



## Freeman School District

### Freeman School District Board Meeting

Published on December 6, 2024 at 11:31 AM PST

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#### Date and Time

Wednesday December 11, 2024 at 6:00 PM PST

#### Location

Palouse Regional Transportation Cooperative

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#### Vision Statement

Continuing Our Tradition of Excellence in Education

#### Mission Statement

The Freeman School District is the center of a unique, rural community. With pride, commitment and caring, we provide a safe environment for all students to experience meaningful, rigorous learning opportunities that allow them to dream and develop into capable, confident and ethical members of the 21st Century.

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#### Agenda

- I. **Opening Items**
  - A. Record Attendance
  - B. Call the Meeting to Order
  - C. Approve Minutes

D. Establish Quorum

**II. Consent Agenda**

A. Consent Agenda Items

**III. Board Reorganization**

A. Review Board Policy No. 1210

B. Call for Nominations for Chairperson

C. Board Chairperson Election (Roll Call Vote)

D. Assumption of Office by New Chairperson

E. Call fo Nominations for Vice Chairperson

F. Board Vice Chairperson Election (Roll Call Vote)

G. Call for Nominations for WIAA Representative

H. WIAA Representative Election (Roll Call Vote)

I. Call for Nominations for WSSDA Legislative Representative (2 years)

J. WSSDA Legislative Representative Election (Roll Call Vote)

**IV. Pace Character Trait**

A. CARING - Showing a genuine concern for the welfare of others and being a kind, supportive helper

**V. Correspondence**

**VI. Building Reports**

A. Lisa Phelan, Elementary Principal

B. Jim Straw, Middle School Principal

C. Jeff Smith, High School Principal

D. Chad Ripke, HS Assistant Principal/Athletic Director

- E. Mike Allen, K-8 TOSA/Athletic Director

**VII. Department Reports**

- A. Kent Bevers, Nutrition Services Director
- B. Everett Combs - Transportation Supervisor
- C. Kirk Lally, Maintenance/Grounds Director
- D. Todd Reed, Technology Director
- E. Jody Sweeney, Special Ed Director/School Psychologist

**VIII. Superintendent's Report**

- A. Curriculum, Instruction and Assessment
- B. School Safety, Culture and Environment
- C. Partnering with Parents and School/Community  
Review FSD 2024/2025 School Board/Superintendent Expectation & Goals
- D. Fiscal and Legal Accountability  
Review Superintendent Evaluation Process

**IX. Board Comments**

**X. Visitors Comments & Concerns**

**XI. Unfinished Business**

- A. Approval of Board Policy & Procedure No. 2125 - 2nd Reading
- B. Approval of Board Policy & Procedure No. 3205 - 2nd Reading
- C. Approval of Board Policy No. 5005 - 2nd Reading
- D. Approval of Board Policy No. 6600 - 2nd Reading

**XII. New Business**

- A. Approval of New ASB Club
- B. Approval of 2024-25 Highly Capable Plan
- C. Appointment of For/Against Committee  
For Committee: Joanna De Peralta, Emily Lagreid
- D. Approval of Board Policy & Procedure No. 3414 - 1st Reading
- E. Approval of Board Policy & Procedure No. 3420 - 1st Reading
- F. Approval of Board Policy & Procedure No. 3424 - 1st Reading

**XIII. Other Information**

- A. Future Board Meetings

**XIV. Personnel**

- A. Personnel Action

**XV. Closing Items**

- A. Adjourn Meeting

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Freeman School District 15001 South Jackson Road Rockford, WA 99030  
Pride | Commitment | Caring

# Coversheet

## Consent Agenda Items

**Section:** II. Consent Agenda  
**Item:** A. Consent Agenda Items  
**Purpose:**  
**Submitted by:**  
**Related Material:** Consent Agenda Items.pdf  
Dec Credit Card Payment.pdf

**CONSENT AGENDA:**

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Credit Card (BMO) Payment General Fund	\$27,517.60
Credit Card (BMO) Payment ASB Fund	\$3,223.87
December General Fund AP Not to exceed	\$130,000.00
December ASB Fund AP Not to exceed	\$36,000.00
December Payroll Not to exceed	\$970,000.00
January Mid-month Payments, not to exceed	\$30,000.00

The following vouchers, as audited and certified by the Auditing Officer as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090, are approved for payment. Those payments have been recorded on this listing which has been made available to the board.

As of December 11, 2024, the board, by a \_\_\_\_\_ vote, approves payments, totaling \$30,741.47. The payments are further identified in this document.

Total by Payment Type for Cash Account, US BANK WIRE:  
Wire Transfer Payments 202400029 through 202400031, totaling \$30,741.47

Secretary \_\_\_\_\_ Board Member \_\_\_\_\_  
Board Member \_\_\_\_\_ Board Member \_\_\_\_\_  
Board Member \_\_\_\_\_ Board Member \_\_\_\_\_

Check Nbr	Vendor Name	Check Date	Invoice Number	Invoice Desc	PO Number	Invoice Amount	Check Amount
202400029	BMO MASTERCARD Vendor on Invoice	12/10/2024	ASB FUND BMO00000	ASB FUND Credit Card Payment AP Invoice.	0	3,223.87	3,223.87
40 E 530 2040 00 0000 4020 0000 0000 0			Associated Student Body	Fund/EXPENDITURES/SPORTS TRAVEL		1,116.45	
40 E 530 6040 00 0000 2050 0000 0000 0			Associated Student Body	Fund/EXPENDITURES/POSTIVE BEHAV		24.76	
40 E 530 2000 00 0000 2050 0000 0000 0			Associated Student Body	Fund/EXPENDITURES/Athletics		135.00	
40 E 530 2000 00 0000 2050 0000 0000 0			Associated Student Body	Fund/EXPENDITURES/Athletics		200.00	
40 E 530 2000 00 0000 2050 0000 0000 0			Associated Student Body	Fund/EXPENDITURES/Athletics		200.00	
40 E 530 1090 00 0000 2050 0000 0000 0			Associated Student Body	Fund/EXPENDITURES/SCOTTIE DASH		1,547.66	
<b>202400030</b>	<b>BMO MASTERCARD</b>	<b>12/10/2024</b>		<b>CREDIT CARD PAYMENT CHECK</b>			<b>26.00</b>
	US POSTAL SERVICE		GEN FUND BMO00001	GEN FUND Credit Card Payment AP Invoice.	0	26.00	

Check Nbr	Vendor Name	Check Date	Invoice Number	Invoice Desc	PO Number	Invoice Amount	Check Amount
10 E 530 9700 64 7580 0000 0000 0000 1	Vendor on Invoice			General Fund/EXPENDITURES/DISTRICTWIDE SUPPORT		13.00	
10 E 530 9700 64 7580 0000 0000 0000 1				General Fund/EXPENDITURES/DISTRICTWIDE SUPPORT		13.00	
202400031	BMO MASTERCARD	12/10/2024	GEN FUND BMO00000	GEN FUND Credit Card Payment AP Invoice.	0	27,491.60	27,491.60
10 E 530 9700 72 5650 0000 0000 0000 0				General Fund/EXPENDITURES/DISTRICTWIDE SUPPORT		179.34	
10 E 530 9700 65 7530 0000 0000 0000 0				General Fund/EXPENDITURES/DISTRICTWIDE SUPPORT		46.50	
10 E 530 0158 32 5652 0000 0000 0000 0				General Fund/EXPENDITURES/TECHNOLOGY		152.42	
10 E 530 0158 32 5652 0000 0000 0000 0				General Fund/EXPENDITURES/TECHNOLOGY		301.60	
10 E 530 0158 32 5652 0000 0000 0000 0				General Fund/EXPENDITURES/TECHNOLOGY		1,971.03	
10 E 530 0100 32 5650 0000 0000 0000 0				General Fund/EXPENDITURES/BASIC EDUCATION		140.53	
10 E 530 0132 32 7432 0000 0000 0000 1				General Fund/EXPENDITURES/TECHNOLOGY		126.04	
10 E 530 9700 64 5610 0000 0000 0000 0				General Fund/EXPENDITURES/DISTRICTWIDE SUPPORT		22.18	
10 E 530 9700 64 5610 0000 0000 0000 0				General Fund/EXPENDITURES/DISTRICTWIDE SUPPORT		180.71	
10 E 530 9700 64 5610 0000 0000 0000 0				General Fund/EXPENDITURES/DISTRICTWIDE SUPPORT		159.86	
10 E 530 9700 62 5610 0000 0000 0000 1				General Fund/EXPENDITURES/DISTRICTWIDE SUPPORT		73.83	
10 E 530 9700 64 5610 0000 0000 0000 0				General Fund/EXPENDITURES/DISTRICTWIDE SUPPORT		42.00	
10 E 530 9700 62 7310 0000 0000 0000 0				General Fund/EXPENDITURES/DISTRICTWIDE SUPPORT		843.24	
10 E 530 9700 64 5610 0000 0000 0000 0				General Fund/EXPENDITURES/DISTRICTWIDE SUPPORT		91.65	
10 E 530 0100 27 5610 4020 4020 0000 0				General Fund/EXPENDITURES/BASIC EDUCATION		216.00	
10 E 530 0100 24 5610 4020 4020 0000 0				General Fund/EXPENDITURES/BASIC EDUCATION		21.60	
10 E 530 0100 27 5610 4020 4020 0000 0				General Fund/EXPENDITURES/BASIC EDUCATION		26.60	
10 E 530 0100 27 5610 4020 4020 0000 0				General Fund/EXPENDITURES/BASIC EDUCATION		48.99	
10 E 530 0100 24 5610 4020 4020 0000 0				General Fund/EXPENDITURES/BASIC EDUCATION		244.32	
10 E 530 3100 27 5610 4020 0000 0000 0				General Fund/EXPENDITURES/VOCATIONAL, BASIC, STATE		79.73	
10 E 530 3164 27 5610 4020 0000 0000 0				General Fund/EXPENDITURES/CTE- CONSTRUCTION RELATED		119.98	
10 E 530 3164 27 5610 4020 0000 0000 0				General Fund/EXPENDITURES/CTE- CONSTRUCTION RELATED		169.72	
10 E 530 0100 27 5610 4020 4020 0000 0				General Fund/EXPENDITURES/BASIC EDUCATION		158.79	
10 E 530 8800 27 5610 0000 0000 0000 1				General Fund/EXPENDITURES/DAY CARE		18.32	
10 E 530 8800 27 5610 0000 0000 0000 1				General Fund/EXPENDITURES/DAY CARE		375.16	
10 E 530 0900 27 5610 0000 0000 0000 1				General Fund/EXPENDITURES/TRANSITION TO KINDERGARTEN		-411.94	



Check Nbr	Vendor Name	Check Date	Invoice Number	Invoice Desc	PO Number	Invoice Amount	Check Amount
10 E 530 2100 31 7330 0000 0000 0000 0	Vendor on Invoice			General Fund/EXPENDITURES/SPECIAL ED, BASIC, STATE		150.00	
10 E 530 2100 27 5610 1010 0000 0000 0				General Fund/EXPENDITURES/SPECIAL ED, BASIC, STATE		28.10	
10 E 530 9700 12 8580 0000 0000 0000 1				General Fund/EXPENDITURES/DISTRICTWIDE SUPPORT		56.24	
10 E 530 9900 52 5500 0000 0000 0000 0				General Fund/EXPENDITURES/PUPIL TRANSPORTATIONS		19,825.46	
10 E 530 9900 53 7340 0000 0000 0000 0				General Fund/EXPENDITURES/PUPIL TRANSPORTATIONS		158.05	
10 E 530 9900 53 5610 0000 0000 0000 0				General Fund/EXPENDITURES/PUPIL TRANSPORTATIONS		23.99	
10 E 530 9700 75 5610 0000 0000 0000 0				General Fund/EXPENDITURES/DISTRICTWIDE SUPPORT		1,541.74	
10 E 530 9700 75 7431 0000 0000 0000 0				General Fund/EXPENDITURES/DISTRICTWIDE SUPPORT		254.12	
10 E 530 0100 24 5610 2050 2050 0000 0				General Fund/EXPENDITURES/BASIC EDUCATION		55.70	

3 Wire Transfer Check(s) For a Total of 30,741.47

	0	Manual	Checks For a Total of	0.00
	3	Wire Transfer	Checks For a Total of	30,741.47
	0	ACH	Checks For a Total of	0.00
	0	Computer	Checks For a Total of	0.00
Total For	3	Manual, Wire Tran, ACH & Computer Checks		30,741.47
Less	0	Voided	Checks For a Total of	0.00
			Net Amount	30,741.47

## FUND SUMMARY

Fund	Description	Balance Sheet	Revenue	Expense	Total
10	General Fund	0.00	0.00	27,517.60	27,517.60
40	Associated Student Body Fund	0.00	0.00	3,223.87	3,223.87

# Coversheet

## Review Board Policy No. 1210

**Section:** III. Board Reorganization  
**Item:** A. Review Board Policy No. 1210  
**Purpose:**  
**Submitted by:**  
**Related Material:** BP1210 - Annual Organizational Meeting.pdf

**ANNUAL ORGANIZATIONAL MEETING**

At the first regular meeting at which newly-elected board members are seated in election years and at the first regular meeting in December in non-election years, the board shall elect from among its members a chair/president and a vice chair/president to serve two-year terms. A newly appointed board member will not be eligible to serve as an officer unless a majority of the board has been appointed.

If a board member is unable to continue to serve as an officer, a replacement shall be elected immediately. In the absence of both the chair/president and the vice chair/ president, the board shall elect a president pro tempore who shall perform the functions of the chair/president during the latter's absence.

The superintendent shall act as board secretary. In order to provide a record of the proceedings of each meeting of the board, the superintendent shall appoint a recording secretary of the board.

In even-numbered years at the same meeting, a WSSDA legislative representative shall be elected who shall serve a two-year term.

The normal order of business shall be modified for the annual organizational meeting by considering the following matters after the approval of the minutes of the previous meeting:

- A. Welcome and introduction of newly elected board members by the chair/president;
- B. Call for nominations for chair/president to serve during the ensuing year;
- C. Election of a chair/president (roll call vote);
- D. Assumption of office by the new chair/president;
- E. Call for nominations for vice chair/president to serve during the ensuing year;
- F. Election of a vice chair/president (roll call vote);
- G. (If applicable) Call for nominations for WSSDA legislative representative to serve for the next two years; and
- H. Election of a WSSDA legislataive representative.

Policies shall continue from year to year and board to board until and unless the board changes them.

Cross References: 1225 – School Director Legislative Program

Legal References:RCW 28A.330.010	Board president, vice-president or president pro tempore — Secretary
RCW 28A.330.020	Certain board elections, manner and vote required — Selection of personnel, manner
RCW 28A.330.050	Duties of superintendent as secretary of the board
RCW 28A.400.030	Superintendent Duties
RCW 29A.60.280	Local elected officials, commencement of term of office — Purpose

Adoption Date: February 2011  
Revision Date: Jan 25, 2018

# Coversheet

## Lisa Phelan, Elementary Principal

**Section:** VI. Building Reports  
**Item:** A. Lisa Phelan, Elementary Principal  
**Purpose:**  
**Submitted by:**  
**Related Material:** Lisa Phelan, Elementary Principal-Asst. Superintendent.pdf



## Board Report Freeman School District

**Date:** December 5, 2024  
**Submitted by:** Lisa Phelan

**Vision Statement**  
Continuing Our Tradition of Excellence in Education

**Mission Statement**  
The Freeman School District is the center of a unique, rural community. With pride, commitment and caring, we provide a safe environment for all students. to experience meaningful, rigorous learning opportunities that allow them to dream and develop into capable, confident, and ethical members of the 21st Century.

### **Freeman 2025 Strategic Plan Pillars**

- Curriculum, Instruction and Assessment
- School Safety, Culture and Environment
- Partnering with Parents and School/Community
- Fiscal and Legal Accountability

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### **Overview**

During the 24-25 school year, FES will focus on Multi-Tiered Systems of Support, Professional Learning Communities and Freeman School District's three focus areas: 1. Embrace challenging and necessary conversations with students and staff, 2. Expect Civility and Respect from everyone, 3. Enhance our MTSS grades TK-12

### **Areas of Focus**

**TK-5 Professional Learning-** TK-2 Vertical PLC time to learn and share about the required Dyslexia screener, tools for the classroom, identifying what is developmentally appropriate, and early interventions for students who might fall into the broad Dyslexia category at a young age.

**3-5 Math PLC** work reflects on what is going well with Math Switch (through assessments, students are identified for their “just right” group) and the current challenges.

**TK-12 Special Education/ All Para** staff PLC will meet to review teacher/para expectations, interventions, and caseload/schedules.

**PACE** assembly awarded students for receiving an award for being Respectful, Responsible, Showing Gratitude, and Citizenship. Miss Miranda and Mr. Gady were good sportsmen in front of the student body and were chosen to receive a “pie” in the face.

**Upcoming events-** PTSG Community Craft Night will be December 13<sup>th</sup>

### **Enrollment**

Tk 44, K, 42, 1<sup>st</sup>, 64, 2<sup>nd</sup> 59, 3<sup>rd</sup> 65, 4<sup>th</sup>, 57, 5<sup>th</sup>, 54 = 385 (up two from last month)

# Coversheet

## Jim Straw, Middle School Principal

**Section:** VI. Building Reports  
**Item:** B. Jim Straw, Middle School Principal  
**Purpose:**  
**Submitted by:**  
**Related Material:** Jim Straw, Middle School Principal.pdf



Board Report  
Freeman School District

**Date:** December 11, 2024  
**Submitted by:** Jim Straw

**Vision Statement**  
Continuing Our Tradition of Excellence in Education

**Mission Statement**  
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- Freeman 2025 Strategic Plan Pillars**
- Curriculum, Instruction and Assessment
  - School Safety, Culture and Environment
  - Partnering with Parents and School/Community
  - Fiscal and Legal Accountability

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**Overview**

During the 2024-25 school year, FMS staff and students are focused on our academic programs as we implement a seven-period day, incorporating social emotional learning into content classes and the consistent, constant growth of our positive learning community and culture.

**Areas of Focus**

- >End of Semester Scheduling- working with FHS to establish a bell schedule for Finals and with the PTSG on several events for students.
- >Freeman FLL (FIRST Lego League) hosted the Regional Robotics Competition and competed to qualify for State.
- >Band/Choir Concert will be held on Wednesday, December 18 at 7:00 pm. Students have been working hard to prepare!

**Enrollment**

6<sup>th</sup>- 70      7<sup>th</sup>- 62      8<sup>th</sup>- 68      Total- 200



# Coversheet

## Jeff Smith, High School Principal

**Section:** VI. Building Reports  
**Item:** C. Jeff Smith, High School Principal  
**Purpose:**  
**Submitted by:**  
**Related Material:** Jeff Smith, High School Principal.pdf



## Board Report Freeman School District

**Date:** December 11, 2024  
**Submitted by:** Jeff Smith, Freeman High School Principal

**Vision Statement**  
Continuing Our Tradition of Excellence in Education

**Mission Statement**  
The Freeman School District is the center of a unique, rural community. With pride, commitment and caring, we provide a safe environment for all students to experience meaningful, rigorous learning opportunities that allow them to dream and develop into capable, confident and ethical members of the 21st Century.

- Freeman 2025 Strategic Plan Pillars**
- Curriculum, Instruction and Assessment
  - School Safety, Culture and Environment
  - Partnering with Parents and School/Community
  - Fiscal and Legal Accountability

### Overview

FHS is continuing to improve. As a team, we are specifically focusing on Tier 1 MTSS Instruction, Assessment in PLCs (Professional Learning Communities), and PBIS (Positive Behavior Interventions & Support).

