

# 2016-2017 Student Rights and Responsibilities

Bethel School District #403 • 516 E 176<sup>th</sup> St • Spanaway, WA 98387

This document may also be found at [www.bethelsd.org](http://www.bethelsd.org).



Dear Students, Parents and Staff Members,

One of Bethel School District's primary goals is to provide a safe, positive learning environment for our students. The underlying purpose of a clear, fair discipline policy is to ensure that all Bethel's young people can be confident that their school is a safe, secure place to learn and grow.

This publication contains the rights, responsibilities, and regulations for students who attend Bethel Schools. Parents, please join your son or daughter in reviewing the contents of this document. If you have questions, please do not hesitate to contact the principal at your student's school.

Sincerely,

  
Superintendent

## RESPONSIBILITIES, RIGHTS AND AUTHORITY (Policy 3200)

A primary responsibility of the Bethel School District and its professional staff shall be the development in students of an understanding and appreciation of our representative form of government, the rights and responsibilities of individuals, and the legal processes whereby necessary changes are made. The school is a community and the rules and regulations of a school are the laws of that community. All those enjoying the rights of citizenship in the school community and whose conduct away from the school may adversely affect that community, must also accept the responsibilities of citizenship. A basic responsibility of those who enjoy the rights of citizenship is to respect the laws of the community.

Students must be mindful that the exercise of rights implies the duty not to abuse those rights. Students do not have the right to diminish, passively or actively, the right of other students to an orderly learning situation.

## STUDENT RESPONSIBILITIES

In order to maintain and advance the mission of the Bethel School District, it is the responsibility and duty of each student to:

- Pursue a course of studies and make reasonable efforts to learn.
- Attend school daily and be on time to all classes.
- Be aware of and obey all school rules.
- Express opinions and ideas in a respectful manner without libeling or slandering others.
- Act in a manner that will not detract from the education of anyone.
- Respect the rights of others and exercise self-discipline.
- Follow established procedures in seeking changes in the school rules.

- Identify oneself to school staff when requested on any school property or at any school activity.
- Follow the requests of school employees in the performance of their duties.
- Comply with written school rules that are adopted to carry out WAC 392-400-225 and RCW 28A.600.010.
- Submit to reasonable corrective action or punishment imposed by school staff for violation of school rules.
- Ensure that the lockers assigned to them contain no illegal drugs, weapons, contraband, or other evidence of violations of public law or district policy or school rules. Lockers are subject to search without prior notice.
- Submit to interrogation by school officials for the purpose of maintaining a safe and orderly school environment.

## STUDENT RIGHTS

As citizens of the United States students have certain constitutional rights. The school system cannot unduly infringe on those rights. The school may, however, set some reasonable limits on those rights in order to meet the district's obligation to educate.

- No student may be unlawfully denied an equal educational opportunity or be unlawfully discriminated against. (Policy 3210)
- All students possess the constitutional right to freedom of speech and press, as long as it does not substantially disrupt the operation of the school. Students are expressly prohibited from the use of vulgar and/or offensive terms in classrooms, assemblies, school activities and/or on school premises. (Policy 3220)
- All students have the right to peacefully assemble subject to the authority of the school to regulate the time, place, and manner. (Policy 3223)
- All students have the constitutional right to the free exercise of religion subject to reasonable limits on the time, place, and manner of exercising such right

and to have their schools free from sectarian control or influence. (Policy 2340)

- All students possess the constitutional right to be secure in their persons, papers, and effects against unreasonable searches and seizures recognizing that no right of privacy exists as to lockers issued for student use. (Policy 3230)
- All students have the right to be free from unlawful interference in their pursuit of an education while at school.
- The Bethel School District affirms the protections under Title IX of the Civil Rights Act to provide equitable participation opportunities in interscholastic activities. (Policies 3210 and 2151)
- Students have the right to be involved in school activities provided they meet the reasonable qualifications of the sponsoring organizations. (Policies 2152, 2153, and 2154)
- All students have the right to have fair and just treatment from school authorities and freedom from maltreatment and physical abuse. (Policy 3244)
- Students have the right to know the requirements of the course of study and to know on what basis the grade will be determined. (Policy 2420)
- All students have the right to consult with teachers, counselors, administrators, and other school personnel.
- Students have the right to elect their peers to student government, and all students have the right to seek and hold office subject to the provisions of ASB constitutions. (Policy 3510)

Each student is guaranteed the equal opportunity to have access to an education and the district may not limit this right except for good and sufficient cause. No student shall be deprived the right to an equal educational opportunity without due process as provided in WAC 392-400.

