



Action Required  
 Information Only

## MEMORANDUM

TO: Prospective Bellingham Public Schools Volunteer  
FROM: Bob Kuehl, Assistant Superintendent, Human Resources  
SUBJECT: Volunteer Forms

Thank you for demonstrating your interest in our students by volunteering your services to them and our school district. Your offer of services is greatly appreciated. Enclosed is information pertinent to volunteering in the Bellingham School District. **Prior to beginning your volunteer services, please complete the attached Volunteer Information and Receipt of Acknowledgment Form and the Disclosure Form.** Return these forms to the Principal's Secretary or to the Activities/Athletics Department Secretary.

### **Volunteer Disclosure Form**

Pursuant to the Child and Adult Abuse Information Act, Chapter 43.43 RCW, volunteers are required to complete a form disclosing certain criminal convictions, adjudications in civil actions, and final decisions of the department of licensing and/or disciplinary boards. The required form is attached to this memo. **Please complete and sign the form in the presence of a Bellingham School District staff member, who in turn will submit the information to the Human Resources Department.**

Bellingham Public Schools will retain the completed form in accordance with state law. The information obtained will be used by the District only in making its initial decision regarding your services as a prospective volunteer.

### **Board Policy 5013, Sexual Harassment and Administrative Procedures 5013P, Nondiscrimination Procedures**

Board policy requires that a copy of the District's Sexual Harassment Policy be given to all volunteers. Attached for your review and future reference are a copy of Board Policy 5013, Sexual Harassment; Administrative Procedures 5013P, and the District brochure, Sexual Harassment.

### **Board Policy 4215, Tobacco Free Environment and Board Policy 5258, Drug Free Workplace**

Attached for your review and future reference is a copy of Board Policy 4215, Tobacco Free Environment and Board Policy 5258, Drug-Free Workplace.

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Board Policy 5260, Staff Access To Networked Information Resources and Administrative Procedures  
5260P, Staff Access To Networked Information Resources Procedures

Attached for your review and future reference is a copy of Board Policy 5260, Staff Access to Networked Information Resources and Administrative Procedures 5260P, Staff Access to Networked Information Resources Procedures.

Once again, thank you for volunteering your services to the Bellingham School District. If you have questions, please contact the building administrator.

Enclosures:

1. Volunteer Information and Receipt of Acknowledgment Form
2. Volunteer Disclosure Form
3. Board Policy 5013, Sexual Harassment
4. Administrative Procedure 5013P, Nondiscrimination Procedures
5. Sexual Harassment Brochure
6. Board Policy 4215, Tobacco Free Environment
7. Board Policy 5258, Drug-Free Workplace
8. Board Policy 5260, Staff Access To Networked Information Resources
9. Administrative Procedures 5260P, Staff Access To Networked Information Resources Procedures

**VOLUNTEER INFORMATION AND RECEIPT  
OF ACKNOWLEDGMENT FORM**

Name \_\_\_\_\_ Date \_\_\_\_\_  
(Last) (First) (MI)

Mailing Address \_\_\_\_\_ Phone \_\_\_\_\_

\_\_\_\_\_  
(City) (State) (Zip) Date of Birth \_\_\_\_\_  
**(REQUIRED for WSP background check)**

Volunteer Location(s) \_\_\_\_\_  
(Name of school(s))

Name(s)/Grade(s) of Students, if applicable \_\_\_\_\_

Personal Reference \_\_\_\_\_  
(Name) (Phone)

Emergency Contact \_\_\_\_\_  
(Name) (Phone)

**Please review the following:**

- Volunteer Disclosure Form
- Board Policy 5013, Sexual Harassment
- Administrative Procedures 5013P, Nondiscrimination Procedures
- Sexual Harassment Brochure
- Board Policy 4215, Tobacco Free Environment
- Board Policy 5258, Drug-Free Workplace
- Board Policy 5260, Staff Access to Networked Information Resources
- Administrative Procedures 5260P, Staff Access to Networked Information Resources Procedures