### Areas of Focus

- Semester 1 Finals schedule set
- Winter Band and Choir concert: Dec. 18
- FHS/FMS are considering adding Scottie Time 1x per week for Semester 2
- CTE Reapproval process for Agriculture courses is underway
- FHS Graduation 2025
- Drama Club

### Enrollment

9th = 64 , 10th = 75, 11th = 75, 12th = 79 (-1). Total: 294

# Coversheet

## Chad Ripke, HS Assistant Principal/Athletic Director

**Section:** VI. Building Reports  
**Item:** D. Chad Ripke, HS Assistant Principal/Athletic Director  
**Purpose:**  
**Submitted by:**  
**Related Material:** Chad Ripke, HS Assistant Principal-Athletic Director.pdf



## Board Report Freeman School District

**Date:** December 5, 2024  
**Submitted by:** Chad Ripke

### **Vision Statement**

Continuing Our Tradition of Excellence in Education

### **Mission Statement**

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### **Freeman 2025 Strategic Plan Pillars**

- Curriculum, Instruction and Assessment
- School Safety, Culture and Environment
- Partnering with Parents and School/Community
- Fiscal and Legal Accountability

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### **Overview**

- Winter sports contests started this past week. First home contests are wrestling on Tuesday 12/10 and basketball on Friday 12/13.
- Soccer finished the year 21-0 and state champs. 1<sup>st</sup> state soccer championship in school history.
- Volleyball finished 20-3 overall and 3<sup>rd</sup> in state.
- Cross Country boys finished 5<sup>th</sup> in state, Eli Cotton 9<sup>th</sup> overall.
- Football finished 10-2 overall and 3<sup>rd</sup> in state.
- Cheer did a great job of supporting all of our fall sports
- Our fall sports teams that keep records were 51-5 overall. Great job by our coaches and kids representing Freeman.

### **Areas of Focus**

- Assembly to recognize the soccer team as well as all our fall sports teams
- Fall coaches evaluations
- Greg Larson basketball tournament on 12/27 and 28. Wrestling tournament on 12/30
- Spring sports schedules and head tennis coach and JV softball jobs still to be filled
- Dinner/Auction fundraiser at CDA Casino on March 15<sup>th</sup>. Planning for the event has started and if you know of anyone interested in helping please contact me.

### **Enrollment**

- Boys Basketball 28
- Girls Basketball 20 w/ the 8<sup>th</sup> grade additions
- Wrestling 17
- Cheer 12

# Coversheet

## Mike Allen, K-8 TOSA/Athletic Director

**Section:** VI. Building Reports  
**Item:** E. Mike Allen, K-8 TOSA/Athletic Director  
**Purpose:**  
**Submitted by:**  
**Related Material:** Mike Allen, K-8 TOSA-Athletic Director.pdf



## Board Report Freeman School District

**Date:** December 11, 2024  
**Submitted by:** Mike Allen

### **Vision Statement**

Continuing Our Tradition of Excellence in Education

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### **Washington State Leadership Academy (WSLA) Goals**

- Learn successful change management strategies
- Grow collaboration and ownership
- Reimagine equitable learning systems
- Communicate well in crisis
- Exercise empathy, self-care and team building
- Engage students, staff and community
- Elevate learning opportunities and success for all

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### **Overview**

Work to improve programs and support our student athletes.  
Participate in partnership with the Greater Spokane County League (GSCL).

### **Areas of Focus**

FMS Volleyball will play their final match on 12/11.

Season Records -

FMS Wrestling competed at the GSCL All-League Tournament on 12/4. Crazy end TBD

Placers were Eli Gilbert 1st, Reed Brebner 3rd, Grayson Bake 1st, Gavin Collins 5th, Evan Schwartz 4th, Titus Cochran 1st, Chase Jacot 5th, Ian Shiva 2nd

### **Enrollment**

Boys Basketball currently 31 in Final Forms, season starts January 7th.

# Coversheet

## Kent Bevers, Nutrition Services Director

**Section:** VII. Department Reports  
**Item:** A. Kent Bevers, Nutrition Services Director  
**Purpose:**  
**Submitted by:**  
**Related Material:** Kent Bevers, Nutrition Services Director.pdf



Board Report  
Freeman School District

**Date:** December 11, 2024  
**Submitted by:** Kent Bevers

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**Overview**

*Freeman SD Nutrition Services supports the philosophy of the National School Lunch and Breakfast Programs and will provide wholesome and nutritious meals for children in the district's schools.*

**Areas of Focus**

- Continuing to prepare for audit at the end of Feb
  - a. OSPI will soon be asking for various documents in preparation for the audit
    - i. Free/Reduced Application records for this year
    - ii. Direct Certification records and documents
    - iii. Food labels & statements
    - iv. Production records, menu & recipe for the month of review
    - v. An agenda check list
      - 1. ...and more



# Coversheet

## Everett Combs - Transportation Supervisor

**Section:** VII. Department Reports  
**Item:** B. Everett Combs - Transportation Supervisor  
**Purpose:**  
**Submitted by:**  
**Related Material:** Everett Combs, Transportation Supervisor.pdf



## Board Report Freeman School District

**Date:** December 11, 2024  
**Submitted by:** Everett Combs  
**Transportation**

### Vision Statement

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### Mission Statement

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### Freeman 2025 Strategic Plan Pillars

- Curriculum, Instruction and Assessment
- School Safety, Culture and Environment
- Partnering with Parents and School/Community
- Fiscal and Legal Accountability

- Mileage for November:
  - To/From – 11,188 miles
  - Field Trips – 43 miles
  - Club Trips – 81 miles
  - Extra-Curricular Trips – 3,571 miles
  - Total – 14,883 miles**



- Students transported in November:
  - To/From daily riders – 12,106
  - 2<sup>nd</sup> PM Route – 286
  - Total – 12,106 students**

- We are currently operating:
 

○ Regular ED bus routes	12
○ SPED bus routes	2
○ After school 2 <sup>ND</sup> PM Routes	2
○ McKinney-Vento Route	1
<b>TOTAL ROUTES:</b>	<b>17</b>

- We are hosting our Transportation Christmas gathering/potluck here at the PRTC on Thursday the 19<sup>th</sup>. You are welcome to join us.

# Coversheet

## Kirk Lally, Maintenance/Grounds Director

**Section:** VII. Department Reports  
**Item:** C. Kirk Lally, Maintenance/Grounds Director  
**Purpose:**  
**Submitted by:**  
**Related Material:** Kirk Lally, Maintenance-Grounds Director.pdf



Board Report  
Freeman School District

**Date:** December 5, 2024

**Submitted by:** Kirk Lally

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**Freeman 2025 Strategic Plan Pillars**

- Curriculum, Instruction and Assessment
  - School Safety, Culture and Environment
  - Partnering with Parents and School/Community
  - Fiscal and Legal Accountability
- 

**Areas of Focus:**

- 1) Football concessions have been winterized for winter.
- 2) Winter equipment is ready when the weather hits.
- 3) Ice melt and sand have been delivered.

**Safety:**

- 1) Nothing to report at this time.

# Coversheet

Todd Reed, Technology Director

**Section:** VII. Department Reports  
**Item:** D. Todd Reed, Technology Director  
**Purpose:**  
**Submitted by:**  
**Related Material:** Todd Reed - Technology Director.pdf



# FSD TECHNOLOGY

## Board Report December 2024

### Vision Statement

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### Washington State Leadership Academy (WSLA) Goals

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- Grow collaboration and ownership
- Reimagine equitable learning systems
- Communicate well in crisis
- Exercise empathy, self-care and team building
- Engage students, staff and community
- Elevate learning opportunities and success for all

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### Areas of Focus

- We successfully set up the technology for the robotics competition in the middle school gym & k-8 MPR by ensuring seamless integration of power, networking, and audio-visual systems to support all event activities.
- We are continually refining the new website, addressing design and functionality to ensure it is fully optimized and ready for its early January launch

# Coversheet

## Jody Sweeney, Special Ed Director/School Psychologist

**Section:** VII. Department Reports  
**Item:** E. Jody Sweeney, Special Ed Director/School Psychologist  
**Purpose:**  
**Submitted by:**  
**Related Material:** Jody Sweeney, Special Ed Director-School Psychologist.pdf



## Board Report Freeman School District

**Date:** December 11, 2024

**Submitted by:** Jody Sweeney, Special Education

### **Vision Statement**

Continuing Our Tradition of Excellence in Education

### **Mission Statement**

The Freeman School District is the center of a unique, rural community. With pride, commitment and caring, we provide a safe environment for all students to experience meaningful, rigorous learning opportunities that allow them to dream and develop into capable, confident and ethical members of the 21st Century.

### **Freeman 2025 Strategic Plan Pillars**

- Curriculum, Instruction and Assessment
- School Safety, Culture and Environment
- Partnering with Parents and School/Community
- Fiscal and Legal Accountability

### **Overview**

\*Special Ed Director: Focused on Special Education processes, legal and team expectations. Communication and collaboration with Admin/Leadership Team and Special Ed Team. Initiating ELL & Highly Capable work within the district.

\*School Psychologist: Initial evaluations and reevaluations within Freeman School District – academic, cognitive, social/emotional, developmental, health, adaptive assessments within a legal timeline.

### **Areas of Focus**

1. Working with the Special Education Team and providing the support needed to complete nine initial evaluations (ages 3 & 4 prior to January) and seven initial evaluations K-8 elementary and middle school. We have numerous meetings prior to winter break.
2. Connecting with parents prior to the end of the semester and providing updates on progress. Collaborating to review data and to review interventions and specially designed instruction. Providing training, mentorship and support to complete the semester with success.



# Coversheet

## Partnering with Parents and School/Community

**Section:** VIII. Superintendent's Report  
**Item:** C. Partnering with Parents and School/Community  
**Purpose:**  
**Submitted by:**  
**Related Material:**  
FSD Board-Superintendent Expectations and Overarching Goals 2024-25.pdf



## **2024-25 Freeman SD School Board and Superintendent Expectations and Goals**

\*Continue developing relationships, building trust, setting clear expectations, and keeping communication lines open at all times which includes our “no surprises” approach.

\*Continue to develop a successful teaching and learning environment focused on social-emotional learning, cultural responsiveness, multi-tiered systems of support, and academic rigor.

\*Continue providing exceptional leadership in a changing environment and promote self-care for all staff members.

\*Celebrate our highlights and wins while reflecting on and leaning into the challenges our district is facing.

\*Continue our focus on “Kaizen” and developing “processes” for continuous improvement. Plan-Do-Assess/Reflect-Adjust.

\*Successfully educate stakeholders on the financial status of the school district while keeping a close eye on our financial position.

\*Establish clear expectations and support for our Administration, Leadership Team and School Board regarding the behavior towards and treatment of them while developing, growing, and mentoring our team.

# Coversheet

## Fiscal and Legal Accountability

**Section:** VIII. Superintendent's Report  
**Item:** D. Fiscal and Legal Accountability  
**Purpose:**  
**Submitted by:**  
**Related Material:** BP1630 - Evaluation of the Superintendent.pdf  
December Enrollment Graphs.pdf

### **EVALUATION OF THE SUPERINTENDENT**

The board shall establish evaluative criteria and shall be responsible for evaluating the performance of the superintendent as provided by statute.

The superintendent shall have the opportunity for confidential conferences with the board members on no less than three occasions in each school year, the purpose of which shall be the aiding of the superintendent in his/her performance. The board, on the basis of the evaluation, may renew and/or extend the superintendent's contract for periods not to exceed three years.

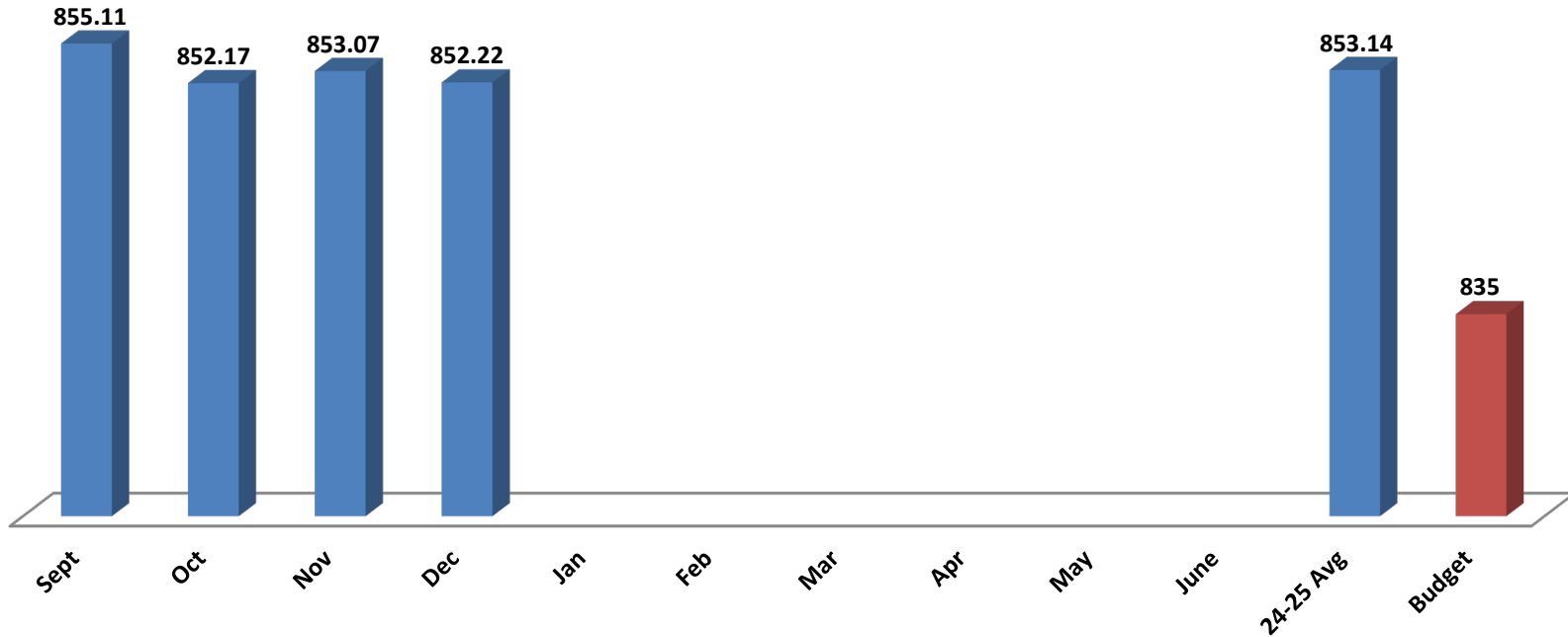
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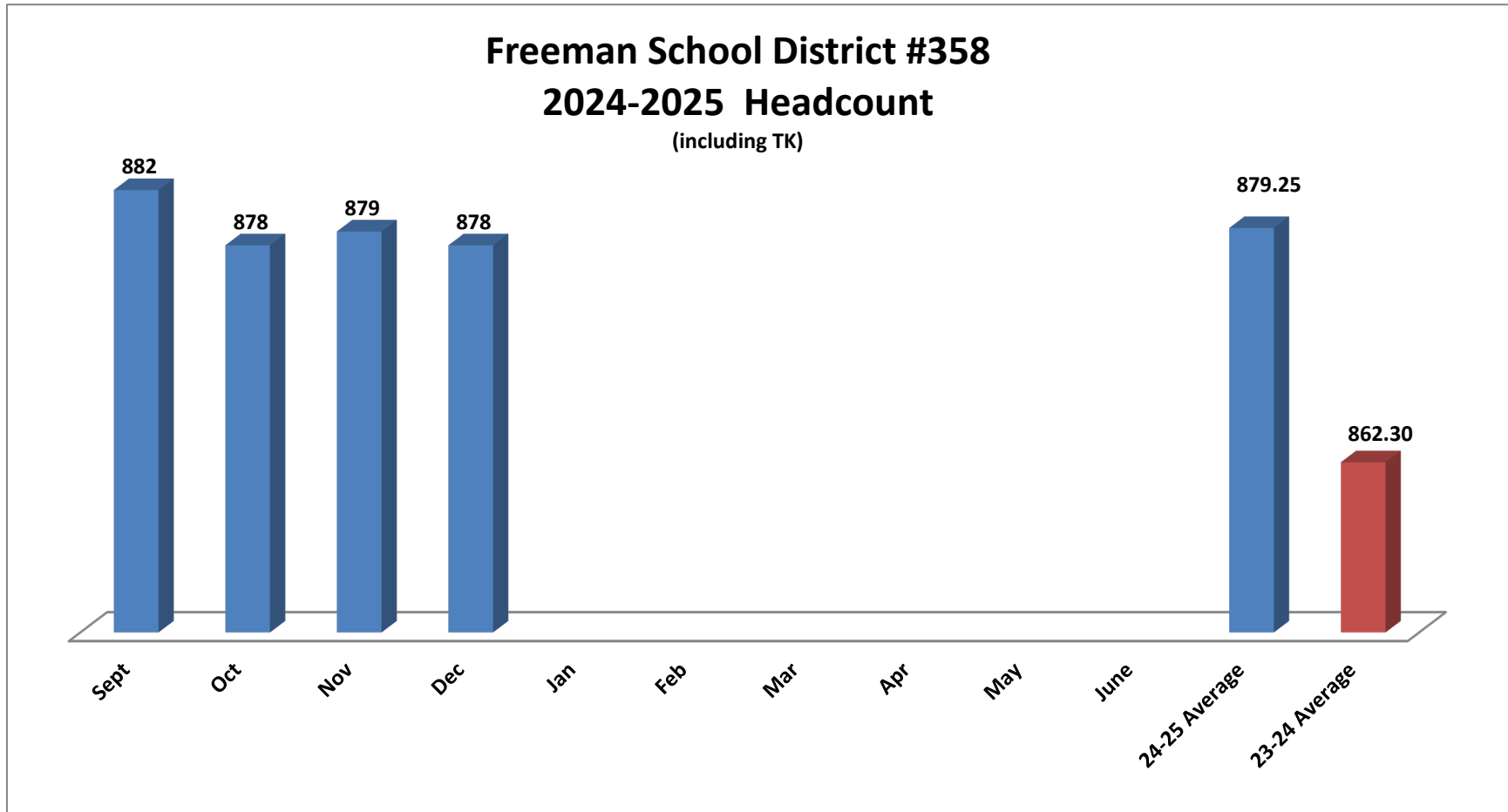
**Legal References:**

RCW 28A.405.100 Minimum criteria for the evaluation of certificated employees, including administrators--Procedure-- Scope--Penalty

