VOLUNTEER HANDBOOK

We cannot always build the future for our youth, but we can build our youth for the future.

~Franklin Delano Roosevelt

Bremerton School District
134 Marion Ave N
Bremerton, WA 98312
www.bremertonschools.org/volunteer
Dear School Volunteer,

The District recognizes the valuable contribution that volunteers make to the total school program through their efforts.

Thank you for your willingness to volunteer your time and talents to benefit the students and staff of Bremerton. Volunteers provide teachers more time and flexibility for learning in the classroom. Your commitment is appreciated and I know that our volunteers do impact the students, staff and the District as a whole. There are many programs that we would not be able to offer at the level we do if not for the assistance of our volunteers.

Volunteering is a very rewarding experience. Our students and staff appreciate our volunteers and they see what an impact they have on them every day.

Volunteers need to repeat the application process every two (2) years including the Washington State Background Check. You will be notified in advance when the application process needs to be renewed. It is your responsibility to contact the Communications Office at 360.473.1014 to update your contact information.

Thank you for sharing your valuable time with us!

Respectfully,

Dr. Aaron Leavell
Bremerton School District Superintendent
VOLUNTEER EXPECTATIONS

- All Volunteers must:
  - Sign in electronically using the computer located in the school office and pick up a volunteer badge that is worn at all times;
  - Sign out electronically at the school office and return your volunteer badge;
- Follow Bremerton School District Policies and Procedures;
- Wear professional attire for the activity as appropriate;
- Be sensitive to teacher’s time needs;
- Communicate promptly concerning schedule changes;
- Respect for the Teacher/Staff Authority;
- Refer to a staff member for solutions of any student problems;
- Be assigned to be supervised by a specific staff member when performing volunteer duties;
- One volunteer application is good for any school in the District;
- Volunteer applications expire after two years; a reminder email will be sent. To renew your application visit our website at www.bremertonschools.org/volunteer.

VOLUNTEERS ARE NOT EXPECTED TO:

- Perform supervisory tasks nor tasks requiring certified or licensed personnel;
- Handle behavioral issues;
- Perform specific first aid tasks;
- Administer student medications.

Unless someone like you cares a whole awful lot, nothing is going to get better. It's not... Dr. Seuss
Protecting student and staff privacy is a top priority. All volunteers will be required to sign a Confidentiality Agreement as part of the application.

As a volunteer, you may become aware of confidential information, such as discipline, health needs, family situations, etc. of our students and staff. You are not to divulge this information. Similarly, if you should become aware of information that could put a Bremerton School District employee, yourself, or students at risk, you are to report this information immediately to a building principal or other district administrator. Knowing your concerns can help us make sure that everyone stays safe at school.
VOLUNTEER OPPORTUNITIES

Whenever possible, volunteers will be assigned to activities consistent with their knowledge, skill, and ability level.

Bremerton School District offers a wide variety of opportunities for volunteers. We welcome and appreciate your time and service to the students and staff. We offer flexible hours and days, striving to work with the volunteer’s schedule.

Please Note: Each school has individual needs, below are some possible opportunities.

- Reading Tutors
- Math Tutors
- Science
- Writing
- Office/Library Support
- Mentors (per requests from administrators/counselors/teachers)
- Assist students with homework/classwork
- Support special projects and activities
- Chaperoning (Field Trips/Dances/Socials, etc.)
- Become Involved with School Leadership
- Spanish-Speaking Volunteers
- Guiding Knights
- School Events
- Watch DOGS (Dads Of Great Students)

Visit our website for a list of current volunteer needs in our schools at www.bremertonschools.org/volunteer.

SAFETY

Please follow all safety guidelines posted in the school. In an emergency follow directions of school staff.

You make a living by what you get.
You make a life by what you give.
~ Winston Churchill
**VOLUNTEER ATHLETIC COACHES**

Persons may not volunteer to coach within the District, until they have successfully completed the requirements of the District and Washington Interscholastic Activities Association (WIAA), and have been approved by the School Board.

Any individual who is interested in becoming a volunteer coach will need to schedule an appointment with the coach, then the school’s Athletic Director, prior to volunteering. At the meeting the application procedure will be discussed. Additional information is available at: www.bremertonschools.org/volunteer.

**SENIOR TAX EXCHANGE PROGRAM (STEP)**

The Senior Tax Exchange Program (STEP) has been established by the Bremerton School District Board of Directors in response to concerns of local senior citizens who are living on fixed incomes and experiencing rising property taxes.

It allows eligible senior residents of Bremerton School District to become volunteers in Bremerton schools in exchange for up to $599 of the local school portion (levy and bond) of their property taxes.

- STEP Volunteers do not replace existing staff positions.
- Placement of STEP Volunteers in schools is dependent upon suitable tasks being available and staff requests for help.
- Participation by citizens in one year does not guarantee their participation in future years.
- Compensation is based on volunteer hours times minimum wage.
- Participants are responsible for seeing that his/her timesheet is completed including appropriate signatures, and sent to the District Volunteer Coordinator at the District Office by March 1st and/or October 1st.
- Participants are encouraged to make a personal copy of the timesheet prior to turning it in.

District Volunteer Coordinator, Joyce Cowdery can be contacted at 360.620.7291 or email joyce.cowdery@bremertonschools.org.
Please read the following School Board policies and procedures. All policies are also available electronically at www.bremertonschools.org/domain/121:

- Access to Electronic Information Resources (2022)
- Sexual Harassment of Students Prohibited (3205)
- Prohibition Harassment, Intimidation and Bullying (3207)
- Non-Discrimination (3210)
- Child Abuse, Neglect & Exploitation Prevention (3421)
- Use of Tobacco on School Property (4215)
- Nondiscrimination and Affirmative Action (5010)
- Sexual Harassment of Staff Prohibited (5011)
- Drug Free Schools (5201)
- Maintaining Professional Staff/Student Boundaries (5253)
- Volunteers (5630)
- Infection Control Program (6515)
POLICIES & PROCEDURES

POLICY 2022

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

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

To help ensure student safety and citizenship in online activities, all students will be educated about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyber bullying awareness and response.

The Superintendent or designee will create strong electronic educations systems that support innovative teaching and learning, to provide appropriate staff development opportunities and to develop procedures to support this policy.

Use of the Internet
The question of Internet safety includes issues regarding the use of the Internet, Internet-ready, and other electronic devices in a manner that promotes safe online activity for children, protects children from cybercrimes, including crimes by online predators and cyber bullying, and helps parents shield their children from materials that are inappropriate for minors.

To promote the safe and appropriate online behavior of students and staff as they access material from the Internet, the District will use the following four-part approach. However, given the ever-changing nature of the Internet, the District cannot guarantee that a student will never be able to access objectionable material.
1. Network Use Agreement
Any student or staff member using the Internet from a computer in the District facility must have a valid Network Use Agreement on file.
2. Filter All district-owned computers in all district facilities capable of accessing the Internet must use filtering software to prevent access to obscene, racist, hateful or violent material.
3. Supervision
When students use the Internet from school facilities, district staff will make a reasonable effort to supervise student access and use of the Internet. If material is accessed that violates standards in the materials selection procedures of the Network Use Agreement, then district staff may instruct the person to cease using that material and/or implement sanctions contained in the Network Use Agreement.

4. Instruction

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

Cross References:
- 2020 Curriculum Development and Adoption of Instructional Materials
- 2025 Copyright Compliance
- 3207 Harassment, Intimidation and Bullying
- 3231 Student Records
- 3241 Classroom Management, Corrective Actions or Punishment
- 4040 Public Access to District Records
- 4400 Election Activities
- 5281 Disciplinary Action and Discharge

Legal Reference:
- 18 USC §§ 2510-2522 Electronic Communication Privacy Act

Management Resources:
- Policy News, February 2012 Federal Guidance Requires Changes to Electronic Resources Policy
- Policy News, June 2008 Electronic Resources
- Policy News, June 2001 Congress Requires Internet Blocking at School
- Policy News, August 1998 Permission required to review e-mail

Adopted: 5/30/85
Revised: 9/17/98, 10/19/00, 06/21/12, 03/07/13

PROCEDURE 2022P

K-20 Network Acceptable Use Guidelines/Internet Safety Requirements

These procedures are written to support the Electronic Resources Policy of the Board of directors and to promote positive and effective digital citizenship among students and staff. Digital citizenship represents more than technology literacy. Successful, technologically-fluent digital citizens live safely and civilly in an increasingly digital world. They recognize that information posted on the Internet is public and permanent and can have a long-term impact on an individual’s life and career. Expectations for student and staff behavior online are no different from face-to-face interactions.
Use of Personal Electronic Devices
In accordance with all district policies and procedures, students and staff may use personal electronic devices (e.g. laptops, mobile devices and e-readers) to further the educational and research mission of the District. School staff will retain the final authority in deciding when and how students may use personal electronic devices on school grounds and during the school day.

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

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

Acceptable network use by district students and staff include:

A. Creation of files, digital projects, videos, web pages and podcasts using network resources in support of education and research;
B. Participation in blogs, wikis, bulletin boards, social networking sites and groups and the creation of content for podcasts, e-mail and webpages that support education and research;
C. With parental permission, the online publication of original educational material, curriculum related materials and student work. Sources outside the classroom or school must be cited appropriately;
D. Staff use of the network for incidental personal use in accordance with all district policies and procedures; or
E. Connection of personal electronic devices (wired or wireless) including portable devices with network capabilities to the District network after checking with Technology Director to confirm that the device is equipped with up-to-date virus software, compatible network card and is configured properly. Connection of any personal electronic device is subject to all procedures in this document.