## **STUDENT ATTENDANCE AT SCHOOL**

(Policy 3122)

All students enrolled in the schools of the Bethel School District are expected to attend all assigned classes on a regular basis. Daily attendance is one of the keys to a student's educational success. Every subject taught in the school system requires a student's active and continuous involvement in order to develop skills and learnings of the particular subject. Most classroom experiences cannot be duplicated on an individual basis; an absent student loses the experience of lecture, discussion, and participation forever.

## **EXCUSED ABSENCES**

### **Reasons**

Regular school attendance is necessary for mastery of the educational program provided to students of the district. Students at times may appropriately be absent from class. The following principles shall govern the

development and administration of attendance procedures within the district:

Absences due to participation in a school-approved activity; illness; health condition; medical appointment; family emergency or religious purposes; court; judicial proceeding or serving on a jury; post-secondary, technical school or apprenticeship program visitation or scholarship interview; State-recognized search and rescue activities consistent with RCW 28A.225.055; and directly related to the student's homeless status; absence for principal and parent, guardian, or emancipated youth mutually agreed upon approved activities; absence resulting from disciplinary actions; or extended illness or health condition. Absences related to deployment activities of a parent or legal guardian who is an active duty member consistent with RCW 28A.705.010. The school principal (or designee) has the authority to determine if an absence meets the above criteria for an excused absence. (see Policy 3122 for complete regulations).

## **RELEASE OF STUDENT RECORDS**

(Policy 3231)

Other districts where the student enrolls or intends to enroll shall be provided with records upon official request from the district, unless the student has an outstanding fee or fine. In those instances, the enrolling school shall be provided with the student's academic, special placement, immunization history, and discipline records within two school days, but the official transcript shall be withheld until the fee or fine is discharged. The enrolling school shall be notified that the transcript is being withheld due to an outstanding fee or fine. At the time of transfer of the records, the parent or adult student may receive a copy of the records at his/her expense if requested and shall have an opportunity to challenge the contents of the records.

## **STUDENT SEARCHES** (Policy 3230)

### **1. Searches of Students and Personal Property**

Personal privacy is a fundamental aspect of individual liberty. All students possess the constitutional right to be secure in their persons, papers, and effects against unreasonable searches and seizures. Employees shall take particular care to respect students' privacy.

School officials have authority to maintain order and discipline in the schools and to protect students from exposure to illegal drugs, weapons, and contraband. The superintendent, the principal, and other staff designated by the superintendent shall have the authority to conduct reasonable searches on school property as provided by board policy. A search is permissible when there are reasonable grounds to suspect a student has illegal drugs, a weapon or contraband on school grounds, transportation or at school events.

Prior to conducting a search, school officials shall ask that the student consent to be searched by removing all

items from pockets or other personal effects. If the student refuses to consent to the search, school officials may proceed to search the student, the student's personal belongings, and the student's locker, as follows:

a. Any search of a student conducted by a school district employee must be reasonably related to the discovery of contraband or other evidence of a student's violation of the law or school rules. (For the purpose of this policy, "contraband" means items, materials, or substances the possession of which is prohibited by law or district policy, including but not limited to, controlled substances, alcoholic beverages, tobacco products, or any object that can reasonably be considered a firearm or weapon.)

b. Staff shall conduct searches in a manner, which is not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction. No student shall be subject to a strip search or body cavity search by school staff.

School officials may consult with local law enforcement officials regarding the advisability of a search on school premises by a law enforcement officer if evidence of criminal activity is likely to be seized.

## 2. Locker Searches

Students may be assigned lockers for storing and securing their books, school supplies, and personal effects. Lockers, desks, and storage areas are the property of the school district. No right nor expectation of privacy exists for any student as to the use of any space issued or assigned to a student by the school and such lockers and other spaces are subject to search in accordance with district policy.

No student may use a locker, desk, or storage area as a depository for any substance or object which is prohibited by law or school rules or which poses a threat to the health, safety or welfare of the occupants of the school building or the building itself.

All student lockers, desks or storage areas may be searched at any time without prior notice and without reasonable suspicion that the search will yield evidence of any particular student's violation of the law or school rules. If the school official conducting such a search develops a reasonable suspicion that any container inside the locker, including but not limited to a purse, backpack, gym bag, or an article of clothing, contains evidence of a student's violation of the law or school rules, the container may be searched according to board policy governing personal searches.

