

STUDENT RIGHTS AND RESPONSIBILITIES HANDBOOK



Adopted by the Board of Directors on August 14, 2023



Mukilteo School District

2023-24

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**Mukilteo School District
Student Rights and Responsibilities Handbook**

Disclaimer: This handbook highlights key rights and responsibilities of students and their access to public education. It does not include all policies, which are revised by the School Board, or procedures, which are revised as needed. These may be found at www.mukilteoschools.org.

Nondiscrimination

Mukilteo School District does not discriminate in any programs or activities on the basis of sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression or identity, disability, or the use of trained dog guide or service animal and provides equal access to the Boy Scouts and other designated youth groups.

The following employees have been designated to handle questions and complaints of alleged discrimination:

Civil Rights Coordinator Title IX Coordinator	Simone Neal (425) 356-1319
HIB Compliance Officer District Athletic Director	Beth VanderVeen (425) 356-1260
Family Engagement Gender-inclusive Schools	Mary Williams (425) 356-1202
Section 504 Coordinator	Becca Anderson (425) 356-1277
ADA/Access - District Coordinator	Karen Mooseker (425) 356-1330 9401 Sharon Dr, Everett, 98204
ADA/Access issues - Sno-Isle TECH Skills Center	Wes Allen (425) 348-2220 9001 Airport Rd, Everett, 98204

Philosophy for Students

Mukilteo School District Board of Directors view the school as a place to experience academic and social success. Success contributes to positive student self-esteem which, in turn, translates into positive student behavior. By providing opportunities for students to learn concepts, practice skills, and experience academic success, we create an environment which promotes academic and social success.

Our program focuses on developing each student as a competent, self-disciplined learner. This requires learning decision-making skills; thus, our emphasis is on identifying and defining problem behaviors, problem-solving skills and prevention measures. These are built within an atmosphere of self-respect, respect for one another, and respect for the learning environment. School District policies, including rights and responsibilities, and student conduct procedures, are designed to provide boundaries within which individuals find security, yet freedom to develop self-discipline. Emphasis is placed on positive behaviors, growth and behavior-related consequences.

It is important for students to be responsible for their actions. Students, parents/guardians and staff must simultaneously work to support the rights of students while helping students accept responsibility for their academic and social growth.

Civility

Mukilteo School District staff will treat parents/guardians and other members of the public with respect and expect the same in return. The District is committed to maintaining orderly educational and administrative processes to keep schools and administrative offices free from disruptions.

This policy promotes mutual respect, civility and orderly conduct and discourages abusive, hostile or obscene speech, actions or other forms of communication such as email with the public.

[[Board Policy 4313](#) and [Procedures 4313-P](#)]

School District Rules

The philosophy and policies of Mukilteo School District respect and protect the general rights of all students and parents/guardians. These policies establish certain student rights and corresponding responsibilities within our educational framework. These expectations are in effect at all events sponsored by Mukilteo School District, including after-school and off-campus events, and on District transportation and transportation loading areas.

When students do not adhere to the three basic District rules, and the rules of their specific building, the District will use discipline strategies described later in this document. In our endeavor to focus on academic and social growth, all staff will follow a process for positively directing students in behavior change at each level of discipline. Our goal is to help students to be responsible, self-disciplined individuals.

Student Responsibilities	District Responsibilities
<p>Mukilteo School District believes that students can learn and can be taught to manage their own behavior. With that belief, the District has established three general rules of conduct that guide the behavior of students.</p> <p>Students will:</p> <ul style="list-style-type: none"> • Respect the rights and property of themselves and others. • Behave in a manner that creates a positive learning environment. • Respect the health and safety of others. <p>Individual schools and classrooms may develop more specific rules for students. These rules will also be consistent with Board policy and philosophy.</p>	<p>To implement our commitment to the development of student academic and social growth through the process of providing opportunities and developing self-discipline and individual responsibility in a positive way.</p> <p>School District personnel will:</p> <ul style="list-style-type: none"> • Demonstrate respectful, positive attitudes. • Define and consistently hold high academic and behavioral expectations. • Model consistent, appropriate behavior. • Maintain student dignity and self-esteem. • Create an atmosphere of respect for all. • Vary the time for learning according to individual student needs and the complexity of the task. • Provide opportunities for success in academic and social growth.

Complaints Regarding Staff or Programs

Community members with complaints regarding staff or programs should seek to resolve the concern by informal discussions with staff involved in the matter. These discussions may occur at the building level or department level e.g., transportation, nutrition services.

If the complaint remains unresolved, further action consistent with District procedures may be taken by the community member to resolve the issue. [[Board Policy 4312](#) [Procedures 4312-P](#)]

District Commitment – Rights and Responsibilities

The Board recognizes the negative and disproportionate impact of exclusionary discipline practices and is committed to:

- Identifying and addressing discipline policies and practices that perpetuate educational opportunity gaps.
- Proactively implementing discipline practices that support students in meeting behavioral expectations without losing access to instruction.

The District will observe students' fundamental rights and will administer discipline in a manner that does not:

1. Unlawfully discriminate against a student on the basis of sex, race, creed, religion, color, national origin, sexual orientation, gender expression, gender identity, disability, or the use of a trained dog guide or service animal.
2. Deprive a student of the student's constitutional right to freedom of speech and press, the constitutional right to peaceably assemble and to petition the government and its representatives for a redress of grievances, the constitutional right to the free exercise of religion and to have the student's school free from sectarian control or influence, subject to reasonable limitations upon the time, place, and manner of exercising the right;
3. Deprive a student of the student's constitutional right to be secure in the student's person, papers, and effects against unreasonable searches and seizures.
4. Unlawfully interfere in a student's pursuit of an education while in the custody of the school district; or
5. Deprive a student of the student's right to an equal educational opportunity, in whole or in part, by a school district without due process of law.