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

A. Personal gain, commercial solicitation and compensation of any kind;
B. Actions that result in liability or cost incurred by the District;
C. Downloading, installing and use of games, audio files, video files, games or other applications (including shareware or freeware) without permission or approval from the Technology Director;
D. Support for or opposition to ballot measures, candidates and any other political activity;
E. Hacking, cracking, vandalizing, the introduction of viruses, worms, Trojan horses, time bombs and changes to hardware, software and monitoring tools;
F. Unauthorized access to other district computers, networks and information systems;
G. Cyberbullying, hate mail, defamation, harassment of any kind, discriminatory jokes and remarks;
H. Information posted, sent or stored online that could endanger others (e.g., bomb construction, drug manufacturing);
I. Accessing, uploading, downloading, storage and distribution of obscene, pornographic or sexually explicit material; or
J. Attaching unauthorized devices to the District network. Any such device will be confiscated and additional disciplinary action may be taken.

The District will not be responsible for any damages suffered by any user, including but not limited to, loss of data resulting from delays, non-deliveries, mis-deliveries or service interruptions caused by his/her own negligence or any other errors or omissions. The District will not be responsible for unauthorized financial obligations resulting from the use of, or access to, the District’s computer network or the Internet.

Internet Safety
Personal Information and Inappropriate Content:
A. Students and staff should not reveal personal information, including a home address and phone number on web sites, blogs, podcasts, videos, social networking sites, wikis, e-mail or as content on any other electronic medium;
B. Students and staff should not reveal personal information about another individual on any electronic medium without first obtaining permission;
C. No student pictures or names can be published on any public class, school or district website unless the appropriate permission has been obtained according to district policy; and
D. If students encounter dangerous or inappropriate information or messages, they should notify the appropriate school authority.

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

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

F. Staff must make a reasonable effort to become familiar with the Internet and to monitor, instruct and assist effectively.

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

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

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

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

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

Network Security and Privacy

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

The following procedures are designed to safeguard network user accounts:

A. Change passwords according to district policy;
B. Do not use another user’s account;
C. Do not insert passwords into e-mail or other communications;
D. If you write down your user account password, keep it in a secure location;
E. Do not store passwords in a file without encryption;
F. Do not use the “remember password” feature of Internet browsers; and
G. Lock the screen or log off if leaving the computer.
**Student Data is Confidential**
District staff must maintain the confidentiality of student data in accordance with the Family Educational Rights and Privacy Act (FERPA).

**No Expectation of Privacy**
The District provides the network system, e-mail and Internet access as a tool for education and research in support of the District’s mission. The District reserves the right to monitor, inspect, copy, review and store without prior notice information about the content and usage of:

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

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

**Archive and Backup**
Backup is made of all district e-mail correspondence for purposes of public disclosure and disaster recovery. Barring power outage or intermittent technical issues, staff and student files are backed up on district servers regularly. Refer to the District retention policy for specific records retention requirements.

**Disciplinary Action**
All users of the District’s electronic resources are required to comply with the District’s policy and procedures (and agree to abide by the provisions set forth in the District’s user agreement). Violation of any of the conditions of use explained in the (district’s user agreement), Electronic Resources policy or in these procedures could be cause for disciplinary action, including suspension or expulsion from school and suspension or revocation of network and computer access privileges.

Bremerton School District 5/2012

**POLICY 3205**
**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” includes:

- 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.

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.

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

Cross References:  
3207 - Prohibition of Harassment, Intimidation and Bullying  
3210 –Nondiscrimination  
3240 - Student Conduct  
3421 - Child Abuse, Neglect and Exploitation Prevention  
5010 - Nondiscrimination and Affirmative Action  
5011 – Sexual Harassment of District Employees Prohibited

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

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

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

**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 134 Marion Ave. No., Bremerton, WA 98312.

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

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

Informal Complaint Process
Anyone may use informal procedures to report and resolve complaints of sexual harassment. Informal reports may be made to any staff member. Staff will always notify complainants of their right to file a formal complaint and the process for same. Staff will also direct potential complainants to Dr. Garth Steedman, Title IX Coordinator, 360-473-1031. 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, Dr. Garth Steedman, at 134 Marion Ave. N., Bremerton, WA 98312, 360-473-1031, or email, garth.steedman@bremertonschools.org. 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, 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.

Bremerton School District, October 2015

**POLICY 3207**
Student and Employee Prohibition of Harassment, Intimidation, Bullying, and Retaliation Policy

It is everyone’s right to work, study, and learn in a respectful environment. The District is committed to a safe and civil educational environment for all students, employees, parents/legal guardians, volunteers and patrons that is free from harassment, intimidation, bullying or retaliation. Harassment, intimidation, bullying or retaliation is prohibited and will not be tolerated by students or employees of the Bremerton School District. “Harassment, intimidation or bullying” means any intentionally written message or image, verbal or physical act, including but not limited to one shown to be motivated by (race, color, religion, ancestry, national origin, gender, sexual orientation including gender expression or identity, mental or physical disability, or other distinguishing characteristics, when the act:

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

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

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

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

**Behavior Expressions**
Harassment, intimidation, bullying or retaliation can take many forms including but not limited to slurs, rumors, jokes, innuendos, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, or other written, oral, physical or electronic messages or images.

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

**Training**
This policy is a component of the District’s responsibility to create and maintain a safe, civil, respectful and inclusive learning community and is to be implemented in conjunction with comprehensive training of staff and volunteers.

No school employee, student or volunteer may engage in reprisal, retaliation or false accusation against a victim, witness or one with reliable information about an act of harassment, intimidation or bullying. Such behavior may result in disciplinary action.

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

**Interventions**
Interventions are designed to remediate the impact on the targeted student(s) and others impacted by the violation, to change the behavior of the perpetrator, and to restore a positive school climate.

The District will consider the frequency of incidents, developmental age of the student, and severity of the conduct in determining intervention strategies. Interventions will range from counseling, correcting behavior and discipline, to law enforcement referrals. Students with Individual Education Plans or Section 504 Plans
If allegations are made that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the target of harassment, intimidation or bullying, the school will
convene the student’s IEP or Section 504 team to determine whether the incident had an impact on the student’s ability to receive a free, appropriate public education (FAPE). The meeting will occur regardless of whether the harassment, intimidation or bullying incident was based on the student’s disability. During the meeting, the team will evaluate issues such as the student’s academic performance, behavioral issues, attendance and participation in extracurricular activities. If determination is made that the student is not receiving a FAPE as a result of the harassment, intimidation or bullying incident, the District will provide all necessary additional services and supports, such as counseling, monitoring and/or reevaluation or revision of the student’s IEP or Section 504 plan, to ensure the student receives FAPE. Students with Individual Education Plans or Section 504 Plans.

**Retaliation/False Allegations**

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting harassment, intimidation, or bullying. It is also a violation of district policy to knowingly report false allegations of harassment, intimidation, and bullying. Students or employees will not be disciplined for making a report in good faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

**Compliance Officer**

The Superintendent will appoint a compliance officer as the primary district contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the District.

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

The Superintendent shall develop and implement formal and informal procedures for compliance officers receiving, investigating and resolving complaints or reports of bullying. The procedures will include reasonable and prompt time lines and delineate staff responsibilities under this policy. All staff are responsible for receiving informal complaints and reports of bullying and informing appropriate district personnel of the complaint or report for investigation and resolution. All staff are also responsible for directing complainants to the formal complaint process.

The District shall make available training and written materials to employees, volunteers and students. This policy shall be posted in each building and reproduced in student, volunteer and employee handbooks.

**Legal Reference:**

RCW 28A.300.285 Harassment, intimidation and bullying prevention policies

**Cross References:**

Policy 3200 Rights and Responsibilities
Policy 3210 Nondiscrimination
Policy 3240 Student Conduct
Policy 3241 Classroom Management, Corrective Action and Punishment
Policy 6590 Sexual Harassment

**Management Resources:**
Office for Civil Rights Dear Colleague Letter: Responding to Bullying of Students with Disabilities (OCR 10/21/2014)
Policy News, December 2014 Harassment, Intimidation and Bullying Policy Strengthened
Office for Civil Rights Dear Colleague Letter: Responding to Bullying of Students w/Disabilities (OCR 10/21/2014)
Policy News, December 2010 Harassment, Intimidation and Bullying Policy Strengthened
Policy News, April 2008 Cyberbullying Policy Required
Policy News, April 2002 Legislature Passes and Anti-Bullying Bill

Adopted: 06/19/03
Revised: 12/09/10, 2/16/12, 5/21/15

PROCEDURE 3207P
Procedure Prohibition of Harassment, Intimidation and Bullying

A. Introduction
The Bremerton 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 means a student, staff member, or other member of the school community who engages in the harassment, intimidation or bullying of a student.

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

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

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

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

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.