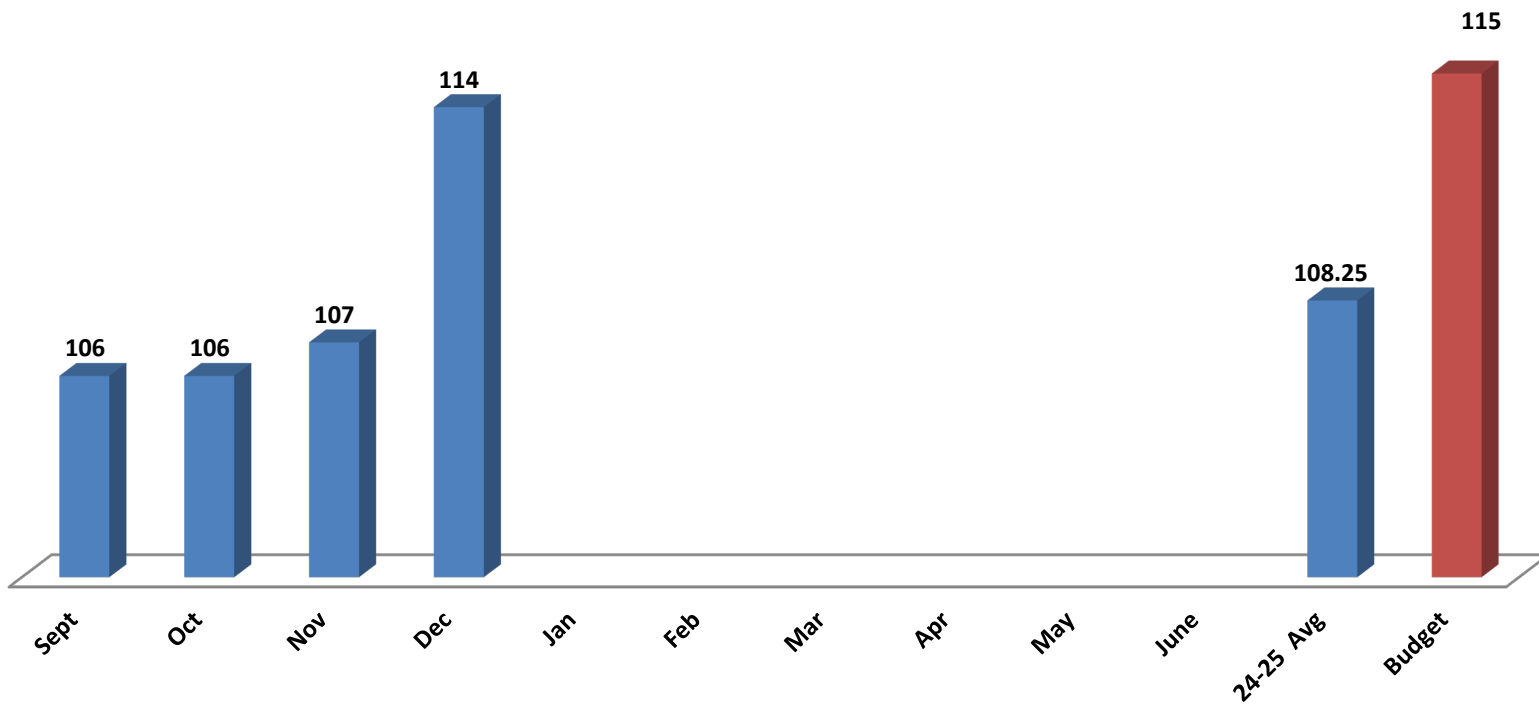
Adoption Date: 1/14/99

### Freeman School District #358 2024-2025 Enrollment by FTE (including TK)





### Freeman School District #358 2024-2025 Special Education Enrollment



# Coversheet

## Approval of Board Policy & Procedure No. 2125 - 2nd Reading

**Section:** XI. Unfinished Business  
**Item:** A. Approval of Board Policy & Procedure No. 2125 - 2nd Reading  
**Purpose:**  
**Submitted by:**  
**Related Material:** BP2125 - Sexual Health Education.pdf  
PR2125 - Sexual Health Education.pdf



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**SEXUAL HEALTH EDUCATION**

The Freeman Board of Directors has determined that all students be provided instruction in comprehensive sexual health education, consistent with state law.

In grades K-3 instruction will be social and emotional learning that is consistent with the social and emotional standards and benchmarks adopted by the Office of Superintendent of Public Instruction (OSPI).

Comprehensive sexual health education instruction provided by the district to students in grades 4-12 will be medically and scientifically accurate, age appropriate, and inclusive of students regardless of their protected class status under Chapter 49.60 RCW. Abstinence will not be taught to the exclusion of other instruction on contraceptives and disease prevention. The district's comprehensive sexual health education program will be consistent with the Guidelines for Sexual Health Information and Disease Prevention developed by the Department of Health and the Office of Superintendent of Public Instruction, the Health Education K-12 Learning Standards adopted by OSPI, and other provisions of RCW 28A.300.475.

Instructional materials will be chosen from a list provided by OSPI or will be identified or developed by the district and reviewed using comprehensive sexual health education curriculum analysis tools provided by OSPI.

The superintendent will provide parents/guardians an opportunity to review the materials to be used, including or providing electronic access, will provide information on excluding their child from sexual health education instruction, and will grant all such requests.

The superintendent or their designee will annually identify to OSPI any curricula used to provide comprehensive sexual health education and how the provided classroom instruction aligns with legislative requirements.

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**Cross Reference:**

Board Policy 2020 Course Design, Selection and Adoption of  
Instructional Materials  
Board Policy 2126 HIV-AIDS Prevention Education

**Legal References:**

RCW 28A.300.475 Comprehensive sexual health education  
RCW 28A.600.480(2) Reporting of harassment, intimidation, or bullying—  
Retaliation prohibited - Immunity  
WAC 392-410-140 Sexual health Education –Definition—Optional course  
or subject matter—Excusal of students

**FREEMAN SCHOOL DISTRICT NO. 358**

**Policy No. 2125  
Instruction**

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Management Resources:

2021 – February Issue

2009 – February Issue

*Policy News*, August 2007 Sex Education Curriculum and Instruction

Adoption Date: February 13, 2008

Revision Date: Dec. 11, 2024

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## **COMPREHENSIVE SEXUAL HEALTH EDUCATION**

All instruction and materials for the district's comprehensive sexual health education program, will meet the following criteria:

- A. Medically and scientifically accurate;
- B. Age appropriate;
- C. Inclusive of all students regardless of their protected class status;
- D. Consistent with the [Health Education K-12 Learning Standards](#) adopted by the Office of Superintendent of Public Instruction (OSPI);
- E. Consistent with the [Guidelines for Sexual Health Information and Disease Prevention](#);

In grades K-3 instruction will be in social and emotional learning, provided at least once, that is consistent with the social and emotional standards and benchmarks adopted by OSPI.

Comprehensive sexual health education will be provided at least once in grades 4-5, at least twice in grades 6-8, at least twice in grades 9-12, and will include information about:

- The physiological, psychological, and sociological developmental processes experienced by an individual;
- Abstinence and other methods of preventing unintended pregnancy and sexually transmitted diseases; abstinence may not be taught to the exclusion of other materials and instruction on contraceptives and disease prevention;
- Health care and prevention resources;
- The development of intrapersonal and interpersonal skills to communicate, respectfully and effectively, to reduce health risks and choose healthy behaviors and relationships based on mutual respect and affection, and free from violence, coercion, and intimidation;
- The development of meaningful relationships and avoidance of exploitative relationships;
- Understanding the influences of family, peers, community and the media throughout life on healthy sexual relationships;
- Affirmative consent and recognizing and responding safely and effectively when violence or a risk of violence is or may be present, with strategies that include bystander training.

### **Definitions**

The district's program will provide comprehensive sexual health education as defined by RCW 28A.300.475.

#### **A. Comprehensive Sexual health education:**

RCW 28A.300.475 defines comprehensive sexual health education as recurring instruction in human development and reproduction that is:

1. Medically and scientifically accurate;
2. Age-appropriate;

**FREEMAN SCHOOL DISTRICT NO. 358****Procedure No. 2125P  
Instruction**

3. Inclusive of all students, regardless of their protected class status; and
  4. Uses language and strategies that recognize all members of protected classes under Chapter 49.60 RCW
- B. Comprehensive sexual health education for students in grades K-3 is defined as:** Instruction in social-emotional learning that is consistent with learning standards and benchmarks adopted by the office of the superintendent of public instruction under RCW 28A.300.478.
- C. Affirmative consent is defined as: A conscious and voluntary agreement to engage in sexual activity as a requirement before sexual activity.**
- D. Medically and scientifically accurate:**  
RCW 28A.300.475 defines medically and scientifically accurate as information that is verified or supported by research in compliance with scientific methods, is published in peer review journals, where appropriate, and is recognized as accurate and objective by professional organizations and agencies with expertise in the field of sexual health including but not limited to, the American College of Obstetricians and Gynecologists, the Washington State Department of Health (DOH) and the Federal Centers for Disease Control and Prevention.
- E. 2005 Guidelines for Sexual Health Information and Disease Prevention:**  
This publication, prepared by the DOH and the Office of Superintendent of Public Instruction (OSPI), provides the fundamental framework for establishing a medically and scientifically accurate comprehensive sexual health education program for students. A copy of the [Guidelines for Sexual Health Information and Disease Prevention](#) is located on the DOH and OSPI Web sites.

**Adoption of a Sexual Health Education Program**

School districts will involve parents and community groups in the planning, development, evaluation and revision of any instruction in comprehensive sexual health education offered as a part of the school program.

The district must ensure that all instructional materials are medically and scientifically accurate. The DOH is available to provide technical assistance in determining medical and scientific accuracy. When choosing curriculum, district staff may examine the list of materials reviewed for medical and scientific accuracy that are located on the [OSPI website](#) at [www.k12.wa.us](http://www.k12.wa.us).

In determining curriculum, the district staff are encouraged to review OSPI's list of sexual health education curricula that were reviewed for their alignment with the guidelines, standards and other state requirements. Although the list is not exhaustive, the list is updated regularly and is posted on the OSPI website at [www.k12.wa.us](http://www.k12.wa.us). If the district chooses or develops a curriculum that is not from OSPI's list, the district must conduct a review of the selected or developed curriculum using the comprehensive sexual health curriculum analysis tools provided by OSPI. Ultimately, the district's comprehensive sexual health education program will ensure that in the K-12 life of a child, the comprehensive

## **FREEMAN SCHOOL DISTRICT NO. 358**

## **Procedure No. 2125P Instruction**

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sexual health education program is consistent with the [2005 Guidelines for Sexual Health Information and Disease Prevention](#), the [Health Education K-12 Learning Standards](#) and the provisions of [RCW 28A.300.475](#).

For technical assistance, staff may contact the Sexual Health Education Program supervisor at OSPI.

### **Guest Speakers**

Guest speakers may deliver comprehensive sexual health education as long as they and all instruction materials used are consistent with state law.

### **Parental/Guardian Notification Process**

At least one month prior to teaching a program in sexual health education, each school will provide written notice to parents/guardians of the planned instruction.

### **Parent/Guardian Material Review Process**

At least one month prior to providing instruction in sexual health education, the district will notify parents that all instructional materials are available to parents/guardians for inspection. The notice must include, or provide a means for electronic access to, all course materials, by grade, that will be used at the school during the instruction. The opportunity for inspection will be provided at a time and place convenient for parent/guardian participation such as evenings or weekends.

### **Excluding Student from a Program/Opt-Out**

A parent/guardian who wishes to have a student excused from planned instruction in comprehensive sexual health education must file a written request with the board of directors or its designee, at least (*insert here the number of days*) days prior to the planned instruction. The district will make the appropriate opt-out form available and will grant all such requests. Excused students will be provided with appropriate alternative educational opportunities. Sample notification and opt out letters are available from OSPI.

### **Identification of Curricula Used**

The district will annually identify to OSPI, using OSPI's reporting tool, any curricula used to provide comprehensive sexual health education and how the provided classroom instruction aligns with requirements of RCW 28A.300.475.

Adoption Date: December 11, 2024

# Coversheet

## Approval of Board Policy & Procedure No. 3205 - 2nd Reading

**Section:** XI. Unfinished Business  
**Item:** B. Approval of Board Policy & Procedure No. 3205 - 2nd Reading

**Purpose:**  
**Submitted by:**

**Related Material:**

BP3205 - Sex Discrimination and Sex-Based Harassment of Students Prohibited.pdf

PR3205.1 - Sex Discrimination and Sex-Based Harassment of Students Prohibited-Grievance Procedure.pdf

PR3205.2 - Sex Discrimination and Sex-Based Harassment of Students Prohibited-Implementation Procedure.pdf

## SEX DISCRIMINATION AND SEX-BASED HARASSMENT OF STUDENTS PROHIBITED

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

The district has jurisdiction over complaints of sex discrimination, including sex-based harassment, pursuant to the Federal law Title IX of the Education Amendments of 1972 (Title IX) and Washington State laws, including Chapter 28A.640 RCW and Chapter 392-190 WAC.

This policy is developed to meet the district's obligations under Title IX and aligned with Washington State laws and regulations that define sex discrimination. Sex discrimination that does not fall under this policy may be addressed under other district policies and procedures.

The district prohibits sex discrimination of students by other students, employees, or third parties involved in school district activities. The district also prohibits sex discrimination in the policies, procedures, and practices of the district's program and activities, including but not limited to counseling and guidance services, recreational and athletics activities, and access to course offerings.

For purposes of this policy, "sex discrimination" includes discrimination on the basis of sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, gender identity, and gender expression. Sex-based harassment is a form of sex discrimination and is prohibited by this policy.

### Definitions

"Sex-based harassment" means sexual harassment and other harassment on the basis of sex stereotypes, sex characteristics, sexual orientation, gender identity, gender expression, pregnancy or related conditions, and marital status.

The term "sexual harassment" includes the following, which Title IX defines at 34 C.F.R. § 106.2:

- "Quid pro quo harassment,"
- "Hostile environment harassment," and
- Specific offenses of sexual assault, dating violence, domestic violence, or stalking

The term "sexual harassment" is also prohibited under state law as defined at WAC 392-190-056 and includes unwelcome sexual advances, requests for sexual favors,

**FREEMAN SCHOOL DISTRICT NO.358****Policy No. 3205  
Students**

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sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature between two or more individuals if:

- (a) Submission to that conduct or communication is condition of obtaining an education or
- (b) a factor in decisions affecting that individual's education; or
- (c) the conduct or communication has the purpose or effect of substantially interfering with an individual's educational performance or of creating an intimidating, hostile, or offensive educational environment.

Harassment based on sexual orientation, gender expression, or gender identity is also prohibited under Washington state law.

For the purpose of these definitions, sex-based harassment may include conduct or communication that involves adult to student, student to adult, student to student, adult to adult, male to female, female to male, male to male, and female to female.

The district will address all sex-based harassment in its program and activities, even when some conduct alleged to be contributing to a hostile environment occurs outside of its program or activities.

The district has also developed other specific, related policies for students to comply with its obligations under State and Federal laws, including nondiscrimination (Policy 3210), pregnant and parenting students (Policy 3206), gender-inclusive schools (Policy 3211), district employees (Policy 5011), and pregnant and parenting staff (5012) to comply with its obligations under State and Federal laws, including Title IX, and to create inclusive and welcoming school-communities.

**Investigation and Response**

The Superintendent will develop and implement procedures for receiving, investigating, and resolving complaints or reports of sex discrimination and will include reasonable and prompt timelines and delineate roles and responsibilities for such. The procedure can be found at 3205P.1.

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



**FREEMAN SCHOOL DISTRICT NO.358****Policy No. 3205  
Students**

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

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

**Retaliation and False Allegations**

It is a violation of this policy to engage in retaliation, as defined under Federal and State laws and the Superintendent's procedure, including retaliation by a student against another student, and will result in appropriate discipline. The district will take appropriate actions to protect involved persons from retaliation.

It is a violation of this policy to knowingly report false allegations of sexual harassment. Persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline as discussed in the Superintendent's procedure. However, no party, witness, or others participating in the district's grievance process will be disciplined based solely on a determination of whether sex discrimination occurred under the Superintendent's procedure.

**Staff Responsibilities and Training**

The superintendent will develop and implement a procedure that identifies the roles, responsibilities, and training requirements of the Title IX Coordinator and other district employees.

The Superintendent will also develop materials to provide age-appropriate information and education to district staff, students, parents, and volunteers regarding this policy and the recognition and prevention of sex-based harassment. The procedures can be found at 3205P.2.

**District Notice**

At a minimum, the district's website will include a statement that the district prohibits sex discrimination and sex-based harassment in any education program or activity that it operates, as required by Title IX and other laws, and employment. It will also state that questions about Title IX, how to locate the district's policy and grievance procedure, and how to report sex discrimination or make a complaint may be directed to the District's

**FREEMAN SCHOOL DISTRICT NO.358**

**Policy No. 3205  
Students**

Title IX Coordinator. The Title IX Coordinator’s contact information will also be provided, including their name or title, office address, email address, and telephone number.

This policy and the procedure, which includes the complaint process, will be conspicuously posted in each district building in a place accessible to staff, students, parents, volunteers, and visitors. Information about the policy and procedure will be clearly stated and posted throughout each school building, provided to each employee, and reproduced in each student, staff, volunteer, and parent handbook. Such notices will identify the district’s Title IX coordinator and provide contact information, including the coordinator’s email address.

Additionally, sex-based harassment recognition and prevention and the elements of this policy will be included in staff, student, and regular volunteer orientations.

**Policy Review**

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

**Cross References:**

- 3207 - Prohibition of Harassment, Intimidation and Bullying
- 3210 - Nondiscrimination
- 3211 - Gender-Inclusive Schools
- 3241 - Student Discipline
- 5010 - Nondiscrimination and Affirmative Action
- 5011 - Sexual Harassment of District Staff Prohibited

**Legal References:**

- 20 U.S.C. 1681-1688
- 34 C.F.R. § 106
- WAC 392-190-058 Sexual harassment
- RCW 28A.640.020 Regulations, guidelines to eliminate discrimination —  
Scope — Sexual harassment policies

**Management Resources:**

- 2024 – August Issue
- 2020 – August Issue
- 2019 - March Issue
- 2015 - July Policy Alert
- 2014 - December Issue
- 2010 - October Issue

Adoption Date: 9/8/16

Revision Date: 8/22/19; 10/2020; Dec. 11, 2024

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## SEX DISCRIMINATION AND SEX-BASED HARASSMENT OF STUDENTS PROHIBITED – GRIEVANCE PROCEDURE

The district is committed to providing an educational environment that is free from sex discrimination, sex-based harassment, and retaliation for engaging in any protected activity as required by Federal and State laws for all students.

The district has jurisdiction over these complaints pursuant to the Federal law Title IX of the Education Amendments of 1972 (Title IX) and Washington State laws, including Chapter 28A.640 RCW and Chapter 392-190 WAC.

This procedure sets forth the district's process for receiving, investigating, and resolving reports or complaints of sex discrimination. It is designed to provide for a prompt, thorough, and equitable investigation of complaints and to take appropriate steps to resolve such situations. If sex discrimination is found to have occurred, the district must also take immediate action to eliminate the discrimination, prevent its reoccurrence, and address its effects.

Under Washington State law, anyone may file a complaint with the district alleging any action that Federal, State, or local sex-based nondiscrimination laws and regulations would prohibit. However, the grievance procedure below was developed to meet the district's obligations under Title IX and is aligned with Washington State laws and regulations that define sex discrimination, including those that prohibit sex-based harassment. As discussed in Section III.B, the district will assess complaints under this procedure and may refer them to other district policies and procedures.

For questions about this procedure, contact the District's Title IX Coordinator, who can be reached at: Randy Russell, PhD., Superintendent, 15001 S Jackson Rd, Rockford, WA 99030, 509-291-3695.

### I. General Definitions

**"Complainant,"** as defined by Federal law, Title IX, means a student, employee, or other person who was participating or attempting to participate in a District education program or activity who is alleged to have been subjected to sex discrimination.

In some instances, the person who files a complaint may not be the student, employee, or other person who was alleged to have been subjected to sex discrimination. In those cases, the person who filed the complaint is referred to as the "Complaint Requestor," and the student, employee, or person subjected to the alleged sex discrimination is referred to as "the Complainant" in documents related to the complaint.

**"Complaint"** means an oral or written request to the district that can be objectively understood as a request the district investigate and determine whether alleged sex discrimination occurred.

**"Party" or "Parties"** means a Complainant(s) or Respondent(s).

**"Prohibited Conduct"** means legally prohibited sex discrimination and harassment.

Specific prohibited conduct is defined in Section VI below.