## 3. Vehicle Searches

Vehicles parked on school property are subject to being searched if school officials have reasonable cause to believe that alcohol, drugs, controlled substances, weapons, stolen property or other contraband not

permissible on school grounds is present. Searches may include the use of trained dogs to detect unlawful drugs or other contraband. (See Policy 3243.)

## PROHIBITED CONDUCT (Policy 3240)

Activities are subject to school authority and disciplinary action:

- At all times on any school district property
- On district-owned and operated or chartered vehicles
- During any school-sponsored activity whether held on Bethel School District property or elsewhere
- Away from school grounds if the activity would directly affect the good order, efficiency, management and/or welfare of the school's staff or students

Any student who willfully performs any act that interferes with the orderly operation of a school, a school-sponsored activity, or any other aspect of the educational process within the Bethel School District is subject to discipline, suspension, or expulsion. Violation of criminal laws at school or at school-sponsored activities is prohibited and law enforcement may be notified. The district will take disciplinary action whether or not criminal charges result. In addition to criminal acts, the commission of or participation in certain other activities or acts may lead to disciplinary sanctions. Generally, these are also acts that disrupt and interfere with the educational process:

- a. Computer or publications abuse—Failure to follow the requirements of the Computer Use Policy (2022) and the Publications Policy (3220).
- b. Defamation—Making accusations the student knows are untrue or making false and damaging statements or misrepresentations about others.
- c. Failure to serve/complete detention or alternative—Failure to serve or complete detention or alternative within the designated timeline without a valid excuse or a violation of rules of any disciplinary action.
- d. Inappropriate behavior—any behavior including, but not limited to, physical struggle, unsafe behavior, horse play, and verbal interaction that disrupts the operation of the school.
- e. Inappropriate dress and appearance—Dress and appearance that present health or safety problems or cause a disruption, indecent dress or appearance, or apparel that references alcoholic beverages or drugs. Each building may define appropriate apparel and standards for attire.
- f. Nonattendance/tardiness—Failure to attend regularly and punctually in accordance with Policy 3122.
- g. Repeated/cumulative violations—The repeated violation of school policies, rules, and/or regulations. This increases the seriousness of the violation; therefore, a disciplinary action on repeated offenses will be more severe.

The following acts have been identified as exceptional misconduct offenses and may result in suspension or expulsion on the first offense:

- a. Alcohol—Knowingly possessing, using, transmitting, being under the influence of, or showing evidence of having used any alcoholic beverage (or intoxicant of any kind), or any substance purported to be such.
- b. Arson—Intentionally setting or causing a fire for the purpose of damaging property or hurting someone. The following are factors to be considered in determining the appropriate sanction for offenders.
  - 1. extent of fire damage
  - 2. intent (to start building on fire? cause panic?)
  - 3. cost of damage
- c. Burglary—Unauthorized entry into or staying in a building with the intent to commit a crime.
- d. Closed Campus—The requirement that all students remain on the school grounds from the time of arrival until officially excused and out of areas identified as off-limits to students. (Policy 3242)
- e. Disobedience/insubordination—Not obeying the reasonable instructions of district personnel.
- f. Disruptive conduct—Any student action that interferes with or is detrimental to the orderly operation of a school, a school-sponsored activity or any other aspect of the educational process within or sponsored by the school district. Any student action that threatens the safety of the school and/or the safety of staff members and/or students, or behavior that a reasonable person would know to be dangerous and/or disruptive to the educational process.
- g. Encouraging others to fight—Promoting fighting or in any way encouraging others to fight.
- h. Explosive devices—The possession of any exploding item or device that would be capable of producing bodily harm or damage to property.  
NOTE: *Possession or use of firecrackers, ammunition and other explosive material, such as dynamite, is strictly prohibited.*
- i. Extortion, blackmail, or coercion—Attempting to obtain money, property, or favor by violence or threat of violence performed against persons or forcing another to perform any act against his/her will by force or threat of force.
- j. False alarms—Activating a school alarm for other than the intended purpose of the alarm. A report will be filed with the appropriate law enforcement agency.
- k. Fighting without major violence—Mutual participation in an incident involving physical violence, where there is no major injury.
- l. Forgery/cheating—To fraudulently use the name, signature, or identification of another; to alter school records, documents, files or any other documents for a student's own purposes or with malicious intent; the intentional deception in the preparation or completion of any school assignment, examination or project, or in the conduct of any school-related

activity; or the aiding or encouraging of such behavior by others.