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

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

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

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. If a written report of harassment, intimidation or bullying indicates a potential violation of the District’s nondiscrimination policy [Policy 3210], the compliance officer must promptly notify the District’s civil rights compliance coordinator;
4. Be familiar with the use of the student information system. The compliance officer may use this information to identify patterns of behavior and areas of concern;

5. Ensure implementation of the policy and procedure by overseeing the investigative processes, including ensuring that investigations are prompt, impartial, and thorough;

6. Assess the training needs of staff and students to ensure successful implementation throughout the District, and ensure staff receive annual fall training;

7. Provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis; and

8. In cases where, despite school efforts, a targeted student experiences harassment, intimidation or bullying that threatens the student’s health and safety, the compliance officer will facilitate a meeting between district staff and the child’s parents/guardians to develop a safety plan to protect the student. A sample student safety plan is available on the OSPI website: www.k12.wa.us/SafetyCenter/default.aspx.

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. **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 (non-confidential).

**Status of Reporter**

1. **Anonymous**
   Individuals may file a report without revealing their identity. No disciplinary action will be taken against an alleged aggressor based solely on an anonymous report. Schools may identify complaint boxes 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.

If, during the course of an investigation, the District employee conducting the investigation becomes aware of a potential violation of the District’s nondiscrimination policy [Policy 3210], the investigator will promptly notify the District’s civil rights compliance officer. Upon receipt of this information, the civil rights compliance officer must notify the complainant that their complaint will proceed under the discrimination complaint procedure in WAC 392-190-066 through WAC 392-190-075 as well as the HIB complaint procedure. The notice must be provided in a language that the complainant can understand. The investigation and response timeline for the discrimination complaint procedure will follow that set forth in WAC 392-190-065 and begins when the District knows or should have known that a written report of harassment, intimidation or bullying involves allegations of a violation of the District’s nondiscrimination policy.

3. Within two (2) school days after receiving the Incident Reporting Form, the school designee will notify the families of the students involved that a complaint was received and direct the families to the District’s policy and procedure on harassment, intimidation and bullying.

4. In rare cases, where after consultation with the student and appropriate staff (such as a psychologist, counselor, or social worker) the District has evidence that it would threaten the health and safety of the complainant or the alleged aggressor to involve his or her parent/guardian, the District may initially refrain from contacting the parent/guardian in its investigation of harassment, intimidation and bullying. If professional school personnel suspect that a student is subject to abuse and neglect, they must follow district policy for reporting suspected cases to Child Protective Services.

5. The investigation will include, at a minimum:
   a. An interview with the complainant;
   b. An interview with the alleged aggressor;
   c. A review of any previous complaints involving either the complainant or the alleged aggressor; and
   d. Interviews with other students or staff members who may have knowledge of the alleged incident.
6. The principal or designee may determine that other steps must be taken before the investigation is complete.

7. The investigation will be completed as soon as practicable but generally no later than 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.

H. 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.

I. 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. A 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
  [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
  [www.ed.gov/about/offices/list/ocr/index.html](http://www.ed.gov/about/offices/list/ocr/index.html)

- Department of Justice Community Relations Service
  877.292.3804
  [www.justice.gov/crt/](http://www.justice.gov/crt/)

- Office of the Education Ombuds
  866.297-2597
  Email: OEOinfo@gov.wa.gov

- OSPI Safety Center
  360.725-6044
  [www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx](http://www.k12.wa.us/SafetyCenter/BullyingHarassment/default.aspx)
**J. 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.

Bremerton School District, August 3, 2015

**POLICY 3210**

**Non-discrimination**

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.

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.

Cross References:
- 2020 – Curriculum Development and Adoption of Instructional Materials
- 2030 – Service Animals in Schools
- 2140 – Guidance and Counseling
- 2150 – Co-Curricular Program
- 2151 – Interscholastic Activities
- 3211 – Transgender Students
- 4260 – Use of School Facilities

Legal References:
- Chapter 28A.640 RCW Sexual Equality
- Chapter 28A.642 RCW Discrimination Prohibition
- Chapter 49.60 RCW Discrimination – Human Rights Commission
- WAC 392-190-020 Training – Staff Responsibilities – Bias Awareness
- WAC 392-190-060 Compliance – School District Designation of Responsible Employee – Notification
- WAC 392-400-215 Student Rights
- 20 U.S.C. 7905 Boy Scouts of America Equal Access Act
- 42 USC §§ 12101-12213 Americans with Disabilities Act

Management:
- 2014 – December Issue

Resources:
- 2013 – April Issue
- 2012 – December Issue
- 2011 – June Issue
- Policy News, August 2007 Washington’s Law Against Discrimination

Adopted: 8/19/99
Revised: 08/02/07, 3/19/15

**PROCEDURE 3210P**

**Non-discrimination**

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 sued to deny or delay a complainant’s right to utilize the complaint procedures.

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

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

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

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.

Bremerton School District, April 2015

POLICY 3421

Child Abuse, Neglect and Exploitation Prevention

Child abuse, neglect and exploitation are violations of children’s human rights and an obstacle to their education and development. The Board directs that staff shall be alert for any evidence of such abuse, neglect or exploitation. For purposes of this policy, a child abuse, neglect or exploitation shall mean:

1. inflicting physical injury on a child by other than accidental means, causing death, disfigurement, skin bruising, impairment of physical or emotional health or loss or impairment of any bodily function;
2. creating a substantial risk of physical harm to a child’s bodily functioning;
3. committing or allowing to be committed any sexual offense against a child as defined in the criminal code, or intentionally touching, either directly or through the clothing,
the genital, anus or breasts of a child for other than hygiene, child care or health care purposes;
4. committing acts which are cruel or inhumane regardless of observable injury (Such acts may include, but are not limited to, instances of extreme discipline demonstrating a disregard of a child’s pain or mental suffering.);
5. assaulting or criminally mistreating a child as defined by the criminal code;
6. failing to provide food, shelter, clothing, supervision or health care necessary to a child’s health or safety;
7. engaging in actions or omissions resulting in injury to, or creating a substantial risk to the physical or mental health or development of a child;
8. failing to take reasonable steps to prevent the occurrence of the preceding actions or 9. any of these crimes as they may be renamed in the future by any person under circumstances which indicate that the child’s health, welfare and safety is harmed.

When feasible, the District will provide community education programs for prospective parents, foster parents and adoptive parents on parenting skills and on the problems of child abuse and methods to avoid child abuse situations. The District shall also encourage staff to participate in in-service programs that deal with the issues surrounding child abuse.

The Superintendent shall develop reporting procedures, including sample indicators of abuse and neglect, and shall disseminate the procedures to all staff. The purpose is to identify and report as soon as possible to the proper authorities all evidence of child abuse or neglect. Staff shall receive training regarding reporting obligations during their initial orientation. Principals are responsible for reviewing yearly with staff.

Staff are legally responsible for reporting all suspected cases of child abuse and neglect. A certificated or classified school employee who has knowledge or reasonable cause to believe that a student has been a victim of physical abuse or sexual misconduct by another school employee shall report such abuse or misconduct to the appropriate school administrator. The administrator shall report to the proper law enforcement agency if he or she has reasonable cause to believe that the misconduct or abuse has occurred as required under RCW 26.44.030. Under state law staff are free from liability for reporting instances of abuse or neglect and are criminally liable for failure to do so.

Staff need not verify that a child has in fact been abused or neglected. Any conditions or information that may reasonably be related to abuse or neglect should be reported. Legal authorities have the responsibility for investigating each case and taking such action as is appropriate under the circumstances.

Legal Reference:
RCW 13.134.300 Failure to cause juvenile to attend school as evidence under neglect petition
26.44.020 Child abuse-Definitions
26.44.030 Reports-Duty and authority to make-Duty of receiving agency
26.44.070 Central registry of reported cases of child abuse
28A.620.010 Community education provisions-Purposes
28A.620.020 Community education provisions-Restrictions
PROCEDURE 3421P
Child Abuse, Neglect and Exploitation Prevention

The following procedures are to be used in reporting instances of suspected child abuse:

1. If a child has confided in a staff member, the staff member should reassure the child that it is okay to tell what happened, projecting a calm, understanding and supportive attitude to the child.

2. The observing person must contact the nearest office of the Child Protective Services (CPS) of the Department of Social and Health Services (DSHS), and the School Resource Officer. If these agencies cannot be reached, the report shall be submitted to the police, sheriff or prosecutor's office. Such contact must be made within forty-eight (48) hours.

The District shall within forty-eight (48) hours of receiving a report alleging sexual misconduct notify the parents of a student alleged to be the victim, target or recipient of the misconduct.

Any doubt about the child's condition shall be resolved in favor of making the report. A staff member may wish to discuss the circumstances with an employee of CPS for assistance in determining if a report should be made.

3. The staff member shall inform the Principal or supervisor.
4. A written report shall be submitted promptly to the agency to which the phone report was made. The report shall include:
   a. name, address and age of the child;
   b. name and address of the parent or person having custody of the child;
   c. nature and extent of the abuse or neglect;
   d. any evidence of previous abuse or any other information that may be related to the cause or extent of the abuse or neglect;
   e. identity of alleged abuser (if known) and
   f. date of verbal notification to CPS and name of CPS worker.

5. Each incident of possible abuse should constitute a separate referral.
6. An original report shall be placed in the Principal's confidential file, NOT the student's record.
7. The Principal shall inform the Superintendent or designee of the report by calling the Assistant Superintendent’s Office and sending a copy of the report to the Assistant Superintendent as soon as the report is complete.
Indicators of Physical Abuse:
- Unexplained bruises and welts on any part of the body
- Bruises of different ages (various colors)
- Injuries reflecting shape of article used (electric cord, belt, buckle, ping pong paddle)
- Injuries that regularly appear after absence or vacation
- Unexplained burns, especially to soles, palms, back or buttocks
- Burns with a pattern from an electric burner, iron or cigarette
- Rope burns to arms, legs, neck or torso
- Injuries inconsistent with information offered by the child
- Immersion burns with a distinct boundary line
- Unexplained lacerations, abrasions or fractures

Indicators of Emotional Abuse:
- Lags in physical development
- Extreme behavior disorder
- Fearful of adults or authority figures
- Revelations of highly inappropriate adult behavior, i.e., being enclosed in a dark closet, forced to eat or drink inedible items.

