or placement for adoption. Family leave authorized under this policy must be taken full-time and consecutively unless an alternative schedule is approved by the Superintendent or where intermittent or reduced leave is medically necessary. Instructional staff may not take reduced or intermittent leave when it would constitute 20% of the number of working days in the period during which the leave would extend without the approval of the Superintendent. An instructional employee may be transferred to an alternative equivalent position that would accommodate reduced or intermittent leave, if such a position is available.

A period of family leave is in addition to any sick leave taken due to the employee's temporary disability attributable to pregnancy or childbirth, pursuant to the Maternity Leave section of this policy. All accrued sick leave and vacation leave must be used prior to the start of family medical leave.

If both parents of a newborn or newly adopted child are employed by the school district, they shall be entitled to a total of twelve workweeks of family leave during any twelve-month period, and leave shall be granted to only one parent at a time. There is no pooling effect for spouses if the family leave is related to a serious health condition.

The Superintendent may require written verification from the employee's health care provider.

The District may obtain the opinion of a second health care provider, at district expense, concerning any information pertinent to the employee's leave request. If the opinions of the health care providers differ on any matter determinative of the employee's eligibility for

family leave, the two health care providers shall select a third provider, whose opinion, obtained at the employer's expense, shall be conclusive.

**Military Caregiver Leave:**

An employee who is the spouse, son or daughter, parent or next of kind of a service member who is recovering from a serious illness or injury sustained while on active duty is entitled to twenty six (26) weeks of unpaid leave in a 12 month period to care for the service member.

**Return to work:**

Any employee returning from an authorized family leave, shall be entitled to the same position held by the employee when the leave commenced, or to a position with equivalent benefits and pay.

Reinstatement of an employee returning from family leave need not occur if: a) the specific job is eliminated by a bona fide restructuring, or a reduction-in-force resulting from lack of funds or lack of work, b) an employee on family leave takes a position with another employer outside the home, or c) the employee fails to provide the required notice of intent to take family leave or fails to return on the established ending date of leave. If an employee fails to return from family leave, the district may recover the costs of the employee's

health benefits paid during the leave. Instructional staff may be required to delay their return from family leave to the beginning of the next trimester under the following circumstances:

- A. The employee began leave five or more weeks before the end of the trimester, the leave is for more than three weeks, and the employee would otherwise return to work within three weeks of the end of the trimester.
- B. The employee began family leave (except for a personal health condition) less than five weeks before the end of the trimester, the leave is for more than two weeks, and the employee would otherwise return to work within two weeks of the end of the trimester.
- C. The employee began family leave (except for a personal health condition) three or fewer weeks before the end of the trimester and the period of leave is more than five working days.

Cross Reference:	Board Policy 5021	Applicability of Personnel Policies
Legal References:	RCW 49.78	Family Leave
	WAC 296-134	Family Leave
	P.L. 103-3	Family and Medical Leave Act of 1993

Revised: 06.22.09

**5406 Personnel: Leave Sharing**

The district shall establish and administer a leave sharing program through which eligible employees may donate excess leave for use by an eligible recipient who is suffering from, or has a relative or household member suffering from, an extraordinary or severe illness, injury,

impairment or physical or mental condition; who is a victim of domestic violence, sexual assault, or stalking; who is sick or temporarily disabled because of pregnancy disability; who is on parental leave; or who has been called to service in the uniform services.

Such a program is intended to extend leave benefits to an eligible recipient who otherwise would have to take leave without pay or terminate his or her employment.

The Superintendent or designee is directed to develop a procedure for administering the leave sharing program in a manner consistent with state law and applicable collective bargaining agreements.

Cross Reference:	Policy 5021	Applicability of Personnel Policies
Legal References:	RCW 28A.400.380	Leave sharing program
	RCW 41.04.650-665	Leave sharing program
	Chapter 392-126	WAC Finance - Shared Leave
Management Resources:	Policy News, May 2018	
	Policy News, October 2004	Revision to the State Leave sharing Program
	Policy News, October 2010	Leaving Sharing
	Policy News, August 1999	Staff may share personal holiday

Adoption Date: 08.99

Revised Dates: 10.04; 10.10; 01.11; 07.18

TO: WVSD EMPLOYEES  
FROM: Human Resources Department  
DATE: May 5, 2022  
RE: Eligibility and Procedure for Opening a Leave Sharing Pool  
CC: West Valley Board of Directors, Dr. Peter Finch, Superintendent

This memo is intended to communicate the proper procedure when an employee desires to open a leave sharing pool. This process aligns with statute (RCW 41.04.665) and is consistent with the Collective Bargaining Agreements of all represented employees in the West Valley School District.

The following scenarios make an employee eligible for a leave sharing pool:

- i. The employee suffers from, or has a relative or household member suffering from, an illness, injury, impairment, or physical or mental condition which is of an extraordinary or severe nature;
- ii. The employee has been called to service in the uniformed services; or
- iii. A state of emergency has been declared anywhere within the United States by the federal or any state government and the employee has needed skills to

assist in responding to the emergency or its aftermath and volunteers his or her services to either a governmental agency or to a nonprofit organization engaged in humanitarian relief in the devastated area, and the governmental agency or nonprofit organization accepts the employee's offer of volunteer services;

If an employee wishes to open a leave sharing pool they must:

- Have specific leave type (medical, military, etc.) approved by the Board of Directors.
- Must have exhausted or will exhaust all eligible leave.
- Submit a written request to Human Resources to open a leave sharing pool.
- Provide written verification to Human Resources verifying medical condition or call to service.
- Provide written notice at end of leave to close sick leave pool. If medical in nature, a certificate to return to work will be required.

If you have any questions regarding a medical leave of absence, please contact the Human Resources Department, 972-6015.

#### 5406P *Personnel: Leave Sharing - Procedure*

- A. A District employee is eligible to receive donated leave if:
1. The staff member suffers from, or has a relative or household member suffering from, an extraordinary or severe illness, injury, impairment or physical or mental condition which has caused, or is likely to cause, the staff member to:
    - A. Go on leave-without-pay status; or
    - B. Terminate his/her employment;
  2. The staff member's absence and the use of shared leave are justified by documentation;
  3. The staff member has depleted, or will shortly deplete, his/her annual leave and sick leave reserves;
  4. The staff member has abided by District rules regarding sick leave use; and
  5. The staff member has diligently pursued and been found to be ineligible to receive industrial insurance benefits.

The Superintendent shall determine the amount of leave, if any, which a staff member may receive under this policy. However, a staff member shall not receive more leave than the number of contracted days remaining in the current school year. In the event that the condition requiring the employee's absence continues beyond the current school year, the employee shall not receive a total of more than 261 days of leave.