- m. Gang activity—To participate in activities, acts, behaviors or display a manner, gesture, grooming, dress or apparel that:
  - 1. lead school officials to reasonably believe that such behaviors are gang related;
  - 2. present a risk of substantial disruption of the educational environment;
  - 3. create a substantial risk of physical injury to the student, staff or others;
  - 4. create an atmosphere in which the wellbeing of others is adversely affected;
  - 5. create a climate of conflict and/or intimidation;
  - 6. imply gang membership or affiliation through writing, gestures, emblems or symbols
- n. Harassment/bullying/intimidation—Use of words, whether verbal, written or in any form of electronic communication, posturing, or actions that hurt, intimidate, or humiliate others. Harassment creates an environment that makes learning difficult and is not permitted at school. Harassment and discrimination based on race (Policy 3210 and 5013), religion, age, gender (Policy 3206), sexual orientation, marital status, national origin or disability are legally prohibited. Harassment, threats or bullying of ANY individual or group is not permitted (Policy 3207).
- o. Hazing—Conducting unauthorized initiations or acts of initiation.
- p. Illicit drugs/drug paraphernalia—Knowingly possessing, using, transmitting, being under the influence of, or showing evidence of having used any narcotic drug, or any substance purported to be such. Use of a drug authorized by a medical prescription from a registered physician, with a physician's order and parent permission in accordance with Policy 3416, shall not be considered a violation of this rule.
- q. Malicious mischief (vandalism)—The act of causing physical damage to school property or property belonging to someone else.
- r. Refusal to identify self—Refusing to identify oneself to school authorities in the school building, on school grounds, or at school-sponsored events.
- s. Robbery—Stealing from an individual by force or threat of force.
- t. Theft (larceny)—Taking anything that belongs to someone else without the permission of the owner.  
NOTE: *Theft of school property valued at \$20 or more must be reported to the appropriate law enforcement agency.*
- u. Threats of destruction to property—Threatening to bomb or damage a school building or facility. Such threats will result in school discipline and a referral to the appropriate law enforcement agency.
- v. Tobacco possession or use—To possess, sell, smoke, or use tobacco on school grounds, in school buildings, or at school-sponsored events. (See Policy 3239 and 4215)

- w. Trespass—Being present in an unauthorized place or refusing to leave when ordered to do so. Students visiting at other than their assigned schools must obtain permission from the building principal or designee.
- x. Verbal abuse/threats to others—The use of disrespectful or threatening language to school personnel or other students.
- y. Violence with major injury—The threat or use of physical force against another person; includes severe fighting. The following factors to be considered in determining the appropriate sanction for offenders:
  1. extent of physical injury
  2. use of weapon or other instruments for the purpose of inflicting injury
  3. motive for the attack
  4. use of physical force
  5. who instigated the assault

*NOTE: A major injury is one that requires professional medical treatment. Examples include stab or bullet wounds, concussions, fractured or broken bones, or cuts requiring stitches.*
- z. Violence without major injury—The threat or use of physical force against another person. This can include assault, malicious harassment, kidnapping, or robbery.
- aa. Vulgar or lewd conduct—Acts of a sexually explicit nature or any lewd, vulgar, indecent or obscene act or expression.
- bb. Weapons/handgun—Possession, transmission, or use of any pistol, revolver, or short firearm with a barrel length of less than sixteen inches and without a shoulder stock.
- cc. Weapons/knife or dagger—Possession, transmission, or use of any knife with a blade which is automatically released by a spring mechanism or other mechanical device, or any knife with a blade which opens, falls, or is ejected into position by the force of gravity, or by an outward, downward, or centrifugal thrust or movement; or possession, transmission, or use of a knife with a blade longer than three inches long, or any dagger or dirk. (RCW 9.41.250 and RCW 9.94A.825)
- dd. Weapons/multiple firearms—Possession, transmission, or use of any handgun, rifle, shotgun, or other weapon, from which a projectile or projectiles may be fired by an explosive such as gunpowder.
- ee. Weapons/other firearms—Possession, transmission, or use of any weapon or device from which a projectile or projectiles may be fired by an explosive such as gunpowder.
- ff. Weapons/other weapons—Possession, transmission, or use of any weapon apparently capable of producing bodily harm, such as a club, metal knuckles, nun-chu-ka-sticks, box cutters, throwing stars, pocket knife with a blade less than three inches long, etc. Use of an item as a weapon that is

not otherwise classified as a weapon (i.e. chains, pipes, ice picks, pepper spray, etc.)