I, the undersigned, do hereby certify that I have been informed of and given a copy of the above Bellingham School District Board Policies, procedures and information. **Please keep the Board Policies for your records.**

Signature of Volunteer \_\_\_\_\_

**NOTE: VOLUNTEER INFORMATION AND RECEIPT OF ACKNOWLEDGMENT AND VOLUNTEER DISCLOSURE FORMS ARE TO BE RETURNED TO THE PRINCIPAL'S SECRETARY OR THE ACTIVITIES/ATHLETICS SECRETARY FOR PROCESSING.**

**DISCLOSURE FORM FOR PROSPECTIVE VOLUNTEERS  
PURSUANT TO CHAPTER 43.43 RCW**

Answer YES or NO to each listed item.

***If the answer is YES to any item, please attach a supplemental sheet with a brief explanation, indicating the charge or finding, the date, and the court(s) involved. Attach in a sealed envelope. Final approval of your volunteer status will be determined after review of Disclosure and Washington State Patrol background check.***

1. Have you ever been convicted of any crimes against persons as defined in Section 43.43 RCW and listed as follows: Aggravated murder; first or second degree murder; first or second degree kidnapping; first, second, or third degree assault; first, second, or third degree assault of a child; first, second, or third degree rape; first, second or third degree rape of a child; first or second degree robbery; first degree arson; first degree burglary; first or second degree manslaughter; first or second degree extortion; indecent liberties; incest; vehicular homicide; first degree promoting prostitution; communication with a minor; unlawful imprisonment; simple assault; sexual exploitation of minors; first or second degree criminal mistreatment; child abuse or neglect as defined in RCW 26.44.020; first or second degree custodial interference; malicious harassment; first, second, or third degree child molestation; first or second degree sexual misconduct with a minor; patronizing a juvenile prostitute; child abandonment; promoting pornography; selling or distributing erotic material to a minor; custodial assault; violation of child abuse restraining order; child buying or selling; prostitution; felony indecent exposure; or any of these crimes as they may be renamed in the future.

ANSWER: Yes  ; No

2. Have you been convicted of crimes relating to financial exploitation if the victim was a vulnerable adult as defined in Chapter 43.43.830(6) RCW as amended, and listed as follows: first, second, or third degree extortion; first, second, or third degree theft; first/second degree robbery; forgery; or any of these crimes as they may be renamed in the future.

ANSWER: Yes  ; No

3. Have you ever been found in any dependency action under RCW 13.34.040 to have sexually assaulted or exploited any minor or to have physically abused any minor?

ANSWER: Yes  ; No

4. Have you ever been found by a court in a domestic relations proceeding under Title 26 RCW to have sexually assaulted or exploited any minor or to have physically abused any minor?

ANSWER: Yes  ; No

5. Have you ever been found in any disciplinary board final decision, or by the director of the department of licensing in the following businesses or professions, to have sexually or physically abused any minor or developmentally disabled person or to have abused or financially exploited any vulnerable adult: (chiropractic, dentistry, dental hygiene, naturopathy, massage, midwifery, osteopathy, physical therapy, physicians, practical nursing, registered nursing, psychology, real estate brokers, and salespersons)?

ANSWER: Yes  ; No

6. Have you been found by a court in a protection proceeding under Chapter 74.34 RCW to have abused or financially exploited a vulnerable adult?