- B. District employees may donate leave as follows:
1. A staff member who has an accrued annual leave balance of more than ten (10) days may request that the Superintendent transfer a specified number of days to another staff member authorized to receive shared leave, or to the District's annual leave pool. A staff member may not request leave to be transferred that would result in an accrued annual leave balance of fewer than ten (10) days.
  2. A staff member who accrues annual leave and sick leave may request that the Superintendent transfer a specified amount of annual leave to a staff member

authorized to receive shared leave, or to the District's shared leave pool. A donating staff member must retain a minimum of 176 hours of sick leave after the transfer.

3. A staff member who does not accrue annual leave but who does accrue a sick leave balance of more than twenty-two (22) days may request that the Superintendent transfer a specified amount of sick leave to another staff member authorized to receive such leave, or to the District's shared leave pool. In no event may such an employee request a transfer that would result in his or her sick leave account going below twenty-two days. Sick leave as defined in RCW 28A.400.300 means leaves for illness, injury and emergencies.
4. A staff member who receives personal holiday leave may request that the superintendent transfer a specified amount of personal holiday leave to another staff member authorized to receive shared leave, or to the District's shared leave pool. A staff member may request to transfer no more than eight (8) hours of personal holiday leave during any calendar year.
5. The number of leave days transferred shall not exceed the amount authorized by the donating staff member.
6. Any leave donated by a staff member which remains unused shall be returned to the donor. To the extent administratively feasible, leave transferred by more than one staff member shall be returned on pro-rata basis.

C. Leave shall be calculated on a day-donated and day-received basis.

Date: 12.29.00

Revised Dates: 04.19

#### 5407 Personnel: Military Leave

The District shall grant military leave as provided by law to each staff member who is a member of a United States Military Reserve Unit or a member of the Washington National Guard for a period not to exceed twenty-one days during each year beginning October 1st and ending the following September 30th, provided such reservist has been called to, or volunteered for, active duty or active duty training. Such military leave of absence shall be in addition to any vacation or sick leave to which the staff member may be entitled and shall not result in any loss of rating, privileges or pay. During the period of military leave, the staff member shall receive his/her normal pay from the District.

Employees whose school district employment is interrupted by up to five years of service in a uniformed service are entitled to re-employment by the district following their discharge. The superintendent shall adopt procedures to implement these re-employment rights consistent with state and federal law.

#### **Military Leave - Spouse**

The District shall allow an employee who is the spouse of a military member of the U.S. Armed Forces, National Guard, or Reserves to take up to fifteen (15) days of unpaid leave during a period of military conflict when: (1) the military spouse is on leave from a deployment; or (2) prior to deployment once the military spouse receives official notification of an impending call or order to active duty. The employee must work an average of twenty (20) hours or more each week for the District.

The employee is entitled to fifteen days of unpaid leave for each deployment. The employee

must provide the District notice of intent to take leave within five business days of the call to active duty or notice of leave from deployment.

Leave is without pay, but accrued leave may be substituted at the employee's choice.

Cross References: Board Policy 5404 Family Leave

Legal References:	RCW 38.40.060	Military leaves for public employees
	RCW 49.77	Military Family Leave Act
	RCW Ch.73.16	Employment and Re-employment
	AGO 61-62 No. 081	Public Employees – State and Municipal employees – Military leave – Reserve meetings
	38 USC 4301-4335	Uniformed Services Employment and Reemployment Rights Act

Management Resources:	<i>Policy News</i> , April 2009	Military Leave
	<i>Policy News</i> , February 2009	Military Leave
	<i>Policy News</i> , June 2001	State Updates Military Leave Rights

Revised: 04.98; 06.01; 02.09, 04.09; 06.09

#### 5407P *Personnel: Military Leave - Procedure*

Employees whose employment with the District has been interrupted by military service have the following re-employment rights:

If the employee was engaged in military service for up to and including ninety days, the employee will be re-employed in the position he or she would have attained if there had been no interruption of employment.

If the employee was engaged in military service for more than ninety days, the employee will be re-employed in a position of comparable seniority, status and pay as he or she would have attained without interruption of employment.

A District employee who has a service-connected disability shall be re-employed in a position of similar seniority, status and pay for which the employee is qualified or becomes qualified with reasonable accommodation by the District.

In order to be eligible for re-employment, the employee returning from military service must apply for re-employment as follows:

If military service was up to and including thirty days, the employee must report for work at the beginning of the first full work day at least eight hours after the employee has had time to return to his or her residence following the completion of the military service.

For service from 31 to 180 days, the employee must submit an application for re-employment within fourteen days of completing military service.

For service over 180 days, the employee must submit an application for re-employment within ninety days of completing military service.

The application time lines shall be extended if it was impossible or unreasonable for the employee, through no fault of his or her own, to report for re-employment. The application

time lines shall be extended for up to two years if the employee is hospitalized or recovering from an injury suffered as a result of military service.

The employee may be required to document the timeliness of his or her application for re-employment, and the length and type of military service.

Employees returning from military service shall receive the seniority and other benefits they would have received if their employment had been uninterrupted, except that employees may be required to pay the employee portion of any benefit that any other employee on a leave of absence would have had to pay. For retirement system purposes, no break in employment will be considered to have happened for employment interrupted by military service, and the District shall pay the employer's portion of the retirement system contribution for the time the employee was on military service.

The District will offer health insurance benefits for up to eighteen months of military service. For the first 31 days the employee will pay only the employee's share of the coverage, if any. After 31 days, the employee may only be charged up to 102% of the premium for the benefits.

Date: 04.01.98

#### *5408 Personnel: Jury Duty and Subpoena Leave*

The District may grant leaves to a staff member for the days he/she is required to serve on a jury. Any compensation received by a staff member for jury duty performed on a contract day is to be reimbursed to the District. The District may grant a maximum of two days leave (witness fees to be reimbursed to the District) to staff subpoenaed as witnesses in court or other legal proceedings; provided that a leave with pay shall not be granted to a staff member for a case brought or supported by a staff member union or association or for a case in which the staff member has a direct or indirect interest in the proceedings.

On any day that a staff member is released from jury duty or as a witness by the court and four or more hours of the staff member's scheduled work day remain, the staff member is to immediately inform his/her supervisor and report to work if requested to do so.

Legal References:                   RCW 2.36 Juries

Adoption Date: 04.07

#### *5409 Personnel: Discretionary Leaves*

**Sabbatical Leaves.** The District may grant sabbatical leaves of absence for study and/or research upon application by certificated staff, the recommendation of the Superintendent, and approval by the Board, provided such a leave shall serve the best interest of the District and is within the fiscal parameters of the District. The District shall declare its intention by February 1. Certificated staff shall be eligible for sabbatical leave for study or research. Sabbatical leave shall be granted according to the following stipulations:

- A. **Years to Qualify:** Staff shall have served \_\_\_ or more continuous years in the District. (Year to be decided)
- B. **Limit on Number:** Sabbatical leaves may be granted up to one full year to not more than \_\_\_percent of the total certificated staff of the District in any one year, the



number granted to be subject to determination by the Board upon the recommendation of the Superintendent.