- gg. Weapons/rifle or shotgun—Possession, transmission, or use of any weapon designed, redesigned, made, or remade, and intended to be fired from the shoulder and intended to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

### **FIREARMS/WEAPONS** (Policy 3249)

It is unlawful for any student to carry onto any school premises, school provided transportation, or areas with facilities being used exclusively by public school, any firearm or weapon.

Students who violate the firearm policy will be expelled from school for a minimum of one calendar year in accordance with RCW 28A.600.420. Parents must be notified of the imposition of the expulsion and their right to hearing and appeal. The principal or designee shall notify appropriate law enforcement personnel of known or suspected violations of the firearms policy.

(Policy 3249)

### **Building Rules and Regulations**

In addition to the above rules, each school shall adopt and make available to each student rules, which shall govern a student's conduct in a particular school or a particular sport or activity. Violations of these rules shall be sufficient cause for discipline or suspension. See Policy 3240 for the complete regulations.

### **STUDENT DRESS** (Policy 3224)

Student dress and grooming shall not:

- Lead school officials to reasonably believe that such dress or grooming shall disrupt, interfere with, disturb, or detract from the school environment or activity or educational objectives.
- Include jewelry, pins, buttons, pictures, or items that display illegal, lewd, immoral, or profane messages, actions or symbols.
- Create a health or other hazard to the student's safety or the safety of others. This could include symbolisms, which represent membership or affiliation with gangs or gang activity.
- Create an atmosphere in which a student, staff, or other person's well being is hindered by undue pressure, behavior, intimidation, overt gesture, or threat of violence.

### **HARASSMENT/BULLYING** (Policy 3207)

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 or bullying. "Harassment, intimidation or bullying" means any intentional written message or image-including those that are electronically transmitted-verbal, or physical act, including but not limited to one shown to be motivated by race, color,

religion, ancestry, national origin, gender, sexual orientation including gender expression or identity, mental or physical disability, or other distinguishing characteristics, when an act:

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

**Sexual Harassment**—Sexual harassment as defined below includes conduct and communication of a sexual nature. Sexual harassment is unacceptable and will not be tolerated. It is a violation of district policy for a student to harass any other student, employee, volunteer, or agent of the district. Violations will be subject to discipline. (Policy 3206)

**Student to Staff Sexual Harassment**—Sexually harassing behaviors may include, but are not limited to, the following actions: remarks to or about a person with a sexual or demeaning implication, spreading sexual rumors, cornering or blocking a person's movement, using the telephone to harass, following, stalking, or any other conduct that creates a hostile environment for staff. Violations will be subject to discipline. (Policy 3206)

**Student to Student Sexual Harassment**—Student to student sexual harassment is defined as any **unwanted** sexual behavior, such as sexually explicit gestures with hands or through body movements, sexual teasing or jokes, pressure for dates, sexually demeaning comments, deliberate touching or pinching, cornering or blocking a student's movement, pulling at clothing, attempts to fondle or kiss, pressure for sex or any other conduct designed to embarrass or to intimidate whenever such harassment occurs on school property or at a school-sponsored event. (Sexual assault and/or rape is also a form of sexual harassment and is a criminal act that will be reported to law enforcement immediately for investigation and possible prosecution.) Violations will be subject to discipline. (Policy 3206)

**Racial Harassment**—Slurs are the most common form of discrimination. A slur is defined as an insulting or disparaging remark or innuendo such as a word, phrase, or joke directed at or to any individual or group(s) which is based on perceived differences within our diverse population. Students should be taught to appreciate individual differences and staff should model appropriate behaviors. It is appropriate for public schools to teach these values not only as part of the curriculum but also by precluding slurs which demean others. Slurs, in the context of a school setting, constitute a disruptive

influence and students or staff who make a slur shall be subject to appropriate disciplinary action. (Policy 5013)

## **CLASSROOM MANAGEMENT, CORRECTIVE ACTIONS OR PUNISHMENT**

(Policy 3241)

For the purposes of the district's disciplinary policies:

- **Discipline** shall mean all forms of corrective action or punishment other than suspension and expulsion and shall include the exclusion of a student from a class or activity by a teacher or administrator for a period of time not exceeding the balance of the immediate class period, provided that the student is in the custody of a school district employee for the balance of such period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or in behalf of a school district. Discipline shall not adversely affect specific academic grade, subject or graduation requirements, so long as all required work is performed.
- **Suspension** is the exclusion from school, or individual classes for a specific period of time, after which the student has a right to return.
  - a. A suspension is "short term" if it is for a period of 10 consecutive school days or less. Separate short-term suspensions shall not total more than 10 school days in a semester for any student in grades K-4. Separate short-term suspensions shall not total more than 15 days in a semester for a student in any other grade. Students' grades shall not be affected substantially as a result of a short-term suspension.
  - b. Suspensions, which exceed 10 consecutive school days, are long-term suspensions.
- **Expulsion** is the exclusion from school or individual classes for an indefinite period.
- **Emergency Removal:** A student may be removed from a class, subject, or activity by a certificated teacher or an administrator and sent to the principal or a designated school authority: PROVIDED, that the teacher or administrator has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students or school personnel, or an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process of the student's school.
- **DETENTION:** For minor infractions of school rules or regulations, or for minor misconduct, staff may detain students after school hours.

- **IN-SCHOOL SUSPENSION:**  
The district has created an in-school suspension program, which temporarily removes the student from the regular environment but permits the student to maintain his/her educational progress. Students who are assigned to in-school suspension are granted this opportunity as a privilege and are expected to comply with the expectations of staff.

- **ALTERNATIVE TO SUSPENSION:**  
At the discretion of the administrator, an alternative to suspension may be offered when appropriate. For each day of suspension, five hours of community service to a non-profit organization may be substituted with prior approval of the administrator. If the alternative is not completed within the designated timeline, the original suspension shall be imposed.

- **SHORT-TERM SUSPENSION:**  
In the event the proposed corrective action of a student is to include the denial of the right of school attendance from any single class for 3 to 10 school days or full schedule of classes for 1 and to 10 school days, a conference shall first be conducted with the student as follows:
  - a. An oral or written notice of the charges shall be provided to the student;
  - b. An oral or written explanation of the evidence in support of the charges shall be provided to the student;
  - c. An oral or written explanation of the suspension which may be imposed shall be provided to the student; and
  - d. The student shall be provided the opportunity to present his/her explanation.

- **APPEAL PROCESS FOR SHORT-TERM SUSPENSION:**  
Any student, parent, or guardian who is aggrieved by the imposition of a short-term suspension shall have the right to an informal conference with the building principal or designee for the purpose of resolving the grievance. The employee whose action is being grieved shall be notified of the initiation of a grievance as soon as reasonably possible. During such conference the student, parent, or guardian shall be subject to questioning by the building principal or designee and shall be entitled to question school personnel involved in the matter being grieved.

Subsequent to the building level grievance meeting, the student, parent, or guardian, upon two school business days' prior notice, shall have the right to present a written or oral grievance to the superintendent or designee. If the grievance is not resolved, the student, parent, or guardian, upon two school business days' prior notice, shall have the right to present a written or oral grievance to the

board of directors during the board's next regular meeting. The board shall notify the student, parent, or guardian of its response to the grievance within 10 school business days after the date of the meeting. The short-term suspension shall continue notwithstanding the implementation of the grievance procedure set forth in this section unless the principal or designee elects to postpone such action.

- **EMERGENCY EXPULSION:**  
A student may be excluded from school prior to a hearing without other forms of corrective action if the principal or designee has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students or school personnel, or an immediate and continuing threat of substantial disruption of the educational process. An emergency expulsion shall continue until modified or rescinded by the designated school administrator or until modified or reversed pursuant to the hearing provisions set forth in WAC 392-400-305 or the appeal provisions set forth in WAC 392-400-315.

The provisions governing notice and hearing of regular long-term suspensions or expulsions shall apply except:

- a. Written notice of the emergency expulsion shall be sent by certified letter deposited in the U. S. mail within 24 hours of the expulsion or by hand delivery to the student's parent(s) or guardian(s) within 24 hours of the expulsion and documenting delivery by obtaining his or her signature acknowledging receipt or the written certification of the person making the delivery;
- b. The parent and student shall have 10 school business days after receipt of the notice during which to request a hearing. A schedule of "school business days" potentially applicable to the exercise of such hearing right should be included with the notice; and
- c. The hearing officer shall render the decision within one school business day after the conclusion of the hearing.