ANSWER: Yes  ; No

(Please Complete Next Page)

**Washington State Patrol Check & Declaration**

*The Bellingham School District conducts a routine Washington State Patrol background check on all volunteers. Prospective volunteers must be cleared through the Washington State Patrol Criminal History (WATCH) program. By signing this application, you are granting BSD permission to conduct the background check. If you do not sign below, we cannot process your request and you will be unable to volunteer.*

- » I understand I must answer this application truthfully and completely. Any falsification or deliberate misrepresentation, including omission of a material fact, and/or failure to notify BSD if disclosure information provided changes, can be grounds for denial of volunteer placement or continued volunteer service.
- » I also understand this time is spent in a volunteer capacity only. Employees of BSD may not, as volunteers, perform the type of services they are employed to perform by the district. (Fair Labor Standards Act)
- » Pursuant to RCW 9A.72.085, I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

**(Sign in presence of authorized District personnel/designee only).**

Applicant -- Please Print Name \_\_\_\_\_ Date \_\_\_\_\_

Applicant Signature \_\_\_\_\_

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**Following to be completed by authorized BSD Employee**

Authorized Witness – Please Print Name \_\_\_\_\_ Date \_\_\_\_\_

Authorized Witness Signature \_\_\_\_\_

ID Check (Photocopy Driver’s License # or other form of ID) \_\_\_\_\_ **(REQUIRED)**

Bellingham Public Schools, 1306 Dupont Street, Bellingham, WA 98225

**BOARD POLICY**

SEXUAL HARASSMENT

A. Statement of Policy

It is the policy of the Bellingham School District to maintain a learning and working environment that is free from all forms of discrimination, including sexual harassment. Sexual harassment is a form of misconduct which undermines the integrity of the employment relationship and the educational environment.

The District will not tolerate any form of sexual harassment. The District prohibits sexual harassment in any form by employees, students, volunteers, parents, or guardians.

B. Sexual Harassment Defined

Sexual harassment does not refer to casual conversations or compliments of a socially acceptable nature. It refers to behavior which is unwelcome, offensive, interfering with effectiveness or creating uneasiness in the school environment. Sexual harassment consists of:

1. Unwelcome sexual advances; or
2. Requests for sexual favors; or
3. Sexually-motivated physical contact; or
4. Other verbal or physical conduct or communication of a sexual nature if
  - (a) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining an education or employment;
  - (b) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's education or employment; or
  - (c) that conduct or communication has the purpose or effect of substantially interfering with an individual's educational or work performance, or creating an intimidating, hostile, or offensive educational or work environment.

Such conduct, whether committed in the educational environment or District workplace by students, employees, volunteers, parents, or guardians, is specifically prohibited. This may include, but is not limited to,

- sexually suggestive looks or gestures;

## Sexual Harassment, 5013

- pressure for dates or sexual activity;
- unnecessary brushes or touches;
- offensive sexual graffiti, pictures, or photographs;
- disparaging remarks about one's gender or sexually demeaning terms for women or men;
- deliberate and unwelcome touching, cornering, pinching, or pulling on clothing;
- sexual jokes or teasing;
- attempts to kiss or fondle;
- hazing, pranks, or other intimidating behavior directed toward an individual because of the individual's gender;
- requests for sexual favors in exchange for grades, promotions, or salary increases.

### C. Complaint Process

As a first step, any individual who believes he or she has been sexually harassed is encouraged to directly inform any alleged harasser that the behavior is offensive, unwelcome, and must stop.

The District will take all complaints of sexual harassment seriously and will act to investigate all complaints. Any student, employee, volunteer, parent, or guardian who believes that he or she has been subjected to sexual harassment in the educational environment or in connection with his or her District employment is strongly encouraged to bring his or her complaint to the immediate attention of his or her principal, supervisor, manager, or the personnel administrator/Affirmative Action Officer.

The Title IX Equal Educational Opportunity Officer may also receive reports or complaints of sexual harassment of students. Formal complaints shall be handled in the manner specified in Board Policy 3210 (Equal Educational Opportunity: Nondiscrimination) and its accompanying administrative procedures.

All such complaints will be promptly and fairly investigated and, where appropriate, immediate corrective action will be taken.

### D. Disciplinary Actions

The District will take such disciplinary action as it deems necessary and appropriate to end sexual harassment and to prevent its recurrence, up to and including discharge and/or suspension. Such disciplinary action will be consistent with any applicable collective bargaining agreement, District policy, and state and federal law.