This District's student discipline policy and procedure is designed to provide students with a safe, healthy, and educationally sound environment. Students are expected to be aware of and comply with this policy and procedure, including behavioral expectations that respect the rights, person, and property of others. Students are also expected to pursue the required course of studies. Students and staff are expected to work together to develop a positive climate for learning.

Development and review | Accurate and complete reporting of all disciplinary actions, including the associated student-level information, behavioral violations, and other forms of discipline the district considered or attempted, is essential for effective review of this policy; therefore, the district will ensure such reporting. The district will collect data on disciplinary actions administered in each school, as required by [RCW 28A.300.042](#), and any additional data required under other district policies and procedures.

The District will ensure that school principals confer with certificated building employees at least annually to develop and/or review building discipline standards and review the fidelity of implementation of those standards. At each district school, principals and certificated staff will develop written school procedures for administering discipline at their school with the participation of other school personnel, students, parents/guardians, families, and the community. Each school will:

1. Establish behavioral expectations with students and proactively teach expectations across various school settings.
2. Develop precise definitions for problem behaviors and behavioral violations to address differences in perceptions of subjective behaviors and reduce the effect of implicit bias.
3. Define the differences between minor and major behavior incidents to clarify the types of behaviors that may or may not result in classroom exclusion or are severe enough that an administrator needs to be involved.
4. Identify a continuum of best practices and strategies for classroom-based responses that building staff should administer before or instead of classroom exclusion to support students in meeting behavioral expectations.

Schools' handbooks, codes of conduct, and building discipline standards must not conflict with this policy, accompanying procedures, or other Board policies. A school's building discipline standards must be annually approved by district superintendent or designee.

School principals will ensure teachers and other school personnel receive adequate support to effectively implement a continuum of identified best practices and strategies that:

1. Focus on prevention to reduce the use of exclusionary discipline practices.
2. Allow the exercise of professional judgment and skill sets; and
3. May be adapted to individual student needs in a culturally responsive manner.

School principals will confer with certificated building employees at least annually to establish criteria for when certificated employees must complete classes to improve classroom management skills which include but may not be limited to district provided professional learning opportunities regarding PBIS, SEL, restorative justice practices, trauma-informed approaches, culturally responsive teaching, implicit bias, etc. and use of data to identify needed teacher training to support district policy implementation.

The District will periodically review and further develop this policy and procedure with the participation of school personnel, students, parents/guardians, families, and the community. As part of this development and review process, the district will use disaggregated data collected under [RCW 28A.300.042](#) to monitor the impact of student discipline practices as well as to improve fairness and equity in the administration of student discipline. Discipline data must be disaggregated by:

1. School.
2. Student groups, including by gender, grade level, race/ethnicity (including further disaggregation of federal race and ethnicity categories in accordance with [RCW 28A.300.042\(1\)](#) and [CEDARS Appendices Y and Z](#)), low-income, English language learner, migrant, special education, Section 504, foster care, and homeless.
3. Behavioral violation.
4. Discipline types, including classroom exclusion, in-school suspension, short-term suspension, long-term suspension, emergency expulsion, and expulsion.

The District will follow the practices outlined in guidance from the [Race and Ethnicity Student Data Task Force](#) when disaggregating broader racial categories into subracial and subethnic categories. The District will consider student program status and demographic information (i.e., gender, grade-level, low-income, English language learner, migrant, special education, Section 504, foster care, and homeless) when disaggregating student race and ethnicity data to identify any within-group variation in school discipline experiences and outcomes of diverse student groups. This process may include reviewing data to prevent and address discrimination against students in protected classes identified in RCW chapters [28A.640](#) and [28A.642](#), however, the District will ensure it reviews disaggregated discipline data in accordance with [WAC 392-190-048](#) at least annually.

The District will support each school to:

- set at least one goal annually for improving equitable student outcomes.
- create an action plan or plans.
- evaluate previous goals and action plans; and
- revise goals and action plans, based on evaluations.

Schools will share identified goals and action plans with all staff, students, parents/guardians, families, and the community.

Distribution of Policies and Procedures | The District will make the current version of this policy and procedure available to families and the community. The District will annually provide this policy and procedure to all District personnel, students, parents/guardians, and families, which may require language assistance for students and parents/guardians with limited English proficiency under Title VI of the Civil Rights Act of 1964.

The District will ensure district employees and contractors are knowledgeable of this student discipline policy and procedure. At the building level, schools will annually provide the current building discipline standards, developed as stated above, to all school personnel, students, parents/guardians, and families, which may require language assistance for students and parents/guardians with limited-English proficiency under Title VI of the Civil Rights Act of 1964. Schools will ensure all school personnel are knowledgeable of the school building discipline standards. Schools are encouraged to provide discipline training developed under [RCW 28A.415.410](#) to support implementation of this policy and procedure to all school staff as feasible.

Application | This policy and accompanying procedure will be construed in a manner consistent with Washington law as stated in [WAC 392-400-020](#).

Qualification of Attendance and Placement

The Mukilteo School District recognizes that the educational process requires continuity of instruction, active classroom participation and meaningful life experiences. Students must attend school regularly to benefit from these educational cornerstones. Making school attendance a priority can be the biggest factor influencing a student's academic success. [[Board Policy 3110](#)]

Age of Admission: It is a right and responsibility of those who meet the requirements prescribed by law to attend the schools of the District. Every resident of the District who satisfies the minimum entry age requirement and is less than 21 years of age has the right to attend the District's schools until they complete high school graduation requirements.

Children of age 8 and less than age 18 are required by law to attend a public school, an approved private school or educational center, unless they are receiving approved home-based instruction.