- **LONG-TERM SUSPENSION OR EXPULSIONS:**  
A long-term suspension or expulsion may be imposed by the principal only after a fair hearing is made available to the affected student and parent. Written notice of the hearing shall be delivered to the parent and student by certified mail or in person. The notice shall be in the parent's primary language, to the extent feasible, and shall supply:
  - a. the alleged misconduct and the school rules alleged to have been violated,
  - b. the recommended corrective action or punishment including evaluation and/or intervention if required,
  - c. the right to a hearing,

- d. the notice that if a written request for a hearing is not received by the staff member named in the notice within three school business days after the notice is received, the hearing shall be waived and the recommended corrective action or punishment shall take effect, and
- e. the date by which the request for a hearing must be received.

- **APPEAL PROCESS FOR LONG-TERM SUSPENSION OR EXPULSION:**

If a long-term suspension or expulsion is imposed, the parent and student shall have the right to appeal the hearing officer's decision by filing a written notice of appeal at the office of the hearing officer within three school business days after the date of receipt of the decision. The long-term suspension or expulsion shall be in effect while the appeal is pending.

- **READMISSION APPLICATION PROCESS:**

A student who has been suspended or expelled from a school in the Bethel School District or from any school outside the Bethel School District and wishes to be considered for entrance or readmission to any Bethel School District school prior to termination of the imposed sanction must submit a written request. The request must indicate the school from which the student was suspended or expelled and whether the student is a resident of the Bethel School District or is a nonresident student seeking admission under "choice" options.

The request shall include:

- a. Why the student wishes to return and why the student believes he or she should be readmitted.
- b. New evidence, if any, which would support the student's request for another hearing on the issues that led to the suspension or expulsion.
- c. A statement from the parent or guardian, if the student is under 18 years of age, in support of the student's request.
- d. Any support references from members of the community, the clergy, the courts, other agencies, or other professionals that may affect a decision, including outside professional evaluations and/or interventions if required.
- e. A release of all pertinent information that relates to the disciplinary incident including, but not limited to, school district records, police reports, court records, etc.

The request will be evaluated to determine if there is sufficient reason to believe that the student, upon readmission, will comply with the written school rules, will not by his or her presence disrupt the educational process, and will not endanger anyone in the school. The superintendent or designee(s) may meet with the student and the parents, or may schedule a hearing to consider new evidence. The district may also opt to establish reasonable conditions for a probationary readmission. The decision on the student's request shall

be rendered within seven school days of receipt of the request. See Policy 3241 for complete regulations.

## **QUALIFIED DISABLED STUDENTS**

(Policy 2161 and 2162)

The Bethel School District complies with the requirements of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act. See Policies 2161, 2162 and 3241 for complete regulations.

## **STUDENTS AND TELECOMMUNICATION DEVICES** (Policy 3245)

All students are strongly encouraged not to possess any electronic or telecommunication device that may interfere with the creation and existence of a positive learning atmosphere while on school district property. The District, however, recognizes that many parents and students view these devices as valuable safety and communication aids. To reconcile the District's desire to foster a positive learning environment with parental and student concerns for safety and communication, the District has implemented the following policy.

1. Students shall comply with any rules developed by the school concerning the appropriate use of telecommunication or other electronic devices.
2. Telecommunication/electronic devices shall not be used to harass other students or staff, to bully other students, or to disrupt the educational process.
3. Students shall not take, send, share, view or possess pictures, text messages, emails or other material of a sexually explicit nature in electronic or any other form on a cell phone or other electronic device during school hours or school activities on or off campus.
4. Telecommunication/electronic devices shall be turned on and operated only before and after the regular school day, unless an emergency situation exists that involves imminent physical danger or a school administrator or teacher authorizes the student to operate the device.
5. By bringing a cell phone and other electronic devices to school or school sponsored events, the student and parents consent to the search of the device when school officials have a reasonable suspicion that such a search will reveal a violation of school rules.
6. Students are responsible for devices they bring to school. The district shall not be responsible for loss, theft or destruction of devices brought onto school property.

Students who violate this policy may be subject to disciplinary action, including suspension or expulsion; and losing the privilege of bringing the device onto school property.

## TRANSPORTATION AND BUS RULES

The following rules and regulations apply to all students using school district transportation to and from school and school-sponsored activities and events.