## Sexual Harassment, 5013

Any student of the District who harasses another student through verbal or physical conduct of a sexual nature shall be subject to disciplinary action pursuant to this policy and the District's student discipline policy.

### E. False Accusations

It is also a violation of this policy to knowingly report false allegations. Persons found to knowingly report false allegations will also be subject to disciplinary action.

### F. Remedies

The District will take prompt and effective reasonable corrective measures to eliminate sexual harassment and prevent its reoccurrence. When deemed appropriate by the District, the District shall provide support and/or assistance for individuals who have been subjected to sexual harassment in the District's educational or work environment.

The District strongly encourages individuals who believe that they have been subjected to sexual harassment in the District's educational or work environment to bring their complaints and concerns to the immediate attention of their principal, manager, supervisor, a District administrator, and/or the District's Title IX or Affirmative Action Officer. However, nothing in this policy should be construed to prevent any individual who believes that he or she has been subject to sexual harassment from filing a complaint with a governmental agency or court.

### G. Non-retaliation

No person shall be retaliated against for making a report of sexual harassment or for providing testimony or assisting in the investigation of such a report.

### H. Sexual Harassment as Sexual Abuse

Under certain circumstances, sexual harassment may constitute sexual abuse. Nothing in this policy will prohibit the District from taking appropriate action to protect victims of alleged sexual abuse.

### I. Dissemination and Discussion of Policy

A copy of this policy shall be:

1. provided to each District employee and volunteer;
2. posted in each school building and facility; and
3. included in school or District publications that set forth rules, regulations, procedures, and standards of conduct for the school or District.



## Sexual Harassment, 5013

The Affirmative Action Officer will ensure that each school develops a process for discussing the District's sexual harassment policy with employees, volunteers, parents, and students.

### J. Internal Review

The Affirmative Action Officer shall conduct an annual review of the utilization and efficacy of the District's Sexual Harassment Policy and administrative procedures governing formal complaints of sexual harassment. The Affirmative Action Officer shall recommend any changes in District policy and/or procedure to the Superintendent.

### Legal References:

Chap. 26.44 RCW	Child Abuse
Chap. 28A.640 RCW	Sexual Equity Mandated for Public Schools
Chap. 49.60 RCW	Washington Law Against Discrimination
WAC 392-190	Equal Educational Opportunity--Sex Discrimination Prohibited
Title VII of the Civil Rights Act of 1964	Law Against Discrimination
Title IX	Education Amendments of 1972

Adopted: 1-16-03

**ADMINISTRATIVE PROCEDURE**

NONDISCRIMINATION PROCEDURES

Procedures for Resolving Formal, Written Equal Educational Opportunity Complaints/  
Grievances (including Sexual Harassment).

To ensure fairness and consistency, the following review procedure is to be used with regard to problems covered by state and federal equal educational opportunity laws.

- A. The Title IX Equal Educational Opportunity Officer (Director of Student Services) or Affirmative Action Officer (Executive Director of Human Resources) shall receive and investigate all formal, written complaints of discrimination, including sexual harassment. The Affirmative Action Officer shall be responsible to investigate all formal written complaints related to employment issues. The Title IX Equal Educational Opportunity Officer shall be responsible to investigate all formal written complaints related to students' equal educational opportunities.
- B. The allegations of discrimination shall:
  1. Be in writing.
  2. Be signed by the complaining party.
  3. Set forth specific acts, conditions or circumstances alleged to be in violation of the District's obligations in regard to discrimination.
  4. Be filed with the Title IX Equal Educational Opportunity Officer or Affirmative Action Officer as soon as possible, but no later than thirty (30) calendar days following the alleged discrimination.
- C. Upon completion of the investigation, the Title IX Equal Educational Opportunity Officer or Affirmative Action Officer shall provide the Superintendent with a full written report of the complaint and the results of the investigation, unless the matter is resolved to the satisfaction of the complaining party prior to the submission of a full written report.
- D. The Superintendent shall respond in writing to the complaining party within thirty (30) calendar days following receipt of the written complaint.
- E. The response by the Superintendent shall state either:
  1. That the District denies the allegations contained in the complaint received, or
  2. The nature of such reasonable corrective measures deemed necessary to eliminate any such act, condition or circumstance within the District.