- C. **Application Deadline:** Applications for sabbatical leave shall be filed with the Superintendent not later than \_\_\_\_ days prior to the school year for which it is requested. The Board may, at its discretion, extend this deadline.
- D. **Proposed Plan to Accompany Application:** A proposed plan of study or research to which the time spent on leave shall be devoted must accompany the application.
- E. **Criteria for Evaluation of Applications:** Applications shall be evaluated on the following three criteria:
  - 1. The merit of the proposed plan of study or research and its relationship of service to the District in terms of the individual's professional background.
  - 2. Proportionate representation of the different levels of District schools, such as elementary, middle school, senior high school, and administration.
  - 3. Seniority shall be considered.
- F. **Final Approval by Board:** Applications approved by the Superintendent shall be presented to the Board for final approval. Once approved by the Board, any change of sabbatical plan shall be presented in writing and approved by the Superintendent in advance of the leave.
- G. **Two-Year Studies:** An applicant who is taking part in a two-year study may, upon evaluation of his/her program, request one year of sabbatical leave and a preliminary commitment, subject to District staffing needs, for an additional one-year leave of absence.
- H. **Scholarship for Study or Research:** Should the staff member who is granted a sabbatical leave receive a scholarship during the same year as the sabbatical, the total compensation from the two sources shall not exceed the salary he/she would receive if under regular contract with the District for full-time service.
- I. **Stipend for Study or Research:** A staff member on sabbatical leave for study or research shall receive a stipend of his/her regularly contracted salary unless this sum is reduced as a result of section 8 above. The stipend shall be paid in ten or twelve payments at the option of the applicant. All regular salary deductions shall be made.
- J. **Stipend Considered a Loan:** The stipend received is a loan. Should a staff member on sabbatical leave fail to return to the District, he/she shall then repay the loan.
- K. **Cancellation of Loan:** The stipend shall be canceled in the following manner upon the return of the staff member to the District:
  - 1. One-half of the total loan shall be canceled after the first years' service in the District;
  - 2. The remaining one-half of the loan shall be canceled after the second years' service in the District.
- L. **Maintenance of Tenure and Salary Standing:** A staff member granted sabbatical leave shall maintain standing in tenure and salary.
- M. **Limit on Other Employment:** A staff member on sabbatical leave for study or research shall not seek employment for compensation during the period of sabbatical other than to supplement sabbatical leave income in carrying out the approved program. Such employment must be approved by the Superintendent and the Board and, when combined with the sabbatical stipend, shall not exceed the salary he/she would receive if under regular contract with the District for full-time service.
- N. **Report Required Upon Return:** Within 30 days of a staff member's return from sabbatical leave, the staff member shall file with the Superintendent a report giving the substance of the program of study or research in which he/she is engaged, indicating the value which he/she believes grew out of the experience. If the staff

member was employed for compensation during the program, full details of the employment and income should be included in this report.

- O. Leaves to Accept Scholarships: Staff may at any time request leave to accept scholarships of up to one full year which would not involve the District in any financial obligations, in which case all other provisions of the sabbatical leave policy except the percentage limitation would apply.
- P. Return to Original Position: An effort shall be made to replace a certificated staff member returning from sabbatical leave in his/her original position or in an appropriate comparable position.

Leaves of Absence: The District may grant leaves of absence for specific periods of time for up to one school year upon application by a staff member, the recommendation of the Superintendent and the approval of the Board. Such leaves shall be without pay or fringe benefits and, with the approval of the Board, may be extended for one additional school year. During the leave the staff member may pay the District's share of any insurance benefits program in order to maintain those benefits. The needs of students and the District program warrant primary consideration. Leaves of absence shall be granted only when they shall not have an undesirable impact upon the educational program or business operations.

A staff member shall be entitled to return to a position in the District at the end of the leave of absence subject to the availability of a position for which the staff member is qualified. The staff member granted a leave of absence shall inform the Board by April 1 as to his/ her intentions to assume a position in the District for the ensuing school year. If said notification is not received, the individual's employment rights with the District shall be terminated.

Staff on leave of absence shall not earn any salary schedule experience credit or any sick leave credit or benefits during the leave of absence.

Leaves to Attend Meetings/Conferences: The District may grant leaves, subject to the recommendation of the Superintendent and approval by the Board, to staff for the purpose of attending meetings or conferences that are likely to be of value to the staff member's performance. (Meetings and conferences wherein bargaining unit activities are conducted are excluded.) Such leaves may be granted without pay and with or without travel expense reimbursement.

Cross Reference: Board Policy 5021 Applicability of Personnel Policies

Adoption Date: 04.01.98

## Section 10

### Personnel Records Policy

#### 5260 Personnel: Personnel Records

The District shall organize, compile and maintain personnel records and files for each staff member of the district which shall be kept secure under the authority of the Superintendent/designee. The contents of the personnel files shall be available to the Superintendent/designee and to those staff authorized by the Superintendent/designee to organize, compile and maintain the files. Any confidential college or university credentials or

other confidential pre-employment materials received by the district shall be returned to the sender or maintained in personnel records, such as an application file.

A certificated or classified staff member shall be permitted, during normal district business hours, to review the contents of his/her personnel file in the presence of an authorized staff member. Personnel files may be maintained by the district in hard copy or in an electronic format.

A staff member annually may request that the Superintendent/designee review all information in the staff member's personnel file(s) to determine if there is any irrelevant or erroneous information in the file(s), and shall remove all such information from the file(s). If a staff member does not agree with the determination, the staff member may at his or her request have placed in the staff member's personnel file a statement containing a rebuttal or correction.

Cross Reference:	Board Policy 4040	Public Access to District Records
Legal References:	RCW 28A.405.250	Certificated employees, applicants for certificated position, not to be discriminated against--Right to inspect personnel file
	RCW 42.56.230(2 3)	Certain personal and other records exempt from public inspection
	RCW 49.12.240-260	Employee inspection of personnel file
Management Resources:	2015 October Issue	

Adoption Date: 08.11.98 Revised: 5/06; 03.17

## Section 11

### Substitute Teacher/Parapro Requests

Absence Management (AESOP) Substitute Procedures

To request an absence/substitute teacher, log on to West Valley's Home page ([wvsd208.org](http://www.wvsd208.org)) click on the staff tab then select Absence Management (AESOP) (<https://www.aesoponline.com>)

Logging in on the Web:

- To log into Absence Management (AESOP), log on to West Valley's Home page ([www.wvsd208.org](http://www.wvsd208.org)) click on the staff tab then select Absence Management (AESOP). You may also access Absence Management (AESOP) (<https://www.aesoponline.com>) or [m.aesoponline.com](http://m.aesoponline.com) for mobile devices.
- Enter your username and password, then click Login.  
Can't remember your login info?  
If you're having trouble logging in, click the Forgot your login? link next to the "Login" button for more information.