Entrance: To be admitted to a kindergarten program that commences in the fall of the year, a child must be not less than 5 years of age prior to September 1 of that school year. To be admitted to a first-grade program that commences in the fall of the year a child must be not less than 6 years of age prior to September 1 of that school year.

Placement: The decision of where to place a student seeking admission to the District rests with the principal.

School Attendance

Except as provided in [RCW 28A.225.010](#), attendance in the schools of the State of Washington is compulsory from the age of 8 to the age of 18. [[Board Policy 3122](#), [Procedures 3122-P](#)]

All students enrolled in Mukilteo School District will attend all regularly scheduled classes to which they are assigned each day. Upon enrollment and at the beginning of each school year, the District shall inform students and their parents/guardians of this expectation, the benefits of regular school attendance, the consequences of truancy, the role and responsibility of the District in regard to truancy and resources available to assist the student and their parents/guardians in correcting truancy. The District will also make this information available online and will take reasonable steps to ensure parents/guardians can request and be provided such information in a language they can understand.

All Mukilteo School District schools have closed campuses during the school day.

Student Conduct

Classroom Management, Discipline, and Corrective Action | The Board of the Mukilteo School District focuses on the educational achievement of each and every student. The District holds high expectations for all students and gives all students the opportunity to achieve personal and academic success. “Discipline” means any action taken by the school district in response to behavioral violations, including exclusionary as well as positive and supportive forms of discipline. The Board intends that this policy and procedure be implemented in a manner that supports positive school climate, maximizes instructional time, and increases equitable educational opportunities, including but not limited to:

- Engaging with school personnel, students, parents/guardians, families, and the community in decisions related to the development and implementation of discipline policies and procedures.
- Supporting students in meeting behavioral expectations, including providing for early involvement of parents/guardians and families.
- Administering discipline in ways that respond to the needs and strengths of students and keeping students in the classroom to the maximum extent possible.
- Providing educational services that students need to complete their education without disruption.
- Facilitating collaboration between school personnel, students, and parents/guardians, and families to support successful reentry into the classroom following a suspension or expulsion.
- Ensuring fairness, equity, and due process in the administration of discipline.
- Implementing culturally responsive discipline that provides every student with the opportunity to achieve personal and academic success.
- Providing a safe environment for all students and for District employees.

[\[Board Policy 3241\]](#) and [\[Procedures 3241-P\]](#)

Bus Conduct | Transportation is available to students whose residences qualify them to ride a bus. Continued ridership is based on a student’s safe, respectful and responsible behavior at bus stops and on the bus.

Passenger Conduct

1. Follow the driver’s instructions when first requested.
2. Remain safely seated. When available, seat belts must be worn at all times.
3. Keep noise level down at classroom level
4. Respect others and their property; keep hands and feet to self.
5. No eating or drinking.
6. Get on/off the bus only at own stop.
7. Enter/exit the bus safely, using the handrail(s).
8. Place backpack on lap while riding the bus.
9. No prohibited items allowed.

Failure to abide by bus conduct guidelines will result in discipline, which may include exclusion from the bus and school disciplinary action.

[\[Board Policy 8120\]](#) and [\[Board Policy 8123\]](#)

Off-campus Intervention | The following are factors for consideration to determine whether or not a school will assume jurisdiction in an off-campus incident:

- Did the incident occur in whole or part due to behavior between the parties during the school day?
- Did the incident occur reasonably close in time to the school dismissal bell?
- Did the incident occur reasonably close to school grounds, bus or bus stop?
- Will the incident disrupt the educational process at the school?
- The seriousness of the offense.

Appeal, Readmission, and Re-Engagement During School Exclusion

In-School Suspension, Short-Term or Long-Term Suspension, School Expulsion, or Emergency Removal

Students or parent/guardian(s) may appeal any suspension or expulsion from school. Grievance and appeal procedures are stated on each suspension/expulsion notice and can also be found in [Board Procedures 3241-P](#).

Optional Conference with Principal | If a student or the parent/guardian(s) disagree with the District's decision to suspend, expel, or emergency remove the student, the student or parent/guardian(s) may request an informal conference with the principal or designee to resolve the disagreement. The parent/guardian or student may request an informal conference orally or in writing. An informal conference will not limit the right of the student or parent/guardian(s) to appeal the suspension, expulsion, or emergency expulsion, participate in a reengagement meeting, or petition for readmission.

Exceptional Misconduct

There are categories of behaviors that are considered to be exceptional student misconduct. School authority exists on school property, district-provided transportation, school bus stops, and during any school activity, function or event when held off the school grounds and/or when student misconduct is taken off campus and/or occurs to/from school and disrupts the educational process, which includes activities that may occur while in remote/virtual learning. Because of the impact on the school environment, may result in an exclusion from class, school, or district depending on the frequency, intensity, or level of severity for the infraction.

Significant Disruptive Behavior | Exceptional Misconduct

The following infractions have been judged so serious in nature and/or so serious in terms of disruptive effect upon the operation of the school(s) that students may be subject to an emergency removal and/or suspension (short-term or long-term) for even a first-time offense. Because each situation is handled individually, administrators have the discretion to use other alternative forms of discipline. This may include restitution for property damage or loss, and/or restitution to victims if appropriate.

Arson/Incendiary Devices | The intentional setting or attempted setting of fire which may include the use of incendiary devices such as a weapon or bomb to start a fire. An offense defined under [RCW 9A.48.020](#) or [RCW 9A.48.030](#).