Indicators of Sexual Abuse:
- Venereal disease in a child of any age
- Evidence of physical trauma or bleeding to the oral, genital or anal areas
- Difficulty in walking or sitting
- Refusing to change into gym clothes
- Child running away from home and not giving any specific complaint
- Pregnancy at 11 or 12 with no history of peer socialization

Indicators of Physical Neglect:
- Lack of basic needs (housing, clothing, food)
- Lack of essential health care and high incidence of illness
- Poor hygiene on a regular basis
- Inappropriate clothing in inclement weather on a consistent basis
- Abandonment

Behavioral Indicators of Abuse and Neglect:
- Wary of adult contact
- Frightened of parents
- Afraid to go home
- Habitually truant or late to school
- Arrives at school early and remains after school later than other students
- Wary of physical contact by adults
- Shows evidence of overall poor care
- Parents describe child as "difficult" or "bad"
- Inappropriately dressed for weather--no coat or shoes in cold weather or long sleeves and high necklines in hot weather (possibly hiding marks of abuse)
- Exhibit behavioral extremes: crying often or never, unusually aggressive or withdrawn and fearful
NOTE: Behavioral indicators in themselves do not constitute abuse. Together with other indicators, they may warrant a referral.

Child abuse as defined by the statues can be inflicted “by any person” and may include student-on-student abuse. These cases also require reporting to CPS, DSHS or law enforcement. Child abuse in this and all other cases requires two elements. First, there must be injury, sexual abuse, sexual exploitation, negligent treatment or maltreatment. Second, there must be harm to the child’s health, welfare or safety.

Bremerton School District - 02/07/08

POLICY 4215
Use of Tobacco on School Property

The Board of Directors recognizes that to protect students from exposure to the addictive substance of nicotine, employees and officers of the school district, and all members of the community, have an obligation as role models to refrain from use of tobacco products and delivery devices on school property at all times. Tobacco products and delivery devices include, but are not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, electronic smoking/vapor devices, “vapor pens,” non-prescribed inhalers, nicotine delivery devices or chemicals that are not FDA-approved to help people quit using tobacco, or devices that produce the same flavor or physical effect of nicotine substances; and any other smoking equipment, device material or tobacco innovation.

Any use of such products and delivery devices by staff, students, visitors and community members will be prohibited on school district property. Possession by, or distribution of tobacco products to minors is prohibited. This will include all district buildings, grounds and district-owned vehicles.

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

Notices advising students, district employees and community members of this policy will be posted in appropriate locations in all district buildings and at other district facilities as determined by the Superintendent and will be included in the employee and student handbooks. Employees and students are subject to discipline for violations of this policy, and school district employees are responsible for the enforcement of the policy.

Cross References: Policy 3200 Student Rights and Responsibilities
Policy 3241 Classroom Management, Corrective Actions or punishments
Policy 3416 Medication at School
Policy 5201 Drug-Free Schools, Community and Workplace
Policy 5280  Termination of Employment

Legal References:  
RCW28A.210.310 Prohibition on use of tobacco products on school property  
RCW 70.155.00 Purchasing, obtaining or possessing tobacco by persons under 18 — Civil infraction — Jurisdiction  
RCW 28A.210.270 Public and private schools-Administration of Medication-Immunity from liability-Discontinuance, procedure.

Management Resources: Policy and Legal News, February 2014 Use of Tobacco and Nicotine Substances policy updated to address vapor devices

Bremerton School District 6/19/14

PROCEDURE 5010

Nondiscrimination and Affirmative Action

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

The Superintendent will designate a staff member to serve as Affirmative Action/Title IX Compliance Officer.

Affirmative Action
The District, as a recipient of public funds, is committed to undertake affirmative action which will make effective equal employment opportunities for staff and applicants for employment. Such affirmative action shall include a review of programs, the setting of goals and the implementation of corrective employment procedures to increase the ratio of aged, persons with disabilities, ethnic minorities, women and Vietnam veterans who are under-represented in the job classifications in relationship to the availability of such persons having requisite qualifications. Affirmative action plans may not include hiring or employment preferences based on gender or race, including color, ethnicity or national origin. Such affirmative action will also include recruitment, selection training, education and other programs.

The Superintendent will develop an affirmative action plan which specifies the personnel procedures to be followed by the staff of the District and will ensure that no such procedures discriminate against any individual. Reasonable steps will be taken to promote employment opportunities of those classes that are recognized as protected
groups - aged, persons with disabilities, ethnic minorities and women and Vietnam veterans, although under state law, racial minorities and women may not be treated preferentially in public employment.

This policy, as well as the affirmative action plan, regulations and procedures developed according to it, will be disseminated widely to staff in all classifications and to all interested patrons and organizations. Progress toward the goals established under this policy will be reported annually to the Board.

Employment of Persons with Disabilities

In order to fulfill its commitment of nondiscrimination to those with disabilities, the following conditions will prevail:

1. No qualified person with disabilities shall, solely by reason of a disability, be subjected to discrimination, and the District will not limit, segregate or classify any applicants for employment or any staff member in any way that adversely affects his/her opportunities or status because of a disability. This prohibition applies to all aspects of employment from recruitment to promotions, and includes fringe benefits and other elements of compensation.

2. The District will make reasonable accommodation to the known physical or mental limitations of an otherwise qualified disabled applicant or staff member unless it is clear that an accommodation would impose an undue hardship on the operation of the District program. Such reasonable accommodations may include:
   a. making facilities used by staff readily accessible and usable by persons with disabilities; and
   b. job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, the provision of readers or interpreters and other similar actions.

In determining whether or not accommodation would impose an undue hardship on the District, factors to be considered include the nature and cost of the accommodation.

3. The District shall not make use of any employment test or criteria that screens out persons with disabilities unless:
   a. the test or criteria is clearly and specifically job-related; and
   b. alternative tests or criteria that do not screen out persons with disabilities are available.

4. While the District may not make pre-employment inquiry as to whether an applicant has a disability or as to the nature and severity of any such disability, it may inquire into an applicant's ability to perform job-related functions.
5. Any staff member who believes that there has been a violation of this policy or the law prohibiting discrimination because of a disability may initiate a grievance through the procedures for staff complaints.

**Nondiscrimination for Military Service**
The District will not discriminate against any person who is a member of, applies to be a member, or performs, has performed, applies to perform, or has an obligation to perform service in a uniformed service, on the basis of that participation in a uniformed service. This includes initial employment, retention in employment, promotion, or any benefit of employment. The District will also not discriminate against any person who has participated in the enforcement of these rights under state or federal law.

Cross References:
- 2030 – Service Animals in Schools
- 5270 – Resolution of Staff Complaints
- 5407 – Military Leave

Legal Reference:
- RCW 28A.400.310 Law against discrimination applicable to district's employment practices
- RCW 28A.640.020 Regulations, guidelines to eliminate discrimination—Scope—Sexual harassment policies
- RCW 28A.642 Discrimination prohibition
- RCW 49.60 Discrimination – Human rights commission
- RCW 49.60.030 Freedom from discrimination – Declaration of civil rights Vietnam Era Veterans Readjustment Act of 1974 (VEVRAA)
- RCW 49.60.180 Unfair practices of employers
- RCW 49.60.400 Discrimination, preferential treatment prohibited
- RCW 73.16 Veterans and veterans’ affairs—Employment and Re-Employment
- WAC 392-190 Equal Education Opportunity – Unlawful Discrimination Prohibited
- WAC 392-190-0592 Public School Employment – Affirmative Action Program
- 42 USC 2000e1-200e10 -Title VII of the Civil Rights Act of 1964
- 20 USC § 1681-1688- Title IX Educational Amendments of 1972
- 42 USC § 12101-12213- Americans with Disabilities Act
- 8 USC 1324- Immigration Reform and Control Act (IRCA) of 1986
- 38 USC §§ 4301-4333-Uniformed Services Employment and Reemployment Rights Act
- 29 USC 794 - Vocational Rehabilitation Act of 1973
- 34 CFR §104 Nondiscrimination on the basis of handicap in programs or activities receiving federal financial assistance
- 38 USC 4212 Vietnam Era Veterans Readjustment Act of 1974 (VEVRAA)

Management Resources:
- 2014 – December Issue
- 2013 – June Issue
- 2011 – June Issue
- 2011 – February Issue
- Policy News, August 2007 Washington’s Law Against Discrimination
PROCEDURE 5010P

Nondiscrimination and Affirmative Action

To ensure fairness and consistency, the following grievance procedure is to be used in the District's relationship with its staff with regard to employment problems covered by state and federal equal employment opportunity laws and/or this affirmative action program. No staff member's status with the District will be adversely affected in any way because the staff member utilized these procedures. As used in this procedure, "Grievance" will mean a complaint which has been filed by a complainant relating to alleged violations of any state or federal anti-discrimination laws. A "complaint" will mean a charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. A "respondent" will mean the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

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

Affirmative Action Plan

In order to secure an equitable solution to a justifiable complaint, the District will:

A. Make efforts to modify the composition of the future work force in order to work toward a full utilization of aged, persons with disabilities, ethnic minorities, women and Vietnam veterans in the various job categories.