### **Creating an Absence:**

- You can enter a new absence right from your Aesop home page under the **Create Absence** tab.
- Fill out the absence details including the date of the absence, the absence reason, notes to the administrator or substitute, and more. You can also attach files to the absence from here.  
*\*\*Please note if your absence reason is Professional Development please select the corresponding accounting code (word code) from the dropdown menu.\*\**
- When you've completed entering the absence details, click the **Create Absence** button to have the system look for a sub or select **Create Absence and Assign Sub** if you have a sub already lined up.

### **Managing your Username and Password:**

- Under the "Account" tab, you can manage your personal information, upload shared attachments (lesson plans, classroom rules, etc.), manage your preferred substitutes, and more.

### **Getting Help and Training:**

- If you have questions, want to learn more about a certain feature, or need want more information about a specific topic, click the **Help** tab to go to the Absence Management (AESOP) Learning Center where you can search Aesop's knowledge base of help and training materials.

### **Using Aesop on the Phone:**

- Not only is Absence Management (AESOP) available on the web, but you can also create absences, manage personal information, and more, all over the phone.

To call Absence Management (AESOP), dial **1-800-942-3767**. You'll be prompted to enter your ID number (followed by the # sign), then your PIN number (followed by the # sign).

**NOTE:** Your Absence Management (AESOP) ID will be a 10-digit phone number and the pin will be numeric. You will have received an email via your district email with your log in information.

Over the phone you can:

- Create an absence (within the next 30 days) - Press 1
- Review upcoming absences - Press 3
- Review a specific absence - Press 4
- Review or change your personal information - Press 5

If you create an absence over the phone, be sure to make note of the confirmation number that Absence Management (AESOP) assigns the new absence for reference.

### **No Substitute Needed:**

All certificated employees' absences need to be posted on Absence Management (AESOP), even if a substitute is not needed.

### **Authorization Account Codes (Word Codes from Drop Down Menu):**

Authorization account codes are needed for absences categorized as Professional Development, Coaching-Athletics, and WEA Reimbursed Leave. Request the correct Authorization Code from the supervisor approving the activity.

#### **Review/Cancel:**

The Review/Cancel button gives a history of each day that you have been absent this school year. It shows the substitute status of any current absences, including the confirmation number. Until a substitute is assigned to an absence, it will say: Substitute Pending. When a substitute has been assigned, you will see the substitute's name.

At any time before a substitute is assigned, you may cancel an assignment or individual days of a multi-day assignment by clicking on delete. Once an absence has been assigned to a substitute, only the Substitute Coordinator may delete the absence.

\*Building Site Abbreviations: Ahtanum = AHT, Apple Valley = APV, Cottonwood = CTW, Mountainview = MV, Summitview = SV, Wide Hollow = WH, High School = HS, Junior High (Middle Level Campus) = JH, Middle School (Middle Level Campus) = MS, Innovation Center = IC

#### **Notifying your Building of your Absence:**

Please provide a courtesy email or phone call to the secretary or principal of your building. If the absence is last minute, please contact your building first, so they can arrange coverage until the Substitute Coordinator can get the absence assigned. Any absence being communicated past 6:30 a.m. for that day requires a call to the building principal prior to calling the Substitute Coordinator. Please remember, the sooner the absence is submitted to Absence Management (AESOP), the more likely it will be filled.

If you do not have access to a computer, or if it is a "last minute" absence, we ask that you just continue to follow the established procedure at your building in notifying them of your absence.

Substitute Coordinator Contact Information: 509.972.6008

## Section 12

### Safe Schools Policies for Review

#### WVSD #208 - Safe Schools - Review of Policies

All staff will receive annual training/review of district policies and procedures for safe schools, including information about the following District Policies:

#### 2145 Suicide Prevention

- Review plan for recognition, initial screening, and response to emotional and behavior distress in students including indicators of possible substance use, violence, and youth suicide.
- Review how to respond to suspicions, concerns, or warning signs of emotional or behavior distress in students.
- Review how to respond to a crisis situation where a student is in imminent danger to them self

### 2320 Field Trips

- Field trip must have an educational purpose.
- All volunteers must be approved.
- All students must have field trip form completed with emergency information noted.
- EpiPen, inhaler, or other emergency medicine must be accounted for as needed.
- Overnight field trip must be approved by the board of directors 30 days prior to the field trip.
- Child nutrition and staff will not provide peanut products or other nuts to students.

### 3143 District Notification of Juvenile Offenders

- Department of Corrections will notify the superintendent regarding the offender.
- Superintendent will route the information to principals who need the information.
- Principal will inform every teacher of the student and any other personnel who supervises the student or for security purposes should be aware of the information.
- A student convicted, adjudicated, or entering into a diversion agreement for an assault, kidnapping, harassment, stalking, or arson against a teacher shall not be assigned to that teacher's classroom during the duration or the student's attendance at that school or any school to which the teacher is assigned. Neither shall the student be assigned to a classroom where another student who was his or her victim for the offense is enrolled.
- Staff will maintain confidentiality.

### 3144 Release of Information Concerning Student Sexual and Kidnapping Offenders

- Department of Corrections will notify the superintendent regarding the offender's status (Level I, II, or III). Superintendent will route the information to principals who need the information.
- Principal will inform every teacher of the student and any other personnel who supervises the student or for security purposes should be aware of the information.
- Staff will maintain confidentiality.

### 3200 Student Rights and Responsibilities (Annual review of student conduct standards and enforcement procedures)

- Annually, principal and staff shall review student conduct standards and the uniform enforcement of those standards as published in the student handbook.

### 3205 Sexual Harassment of Student Prohibited

- Any school employee who witnesses sexual harassment or receives a report, informal complaint, or written complaint about sexual harassment is responsible for informing the district Human Resources Department/Title IX or Civil Rights Compliance Coordinator.

### 3207 Prohibition of Harassment, Intimidation, and Bullying

- Staff will be provided information on recognizing and preventing harassment, intimidation or bullying.
- Staff shall be fully informed of the formal and informal complaint processes and their roles and responsibilities under the policy and procedure.

- Informal process: Staff shall inform an appropriate supervisor or designated staff person when they receive complaints of harassment, intimidation, or bullying.
- Formal process: Complainant will complete and submit District Form 3207F.
- Staff shall not retaliate due to any complaint of harassment, intimidation, and/or bullying.
- Detailed information regarding complaint processes is included in Policy 3207.

