

# Beacon Elementary School

## Handbook Supplement

Updated: September 2018

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Montesano School District  
Beacon Elementary  
*Title I Parent/Family Engagement Policy 2018-2019*

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**What is Title I:** Beacon Elementary receives Federal money based upon our enrollment in the free and reduced lunch program. The money is used to improve academic achievement in reading and math. Title I funds are used to hire teachers and paraprofessionals, supplement curriculum, and provide additional learning opportunities for identified students.

**Policy Requirements:** In accordance with the Every Student Succeeds Act (ESSA), Beacon Elementary School maintains a written parent engagement plan. Parents are given the opportunity to participate in the various activities and involvement options provided throughout the year.

**An Invitation:** At Beacon Elementary, parents are welcome and invited to participate in various activities and involvement options which occur throughout the year as extensions of school learning activities. These include but are not limited to:

- Before the start of school, there is a building-wide open house.
- Before beginning school, kindergarten staff meet with all parents and children.
- Parent-teacher conferences are held twice a year with staff available whenever requested.
- Parents are invited to a school winter concert and grade-level assemblies throughout the year. Many support literacy development with theme-related poetry and songs.
- An invitation for parent involvement is offered annually by the Parent Teacher Organization. The PTO organizes various activities such as Family Fun Nights for reading and supports student field trips for cultural experiences.
- Parents are invited to volunteer at school in classrooms or on field trips as well as other capacities at school.
- Staff members increase opportunities to master grade-level skills and Washington State Standards by inviting parents to support their children's learning through the use of several online programs designed to develop literacy and math skills. Teachers also provide parents and families with additional support when learning activities are requested.
- Upon request and in collaboration with the Intervention Specialist, parents are invited to access at-home learning games and activities from a Parent Library of materials focused on helping their children develop literacy and math skills.

**Communication:** Beacon Elementary provides outreach to parents in a variety of ways.

- Beacon Elementary maintains a web page which provides parents information about school programs, requirements, and a list of activities and opportunities. Through the web page, parents have access to student handbooks.
- A newsletter is sent home monthly.
- Notices are provided electronically through the Skyward messaging system.
- Many teachers also provide regular communication through written notices and electronic systems.

**Compact:** During fall conferences, parents are engaged in a discussion of the components of the compact and the responsibilities of the parents, students, and school to develop a student's skills. At that time, parents of students who receive Title I services will be asked to sign the Student Learning Plan which includes the Student/School/Parent Compact. As appropriate, students will initial the compacts along with their parents. Meetings, conferences, and communications are an invitation for collaboration with parents. Throughout the year, they can offer input during those times, at our spring meetings, and/or other occasions as needed.

**Annual Meetings:** In December, a Title I meeting is scheduled in conjunction with a PTO Family Fun Night. Parents are invited to learn more about our Title I program and offer input by taking a survey. In the spring, annual meetings are held for Title I parents to discuss the Title I program plan and offer suggestions. One meeting is held in the morning and another meeting is held in the evening. When requested, administrators or Title I staff will meet with individuals.

**Student Progress Information:** Parents are notified regarding their child's progress in a variety of ways. Teachers use a standards based reporting system. Progress reports or report cards are sent home four times per year. These reports will indicate a student's progress toward meeting school curriculum goals and Washington State Standards. Parents may receive other assessment data including reports from EasyCBM. EasyCBM is a computer-based formative and interim assessment system designed to provide immediate information on students' performance and progress. These assessments are administered to all students in kindergarten through second grade. In addition, kindergarten students are screened using the Washington Kindergarten Inventory of Developmental Skills (WaKIDS).

## Montesano School District No. 66

### Title 1 Parental Involvement

The Montesano School Board recognizes that parent involvement contributes to the achievement of academic standards by students participating in district programs. The Board views the education of students as a cooperative effort among school, parents and community. The Board expects that its schools will carry out programs, activities and procedures in accordance with the statutory definition of parental involvement. Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring that parents:

- A. Play an integral role in assisting their child's learning;
  - B. Are encouraged to be actively involved in their child's education at school; and
  - C. Are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child.
- II. The board of directors adopts as part of this policy the following guidance for parent involvement. The District shall:
- A. Put into operation programs, activities and procedures for the involvement of parents in all of its Title I schools consistent with federal laws including the development and evaluation policy. Those programs, activities and procedures will be planned and operated with meaningful consultation with parents of participating children;
  - B. Provide the coordination, technical assistance and other support necessary to assist participating schools in planning and implementing effective parent involvement activities to improve student academic achievement and school performance.
  - C. Build the schools' and parents' capacity for strong parental involvement;
  - D. Coordinate and integrate Title I parental involvement strategies with parent involvement strategies under other programs, such as Head Start, Reading First, Early Reading First, Even Start, Parents As Teachers, Home Instruction, Preschool Youngsters, State-run preschools;
  - E. Conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this policy in improving the academic quality of schools served with Title I funds including: identifying barriers to greater participation of parents in Title I-related activities, with particular attention to participation of parents with limited English proficiency, parents with disabilities and parents of migratory children; and
  - F. Involve the parents of children served in Title I, Part A schools in the decisions about how the Title I, Part A funds reserved for parental involvement are spent.

The Board shall adopt and distribute the parent involvement policy, which shall be incorporated into the district's Title I plan and shall, with parent involvement, be evaluated annually.

Legal References: PL 107-110 Section 1118(a)

Management Resources: *Policy News, August 2003*      *No Child Left Behind Update*  
*Policy News, June 2005*      *Title I Parental Involvement Policy*  
*Policy News, October 2008*      *Family Involvement Policy*

Revised – 2<sup>nd</sup> Reading and Adoption Date: March 17, 2011

School District Name: Montesano School District No. 66

Revised: 8.03, 2008

MONTESANO SCHOOL DISTRICT  
NOTIFICATION OF RIGHTS UNDER FERPA FOR  
ELEMENTARY AND SECONDARY INSTITUTIONS

The Montesano School District is required by Section 99.7 of Federal regulations title, Family Educational Rights and Privacy Act (FERPA) to provide parents annual notification of their FERPA rights.

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

(1) The right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate. Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the School principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it is inaccurate. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. When a student seeks or intends to enroll in another school district, the Montesano School District will make a reasonable attempt to notify the parent/guardian or student of the records requested from another school district prior to sharing this information.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, DC 20202-4605.

Questions, concerns or requests for additional information regarding FERPA may be forwarded to: Dan Winter, Superintendent, 502 East Spruce Ave., Montesano, WA 98563, 360-249-3942.

**Montesano School District 66**  
**Family Educational Rights and Privacy Act (FERPA)**  
**Annual Notice for Disclosure of School Directory Information**  
**Elementary/Middle School**

Dear Parent/Guardian:

The Family Educational Rights and Privacy Act (FERPA) is a federal law that requires the school district, with certain exceptions, to obtain your written consent prior to the disclosure of personally identifiable information from your child's educational records. Sometimes our school or district may disclose some student information without written consent when the information is designated "directory information" unless you have advised the school or district to the contrary in accordance with district procedures.

The primary purpose of directory information is to allow us to include some types of information in certain school publications and is generally not considered harmful or an invasion of privacy if released. Examples of school publications are:

- a playbill or program showing your child's role in a school production
- honor roll or other recognition lists published at school or in newspapers
- school/student directory
- school or district website

Directory Information can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to:

- other schools the student is seeking to attend (student records, etc.)
- state or federal authorities auditing, evaluating programs or enforcing state or federal laws
- a court by order of a subpoena

Our school district has designated the following as directory information:

Contest Winners	Class Academic Standing
Participation in Special Activities	Meritorious Activity

If you do not want our school or district to disclose directory information about your child without your prior written consent, you must complete the attached form "Parent Request for Non-Disclosure of School Directory Information" by 09/30/18 to let us know which type of directory information you wish to deny release or request prior written consent prior to release.

We ask that you complete one form for each child and return the form(s) to your child's school.

If you have any questions or concerns, please let us know.

\_\_\_\_\_  
 Barbara Page  
 Name

\_\_\_\_\_  
 360-249-4528  
 Telephone Number

\_\_\_\_\_  
 Principal  
 Title

\_\_\_\_\_  
 Email Address

English

Parent Request for Non-Disclosure  
of School Directory Information  
Elementary/Middle School

**Montesano School District 66**  
**Family Educational Rights and Privacy Act (FERPA)**  
**Parent Request for Non-Disclosure of School Directory Information**  
**Elementary/Middle School**

Name of Student: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Parent: \_\_\_\_\_ School: \_\_\_\_\_

Use a separate form for each child you are requesting nondisclosure of school directory information. Please return this form to:

School Name: \_\_\_\_\_

Attn.: \_\_\_\_\_

Address: \_\_\_\_\_

City, State ZIP: \_\_\_\_\_

*Parent/Guardian: Please complete the section below and return the entire form to your child's school.*

*Parent: Select either 1, 2 or 3 from the list below*

I am requesting that my child's school take one of the following actions regarding the release of school directory information.

1. ☐ Do not release ANY information about my child, including name, telephone number, grade level, etc.

or

2. ☐ Do not release the following information about my child (select one or more):

☐ Student name

☐ telephone number

☐ grade level

☐ awards or school recognition

☐ dates of attendance

☐ photograph

☐ participation in school activities

☐ weight and height of athletic team members

☐ \_\_\_\_\_ ☐ \_\_\_\_\_

or

3. ☐ Notify me for my prior written consent before any directory information is disclosed or released about my child.