B. Ensure that all applicants and staff are considered on the basis of bona fide job-related qualifications. The purpose of the affirmative action plan is to actively include persons of under-utilized classes in the employment process, not to exclude others from it. The District will continue to emphasize in all recruitment contacts that nondiscrimination is a basic element in the District's personnel procedures.

C. Be responsible for reviewing all employment procedures and programs to assure that there is no indication of discriminatory practices. The District will continue to use aged, persons with disabilities, ethnic minorities, women and Vietnam veterans in the recruitment and employment process. Job descriptions for classified staff will be sent to the Washington Employment Service and other organizations which are recruiting sources for groups that may be under-utilized in the District's work force. Recruitment from colleges and universities will include institutions with high percentages of students of various ethnic minorities.

D. Contract and purchase all goods and services from persons, agencies, vendors, contractors and organizations who comply with the appropriate laws and executive orders regarding discrimination.
E. Take appropriate action to attract and retain aged, persons with disabilities, ethnic minorities and women at all levels and in all segments of the District’s work force. Criteria for selecting staff will be reviewed regularly to assure that such statements relate directly to the requirements for specific positions. However, pursuant to state law there will be no preferential employment practices based on race or gender.

F. Upgrade present staff by providing management development training to assure that individuals of under-utilized groups are prepared for positions of new and increased responsibility.

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

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

A. Printing and distributing such information to staff, school libraries and offices;
B. Publicizing such information in district newsletters;
C. Conducting meetings with administrative staff to explain the intent and advantages of the policy and plan;
D. Conducting faculty meetings and meetings with classified staff;
E. Informing appropriate and interested recruiting and hiring sources; and
F. Informing all representative staff groups in the District.

Male/Female Balance and Staff Goals
The profile of the District’s current utilization of women are set forth in its 2010-15 Affirmative Action Plan. By the commencement of the 2015-16 school year, the District will strive to achieve a rate of employment in regard to sex at least equivalent to the goals set forth in its 2010-15 Affirmative Action Plan. The District will see that measurable efforts are made in the utilization of women for higher levels of responsibility in both certificated and classified positions. The District will make good faith effort to recruit, interview and employ individuals consistent with the District commitment to nondiscrimination and affirmative action for all positions and in every department, school and level of operation. Preferential or adverse employment practices, including demotions or termination will not be used to meet stated goals or time lines.

Administrators
Goal: To place females in administrative positions.
Objectives: To place females in administrative positions as they become available which falls within a range of 80% men and/or women, without using preferential employment practices.
Principals and Assistant Principals

**Goal:** To place females in principal positions.

**Objective:** To place females in principal and assistant principal positions as they occur and trained women are available, without using preferential employment practices.

Teachers, Elementary or grades K-8

**Goal:** To provide each student with the opportunity to experience both male and female homeroom teachers during the primary as well as the intermediate grades.

**Objective:** To achieve a staff which falls within a range of 80% men and/or women in the primary as well as the intermediate grades at each school, without using preferential employment practices.

Teachers, Secondary or grades 9-12

**Goal:** To provide students with the opportunity to work with male and female staff in both curricular and extracurricular activities.

**Objective:** To maintain a staff which falls within a range of 80% men and/or women for classroom teachers and activity supervisors, without using preferential employment practices.

Support Staff — Certificated and Classified

**Objective:** To achieve a staff which falls within a range of 80% men and/or women, without using preferential employment practices.

**Ethnic Minority Balance and Staff Goals**

The profiles of the District’s current student ethnic minority population and the District's current ethnic minorities (American Indian/ Native American, Asian, Black, and Hispanic) are set forth in its 2010-15 Affirmative Action Plan. By the commencement of the 2015-16 school year the District will strive to achieve a rate of employment for ethnic minorities in both certificated and classified areas as indicated in this plan, without using preferential employment practices. These goals are a utilization level for certificated staff, at least equal to the percentage of ethnic minority student enrollment within the District; for classified staff a utilization level of at least 80%, a figure based upon relevant availability figures in the Kitsap County statistical area. Final and interim goals are set out in the 2010-15 Affirmative Action Plan. The District will see that measurable efforts are made in the utilization of ethnic minorities for higher levels of responsibility in both certificated and classified positions, without using preferential employment practices. The District will make good faith effort to recruit, interview and employ individuals consistent with the District commitment to nondiscrimination and affirmative action for all positions and in every department, every school and at every level of operation. Preferential or adverse employment practices, including demotions or termination will not be used to meet stated goals or time lines.
Administrators
Goal: To place ethnic minorities in administrative positions, without using preferential employment practices.

Objectives: To place ethnic minorities in administrative positions as they become available to progress toward the percentage of ethnic minorities in the current ethnic minority student enrollment.
To identify qualified potential candidates from outside the District for consideration for future openings.

Principals and Assistant Principals
Goal: To place ethnic minorities in principal positions.

Objective: To place ethnic minorities in principal and assistant principal positions as they occur and trained applicants are available, without using preferential employment practices.

Teachers: Elementary or grades K-8
Goal: To provide each student with the opportunity to experience ethnic minority homeroom teachers during the primary as well as the intermediate grades, without using preferential employment practices.

Objective: To achieve a staff of primary and intermediate teachers in which the percentage of ethnic minorities is comparable to that of the current ethnic minority student enrollment.

Teachers: Secondary or grades 9-12
Goal: To provide students with the opportunity to work with ethnic minority staff in both curricular and extracurricular activities.

Objective: To maintain a staff of classroom teachers and activity supervisors in which the percentage of ethnic minorities is comparable to that of the current ethnic minority student enrollment, without using preferential employment practices.

Support Staff - Certificated and Classified
Objective: To achieve a staff of certificated and classified support staff in which the percentage of ethnic minorities is comparable to that of the current ethnic minority student enrollment, without using preferential employment practices.

Aged Balance and Staff Goals
The profile of the District’s current age distribution of certificated and classified staff is set forth in its 2010-15 Affirmative Action Plan. By the commencement of the 2015-16 school year, the District will strive to achieve a rate of employment for age categories for both certificated and classified staff as indicated in Chart D6 of this plan. The District will make good faith effort to recruit, interview and employ individuals consistent with the commitment to nondiscrimination and affirmative action providing the prospective staff member meets the requisite standards for the specific position.
Administrators
Goal: To identify administrative positions where age is not a barrier to performance.

Objective: To create opportunities for older prospective staff to work on a part-time basis when it would not deter the District’s operations.

Teachers
Goal: To provide opportunities for students to work with older staff in both curricular and extracurricular activities.

Objective: To create opportunities for older staff to work on a part-time basis in those situations where the staff member can serve as a role-model to the student or can share his/her breadth of experience.

Support Staff - Certificated and Classified
Goal: To identify positions in the District, either full-time or part-time, where age does not limit the performance of the prospective staff member.

Objective: To place prospective staff who desire to work in positions where they are able to meet the expectations and/or needs of the District.

Persons with Disabilities: Balance and Staff Goals
The profile of the District’s current distribution of certificated and classified staff with disabilities conditions is set forth in its 2010-15 Affirmative Action Plan. By the commencement of the 2015-16 school year, the District will strive to achieve a rate of employment for staff with disabilities in certificated and classified areas as indicated in the Kitsap County statistical area. The District will make good faith effort to recruit, interview, and employ individuals consistent with the District’s commitment to nondiscrimination and affirmative action providing the prospective staff member meets the requisite standards for the specific position.

The ratio of placement will be equal to the ratio of employable persons with disabilities as compared to the persons without disabilities in the statistical area.

Administrators
Goal: To identify administrative positions where a disability is not a barrier to performance.

Objective: To place administrators with disabilities in assignments when it would not deter the District’s operations.

Teachers
Goal: To provide opportunities for students to work with teachers who have disabilities in both curricular and extracurricular activities.

Objective: To place teachers with disabilities in assignments when it would not impair the instructional program.
Support Staff - Certificated and Classified

Goal: To identify positions within the District where a disability does not limit the performance of the prospective staff member.

Objective: To place support staff with disabilities in assignments when it would not deter the District’s operations.

Internal Audit and Monitoring System

The Superintendent's office, in compliance with WAC 162-12, "Pre-employment Inquiry Guide," will record by age, race, sex and other protected groups applicant flow, new hires, promotions, transfer requests, transfers, administrative internships and terminations. An analysis will be made of the internal and external work force availability of aged, persons without disabilities, ethnic minorities and women.

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

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

Grievance Procedure

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

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.

D. 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 procedure and from retaliating against an individual for filing such a grievance.

A. Informal Process for Resolution
When a staff member has an employment problem concerning equal employment opportunity, he/she will discuss the problem with the immediate supervisor, personnel director or superintendent within 60 days of the circumstances which gave rise to the problem. The staff member may also ask the affirmative action/Title IX officer to participate in the informal review procedure. It is intended that the informal discussion will resolve the issue. If the staff member feels he/she cannot approach the supervisor because of the supervisor's involvement in the alleged discrimination, the staff member may directly contact the affirmative action/Title IX officer before pursuing formal procedures. If the discussion with the officer or immediate supervisor does not resolve the issue the staff member may proceed to the formal review procedures. During the course of the informal process, the District will 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 set forth within 30 calendar days. The school district and complainant may agree to resolve the complaint in lieu of an investigation. The officer will provide the Superintendent with a full written report of the complaint and the results of the investigation.