### 3210 Non-Discrimination

- The District shall provide equal educational opportunity and treatment for all students in all aspects of the academic and activities program without regard to race, creed, color, national origin, sex, sexual orientation or non-program-related physical, sensory or mental disabilities.
- Complainant may request an informal meeting to resolve a complaint. Such a meeting shall be at the option of the complainant.
- If unable to resolve this issue at this meeting, the complainant may submit a written complaint to the Title IX officer.
- Detailed information regarding complaint processes is included in Policy 3210.

### 3230 Searches of Students and Student Privacy

- School officials have authority to maintain order and discipline in the schools and to protect students from exposure to illegal drugs, weapons, and contraband. The superintendent, the principal, and other staff designated by the superintendent have the authority to conduct reasonable searches on school property in accordance with the law.
- State law provides that at certain ages, students attain the right to decide for themselves what records will remain confidential, even from their parents, and what activities the student will participate in. At age eighteen students become legal adults and must approve any disclosure of information about themselves from school records, except directory information if a request for confidentiality has not been filed. Students at age eighteen may also sign releases, authorizations, or permission slips to participate in school activities, and may sign themselves out of school and authorize their own absences.
- Students between sixteen and eighteen who have been granted legal emancipation from their parents or guardians have the same rights as eighteen-year-old students.
- Students over fourteen years of age have the confidentiality rights in records indicating that they have been tested or treated for a sexually transmitted disease. Students thirteen years and older have confidentiality rights in records regarding drug, alcohol, or mental health treatment.
- All students have confidentiality rights in family planning or abortion records.

### 3240 Student Conduct

- Students shall comply with all rules adopted by the District. Failure to do so shall be cause for corrective action. The rules shall apply:
- On school District property at any time.
- Off school District property at any school activity, function, or event.
- Off school District property if the actions of the student materially or substantially affect the educational process.

### 3211 Gender-Inclusive Schools

- District will provide an educational environment that is safe and free of discrimination for all students, regardless of gender expression, gender identity, or sex.
- All students shall be allowed to use the restroom, locker room and participate in athletics that corresponds to the gender identity they have declared to the school administration.
- Annual training will be provided to staff, in effort to build the skills of all staff members.
- Any violation of this policy shall be reported to the district Human Resources Department/Title IX or Civil Rights Compliance Coordinator.

### 3241 Classroom Management, Corrective Actions or Punishment

- A teacher may exclude a student from class for the remainder of a class period. Prior to excluding a student, the teacher shall have attempted one or more corrective actions.
- The school must distribute expectations to students in writing via the student handbook.
- Staff may assign students detention after school; not more than 30 minutes on any given day. Detention shall not begin until the parent has been notified (except in the case of the adult student) for the purpose of informing him/her of the basis and reason for the detention and to permit him/her to make arrangements for the necessary transportation of the student when he/she has been detained after school hours for corrective action.
- Corporal punishment is prohibited (Policy 3244)

### 3242 Closed Campus

- Students shall remain on school grounds from time of arrival until close of school, unless officially excused.

### 3244 Prohibition of Corporal Punishment

- Corporal punishment is any act which willfully inflicts or willfully causes the infliction of physical pain on a student, and is not permitted.

### 3246 Restraint, Isolation and Other uses of Reasonable Force

- Use of restraint, isolation, and other forms of reasonable force may be used on any student when reasonably necessary to control spontaneous behavior that poses an “imminent likelihood of serious harm.
- Any school employee who uses restraint, isolation, or other forms of reasonable physical force on any student during school-sponsored instruction or activities, will inform the principal or a designee as soon as possible and within two (2) business days submit a written report of the incident to the district office.

### 3414 Infectious Disease (Blood-borne Pathogens)

- A school principal has the authority to send an ill child home with parent notification.
- A student who is afflicted with a reportable disease shall be reported by the school principal or designee to the local health officer.
- District staff shall use universal precautions.



- Body fluids of all persons should be considered to contain potentially infectious agents.
- Gloves must be worn when direct hand contact with body fluids is anticipated.
- Used gloves must be discarded in a secured lined trash container and disposed of daily.
- Self-treatment, when reasonable, shall be encouraged.

#### 3415 Students with Life-threatening Health Conditions (Emergency Care Plans)

- Students with diabetes, asthma, anaphylaxis, or other life-threatening health conditions shall have an emergency care plan.
- Annually and prior to the first day of attendance, the student health file will contain:
  - 1) a completed emergency care plan;
  - 2) a written medication authorization form, signed by a licensed health care provider; and
  - 3) an adequate and current supply of auto-injectors (or other medications).
- After the emergency care plan is developed, the school principal or designee (school nurse) will inform appropriate staff regarding the affected student and the emergency care plan.

#### 3416 Medication at School

- Prescribed or over-the-counter oral medication may be dispensed to students on a scheduled basis upon written authorization from a parent with a written request by a licensed health professional.
- Staff members who administer medication will participate in an in-service training session conducted by the district nurse prior to the opening of school each year.
- Any error or omission shall be reported to the district nurse via Form 3416 F3.

#### 3418 Emergency Treatment

- When a student is injured it is the responsibility of staff to see that immediate care and attention is given the injured party.

#### 3420 Anaphylaxis Prevention

- Annually, each school principal will provide an in-service training on how to minimize exposure to allergens and how to respond to an anaphylaxis emergency. The training will include a review of avoidance strategies, recognition of symptoms, the emergency protocols to deal with an anaphylaxis episode, and use of an auto injector.
- Annually and prior to the first day of attendance, the student health file will contain:
  - 1) a completed emergency care plan;
  - 2) a written medication authorization form, signed by a licensed health care provider; and
  - 3) an adequate and current supply of auto-injectors (or other medications).
- After the emergency care plan is developed, the school principal or designee (school nurse) will inform appropriate staff regarding the affected student and the emergency care plan.
- Controlling the exposure to allergens requires the cooperation of parents/guardians, students, school staff, and the community. Universal precautions will be implemented. The district will discourage students from sharing food, utensils, and containers. In accordance with District Policy 6512, universal infectious disease prevention practices

will be used in the maintenance and operations of school property. Affected students will be encouraged to eat only food that they bring from home.

- To control the exposure to allergens on field trips, the District will not provide food made with peanut products or other nuts in sack lunches produced by the District's Department of Child Nutrition. During field trips, school staff will not provide peanut products or other nuts to students. Even with the District's best efforts, staff and parents/guardians need to be aware that it is not possible to achieve a completely allergen-free environment.
- The leader of school-sponsored field trips for academics, athletics, or activities, shall be informed of the student's emergency care plan. The parent/guardian shall complete the field trip form appropriately as per District Policy 2320 which shall include parent/guardian notification to the field trip leader that the student has special medical needs. For students with severe allergies, the field trip leader will ensure that the student's auto-injector is brought on the field trip.