**Nondiscrimination Procedures, 5013 P**

- F. Any corrective measures deemed necessary shall be instituted as expeditiously as possible, but in no event later than thirty (30) calendar days following the Superintendent's mailing of a written response to the complaining party.
- G. In the event a complainant remains aggrieved as a result of the action or inaction of the Superintendent, said complainant may appeal to the School District Board of Directors by filing a written notice of appeal with the Secretary of the Board of Directors on or before the tenth (10th) day following:
  - 1. The date upon which the complainant received the Superintendent's response, or
  - 2. The expiration of the thirty (30) day response period in Section D above, whichever occurs first.
- H. Upon receipt of an appeal, the Board of Directors shall schedule a hearing to commence on or before the twentieth (20th) day following the filing of a written notice of appeal.
  - 1. Both parties shall be allowed to present such witnesses and testimony as the Board of Directors deems relevant and material.
  - 2. The Board of Directors shall render a written decision on or before the tenth (10th) day following the termination of the hearing and shall provide a copy to all parties involved.
- I. In the event a complainant remains aggrieved with the decision of the School District Board of Directors, said complainant may appeal the Board's decision to the Superintendent of Public Instruction on or before the tenth (10th) day following the date upon which the complainant received written notice of the School Board's decision.

Approved:

\_\_\_\_\_  
Dale E. Kinsley  
Superintendent of Schools

\_\_\_\_\_  
1-16-03  
Date

## ***What Are Your Options For Addressing/Reporting Sexual Harassment?***

### **Informal Procedure**

The informal procedure for addressing concerns may include personally confronting the harasser with a description of the offensive behavior and a request that the harasser stop the behavior. This can be achieved by:

- speaking personally to the harasser.
- writing to the harasser.
- confronting the harasser in public.

If you are uncomfortable with the idea of personally confronting the harasser, you may request that your principal/supervisor address your concern with the harasser. If you believe you are being harassed by your supervisor, you may request to have your concern addressed by either the supervisor's administrator or the human resources director.

### **Formal Procedure**

The formal reporting procedure involves filing a formal, written complaint with the human resources director. If you have concerns or questions, please call the Human Resources Department.

Once you have notified the human resources director of your complaint, a thorough investigation will occur. If your complaint is found to be true, appropriate corrective action will occur.

In all instances, the complaint and investigation will be handled in a confidential manner. No employee or student will be retaliated against in any way for complaining of harassment.

Remember: It is helpful to note dates, times, places, actions, statements, and witnesses as part of your formal complaint.

## ***Sexual Harassment Is Illegal***

State and federal laws and district policy prohibit sexual harassment and define it as sex discrimination. These laws and district policy provide procedures for prompt corrective action:

- Title VII of the Civil Rights Act of 1964
- Title IX of the 1972 Education Amendments
- Washington State Law Against Discrimination, Chapter 49.60 RCW
- Bellingham Public Schools Board Policy 5013
- Sexual Equality, Chapter 28A.640 RCW

## ***Bellingham Public Schools Provides A System To Help You, But We Can Act Only If You Tell.***

Both men and women can be harassed by members of either the same or opposite sex. District policy prohibits all forms of sexual harassment.

The district will carry out a thorough investigation in formal complaint situations to protect the rights of both the person bringing forth the complaint and the alleged harasser.

All staff and students should be aware that the district is prepared to take action to prevent and eliminate sexual harassment.