The Superintendent or designee will respond to the complainant as expeditiously as possible, but in no event later than 30 calendar days following receipt of the written complaint unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the District will notify the complainant in writing of the reason for the extension and the anticipated response date. At the time the District responds to the
complainant, the 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 will be instituted as expeditiously as possible, but in no event later than 30 calendar days following the Superintendent's mailing of a written response to the complaining party unless otherwise agreed to by the complainant.

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

If a complainant disagrees with the Superintendent’s or designee’s written decision, the complainant may file a written notice of appeal with the secretary of the Board within ten (10) calendar days following the date upon which the complainant received the response.

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

   a. 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.

b. A complaint must be in writing and include i) A description of the specific acts, conditions or circumstances alleged to violate applicable anti-discrimination laws; ii) The name and contact information, including address of the complainant; iii) The name and address of the District subject to the complaint; iv) A copy of the District’s complaint and appeal decision, if any; and v) 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.

c. Upon receipt of a complaint, the Office of the Superintendent of Public Instruction may initiate an investigation which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the Superintendent or Board. Following the investigation, OSPI will make an independent determination as to whether the District has failed to comply with CW 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 District compliance officer for a period of six (6) years.

Resources

1. **District Contact:**
   Director of Finance, Operations & HR
   Bremerton School District
   134 Marion Ave. No.
   Bremerton, WA 98312
   360.473.1031

2. **State Contact:**
   Superintendent of Public Instruction
   Equity and Civil Rights Office
   P.O. Box 47200
   Olympia, WA 98504-7200
POLICY 5011
Sexual Harassment
This district is committed to a positive and productive education and working environment free from discrimination, including sexual harassment. The District prohibits sexual harassment of students, employees and others involved in school district activities.

Sexual harassment occurs when:
1. submitting to the harasser’s sexual demands is a stated or implied condition of obtaining an education or work opportunity or other benefit;
2. submission to or rejection of sexual demands is a factor in an academic, work or other school-related decision affecting an individual; or
3. unwelcome sexual or gender-directed conduct or communication interferes with an individual’s performance or creates an intimidating, hostile or offensive environment.

Sexual harassment can occur adult to student, student to adult, student to student, adult to adult, male to female, female to male, male to male and female to female.

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. Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. Persons found to have been subjected to sexual harassment will have appropriate school district services made reasonably available to them and adverse consequences of the harassment will be reviewed and remedied, as appropriate.

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending students, staff and contractors. 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 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.

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. All staff are responsible for receiving informal complaints and reports of sexual harassment and informing appropriate District personnel of the complaint or report for investigation and resolution. All staff are also responsible for directing complainants to the formal complaint process.

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. The policy and procedure will be reproduced in each student, staff, volunteer and parent handbook.

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, and volunteers and parents in the review process.

Cross References:
3207 - Prohibition of Harassment, Intimidation and Bullying
3210 - Nondiscrimination
3240 - Student Conduct
3421 - Child Abuse, Neglect and Exploitation Prevention
5010 - Nondiscrimination and Affirmative Action

Legal Reference: RCW 28A.640.020 Regulations, guidelines to eliminate discrimination—Scope—Sexual harassment policies
WAC 392-190 - 058 Sexual harassment
Management 2014 – December Issue
Resources: 2010 – October Issue
Adopted: 11/17/83
Revised: 11/14/91 8/5/99 9/20/12
4/16/15
Affirmed: 1/11/90 11/14/91 8/13/92
PROCEDURE 5011P
Sexual Harassment of District Staff Prohibited

Informal Complaint Process:
The procedure is intended to set forth the requirements of Policy 5011, including the process for a prompt, thorough, and equitable investigation of allegations of sexual harassment and the need to take appropriate steps to resolve such situations. If sexual harassment is found to have created a hostile environment, staff must take immediate action to eliminate the harassment, prevent its reoccurrence, and address its effects.

This procedure applies to sexual harassment (including sexual violence) targeted at district employees carried out by other students, employees or third parties involved in school district activities. The District has jurisdiction over these complaints pursuant to Title IX of the Education Amendments of 1972, Chapter 28A.640, RCW and Chapter 392-190 WAC.

Notice
Information about the District’s sexual harassment policy will be easily understandable and conspicuously posted throughout each school building, provided to each employee and reproduced in each staff, volunteer and parent handbook.

In addition to the posting and reproduction of this procedure and Policy 5011, the District will provide annual notice to employees that complaints pursuant to this procedure may be filed at Bremerton School District, 134 Marion Ave. N., Bremerton, WA 98312.

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

Confidentiality
If a complainant requests that his or her name not be revealed to the alleged perpetrator or asks that the District not investigate or seek action against the alleged perpetrator, the request will be forwarded to the Title IX Coordinator for evaluation. The Title IX Coordinator should inform the complainant that honoring the request may limit its ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator.

If the complainant still requests that his or her name not be disclosed to the alleged perpetrator or that the District not investigate or seek action against the alleged perpetrator, the District will need to determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students, staff and other third parties engaging in district activities, including the person who reported the sexual harassment. Although a complainant’s request to have his or her name withheld may limit the District’s ability to respond fully to an individual allegation
of sexual harassment, the District will use other appropriate means available to address the sexual harassment.

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

Informal remedies may include:

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

Informal complaints may become formal complaints at the request of the complainant, parent, or guardian or because the District believes the complaint needs to be more thoroughly investigated. The District will inform the complainant how to report any subsequent problems. Additionally, the District will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems. 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, Garth Steedman, at 134 Marion Ave. N., Bremerton, WA 98312, 360-473-1031, garth.steedman@bremertonschools.org. Any district employee who receives a complaint that meets these criteria will promptly notify the Coordinator.

- 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, Garth Steedman, at 134 Marion Ave. N., Bremerton, WA 98312, 360-473-1031, garth.steedman@bremertonschools.org. 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 and 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 complete, 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) days calendar of the 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 non-compliance is found to have occurred, corrective measures the District deems necessary, including assurance that the District will take steps to prevent recurrence and remedy its effects on the complainant and others, if appropriate; 4) notice of the complainant’s right to appeal to the school board and the necessary filing information; and 5) any corrective measures the District will take, remedies for the complainant (e.g., sources of counseling, advocacy and other support), and notice of potential sanctions for the perpetrators(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 discriminator 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 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.

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 (OSPI).

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.
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 Title IX Coordinator 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.

**Management Resources:** 2015 – July Policy Alert, 2014 – March Issue
Bremerton School District
Revision Dates: 10/04/2012; 4/22/2015; 11/12/2015

**POLICY 5201**

**Drug-Free Schools, Community and Workplace**

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

“Workplace” is defined to mean the site for the performance of work done in connection with a federal grant. That includes any school building or any school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities and off school property during any school-sponsored or school-approved activity or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district where work on a federal grant is performed.
For these purposes, the Board declares that the following behaviors will not be tolerated:
1. Reporting to work under the influence of alcohol, illegal chemical substances or opiates.
2. Using, possessing, transmitting alcohol (except in accordance with Policy 4260), illegal chemical substances (including anabolic steroids) or opiates in any amount or in any manner on District property at any time. Any staff member convicted of a felony attributable to the use, possession or sale of illegal chemical substances or opiates will be subject to disciplinary action, up to and including immediate discharge from employment.
3. Using District property or the staff member’s position within the District to make or traffic alcohol, illegal chemical substances or opiates.
4. Using, possessing or transmitting illegal chemical substances and opiates in a manner which is detrimental to the interest of the District.

Any staff member who is taking a drug or medication, whether or not prescribed by the staff member’s physician, which may adversely affect that staff member’s ability to perform work in a safe or productive manner is required to report such use of medication to his or her supervisor. This includes drugs which are known or advertised as possibly affecting judgment, coordination of any of the senses, including those which may cause drowsiness or dizziness. The supervisor in conjunction with the District office then will determine whether the staff member can remain at work and whether any work restrictions will be necessary.

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

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

Other actions such as notification of law enforcement agencies may be taken in regard to a staff member violating this policy at the District’s discretion as it deems appropriate.

Legal References:
41 USC §§ 701-707  Drug Free Workplace Act of Subtitle D 1988 and as amended in 1989
POLICY 5253

Maintaining Professional Staff/Student Boundaries

The purpose of this policy is to provide all staff, students, volunteers and community members with information about their role in protecting children from inappropriate conduct by adults.

The Board expects all District staff to maintain the highest professional, standards when they interact with students. District staff are required to maintain an atmosphere conducive to learning by consistently maintaining professional boundaries.

Professional staff/student boundaries are consistent with the legal and ethical duty of care that District employees have for students.

The interactions and relationships between District staff and students should be based upon mutual respect and trust, an understanding of the appropriate boundaries between adults and students in and outside of the educational setting and consistency with the educational mission of the District.

Employees are expected to exercise common sense and good judgment in their interactions with students. District staff will not intrude on a student’s physical and emotional boundaries unless the intrusion is necessary to serve a demonstrated educational purpose. Additionally, staff members are expected to be aware of the appearance of impropriety in their own conduct and the conduct of other staff when interacting with students. Staff members will notify and discuss issues with their building administrator or supervisor whenever they suspect or question whether their own or another staff member’s conduct is inappropriate or constitutes a violation of this policy.