### 3421 Child Abuse and Neglect Reporting

- Classified and certified staff are legally responsible for reporting to legal authorities all suspected cases of child abuse and neglect. Staff need not verify that a child has in fact been abused or neglected. Any conditions or information that may reasonably be related to abuse or neglect should be reported. Legal authorities have the responsibility for investigating each case.
- The staff member should notify their supervisor. An immediate report shall be made via telephone. A follow-up, written report shall be submitted using Form 3421-F Report of Child Abuse and/or Neglect. The staff member shall send a copy to the District Office for documentation.
- If the report is not made to legal authorities within 48 hours, it is a violation of state law.

### 3432 Emergencies

- School staff will conduct at least one safety-related drill each month that school is in session. The following drills will be implemented during the school year:
  - A. At least one drill using the school mapping information system;
  - B. At least one drill for shelter-in-place;
  - C. At least two drills for lock-down (one drill must be unannounced to students and staff);
  - D. At least six drills for fire evacuation.
- Include required school safety policies and procedures;
- Address emergency mitigation, preparedness, response, and recovery;
- Include provisions for assisting and communicating with students and staff, including those with special needs or disabilities;
- Include a family-student reunification plan, including procedures for communicating the reunification plan to staff, students, families, and emergency responders;
- Use the training guidance provided by the Washington emergency management division of the state military department in collaboration with the state school safety center in the office of the superintendent of public instruction, established under RCW 28A.300.630, and the school safety and student well-being advisory committee, established under RCW 28A.300.635;
- Require the building principal to be certified on the incident command system;

- Consider how school facilities may be used as a community asset in the event of a community-wide emergency; and
- Set guidelines for requesting city or county law enforcement agencies, local fire departments, emergency service providers, and county emergency management agencies to meet with the district and participate in safety-related drills.

To the extent that funds are available, the district will do the following annually:

- Review and update the safe school plans in collaboration with emergency response agencies;
- Conduct an inventory of all hazardous materials;
- Identify all staff members who are trained on the national incident management system; trained on the incident command system, or are certified on the incident command system;
- Identify school transportation procedures for evacuation, to include bus staging areas, evacuation routes, communication systems, parent-student reunification sites, and secondary transportation agreements; and
- Provide information to all staff on the use of emergency supplies and alert procedures.
- Lockdown drills will not include live simulations of or reenactments of active shooter scenarios that are not trauma-informed and age and developmentally appropriate.

#### 4200 Safe and Orderly Learning Environment

- Certificated staff shall be available for consultation with students and patrons during regular building hours. Regular building hours for elementary (Pre-K - Grade 5) teachers shall be 8:30 a.m. to 4:00 p.m. including a 30-minute duty-free lunch period. Regular building hours for secondary (Grade 6 - Grade 12) teachers shall be 7:30 am to 3:00 p.m. including a 30-minute duty-free lunch period. Students and patrons are urged to make appointments with staff to assure an uninterrupted conference.
- If a visitor is under the influence of alcohol or drugs, is committing a disruptive act or invites another person to do so, the staff member shall exercise the right to order the visitor off school premises. The staff member shall immediately report the incident to his/her supervisor.

#### 4210 Regulation of Dangerous Weapons on School Premises

- Unless authorized by this policy, it is a violation of district policy for any person to knowingly carry a firearm or dangerous weapon on school premises, school-provided transportation, areas of other facilities being used exclusively for school activities, or areas of facilities being used for official meetings of the school board. The term "school premises, includes property, or portions(s) of property, owned, rented or leased by the District when the property, or portions(s) of property, is being used exclusively for school district activities.
- The superintendent is directed to see that all school facilities post "Gun-Free Zone" signs, and that all violations of this policy and RCW 9.41.280 are reported annually to the Office of the Superintendent of Public Instruction. The District superintendent will post signs providing notice of the restrictions on possessing dangerous weapons at each facility being used for official meetings of the board.

#### 4215 Use of Tobacco and Nicotine Products and Deliver Devices

- The board of Directors recognizes that to protect students from exposure to the addictive substance of nicotine, employees and officers of the school district, and all members of the community, have an obligation as role models to refrain from use of tobacco products and delivery devices on school property at all times. Tobacco products and delivery devices includes, but are not limited to cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, electronic smoking/vapor devise, “vapor pens,” non-prescribed inhalers, nicotine delivering 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 or distribution of tobacco products to minors is prohibited, this will include all district buildings, grounds and district-owned vehicles.

#### 4310 Relations with Law Enforcement, Child Protective Agencies, and the County Health Department

- While the District encourages interrogations of students to take place off school premises, the principal shall permit a law enforcement officer to conduct any necessary questioning. The officer shall advise and afford a student the same legal rights as an adult and the right to have a parent present during questioning if the student is twelve years of age or younger.
- While the District encourages interviews of a student to take place off school premises, the principal shall permit a child protective worker to conduct any questioning when child abuse or neglect is involved outside of the presence of parents. Parental notification of the interview shall occur at the earliest possible point in the investigation that will not jeopardize the safety or protection of the child or the course of the investigation. Prior to commencing the interview, the child protective services or law enforcement agency shall determine whether the child wishes a third party to be present for the interview and, if so, shall make reasonable efforts to accommodate the child's wishes. Unless the child objects, the child protective services or law enforcement agency shall make reasonable efforts to include a third party in any interview so long as the presence of the third party will not jeopardize the course of the investigation.
- While the District encourages interviews of students to take place off school premises, the principal shall permit a health official to conduct a confidential interview with a student suspected of being a contact with an individual infected with a communicable disease when the interview is to held during school hours, and the principal chooses not to release the student to travel to the health department.

#### 4314 Notification of Threats of Violence or Harm

- Students and school employees who are subjects of threats of violence or harm shall be notified of the threats in a timely manner. Parents shall be included in notifications to students who are subjects of threats of violence or harm. Administrator may provide others the identity of the student who made the threat if, in their judgment, it is necessary to protect the safety of others.

#### 4315 Release of Information Concerning Sexual and Kidnapping Offenders

- If the school receives notification from law authorities that a sex offender has moved into the school's attendance area, the school will issue the following information in the school's newsletter:

##### Law Enforcement Notification:

Our school has been notified that a Level \_\_\_ (I, II, III) sex offender has moved to the \_\_\_ block of \_\_\_ (Ave/Street/etc.) The state maintains a website so that anyone can check for further information about registered sex offenders. The website address is <http://ml.waspc.org/>.

#### 5011 Sexual Harassment of District Staff Prohibited

- This District is committed to a positive and productive working environment free from discrimination, including sexual harassment. This commitment extends to all employees and other persons involved in academic, education, extracurricular, athletic, and other programs or activities of the school, whether that program or activity is in a school facility, on school transportation, or at a class or school training held elsewhere.
- For purposes of this policy, sexual harassment means unwelcome conduct or communication of sexual nature.
- 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.