Assault | "Assault" – refers to behavioral violations that meet the definition of an offense directed toward another:

- "Assault II" [RCW 9A.36.011](#) or [RCW 9A.36.021](#)—which may include behavioral violations under [WAC 392-172A-05149](#)(1)(c) involving "serious bodily injury" as defined under Section 1365 (h)(3) of Title 18, U.S.C.
- "Assault I" Offense upon another person that does not meet definition under [RCW 9A.36.011](#) or [RCW 9A.36.021](#).
- "Assault of a Teacher" refers to behavioral violations that meet the definition of an offense directed toward a teacher under [WAC 392-400-810](#)(1) and [RCW 28A.600.460](#)(2)—which may include behavioral violations under [WAC 392-172A-05149](#)(1)(c) involving "serious bodily injury" as defined under Section 1365 (h)(3) of Title 18, U.S.C.
- "Sexual assault" behavioral violations that meet the definition of certain sex offenses under [RCW 9.94A.030](#)(47).

Drugs/ Alcohol/ Marijuana | The use of alcohol, marijuana, controlled substances and items purported to be alcoholic, marijuana or controlled substances, as well as the intent to sell or the possession of such substances or paraphernalia, are in violation of District policy and will not be tolerated on school grounds or at any function or activity approved, sponsored or supervised by Mukilteo School District. This includes the sale, manufacturing, purchase, transfer, being under the influence of, or showing evidence of (reasonable suspicion of) having used any illicit drug, alcohol, marijuana, marijuana food byproducts, controlled substance, synthetic drugs, look-alike drug/substance purported to be a drug, or misuse of any prescription drug or the misuse of over-the-counter medications.

Students shall not possess, use, transmit, sell, be under the influence of, or show evidence of having used any substances capable of or intended, purported or presumed to be capable of altering a student's mood, perception, behavior or judgment, other than properly used over-the-counter pain relievers and medications prescribed by a licensed health care provider for an individual student. All medications used at school must meet the requirements of Medication at School [[Board Policy 3416](#) and [Procedures 3416-P](#)].

Substance Abuse Prevention [[Board Policy 2167](#)] | When it is determined that a student has broken any school rule regarding drugs, alcohol and/or any other controlled or harmful substances, the parent(s) or guardian(s) and the student will be notified and the student will be subject to corrective action as outlined in Classroom Management, Discipline, and Correction Action [[Board Policy 3241](#) and [Procedures 3241-P](#)]. Further, drug and/or alcohol assessments and treatment may be set as conditions for the student to return to school prior to the end of the exclusion. The District shall provide, upon request from the student or their parents/guardians, a list of counseling resources.

Extortion, Blackmail, Coercion | Obtaining money or property by violence or threats, or by forcing someone to do something against the student's will by force or threats.

Fighting with Major Injury | Involves mutual participation in physical violence where there is injury that meets the definition of "substantial bodily harm" or "great bodily harm" under [RCW 9A.04.110\(4\)](#)- which may include behavioral violations under [WAC 392-172A-05149\(1\)\(c\)](#) involving "serious bodily injury" as defined under Section 1365 (h)(3) of Title 18, U.S.C.

Fraud | Fraud is defined as the wrongful deception intended to result in financial or personal gain and/or as a person or thing intending to deceive others. Conduct of a false nature including, but not limited to, written or electronic means such as using the name of another person or falsifying times, dates, grades, addresses or other educational or personal data.

Gambling | Risking something of value in hopes of winning something else of value.

Gang Activity/ Gang Intimidation | A student who is enrolled in a public school or an alternative school may be suspended or expelled if the student is a member of a gang and knowingly engaged in gang activity on school grounds. "Gang" is a group which: (a) consists of three or more persons; (b) has identifiable leadership; and (c) on an ongoing basis, regularly conspires and acts in concert mainly for criminal purposes as defined in [RCW 28A.600.455](#). Gang activity includes, but is not limited to, gang-related apparel and regalia; identifying self as gang related; tagging, gang signs, language; promoting and/or recruiting; showing affiliation, initiation activities, intimidation and/or willing observation as defined under [RCW 9A.46.120](#). The district may consider administering long-term suspension or expulsion in response to two or more behavioral violations within a three-year period.

Illegal Activity | Acts found to be in violation of the law. Any felony that Washington law defines as a Class A felony or an attempt, criminal conspiracy, or solicitation to commit a Class A felony.

Illicit Drug Distribution | Delivery of controlled substances, excluding marijuana, under [RCW 69.50](#).

Indecency | Use of obscene or profane language either verbal or non-verbal, acts of vulgarity, indecent exposure and/or excessive public displays of affection; use of any electronic device for improper or illegal purposes (examples include, but are not limited to, sexting, sharing indecent images, pictures or videos). Students in possession of indecent images of anyone under the age of 18 are considered to be in possession of child pornography. See Harassment.

Theft/Robbery | Taking, removing and/or being in possession of School District property or the property of others without permission.

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

Per [RCW 9.41.280](#), it is unlawful for a person to carry onto, or possess on, public or private elementary or secondary school premises, school provided transportation, or areas of facilities while being used exclusively by public or private schools: Any firearm, device commonly known as "nun-chu-ka sticks" or "throwing stars," air gun, portable device commonly known as a stun gun, device or object intended to be used as a weapon with the intent to injure a person by shock or impulse, as well as various instruments (i.e., Any dirk or dagger, any knife with a blade longer than three inches, any knife with a blade which is automatically released by a spring/other mechanism or having a blade which opens/falls/ejects into position by force of gravity or by out/downward/centrifugal thrust, razor with an unguarded blade, sling shot, sandbag, or sand club; metal knuckles; metal pipe or bar used or intended to be used as a club; any explosive; weapon containing poisonous or injurious gas; any implement or instrument which has the capacity to inflict death and from the manner in which it is used, is likely to produce or may easily and readily produce death).

Students who violate this policy may be guilty of a gross misdemeanor. Students who violate this policy may constitute grounds for expulsion. School authority will notify law enforcement and parents/guardians.