Signature of Parent/Guardian: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email Address: \_\_\_\_\_

Preferred method for school to communicate with parent: ☐ telephone ☐ email

**OFFICE USE ONLY**

Student ID #	Date Distributed	Date Received	

**Montesano School District 66**  
**Protection of Pupil Rights Amendment (PPRA)**  
**Annual Notice to Parents**

Dear Parent/Guardian:

It is very important to us to let you know of your rights regarding district surveys, collection and use of student information for marketing purposes, and certain physical examinations. These rights include:

1. *Consent* before students are required to complete a survey that concerns one or more of the following protected areas if the survey is funded in whole or in part by a program of the U.S. Department of Education.
  - Political affiliations or beliefs of the student or student's parent;
  - Mental or psychological problems of the student or student's family;
  - Sex behavior or attitudes;
  - Illegal, anti-social, self-incriminating or demeaning behavior;
  - Critical appraisals of others with whom respondents have close family relationships;
  - Legally recognized privileged relationships, such as with lawyers, doctors or ministers;
  - Religious practices, affiliations or beliefs of the student or parents; or
  - Income, other than is required by law to determine program eligibility.
2. *Receive notice and an opportunity to opt a student out of –*
  - Any other protected information survey, regardless of funding;
  - Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
  - Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
3. *Inspect*, upon request and before administration or use –
  - Protected information surveys of students;
  - Instruments used to collect personal information from students for any of the above marketing, sales or other distribution purposes; and
  - Instructional material used as part of the educational curriculum.

When a student reaches the age of 18 or is an emancipated minor under State law, the parent's rights transfer to the student.

The district has adopted policies, in consultation with parents, regarding these rights as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales or other distribution purposes. Parents will be notified of these policies at least annually at the start of each school year and after any substantive changes. The district will also inform parents at the beginning of the school year if the district has identified the specific or approximate dates of activities or surveys and will provide an opportunity for the parent to opt his or her child out of participating in a specific activity or survey.

For activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys and will be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. The following are specific activities and surveys covered under this requirement:

- collection, disclosure or use of personal information for marketing, sales or other distribution;
- administration of any protected information survey non funded by the U.S. Department of Education; and
- any non-emergency, invasive physical examination or screening as described above.

Attached, if scheduled at this time, is a "Scheduled Activities and Surveys" notice. For your convenience, we have also attached a "Parent Consent and Opt-Out Response" form that must be returned to the office.

To file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of PPRA, contact:

*Family Policy Compliance Office*  
*U.S. Department of Education*  
*400 Maryland Avenue SW*  
*Washington, DC 20202-5901*



**Montesano School District 66**  
**Annual Parent Notice**  
**Right to Request Teacher Qualifications**

School: Beacon Elementary School Date: September 2018

Dear Parent or Guardian:

Our school receives federal funds for Title I programs that are part of the *No Child Left Behind Act of 2001*. Throughout the school year, we will continue to provide you with important information about this law and your child's education.

You have the right to request information regarding the professional qualifications of your child's classroom teacher(s). If you request this information, the district or school will provide you with the following as soon as possible:

- a. if the teacher has met state licensing requirements for the grade level and subjects in which the teacher is providing instruction;
- b. if the teacher is teaching under an emergency status for which state licensing requirements have been waived;
- c. the type of college degree major of the teacher and the field of discipline for any graduate degree or certificate; and
- d. if your child is receiving Title I services from paraprofessionals and, if so, his/her qualifications.

If you would like to request this information, please contact your child's school.

Thank you for your interest and involvement in your child's education.

Sincerely,

Barbara Page  
Name

360-249-4528  
Telephone Number

Principal  
Title

Email Address

OFFICE USE ONLY		
Student ID #	Date Distributed	

## **Montesano School District No. 66 Student Conduct Expectations and Reasonable Sanctions**

The board acknowledges that conduct and behavior is closely associated with learning. An effective instructional program requires a wholesome and orderly school environment. The board requires that each student adhere to the rules of conduct and submit to corrective action taken as a result of conduct violations. The rules of conduct are applicable during the school day as well as during any school activity conducted on or off campus. Special rules are also applicable while riding on a school bus.

Students are expected to:

- A. Respect the rights, person and property of others;
- B. Pursue the required course of study;
- C. Preserve the degree of order necessary for a positive climate for learning; and
- D. Comply with district rules and regulations;
- E. Submit to the authority of staff and reasonable discipline imposed by school employees and respond accordingly.

The Board also recognizes that schools must take reasonable steps so that students who fail to adhere to the district's rules and regulations and who receive discipline for such misconduct remain engaged or are effectively reengaged in their educational program.

The superintendent will develop written rules of conduct which will carry out the intent of the board and establish procedures necessary to implement this policy.

Cross References: 3241 - Classroom Management, Discipline and Corrective Action  
6605 - Student Safety Walking, Biking and Riding Buses

Legal References: RCW 28A.210.310 Prohibition on use of tobacco products on school property  
RCW 28A.320.128 Notice and disclosure policies – Threats of violence—  
Student conduct – Immunity for good faith notice -- Penalty  
RCW 28A.400.110 Principal to assure appropriate student discipline —  
Building discipline standards — Classes to improve classroom  
management skills

RCW 28A.600.015 Rules incorporating due process guarantees of pupils with regard to expulsions and suspensions  
 RCW 28A.600.020 Exclusion of student from classroom – Written disciplinary procedures – Long-term suspension or expulsion  
 RCW 28A.600.022 Suspended or expelled students – Reengagement plan.  
 RCW 28A.600.040 Pupils to comply with rules and regulations  
 RCW 28A.635.060 Defacing or injuring school property — Liability of pupil, parent, or guardian - Withholding grades, diploma, or transcripts — Suspension and restitution — Voluntary work program as alternative — Rights protected  
 RCW 28A.635.090 Interference by force or violence -- Penalty  
 RCW 28A.635.100 Intimidating any administrator, teacher, classified employee, or student by threat of force or violence unlawful—Penalty  
 RCW 4.24.190 Action against parent for willful injury to property by minor — Monetary limitation — Common law liability preserved  
 RCW 9.41 Firearms and dangerous weapons  
 RCW 9.91.160 Personal protection spray devices  
 RCW 9A.16.020 Use of force — When lawful  
 20 U.S.C. 7101 et seq. Safe and Drug-Free Schools and Communities Act  
 WAC 392-400-205 Definitions  
 WAC 392-400-210 Student responsibilities and duties  
 WAC 392-400-215 Student rights  
 WAC 392-400-225 School district rules defining misconduct — Distribution of rules  
 WAC 392-400-226 School district rules defining harassment, intimidation and bullying prevention policies and procedures – Distribution of rules  
 WAC 392-400-227 School district rules defining students’ religious rights  
 WAC 392-400-233 Unexcused absences and tardiness

Management 2016 – July Issue  
 Resources: 2014 - August Issue  
 2013 - September Issue

Adoption Date: Revised 10/26/2017

Classification: **Priority**

Revised Dates: **12.06; 12.11; 09.13; 08.14; 07.16**

## **Montesano School District No. 66**

### **Classroom Management, Discipline and Corrective Action**

Rules of student conduct are essential to maintain a school environment conducive to learning. A student's refusal to comply with written rules and regulations established for the governing of the school will constitute sufficient cause for discipline or corrective action.

Staff are responsible for supervising student behavior, employing effective classroom management methods and enforcing the rules of student conduct in a fair, consistent and non-discriminatory manner. Corrective action must be reasonable and necessary under the circumstances and reflect the district's priority to maintain a safe and positive learning environment for all students and staff.

The district will distribute its discipline policy and procedure to students, their parents/guardians, and the community on an annual basis. Students and/or their parents/guardians will be provided all required substantive and procedural due process in regard to grievances, hearings and/or appeals of corrective action. The district will also strive to provide trainings regarding policies and procedures related to student discipline for appropriate school and district staff whose duties require them to interact with students and enforce or implement components of student discipline.

The district will assist long-term suspended and expelled students in returning to school as soon as possible by providing them with a reengagement plan tailored to the student's individual circumstances, including consideration of the incident that led to the student's long-term suspension or expulsion.

The district will annually collect and review data on disciplinary actions taken against students within each school. The data will be disaggregated into subgroups as required by RCW 28A.300.042 and will include students protected by the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973. The review must include short-term suspensions, long-term suspensions and expulsions. In reviewing the data, the district will determine whether it has disciplined a substantially disproportionate number of students within any of the disaggregated categories. If disproportionality is found, the district will take action to ensure that it is not the result of discrimination.

In consultation with school district staff, students, families and the community, the district will periodically review and update this policy and its accompanying procedure.

**Cross References:**

2121 - Substance Abuse Program  
2161 - Special Education and Related Services for  
Eligible Students

2162 - Education of Students With Disabilities Under  
Section 504 of the Rehabilitation Act of 1973  
3122 - Excused and Unexcused Absences  
3210 - Nondiscrimination  
3240 - Student Conduct Expectations and  
Reasonable Sanctions  
3244 - Prohibition of Corporal Punishment  
3520 - Student Fees, Fines, or Charges  
4210 - Regulation of Dangerous Weapons on School  
Premises  
4218 - Language Access Plan

Legal References:

RCW 9A.16.100 Use of force on children — Policy —  
Actions presumed unreasonable  
RCW 9.41.280 Possessing dangerous weapons on  
school facilities — Penalty — Exceptions  
RCW 28A.150.240 Certificated teaching and  
administrative staff as accountable for classroom  
teaching — Scope — Responsibilities — Penalty  
Chapter 28A.225, RCW Compulsory school  
attendance and admission  
Chapter 28A.320, RCW Provisions applicable to all  
districts  
RCW 28A.400.100 Principals and vice principals —  
Employment of — Qualifications — Duties  
RCW 28A.400.110 Principal to assure appropriate  
student discipline — Building discipline standards —  
Classes to improve classroom management skills  
Chapter 28A.600 RCW, Students  
WAC 392-190-048 Access to course offerings –  
Student discipline  
Chapter 392-400, WAC Pupils  
34 CFR Part 100.3 Regulations implementing Civil  
Rights Act of 1964  
42 U.S.C. 2000d et seq. Civil Rights Act of 1964

Adoption Date: Revised 10/26/2017

Classification: **Priority**

Revised Dates: **04.99; 12.06; 06.10; 10.11; 08.14; 12.14; 07.16**

## **Montesano School District No. 66**

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

It is a violation of district policy and state law for any person to carry a firearm or dangerous weapon on school premises, school-provided transportation or areas of other facilities being used exclusively for school activities unless specifically authorized by state law. 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 a criminal offense.