**“Remedies”** means appropriate measures provided after the district determines that sex discrimination occurred to restore or preserve a Complainant or any other person’s equal access to the recipient’s education program or activity.

**“Respondent”** means a person who is alleged to have violated the district’s prohibition of sex discrimination and can be a student, employee, or other third party. (If the complaint is not against an individual or group of individuals but is based solely on a policy or practice of the district, it will be considered a complaint of sex discrimination against the district. Parts of this procedure that apply to a “Respondent” will not apply, but all other parts of the procedure will be applied.)

**“Student with a disability”** means a student who is an individual with a disability as defined in Section 504 of the Rehabilitation Act of 1973 (Section 504) or a child with a disability as defined in the Individuals with Disabilities Education Act (IDEA).

**“Written notice”** means written or electronic notice in a language the party can understand, which may require language assistance for parties with limited English proficiency in accordance with Title VI of the Civil Rights Act. The term parties include the parent(s)/guardian(s) of any minor student.

## II. Responding to Notice or Report of Sex Discrimination

Upon receipt of notice, reports, or knowledge about alleged sex discrimination, including sex-based harassment, the district will take steps, as necessary, to address information that is reported to it by others to the extent that it is feasible to do so while maintaining the confidentiality of the affected student or employee.

The district is on notice and required to take action when any employee knows, or in the exercise of reasonable care should know, about possible sex discrimination. This includes verbal or written reports made to any employee, including anonymous complaints.

Upon notice of possible sex discrimination, employees will always notify the Title IX Coordinator.<sup>1</sup> Additionally, employees will also inform an appropriate supervisor or professional staff member when they receive complaints of sex-based harassment, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

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<sup>1</sup> NOTE ON CONFIDENTIAL EMPLOYEES: Under the 2024 Title IX regulations, Recipients are allowed to designate “Confidential employees” to receive information about conduct that may constitute sex discrimination under Title IX and not notify the Title IX Coordinator. See 34 CFR § 106.2 and 106.44. WSSDA’s model policy and procedure does not include a provision for Confidential Employees due to the broad range of staff and other professionals who are mandatory reporters of child abuse in WA state, the potential for confusion about when the confidential employee is acting in that role versus another in the district, and inadvertent harm or liability. Districts that want to include a provision on confidential employee as a way to reduce barriers to reporting are encouraged to discuss this option under the Title IX regulations with their counsel.

The district will make every effort to protect Parties' privacy. However, in the event of an alleged sexual assault of a minor (under age 18) student or employee, the school principal will immediately inform law enforcement consistent with mandatory reporting requirements at RCW 26.44.

In the event of an alleged sexual assault, the school principal will also immediately notify the student, parent or guardian, or employee of their right to file a criminal complaint with law enforcement and a sex-based harassment complaint with the district. With the consent of the student or employee or when there is a legal requirement to do so, the principal may also help them contact law enforcement.

### **III. Supportive Measures, Notice of Applicable Policy/Procedure and Other Considerations**

Once the Title IX Coordinator has been notified of possible sex discrimination, the Title IX Coordinator (or a designee) will promptly contact the affected student or employee to:

- discuss the availability of supportive measures and consider their wishes with respect to supportive measures;
- explain the district's procedure and resolution options, including the informal resolution process if appropriate; and
- provide a copy of the applicable District policy and procedure, including the district's grievance procedure.

#### **A. Supportive Measures**

[Decisions about supportive measures need to be made by someone trained on Title IX/supportive measures and documented. Additionally, parties now have a right to have decisions about supportive measures reviewed by an impartial employee who is also trained and has higher authority than the person who determined supportive measures. However, the process required is not as formal as appeals. Therefore, to ensure appropriate training and compliance, it is recommended that the district designate an Administrator(s) who will be responsible for supportive measures and designate a Supportive Measure Review Administrator (SMRA) who has authority over that person. The Administrator can be a counselor, behavior interventional specialist, assistant principal, principal or the Title IX Coordinator. The SMRA can be the Principal, the Title IX Coordinator, or the Superintendent so long as whoever serves as the SMRA is trained and has higher authority.]

Upon notice of allegations of sex discrimination, a district administrator will offer and coordinate supportive measures as appropriate for the Complainant and Respondent.

At the time that supportive measures are offered, if a complaint has not been filed, the district will provide written notice that the Complainant may file a complaint with the district at any time. The administrator will work with a party to ensure that their wishes are considered with respect to any planned and implemented supportive measures.

If a Complainant does not want to file a complaint or engage in informal resolution options, a reported concern may be resolved by offering and, upon request, providing

supportive measures (only). The administrator will document any supportive measures provided, and provide that information to the Title IX Coordinator.

### **1. Providing Supportive Measures**

Supportive measures are designed to protect the safety of the parties or the district's educational environment. They also provide support during the informal resolution process and grievance process. They are designed to restore or preserve access to the district's education program or activity. They are offered without fee or charge to the Parties, and must not unreasonably burden either party.

Supportive measures cannot be imposed against a Respondent for punitive or disciplinary reasons.

Supportive measures are available to both parties and may vary depending on what is reasonably available, but may include:

- A request that an administrator address allegations by meeting with the Respondent(s) (with or without the Complainant) to discuss concerning behavior, school policies, and expectations. Such a conversation must be non-disciplinary, non-punitive, and Respondent(s) cannot be required to attend such meetings, nor are they required to provide any information if they attend. If it takes place, the conversation will be documented.
- An opportunity for a Complainant student or employee, upon request and voluntarily, to meet with an Administrator and an alleged harasser to explain to the alleged harasser that their conduct is unwelcome, offensive, or inappropriate, either in writing or face-to-face;
- A written statement from a Complainant student or employee to an alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;
- A general public statement from an administrator in a building reviewing the district's sex-based harassment policy without identifying the Complainant;
- Developing a safety plan; adjustments;
- Mutual restrictions on contact between the parties;
- Increased security and monitoring of certain areas of the campus or school building;
- Providing employee and/or student training;
- Remote or alternative learning environments for students or leaves of absence for employees;
- Counseling or a referral to the Employee Assistance Program;
- Changes in class or extracurricular or any other activity;
- Modifications of work or class schedules, including extensions of deadlines and other course-related either there is or is not a comparable alternative; and
- Training and education programs related to sex discrimination or harassment.

If either party is a student with a disability, the Title IX Coordinator may consult, as appropriate, with an individual or office designated to provide support to students with disabilities about how to comply with Section 504 or the IDEA in the implementation of supportive measures.

For allegations other than sex-based harassment or retaliation, the district is not required to alter the alleged discriminatory conduct for the purpose of providing a supportive measure.

## **2. Privacy and Supportive Measures**

To ensure the parties' privacy, the district must not disclose supportive measures to anyone other than the people to whom they apply about the supportive measures, including the other party.

Except, the district may disclose some information to carry out the purposes of supportive measures, including to address conduct that reasonably may constitute sex discrimination. For example, the district may need to tell specific staff, the other party, or a third party of a supportive measure to implement or document it. But the district may not need to disclose why the supportive measure is being provided.

The following are other exceptions that may apply:

- (1) A person with the legal right to consent to the disclosure provides written consent.
- (2) The information is disclosed to a parent, guardian, or other authorized legal representative of the person at issue.
- (3) As required by laws, regulations, or to comply with State or Federal grant awards or other funding agreement.
- (4) When required by Federal, State or local law, including FERPA, and those laws do not conflict with Title IX.

Application of State laws may prohibit disclosure even where permissible under those exceptions. As stated in [WSSDA Model Policy 3230 - Searches of Students and Student Privacy or modified as accurate for your district], Washington State law provides that at certain ages, students attain the right to decide for themselves what records will remain confidential, even from their parents, and what activities the student will participate in.

Additionally, as stated in [WSSDA Model Procedure 3211P or modified as accurate for your district], information about a student's gender identity, legal name, or assigned sex at birth may constitute confidential medical or educational information. Disclosing this information to others may violate privacy laws. To ensure the safety and well-being of the student, school employees should not disclose a student's transgender or gender-expansive status to others, including other school personnel, other students, or the parents of other students, unless the school is (1) legally required to do so or (2) the student has authorized such disclosure.

## **3. District Modification or Termination of Supportive Measures**

As appropriate, the district may modify or terminate supportive measures at the conclusion of an informal resolution or investigation process, or the district may continue them beyond that point.

## **4. Opportunity for Modification or Reversal of Supportive Measures**

The district must also provide a party with the opportunity to seek additional modification or termination of a supportive measure applicable to them if circumstances change

materially.

If either party wants to modify or reverse the district's decision to provide, deny, modify, or terminate supportive measures applicable to them, they may request an opportunity for modification or reversal from [District needs to designate an impartial employee(s) other than the employee who made the challenged supportive measure decision and must have the authority to modify or reverse the decision. Identify the Supportive Measure Review Administrator here.]

## **B. Title IX Coordinator Determinations and Explanation of Applicable Policies**

### **1. Who Can File Under this Procedure**

For complaints of sex-based harassment, these people also have the right to file complaints under this procedure:

- a person who meets the definition of "Complainant" above,
- a parent, guardian, or other authorized legal representative of the Complainant,
- or the Title IX Coordinator

For other forms of sex discrimination that are not sex-based harassment, the following people have the right to make a complaint under this procedure:

- a person who meets the definition of "Complainant" above,
- a parent, guardian, or other authorized legal representative of the Complainant,
- the Title IX Coordinator,
- any student or employee, or
- any other person participating or attempting to participate in a district education program or activity at the time of the alleged sex discrimination.

If an individual wishes to file a sex-based discrimination complaint, but does not fit this definition, they should use the process for students at [WSSDA model Procedure 3210P or equivalent] or the process for employees or applicants at [WSSDA model Procedure 5010P].

If a person filed a complaint of sex-based harassment but does not have the right to make that type of complaint, the Title IX Coordinator or designee will inform the person, in writing, that the district cannot proceed with an investigation. The notice will also state that the district will treat the complaint as a report of sex-based harassment and take steps, as necessary, to address the information to the extent that it is feasible to do so while maintaining the confidentiality of the affected student or district employee.

### **2. Determining What Procedure Applies**

The Title IX Coordinator or a designee will determine what procedure applies. If the sex discrimination alleged occurred prior to August 1, 2024, and is not ongoing, the Title IX Coordinator will inform the affected student or district employee of the policies and procedures in effect at the time of the alleged discriminatory act or conduct and proceed accordingly under those.



If the alleged sex-based discriminatory act or conduct occurred on or after August 1, 2024, this procedure will apply.

When ongoing sex-based harassment is alleged, the district will consider the totality of circumstances and, therefore, will look at all incidents of alleged harassment and apply the policy that was in place on the date of the latest incident of harassment.

If more than one discriminatory event is alleged or other types of discrimination are alleged, the district will consider each alleged discriminatory act and may apply different policies to each event or may apply a single policy provided it is the policy that provides the highest level of due process.

### **C. Other Considerations**

#### **1. Students with Disabilities**

If either party is a student with a disability, the Title IX Coordinator or a designee will consult with one or more members, as appropriate, of the student's Section 504 or Individualized Education Program (I.E.P.) team to determine how to comply with Section 504 and IDEA requirements throughout the implementation of this grievance procedures.

#### **2. Discipline Prohibit Until Determination**

A Respondent who is accused of sex discrimination under Title IX is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. The district may not impose any disciplinary sanctions or other actions that are not supportive measures against the Respondent until the district has determined that the Respondent was responsible for the sex discrimination at the conclusion of the grievance process.

#### **3. Emergency Removals for Alleged Sex-Based Harassment under Title IX**

The district may remove a student Respondent from school on an emergency basis consistent with WSSDA Model Policy and Procedure 3241 – Student Discipline modified as accurate for your district and the associated student discipline regulations for emergency expulsion *provided* that the district:

- (1) undertakes an individualized safety and risk analysis,
- (2) determines that an imminent and serious threat to the health or safety of a Complainant or any students, employees, or other persons arising from the allegations of sex discrimination justifies removal, and
- (3) provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

Such removal does not modify any rights of students under the Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, or the Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq. The district may also place an employee Respondent on administrative leave from employment responsibilities during the grievance process. Such leave does not modify

any rights under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, or the Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq.

**IV. [Informal Resolution is not Required,<sup>2</sup> but based on the 2024 regulations, these are WSSDA's Recommended Processes if a District chooses to offer it,]**

If a report or notice provided to the district alleges sex discrimination by an individual or group of individuals, the parties may elect to participate in an informal resolution process with a district designee trained on impartiality and the district's informal resolution processes.

The purpose of informal resolution is to provide the parties with an opportunity to resolve the allegations and reach a mutually acceptable resolution without an investigation and determination of responsibility under Section V.G below.

It is not necessary to pursue informal resolution before filing a complaint and requesting an investigation under Section V below.

Either party may request informal resolution at any time, including after a complaint has been filed but before a complaint determination is issued under Section V.G below.

The informal resolution process is at the discretion of the district's Title IX Coordinator or a designee.<sup>3</sup> However, as required by Federal law, the district does not allow informal resolution for allegations that an employee engaged in sex-based harassment of a district student.

The process requires the parties' voluntary, written consent. Before beginning the informal resolution process the parties must receive notice that explains:

- (1) the allegations,
- (2) the requirements for the process,
- (3) the right to withdraw from the process and to start or continue the grievance process (described in Section V) any time prior to reaching agreement,
- (4) if a resolution agreement is reached the parties will be prevented from start or continuing the grievance process of the same allegations,
- (5) potential terms that can be requested or offered, include but are not limited to restrictions on contact or participation in programs, activities, attendance at specific events,
- (6) notice that any agreement is only binding on the parties, and

<sup>2</sup> *Note to Drafter:* The 2024 regulatory amendments do not require a recipient to offer an informal resolution process, nor do they require a formal complaint before can be offered (as required by the 2020 Title IX regulations). But, if offered, informal resolution must comply with certain regulatory requirements that are set forth at 34 CFR 106.44(k) and require that the person facilitating informal resolutions be trained on impartiality and informal resolution processes. The OCR model procedures are silent with respect to confidentiality or privilege, but Districts may want to consider addressing these issues and has suggested language in footnote 3.

<sup>3</sup> It is recommended that the District designate someone who hold the discretion and ensures the requirements are met.

- (7) what information will be kept and how the district could disclose information in grievance procedures if that process is resumed.<sup>4</sup>

### **A. Accepted Responsibility by the Respondent**

The Respondent may accept responsibility for any or all of the allegations at any point during the involuntary resolution process. If the Respondent indicates an intent to accept responsibility for **all** allegations that violate district policy, the ongoing investigation process will be paused, and the Title IX Coordinator will determine whether informal resolution is an option.

If informal resolution is available, an Informal Resolution Facilitator will determine whether all parties and the district are able to agree, in writing, on responsibility, restrictions, sanctions, restorative measures, and/or remedies.

This informal resolution is not subject to appeal once all parties indicate their written agreement to all resolution terms.

When a signed, written resolution agreement is reached, the Superintendent will accept a finding that the Respondent is in violation of the district's policy and accept agreed-upon restrictions and remedies. The appropriate sanction(s) or responsive actions will be promptly implemented by the Title IX Coordinator and appropriate administrators to effectively stop the discrimination or harassment, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

When the parties or the district cannot agree on all terms of accepted responsibility by the Respondent, the parties can attempt informal resolution between the parties or proceed with a complaint.

### **B. Informal Resolution Between the Parties**

The purpose of informal resolution between the parties is to provide the parties an opportunity to reach a mutually acceptable resolution without an agreed upon finding of responsibility or an investigation and determination of responsibility under Section V.G below.

The parties will have forty-five days to engage in the informal resolution process, unless there is a good cause for extension.

If a complaint was filed, the Title IX Coordinator has discretion to determine if an investigation will be paused, limited, or continued during the informal resolution process.

<sup>4</sup> This language is optional and offered for consideration in this provision:

The parties may agree, as a condition of engaging in informal resolution, that if informal resolution is not successful that any statements made, notes taken, or evidence shared during the informal resolution process will be kept confidential to the extent agreed to by the parties. However, any statements and evidence obtained by an investigator or decisionmaker outside the informal resolution process will not be shielded from admissibility in the determination process. However, the following will not be confidential or privileged and may be disclosed as necessary or required by law:

- Any resulting written resolution agreement signed by the parties;
- Threats of violence or plans to commit or conceal a crime; and
- Unreported child abuse under mandatory reporting requirements.

If the parties agree to a resolution at the conclusion of the informal resolution process, they will not be able to initiate or resume a complaint under Section V.B. concerning the same allegations.

If either party withdraws from the informal resolution process or the process has not concluded within forty-five calendar days without a good cause extension, then the Informal Resolution Facilitator or Title IX Coordinator will end the informal resolution process.

When the informal resolution process ends without a resolution agreement between the parties:

- If no complaint was filed, the Title IX Coordinator will provide written notice to the parties and remind the Complainant of the right to file a complaint.
- If a complaint was filed and the Complainant has not withdrawn the entire complaint in writing, the Title IX Coordinator will provide the parties with written notice that the complaint, in whole or part, will be investigated and a determination issued under Section V.G of this procedure.

### **C. Mediation with the District for Complaints of General Discrimination**

The district may not require the waiver of the right to an investigation and adjudication of a complaint of sex discrimination as a condition of enrollment, employment, or enjoyment of any other right, nor may the district require the parties to participate in an informal resolution process.

If the complaint does not have an individual Respondent because it concerns a policy or practice of the district, at any time during the complaint procedure, the district may, at its own expense, offer mediation. The Complainant and the District may agree to extend the complaint process deadlines to pursue mediation.

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

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

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

If the parties reach an agreement through mediation, they may execute a legally binding agreement that sets forth the resolution and states that all discussions, including both verbal statements and any written notes or documents, that occurred during the course of

mediation will remain confidential and privileged and may not be used as evidence in any subsequent complaint, due process hearing, or civil proceeding. However, the following will not be considered privileged and may be disclosed as necessary or required by law, such as:

- Any resulting written agreement signed by all the parties;
- Threats of violence or plans to commit or conceal a crime;
- Unreported child abuse that falls under mandatory reporting requirements; and
- Other exceptions to privilege are spelled out in Washington's Uniform Mediation Act at RCW 7.07.050.

The agreement must be signed by the Complainant and a district representative who has the authority to bind the district.

## **V. Grievance/Complaint Procedure**

### **A. Basic Requirements of the District's Sex discrimination Grievance Procedures**

#### **1. Equitable Treatment and No Conflicts of Interest or Bias**

The district will treat Complainants and Respondents equitably.

The district presumes that the Respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.

The district requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. A decisionmaker may be the same person as the Title IX Coordinator or investigator.

#### **2. Extension of Timeframes**

The district's process allows for the reasonable extension of timeframes on a case-by-case basis when agreed to by the Complainant or if exceptional circumstances related to the complaint investigation require an extension of the time limit.

#### **3. Privacy and Personally Identifiable Information**

The district will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to:

- obtain and present evidence, including by speaking to witnesses;
- consulting with their family members or confidential resources such as medical providers, therapists, sexual assault resource centers, or others; or
- otherwise preparing for or participating in the grievance procedures.

As stated in [WSSDA Model Policy 3230 - Searches of Students and Student Privacy or your equivalent], Washington State law provides that at certain ages, students attain the right to decide for themselves what records will remain confidential, even from their parents, and what activities the student will participate in.