Firearm

Students who have possessed a firearm shall be expelled for not less than one year pursuant to the [Gun-Free Schools Act](#) and [WAC 392-400-820\(1\)](#) and [RCW 28A.600.420\(1\)](#). The Superintendent may modify the one-year expulsion for a firearm on a case-by-case basis. The District may also suspend or expel a student for up to one year if the student acts with malice (as defined under [RCW 9A.04.110](#) and displays a device that appears to be a firearm).

Harassment, Intimidation, or Bullying (HIB)

Harassment | [RCW 28A.600.477](#) defines harassment, intimidation or bullying as any intentionally written message or image-including those that are electronically transmitted-verbal, or physical act, including but not limited to one shown to be motivated by 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
- 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

Examples may include (1) hate crimes/hate speech – acts in which victims are selected based on characteristics such as race, national origin, ethnicity, sex/gender, religion, sexual orientation or disability; (2)

hazing – any method of initiation into a student organization or group that causes or is likely to cause bodily danger or physical harm, serious mental or emotional harm; (3) racial harassment – written, oral, graphic or physical conduct relating to an individual’s race, color or national origin that is sufficiently severe, pervasive or persistent; (4) sexual harassment – unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct directed at a person because of their sex. Examples of sexual harassment include but are not limited to unwelcome verbal harassment of a sexual nature or abuse; unwelcome pressure for sexual activity; unwelcome sexually motivated or inappropriate physical contact; unwelcome sexual behavior or words; unwelcome behavior; verbal or written words or symbols directed at an individual because of gender.

Intimidation/Threats | Implied or overt threats of physical violence, in person or online. Conduct or communication that (1) is intended to be harmful, humiliating or physically threatening and (2) shows hostility toward a person or persons which may include both verbal and non-verbal communication including “posturing.”

Bullying | Bullying is defined as intentional, unwanted, aggressive behavior that involves real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. In order to be considered bullying, the behavior must be aggressive and include an imbalance of power, such as physical strength, access to embarrassing information or popularity to control or harm others. Repetition describes behaviors that happen more than once or have the potential to happen more than once. Bullying includes actions such as making threats, spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose. Cyberbullying is bullying using electronic devices to initiate repeated negative behavior toward a less-powerful person. Electronic name-calling, shunning, shaming, spreading rumors, gossiping, and making online threats are examples of cyber-bullying.

Types of Behavioral Violations may include but are not limited to:

- “Sexual harassment” an offense under [RCW 28A.640.020\(2\)\(f\)](#) and [WAC 392-190-056](#).
- “Discriminatory harassment” conduct or communication that is intended to be harmful, humiliating, or physically threatening, and shows hostility toward a person or persons based on their real or perceived sex, race, creed, religion, color, national origin, sexual orientation, gender identity, gender expression, veteran or military status, disability, or use of a trained dog guide or service animal in violation of district policy.
- “Malicious harassment” behavioral violations that meet the definition of an offense under RCW [9A.46.020\(1\)](#).

[[Board Policy 3216](#) and [Procedures 3216-P](#)]

Other Disruptions to the Educational Process | Exceptional Misconduct

Behaviors that materially and substantially interfere with the educational process or invade the rights of others. Examples may include, but are not limited to: the use of electronic speech such as social media, texting and/or video that occurs off campus when it causes or can be reasonably predicted to cause a substantial disruption to school or a school- sponsored activity; threat of force, violence or related conduct (e.g., threats), or use of noise and/or odor devices (e.g., pulling a false fire alarm; setting of stink bomb); protests, walk-outs, sit-ins, or intentionally causing the disruption or obstruction of any function of the Mukilteo School District.

Academic Dishonesty | Plagiarism is the practice of taking someone else’s work or ideas and passing them off as one’s own. Academic Dishonesty is defined as any action or attended action that

may result in creating an unfair academic advantage for oneself or an unfair academic advantage or disadvantage for any other student. This may include, but not limited to; submitting work of others represented as the student's own; or assisting another student in doing so; distributing, sharing or receiving completed class assignments/tests; using unauthorized sources; cheating on tests, assignments or other schoolwork; altering own or another's grade(s).

Destruction of Property | Causing intentional damage of school property or the property of others that meet the definition of violations under [RCW 28A.635.060](#). The district may only consider administering long-term suspension or expulsion in response to two or more behavioral violations within a three-year period.

Failure to Cooperate | Repeated failure to comply with or follow reasonable and lawful directions or requests by school personnel in violation of district policy.

Fight Without Major Injury | Causing, or attempting to cause, physical injury or behaving in such a way as could reasonably cause physical injury to any person. This includes, but is not limited to fighting, instigating a fight and/or assault, and/or encouraging a fight in any manner including congregation, video recording, posting a fight online, disseminating a fight through social media; planning a fight, being a willing observer and/or failure to reveal prior knowledge of a fight to an administrator/designee.

Inappropriate Behavior | Those behaviors that are not suitable or proper for a school setting and impede the educational rights of others to learn. Examples include; but are not limited to, physical aggression (hitting, kicking, pushing, spitting and biting); object aggression (throwing, breaking, knocking over objects); verbal aggression (any language verbal or non-verbal, directed at someone in a threatening or harmful manner, which may include obscene gestures); video/recording someone without permission; inappropriate use of technology, and/or written/artistic/graphic expression not appropriate for school or may meet the definition of harassment, intimidation or bullying.

Inappropriate Use of Technology Resources [[Board Policy 2314](#) and [Procedures 2314-P](#)]

Interference with School Authorities/Willful disobedience | Interfering with school personnel in the performance of their duties. This may include repeated failure to comply with or follow reasonable requests by law enforcement, teachers and/or staff. This may also include, but is not limited to; non-compliance, defiance, disrespect, and/or making false official statements.