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

#### **Dangerous Weapons**

The term "dangerous weapons" under state law includes:

- Any firearm;
- Any device commonly known as "nun-chu-ka 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 which 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 which is automatically released by a spring mechanism or other mechanical device;
  - Any knife having a blade which 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 which 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 which 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**

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 violate this policy will be subject to discipline. 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.

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.

No expulsion under RCW 28A.600.420 prevents the district from continuing to provide educational services in an alternative educational setting in compliance with RCW 28A.600.015. Any alternative setting should be comparable, equitable, and appropriate to the regular education services a student would have received without the exclusionary discipline. Example alternative settings include one-on-one tutoring and online learning.

### **Exceptions to State Law and this Policy**

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

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

The following persons over eighteen years of age and not enrolled as students may have firearms in their possession on school property outside of school buildings:

- A. Persons with concealed weapons permits issued pursuant to RCW 9.41.070 who are picking up or dropping off students; and
- B. Persons conducting legitimate business at the school and in lawful possession of a firearm or dangerous weapon if the weapon is secured within an attended vehicle, is unloaded and secured in a vehicle, or is concealed from view in a locked, unattended vehicle.

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

### **Personal Protection Spray**

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:

3240 - Student Conduct Expectations and Reasonable Sanctions  
3241 - Classroom Management, Discipline and Corrective Action  
4260 - Use of School Facilities

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:

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 "look-alike" firearms

Adoption Date: Adopted/Revised 9/28/17

Classification: **Essential**

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



## **Montesano School District**

### **Nondiscrimination - Students**

The district will provide equal educational opportunity and treatment for all students in all aspects of the academic and activities program without discrimination based on race, religion, creed, color, national origin, age, honorably-discharged veteran or military status, sex, sexual orientation, 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 district will provide equal access to school facilities to the Boy Scouts of America and all other designated youth groups listed in Title 36 of the United States Code as a patriotic society. District programs will be free from sexual harassment. Auxiliary aids and services will be provided upon request to individuals with disabilities.

Conduct against any student that is based on one of the categories listed above that is sufficiently severe, persistent or pervasive as to limit or deny the student's ability to participate in or benefit from the district's course offerings; educational programming or any activity will not be tolerated. When a district employee knows, or reasonably should know, that such discriminatory harassment is occurring or has occurred, the district will take prompt and effective steps reasonably calculated to end the harassment, prevent its recurrence and remedy its effects.

The district's nondiscrimination statement will be included in all written announcements, notices, recruitment materials, employment applications, and other publications made available to all students, parents, or employees. The statement will include: 1) notice that the district will not discriminate in any programs or activities on the basis of any of the above-listed categories; 2) the name and contact information of the district's compliance officer designated to ensure compliance with this policy; and 3) the names and contact information of the district's Section 504 and Title IX compliance officers.

The district will annually publish notice reasonably calculated to inform students, students' parents/guardians (in a language that they can understand, which may require language assistance), and employees of the district's discrimination complaint procedure.

The superintendent will designate a staff member to serve as the compliance officer for this policy. The compliance officer will be responsible for investigating any discrimination complaints communicated to the district.

The district will provide training to administrators and certificated and classroom personnel regarding their responsibilities under this policy and to raise awareness of and eliminate bias and discrimination based on the protected classes identified in this policy.

#### **District Contacts(s):**

##### **Title IX and Compliance Coordinator:**

Pam Banks  
502 E. Spruce Ave, Montesano, WA 98563  
Phone #360-249-3942  
Fax #360-841-7198  
Email: [pbanks@monteschools.org](mailto:pbanks@monteschools.org)

##### **504/ADA Compliance Officer:**

Shawn Brown  
502 E. Spruce Ave, Montesano, WA 98563  
Phone #360-249-3942  
Fax #360-841-7198  
Email: [sbrown@monteschools.org](mailto:sbrown@monteschools.org)

Cross References:	<p>2020 - Course Design, Selection and Adoption of Instructional Materials</p> <p>2030 - Service Animals in Schools</p> <p>2140 - Guidance and Counseling</p> <p>2150 - Co-Curricular Program</p> <p>2151 - Interscholastic Activities</p> <p>3211 - Transgender Students</p> <p>4217 - Effective Communication</p> <p>4260 - Use of School Facilities</p>
Legal References:	<p>Chapter 28A.640 RCW Sexual equality</p> <p>Chapter 28A.642 RCW Discrimination prohibition</p> <p>Chapter 49.60 RCW Discrimination — Human rights commission</p> <p>WAC 392-190-020 Training—Staff responsibilities—Bias awareness</p> <p>WAC 392-190-060 Compliance – School district designation of responsible employee - Notification</p> <p>WAC 392-400-215 Student rights</p> <p>20 U.S.C. 7905 Boy Scouts of American Equal Access Act</p> <p>42 U.S.C. 12101-12213 Americans with Disabilities Act</p>
Management Resources:	<p>2016 - March Issue</p> <p>2014 - December Issue</p> <p>2013 - April Issue</p> <p>2012 - December Issue</p> <p>2011 - June Issue</p> <p>Policy News, August 2007 Washington’s Law Against Discrimination</p>

Revised Dates: **12.06; 08.07; 02.11; 06.11; 12.12; 04.13; 12.13; 12.14; 01.15; 03.16; 4.18**

## **Montesano School District Procedure - Nondiscrimination**

Anyone may file a complaint against the district alleging that the district has violated anti-discrimination laws. This complaint procedure is designed to assure that the resolution of real or alleged violations are directed toward a just solution that is satisfactory to the complainant, the administration and the board of directors. This grievance procedure will apply to the general conditions of the nondiscrimination policy (Policy 3210) and more particularly to policies dealing with guidance and counseling (Policy 2140), co-curricular program (Policy 2150), service animals in schools (Policy 2030) and curriculum development and instructional materials (Policy 2020). As used in this procedure:

- A. **Grievance** means a complaint which has been filed by a complainant 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 to 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 a justifiable complaint. To this end, specific steps will be taken. The district is prohibited by law from intimidating, threatening, coercing or discriminating against any individual for the purpose of interfering with their right to file a grievance under this policy and procedure and from retaliating against an individual for filing such a grievance.

### **A. Informal Process for Resolution**

Anyone with an allegation of discrimination may request an informal meeting with the compliance officer or designated employee to resolve their concerns. Such a meeting will be at the option of the complainant. If unable to resolve the issue at this meeting, the complainant may submit a written complaint to the compliance officer. During the course of the informal process, the district must notify complainant of their right to file a formal complaint.

### **B. Formal Process for Resolution**

#### **Level One: Complaint to District**

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

The superintendent or designee will respond to the complainant with a written decision as expeditiously as possible, but in no event later than 30 calendar days following receipt of the written complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the

district will notify the complainant in writing of the reason for the extension and the anticipated response date. At the time the district responds to the complainant, the district must send a copy of the response to the office of the 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 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 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 the 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 shall 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 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 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 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 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-discrimination laws; 2) The name and contact information, including address, of the complainant; 3) The name and address of the district subject to the complaint; 4) A copy of the district's complaint and appeal decision, if any; and 5) A proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information.
3. Upon receipt of a complaint, the Office of the Superintendent of Public Instruction may initiate an investigation, 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.

#### **C. Mediation**

At any time during the discrimination complaint procedure set forth in WAC 392-190-065 through 392-190-075, a district may, at its own expense, offer mediation. The complainant and the district may agree to extend the discrimination complaint process deadlines in order to pursue mediation.

The purpose of mediation is to provide both the complainant and the district an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator. Mediation must be voluntary and requires the mutual agreement of both parties. It may be terminated by either party at any time during the mediation process. It may not be used to deny or delay a complainant's right to utilize the complaint procedures.

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

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

#### **D. Preservation of Records**

The files containing copies of all correspondence relative to each complaint communicated to the district and the disposition, including any corrective measures instituted by the district, will be retained in the office of the compliance officer for a period of six years.

The following district staff are designated to receive Complaints which may be submitted by mail, fax, e-mail or hand-delivery:

Title IX and Compliance Coordinator:  
Pam Banks  
502 E. Spruce Ave, Montesano, WA 98563  
Phone #360-249-3942  
Fax #360-841-7198  
Email: [pbanks@monteschools.org](mailto:pbanks@monteschools.org)

504/ADA Compliance Officer:  
Shawn Brown  
502 E. Spruce Ave, Montesano, WA 98563  
Phone #360-249-3942  
Fax #360-841-7198  
Email: sbrown@monteschools.org

Adoption Date: 4/18

Revised Dates: **06.11; 12.14; 01.15**

## ADA GRIEVANCE PROCEDURES

The following grievance procedures are established to, and shall be construed to protect the substantive rights of interested persons to meet appropriate due process standards and to assure that the District complies with the American's with Disabilities Act.

A complaint alleging a violation of the American's with disabilities Act is to be filed in writing, contain the name and address of the person filing, and briefly describe the allege violation of the regulations. The complaint should be addressed to:

**Shawn Brown**  
**Student Services Director**  
**ADA/504 Compliance Coordinator**  
**302 N. Church St.**  
**Montesano, WA 98563**  
**[sbrown@monteschools.org](mailto:sbrown@monteschools.org)**

Students, and/or parents/guardians, staff or other individuals acting on behalf of students of the district are eligible to participate in this complaint procedure. This complaint procedure is designed to assure that the resolution of real or alleged violations are directed toward a just solution that is satisfactory to the complainant, the administration and the board of directors. This grievance procedure will apply to the general conditions of the nondiscrimination policy (Policy No. 3210) and more particularly to policies dealing with guidance and counseling (Policy No. 2140), co-curricular program (Policy No. 2150), service animals in schools (Policy No. 2030) and curriculum development and instructional materials (Policy No. 2020). As used in this procedure:

- A. **"Grievance"** will mean a complaint which has been filed by a complainant (a student, an employee, a parent or guardian) relating to alleged violations of any state or federal anti-discrimination laws; and
- B. **"Complaint"** will mean a charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. A respondent will mean the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

The primary purpose of this procedure is to secure an equitable solution to a justifiable complaint. To this end, specific steps will be taken.