The district must not disclose personally identifiable information (PII) obtained while complying with this procedure except in the following circumstances:

- (1) To carry out the purposes of the district's obligations under this procedure, including to investigate and take other actions to address conduct that reasonably may constitute sex discrimination in a district education program or activity;
- (2) When the district has obtained prior written consent from a person with the legal right to consent to the disclosure;
- (3) When the information is disclosed to a parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose PII is at issue;
- (4) As required by State or Federal law, regulations, or the terms and conditions of a State or Federal award, including a grant award or other funding agreement; or
- (5) To the extent such disclosures are not otherwise in conflict with State or Federal laws, when required by State or local law, such as when there is reasonable cause to believe that a child has suffered sexual abuse (RCW 26.44.030), or when permitted under FERPA, 20 U.S.C. 1232g, or its implementing regulations, 34 C.F.R. part 99.

#### **4. Prohibition of Retaliation**

Retaliation is prohibited from the district, a student, or an employee or other person authorized by the district to provide any aid, benefit, or service under the district's education program or activity. Retaliation includes student-to-student retaliation.

#### **5. Credibility Determinations**

Credibility determinations will not be based on a person's status as a Complainant, Respondent, or witness.

#### **6. Relevant Evidence**

The district will objectively evaluate all evidence that is relevant and not otherwise impermissible—including both inculpatory and exculpatory evidence. "Relevant" means related to the allegations of sex discrimination under investigation as part of these grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.

#### **7. Impermissible Evidence**

The following types of evidence and questions seeking that evidence are impermissible (i.e., will not be accessed or considered, except by the district to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- Evidence that is protected under a privilege recognized by Federal or State law, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness unless the district obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and

- Evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct or is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the Complainant and Respondent does not by itself demonstrate or imply the Complainant's consent to the alleged sex-based harassment or preclude a determination that sex-based harassment occurred.

### **B. Grievance/Complaint Process when a Complaint is Received**

If the district receives a complaint under this procedure, the Title IX Coordinator will ensure the complaint is evaluated and, if appropriate, investigated.

If the Title IX Coordinator has a conflict of interest, they will delegate their authority to participate in this process as necessary to avoid any potential conflicts of interest.

Upon receipt of a complaint, if they have not already been offered, the Title IX Coordinator will offer supportive measures to both parties. If necessary, the Title IX Coordinator may gather additional information from the Complainant to understand the parties involved, the conduct allegedly constituting sex discrimination, and the date and location of the alleged incident(s), if known.

### **C. Dismissal of a Complaint**

[The district will need to designate a dismissal decisionmaker and an appeal decisionmaker for dismissals.]<sup>5</sup>

The district may dismiss a complaint of sex discrimination if the district determines:

- The district is unable to identify the Respondent after taking reasonable steps to do so.
- The Respondent is not participating in the district's education program or activity and is not employed by the district.
- The Complainant provided voluntary, written notice that they want to withdraw any or all of the allegations in the complaint, the Title IX Coordinator declines to open a complaint, and any allegations that were not withdrawn (if any), even if proven, would not constitute sex discrimination under Title IX.
- The district determines that the conduct alleged in the complaint, even if proven, would not constitute sex discrimination. Before dismissing such a complaint, the district will make reasonable efforts to clarify the allegations with the Complainant.
- The district determines that the complaint lacks sufficient detail to objectively understand what sex-based discriminatory acts are alleged, and when and where

<sup>5</sup> Dismissal of a complaint is addressed at 34 CFR 106.45(d). It is recommended for ease, clarity, and to minimize needed training that that districts handle (1) dismissals and grievance determinations and (2) appeals decisions for dismissals and grievance determinations similarly. However, it is up to recipient who will hear the dismissal appeal and what process is used, so long as the appeal decision-maker has authority greater than the dismissal decision-maker. If the dismissal decision-maker is the Title IX Coordinator, the dismissal appeal can go to the Superintendent/designee, unless the Superintendent is serving as the investigator/decisionmaker and has already started an investigation. In such instances, the appeals should go to the board or a board designee.

they occurred. Before dismissing the complaint for lack of sufficient detail, the district will provide the Complainant with notice, in writing, of what information is needed and that the district may dismiss the complaint if the information is not received within ten (10) calendar days. Such a dismissal will not prevent the Complainant from filing other complaints in the future.

Upon dismissal, the district will promptly notify the Complainant of the basis for the dismissal in writing. If the dismissal occurs after the Respondent has been notified of the allegations, then the district will also simultaneously notify the Respondent of the dismissal and the basis for the dismissal.

The district will provide the Complainant with notice of the opportunity to appeal the dismissal of a complaint within ten (10) calendar days of the dismissal decision by submitting a written notice of appeal to:

[The district will need to identify a dismissal appeal decisionmaker and include their contact information here.]

The dismissal notice will also specify that the dismissal may be appealed based on the following:

- procedural irregularity that would change the outcome,
- new evidence that would change the outcome and that was not reasonably available when the dismissal was made, and/or
- the Title IX Coordinator or decisionmaker had a conflict of interest or bias for or against either party that would change the outcome.

When a complaint is dismissed, the district will, at a minimum:

- offer supportive measures to the Complainant as appropriate
- offer supportive measures to the Respondent, as appropriate, if the Respondent was notified of the allegations and
- take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the district's education program or activity.

Dismissal does not preclude action under another district policy or procedure.

#### **D. Dismissal Appeal Process**

If the dismissal is appealed, the district will use the Level Two Appeal as described in Section V.H for the appeal of the dismissal [or describe another appeal process and decisionmaker.]

The district will notify the parties of any dismissal appeal, including notice of the allegations if notice was not previously provided to the Respondent.

- Implement appeal procedures equally for the parties;
- Ensure that the decisionmaker for the appeal (1) has been trained consistent with the Title IX regulations and (2) did not take part in any investigation of the allegations or the dismissal of the complaint;



- Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties of the result of the appeal and the rationale for the result.

#### **E. Notice of Allegations:**

The district will acknowledge receipt of the formal complaint by providing the following written notice to the parties:

- A copy of the district's sex discrimination complaint procedure and, if appropriate, any informal resolution process available.
- Notice of the allegations of sex discrimination available at the time of the notice with sufficient information to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s), if known.
- A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of the evidence and, upon request, an equal opportunity to access such evidence.
- Notice that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility for alleged sex discrimination is made at the conclusion of the investigation process.
- Notice of the district's prohibition of retaliation and any provision in student conduct policies and procedures that prohibit false statements or submitting false information.

The district may consolidate complaints of sex discrimination against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against another party when the allegations of sex discrimination arise out of the same facts or circumstances. However, the district will not consolidate complaints if consolidation violates the Family Educational Rights and Privacy Act (FERPA) and the District has not obtained prior written consent from the parents or eligible students to the disclosure of their education records. This determination will be made on a case-by-case basis.

If, in the course of an investigation, the district decides to investigate additional allegations of sex discrimination by the Respondent toward the Complainant that are not included in the notice provided or that are included in a complaint that is consolidated, the district will notify the parties of the additional allegations.

#### **F. Investigation:**

The district will provide for adequate, reliable, and impartial investigation of a complaint. The investigator must be trained, impartial, and without a conflict of interest or bias for or against either party.

##### **1. Time for Investigation**

A decision based on a prompt, thorough, and effective investigation will be issued within 30 days of the complaint, unless the parties agree or there are exceptional circumstances

related to the complaint that warrant an extension. In the event an extension is needed, the district will provide written notice to the parties of the reason for the extension and the anticipated response date within the following thirty days (and for every thirty days after that) until a decision is issued.

## 2. Standard of Proof

The district adopts preponderance of the evidence as the standard of proof it will use in reaching decisions regarding complaints. [The rule around clear and convincing evidence has changed with the 2024 regulations. If you have a C.B.A. that requires this standard for employee complaints, please seek more guidance on this provision.] The burden is on the district—not on the parties—to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred.

## 3. Investigation Requirements

Once an investigation is started, the Title IX Coordinator will appoint an Investigator(s) to conduct it. The Investigators may be any properly trained Investigator. The district's investigator can be the Title IX Coordinator, another investigator, the District's Superintendent, or someone hired by the district.

The investigation of a sex discrimination complaint must:

- Include a prompt and thorough investigation into the allegations in the complaint.
- Ensure that the district bears the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility.
- Provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that is relevant and not otherwise impermissible.
- Review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.
- Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- Provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible. This process is described below.
- Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by a parent, guardian, legal representative, or other adult of their choice.

The district may not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting or assisting in their professional capacity and made and maintained in connection with the provision of treatment to the party unless the district obtains the party's voluntary, written consent to do so.

#### 4. Witness' and Parties' Rights

Student Complainants, Respondents, and witnesses, and witnesses from outside the district's community cannot be required to participate in investigation or resolution processes but are encouraged to cooperate with the district's investigations and to share what they know about a Complaint.

Staff (not including Complainant and Respondent) are required to cooperate with and participate in the district's investigation and resolution process.<sup>6</sup> If an employee represented by a union reasonably concludes that discipline could result from information provided during an interview, the employee shall be entitled to union representation during the interview. If the employee reasonably determines during the interview that discipline could result, the interview shall be suspended until representation is available.

#### 5. Review of Evidence Prior to Determination

At least ten (10) days prior to a determination regarding responsibility, the district shall provide the parties with a report that provides equal written notice as to the findings of the investigation<sup>7</sup> and provides a fair summary of any relevant evidence that is directly related to the allegations raised in the complaint and obtained as part of the investigation. The notice shall inform the parties that:

- The report findings will be provided to the decisionmaker
- They are being given an accurate description of the evidence and, upon request, they have an equal opportunity to inspect and review relevant and not otherwise impermissible evidence.
- They have ten (10) days from receipt of the notice to review the description of the evidence, request to review the evidence, and submit a written response for the decisionmaker to consider prior to making a decision.
- Both parties are being given an equal opportunity to ask specific, relevant questions about the evidence or identify areas where they believe further investigation is necessary.
- Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant unless they are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant or unless they concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

If the parties request to inspect and review the relevant evidence, the district will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures.

Disclosures of information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized. However, the district may redact information if it has not received voluntary, written consent to disclose

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<sup>6</sup> Title IX permits recipients to require employee involvement. But District's should review their CBAs to be sure this provision does not conflict with any of them.

<sup>7</sup> The 2024 regulations require that there be an equal opportunity to review evidence but do not explicitly state that a report must be provided in advance of the decision. However, this is a recommended practice.

information that is privileged or was made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional made in connection with the provision of treatment to the party.

### **G. Level One – Superintendent’s Response and Decision**

At the conclusion of the investigation and within thirty (30) calendar days of receipt of the complaint, the Superintendent or a designee must issue a written determination of responsibility regarding the alleged sex discrimination.

Prior to issuing a decision, the District’s Superintendent or designee will objectively review all evidence gathered in the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

If the investigator was not the District’s Superintendent or designee, nothing in this procedure prohibits them from making findings or recommending any decision or remedies. However, the District’s Superintendent or designee will not be bound by the recommendations and is responsible for the determination of responsibility and remedies, if any. The District’s Superintendent or designee may also question parties and witnesses to adequately assess a party’s or witness’s credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination prior to issuing their determination.

The decision will be issued within 30 days unless otherwise agreed to by the Complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will provide written notice to the parties and the anticipated response date.

#### **1. Determination of Whether Sex Discrimination Occurred**

After an investigation and evaluation of all relevant and not otherwise impermissible evidence, the District decisionmaker will use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. The standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that sex discrimination occurred.

The Superintendent must issue written notice to the parties at the same time. The written notice must include:

- Identification of the allegations potentially constituting sex discrimination under Title IX regulations;
- Findings supporting the determination;
- An application of the district’s policy prohibiting sex discrimination to the facts and a statement of conclusion as to whether a preponderance of the evidence substantiated that the Complainant was subjected to sex discrimination;
- If sex discrimination was substantiated, then the decision must also include a

determination regarding responsibility, any disciplinary or other sanctions imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the Complainant; and the corrective measures the district deems necessary, including assurance that the district will take steps to prevent recurrence and remedy its effects on the Complainant and others, if appropriate; and

- Notice of the parties' right to appeal to the school board and the necessary filing information.

At the time the district responds to the parties, the district must send a copy of the response to the Office of the Superintendent of Public Instruction (OSPI).

Any corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the Superintendent mailed a written decision unless a student is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.

Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy.

## 2. Disciplinary Sanctions and Remedies

Following a determination that sex-based harassment occurred, the district may impose disciplinary sanctions. "Disciplinary sanctions" means consequences imposed on a Respondent following a determination under these grievance procedures that the Respondent violated the recipient's prohibition on sex discrimination. Disciplinary sanctions against students will be in accordance with 3241/3241P – Student Discipline. Disciplinary sanctions against employees will be in accordance with 5281 – Disciplinary Action or Discharge. Modify as accurate for your district.

The district may also provide remedies. "Remedies" means measures provided, as appropriate, to a Complainant or any other person the district identifies as having had their equal access to the recipient's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the recipient's education program or activity after a recipient determines that sex discrimination occurred.

Remedies may include but are not limited to:

- A continuation of supportive measures
- Referrals to counseling, health services, or the Employee Assistance Program
- Course and registration adjustments, such as retroactive withdrawals or changes in schedules
- Education to the individual and/or the community
- Permanent or temporary alteration of work arrangements for employees
- Provision of school safety escorts
- Climate surveys

- Policy modification and/or training
- Implementation of long-term contact limitations between the Parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

#### **H. Level Two – Appeal to the Board of Directors<sup>8</sup>**

If a Complainant or Respondent(s) disagrees with the Superintendent's or designee's written decision, the disagreeing party may appeal the decision to the district's board of directors or a board designee by filing a written notice of appeal with the secretary of the board within ten (10) calendar days following the date upon which the Complainant received the response.

##### **1. Notice of Appeal and Hearing**

If the complaint involves a named Respondent, the district will implement appeal procedures equally for both parties and provide written notice to the other party when an appeal is filed.

The board shall schedule a hearing to commence by the twentieth (20th) calendar day following the filing of the written notice of appeal unless otherwise agreed to by the Complainant and the Superintendent or for good cause.

##### **2. Appeal Decisionmaker**

The board's appeal must be heard by an individual or group of individuals who are impartial and do not have any conflicts or bias for any of the parties. The appeal hearing officer/decisionmaker for the appeal must also be trained consistent with the requirements of Title IX, a Federal law, for appeal decisionmakers of sex discrimination.

The board may delegate its authority for the hearing/decision-making to an individual or group. However, the board cannot delegate its authority to the Superintendent or anyone under the Superintendent's authority. The board will also ensure that the appeal hearing officer/decisionmaker for the appeal is not an employee of the district, nor the same decisionmaker who reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator. An appeal hearing officer/decisionmaker for the appeal is not considered an employee of the district solely because they receive payment to serve as the appeal hearing officer/decisionmaker for the appeal.

##### **3. The Appeal/Hearing Process**

All parties will be allowed a reasonable, equal opportunity to present such witnesses and

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<sup>8</sup> Per Title IX, 34 CFR 106.45(i) Appeals. In addition to an appeal of a dismissal consistent with paragraph (d)(3) of this section, a recipient must offer the parties an appeal process that, at a minimum, is the same as it offers in all other comparable proceedings, if any, including proceedings relating to other discrimination complaints. Therefore, this is aligned with the appeal process of WSSDA Model Policy 3210. If your policy 3210 differs from the WSSDA model policy, you may use your 3210-appeal process. However, OSPI's position is that while the Superintendent can delegate their decision-making authority, the person is nonetheless acting in the Superintendent's place. Thus, an appeal has to be made by an authority above the Superintendent, i.e. the School Board who can delegate its authority to a board appeal officer or whoever they choose.

testimony as the board or its designee deems relevant and material in support of or challenging the outcome of the initial determination.

Unless otherwise agreed to by the appellant(s), the board or its designee will render a written decision within thirty (30) calendar days following the filing of the notice of appeal and provide the Complainant with a copy of the decision. The decision of the board will be provided in a language the Complainant can understand, which may require language assistance for Complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act.

The decision will include notice of the Complainant's right to appeal to the Superintendent of Public Instruction and will identify where and to whom the appeal must be filed. The district will send a copy of the appeal decision to the office of the Superintendent of public instruction.

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

If the Complainant or Respondent disagrees with the decision of the board of directors, or if the district fails to comply with this procedure, the Complainant may file a complaint with the Superintendent of Public Instruction.

A complaint must be received by the Superintendent of Public Instruction on or before the twentieth (20) calendar day following the date upon which the Complainant received written notice of the board of directors' decision unless the Superintendent of Public Instruction grants an extension for good cause complaints may be submitted by mail, fax, electronic mail, or hand delivery.

A complaint must be in writing and include:

- 1) A description of the specific acts, conditions, or circumstances alleged to violate applicable anti-discrimination laws;
- 2) The name and contact information, including address, of the Complainant;
- 3) The name and address of the District subject to the complaint;
- 4) A copy of the district's complaint and appeal decision, if any; and
- 5) A proposed resolution of the complaint or relief requested.

If the allegations regard a specific student, the complaint must also include the name and address of the student or, in the case of a homeless child or youth, contact information.

Upon receipt of a complaint, the Office of the Superintendent of Public Instruction may open an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the Superintendent or board. Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with RCW 28A.642.010 or Chapter 392-190, W.A.C. and will issue a written decision to the Complainant and the District that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and

documentation the district must provide to demonstrate that corrective action has been completed.

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

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

#### **J. Level Four - Administrative Hearing**

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

#### **VI. Definitions of Prohibited Conduct**

The sections below describe the specific forms of legally prohibited sex discrimination, sex-based harassment, and retaliation that are also prohibited under District Policy. Speech or conduct protected by the First Amendment will not be considered a violation of the District's Policy, though supportive measures will be offered to those impacted.

All offense definitions below encompass actual and/or attempted offenses.

**“Consent,”** as defined in this policy, must be affirmative and consistent with RCW 28A.300.475, “affirmative consent means a conscious and voluntary agreement to engage in sexual activity as a requirement before sexual activity.”

**“Sex discrimination”** means discriminatory different treatment with respect to a person's employment or participation in a District education program or activity based on sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. There are three types of sex discrimination, which are defined below: (A) different (or disparate) treatment, (B) disparate impact, d (C) sex-based harassment

#### **A. “Different (or disparate) treatment discrimination” means any intentional differential treatment of a person or persons that is based on a person's actual or perceived sex and that:**

- Excludes a person from participation in;
- Denies a person benefits of; or
- Otherwise adversely affects a term or condition of a person's participation in a Recipient program or activity



**B. “Disparate Impact Discrimination” means policies or practices that appear to be neutral unintentionally result in a disproportionate impact on the basis of sex that:**

- Excludes a person from participation in;
- Denies a person benefits of; or
- Otherwise adversely affects a term or condition of a person’s participation in a Recipient program or activity.

**C. “Sex-based harassment” is a form of sex discrimination and means**

- sexual harassment and other harassment
  - on the basis of sex, including on the basis of
    - sex stereotypes,
    - sex characteristics,
    - pregnancy or related conditions,
    - sexual orientation, and
    - gender identity.

There are different types of sex harassment, including “quid pro quo harassment,” “hostile environment harassment,” and certain specific sexual offenses defined further below.

**4. “Quid pro quo harassment”**

- An employee, agent, or other person authorized by the district
- to provide an aid, benefit, or service under the district’s education program or activity
- explicitly or impliedly conditioning the provision of such an aid, benefit, or service
- on a person’s participation in unwelcome sexual conduct.

**5. “Hostile environment harassment,” which is defined as**

- “Unwelcome sex-based conduct that,
- based on the totality of the circumstances,
- is subjectively and objectively offensive and
- is so severe or pervasive
- that it limits or denies a person’s ability to participate in or benefit from the recipient’s education program or activity (i.e., creates a hostile environment).”