Intimidation of School Authorities | Interfering with school personnel by threatening them, either overtly or implied, during the performance of their duties, which may include both verbal and non-verbal communication including "posturing."

Physical Aggression | Engaging in physical contact where a minor injury may occur (e.g. hitting, kicking, slapping, hair pulling, scratching, etc.) in violation of district policy.

Possession or Use of Alcohol, Marijuana, or Illicit Drugs |

Safety | Behavior that adversely impacts the health or safety of other students or educational staff under [RCW 28A.600.015\(6\)\(d\)](#) and meets the criteria for administering expulsion under [WAC 392-400-445\(2\)](#) or under [RCW 28A.600.015\(6\)\(d\)](#) and meets the criteria for administering long-term suspension under subsections (a) and (b)(ii) of [WAC 392-400-440\(2\)](#) but does not constitute a behavioral violation under any other category.

Sexually Inappropriate Conduct | Obscene acts or expressions, whether verbal or non-verbal.

Theft | Taking or knowingly being in possession of stolen property of district or of others without permission.

Tobacco/Vaping | Possession, use, distribution, intent to sell, or sale of tobacco/vaping-products. Tobacco includes, but is not limited to, cigarettes, cigars, lighters, snuff, smoking tobacco, smokeless tobacco, nicotine, nicotine-delivering devices, electronic cigarettes and/or tobacco accessories, vaping

and vaping products, e-cigarette and/or pod-style devices in accordance with [RCW 28A.210.310](#).
[\[Board Policy 4335\]](#)

Trespass | Being present in an unauthorized place or refusing to leave when ordered to do so or the unauthorized entry into the District computer and/or record systems (ex: hacking into a computer). Being on School District property or at school sponsored activities, without administrator permission, while on suspension/expulsion from school and/or violating a no-trespass order. School campuses are restricted to currently enrolled students at a school including before and after school hours excluding school-sponsored events that are open to the public or approved community use activities.

Vandalism/Defacing or Injuring School Property | Causing or attempting to cause damage to property of others and/or school, District property, including District websites or media sources.

Cultural Diversity Code of Conduct | The Mukilteo School District is strongly committed to the strengths brought to us by the diversity of our community. That commitment means that individuals representing different cultural, ethnic, and racial communities interact in a positive, dynamic and collaborative way while maintaining and valuing their differences. By each facility developing and maintaining an atmosphere that stresses individual growth and utilizes the strengths that cultural pluralism brings, the Mukilteo School District will continue to provide an enlivening, enriching experience which encourages cross-cultural understanding and builds community.

It is the personal responsibility of each individual in any Mukilteo school or facility to respect the personal dignity and worth of every person on the premises or involved in any school-sponsored activity or event.

[\[Board Policy 2020\]](#)

Equity | The primary responsibility of the Mukilteo School District is to ensure that each student graduates career and college ready. Students shall be educated in environments that respect them as individuals, respect their families, and respect their cultural heritage in order to facilitate successful academic outcomes. This means each student is known by name, strength, and need.

The Board acknowledges that institutional racism exists and that longstanding institutional biases have resulted in significant, measurable, system-wide achievement inequities for students. Understanding how individual identities such as race, language abilities, religion, disabilities, socioeconomic status, country of origin, sexual orientation, and gender intersect with education will allow us to reduce instances of inequity and dis-proportionality. Our shared focus is to eliminate racism, inequities, and institutional bias, which will help increase achievement and graduation rates for all students, while narrowing the academic and opportunity gaps between the highest and lowest performing students. [\[Board Policy 0540\]](#)

Nondiscrimination | The District shall provide equal educational opportunity and treatment for all students in all aspects of the academic and activities program without regard to race, religion, creed, color, national origin, age, honorably discharged veteran or military status, sex, sexual orientation, including gender expression or identity, marital status, nonprogram-related physical, sensory, mental disabilities, or the use of a trained dog guide or service animal by a person with a disability. [\[Board Policy 3210 - Procedures 3210-P\]](#)

Gender-Inclusive Schools | The principal or building administrator or an appropriate, designated school employee is encouraged to request a meeting with a transgender or gender expansive student upon the student's enrollment in the District or in response to a currently enrolled student's change of gender expression or identity. Before contacting a student's parents/guardians, the school will consult with the student about the student's preferences regarding family involvement and honor those preferences. The goals of the meeting are to develop:

- Understanding of that student's individual needs with respect to their gender expression or identity, including any accommodations that the student is requesting or that the District will provide according to [Board Policy 3211](#) and [Procedures 3211-P](#), and under State and federal law; and
- Shared understanding of the student's day-to-day routine within the school so as to foster a relationship and help alleviate any apprehensions the student may have with regard to attendance at school relative to, but not limited to:
 - Assigned sex at birth, cisgender, transgender, transitioning
 - Gender expansive, gender expression, gender identity [[Board Policy 3211](#) and [Procedures 3211-P](#)]

Sexual Harassment - Student Policy | For the purpose 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. The term "sexual harassment" may include:

- Acts of sexual violence;
- Unwelcome sexual or gender-directed conduct or communication that interferes with an individual's education 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.

[[Board Policy 3214](#) and [Procedures 3214-P](#)]

Prohibition of Harassment, Intimidation, or Bullying | The Mukilteo School District is committed to a safe and civil educational environment for all students that is free from harassment, intimidation or bullying.

"Harassment, intimidation or bullying" means any intentionally written message or image — including those that are electronically transmitted, — a verbal, or physical act, including, but not limited to, one shown to be motivated by *any characteristic in* [RCW 28A.640.010](#) and [RCW 28A.642.010](#), 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.