Any staff member or student found, after appropriate investigation, to have sexually harassed another individual shall be subject to disciplinary action up to and including discharge/expulsion.



**Human Resources Department**  
**360-647-6811**

Bellingham School District No. 501 is an Equal Opportunity and Affirmative Action employer and is in compliance with Sex and Disability regulations. For more information, contact the Human Resources Dept., 1306 Dupont Street, Bellingham, WA 98225. Telephone 360-647-6811.



**Bellingham  
Public Schools**  
*a collective commitment*

# ***Information About Sexual Harassment***

## ***Are You Afraid?***

If you are or have been a target of sexual harassment, you may be afraid that:

- you will suffer retaliation.
- people will think “you asked for it.”
- you have misread the harasser’s intentions.
- you are somehow responsible for the harasser’s behavior.

These fears are common and often reported by people who have suffered from unwanted sexual advances. Harassment is unwanted and can make you feel trapped, confused, helpless, embarrassed or scared. Don’t blame yourself, take action.

## ***What Can You Do If You Are Sexually Harassed?***

If you are a target of sexual harassment, act promptly to stop the harassment. Here are some direct actions you may take:

**Speak Out.** Don’t accept sexist comments, jokes or other harassing behavior as “the way things are.” Don’t laugh. Let the harasser know that you are uncomfortable with his/her behavior and that you want the behavior stopped.

**Don’t Delay.** Pay attention to cues or comments indicating harassment. If a person’s behavior makes you uncomfortable, say so.

**Keep a Record.** If the behavior continues, keep track of specific dates, times, places, actions, statements, and witnesses to assist in supporting a complaint.

**Tell Someone.** Tell the harasser’s building principal/supervisor; your building principal/supervisor; or the human resources director. If you want, it’s okay to take someone with you to that meeting.

***Harassment is no laughing matter.***

Bellingham Public Schools is committed to providing an environment in which employees and students can work and receive educational opportunities free from sexual harassment or sexual intimidation.

## ***What Is Sexual Harassment?***

Sexual harassment is a form of sex discrimination. It is illegal, and is prohibited by federal law, state law, and district policy. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature which creates an offensive, hostile or intimidating environment.

Some examples of sexual harassment are:

- Sexually suggestive looks or gestures
- Pressure for dates or sexual activity
- Unnecessary brushes or touches
- Offensive sexual graffiti
- Disparaging remarks about one’s gender
- Deliberate touching, cornering, or pinching
- Sexual jokes or teasing
- Attempts to kiss or fondle
- Requests for sexual favors in exchange for grades, promotions, or salary increases

It is also sexual harassment when these behaviors create an offensive or hostile environment for individuals not directly involved in the sexual behavior.

It is the effect on the person being harassed, not the intent of the harasser, which defines sexual harassment.

Remember: In order for the above conduct to be considered sexual harassment, it must be unwanted, unwelcome, and nonreciprocal. Mutually desired conduct is not sexual harassment.

***Everyone has a right to a harassment-free education and work environment.***

## ***What Can You Do If You Know Someone Who Is Being Sexually Harassed?***

Sexual harassment affects everyone and interferes with the educational mission of the district. Until the harasser is confronted, the behavior will continue. If you know someone who is being harassed:

**Support the Targeted Person.** Talk to and support the person being harassed. Help the targeted individual confront the harasser or go with the individual to report what is happening.

**Confront Harassers.** Tell offenders you have observed their action and it makes you uncomfortable. Harassers may be unaware that anyone else has noticed or that the behavior is inappropriate. This may stop the harassment.

**Report the Behavior.** Let someone else know what is happening. Tell the building principal/supervisor or the human resources director.

As an employee, be willing to report, assist with, and discuss situations and issues related to harassment with your co-workers, building principal/supervisor, or human resources director.

As a student, be willing to report, assist with, and discuss incidents of sexual harassment with a teacher, counselor, principal, or the human resources director.