Because students and employees can experience the continuing effects of off-campus harassment in the educational setting, the district will consider the effects of off-campus conduct when evaluating whether there is a hostile environment on campus. Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

- (1) The degree to which the conduct affected the Complainant’s ability to access the recipient’s education program or activity;
- (2) The type, frequency, and duration of the conduct;

- (3) The parties' ages, roles within the recipient's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
- (4) The location of the conduct and the context in which the conduct occurred; and
- (5) Other sex-based harassment in the recipient's education program or activity.

**6. "Sexual assault" means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. This includes:**

**a. Rape:**

- Penetration by the Respondent, no matter how slight,
- of the vagina or anus,
- with any body part or object, or
- oral penetration by a sex organ of the Respondent,
- without the consent of the Complainant.

**b. Fondling:**

- The touching of the private body parts of the Complainant (buttocks, groin, breasts) by the Respondent,
- for the purpose of sexual gratification,
- without the consent of the Complainant,
- including instances where the Complainant is incapable of giving consent because of their age or because of a temporary or permanent mental or physical incapacity.

**c. Sodomy**

- Oral or anal penetration,
- Of the Complainant by the Respondent
- without the consent of the Complainant,
- including instances where the Complainant is incapable of giving consent
  - because of their age or
  - because of their temporary or permanent mental or physical incapacity

**d. Sexual Assault with an Object**

- Respondent's use of an object or instrument
- to unlawfully penetrate, however slightly, the genital or anal opening
- of the body of the Complainant,
- without the consent of the Complainant,
- including instances where the Complainant is incapable of giving consent
  - because of their age or

- because of their temporary or permanent mental or physical incapacity
- e. Statutory Rape:**
- Sexual intercourse,
  - with a person who is under the statutory age of consent
    - A person who is under age 16 OR
  - A person under the age of 18 (16 or 17) if the other person is more than 5 years (60 months) older than them
- f. Incest:**
- Sexual intercourse,
  - between persons who are related to each other,
  - within the degrees wherein marriage is prohibited by Washington State law.
- 7. “Dating violence” means violence committed by a person:**
- Who is or has been in a social relationship of a romantic or intimate nature with the victim and
  - Where the existence of such a relationship shall be determined based on a consideration of the following factors: (1) the length of the relationship, (2) the type of relationship, and (3) the frequency of interaction between the persons involved in the relationship.
- 8. “Domestic violence” means felony or misdemeanor crimes committed by a person who:**
- Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the district, or a person similarly situated to a spouse of the victim;
  - Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
  - Shares a child in common with the victim; or
  - Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.
- 9. “Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:**
- Fear for the person’s safety or the safety of others; or
  - Suffer substantial emotional distress.

Under State law, sex-based harassment may also be:

- acts of sexual violence
- unwelcome sexual or gender-directed conduct or communication that interferes with an individual’s educational performance or creates an intimidating, hostile, or offensive environment;

- unwelcome sexual advances;
- unwelcome requests for sexual favors;
- sexual demands when submission is a stated or implied condition of obtaining an educational benefit;
- sexual demands where submission or rejection is a factor in an academic or other school-related decision affecting an individual.

**D. “Retaliation” means intimidation, threats, coercion, or discrimination**

- against any person
- for the purpose of interfering with any right or privilege secured by Title IX or this procedure or
- because the person
  - reported information, made a complaint, was a witness or
  - provided information, assisted, or participated or
  - refused to participate in any manner
- in an investigation or appeal under Title IX or this process.

**VII. Other Complaint Options**

*Office for Civil Rights (O.C.R.), U.S. Department of Education*

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

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

*Washington State Human Rights Commission (WSHRC)*

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

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

For Complaints involving employee-on-employee conduct:

[Equal Employment Opportunity Commission \(EEOC\)](#)

[Seattle Field Office](#)

Federal Office Building

909 First Avenue, Suite 400

Seattle, WA 98104-1061

Phone [1-800-669-4000](tel:1-800-669-4000)

Fax [206-220-6911](tel:206-220-6911)

TTY [1-800-669-6820](tel:1-800-669-6820)

ASL Video Phone [844-234-5122](tel:844-234-5122)

Adoption Date: December 11, 2024

## **SEX DISCRIMINATION AND SEX-BASED HARASSMENT OF STUDENTS PROHIBITED – IMPLEMENTATION PROCEDURE**

The procedure is intended to set forth the implementation requirements of Policy 3205 and Policy 5011 to specify the district's obligations with respect to establishing an educational and work environment that does not tolerate sex discrimination, including sex-based harassment.

“Sex discrimination” means discrimination on the basis of sex, sex stereotypes, sex characteristics, sexual orientation, gender identity, gender expression, pregnancy, or related conditions. Sex-based harassment is a form of sex discrimination.

The district prohibits sex discrimination, including sex-based harassment, of students by other students, employees, or third parties involved in school district activities.

The district also prohibits sex discrimination in the policies, procedures, and practices of the district's program and activities, including but not limited to counseling and guidance services, recreational and athletics activities, and access to course offerings.

### **I. District Notice and Information**

#### Publication of Notices

Information about the policy and procedure will be clearly stated and:

- conspicuously posted on the district's website.
- conspicuously posted throughout each school building,
- provided to each employee, and
- reproduced in each student, staff, volunteer, and parent handbook.

Such notices will:

- Include a statement that the recipient does not discriminate on the basis of sex and prohibits sex discrimination and sex-based harassment in any education program or activity that it operates, as required by the State and Federal law Title IX, including employment;
- State that inquiries about the application of Title IX may be referred to the district's Title IX Coordinator, the Office for Civil Rights, or both;
- Identify the district's Title IX coordinator and provide contact information, including their name or title, office address, email address, and telephone number;
- How to locate the district's sex discrimination policy and grievance procedures;
- How to report information about conduct that may constitute sex discrimination; and
- How to make a complaint of sex discrimination.

If necessary, due to the format or size of any publication, the district may instead include in those publications a statement that the district prohibits sex discrimination, including sex-based harassment, in any education program or activity that it operates. It will also state that individuals may report concerns or questions to the Title IX Coordinator, and provide the location of the notice described above on the district's website.

In addition, copies of this policy and procedure, including the policies relating to employees, will be posted on the district website and in each district building in a place accessible to staff, students, parents, volunteers, and visitors.

At a minimum, sex discrimination, including sex-based harassment, recognition and prevention, and the elements of this policy will be included in staff, student, and regular volunteer orientation.

Information about the district's sex discrimination and sex-based harassment policy will be easily understandable and conspicuously posted throughout each school building, provided to each employee, and reproduced in each staff, volunteer and parent handbook.

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

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

- Pressuring a person for sexual favors
- Writing graffiti of a sexual nature on school property
- Distributing or displaying sexually explicit texts, emails or pictures
- Making unwelcome, offensive or inappropriate sexual comments, gestures, or jokes
- Making unwelcome comments about someone based on their sex, appearance, sexual orientation or gender identity or expression
- Unwelcome touching of a sexual nature or stalking a person
- Physical violence, including rape, sexual assault, dating violence, and domestic violence

## **II. The Title IX Team**

For the purposes of this section, the Title IX Team refers to the Title IX Coordinator, investigators, decisionmakers, appeal decisionmakers, informal resolution facilitators, and people with the authority to modify or terminate supportive measures.

- **Roles of Members of the Title IX Team<sup>1</sup>**

Any individual designated with any of the following roles must not have a conflict of interest or bias for or against any of the parties:

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<sup>1</sup> It does not need to be specified in the policy, but the district needs to determine who will fulfill these roles and ensure that they receive the necessary training. The District should also identify who will assume any of the team members' roles should any of them have a conflict of interest or bias.

**The Title IX Coordinator** is the person authorized by the Superintendent to coordinate the district's federal state and sex discrimination and sex-based harassment regulation compliance efforts.<sup>2</sup>

The district's Title IX Coordinator can be reached at:

Randy Russell, PhD., Superintendent  
15001 S Jackson Rd, Rockford, WA 99030  
509-291-3695  
[rrussell@freemansd.org](mailto:rrussell@freemansd.org)

**Person with authority to modify or terminate supportive measures** is an impartial employee and someone other than the employee who made the challenged supportive measure decision. They have the authority to modify or reverse a decision to provide, deny, modify, or terminate any supportive measure upon request of a party. Their decision will be based on a determination that the initial supportive measure decision the supportive measure was inconsistent with the definition of supportive measures under Title IX at 34 CFR 106.2.

**An informal resolution facilitator** is a person who has received the training provided to all employees. They must also be trained on the rules and practices associated with the district's informal resolution process(es) and on how to serve impartially, including avoiding conflicts of interest and bias. Any district designee for the informal resolution process cannot be the complaint investigator, decision-maker, or appeal decision-maker. Such designee must not have a conflict of interest or bias for or against either of the parties. However, a district designee for the informal process will not be considered biased solely because they are an employee of the district or are paid to serve as a facilitator in an informal resolution process.

**An investigator** is a person who is impartial and has been trained to investigate compliance with the district's sex discrimination grievance process as described in Procedure 3205P.2. The investigator can be the same person who serves as the Title IX Coordinator or the Decisionmaker of the sex discrimination complaint.<sup>3</sup>

**The decisionmaker** is the Superintendent or a designee that reaches the final determination of responsibility for alleged Title IX sex discrimination, including sex-based harassment, will be the Superintendent or their designee. The decisionmaker can be the same person who serves as the Title IX Coordinator or the investigator of the sex discrimination complaint.

**The appeal decisionmaker** will be a member of the School Board or a School Board designee and cannot be the Superintendent or an employee of the district.

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<sup>2</sup> The district may delegate some of the Title IX Coordinator's responsibilities to others, such as for provision of supportive measures, informal resolution, investigations, etc. But, there should be only one Title IX Coordinator.

<sup>3</sup> This is a difference from the 2020 regulations. Under the 2024 regulations the Title IX Coordinator, investigator, and decisionmaker can be the same person within the district. But, it is not the recommended practice due to the many other duties of the Title IX Coordinator.

- **Training for the Title IX Team**

All investigators, decisionmakers, employees with authority to modify or terminate supportive measures, and other employees responsible for implementing the recipient's grievance procedures must be trained on the following topics to the extent related to their responsibilities:

- The definition of sex-based harassment under Title IX and state law;
- The scope of the district's education program or activity;
- How to conduct an investigation, the grievance process, and the informal resolution process;
- How to serve impartially;
- Their responsibilities under chapter WAC 392-190 WAC; and
- How to raise awareness of and eliminate bias based on sex, race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal.

Investigators must also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

The decisionmaker and appeal decisionmaker must also receive training on issues of relevance of questions and evidence, including the requirement that questions and evidence about a Complainant's sexual predisposition or prior sexual conduct are not relevant unless 1) such questions and evidence are offered to prove that someone other than the Respondent committed the alleged conduct or 2) questions and evidence concerning specific incidents of the Complainant's prior sexual behavior with respect to the Respondent is offered to prove consent.

Appeal decisionmakers must also receive training on any technology to be used during in-person or virtual hearings.

In addition to training requirements for all employees described above, the Title IX Coordinator and any designees under the Title IX Coordinator must be trained on:

- the responsibilities of the Title IX Coordinator,
- specific responsibilities for ensuring equal opportunity to pregnant and parenting students,
- the provision of supportive measures,
- the district's recordkeeping requirements, and
- any other training necessary to coordinate the recipient's compliance with Title IX.

### **III. Compliance Responsibilities**

The Title IX Coordinator's name, title, office address, telephone number, and email address must be available on the district website; in handbooks/catalogs that are made available to staff, students, and parents; and in the district's nondiscrimination statement.

The Title IX Coordinator will inform the district community, including people who report sex discrimination, of the district's responsibilities under Policy 3205 and related policies and procedures. These include policies for pregnant and parenting students (Policy 3206),



gender-inclusive schools (Policy 3211), and district employees (Policy 5210) to comply with its obligations under State and Federal laws, including Title IX, and to create inclusive and welcoming school communities.

The Title IX Coordinator will ensure the district has a process for facilitation of supportive measures for all students, staff, and people attempting to enroll or participate in district programs that report sex discrimination. In addition to the Title IX Coordinator, the process for supportive measures will include another district employee who is not a subordinate of the Title IX Coordinator to address requests for rescinding or modifying supportive measures.

The Title IX Coordinator will ensure the district has a process and system in place to provide support and modifications to pregnant and parenting students, staff, and people attempting to enroll or participate in district programs that report being pregnant or having pregnancy-related conditions.

The Title IX Coordinator will annually:

- (1) Monitor the district's education program or activity for barriers to reporting information about conduct that reasonably may constitute sex discrimination under Title IX or this part and
- (2) Take steps reasonably calculated to address such barriers.

When notified of conduct that reasonably may constitute sex discrimination under Title IX, Washington State law, or the district's policies, the Title IX Coordinator must take the following actions to promptly and effectively end any sex discrimination in its education program or activity, prevent its recurrence, and remedy its effects:

- Treat the Complainant and Respondent equitably;
- Offer and coordinate supportive measures, as appropriate, for the Complainant.
- Offer and coordinate supportive measures, as appropriate, for the Respondent if the district has initiated grievance procedures or offered an informal resolution process to the Respondent.
- Notify the Complainant or, if the Complainant is unknown, the individual who reported the district's grievance procedures under 3205P.1 and the informal resolution process, if available and appropriate.

If a complaint is initiated under the grievance procedures, the Title IX Coordinator will:

- Evaluate the complaint and, as appropriate, initiate the grievance procedures under 3205P.1 or other applicable procedures;
- Describe and offer the informal resolution process under the same, if available and appropriate,<sup>4</sup> and
- Notify the Respondent of the grievance procedures, if appropriate and applicable.

In the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and the absence or termination of an informal resolution process, the Title IX

<sup>4</sup> This depends on whether 3205P.1 offers an informal resolution process. Under the 2024 Title IX Regulations, informal resolution is optional, but if a district uses it, there are explicit requirements for informal resolution facilitator(s), including impartiality, notice, recordkeeping, and training requirements.

Coordinator will determine whether to initiate a complaint of sex discrimination that complies with the grievance procedures under 3205.P.1. To make this fact-specific determination, the Title IX Coordinator must consider, at a minimum, the following factors:

- (1) The Complainant's request not to proceed with a complaint;
- (2) The Complainant's reasonable safety concerns regarding a complaint;
- (3) The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
- (4) The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- (5) The age and relationship of the parties, including whether the Respondent is an employee of the recipient;
- (6) The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
- (7) The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and
- (8) Whether the district could end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures under Procedure 3205P.1.

If, after considering these and other relevant factors, the Title IX Coordinator determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the Complainant or other person or that the conduct as alleged prevents the recipient from ensuring equal access on the basis of sex to its education program or activity, the Title IX Coordinator may initiate a complaint.

When there has been a determination of responsibility for sex discrimination, the Title IX Coordinator or a designee will ensure that any corrective measures and remedial actions deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the Superintendent mailed a written decision unless a student is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy.

#### **IV. District Staff Responsibilities**

Any district employee who witnesses or receives a report or complaint about sex discrimination, including sex-based harassment, is responsible for informing the district Title IX or Civil Rights Compliance Coordinator. All staff are also responsible for directing reporters to the complaint process.<sup>5</sup>

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<sup>5</sup> NOTE ON CONFIDENTIAL EMPLOYEES: Under the 2024 Title IX regulations, Recipients are allowed to designate "Confidential employees" to receive information about conduct that may constitute sex discrimination under Title IX and not notify the Title IX Coordinator. See 34 CFR § 106.2 and 106.44. WSSDA's model policy and procedure does not include a provision for Confidential Employees due to the broad range of staff who are mandatory reporters of child abuse in WA state, the potential for confusion about when the confidential employee is acting in that role versus another in the district, and inadvertent harm or liability.

Any district employee who is informed by a student (or a student's parent, guardian, or legal representative) of the student's pregnancy or pregnancy-related condition must promptly:

- provide them with the district's Title IX Coordinator's contact information and
- inform the affected student (or the student's legal representative) that the Title IX Coordinator can coordinate specific actions to prevent pregnancy and pregnancy-related discrimination and ensure equal access to the district's education program or activity.

Such notice does not need to be provided if the employee reasonably believes that the Title IX Coordinator has already been notified.

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

Employees who are mandatory reporters must also report allegations of criminal misconduct to law enforcement, and suspected child abuse must be reported to law enforcement or Child Protective Services.

District/school staff, including employees, contractors, and agents, shall not provide a recommendation of employment for an employee, contractor, or agent that the district/school, or the individual acting on behalf of the district/school, knows or has probable cause to believe, has engaged in sexual misconduct with a student or minor in violation of the law.

## **V. District Training and Orientation Requirements**

A fixed component of all district newly hired employees, and annual orientation sessions for staff, students, and regular volunteers will introduce the elements of this procedure, the district's grievance procedures, and the corresponding policy.

Staff will be provided information on recognizing and preventing sex discrimination, including sex-based harassment. Staff will be fully informed of their responsibilities when on notice of sex discrimination, the district's complaint procedures, and their roles and responsibilities under the policy and procedure.

All employees must receive training on the district's obligations under Federal, State, and local laws and regulations and district policy and procedures prohibiting sex discrimination, including those related to pregnancy or pregnancy-related conditions or marital or parental status. The training shall include, at a minimum:

- Employees' obligations to provide notice of the Title IX Coordinator as discussed above;
- The district's prohibition of sex discrimination, including prohibitions of harassment of students and staff based on sexual orientation, gender identity, gender

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Districts that want to include a provision on confidential employee are encouraged to discuss these option under the Title IX regulations with their counsel.

expression, pregnancy, pregnancy-related conditions, and marital or pregnancy status; and

- The district's policy prohibition of retaliation against a student or staff member for exercising these rights, including imposing or threatening to impose negative educational outcomes because student requests leave or accommodation, files a complaint, or otherwise exercises their rights under the policy.

Professional school personnel, including but not limited to certificated staff, will be reminded of their legal responsibility to report suspected child abuse and how some allegations of sex-based harassment may implicate that responsibility. Regular volunteers will get the portions of this component of orientation relevant to their rights and responsibilities.

### **VI. Policy and Procedure Review**

Annually, the Superintendent or designee and the Title IX Coordinator will convene an ad hoc committee composed of representatives of certificated and classified staff, volunteers, students, and parents to review the use and efficacy of this policy and procedure. The compliance officer will be included in the committee.

Based on the review of the committee, the Superintendent will prepare a report to the Board, including, if necessary, any recommended policy changes. The Superintendent will consider adopting changes to this procedure if recommended by the committee.

### **VII. Investigation Recordkeeping**

The district will maintain, for a period of at least seven years, the following records:

- All materials used to train employees, Title IX Coordinator, investigators, decisionmakers, and any person who facilitates an informal resolution process for the district and make such materials available upon request
- Records of any actions, including supportive measures, taken in response to a report of sex-based harassment under Title IX, even if no complaint is filed
- Records of any informal resolution and the result
- Records of each sex discrimination investigation, including any determination regarding responsibility and any audio or audiovisual recording or transcript; any disciplinary sanctions imposed on the Respondent and any remedies provided to the Complainant; and any appeal from the result of a determination regarding responsibility

Adoption Date: December 11, 2024

# Coversheet

## Approval of Board Policy No. 5005 - 2nd Reading

**Section:** XI. Unfinished Business  
**Item:** C. Approval of Board Policy No. 5005 - 2nd Reading  
**Purpose:**  
**Submitted by:**  
**Related Material:**  
BP5005 - Employment & Volunteers Disclosures, Certification Requirements, Assurances & Approval.pdf

## **EMPLOYMENT and VOLUNTEERS: DISCLOSURES, CERTIFICATION REQUIREMENTS, ASSURANCES AND APPROVAL**

### **Federal Immigration Law Compliance for Staff**

The board has the legal responsibility of employing all staff. The responsibility of administering the recruitment process is assigned to the superintendent/designee. Prior to final action by the board, a prospective staff member will present necessary documents which establish eligibility to work as required by federal immigration law. The superintendent/ designee will certify that he/she has: "examined the documents which were presented to me by the new hire, that the documents appear to be genuine, that they appear to relate to the individual named, and that the individual is a U.S. citizen, a legal permanent resident, or a non-immigrant alien with authorization to work." This certification shall be made on the I-9 form issued by the Federal Immigration and Naturalization Service.