### **Process for Resolution**

Anyone with an allegation of discrimination may request an informal meeting with the compliance officer or designated employee to resolve their concerns. Such a meeting will be at the option of the complainant. If unable to resolve the issue at this meeting, the complainant may submit a written complaint to the compliance officer.

#### **A. Level One**

A written complaint must be signed by the complainant and set forth the specific acts, conditions or circumstances alleged to be in violation. Upon receipt of a complaint, the compliance officer shall investigate the allegations set forth within 30 calendar days.

The school district and complainant may agree to resolve the complaint in lieu of an investigation. The officer shall provide the superintendent with a full written report of the complaint and the results of the investigation. The superintendent shall respond in writing to the complainant as expeditiously as possible, but in no event later than 30 calendar days following receipt of the written complaint. The response of the superintendent will include notice of the complainant's right to appeal to the school board, and will identify where and to whom the appeal must be filed.

The superintendent's written response shall state that the district either:

1. Denies the allegations contained in the written complaint received by the district;  
or
2. Shall implement reasonable corrective measures to eliminate any such act, condition, or circumstance within the school district.

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

**B. Level Two**

If a complainant disagrees with the superintendent's written decision or if the superintendent fails to respond, the complainant may appeal to the district board of directors by filing a written notice of appeal with the secretary of the board by the tenth calendar day following:

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

The board shall schedule a hearing to commence by the 20th calendar day following the filing of the written notice of appeal, unless otherwise agreed to by the complainant and the superintendent or for good cause. Both parties shall be allowed to present such witnesses and testimony as the board deems relevant and material. The board will render a written decision by the tenth calendar day following the termination of the hearing and will provide a copy to the complainant, unless otherwise agreed to by the complainant and the superintendent or for just cause. The response of the board will include notice of the complainant's right to appeal to the Superintendent of Public Instruction and will identify where and to whom the appeal must be filed.

**C. Level Three**

If a complainant disagrees with the decision of the board of directors in connection with any matter which, if established, would constitute a violation, the complainant may appeal the board's decision to the Superintendent of Public Instruction.

1. A notice of appeal must be received by the Superintendent of Public Instruction on or before the 20th day following the date upon which the complainant received written notice of the board of directors' decision.
2. A notice of appeal must be in writing in the form required by the Superintendent of Public Instruction and must set forth:
  - a. A concise statement of the original complaint and the portions of the board of director's decision which is appealed; and
  - b. The relief requested by the complainant.



**D. Other**

If the complainant remains aggrieved they may seek resolution with federal or state agencies empowered with the authority to resolve such 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, will be retained in the office of the compliance officer for a period of six years.

Date: 06.11

## Montesano School District No. 66

### Students and Telecommunication Devices

Students in possession of telecommunications devices, including, but not limited to cell phones, while on school property or while attending school-sponsored or school-related activities will observe the following conditions:

- A. Students will not use telecommunication devices in a manner that poses a threat to academic integrity, disrupts the learning environment or violates the privacy rights of others;
- B. Students will not send, share, view or possess pictures, text messages, emails or other material depicting sexually explicit conduct, as defined in RCW 9.68A.011, in electronic or any other form on a cell phone or other electronic device, while the student is on school grounds, at school sponsored events or on school buses or vehicles provided by the district;
- C. When a school official has reasonable suspicion, based on objective and articulable facts, that a student is using a telecommunications device in a manner that violates the law or school rules, the official may confiscate the device, which will only be returned to the student's parent or legal guardian;
- D. By bringing a cell phone or other electronic devices to school or school-sponsored events, the student and their parent/guardian consent to the search of the device when school officials have a reasonable suspicion, based on objective and articulable facts, that such a search will reveal a violation of the law or school rules. The scope of the search will be limited to the violation of which the student is accused. Content or images that violate state or federal laws will be referred to law enforcement;
- E. Students are responsible for devices they bring to school. The district will not be responsible for loss, theft or destruction of devices brought onto school property or to school sponsored events;
- F. Students will comply with any additional rules developed by the school concerning the appropriate use of telecommunication or other electronic devices; and
- G. Students who violate this policy will be subject to disciplinary action, including suspension or expulsion.

Cross References:	Board Policy 2022	Electronic Resources
	3207	Prohibition of Harassment, Intimidation and Bullying
	3241	Classroom Management, Corrective Actions or Punishment
	4310	Relations with Law Enforcement Agencies, Child Protective Agencies and County Health Officials

Management Resources:

<i>Policy News</i> , October 2010	Students and Telecommunication Devices Revisited
<i>Policy News</i> , June 2010	Students and Sexting
<i>Policy News</i> , February 2004	Evolution of Cell Phone Use

Adopted: 06.26.14

School District Name: Montesano

Revised: 2.04; 06.10; 10.10; 12.11; 06.14

## **Montesano School District No. 66**

### **Sexual Harassment of Students Prohibited**

This district is committed to a positive and productive education free from discrimination, including sexual harassment. This commitment extends to all students involved in academic, educational, extracurricular, athletic, and other programs or activities of the school, whether that program or activity is in a school facility, on school transportation or at a class or school training held elsewhere.

#### **Definitions**

For purposes of this policy, sexual harassment means unwelcome conduct or communication of a sexual nature. Sexual harassment can occur adult to student, student to student or can be carried out by a group of students or adults and will be investigated by the District even if the alleged harasser is not a part of the school staff or student body. The district prohibits sexual harassment of students by other students, employees or third parties involved in school district activities.

Under federal and state law, the term "sexual harassment" may include:

- acts of sexual violence;
- unwelcome sexual or gender-directed conduct or communication that interferes with an individual's educational performance or creates an intimidating, hostile, or offensive environment;
- unwelcome sexual advances;
- unwelcome requests for sexual favors;
- sexual demands when submission is a stated or implied condition of obtaining an educational benefit;
- sexual demands where submission or rejection is a factor in an academic, or other school-related decision affecting an individual.

A "hostile environment" has been created for a student when sexual harassment is sufficiently serious to interfere with or limit the student's ability to participate in or benefit from the school's program. The more severe the conduct, the less need there is to demonstrate a repetitive series of incidents. In fact, a single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe, violent, or egregious.

#### **Investigation and Response**

If the district knows, or reasonably should know, that sexual harassment has created a hostile environment, it will promptly investigate to determine what occurred and take appropriate steps to resolve the situation. If an investigation reveals that sexual harassment has created a hostile environment, the district will take prompt and effective steps reasonably calculated to end the sexual harassment, eliminate the hostile environment, prevent its recurrence and as appropriate, remedy its effects. The district will take prompt, equitable and remedial action within its authority on reports, complaints and grievances alleging sexual harassment that come to the attention of the district, either formally or informally. The district will take these steps every time a complaint, alleging sexual harassment comes to the attention of the district, either formally or informally.

Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. Regardless of whether the misconduct is reported to law enforcement, school staff will promptly investigate to determine what occurred and take appropriate steps to resolve the situation, to the extent that such investigation does not interfere with an ongoing criminal investigation. A criminal investigation does not relieve the district of its independent obligation to investigate and resolve sexual harassment.

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending students, staff or other third parties involved in school district activities. Anyone else who engages in sexual harassment on school property or at school activities will have their access to school property and activities restricted, as appropriate.

#### **Retaliation and False Allegations**

Retaliation against any person who makes or is a witness in a sexual harassment complaint is prohibited and will result in appropriate discipline. The district will take appropriate actions to protect involved persons from retaliation.

It is a violation of this policy to knowingly report false allegations of sexual harassment. Persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

### **Staff Responsibilities**

The superintendent will develop and implement formal and informal procedures for receiving, investigating and resolving complaints or reports of sexual harassment. The procedures will include reasonable and prompt time lines and delineate staff responsibilities under this policy.

Any school employee who witnesses sexual harassment or receives a report, informal complaint, or written complaint about sexual harassment is responsible for informing the district Title IX or Civil Rights Compliance Coordinator. All staff are also responsible for directing complainants to the formal complaint process.

Reports of discrimination and discriminatory harassment will be referred to the district's Title IX/Civil Rights Compliance Coordinator. Reports of disability discrimination or harassment will be referred to the district's Section 504 Coordinator.

The following district staff are designated to receive Complaints which may be submitted by mail, fax, e-mail or hand-delivery:

Title IX and Compliance Coordinator:

Pam Banks

502 E. Spruce Ave, Montesano, WA 98563

Phone #360-249-3942

Fax #360-841-7198

Email: [pbanks@monteschools.org](mailto:pbanks@monteschools.org)

504/ADA Compliance Officer:

Shawn Brown

502 E. Spruce Ave, Montesano, WA 98563

Phone #360-249-3942

Fax #360-841-7198

Email: [sbrown@monteschools.org](mailto:sbrown@monteschools.org)

### **Notice and Training**

The superintendent will develop procedures to provide age-appropriate information and education to district staff, students, parents and volunteers regarding this policy and the recognition and prevention of sexual harassment. At a minimum sexual harassment recognition and prevention and the elements of this policy will be included in staff, student and regular volunteer orientation. This policy and the procedure, which includes the complaint process, will be posted in each district building in a place available to staff, students, parents, volunteers and visitors. Information about the policy and procedure will be clearly stated and conspicuously posted throughout each school building, provided to each employee and reproduced in each student, staff, volunteer and parent handbook. Such notices will identify the District's Title IX coordinator and provide contact information, including the coordinator's email address.