The Board recognizes that staff may have familial and pre-existing social relationships with parents or guardians and students. Staff members should use appropriate professional judgment when they have a dual relationship with students to avoid violating this policy, the appearance of impropriety, and the appearance of favoritism. Staff members shall pro-actively discuss these circumstances with their building administrator or supervisor.

The Board supports the use of technology to communicate for educational purposes. However, District staff are prohibited from inappropriately communicating with...
students online or from engaging in any conduct on social networking websites that violates the law, district policies or procedures, or other generally recognized professional standards. Staff whose conduct violates this policy may face discipline and/or termination consistent with the District’s policies and procedures, acceptable use agreement, and collective bargaining agreements, as applicable.

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

Legal References:
Title IX of the Education Amendments of 1972
Chapter 9A.44, RCW Sex Offenses
Chapter 9A.88 RCW Indecent exposure - Prostitution

RCW 28A.400.320 Crimes against children – Mandatory termination of classified employees – Appeal – Recovery of salary or compensation by district
RCW 28A.405.470 Crimes against children - Mandatory termination of certificated employees — Appeal — Recovery of salary or compensation by district
RCW 28A.405.475 Termination of certificated employee based on guilty plea or conviction of certain felonies — Notice to superintendent of public instruction - Record of notices
RCW 28A.410.090 Revocation or suspension of certificate or permit to teach — Criminal basis — Complaints — Investigation — Process
RCW 28A.410.095 Violation or noncompliance — Investigatory powers of superintendent of public instruction — Requirements for investigation of alleged sexual misconduct towards a child — Court orders — Contempt — Written findings required
RCW 28A.410.100 Revocation of authority to teach — Hearings
Chapter 28A.640, RCW Sexual Equity
Chapter 28A.642, RCW Discrimination Prohibition
Chapter 49.60, RCW – Washington State Law Against Discrimination
Chapter 181-87 WAC Professional certification — Acts of unprofessional conduct
Chapter 181-88 WAC Definitions of sexual misconduct, verbal abuse and physical abuse - Mandatory disclosure — Prohibited Agreements

Cross References 3205 Sexual Harassment of Students Prohibited
3207 Prohibition of Harassment, Intimidation and Bullying
3210 Nondiscrimination

Bremerton School District
Adopted: 1/02/14
Revised: 12/10/15

PROCEDURES 5253P
Maintaining Professional Staff/Student Boundaries
The purpose of this procedure is to provide all staff, students, volunteers and community members with information to increase their awareness of their role in protecting children from inappropriate conduct by adults.
In a professional staff/student relationship, school employees maintain boundaries that are consistent with the legal and ethical duty of care that school personnel have for students.

A boundary invasion is an act or omission by a school employee that violates professional staff/student boundaries and has the potential to abuse the staff/student relationship.

An inappropriate boundary invasion means an act, omission, or pattern of such behavior by a school employee that does not have an educational purpose; and results in abuse of the staff/student professional relationship.

**Unacceptable Conduct**
Examples of inappropriate boundary invasions by employees include but are not limited to the following:

A. Any type of inappropriate physical contact with a student or any other conduct that might be considered harassment under the Board’s policy on harassment and sexual harassment of students;
B. Showing pornography to a student;
C. Singling out a particular student or students for personal attention and friendship beyond the professional staff-student relationship;
D. Socializing where students are consuming alcohol, drugs or tobacco;
E. For non-guidance/counseling employees, encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, employees are expected to refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student’s school performance;
F. Sending students on personal errands unrelated to any educational purpose;
G. Banter, allusions, jokes or innuendos of a sexual nature with students;
H. Disclosing personal, sexual, family, employment concerns or other private matters to one or more students;
I. Addressing students or permitting students to address employees with personalized terms of endearment, pet names or otherwise in an overly-familiar manner;
J. Maintaining personal contact with a student outside of school by phone, e-mail, instant messenger or Internet chat rooms, social networking websites, or letters (beyond homework or other legitimate school business) without including the parent/guardian;
K. Exchanging of inappropriate personal gifts, cards or letters with an individual student;
L. Socializing or spending time with students (including but not limited to activities such as going out for beverages, meals or movies, shopping, traveling and recreational activities) outside of school-sponsored events, except as participants in organized community activities;
M. Giving a student a ride alone in a vehicle in a non-emergency situation; and/or
N. Unnecessarily invading a student’s privacy, (e.g. walking in on the student in the bathroom).
**Appearances of Impropriety**

The following activities are boundary invasions and can create an actual impropriety or the appearance of impropriety. Whenever possible, employees should avoid these situations. If unavoidable, these activities should be pre-approved by the appropriate administrator. If not pre-approved, the employee must report the occurrence to the appropriate administrator as soon as possible.

A. Being alone with an individual student out of the view of others;
B. Inviting or allowing individual students to visit the employee’s home;
C. Unauthorized visitation to a student’s home; and/or
D. Social networking with students for non-educational purposes.

**Reporting Violations**

Students and their parents/guardians are strongly encouraged to notify the principal (or other administrator) if they believe a teacher or other staff member may be engaging in conduct that violates this policy.

Employees are required to promptly notify the principal or the supervisor of the employee suspected of engaging in inappropriate conduct that violates this policy.

The administrator to whom a boundary invasion concern is reported must document, in writing, the concern and provide a copy of the documentation to the assistant superintendent or director in charge of the District’s personnel office. The assistant superintendent or director of personnel will maintain a separate non-personnel file of all boundary invasion reports made to personnel.

Whenever boundary invasion concerns occur, the person in charge of personnel will review the full history of concerns relating to the person complained about and will provide a summary to the Superintendent.

All school personnel who have cause to believe that a student has experienced sexual and/or physical abuse by an employee, volunteer, or agency personnel working in the school are required to make a report to Child Protective Services or law enforcement pursuant to Board Policy and Procedure 3421, Child Abuse, Neglect and Exploitation Prevention, and RCW 26.44. Reporting suspected abuse to the building principal or supervisor does not relieve employees from their reporting responsibilities and timelines.

**Disciplinary Action**

Staff violations of this policy may result in disciplinary action up to and including dismissal. The violation may also be reported to the state Office of Professional Practices. Violations involving sexual or other abuse will also result in referral to Child Protective Services and/or law enforcement in accordance with the Board’s policy on reporting child abuse and neglect.

**Training**

All new employees and volunteers will receive training on appropriate staff/student boundaries within one month of employment. Continuing employees will receive training every three years.

**Dissemination of Policy and Reporting Protocols**
This policy and procedure will be included on the District website and in all employee, student and volunteer handbooks. Annually, all administrators and staff will receive copies of the District’s reporting protocol.

Bremerton School District, 1/16/14

POLICY 5630
Volunteers
The District recognizes the valuable contribution made to the total school program through the volunteer assistance of parents and other citizens. Volunteers will work under the direct, visible supervision of a District employee and will be held to the same professional code of standards as emphasized in the Washington State Code of Professional Conduct for Education Practitioners. District staff will clearly explain the volunteer’s responsibilities.

Volunteers shall be required to adhere to District policies. All volunteers shall be subject to a name and date of birth background check through the Washington State Patrol and may be subject to full fingerprinting procedures prior to volunteering in the District and every two years thereafter while actively volunteering.

In accordance with WIAA requirements, prospective volunteer coaches will be required to complete the full fingerprinting process prior to becoming a volunteer. The Superintendent shall be responsible for developing and implementing procedures for the utilization of volunteers.

Legal References: RCW 43.43.830-840 Washington State Criminal Code Records
RCW 28A.320.155 Criminal History record information - School Volunteers
WAC 446-20-285 Employment - Conviction records
WIAA 23.3.0 Washington Interscholastic Activities Association Handbook

Bremerton School, June 2013

PROCEDURES 5630P
Volunteers
All prospective volunteers will be required to complete and submit a Volunteer Application Form. Prospective volunteers will have a name and date of birth background check with the Washington State Patrol; if required, volunteers may be fingerprinted. Only employees authorized to access the Washington State Patrol WATCH System for volunteer background checks shall do so. All such records shall be treated as confidential. Arrest and prosecution records (RAP sheets) shall be stored by the District in a secure location. The administrator will approve the selection of volunteers based on the established standards. Any criminal convictions identified on a volunteer’s record will be reviewed by the Superintendent or designee prior to the person being approved as a volunteer. Prior to final approval, the Superintendent, his/her designee, or the
The building principal may request to discuss with the individual the specific circumstances connected with the RAP sheet. The final decision will be made by the Superintendent or his/her designee.

All volunteers will sign in immediately upon entering the school building and will wear an identification badge; prior to departure volunteers will sign out and turn in the badge. Student volunteers will complete the volunteer application process with the approval of their parents. In addition to the guidelines above, volunteer coaches are required to follow WIAA requirements and to complete:
- an interview with the Athletic Director;
- the requirements contained in the “Volunteer Coach Form” memorandum;
- a Character and Fitness Supplemental Form
- a Coach and Volunteer Coach Agreement; and
- a full fingerprinting process
- Student volunteer coaches, with parent approval, will complete the Washington State Patrol Background Check rather than fingerprinting.

Upon completion of these processes, a determination will be made regarding a recommendation to the Board of Directors for approval.