### **Child Support Reporting for Staff**

The district will report all new hires to the state Department of Social and Health Services Division of Child Support as required by P.L. 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

### **Sexual Misconduct Release Form for Staff**

Pursuant to state law, the district will require that every prospective staff member sign a release form allowing the district to contact school employers regarding prior acts of sexual misconduct. The applicant will authorize current and past school district employers including employers outside of Washington to disclose to the district sexual misconduct, if any, and make available to the district all documents in the employer's personnel, investigative or other files related to the sexual misconduct. The applicant is not prohibited from employment in Washington state if the laws or policies of another state prohibit disclosure of this information or if the out-of-state district denies the request.

### **Disclosures for Staff and Volunteers**

Prior to employment of any unsupervised staff member or volunteer, the district will require the applicant to disclose whether he/she has been:

- A. Convicted of any crime against persons;
- B. Found in any dependency action under RCW 13.34. to have sexually assaulted or exploited any minor or to have physically abused any minor;
- C. Found by a court in a domestic relation proceeding under Title 26 RCW to have sexually abused or exploited any minor or to have physically abused any minor;
- D. Found in any disciplinary board final decision to have sexually abused or exploited any minor or to have physically abused any minor: or
- E. Convicted of a crime related to drugs: manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance.

**FREEMAN SCHOOL DISTRICT NO. 358****Policy No. 5005  
Personnel**

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For purposes of this policy, unsupervised means not in the presence of another employee or volunteer and working with children under sixteen years of age or developmentally disabled persons. The disclosure will be made in writing and signed by the applicant and sworn to under penalty of perjury. The disclosure sheet will specify all crimes committed against persons.

**Background Check for Staff and Volunteers:**

Definition: "Unsupervised Access to Children" means contact with children that provides personal interaction when not under the direct supervision of a child care provider or staff with supervisor authority, whether in person or virtual.

**Staff and Volunteers with Regularly Scheduled Unsupervised Access to Children:**

Prospective staff members and volunteers who will have regularly scheduled unsupervised access to children, will have their records checked through the Washington State Patrol criminal identification system and through the Federal Bureau of Investigation. The record check will include a fingerprint check using a complete Washington state criminal identification fingerprint card.

**All Other Staff and Volunteers:**

Supervised staff and volunteers will undergo a name and birth date background check with the Washington State Patrol.

If a volunteer has undergone a criminal record check in the last two years for another entity, the district will request a copy from the volunteer, or have the volunteer sign a release permitting the entity for whom the check was conducted to provide a copy to the district.

**Conditional Employment:**

New hires will be employed on a conditional basis pending the outcome of the background check and may begin conditional employment once completed fingerprint cards have been sent to the Washington State Patrol. If the background check reveals evidence of convictions, the candidate will not be recommended for employment, or if conditionally employed, may be terminated. When such a background check is received, the superintendent/designee is directed to consult with legal counsel.

**Pre-employment Drug Testing**

If the district requires prospective staff members to undergo pre-employment drug testing, the district will comply with the requirements of RCW 49.44.240.

**Record Check Data Base Access Designee:**

The superintendent/ designee is directed to establish procedures for determining which staff members are authorized to access the Superintendent of Public Instruction's (OSPI) record check database. Fingerprint record information is highly confidential and will not be re-disseminated to any organization or individual by district staff. Records of arrest and prosecution (RAP sheets) will be stored in a secure location separate from

**FREEMAN SCHOOL DISTRICT NO. 358**

**Policy No. 5005  
Personnel**

personnel and applicant files and access to this information is limited to those authorized to access the SPI record check database.

**Certification Requirements:**

The district will require that certificated staff hold a Washington State Certificate, with proper endorsement (if required for that certificate and unless eligible for out-of-endorsement assignment), or such other documentation as may be required by the professional educator standards board with respect to alternative route programs, for the role and responsibilities for which they are employed. Failure to meet this requirement will be just and sufficient cause for termination of employment. State law requires that the initial application for certification will require a background check of the applicant through the Washington State Patrol criminal identification system and Federal Bureau of Investigation. No salary warrants may be issued to the staff member until the district has registered a valid certificate for the role to which he/she has been assigned.

All certificated staff members are required to maintain their certification in accordance with state and federal requirements.

**Classified Staff:**

Classified staff who are engaged to serve less than twelve (12) months, will be advised of their employment status for the ensuing school year prior to the close of the school year. If the district chooses to reemploy the staff member the following year, the superintendent will give "reasonable assurance" by written notice that the staff member will be employed during the next school year.

**Board Approval:**

All staff members selected for employment will be recommended by the superintendent. Staff members must receive an affirmative vote from a majority of all members of the board. In the event an authorized position must be filled before the board can take action, the superintendent has the authority to fill the position with a temporary employee who will receive the same salary and benefits as a permanent staff member. The board will act on the superintendent's recommendation to fill the vacancy at its next regular meeting.

**Legal References:**

- RCW 9.96A.020      Employment, occupational licensing by public entity — Prior felony conviction no disqualification — Exceptions
- RCW 28A.320.155    Criminal history record information—School volunteers
- RCW 28A.400.300    Hiring and discharging employees—Written Leave policies  
Seniority and leave benefits of employees transferring, between school districts and other educational employers



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**Policy No. 5005  
Personnel**

- RCW 28A.400.301 Information on past sexual misconduct - Requirement for applicants - Limitation on contracts and agreements - Employee right to review personnel file
- RCW 28A.400.303 Record checks for employees
- RCW 28A.405.060 Course of study and regulations-enforcement--Withholding salary warrant for failure
- RCW 28A.405.210 Conditions and contracts of employment-Determination of probable cause for non-renewal of contracts—Nonrenewal due to enrollment decline or revenue loss - Notice- Opportunity for hearing
- RCW 28A.410.010 Certification-- Duty of professional educator standards board – Rules – Record check- Lapsed certificates – Superintendent of public instruction as administrator.
- RCW 28A.660.020 Proposals - Funding
- RCW 28A.660.035 Partnership grant programs - Priority assistance in advancing cultural competency skills
- RCW 43.43.830- Background checks – Access to children or vulnerable persons – Definitions
- RCW 49.44.240 Discrimination based on cannabis use - Exceptions
- RCW 50.44.050 Benefits payable, terms, and conditions – “Academic year” defined
- RCW 50.44.053 "Reasonable assurance" defined – Presumption, employees of educational institutions
- P.L.99-603, Immigration Reform and Control Act of 1986 (IRCA)  
P.L. 104-193 Personal Responsibility and Work Opportunity Reconciliation Act of 1996
- WAC 162-12 Pre-employment Inquiry Guide (Human Rights Commission)
- WAC 180-16-220 Supplemental basic education Program approval Requirements
- WAC 181-79A Standards for Teacher, Administrator and Educational Staff Associate Certification
- WAC 180-82-105 Assignment of classroom teachers within districts
- WAC 180-82-110 School district response and support for non-matched endorsements to course assignment of teachers
- WAC 181-85 Professional certification-- Continuing Education requirement
- WAC 392-300-050 Access to record check data base
- WAC 392-300-055 Prohibition of redissemination of fingerprint record information by education service districts the State School for the Deaf, the State School for the Blind, and Bureau of Indian Affairs funded schools.
- WAC 392-300-060 Protection of fingerprint record information by education service district, the State School for the Deaf, the State School for the Blind, and Bureau of Indian Affairs funded schools.
- WAC 446-20-280 Employment--Conviction Records

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**Policy No. 5005  
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Cross References:

- 6530 Insurance
- 5610 Substitute Employment
- 5520 Staff Development
- 5281 Disciplinary Action and Discharge
- 5252 Staff Participation in Political Activities
- 5006 Certification Revocation
- 1610 Conflicts of Interest [1<sup>st</sup> Class] Districts

Management Resources:

- 2023 – December Issue
- 2017 - July Issue
- 2010 - October Issue
- Policy News, October 2005
- Policy News, October 2005
- Policy News, April 2004
- Policy News, October 2001
- Policy News, August 1998
- Policy News, February 1999
- Policy News, June 1999
- Public Disclosure
- Sex Offender Reporting Requirements
- School Employee Sexual Misconduct
- Updates from the State Board of Education
- District Must Report New Hires
- Local Boards Decide Endorsement Waivers
- School Safety Bills Impact Policy

Adoption Date: March, 10, 2000

Revised Date: January 28, 2010; May 10, 2018; June 13, 2024, Dec 11, 2024

# Coversheet

## Approval of Board Policy No. 6600 - 2nd Reading

**Section:** XI. Unfinished Business  
**Item:** D. Approval of Board Policy No. 6600 - 2nd Reading  
**Purpose:**  
**Submitted by:**  
**Related Material:** BP6600 - Transportation.pdf

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## **TRANSPORTATION**

The district may provide transportation to and from school for a student:

- A. Whose residence is beyond the one-mile radius from the school to which the student is assigned;
- B. Whose walking route to school is hazardous;
- C. Whose disability prevents him/her from walking or providing for his/her own welfare while walking; or
- D. Who has another compelling and legally sufficient reason to receive transportation services. The parent or guardian of a student whose assigned bus stop is beyond the maximum walking distance may receive reimbursement for private transportation at the state mileage reimbursement rate.

At the request of an eligible student, the district may allow the student to transport his or her infant on a school bus or other student transportation vehicle provided by the district. The infant must be transported in a rear-facing child restraint system as defined in the federal motor vehicle safety standards found in 49 C.F.R. § 572.213. If the district denies the student's request to transport his or her infant by school bus, the district must authorize other arrangements for individual transportation in accordance with RCW 28A.160.030. For purposes of this paragraph, "eligible student" means any student served by the transportation program of the district or compensated for individual transportation arrangements authorized by RCW 28A.160.030 whose route stop is outside the walk area for a student's school, except if the student to be transported is disabled under RCW 28A.155.020 and is either not ambulatory or not capable of protecting his or her own welfare while traveling to or from the school or agency where special education services are provided, in which case no mileage distance restriction applies.

Each year the superintendent or designee will present to the board the number of students who live within the minimum distance of their schools and for whom there appears sufficient justification for the district to provide transportation. In this report, the superintendent or designee will also provide the reasons why each of these students is transported.

The district's transportation program shall comply in all ways with state law and regulation. Transportation services of the district may include approved bus routes, district-approved field trips, school activities (participants only) and extracurricular activities (rooters). The superintendent or designee is authorized to permit a parent of a student enrolled in school to ride a bus when excess seating is available and private or other public transportation is not reasonably available.

The board of directors may authorize children attending an approved private school to ride a school bus provided that the bus route and stops are not altered, space is available, and a fee to cover the per seat cost for such transportation is collected.

**FREEMAN SCHOOL DISTRICT NO. 358****Policy No. 6600  
Management Support**Routes and Schedules

The superintendent or designee shall be responsible for scheduling bus transportation, including the determination of routes and bus stops as well as overseeing the transportation program.

The purpose of bus scheduling and routing is to achieve maximum service with a minimum fleet of buses insofar as this is consistent with rendering safe and reasonably equal service to all students entitled to such service. The board may authorize the use of a district-owned passenger car in lieu of a bus for transporting students to and from school.

In order to operate the transportation system as safely and efficiently as possible, the following factors shall be considered in establishing bus routes:

- A. Where an alternate route may be considered without sacrifice of efficiency or economy, preference shall be given to that route more directly serving the largest number of students.
- B. Location of bus stops may be determined by such factors as student safety, economy and efficiency. Students may be required to walk up to one mile from their home to their bus stop provided that the walking route is safe.
- C. School schedules shall be adjusted to allow maximum utilization of each bus in the system by alternating elementary and secondary trips.

The district shall apply for state transportation apportionment funds and shall maintain the records required to obtain such funding.

Emergency Routes and Schedules

The district will develop emergency bus routes and schedules to be used when weather conditions make the usual routes impassable or, in the superintendent's or designee's judgment, too hazardous. At the beginning of the school year, copies of emergency routes and schedules shall be distributed to parents with instructions on how to obtain emergency information.

If roads are closed to buses but not to private vehicles, the district may continue to operate the instructional programs of the schools without providing bus transportation until the roads are again open to buses.

School Bus Trespass

It is a gross misdemeanor for individuals to enter or remain unlawfully on a school bus, do any act that creates a substantial risk of harm to passengers or the driver, and cause a substantial interruption or impairment of services rendered by the bus. This doesn't apply to enrolled students, law enforcement officers or other authorized personnel engaged in the performance of their official duties, individuals with written consent from the district allowing them to enter or remain on the school bus, and emergency situations where entering the bus is necessary to protect the safety or wellbeing of students or others.

The district will implement educational programs and awareness campaigns to inform students, parents, and the community about the importance of maintaining safety and

**FREEMAN SCHOOL DISTRICT NO. 358**

**Policy No. 6600  
Management Support**

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security on school buses. These initiatives will highlight the potential criminal consequences of school bus trespassing.

If the district receives the funds to do so, it will affix placards warning of the consequences of school bus trespassing to the outside of all its school buses so they are easily visible.

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Legal References:

RCW 28A.160.020	Authorization for private school students to ride buses— Conditions
RCW 28A.160.030	Authorizing individual transportation or other arrangements—Pupils must provide their own transportation, when
RCW 28A.160.160	Student transportation allocations-Definitions
RCW 28A.160.240	Transportation of infants
WAC 392-141	Transportation - State Allocation for Operations
WAC 392-172A-02095	Transportation
RCW 9A.52.092	School bus trespass

Adoption Date: Feb. 1999

Revision Date: June 24, 2021, Dec. 11, 2024

# Coversheet

## Approval of New ASB Club

**Section:** XII. New Business  
**Item:** A. Approval of New ASB Club  
**Purpose:**  
**Submitted by:**  
**Related Material:** ASB Drama Club Proposal.pdf

FHS seeking the approval of one new ASB Club: Drama Club

**Drama Club**

Advisor: Mrs. Kaela Holm (FHS Counselor) (Volunteer)

Program Association: No direct association, working with Freeman students only

Curricular Association: No current curricular association

Curriculum: Members participate in performance events such as plays, talent shows, productions, etc.

Members: Open to all students, all grades and all genders

Costs: Funds to support the club this year will be raised by Drama Club ASB fundraisers. Next year, Drama club would seek a club fee of \$10 to help cover costs of performances and productions.



# Coversheet

## Approval of 2024-25 Highly Capable Plan

**Section:** XII. New Business  
**Item:** B. Approval of 2024-25 Highly Capable Plan  
**Purpose:**  
**Submitted by:**  
**Related Material:** FORM-1-2024-25-HiCap-District-Plan.pdf  
FORM-2-2024-25-HiCap-District-Plan.pdf  
FORM-3-2024-25-HiCap-District-Plan.pdf  
FORM-4-2024-25-HiCap-District-Plan.pdf

# 2024–25 Highly Capable District Plan

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## Form 1 | Introduction Form

**Local Education Agency (LEA) Name:** Freeman School District 32358

**First and Last Name, Position Title:** Jody Fay Sweeney, Special Ed/Student Svs Director

**Email:** jsweeney@freemansd.org

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## Highly Capable Program Plan Introductory Form

**Purpose:** This Highly Capable Program Plan application is completed by each school district and provides details about the district's Grades K–12 comprehensive Highly Capable Program Plan to identify and serve highly capable learners.

**Funding:** The Highly Capable funding formula is based on 5.0 percent of each LEA's population. This is a funding formula and does not mean a certain percentage of students must be identified.

**Board Approval:** Your school board must approve the information and data you enter in this survey annually. The school board minutes approving the annual District Highly Capable Plan will be uploaded by you into the Highly Capable End of Year report to be launched before the end of 2024–25 school year.

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## Universal Screening

**Instructions:** Universal screening must occur once in or before second grade, and again in or before sixth grade.

Every student must be screened using at least **two student data points**. Two student data points for every student may include previously administered standardized, classroom-based, performance, cognitive, or achievement assessments, or research-based behavior ratings scales. There is no requirement to administer a new assessment for the purpose of universal screening, however districts may do so. No single criterion may prevent a student's identification for Highly Capable; however, any single criterion, if strong enough, can indicate a need for services.

Students discovered during universal screening may need further assessment to determine whether to place in Highly Capable program services. There are multiple approaches, and data sources do not have to be the same for every student. Districts must use screening tools and resources that exemplify best practices.

Once a student is identified, the district provides services across all grade levels — for as long as he or she is enrolled in the district.

**Multilingual students:** Students with a first language other than English may be evaluated for rapid language acquisition using the World-Class Instructional Design and Assessment (WIDA).

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Multilingual students must be assessed in their first language. If assessments in first language are not available, non-verbal ability/aptitude assessments are to be used.

**Twice exceptional students:** Students who qualify for special education service through an Individualized Education Program (IEP) or a section 504 plan may also qualify for Highly Capable services and are referred to as twice-exceptional (2e) students. These students must receive the accommodations in their plans during identification procedures for Highly Capable services.

***The below statements are required to check. All statements must be read and checked before submitting.***

<input checked="" type="checkbox"/>	<b>Universal screening must occur once in or before second grade, and once in or before sixth grade.</b>
<input checked="" type="checkbox"/>	<b>Ensure that all students across all district educational settings at the identified grade levels are included in screenings.</b>
<input checked="" type="checkbox"/>	<b>Every student must be screened using at least two student data points.</b>
<input checked="" type="checkbox"/>	<b>Data sources do not have to be the same for every student.</b>
<input checked="" type="checkbox"/>	<b>Review student IEP and 504 plans for supportive data and follow accommodations.</b>
<input checked="" type="checkbox"/>	<b>Review data for Multilingual students for rapid language acquisition and use nonverbal assessments if native language assessments are not available.</b>
<input checked="" type="checkbox"/>	<b>Districts must prioritize equitable identification of low-income students.</b>
<input checked="" type="checkbox"/>	<b>Universal screening is not used to exit students from placement for services.</b>



## Form 2 | Screening Procedures Form

**Local Education Agency (LEA) Name:** Freeman School District 32358

**First and Last Name, Position Title:** Jody Fay Sweeney, Special Ed Director

**Email:** [jsweeney@freemansd.org](mailto:jsweeney@freemansd.org)

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### Screening Procedures

[RCW 28A.185.030](#) (*caution: link potentially navigates you away from this page*)

**Instructions:** Universal screening must occur once in or before second grade, and again in or before sixth grade.

The purpose is to include students who traditionally are not referred for highly capable programs and services. Universal screening means considering every student at a grade level by looking for evidence of the need for advanced learning.

Every student must be screened using **at least two student data points**. Two student data points for every student may include previously administered standardized, classroom-based, performance, cognitive, or achievement assessments, or research-based behavior ratings scales. There is no requirement to administer a new assessment for the purpose of universal screening, however districts may do so. No single criterion may prevent a student's identification for Highly Capable; however, any single criterion, if strong enough, can indicate a need for services. Students discovered during universal screening may need further assessment to determine whether to place in Highly Capable program services. There are multiple approaches, and data sources do not have to be the same for every student. Districts must use screening tools and resources that exemplify best practices. Multilingual students with a first language other than English may be evaluated for rapid language acquisition using the World-Class Instructional Design and Assessment (WIDA). Students who qualify for special education services or a 504 plan may also qualify for Highly Capable services and are referred to as twice-exceptional students.