1. The driver is in charge of the bus and passengers and their directives must be obeyed.
2. Students shall observe the standards of classroom conduct while on a school bus.
3. Students are prohibited from utilizing cell phones on the school bus. Cell phones must be contained out of visibility in a purse, backpack, etc.
4. The student shall ride a regularly assigned bus and depart at their assigned stop unless specifically authorized by the building representative, director of transportation or designee.
5. Eating and drinking on the bus are not permitted.
6. Items that interfere with the safety of students and driver are not permitted (i.e. animals, insects, breakable containers, chemicals, explosives, balloons, skateboards, etc.).
7. Students shall not have or use tobacco products, drugs, alcohol, paraphernalia, matches, lighters or any other flammable or sparking device on the school bus.
8. Students may take only those musical instruments that can be secured on the student's lap or between their legs and that won't disrupt the loading and unloading of students, i.e., flute, clarinet, trumpet, violin, trombone, and alto saxophone. Instruments such as drums, tenor saxophone, cello, bass viola, baritone horn, and French horn are not allowed.
9. Students shall remain seated while the bus is in motion and are not to get up until the bus has come to a full stop.
10. Students shall board the bus in an orderly manner and remain within the bus driver's view at all times.
11. Students shall cross the highway in front of the bus only after verifying it is safe to do so and after obtaining the consent of the driver.
12. Students shall arrive at the bus stop five (5) minutes prior to bus stop time.
13. At the bus stop, students shall remain out of roadways and avoid pushing, shoving and damaging private property surrounding the bus stop.
14. Students who walk along a highway to and from a bus-loading zone must walk where practicable on the left-hand side of the road facing oncoming traffic. This also applies to students leaving the bus-loading zone in the evening.
15. In the event of an emergency, students shall follow emergency procedures as established by emergency exit drills.

## THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student education records. The law applies to all schools that

receive funds under an applicable program of the U.S. Department of Education.

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

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school.

Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access within 45 days of the day the request is received. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

- Parents or eligible students have the right to request that a school correct records that they believe to be inaccurate or misleading.

A request to amend a record should be made in writing to the school principal. A parent or eligible student should clearly identify the part of the record he or she wants changed and specify why it is inaccurate or misleading. If the District decides not to amend the record, the District will notify the parent or eligible student of the decision and advise him or her of his or her right to a formal hearing. After the hearing, if the district still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest;
  - Other schools to which a student is transferring;
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a student;
  - Organizations conducting certain studies for or on behalf of the school;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;

- Appropriate officials in cases of health and safety emergencies; and
  - State and local authorities, within a juvenile justice system, pursuant to specific State law.
- Unless a written request to withhold such a release is made by the parent or eligible student, the district may disclose, without consent, "directory" information such as a student's name, address, telephone number, email address, photograph, date of birth, dates of enrollment, grade level, enrollment status, degree or award received, sports, height and weight of athletes, and any other information that would not generally be considered harmful or an invasion of privacy. Most frequently, this information is used for things such as graduation programs, the annual yearbook, honor roll or other recognition lists, and rosters for athletic teams and officially recognized activities.

A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member; a person serving on the School Board; a person or company with whom the School has contracted as its agent to provide a service instead of using its own employees or officials (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

Under federal law, the military may request the names, telephone numbers and addresses of high school juniors and seniors. Unless a written request to withhold such a release is made by the parent or eligible student, the district may disclose this information.

- Parents or eligible students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. Written complaints should be directed to Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave SW, Washington D.C. 20202-8520.

For more information, please contact the building principal.

For information from the Department of Education, you may call 1-800-872-5327 (voice). Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339.

Bethel School District is an Equal Opportunity employer and complies with all federal rules and regulations, including Title IX, RCW 28A.640, RCW 28A.642 and Section 504. Bethel 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 disability, or use of a trained 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. For questions or complaints contact the title IX Officer Bryan Streleski at 253-683-6056. Contact Section 504 Coordinators Lori Haugen (students) at 253-683-6920 or Todd Mitchell (staff) at 253-683-6020. For compliance coordination for civil rights laws contact Debra Carlman at 253-683-6035. Bethel School District, 517 176<sup>th</sup> St E, Spanaway, WA 98387.

## **CAUTION**

The summary statements contained in this publication are for information only and are not to be construed as replacing established school district policies and procedures. Any subsequent changes to district policy supersede this bulletin. Copies of official district policies and procedures are found in the administrative policies and procedures publications available in all school offices upon request. A copy of this document may be found online at [www.bethelsd.org](http://www.bethelsd.org).