### **Policy Review**

The superintendent will make an annual report to the board reviewing the use and efficacy of this policy and related procedures. Recommendations for changes to this policy, if applicable, will be included in the report. The superintendent is encouraged to involve staff, students, volunteers and parents in the review process.

Cross References:        3207 - Prohibition of Harassment, Intimidation and Bullying  
                                 3210 - Nondiscrimination  
                                 3211 - Transgender Students  
                                 3240 - Student Conduct Expectations and Reasonable Sanctions  
                                 3241 - Classroom Management, Discipline and Corrective Action

5010 - Nondiscrimination and Affirmative Action  
5011 - Sexual Harassment of District Staff Prohibited

Legal References: 20 U.S.C. 1681-1688  
WAC 392-190-058 Sexual harassment  
RCW 28A.640.020 Regulations, guidelines to eliminate  
discrimination — Scope — Sexual harassment policies

Management  
Resources: 2015 - July Policy Alert  
2014 - December Issue  
2010 - October Issue

Classification: **Essential**  
Revised Dates: **10.11; 12.14; 07.15; Revised 2017**

## Procedure - Sexual Harassment of Students Prohibited - #3205

The procedure is intended to set forth the requirements of Policy 3205, including the process for a prompt, thorough, and equitable investigation of allegations of sexual harassment and the need to take appropriate steps to resolve such situations. If sexual harassment is found to have created a hostile environment, staff must take immediate action to eliminate the harassment, prevent its reoccurrence, and address its effects.

This procedure applies to sexual harassment (including sexual violence) targeted at students carried out by other students, employees or third parties involved in school district activities. Because students can experience the continuing effects of off-campus harassment in the educational setting, the district will consider the effects of off-campus conduct when evaluating whether there is a hostile environment on campus. The district has jurisdiction over these complaints pursuant to Title IX of the Education Amendments of 1972, Chapter 28A.640, RCW and Chapter 392-190 WAC.

### Notice

- Information about the district's sexual harassment policy will be easily understandable and conspicuously posted throughout each school building, be reproduced in each student, staff, volunteer and parent handbook.
- In addition to the posting and reproduction of this procedure and Policy 3205, the district will provide annual notice to employees that complaints pursuant to this procedure may be filed at the **office of the Superintendent - 502 E. Spruce Ave, of district office.**

### Staff Responsibilities

- In the event of an alleged sexual assault, the school principal will immediately inform: 1) the Title IX/Civil Rights Compliance Coordinator so that the district can appropriately respond to the incident consistent with its own grievance procedures; and 2) law enforcement.
- The principal will notify the targeted student(s) and their parents/guardians of their right to file a criminal complaint and a sexual harassment complaint simultaneously.

### Confidentiality

- If a complainant requests that his or her name not be revealed to the alleged perpetrator or asks that the district not investigate or seek action against the alleged perpetrator, the request will be forwarded to the **Superintendent** for evaluation.
- The **Superintendent or Designee** should inform the complainant that honoring the request may limit its ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator.
- If the complainant still requests that his or her name not be disclosed to the alleged perpetrator or that the district not investigate or seek action against the alleged perpetrator, the district will need to determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students, staff and other third parties engaging in district activities, including the person who reported the sexual harassment. Although a complainant's request to have his or her name withheld may limit the district's ability to respond fully to an individual allegation of sexual harassment, the district will use other appropriate means available to address the sexual harassment.

### Retaliation

Title IX prohibits retaliation against any individual who files a complaint under these laws or participates in a complaint investigation. When an informal or formal complaint of sexual harassment is made, the district will take steps to stop further harassment and prevent any retaliation against the person who made the complaint, was the subject of the harassment, or against those who provided information as a witness. The district will investigate all allegations of retaliation and take actions against those found to have retaliated.

### **Informal Complaint Process**

Anyone may use informal procedures to report and resolve complaints of sexual harassment. Informal reports may be made to any staff member. Staff will always notify complainants of their right to file a formal complaint and the process for same. Staff will also direct potential complainants to ***Pam Banks; Title IX and Compliance Coordinator at 502 E. Spruce Ave, Montesano, WA 98563, Phone 360-249-3942, FAX # 360-841-7198 , Email [pbanks@monteschools.org](mailto:pbanks@monteschools.org)***. Additionally, staff will also inform an appropriate supervisor or professional staff member when they receive complaints of sexual harassment, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

During the course of the informal complaint process, the district will take prompt and effective steps reasonably calculated to end any harassment and to correct any discriminatory effects on the complainant. If an investigation is needed to determine what occurred, the district will take interim measures to protect the complainant before the final outcome of the district's investigation (e.g., allowing the complainant to change academic or extracurricular activities or break times to avoid contact with the alleged perpetrator).

Informal remedies may include:

- An opportunity for the complainant to explain to the alleged harasser that his or her conduct is unwelcome, offensive or inappropriate, either in writing or face-to-face;
- A statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;
- A general public statement from an administrator in a building reviewing the district sexual harassment policy without identifying the complainant;
- Developing a safety plan;
- Separating students; or
- Providing staff and/or student training

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

The district will inform the complainant and their parent/guardian how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

### **Formal Complaint Process**

#### **Level One – Complaint to District**

Anyone may initiate a formal complaint of sexual harassment, even if the informal complaint process is being utilized. At any level in the formal complaint process, the district will take interim measures to protect the complainant before the final outcome of the district's investigation.

The following process will be followed:

#### **Filing of Complaint**

- All formal complaints will be in writing and will set forth the specific acts, conditions or circumstances alleged to have occurred and to constitute sexual harassment. The Title IX Coordinator may draft the complaint based on the report of the complainant for the complainant to review and approve. The superintendent or Title IX Coordinator may also conclude that the district needs to conduct an investigation based on information in his or her possession, regardless of the complainant's interest in filing a formal complaint.
- The time period for filing a complaint is one year from the date of the occurrence that is the subject matter of the complaint. However, a complaint filing deadline may not be imposed if the complainant was

prevented from filing due to: 1) Specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint; or 2) Withholding of information that the district was required to provide under WAC 392-190-065 or WAC 392-190-005.

- Complaints may be submitted by mail, fax, e-mail or hand-delivery to the district Title IX Coordinator, [ *insert name/title* ] at [ *insert office address, telephone number and e-mail address* ]. Any district employee who receives a complaint that meets these criteria will promptly notify the Coordinator.

## **Investigation and Response**

- The Title IX Coordinator will receive and investigate all formal, written complaints of sexual harassment or information in the coordinator's possession that they believe requires further investigation. The Coordinator will delegate his or her authority to participate in this process if such action is necessary to avoid any potential conflicts of interest. Upon receipt of a complaint, the Coordinator will provide the complainant a copy of this procedure.
- Investigations will be carried out in a manner that is adequate in scope, reliable and impartial. During the investigation process, the complainant and accused party or parties, if the complainant has identified an accused harasser(s), will have an equal opportunity to present witnesses and relevant evidence. Complainants and witnesses may have a trusted adult with them during any district-initiated investigatory activities. The school district and complainant may also agree to resolve the complaint in lieu of an investigation. When the investigation is completed, the Coordinator will compile a full written report of the complaint and the results of the investigation.

## **Superintendent Response**

- The superintendent will respond in writing to the complainant and the alleged perpetrator within thirty (30) calendar days of receipt of the complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the complainant in writing of the reason for the extension and the anticipated response date. At the time the district responds to the complainant, the district must send a copy of the response to the office of the superintendent of public instruction.
- The response of the superintendent or designee will include: 1) a summary of the results of the investigation; 2) a statement as to whether a preponderance of the evidence establishes that the complainant was sexually harassed; 3) if sexual harassment is found to have occurred, the corrective measures the district deems necessary, including assurance that the district will take steps to prevent recurrence and remedy its effects on the complainant and others, if appropriate; 4) notice of the complainant's right to appeal to the school board and the necessary filing information; and 5) any corrective measures the district will take, remedies for the complainant (e.g., sources of counseling, advocacy and academic support), and notice of potential sanctions for the perpetrator(s) (e.g., discipline).
- 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. If the complaint alleges discriminatory harassment by a named party or parties, the coordinator will provide the accused party or parties with notice of the outcome of the investigation and notice of their right to appeal any discipline or corrective action imposed by the district.
- Any corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the superintendent's mailing of a written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy.
- The district will inform the complainant and their parent/guardian how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.



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

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

- 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.

### **Board Decision**

- Unless otherwise agreed to by the complainant, the board will render a written decision within thirty (30) calendar days following the filing of the notice of appeal and provide the complainant with a copy of the decision.
- The decision will be provided in a language that the complainant can understand which may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act.
- The decision will include notice of the complainant's right to appeal to the Superintendent of Public Instruction and will identify where and to whom the appeal must be filed. The district will send a copy of the appeal decision to the office of the superintendent of public instruction.

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

### **Filing of Complaint**

- If a complainant disagrees with the decision of the board of directors, or if the district fails to comply with this procedure, the complainant may file a complaint with the superintendent of public instruction.
- A complaint must be received by the Superintendent of Public Instruction on or before the twentieth (20) calendar day following the date upon which the complainant received written notice of the board of directors' decision, unless the Superintendent of Public Instruction grants an extension for good cause. Complaints may be submitted by mail, fax, electronic mail, or hand delivery.
- A complaint must be in writing and include: 1) A description of the specific acts, conditions or circumstances alleged to violate applicable anti-sexual harassment laws; 2) The name and contact information, including address, of the complainant; 3) The name and address of the district subject to the complaint; 4) A copy of the district's complaint and appeal decision, if any; and 5) A proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information.

### **Investigation, Determination and Corrective Action**

- Upon receipt of a complaint, the Office of the Superintendent of Public Instruction may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the superintendent or board.
- Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with RCW 28A.642.010 or Chapter 392-190, WAC and will issue a written decision to the

complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.