Bremerton School District, 4/2013

POLICY 6515
Infection Control Program
Vaccine Requirements
In order to safeguard the school community from the spread of certain vaccine-preventable diseases and in recognition that prevention is a means of combating the spread of disease, the Board encourages susceptible school staff members (including volunteers) to provide evidence of immunity against TD (Tetanus-Diphtheria) and MMR (Measles, Mumps and Rubella). Staff members born prior to January 1, 1957 need not provide evidence of immunity to measles; these individuals are considered naturally immune.

To facilitate this prevention program, the Board authorizes the Superintendent to make arrangements for staff immunization at a convenient time and place, and at a nominal cost to the staff member. A "susceptible" staff member may be exempt from the requirements for immunization by filing a written objection to such immunization on the basis of religious or philosophical grounds, when a private physician certifies that the staff member's physical condition contraindicates immunization or when the staff member provides documentation of immunity by blood test.

In the event of an outbreak of a vaccine-preventable disease in school, the Superintendent, after consultation with the local health officer, and/or the local health officer has the authority to exclude a susceptible staff member, who has not filed an immunization record with the District. A staff member granted an exemption for religious, philosophical or medical reasons or without an acceptable immunization
record on file may be excluded, as he/she is considered to be susceptible. If excluded he/she is not eligible to receive sick leave benefits because of the exclusion itself. To qualify for benefits, he/she must be ill or temporarily physically-disabled.

**Infectious Disease Reporting**
A staff member who knowingly has contracted a medically-diagnosed reportable disease that could be transmitted in the school setting is expected to notify the Superintendent, or designee, immediately. A reportable disease must be reported to the local health office.

**Infection Control Program**
The Superintendent or designee shall evaluate all job duties of District employees to determine which employees have reasonably anticipated on-the-job exposure to blood or other potentially infectious material. The District shall maintain a list of job classifications where employees have reasonably anticipated exposure to blood or other potentially infectious material. The Hepatitis B vaccine shall be provided at the District’s expense to all employees identified as having risk of directly contacting blood or other potentially infectious material at work.

In the event that an employee has a specific exposure to blood or other potentially infectious material, the employee will be provided, at District expense, with confidential medical evaluation, follow-up and treatment, if indicated.

The District shall provide annual training to all employees with reasonably anticipated exposure to blood or other potentially infectious material. These employees shall receive District provided Hepatitis B/HIV training during working hours or be compensated for this time. The initial training shall be completed by January 1993 or within six (6) months of start of employment.

Records shall be kept in strict confidence regarding the Hepatitis B vaccine status of all employees with reasonably anticipated exposure to blood or other potentially infectious material and for each occupational exposure an employee has to blood or other potentially infectious material. The records shall be kept for the duration of the employee’s employment, plus thirty years. The District shall also keep records indicating that employees have received appropriate training.

Legal Reference:  
WAC 246-110-001 Control of communicable disease  
296-62-08001 Blood borne pathogens  
392-198 Training--school employees--HIV/AIDS


**PROCEDURE 6515P**

**Infection Control Program**

**Immunization**
Staff members, including substitutes and student teachers are encouraged to complete an Immunization History Form to be placed on file at the District office. In the event of an outbreak of a vaccine-preventable disease in school, the local health officer has the authority to exclude all susceptible persons, including school staff. This authority would likely be exercised in the event of one or more cases of measles or rubella within the school. Susceptible, as related to measles, means any staff member born after January 1, 1957.

A staff member may claim an exemption for health, religious or philosophical reasons. However, such a staff member who files an exemption may be excluded if an outbreak occurs at his/her school. A staff member who is excluded is not eligible to receive sick leave benefits unless he/she is ill or physically disabled or is otherwise provided for in the collective bargaining agreement.

If a staff member needs to be immunized, he/she should contact a personal physician or clinic. Immunizations may also be available at a nominal cost from the county health department.

**Infection Control Program**

The District's infection control program shall be consistent with state law and guidelines. All employees with reasonably anticipated on-the-job exposure to blood or other potentially infectious material shall be identified. Potentially infectious human body fluids are blood, semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood and all body fluids in situations where it is difficult to differentiate between body fluids. Examples of employees with reasonably anticipated risk of exposure include, but are not limited to, school nurses, teachers and assistants in classrooms for the developmentally disabled, the institutionalist of group home residents, bus drivers of such students or who provide first aid, Communication Disorders Specialists for such students, coaches or assistants who provide first aid and first aid providers. All job duties should be evaluated for the risk of exposure to blood or potentially infectious material. The District shall maintain a list of job classifications with reasonably infectious material.

All employees identified as having reasonably anticipated exposure to blood or other potentially infectious material shall be offered the Hepatitis B vaccine at the District's expense.

If an employee has a specific exposure to blood or other potentially infectious material while at work, the District will provide a free and confidential medical evaluation and follow-up performed by an appropriately trained and licensed health care professional. Any necessary post-exposure treatment shall be provided.

Employees with reasonably anticipated exposure to blood and other potentially infectious material shall participate in District-provided training within ten days of employment and annually. The training shall include:

1. A general description of blood borne diseases,
2. an explanation of modes of transmission of blood borne pathogens,
3. an explanation of the use and limitations of methods of control,
4. information about personal protective equipment,
5. a description of procedures to follow if an exposure incident occurs,
6. an explanation of signs, labels, tags and color coding used to designate biohazards,
7. where to obtain a copy of state law on blood borne pathogens,
8. an explanation of the District's infection control plan and how to obtain a copy,
9. how to identify tasks and activities that may involve exposure to blood or other potentially infectious material and
10. appropriate actions to take in emergencies involving blood or other potentially infectious material.

The training shall be provided by a qualified person and shall include opportunities for questions.

The District shall provide training to all employees regarding HIV/AIDS. The training shall be provided within six months of initial employment. The training shall include:

1. history and epidemiology of HIV/AIDS,
2. methods of transmission of HIV,
3. methods of prevention of HIV infection including universal precautions for handling of body fluids,
4. current treatment for symptoms of HIV and prognosis of disease prevention,
5. state and federal laws barring discrimination against persons with HIV/AIDS and
6. state and federal laws regulating the confidentiality of a person's HIV antibody status.

Significant new discoveries or changes in accepted knowledge regarding HIV/AIDS shall be transmitted to employees within one calendar year of notification from the Superintendent of Public Instruction, unless the Department of Health notifies the District that prompter dissemination of the information is required.

The Hepatitis B vaccination status and records regarding occupational exposure, if any, shall be kept in strict confidence during employment, plus thirty years, for any employee with reasonably anticipated exposure to blood or other potentially infectious material. The records of occupational exposures shall include:

1. the employee's name and social security number,
2. the employee's Hepatitis B vaccination status,
3. examination results, medical testing and follow-up procedure records,
4. the health care professional's written opinion and
5. a copy of information provided to the health care professional.

The District shall also keep records of training sessions including the dates, a summary of the material, names and qualifications of the trainers and names of employees attending the training. These records shall be kept for three years.
# Building Volunteer Coordinators

<table>
<thead>
<tr>
<th>School Building</th>
<th>Volunteer Coordinators</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Armin Jahr Elementary</td>
<td>Alesa Schiano</td>
<td>(360) 473-4107</td>
</tr>
<tr>
<td>Crownhill Elementary</td>
<td>Emily Bach</td>
<td>(360) 473-4207</td>
</tr>
<tr>
<td>Kitsap Lake Elementary</td>
<td>Terri Beliveau</td>
<td>(360) 473-4307</td>
</tr>
<tr>
<td>Naval Avenue Early Learning Center</td>
<td>Julie Anderson</td>
<td>(360) 473-4407</td>
</tr>
<tr>
<td>View Ridge Elementary</td>
<td>Kim Trembley</td>
<td>(360) 473-4507</td>
</tr>
<tr>
<td>West Hills STEM Academy</td>
<td>Erin Abbott</td>
<td>(360) 473-4607</td>
</tr>
<tr>
<td>Mountain View Middle School</td>
<td>Michelle Kirkpatrick</td>
<td>(360) 473-0607</td>
</tr>
<tr>
<td>Bremerton High School</td>
<td>Martha Perryman</td>
<td>(360) 473-0806</td>
</tr>
<tr>
<td>Renaissance High School</td>
<td>Lisa Clifton</td>
<td>(360) 473-4706</td>
</tr>
<tr>
<td>West Sound Technical Skills Center</td>
<td>Loretta Robinett</td>
<td>(360) 473-0556</td>
</tr>
<tr>
<td>District Volunteer Coordinator</td>
<td>Joyce Cowdery</td>
<td>(360) 620-7291</td>
</tr>
</tbody>
</table>
Please direct any questions regarding the contents of this handbook to Joyce Cowdery, Volunteer Coordinator at 360-620-7291 or joyce.cowdery@bremertonschools.org.

**NON-DISCRIMINATION DISCLOSURE**
The Bremerton School District complies with all federal and state rules and regulations and does not discriminate on the basis of 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 in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. This holds true for all students who are interested in participation in educational programs and/or extra-curricular school activities. Inquiries regarding compliance and/or grievance procedures may be directed to the District’s Title IX/RCW 28A.640 Officer and ADA Coordinator, Garth Steedman, at 360.473.1031, email garth.steedman@bremertonschools.org or the Section 504 Coordinator, Mike Sellers, at 360.473.4100, email michael.sellers@bremertonschools.org. Mailing address: 134 Marion Avenue North, Bremerton, WA 98312.

February 2016