As a principal/supervisor, take action to stop inappropriate behavior when you become aware of sexual harassment. Discuss sexual harassment situations with the human resources director to determine the appropriate course of action.

***Don’t ignore sexual harassment; do something about it.***

## USE OF TOBACCO AND NICOTINE SUBSTANCES

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

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

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


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

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

Legal References:   RCW 28A.210.270 Public and private schools — Administration of medication — Immunity from liability — Discontinuance, procedure.  
                          RCW 28A.210.260 Public and private schools — Administration of medication — Conditions.  
                          RCW 28A.210.310 Prohibition on use of tobacco products on school property  
                          RCW 70.155.080 Purchasing, obtaining or possessing tobacco by persons under 18 — Civil infraction — Jurisdiction

Management Resources: 2014 - Policy & Legal News, February Issue  
2010 - Policy & Legal News, December Issue  
2010 - Policy & Legal News, October Issue

Approved by:

  
\_\_\_\_\_  
Greg Baker, Superintendent of Schools

5-27-15  
\_\_\_\_\_  
Date

Adopted: Sept. 10, 1998  
Revised: Feb. 14, 2008; Nov. 6, 2012; June 13, 2013; May 28, 2015  
Superintendent Approved

BOARD POLICY

DRUG-FREE WORKPLACE

No employee shall unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcohol, or any other controlled substance either on or in the workplace.

"Workplace" includes any school building or any school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

As a condition of employment, each employee shall notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring in the workplace as defined above. Such notification shall be provided no later than five days after such conviction.

As a condition of employment each employee shall abide by the terms of the school district policy respecting a drug-free workplace. Disciplinary sanctions up to and including termination of employment and referral for prosecution will be imposed on employees who violate the standards of conduct as set forth in this policy. Compliance with these standards is mandatory.

An employee who violates the terms of this policy may be suspended, discharged, or nonrenewed in accordance with the provisions of board policy, state law, and/or any applicable collective bargaining agreements.

As a condition of eligibility for reinstatement, an employee may be required to satisfactorily complete a drug rehabilitation or treatment program approved by the board, at the employee's expense. Information about drug and alcohol counseling, rehabilitation, and re-entry programs are available to employees through the office of Human Resources of the district. Nothing in this policy shall be construed to guarantee reinstatement of any employee who violates this policy, nor does the school district incur any financial obligation for treatment or rehabilitation ordered as a condition of eligibility for reinstatement.

Legal References: P.L.	100-690, Title V, Subtitle D	Drug-Free Workplace Act of 1988
	21 U.S.C. 812	Controlled Substance Act
	21 CFR 300-1300. 15	Crimes and Penalties - Drug Offenses
	Sec. 112, Ch. 271,	within 1000 feet of school - Double fine
	Chapter 180-87	or imprisonment
		Washington Administrative Code

Adopted: March 8, 2001



**BOARD POLICY**

**STAFF ACCESS TO NETWORKED INFORMATION RESOURCES**

With the spread of telecommunications throughout the modern work place, the Board recognizes that employees will shift the ways they share ideas, transmit information, and contact others. As staff members are connected to the global community, their use of new tools and systems brings new responsibilities as well as opportunities.

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

Communication over networks should not be considered private. Network supervision and maintenance may require review and inspection of directories or messages. Messages may sometimes be diverted accidentally to a destination other than the one intended. Privacy in these communications is not guaranteed. The district reserves the right to access stored records in cases where there is reasonable cause to expect wrong-doing or misuse of the system. Courts have ruled that old messages may be subpoenaed, and network supervisors may examine communications in order to ascertain compliance with network guidelines for acceptable use.

The Board directs the Superintendent to specify those behaviors which are permitted and those which are not permitted, as well as appropriate procedures to guide employee use. In general, employees are expected to communicate in a professional manner consistent with state laws governing the behavior of school employees and with federal laws governing copyrights. Electronic mail and telecommunications are not to be utilized to share confidential information about students or other employees. No user may disclose, use, or disseminate personal identification information regarding minors without authorization.