- All corrective actions must be completed within the timelines established by OSPI in the written decision unless OSPI grants an extension. If timely compliance is not achieved, OSPI may take action including but not limited to referring the district to appropriate state or federal agencies empowered to order compliance.

A complaint may be resolved at any time when, before the completion of the investigation, the district voluntarily agrees to resolve the complaint. OSPI may provide technical assistance and dispute resolution methods to resolve a complaint.

#### **Level Four - Administrative Hearing**

A complainant or school district that desires to appeal the written decision of the Office of the Superintendent of Public Instruction may file a written notice of appeal with OSPI within thirty (30) calendar days following the date of receipt of that office's written decision. OSPI will conduct a formal administrative hearing in conformance with the Administrative Procedures Act, Chapter 34.05, RCW.

#### **Other Complaint Options**

*Office for Civil Rights (OCR), U.S. Department of Education*

OCR enforces several federal civil rights laws, which prohibit discrimination in public schools on the basis of race, color, national origin, sex, disability, and age. File complaints with OCR within 180 calendar days of the date of the alleged discrimination.

206-607-1600 | TDD: 1-800-877-8339 | OCR.Seattle@ed.gov | www.ed.gov/ocr

*Washington State Human Rights Commission (WSHRC)*

WSHRC enforces the Washington Law Against Discrimination (RCW 49.60), which prohibits discrimination in employment and in places of public accommodation, including schools. File complaints with WSHRC within six months of the date of the alleged discrimination.

1-800-233-3247 | TTY: 1-800-300-7525 | www.hum.wa.gov

#### **Mediation**

At any time during the complaint procedure set forth in WAC 392-190-065 through 392-190-075, a district may, at its own expense, offer mediation. The complainant and the district may agree to extend the complaint process deadlines in order to pursue mediation.

The purpose of mediation is to provide both the complainant and the district an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator. Mediation must be voluntary and requires the mutual agreement of both parties. It may be terminated by either party at any time during the mediation process. It may not be used to deny or delay a complainant's right to utilize the complaint procedures.

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

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

#### **Training and Orientation**

A fixed component of all district orientation sessions for staff, students and regular volunteers will introduce the elements of this policy. Staff will be provided information on recognizing and preventing sexual harassment. Staff

will be fully informed of the formal and informal complaint processes and their roles and responsibilities under the policy and procedure.

Certificated staff will be reminded of their legal responsibility to report suspected child abuse, and how that responsibility may be implicated by some allegations of sexual harassment. Regular volunteers will get the portions of this component of orientation relevant to their rights and responsibilities.

Students will be provided with age-appropriate information on the recognition and prevention of sexual harassment and their rights and responsibilities under this and other district policies and rules at student orientation sessions and on other appropriate occasions, which may include parents.

As part of the information on the recognition and prevention of sexual harassment staff, volunteers, students and parents will be informed that sexual harassment may include, but is not limited to:

- Demands for sexual favors in exchange for preferential treatment or something of value;
- Stating or implying that a person will lose something if he or she does not submit to a sexual request;
- Penalizing a person for refusing to submit to a sexual advance, or providing a benefit to someone who does;
- Making unwelcome, offensive or inappropriate sexually suggestive remarks comments, gestures, or jokes; or remarks of a sexual nature about a person's appearance, gender or conduct;
- Using derogatory sexual terms for a person;
- Standing too close, inappropriately touching, cornering or stalking a person; or
- Displaying offensive or inappropriate sexual illustrations on school property.

#### **Policy and Procedure Review**

Annually, the superintendent or designee will convene an ad hoc committee composed of representatives of certificated and classified staff, volunteers, students and parents to review the use and efficacy of this policy and procedure. The 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.

The following district staff are designated to receive Complaints which may be submitted by mail, fax, e-mail or hand-delivery:

Title IX and Compliance Coordinator:

Pam Banks

502 E. Spruce Ave, Montesano, WA 98563

Phone #360-249-3942

Fax #360-841-7198

Email: [pbanks@monteschools.org](mailto:pbanks@monteschools.org)

504/ADA Compliance Officer:

Shawn Brown

502 E. Spruce Ave, Montesano, WA 98563

Phone #360-249-3942

Fax #360-841-7198

Email: [sbrown@monteschools.org](mailto:sbrown@monteschools.org)

Revised Dates 4/18

**Montesano School District No. 66**  
**Prohibition of Harassment, Intimidation and Bullying - #3207**

**A. Introduction**

The Montesano 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, including gender expression or 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 and to prevent its reoccurrence.

**B. Definitions**

**Aggressor** is 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** is an intentional electronic, written, verbal, or physical act that:

1. Physically harms a student or damages the student's property;
2. Has the effect of substantially interfering with a student's education;
3. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
4. Has the effect of substantially disrupting the orderly operation of the school.

Conduct that is "substantially interfering with a student's education" will be determined by considering a targeted student's grades, attendance, demeanor, interaction with peers, participation in activities, and other indicators.

Conduct that may rise to the level of harassment, intimidation and bullying may take many forms, including, but not limited to: slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, ostracism, physical attacks or threats, gestures, or acts relating to an individual or group whether electronic, written, oral, or physically transmitted messages or images. There is no requirement that the targeted student actually possess the characteristic that is the basis for the harassment, intimidation or bullying.

Incident Reporting Forms may be used by students, families, or staff to report incidents of harassment, intimidation or bullying. A sample form is provided on the Office of Superintendent of Public Instruction's (OSPI) School Safety Center website:  
[www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx](http://www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx).

**Retaliation** is when an aggressor harasses, intimidates, or bullies a student who has reported incidents of bullying.

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

**Targeted Student** is 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 Harassment
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 gender or 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 and bullying; the name and contact information for making a report to a school administrator; and the name and contact information for the district compliance officer. The district's policy and procedure will be available in each school in a language that families can understand.

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 Washington Administrative Code 392-400-226.

## **2. Education**

Annually students will receive age-appropriate information on the recognition and prevention of harassment, intimidation or bullying at student orientation sessions and on other appropriate occasions. The information will include a copy of the Incident Reporting Form or a link to a web-based form.

## **3. Training**

Staff will receive annual training on the school district's policy and procedure, including staff roles and responsibilities, how to monitor common areas and the use of the district's Incident Reporting Form.

## **4. Prevention Strategies**

The district will implement a range of prevention strategies including individual, classroom, school, and district-level approaches. Whenever possible, the district will implement evidence-based prevention programs that are designed to increase social competency, improve school climate, and eliminate harassment, intimidation and bullying in schools.

## **E. Compliance Officer**

The district compliance officer will:

1. Serve as the district's primary contact for harassment, intimidation and bullying;
2. Provide support and assistance to the principal or designee in resolving complaints;
3. Receive copies of all Incident Reporting Forms, discipline Referral Forms, and letters to parents providing the outcomes of investigations;
4. Be familiar with the use of the student information system. The compliance officer may use this information to identify patterns of behavior and areas of concern;
5. Ensure implementation of the policy and procedure by overseeing the investigative processes, including ensuring that investigations are prompt, impartial, and thorough;
6. Assess the training needs of staff and students to ensure successful implementation throughout the district, and ensure staff receive annual fall training;
7. Provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis; and
8. In cases where, despite school efforts, a targeted student experiences harassment, intimidation or bullying that threatens the student's health and safety, the compliance officer will facilitate a meeting between district staff and the child's parents/guardians to develop a safety plan to protect the student. A sample student safety plan is available on the OSPI website: [www.k12.wa.us/SafetyCenter/default.aspx](http://www.k12.wa.us/SafetyCenter/default.aspx).

## **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.

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

Any student who believes he or she has been the target of unresolved, severe, or persistent harassment, intimidation or bullying, or any other person in the school community who observes or receives notice that a student has or may have been the target of unresolved, severe, or persistent harassment, intimidation or bullying may report incidents verbally or in writing to any staff member.

### **H. Addressing Bullying – Reports**

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

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

#### **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 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 Incident Reporting 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 an Incident Reporting Form**

All staff are responsible for receiving oral and written reports. Whenever possible staff who initially receive an oral or written report of harassment, intimidation or bullying will attempt to

resolve the incident immediately. If the incident is resolved to the satisfaction of the parties involved, or if the incident does not meet the definition of harassment, intimidation or bullying, no further action may be necessary under this procedure. All reports of unresolved, severe, or persistent harassment, intimidation or bullying will be recorded on a district Incident Reporting Form and submitted to the principal or designee, unless the principal or designee is the subject of the complaint.

### **Step 3: Investigations of Unresolved, Severe, or Persistent Harassment, Intimidation and Bullying**

All reports of unresolved, severe, or persistent harassment, intimidation or bullying will be investigated with reasonable promptness. Any student may have a trusted adult with them throughout the report and investigation process.

1. Upon receipt of the Incident Reporting Form that alleges unresolved, severe, or persistent harassment, intimidation or bullying, the school or district designee will begin the investigation. If there is potential for clear and immediate physical harm to the complainant, the district will immediately contact law enforcement and inform the parent/guardian.
2. During the course of the investigation, the district will take reasonable measures to ensure that no further incidents of harassment, intimidation or bullying occur between the complainant and the alleged aggressor. If necessary, the district will implement a safety plan for the student(s) involved. The plan may include changing seating arrangements for the complainant and/or the alleged aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a safe person for the complainant; altering the alleged aggressor's schedule and access to the complainant, and other measures.
3. Within two (2) school days after receiving the Incident Reporting Form, the school designee will notify the families of the students involved that a complaint was received and direct the families to the district's policy and procedure on harassment, intimidation and bullying.
4. In rare cases, where after consultation with the student and appropriate staff (such as a psychologist, counselor, or social worker) the district has evidence that it would threaten the health and safety of the complainant or the alleged aggressor to involve his or her parent/guardian, the district may initially refrain from contacting the parent/guardian in its investigation of harassment, intimidation and bullying. If professional school personnel suspect that a student is subject to abuse and neglect, they must follow district policy for reporting suspected cases to Child Protective Services.
5. The investigation will include, at a minimum:
  - a. An interview with the complainant;
  - b. An interview with the alleged aggressor;
  - c. A review of any previous complaints involving either the complainant or the alleged aggressor; and
  - d. Interviews with other students or staff members who may have knowledge of the alleged incident.
6. The principal or designee may determine that other steps must be taken before the investigation is complete.
7. The investigation will be completed as soon as practicable but generally no later than 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 district.