#### 5201 Drug-free Schools

- **YOU ARE HEREBY NOTIFIED** that it is a violation of the policy of the West Valley School District for any employee to unlawfully manufacture, distribute, dispense, possess or use on or in the workplace any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 CFR 1300.11 through 1300.15. "Workplace" is defined as the site for the performance of work. That includes any place where work on a school district federal grant is performed, including a school building or other school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district. **YOU ARE FURTHER NOTIFIED** that it is a condition of your continued employment on any federal grant that you will comply with the above policy of the school district and will notify your supervisor of your conviction of any criminal drug statute. Such notification shall be no later than five days after such conviction. An employee who violates the terms of the school district's drug-free workplace policy may be suspended, discharged, or non-renewed in accordance with the provisions of the board policy and state law. An employee may be required to satisfactorily complete a drug rehabilitation or treatment program approved by the board, at the employee's expense, as a condition of eligibility for reinstatement. However, reinstatement of an employee who has violated the drug-free workplace policy is not guaranteed, or does the school district incur any financial obligation for an employee's treatment or rehabilitation.

### 5253 Maintaining Professional Staff/Student Boundaries

- Staff members are required to promptly notify the principal (or other administrator) or the superintendent if they become aware of a situation that may constitute a violation of this policy.
- An inappropriate boundary invasion means an act, omission, or pattern of behavior by a school employee that does not have an educational purpose; and results in abuse of the staff/student professional relationship.

### 5256 Staff Access to Networked Information Resources (Electronic Communications)

- The Board expects that all employees will learn to use electronic mail and telecommunications tools and apply them daily in appropriate ways in performing of tasks associated with their positions and assignments. Communication over networks should not be considered private.
- **EMAIL SHOULD BE CHECKED DAILY.** Staff will employ electronic mail on a daily basis at work as a primary tool for communications. General rules and standards for professional behavior and communications will apply.
- Incidental personal use of networked systems on non-work time is acceptable such that it does not impact network resources or incur liability to the district. If there is any question of appropriateness or liability, contact your supervisor. Minimize impact to the network by never transferring or saving large files and by only using authorized software. The district is not liable for your personal files - do not save anything of personal importance on district resources.
- The following behaviors are explicitly prohibited on District networks:
  1. Sending or displaying offensive messages or pictures.
  2. Using obscene language.
  3. Harassing, insulting or attacking others.
  4. Engaging in practices that may threaten the network (for example: loading unauthorized software, forwarding chain email letters, installing unauthorized hardware, running files that may introduce a virus).
  5. Violating copyright laws.
  6. Using others' passwords.
  7. Trespassing in other peoples' documents or files.
  8. Downloading large files during the instructional day.
  9. Violating regulations prescribed by the network provider.
  10. Using the District systems for personal profit or gain.
  11. Maintaining personal contact with a student outside of school by phone/cell phone, texting, email, Instant Messenger or Internet chat rooms, social networking Web sites, or letters (beyond homework or other legitimate school business) without including the parent/guardian.

### 5270 Resolution of Staff Complaints

- The staff member shall present the complaint in writing to his/her immediate supervisor within 15 days of the action or incident. The written statement of the complaint shall contain:
  - A. The facts upon which the complaint is based as the staff member who is filing the complaint sees them,
  - B. A reference to the policies of the district which have allegedly been violated, and
  - C. The remedies sought.

- The staff member shall discuss this complaint with his/her immediate supervisor. If the complaint is against an administrator or another staff member, such individual shall be present at the meeting to present the facts as he/she sees them. A sincere effort shall be made to resolve the complaint at this level.
- Additional steps may be followed as detailed in Policy 5270.

#### 5271 Reporting Improper Governmental Action

- Employees who become aware of actions that they believe constitute improper governmental action should raise the issue first with their supervisor.
- Additional steps may be followed as detailed in Policy 5271.

#### 5281 Disciplinary Action and Discharge

- Such behavior, conduct, or action may include but is not limited to:
  - A. Incompetence;
  - B. Inefficiency;
  - C. Misappropriation or misuse of district property;
  - D. Neglect of duty;
  - E. Insubordination;
  - F. Conviction/guilty plea of any crime which adversely affects the employee's ability to perform a job including any felony crime involving:
    1. The physical neglect of a child;
    2. The physical injury or death of a child;
    3. Sexual exploitation of a child;
    4. Sexual offenses;
    5. Promotion of a minor for prostitution purposes; or
    6. The sale or purchase of a minor child;  
[employees are required to report in writing to the superintendent any conviction or guilty plea of the above referenced crimes (and of any other crimes that are workplace related) within five days of conviction or guilty plea];
  - G. Malfeasance;
  - H. Misconduct;
  - I. Inability to perform job functions;
  - J. Willful violation of district policies and procedures, laws, or regulations;
  - K. Mistreatment, abuse or assault of fellow workers, students, or members of the public;
  - L. Conflict of interest;
  - M. Abuse of leave;
  - N. Unlawful harassment, verbal abuse, physical abuse or sexual misconduct toward staff, students, or members of the public;
  - O. Manufacture, possession, distribution, sale or being under the influence of alcohol, controlled, illegal, addictive or harmful substances including anabolic steroids;
  - P. Conduct (whether on the job or off the job) that has a substantial negative impact on performance;
  - Q. Mental or physical inability to perform the essential job duties;
  - R. Intemperance;
  - S. Intentional discrimination or harassment;
  - T. Vulgar speech or actions;

- U. Use of habit forming drugs without pharmaceutical prescription by a doctor of medicine licensed to practice in the state of Washington;
- V. Use of alcoholic beverages on district premises or at a district sponsored activity off the district premises;
- W. Use of district supplies and equipment for personal betterment or financial gain or other improper purposes;
- X. Falsification or omission of material information from district records or any report or statement required of or submitted by the employee. This includes, but is not limited to, providing false information to the district (i.e., timesheets, application materials, during formal investigations);
- Y. Engage in the obstruction of justice, which includes witness intimidation, retaliation, destruction of evidence, or engaging in conduct to compromise an investigation or inquiry of misconduct; or
- Engage in any other conduct that lacks educational value/legitimate professional purpose and harms students.

#### 5630 Volunteers

- Volunteers shall be subjected to a name, birth date, and annual background check with the Washington State Patrol.

#### 6500 Risk Management

- Staff shall complete an annual inventory of all real property and equipment.

#### 6510 Safety

- Quarterly inspections will be conducted of playground equipment.
- All students and staff are to wear safety glasses or goggles whenever they are working under potentially hazardous conditions. Laboratories should be ventilated sufficiently enough to provide a healthful, non-hazardous environment.