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

"Other distinguishing characteristics" can include but are not limited to: physical appearance, clothing or other apparel, socioeconomic status, and weight. "Intentional acts" refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

[[Board Policy 3216](#) and [Procedures 3216-P](#)]

Student Activities, Programs, and Expression

Co-Curricular Programs

The Board recognizes that the goals and objectives of the District can best be achieved by providing a broad offering of purposeful learning experiences, some of which are more appropriately conducted outside of the approved curriculum of the District. Such activities will ordinarily be conducted wholly or partly outside the regular school day and will be available to all students who voluntarily elect to participate. The co-curricular program encompasses approved curriculum-related activities. [[Board Policy 2150](#)]

Interscholastic Activities

The Board recognizes the value of a program of interscholastic activities as an integral part of the total school experience to all students of the District and to the community. The program of interscholastic activities will include all activities relating to competitive sport contests, games or events, or exhibitions involving individual students or teams of students of this District when such events occur between separate schools within this District or with any schools outside this District.

The Board expects that all interscholastic activities and events will comply with the rules and regulations of the Washington Interscholastic Activities Association (WIAA). The schools of the District will not participate in any out-of-season athletics that are not sanctioned by the WIAA. The District will not be responsible or liable for non-school-sponsored programs or for programs that are organized, promoted or participated in by staff members without school approval. The District will not be responsible for, or control and incur liability for, summer and/or out-of-season activities unless specifically sponsored by the School District. [[Board Policy 2151](#)]

Service Animals

The District acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a "service animal" as required by federal laws and Washington State's law against discrimination. This policy governs the presence of service animals in the schools, on school property, including school buses and at school activities.

A "service animal" means any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by the service animal must be directly related to the individual's disability.

The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks. [[Board Policy 3212](#) and [Procedures 3212-P](#)]

Freedom of Expression

The free expression of student opinion is an important part of education in a democratic society. Students' verbal and written expression of opinion on school premises is to be encouraged so 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 classroom or assembly settings and at all other school-related activities on or off campus. [[Board Policy 3220](#) and [Procedures 3220-P](#)]

Student Publications

Student publications produced as part of the school's curriculum or with the support of the associated student body fund are intended to serve both as vehicles for instruction and student communication. They are operated and substantively financed by the District.

Material appearing in such publications should reflect all areas of student interest, including topics about which there may be controversy and dissent. Controversial issues may be presented provided that they are treated in depth and represent a variety of viewpoints. Such materials may not be libelous, obscene or

profane; cause a substantial disruption of the school; invade the privacy of others; demean any race, religion, sex, or ethnic group; or advocate the violation of the law or advertise tobacco products, liquor, illicit drugs, or drug paraphernalia. [[Board Policy 3221](#) and [Procedures 3221-P](#)]

Distribution of Materials

Publications or other material written by students may be distributed on school premises in accordance with procedures developed by the Superintendent. Such procedures may impose limits on the time, place, and manner of distribution including prior authorization for the distribution or circulation of substantial quantities of printed material or the posting of such material on school property.

Students responsible for the distribution of material which leads to a substantial disruption of school activity or otherwise interferes with school operations shall be subject to corrective action or punishment, including suspension or expulsion, consistent with student discipline policies. [[Board Policy 3222](#) and [Procedures 3222-P](#)]

Freedom of Assembly

The free expression of student opinion is an important part of education in a democratic society. Students' verbal and written expression of opinion on school premises is to be encouraged so 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 classroom or assembly settings and at all other school-related activities on or off campus. [[Board Policy 3223](#)]

Student Welfare

The Board expects staff to conduct all school programs and operations in a manner that recognizes the health and safety of students. Each staff member must be in the classroom or at any other assigned station at all times in support of student welfare and supervision or must make sure that another teacher is temporarily in charge. Each staff member shall be alert to any physical hazards that may exist in the facilities, program or schedule of their school and report them to the principal. All safety rules and hygienic standards in the educational and activity programs of the school shall be enforced.

[[Board Policy 3400](#) and [Procedures 3400-P](#)]

Student Immunization and Life-Threatening Health Condition

In order to safeguard the school community from the spread of certain communicable diseases and in recognition that prevention is a means of combating the spread of disease, the Board requires a student to present evidence of having been immunized

Immediately upon enrollment in the District a certificate of immunization status, distributed by the Washington Department of Social and Health Services (DSHS), shall be completed by the student's parent/guardian. The certificate shall be made a part of the student's permanent record.

Exemptions for religious reasons will be granted upon request of the parent/guardian.

Prior to attendance at school, each child with a life-threatening health condition shall present a medication or treatment order addressing the condition. A life-threatening health condition means a condition that will put the child in danger of death during the school day if a medication or treatment order providing authority to a registered nurse and nursing plan are not in place. Following submission of the medication or treatment order, a nursing plan shall be developed. [[Board Policy 3413](#)]

Medication at School

If a student must receive medications during school hours or when the student is under the supervision of school officials, the following procedures must be followed: Only a staff member designated by the principal, who has been delegated to and trained by an RN, and who has successfully completed medication

administration training can administer medication. The medication to be given at school must have a completed Medication Authorization Order form signed by the Licensed Healthcare Provider (LHCP) and the parent/guardian; and the medication must be in the original, properly labeled container, including any Over the Counter (OTC) medication and samples. [[Board Policy 3416](#) and [Procedures 3416-P](#)]

Searches of Students and Personal Property

State law provides that at certain ages, students attain the right to decide for themselves what records will remain confidential, even from their parents/guardians, and what activities the student will participate in. At age 18, students become legal adults and must approve any disclosure of information about themselves from school records, except directory information if a request for confidentiality has not been filed. Students at age 18 may also sign releases, authorizations or permission slips to participate in school activities, and may sign themselves out of school and authorize their own absences.