#### **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, Classroom Management, Corrective Actions or Punishment. If the accused aggressor is appealing the imposition of discipline, the district may be prevented by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.

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

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

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, Classroom Management, Corrective Actions or Punishment.

If the conduct was of a public nature or involved groups of students or bystanders, the district should strongly consider schoolwide training or other activities to address the incident.

If staff have been found to be in violation of this policy and procedure, school districts may impose employment disciplinary action, up to and including termination. If a certificated educator is found to have committed a violation of WAC 181-87, commonly called the Code of Conduct for Professional Educators, OSPI's Office of Professional Practices may propose disciplinary action on a certificate, up to and including revocation. Contractor violations of this policy may include the loss of contracts.

#### **Step 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 and 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. An harassment, intimidation or bullying complaint may also be reported to the following state or federal agencies:

- OSPI Equity and Civil Rights Office  
360.725.6162  
Email: [equity@k12.wa.us](mailto:equity@k12.wa.us)  
[www.k12.wa.us/Equity/default.aspx](http://www.k12.wa.us/Equity/default.aspx)
- 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 Ombudsman  
866.297-2597  
Email: [OEOinfo@gov.wa.gov](mailto:OEOinfo@gov.wa.gov)  
[www.governor.wa.gov/oeo/default.asp](http://www.governor.wa.gov/oeo/default.asp)
- OSPI Safety Center  
360.725-6044  
[www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx](http://www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx)

#### **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.

Full procedures for Policy #3207 and the Incident Report Form may be found on the district's website at <http://www.monteschools.org/school-board-policies>, in the school office or by contacting the district office at 360-249-3942.

Date: 04.02; 04.08; 12.10; 12.11

## PREVENT ELECTRONIC BULLYING

### IF YOU ARE A STUDENT

- ❖ Don't respond if someone is bullying you or your friends electronically — tell your parent, an adult at school, or a person you trust.
- ❖ Tell an adult if you receive messages that make you feel uncomfortable, are cruel, or are designed to hurt you or someone else.
- ❖ Don't share information online that could be embarrassing.
- ❖ Don't share personal information, such as your name, age, address, or phone number.

### IF YOU ARE A PARENT

- ❖ Save or print inappropriate messages and pictures your child shares with you — they are evidence and important to any action you take in the future.
- ❖ Contact your Internet service provider and file a complaint if you receive messages or images that you think violate the Terms and Conditions of your contract.
- ❖ Contact the school if your child is being bullied, harassed, or intimidated online by another student.
- ❖ If your child is accused of cyberbullying, seek help from your Internet provider, your school and, if indicated, professional counseling.
- ❖ Contact the police if your child receives violent threats or pornography over the Internet.
- ❖ Contact the police if your child receives obscene or harassing phone calls or text messages.
- ❖ All Washington schools are required by law to have a cyberbullying policy — become familiar with your school's policy.
- ❖ Consider using filters that block inappropriate Internet sites.

### GOOD RESOURCES ON THE INTERNET

- ✓ <http://www.netsmartz.org>
- ✓ <http://www.ncc.org/cyberbullying>
- ✓ <http://www.ksafe.org>
- ✓ <http://www.wiredsafety.org>
- ✓ <http://www.GetNetWise.org>
- ✓ <http://ksafely.yahoo.com>
- ✓ <http://www.theinternetandyourchild.org>

## TIPS FOR SAFE SURFING

# CYBER SAFETY



### A GUIDE FOR PARENTS AND TEENS



Prepared by  
Office of Superintendent of Public Instruction  
Washington State School Safety Center

<http://www.k12.wa.us/SafetyCenter/>

## BE SMART

### TIPS FOR TEENS

#### KEEPING SAFE ONLINE

The Internet can be a great research tool and a fun way to keep in touch with friends and family. But going online also presents some possible dangers that you need to know about. Here are some ways you can steer clear of trouble while using the Web.

### NOTHING IS PRIVATE

- ❖ Think about what you type. Never send your personal information, such as name, address, phone number, pictures, or the name of your school out into cyberspace.
- ❖ E-mails can be forwarded with the click of a mouse. Remember that any personal information you send to someone could be sent to other people very quickly.

### BE SMART

- ❖ Never make plans to meet an online "friend" in person without first checking with your parent/guardian. If your parent/guardian is OK with the idea, bring him or her along and make the meeting in a public place.
- ❖ Remember, no matter how friendly and fun someone seems online, they may be completely different in real life.
- ❖ Your online behavior is your responsibility. Don't harass or bully, and don't respond when someone else tries to pick an online fight.

### WHEN TO TELL

- ❖ If you encounter someone or something online that makes you uncomfortable, tell a trusted adult right away! The adult can view the information on the monitor and decide whether to report to law enforcement.
- ❖ "Grooming" is when an adult goes online to meet young people with the intention of establishing an inappropriate relationship.
- ❖ If you suspect that you or someone you know is the target of grooming, tell a trusted adult immediately.
- ❖ If something you see online seems "too good to be true," it probably is. If you receive any offers that involve going to a meeting, having someone visit your house, or sending money or credit card information, tell your parent or guardian.

## BE SAFE

### TIPS FOR PARENTS

#### FAMILY SAFETY GUIDELINES FOR THE INTERNET

One out of five teens is sexually solicited online each year. There are specific things you can do to help keep your own teens safe. Start by getting involved! Educate yourself on how the Internet works and keep tabs on your child's computer use.

### TEACH

- ❖ Create a written Internet safety plan. Set rules for Internet and e-mail use. Include specific strategies for what your teen will do if they are sexually solicited online, or if they are frightened by an online encounter. Sign the plan and post it near the computer.
- ❖ Remind your teen not to disclose personal information online.
- ❖ Draft a list together of what not to share, including name, age, school, phone number, home address, and photos.
- ❖ Talk frequently to your teen. Discuss their online friends just as you talk about their other friends.

### MONITOR

- ❖ Keep the computer in a common area of the house. This makes it easier to monitor computer use.
- ❖ Ask your teen to tell you right away about any uncomfortable online experience, with assurances that you will not be angry if he or she confides in you.
- ❖ Consider filtering or monitoring software. While they can help you control your teen's online use, these devices are no substitute for parental involvement and supervision.
- ❖ Be aware. Your teen might be using computers at school, public libraries, and friends' homes.

### REPORT

- ❖ Know the signs of "grooming." When someone initiates online contact with a young person with the intention of establishing a sexual relationship, it is called "grooming."
- ❖ If you suspect online "grooming" of your teen or of any other child, report it to your local law enforcement agency.

## **Notice to Parents**

### **Montesano School District-Internet Usage Agreement**

#### **GENERAL STATEMENT OF POLICY**

In making decisions regarding student and staff access to the school district computer system and the internet, including electronic communications, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school district computer system and to the internet enables students and staff to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of the school district computer system and the internet throughout the curriculum and will provide guidance and instruction to students in their use. The Internet Usage Agreement is in accordance with policy and procedure 2022. All staff and students with access to the school district computer system will comply with the established agreement.

The Montesano School District's Internet Usage policy, procedure and agreement can be viewed and/or downloaded from the district's website at [www.monteschools.org](http://www.monteschools.org).

This notice for students in grades K-2 serves as a means to provide parents information about the district's Internet Usage Agreement as students in grades K-2 may potentially have access to internet resources via classroom instruction.

Please contact the school principal if you should have any questions regarding this notice.

Beacon Elementary School  
360.249.4528



## What should I do if I believe my child is being discriminated against?

You must report your concerns to your child's teacher or principal immediately! This will allow the school to respond to the situation as soon as possible.

If you cannot meet with the teacher or principal, you can always contact your school district's main office. Each school district will have someone who is responsible for responding to complaints about discrimination.

Sometimes this person is called the Title IX Coordinator or for issues related to disability, the Section 504 Coordinator.

When a problem cannot be resolved with a meeting, you have the right to file a complaint with the School District.

You also have the right to contact the following agencies at any time to request an investigation into your allegation of discrimination:

**Office for Civil Rights, U.S. Department of Education**  
915 Second Avenue, Room 3310  
Seattle, WA 98174-1099  
(206) 607-1600 / TDD: (877) 521-2172  
[www2.ed.gov/about/offices/list/ocr](http://www2.ed.gov/about/offices/list/ocr)

**Washington State Human Rights Commission**  
P.O. Box 42490  
Olympia, WA 98504-2490  
(360) 753-6770 / Toll Free: (800) 233-3247 / TTY: (800) 300-7525  
[www.hum.wa.gov](http://www.hum.wa.gov)



## Understanding how to make a complaint of unlawful discrimination with your school district

The Office of Superintendent of Public Instruction (OSPI) is the agency responsible for overseeing K-12 public education in Washington state. Within OSPI, the Equity and Civil Rights Office provides technical assistance to school districts, parents and students with issues related to state and federal nondiscrimination laws.

### What is "discrimination?"

Discrimination is the unfair or unequal treatment of a person or a group because they are part of a defined group, known as a protected class. Discrimination can occur when a person is treated differently, or denied access to programs, services or activities because they are part of a protected class. Discrimination can also occur when a school or school district fails to accommodate a student or employee's disability.

Harassment (based on protected class) and sexual harassment can be forms of discrimination when it creates a hostile environment.

### What is a Protected Class?

A protected class is a group of people who share common characteristics and are protected from discrimination and harassment by federal and state laws. Protected classes defined by Washington State Law include:

- Sex
- Race/Color
- Creed/Religion
- National origin
- Disability or the use of a trained dog guide or service animal
- Sexual orientation, including gender expression or identity
- Honorably discharged veteran or military status





## What if I can't resolve the problem with the School?

If you cannot resolve your concern you may wish to file a complaint with the School District.