#### 6511 Staff Safety (Safety procedures; First Aid/CPR procedures)

- If an incident occurs at a school or work site, the staff member shall complete an incident report form and submit a copy to the District Office.
- At least one staff member at each school and work site in the district shall hold a valid certificate of first aid training. Each school and work site shall have first aid supplies readily accessible, and if the work site has more than fifty employees, a first-aid station shall be established.
- Staff Safety  
The supervisor of each school and/or work site in the district is responsible for:  
General Safety
  1. Maintaining a log and summary of all recordable occupational injuries and illnesses occurring at the work site. (A recordable occupational injury or illness is any injury or illness which results in an occupational fatality, lost workdays, need for transfer to a new job, or medical treatment beyond first aid.)
  2. Providing training programs to improve the skill and competency in the safe use of powered materials handling equipment, use of machine tool operations, use of toxic material, and operation of utility systems prior to assignment to jobs involving such exposures.



3. Implementing an accident prevention program which describes how to report unsafe conditions, how to use protective equipment, how to respond to emergencies and how to report injuries.
4. Forming a safety and health committee composed of representative of management and employees, which shall review safety and health inspections to assist in correction of identified unsafe conditions or practices and to evaluate accident investigations and recommend improvements where needed. (Minutes of the committee shall be recorded and shall be retained for one year.)
5. Maintaining a safety bulletin Board sufficient in size to post and display safety bulletins, newsletters, posters, accident statistics and other safety educational material.
6. Assuring that a person who holds a valid certificate of first aid training is present or available at all times.
7. Maintaining a well-marked first aid kit, or first aid station if the work site has more than fifty employees.
8. Furnishing a work place free of safety hazards and containing such safety devices and safeguards as are consistent with Labor and Industries requirements.

#### 6512 Infection Control Program (Universal infectious disease prevention practices)

- The district shall provide annual training to all employees with reasonably anticipated exposure to blood or other potentially infectious material.
- All District personnel shall implement and use universal infectious disease prevention practices in their work with students, staff, and community members and in the maintenance and operations of school property and facilities.

#### 6513 Workplace Violence Prevention

- The district is committed to a safe and civil educational environment for all students, employees, volunteers, and patrons, free from violence, and harassment, intimidation or bullying (HIB). The district does not tolerate violence in the workplace and will work to prevent violent incidents from occurring by implementing a workplace violence prevention program. All employees of the district are responsible for implementing and maintaining the violence prevention program. The workplace violence prevention program establishes and requires adherence to work practices that are designed to make the workplace more secure. It also reinforces the ban on verbal threats or physical actions by employees that create a security hazard for others.
- Additionally, the district does not tolerate domestic violence including harassment of any employee or other person while in the district's buildings or vehicles, while on district property, or while engaged in school or work-related activities. The district is committed to working with employees who are victims of domestic violence to prevent abuse and harassment from occurring in the workplace. No employees will be penalized or disciplined solely for being a victim of domestic violence. The district will provide appropriate support and assistance to employees who are victims of domestic violence. Any employee who threatens, harasses, or abuses someone in the district or from their workplace using district resources such as work time, district telephones, fax machines, mail, or e-mail shall be subject to disciplinary action up to and including discharge. Corrective action or discharge may also be taken against employees who are arrested, convicted, or permanently enjoined as a result of domestic violence when such action is directly related to their position with the

district. All violent incidents shall be reported and investigated, whether or not a physical injury has occurred. There will be no discrimination against victims of workplace violence.

- The workplace violence prevention program includes the following:
  1. Staff will be provided information on recognizing and preventing harassment, intimidation or bullying
  2. Staff will report incidents of workplace violence to their supervisor.

#### 6590 Sexual Harassment

- This district is committed to a positive and productive education and working environment free from discrimination, including sexual harassment. The district prohibits sexual harassment of students, employees and others involved in school district activities.
- Sexual harassment occurs when:
  1. Submitting to the harasser's sexual demands is a stated or implied condition of obtaining an education or work opportunity or other benefit;
  2. Submission to or rejection of sexual demands is a factor in an academic, work or other school related decision affecting an individual; or
  3. Unwelcome sexual or gender-directed conduct or communication interferes with an individual's performance or creates an intimidating, hostile or offensive environment.
- 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, although staff shall always inform complainants of their right to and the process for filing a formal complaint.
- Formal Complaint Process: Anyone may initiate a formal complaint of sexual harassment, even if the informal complaint process is being utilized.
- Detailed information about the complaint process is provided in Policy 6590.

#### 6605 Student Safety Walking to School and Riding Buses

- Each school and department shall have a Safety Advisory Committee which shall review safety concerns on a quarterly basis.
- Representatives of the Safety Advisory Committees shall report safety concerns to the District Safety Committee.
- A comprehensive school trip safety program shall address school walk routes, bus safety and route plans, vehicle access to the school, circulation and parking at the school, pedestrian circulation on and around the school campus and safety education and enforcement.
- At the beginning of each school year, a copy of the rules of conduct for students riding buses shall be provided to each student who is scheduled to ride a school bus. The classroom teacher and/or bus driver shall review the rules with the students at or near the beginning of each school year. A copy of the rules shall be available upon request at the district office.

#### 6625 Private Vehicle Transportation

- Upon written approval of the principal, staff may transport students when a student's welfare is involved, when due care dictates prompt action, when engaged in occasional field trip activity or when engaged in an occasional extracurricular activity.

The staff member shall acknowledge that agrees to assume full responsibility for any liability or property damage, comprehensive or collision, made by or against the driver/owner of the vehicle. The district's liability insurance shall cover the risk assumed by the district. The mileage of the staff member shall be reimbursed by the district.

- Staff who transport students must have a “Type II” driver authorization approved by the District’s Transportation Dept.

#### 6700 Nutrition and Food Services-Breakfast and Lunch Program

- Parents and school staff should avoid using items that are high in fat or added sugar for classroom treats, awards, or birthday/special occasion parties that occur in the classroom.

#### 6895 Pesticide Notification

- At least 48 hours before the application of a pesticide to school facilities or school grounds, the District shall notify parents and staff of the planned application in writing, including the heading, “Notice: Pesticide Application.” This notice shall be posted in a prominent place in the building office in addition to being provided to parents and staff. Following the application of a pesticide to school grounds notice shall be posted at the location of the application and at each primary point of entry to the grounds. The notice shall be at least 4 x 5 inches in size and state that the landscape recently has been treated with a pesticide and provide a contact name and telephone number. The notice shall remain posted for 24 hours, or longer if required by the label of the pesticide.

#### Recommendation from risk management:

- First faculty meeting of the year:
  - Discuss what touching is appropriate and what touching is not, using examples.
  - Discuss boundary invasions and how they relate to sexual grooming.
  - Discuss what electronic communication is appropriate and what is not.
- The audience of teachers/employees will come to understand generally recognized professional practices through the discussion.