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. Staff will 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 will have the authority to conduct reasonable searches on school property as provided by [Board Policy 3230](#) and [Procedures 3230-P](#).

Students and Telecommunication Devices

Students in possession of telecommunications devices including but not limited to pagers, beepers, cellular phones, smart phones and other related personal electronic communication devices ("Telecommunication Devices") shall observe the District conditions. [[Board Policy 3245](#)]

Use of Isolation, Restraint, and Reasonable Force

It is the policy of the Board of Directors that the District maintains a safe learning environment while treating all students with dignity and respect. All students in the District will remain free from the unreasonable use of force.

District staff may use reasonable force, restraint or isolation only when necessary to control spontaneous behavior that poses an imminent likelihood of serious harm to the acting student, to another person or to the property of others. District staff shall employ the least amount of force, restraint or isolation appropriate to protect the safety of students and staff and shall discontinue the use of force, restraint or isolation as soon as the likelihood of serious harm has dissipated.

Physical force, restraint or isolation is reasonable when needed to prevent or minimize an imminent and substantial risk of bodily in-jury to self or others. If de-escalation interventions have failed or are inappropriate, reasonable physical or restraint force may be used to protect District property from substantial loss or damage. [[Board Policy 3246](#) and [Procedures 3246-P](#)]

Legal Notifications

Facilities Notifications

Asbestos Notification | Ongoing safety and health program includes the proper management of the maintenance and disposal of asbestos and compliance with applicable federal and state laws and regulations. Using qualified and certified inspectors, Mukilteo School District has identified all friable and non-friable asbestos containing building materials located in District facilities. All friable materials

that present a potential health hazard have been properly removed. The District has developed a comprehensive operation and maintenance program with a goal of preventing fiber release episodes and the requirements for necessary notifications should an event occur. Each District building maintains an inventory of asbestos containing building materials for that building. The inventory is available for public inspection and can be obtained by checking with the building office.

Integrated Pest Management | Mukilteo School District intends to comply with all federal, state and local regulations pertaining to the management of vegetation and/or pests. Through the integrated Pest Management Program, Mukilteo School District promotes a prudent approach in dealing with environmental concerns and the establishment of levels at which action is taken. The program does not rule out the use of pesticides but requires their use to be thoughtfully considered.

Safety Notifications

Notification and Dissemination of Information about Student Offenses and Notification of Threats of Violence and Harm [[Board Policy 3143](#) and [Procedures 3143-P](#)]

The Mukilteo School District is committed to providing a safe and secure environment for all its students and staff. All students, including those who have committed or been adjudicated for offenses, have constitutional rights to public education. Including notification of:

- Student offenses from County Sherriff's office, courts, Department of Social and Health Services, Department of Corrections, and other school districts.
- Threats of violence or harm.
- Immunity

Principals have statutory disclosure obligations upon receipt of information about registered student sex or kidnapping offenders. In addition, principals have a responsibility to develop a protocol for safety planning, which will include student meetings, designing and monitoring student safety plans, and implementing safeguards when students change schools or change sex offender levels or status with parole or probation.

The District has a School-based Threat Assessment Program and investigates reports of possible threats of violence or harm [[Board Policy 3225](#) and [Procedures 3225-P](#)].

Student Records Notifications

The District shall maintain student records necessary for the educational guidance and/or welfare of students, for orderly and efficient operation of schools and as required by law. All information related to individual students shall be treated in a confidential and professional manner and shall only be released to third parties consistent with State and federal law.

Other districts shall be provided with records upon official request from the District. At the time of transfer of the records, the parent/guardian or adult student may receive a copy of the records at their expense if requested and shall have an opportunity to challenge the contents of the records.

Mukilteo School District is required by the Family Educational Rights and Privacy Act (FERPA - Sec. 99.7) to provide annual notification of FERPA rights. The District shall maintain those student records necessary for the educational welfare of students, for orderly and efficient operation of schools, and as required by law.

Family Educational Rights and Privacy Act (FERPA) and Protection of Pupil Rights Amendment (PPRA)

PPRA gives parents/guardians rights about the District's surveys, collection and use of information for marketing purposes, and certain physical exams. FERPA gives parents/guardians and students over 18 years old certain rights about the student's education records. These include the right to:

1. Inspect and review student's education records;

2. Request an amendment of the student's education records;
3. Opt-out of release of "directory information" as defined in FERPA law and School Board Policy*; and
4. File a complaint with the U.S. Department of Education concerning alleged failures to comply with FERPA requirements. Parents/guardians who believe their rights have been violated may file a complaint with:

U.S. Department of Education – Student Privacy Policy Office FERPA.Complaints@ed.gov
400 Maryland Avenue SW, Washington, DC 20202-8520

U.S. Department of Education – Student Privacy Policy Office PPRA.Complaints@ed.gov
400 Maryland Ave. SW, Washington, D.C. 20202-8520

***(High School Only) Directory Information for the U.S. Military** | Federal law requires high schools to release home contact information for all high school students to military recruiters unless parents/guardians deny the release of this information.

Withholding records | A student shall be responsible for the cost of replacing materials or property which are lost or damaged due to negligence. A student's diploma may be withheld until restitution is made by payment or the equivalency through voluntary work as agreed to by the District. The student or the student's parents/guardians may appeal the imposition of a charge for damages to the Superintendent and Board of Directors.

FERPA Opt-Out Notice | The Family Educational Rights and Privacy Act (FERPA), requires that Mukilteo School District, with certain exceptions, obtains your written consent prior to the disclosure information from your child's education records. The form is available at each school's office.

[\[Board Policy 3600\]](#) and [\[Procedures 3600-P\]](#)