The Board encourages staff to make use of telecommunications to explore educational topics, conduct research, and contact others in the educational world. The Board anticipates that the new systems will expedite the sharing of effective practices and lessons across the district and will help staff stay on the leading edge of practice by forming partnerships with others across the nation and around the world.

Adopted: August 14, 2002

ADMINISTRATIVE PROCEDURES

**STAFF ACCESS TO NETWORKED INFORMATION RESOURCES PROCEDURES**

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

The network is provided for staff and students to conduct research, complete assignments, and communicate with others. Communications over the network are often public in nature therefore general rules and standards for professional behavior and communications will apply.

Electronic mail and telecommunications are not to be utilized by employees to share confidential information about students or other employees because messages are not entirely secure.

Network administrators may review files and communications to maintain system integrity and to ensure that staff members are using the system responsibly. Users should not expect that files stored on district servers will be private.

The following behaviors are not permitted on district networks:

- a) Sharing confidential information on students or employees
- b) Sending or displaying offensive messages or pictures
- c) Assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition
- d) Using obscene language
- e) Harassing, insulting or attacking others
- f) Engaging in practices that threaten the network (e.g., loading files that may introduce a virus)
- g) Violating copyright laws
- h) Using others' passwords
- i) Trespassing in others' folders, documents, or files
- j) Intentionally wasting limited resources
- k)** Employing the network for commercial purposes, financial gain, or fraud
- l) Violating regulations prescribed by the network provider
- m) Promoting, supporting or celebrating religion or religious institutions
- n) Conducting union or employee association business, except as may be agreed to in writing between the union/employee association and the District, and subject to the usage guidelines and conditions contained in this policy.

When a written agreement exists between the District and a union or employee association (hereinafter "Association") permitting usage of the District's email and voice mail system, such usage will be subject to the following guidelines and conditions:

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- a) Only current, active employees will be granted District email and voice mail accounts. No separate email or voice mail account will be created for the Association, [employees on Association leave], or employees in their capacities as Association officers or agents.
- b) Use of the District email and voice mail system for Association business is subject to all generally-applicable rules and conditions for use of District email and communication systems (e.g., no use for obscene, malicious, harassing, commercial, political campaign, defamatory, or illegal communications or purposes) and as identified in this policy and procedure. Every email originating on the District system is identified by its address as a District document. The District reserves the right to suspend or terminate any email or voice mail account without notice for communications that do not exhibit the professionalism expected in more formal District communications.
- c) Employees and non-employee Association agents (via Internet connection) may use the email and voice mail system to communicate with District administration on Association matters.
- d) Employees and non-employee Association agents may use the District email and voice mail system to communicate with other employees for District business, e.g., to communicate with members of joint District-Association committees about committee business.
- e) Employees and non-employee Association agents may use the District email and voice mail system to communicate with other employees for Association business of a routine, non-confidential nature, e.g., to schedule meetings or to make announcements that would be appropriate for posting on an Association bulletin board in a faculty room. Such communications may only be created and sent during non-work time and employees will access and read them during non-work time.
- f) The District reserves the right to discontinue Association use in the event of a labor dispute. Any use of the email or voice mail system to advocate, support, or coordinate a strike or other labor stoppage is prohibited.

The Network Supervisor will report inappropriate behaviors to the employee's supervisor who will take appropriate disciplinary action. Any other reports of inappropriate behavior, violations, or complaints will be routed to the employee's supervisor for appropriate action. Violations may result in a loss of access and/or disciplinary action. When applicable, law enforcement agencies may be involved.

Each employee will be given copies of this policy and procedures and will sign an acceptable use agreement before establishing an account or continuing their use beyond April 1, 1996. The District reserves the right to amend its policies and procedures regarding Staff Access to Networked Information Services and acceptable use agreements.

Adopted: August 14, 2002