### Anyone can file a complaint with the School District

You can file a formal complaint by writing a letter to your Superintendent that *describes what happened and why you think it is discrimination*. It is helpful to include what you want the district to do. Your letter must be signed.

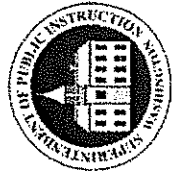
### What will the District do?

The employee designated by the district to receive complaints will investigate your allegations and provide the Superintendent with a written report of the complaint, and the results of the investigation. You and the district may also agree to resolve your complaint in lieu of an investigation.

### What will the District Superintendent do?

The Superintendent will send you a written letter within **30 calendar days** which will either deny your allegations or describe the reasonable actions the district will take. The letter will include how to file an appeal with your School Board if you do not agree with the Superintendent's decision.

Corrective measures must occur no later than **30 calendar days** of the Superintendent's letter.



Equity and Civil Rights  
Office of Superintendent of Public Instruction  
P.O. Box 47200; Olympia, WA 98504-7200  
(360) 725-6162 Fax: (360) 664-2967  
TTY: (360) 664-3631  
E-mail: [equity@k12.wa.us](mailto:equity@k12.wa.us)  
April 20, 2011

## What if I don't agree with the Superintendent's decision or no one responds to my letter?

Your next step is to appeal to the School Board.

### What is an appeal?

An appeal is a request to change an official decision.

### How do I file an appeal to the School Board?

You can file an appeal by writing a letter to your School Board. The letter must include the part of the Superintendent's written decision that you would like to appeal and what you want the district to do.

Your letter must be filed with the Secretary of your School Board by the **10th calendar day** after you received the Superintendent's response letter.

### What will the School Board do?

The School Board will schedule a hearing within **20 calendar days** after they receive your appeal letter. You may also all agree on a different date.

### What will happen at the Hearing?

You will explain why you disagree with the Superintendent's decision. You may bring witnesses or other information that is related to your appeal.

The board will send you a copy of their decision within **10 calendar days** after the hearing. The decision will include how to appeal to the Office of Superintendent of Public Instruction if you disagree.

## What if I don't agree with the School Board's decision?

You may appeal the School Board's decision to the Office of Superintendent of Public Instruction (OSPI).

### How do I file an appeal to OSPI?

You can file an appeal by writing a letter to the Office of Superintendent of Public Instruction. The letter must include the part of the School Board's decision that you would like to appeal and what you want the district to do.

Your signed letter must be received by OSPI by the **20th calendar day** of receiving the school board's decision. It can be hand-delivered or mailed to:

OSPI  
Administrative Resource Services  
P.O. Box 47200  
Olympia, WA 98504-7200  
Phone (360) 725-6133

### What will OSPI do?

OSPI will schedule a hearing with an Administrative Law Judge through the Office of Administrative Hearings (OAH). During this process you will be provided information about the hearing.

At the hearing you will explain why you disagree with the School Board's decision. You may bring witnesses or other information that is related to your appeal. After the hearing, you will receive a copy of the judge's decision.

OSPI provides equal access to all programs and services without discrimination based on sex, race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sexual orientation, including gender expression or identity, the presence of any sensory, mental or physical disability, or the use of a trained dog guide or service animal by a person with a disability. Questions and complaints of alleged discrimination can be directed to the Equity and Civil Rights Director, (360) 725-6162 or P.O. Box 47200; Olympia, WA 98504.

**Montesano School District  
Annual Pesticide Notification**

Dear Parents, Students and Staff of the Montesano School District:

The Montesano School District complies with RCW 17.21.415 which requires schools to annually notify parents, students and employees when the district will be using pesticides on district property or in district facilities. The district has a policy and procedure in place which requires pre-notification of **48 hours** in the event of any pesticide application. In addition, signs will be posted at the sites of pesticide applications.

In the event of a necessary application of a pesticide while school is in session, a pre-notification will be sent home with each student 48 hours in advance of the application.

The pre-notification will include the following information:

- a. The product name of the pesticide to be applied
- b. The intended date and time of application;
- c. The location to which the pesticide is to be applied;
- d. The pest to be controlled; and
- e. The name and phone number of a contact person at the school.

The pre-notification requirements do not apply if the school facility application is made when the school is not occupied by students for at least two consecutive days after the application. The pre-notification requirements do not apply to any emergency school facility application for control of any pest that poses an immediate human health or safety threat, such as an application to control stinging insects. When an emergency school facility application is made, notification consistent with the district's notification system shall occur as soon as possible after the application. The notification will include information consistent with the normal pre-notification requirements. The Montesano School District is not liable for the removal of signs by unauthorized persons.

A copy of the district's procedure for pesticide notification, posting and record keeping requirements is attached for your review. An annual pesticide summary report is available upon request. You may contact Scott Martin, the district's Maintenance Supervisor for further information at 360.249.3942.

Sincerely,

Dan Winter  
Superintendent  
Montesano School District

Enc: Procedure 6895



## PESTICIDE NOTIFICATION, POSTING AND RECORD KEEPING

The Superintendent is directed to develop procedures to assure that the District complies with the requirements of law regarding pesticide notification, posting and record keeping. This includes procedures for the annual notification of staff and parents of the District's pest control policies and methods; pre-notification of staff and parents of pesticide applications; posting of sites of pesticide applications; and record keeping, including an annual summary report of pesticide usage.

Legal References: RCW 17.21 Pesticide Application Act

Management Resources: *Policy News*, June 2002 Pesticide Policies Required by July 1st

Procedure 6895P

### PESTICIDE NOTIFICATION, POSTING AND RECORD KEEPING REQUIREMENTS

*The Montesano School District Maintenance staff uses pesticides to control weeds and various insects. This application is done twice a year regularly during spring break and summer break when students and staff are not in or around district property or facilities. If a pesticide application is needed to be applied when students or staff will be in or around school property or facilities, the district will comply with the pre-notification requirements as stated in this procedure.*

The Montesano School District shall comply with all legal requirements for record keeping regarding the application of pesticides to school grounds or school facilities. This includes creation of an annual summary report of pesticide usage and compliance with state department of agriculture rules regarding record keeping. Such records will be available upon 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. This pre-notification will include in the heading "Notice: Pesticide Application." The notice will be sent home with each student and will be posted in a prominent place in the building office. This pre-notification is not required if the school grounds or facilities will not be occupied by students for two days following the application of the pesticide. If the application is not made within 48 hours of the notification, another notification shall be made prior to the application. This pre-notification is not required in the case of any emergency application of pesticides to a school facility, such as an application to control stinging pests, but full notification shall be made as soon as possible after the application.

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

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

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

Parents may contact the district's Maintenance Supervisor for information regarding the pesticide application, usage and or notification process.



302 North Church Street, Montesano, WA 98563 • Phone 360.249.3942 • Fax 360.249.2116  
Superintendent – Dan Winter • [www.monteschools.org](http://www.monteschools.org)

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June 5, 2014

Dear parents, students, employees, visitors:

In 1986, Congress passed the Asbestos Hazard Emergency Response Act (AHERA). This required schools to be inspected to identify any asbestos-containing building materials. In 1989, the Montesano School District had an initial AHERA inspection performed and suspected materials were sampled to be tested and rated according to condition and potential hazard.

Every three years, the Montesano School District #66 is required to be re-inspected. The law further requires an asbestos management plan be developed whether any asbestos containing materials are found or not. The management plan has several ongoing requirements:

- This notification letter announcing and the availability of the management plan for anyone to review upon request.
- Training of the support staff about asbestos and how to deal with it if present and when disturbed.
- Notifying short-term workers such as subcontractors of the locations of any known or assumed ACBM.

The Local Education Agency AHERA designee is required to document that six-month inspections of areas of the buildings where known or assumed ACBM are located and conducted to ensure they remain in good condition.

It is the intention of the Montesano School District #66 to comply with all federal and state regulations controlling asbestos and to take whatever steps are necessary to ensure students and employees a healthy and safe environment in which to learn and work.

You are welcome to review a copy of the asbestos management plan upon request. I can be reached at the following phone number: (360) 249-3942.

Sincerely,

Dan Winter  
Superintendent



## **PUBLIC NOTICE**

### **Montesano School District Provides Equal Opportunity for Employment and all Educational Programs and Activities.**

The Montesano School District No. 66 complies with all federal and state rules and regulations and does not discriminate on the basis of race, creed, religion, color, national origin, sex, sexual orientation including gender expression or identity, veteran or military status, marital status, age, 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. This non-discrimination statement applies to employment opportunities and all students who are interested in participating in educational programs and/or extracurricular school activities to include the Boy Scouts of America and other designated youth groups.

Questions, concerns, complaints or inquiries regarding compliance, appeal and/or grievance procedures may be directed to Montesano School District's Title IX/RCW 28A.640/Compliance Coordinator:

**Pam Banks, Human Resources**  
**502 E. Spruce Ave, Montesano, WA**  
**(360) 249-3942**  
**[pbanks@monteschools.org](mailto:pbanks@monteschools.org)**

**In accordance with RCW 28A.405.070, the Montesano School District is a tobacco-free and drug-free environment.**

As required by Title II of the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973 (Section 504), The Montesano School District complies with these federal civil rights statutes which prohibit discrimination on the basis of disability, admission and access to, and treatment and employment in the agency's programs and/or activities.

Questions, concerns, complaints and/or requests for additional information or accommodations needed for a disability, may be forwarded to Montesano School District's ADA and/or Section 504 Coordinator:

**Shawn Brown, Director of Teaching and Learning - Student Services Dept.**  
**502 E. Spruce Ave, Montesano, WA**  
**(360) 249-2114**  
**[sbrown@monteschools.org](mailto:sbrown@monteschools.org)**

*This notification is available in other languages upon request.*