**NOTE:** For the below assessments please select all grades that apply. If you select K–12 you do not need to select individual grades.

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### Universal Screening

**Universal Screening Grade Level K–2:**

K-2

**Universal Screening Grade Level 3–6:**

3-6

### Academic Achievement

**State Standard-Based Assessments** K-12

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**Classroom-Based Assessments**

K-12

**Iowa Assessments (Form E)**

N/A

**Logramos (Spanish)**

N/A

**Kaufman Test of Educational Achievement, 3rd Edition (KTEA-3)**

K-12

**Test of Early Mathematics Ability (TEMA-3)**

N/A

**Test of Early Reading Ability (TERA-3)**

N/A

**Test of Early Written Language (TEWL-3)**

N/A

**Other Academic Achievement Screening Procedure**

K-12

If you selected "Other" above, please describe below:

**Cognitive**

**CogAt 7 or 8 Screening Form**

N/A

**CogAt 7 or 8 Full Battery**

N/A

**Naglieri Nonverbal Aptitude Test (NNAT 2 or 3)**

K-12

**Naglieri General Ability Test (Verbal, Nonverbal, Quantitative)**

K-12

**Stanford Binet Intelligence Scales (SB5)**

N/A

**Stanford Binet Intelligence Scales for Early Childhood (Early SB5)**

N/A

**Wechsler Preschool Primary Scale of Intelligence (WPPSI IV)**

K, 1

**Wechsler Intelligence Scale for Children (WISC V)**

K-12

**Woodcock-Johnson Tests of Cognitive Abilities (WJ IV Cog)**

K-12



**Other Cognitive Screening Procedure**

K-12

**If you selected "Other" above, please describe below:**

**Creativity**

**Torrance Test of Creative Thinking**

N/A

**Other Creativity Screening Procedure**

N/A

**If you selected "Other" above, please describe below:**

**Supportive Norm-Referenced Scales Resources**

**WA Kindergarten Inventory of Developing Skills (WaKIDS)**

K

**Gifted Evaluation Scale, 3rd Edition (GES-3)**

N/A

**Gifted Rating Scale (GRS)**

K-12

**Scales for Identifying Gifted Students (SIGS-2)**

N/A

**Universal Talented and Gifted Screener (UTAGS)**

N/A

**HOPE Teacher Rating Scale**

N/A

**Kingore Observation Inventory, 2nd Edition (KOI)**

N/A

**Scales for Rating the Behavior Characteristics of Superior Students (Renzulli-Hartman)**

N/A

**TAB (Traits, Aptitude, Behavior) MM Frasier**

N/A

**USTARS -PLUS Teacher Observation of Potential in Students (TOPS)**

N/A

**Other Supportive Norm-Referenced Scales and Non-Standard Resources**

N/A

**If you selected "Other" above, please describe below:**



## Supporting Data

**WIDA (Language Proficiency Assessment)**

K-12

**Mastery-based Proficiency Screener in Primary Language**

N/A

**Individual Educational Plan (IEP)**

K-12

**ADA Section 504 (accommodation plan for disability)**

K-12



## Form 3 | Identification Measures Form

**Local Education Agency (LEA) Name:** Freeman School District 32358

**First and Last Name, Position Title:** Jody Fay Sweeney, Special Ed Director

**Email:** jsweeney@freemansd.org

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### Identification Measures

**Instructions:** Annual Highly Capable identification procedures must be offered for enrolled students in all grade levels served by the district. For identified students, a variety and array of Highly Capable services must be provided throughout the grades until the student leaves the district or graduates. Services must match the identified strengths of the student. Students identified with strengths in only one domain (either math or literacy) must receive services in that area.

Students discovered during universal screening may need further assessment to determine whether to place in Highly Capable program services. There are multiple approaches, and data sources do not have to be the same for every student. Use up-to-date assessment tools. Contact individual publishing companies and consult assessment manuals for information. Districts must use screening tools and resources that exemplify best practices. No single criterion may prevent a student's identification for Highly Capable; however, any single criterion, if strong enough, can indicate a need for services.

Remember, students with special education IEPs or section 504 plans must receive the accommodations in their plans during identification procedures for Highly Capable services.

**NOTE:** For assessments used to identify students for Highly Capable services, please select all grades that apply. If you select K-12 you do not need to select individual grades. Please mark N/A for assessments and data sources that were not reviewed for any students during the identification process.

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### Academic Achievement

**State Assessment(s)**

K-12

**MAP for Primary Grades (MPG)**

N/A

**Measures of Academic Progress (MAP)**

N/A

**Iowa Test of Basic Skills (ITBS)**

N/A

**Iowa Test of Education Development (ITED) N/A**

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**Stanford Achievement Test Series, 10th Edition (SAT10)**

N/A

**Woodcock-Johnson IV (WJIV)**

K-12

**Kaufman Test of Educational Achievement (KTEA)**

K-12

**Other Academic Achievement Identification Measure**

K-12

**If you selected "Other" above, please describe below:**

**Cognitive**

**CogAt 7 or 8 Screening Form**

N/A

**CogAt 7 or 8 Full Battery**

N/A

**Naglieri Nonverbal Aptitude Test (NNAT2)**

K-12

**Stanford Binet Intelligence Scales (SB5)**

N/A

**Stanford Binet Intelligence Scales for Early Childhood (Early SB5)**

N/A

**Wechsler Intelligence Scale for Children, 4th Edition (WISC IV)**

K-12

**Woodcock-Johnson IV (WJ IV)**

K-12

**Otis-Lennon School Ability Test, 8th Edition (OLSAT 8)**

N/A

**Other Cognitive Identification Measure**

K-12

**If you selected "Other" above, please describe below:**

**Creativity**

**Torrance Test of Creative Thinking**

N/A

**Other Creativity Identification Measure**

N/A

**If you selected "Other" above, please describe below:**

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## Research-Based Rating Scale

### **Gifted Rating Scales, 2003 (GRS)**

K-12

### **Scales for Rating the Behavioral Characteristics of Superior Students (Renzulli Scales)**

N/A

### **Scales for Identifying Gifted Students, 2004 (SIGS)**

N/A

### **Washington Kindergarten Inventory of Developing Skills (WaKIDS)**

K

### **Other Research-based Identification Measure**

N/A

**If you selected "Other" above, please describe below:**

## Informal Measures

### **Kingore Observation Inventory**

N/A

### **Teacher Rating Scale (locally developed)**

N/A

### **Parent Rating Scale (locally developed)**

N/A

### **Report Card**

K-12

### **Portfolio - Work Samples**

K-12

### **Other Informal Identification Measures**

K-12

**If you selected "Other" above, please describe below:**



## Form 4 | Variety and Continuum of Program Services

**Local Education Agency (LEA) Name:** Freeman School District 32358

**First and Last Name, Position Title:** Jody Fay Sweeney Special Ed Director

**Email:** jsweeney@freemansd.org

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### Variety and Continuum of Program Services

**Instructions:** CEDARS gifted values identify four primary structures for Highly Capable Program (HCP) service delivery:

**Gifted Value 32** - General Education Classroom-based Services/Programs

**Gifted Value 33** - Unique HCP Services/Programs

**Gifted Value 34** - Acceleration Services/Programs

**Gifted Value 35** - Non-Traditional Services/Programs

Instructional programming and the delivery of Highly Capable services must be in place at every grade level in your district. Highly Capable students remain in the program until their enrollment in the district ends.

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**Is Gifted Value 32 applicable?** Yes

*Gifted Value 32 - Classroom-Based Services and Programs*

K-12

**Is Gifted Value 33 applicable?** No

*Gifted Value 33 - Unique HCP Services and Programs*

**Self-Contained Classroom**

**Supplemental Pull-Out Program**

**Specialty Online Course/s**

**Other Service/Program**

**If you selected "Other" above, please describe below:**

**Is Gifted Value 34 applicable?** Yes

*Gifted Value 34 - Acceleration Services and Programs*

Academic Acceleration for HS Students, Advanced Placement, College in the High

**Academic Acceleration for High School Students** 8, 9, 10, 11, 12

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**Advanced Placement (AP)**

10, 11, 12

**Cambridge AICE**

**College in the High School**

11, 12

**Concurrent or Dual Enrollment**

11, 12

**Credit by Examination**

**Early entrance Middle School, High School, or College**

5, 6, 7, 8, 9, 10, 11, 12

**Grade Level Advancement**

K-12

**Honors/Advanced**

**International Baccalaureate (IB)**

**Online Course/s for Subject Acceleration**

6, 7, 8, 9, 10, 11, 12

**Running Start**

11, 12

**Subject-Based Acceleration**

K-12

**Other**

**If you selected "Other" above, please describe below:**

**Is Gifted Value 35 applicable? No**

*Gifted Value 35 - Services and Programs*

***Mentorship***

***Collaborative Partnership with Industry***

***Cooperative Arrangement with ESD***

***Cooperative Arrangement with other district/s***



**Supplemental Academic Competitions**

**Supplemental Summer Enrichment or Acceleration**

**Supplemental Before or After School Services and Extra-Curricular Academic Activities**

**Other**

**If you selected "Other" above, please describe below:**



# Coversheet

## Approval of Board Policy & Procedure No. 3414 - 1st Reading

**Section:** XII. New Business  
**Item:** D. Approval of Board Policy & Procedure No. 3414 - 1st Reading  
**Purpose:**  
**Submitted by:**  
**Related Material:** BP3414 - Infectious Diseases.pdf  
PR3414 - Infectious Diseases.pdf

## INFECTIOUS DISEASES

In order to safeguard the school community from the spread of certain communicable diseases the superintendent will implement procedures assuring that all school buildings are in compliance with State Board of Health rules and regulations regarding the presence of persons who have or have been exposed to infectious diseases deemed dangerous to the public health. Such procedures will also prescribe the steps to remove the danger to others.

The district will require that the parents/guardian complete a medical history form at the beginning of each school year. The school nurse may use this information to advise the parent of the need for further medical attention and to plan for potential health problems in school.

The board authorizes the school principal to exclude a student who has been diagnosed by a licensed health care provider (LHP) or is suspected of having an infectious disease in accordance with the regulations within the most current *Infectious Disease Control Guide for School Staff* provided by the ~~Department of Office of the Superintendent of Public Instruction~~. The principal and/or school nurse will report the presence of suspected case or cases of reportable communicable disease to the appropriate local health authority as required by the State Board of Health. The district and its staff will treat all information concerning a student's present and past health condition as confidential. The principal will cooperate with the local health officials in the investigation of the source of the disease.

The fact that a student has been tested for a sexually transmitted ~~diseaseinfection~~, the test result, any information relating to the diagnosis or treatment of a sexually transmitted ~~diseaseinfection~~, and any information regarding drug or alcohol treatment for a student must be kept strictly confidential. If the district receives authorization to a release information, the district may disclose information pursuant to the restrictions in the release.

A school principal or designee has the authority to send an ill child home without the concurrence of the local health officer, but if the disease is reportable, the district must notify the local health officer. The local health officer is the primary resource in the identification and control of infectious disease in the community and school. The local health officer, in consultation with the superintendent can take whatever action deemed necessary to control or eliminate the spread of disease, including closing a school.

### Legal References:

RCW 28A.210.010	Contagious diseases, limiting contact--Rules and regulations
Ch 246-110 WAC	School districts and day care centers--Contagious diseases
RCW 70.02	Medical records--health care information access and disclosure

**FREEMAN SCHOOL DISTRICT NO. 358**

**Policy No. 3414**  
**Students**

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RCW 70.24.290 Public school employees – Rules for blood-borne pathogens education and training

[WAC 246-101-420 Duties—Schools.](#)

Management Resources:

2020 – September – Policy Alert

2018 – August Issue

2013 - February Issue

Adoption Date: September 25, 2008

Revision Date: September 12, 2013; May 9, 2019; Nov. 23, 2020; [Jan. 27, 2025](#)



## INFECTIOUS DISEASES

### Infectious Diseases

Certain microorganisms in the body cause infectious disease. Infectious diseases may or may not be communicable or in a contagious state.

The district may control diseases in a contagious state by excluding the student from the school or classroom or by referring the student for medical attention. Staff members must advise the school nurse and principal or designee when a student exhibits symptoms of an infectious disease based on the criteria outlined in this procedure. Staff should provide the school nurse, principal, or designee with as much health information as is known about the case in a timely manner so that appropriate action can be initiated. (See ~~OSPI's Infectious Disease Control Guide for School Staff~~ (DOH's Infectious Disease Control Guide for School Staff, IDCGSS)).

### List of Reportable Diseases

In consultation with the school nurse, the district will report suspected disease or disease with known diagnosis to the local health department as indicated on the Notifiable Conditions page of the Washington State Department of Health's website.

### Cluster of Cases

The occurrence of any generalized (covering greater than 75% of the body) rash with or without fever, cough, runny nose, and reddened eyes in a school MUST be reported IMMEDIATELY to the school nurse who will in turn report as necessary to the local health department. Localized rash cases diagnosed as unrelated to a contagious disease, such as diaper rash, poison oak, etc. need not be reported. In addition to rash illnesses, any unusual cluster of infectious disease must be reported to the school nurse, who will report to the local health jurisdiction as necessary.

### Identification and Follow-Up

- A. The length of absence from school for a student ill from a contagious disease is determined by the directions given in the ~~Infectious Disease Control Guide for School Staff~~ DCGSS or instructions provided by the student's licensed health care provider, and/or the local health officer.
- B. The principal has the final responsibility for enforcing all exclusions.
- C. Follow-up of suspected communicable disease cases should be carried out in order to determine any action necessary to prevent the spread of the disease to additional children.
- D. Staff should follow the directions of the local health officer and WA DOH guidelines for mitigation measures.

**FREEMAN SCHOOL DISTRICT NO. 358****Procedure 3414P  
Students****Reporting at Building Level**

A student with a diagnosed reportable disease will be reported by the school principal or designee to the local health officer (or state health officer if local health officer is not available) as per schedule.

When symptoms of communicable disease are detected in a student who is at school, the regular procedure for the disposition of an ill or injured students will be followed. In all instances, the school nurse, the principal or designee will:

- A. Notify the parent/guardian or emergency contact to advise him/her of the signs and symptoms.
- B. Arrange for parent/guardian to pick up the student as soon as possible; recommend follow-up with licensed health care provider.
- C. Notify the school nurse to ensure appropriate health-related interventions are in place.
- D. Keep the student isolated but observed until the parent/guardian arrives.

**Note:** When the student is fourteen years or older and the symptoms are of a sexually transmitted diseaseInfection, the student has confidentiality rights that prohibit notification of anyone but the health department.

**First Aid Procedures**

- A. Students should be asked to wash their own minor wound areas with soap and water under staff guidance when practicable. If performed by staff, wound cleansing should be conducted in the following manner:
  1. Soap and water are recommended for washing wounds.
  2. Gloves must be worn when cleansing wounds which may put the staff member in contact with wound secretions or when contact with any bodily fluids is possible.
  3. Gloves and any cleansing materials will be discarded in a lined trash container that is disposed of daily according to WAC 296-823 - Occupational exposure to blood borne pathogens and included in the OSPI's-DOH's most recent Infectious Disease Control Guide for School Staff (IDCGSS).
  4. Hands must be washed before and after treating the student and after removing the gloves.
  5. Treatment must be documented in a health record.
- B. Thermometers shall be handled in the following manner:
  1. Only disposable thermometers or thermometers with disposable sheath covers and/or temporal scan thermometers should be used when taking student's temperatures.
  2. Disposable sheath covers will be discarded in a lined trash container that is secured and disposed of daily. Temporal scan thermometers will be disinfected after each use.

**Handling of Body Fluids**

- A. Body fluids of all persons should be considered to contain potentially infectious agents (germs). Body fluids include blood, drainage from scrapes and cuts, feces, urine, vomitus, saliva, respiratory secretions, semen, and vaginal secretions;
- B. Gloves must be worn when direct hand contact with body fluids is anticipated (e.g., treating nose bleeds, bleeding abrasions) when handling clothes soiled by body fluids (i.e., urine and/or feces), when diapering children, and when sanitizing spaces used for diapering. Hand washing is the most important intervention for preventing the spread of disease and must take place after gloves are removed and between care of multiple students.
- C. Used gloves must be discarded in a secured lined trash container and disposed of daily according to WAC 296-823 - Blood Borne Pathogens and included in [OSPI's DOH's](#) most recent [OSPI Infectious Disease Control Guide for school staff IDCGSS](#). Hands must then be washed thoroughly;
- D. Self-treatment of minor injury, when reasonable, shall be encouraged.
- E. Sharps will be disposed in an approved container. Sharps containers must be maintained upright throughout use, be tamper-proof and safely out of students' reach, be replaced routinely and not be allowed to overfill; and
- F. For cleaning and disinfection, follow CDC and EPA recommendation. In addition, the district will comply with WAC 296-823 - Blood Borne Pathogens and the [Infectious Disease Control Guidelines for school staff IDCGSS](#)

**Treatment of Students with Chronic Medical Conditions (e.g., HIV; AIDS; Hepatitis)**

~~On the disclosure that a student has been identified as having Human Immunodeficiency Virus (HIV) or Acquired Immunodeficiency Syndrome (AIDS) or Infectious Hepatitis, the superintendent, principal, parent/guardian, local health officer, school nurse and the student's licensed healthcare provider will confer as necessary and determine the appropriate placement of the student. The student will be accommodated in a least restrictive manner, free of discrimination, without endangering the other students or staff. The student may only be excluded from school on the written concurrence of the public health officer and the student's licensed healthcare provider, that remaining or returning to school would constitute a risk either to the student or to employees or other students.~~

All [individual student health care](#) discussions and records will be treated as confidential, consistent with [RCW 70.24.105 health and educational law](#).

Release of information regarding the testing, test result, diagnosis or treatment of a student for a sexually transmitted [diseaseinfection](#), [HIVBloodborne Pathogens \(BBP\) illness](#), drug, alcohol, mental health treatment, family planning, abortion may be made only as pursuant to an effective release and only to the degree permitted by the release. To be effective, a release must be signed, dated, must specify to whom the release may be made, and the time period for which the release is effective. Students fourteen and older must authorize disclosure regarding HIV, sexually transmitted [diseasesinfection](#), or reproductive healthcare issues. Students thirteen and older must authorize disclosure regarding drug, alcohol, mental health treatment Students of any age must authorize

**FREEMAN SCHOOL DISTRICT NO. 358****Procedure 3414P  
Students**

disclosure regarding family planning or abortion. Parents/guardians must authorize disclosure pertaining to younger students.

Any disclosure made pursuant to a release regarding reproductive healthcare, including sexually transmitted ~~diseases~~infections, blood-borne pathogens, drug treatment or alcohol treatment must be accompanied by the following statement:

"This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of it without the specific written consent of the person to whom it pertains, or as otherwise permitted by state law. A general authorization for the release of medical or other information is not sufficient for this purpose."

Per WAC 296-823-12005, tThe district will ensure that newly hired school district employees receive blood-borne pathogens training regarding:

- A. History and epidemiology of blood-borne pathogens;
- B. Methods of transmission of blood-borne pathogens;
- ~~B-C.~~ Access to copy of WAC 296-823-12005 and the district exposure control plan
- ~~D.~~ Methods of Prevention of exposure to blood borne pathogens, how to recognize tasks and other activities that could involve exposure to blood and other potentially infectious materials and including universal precautions for handling of body fluids;
- ~~E.~~ Methods for identifying tasks that could involve exposure to blood-borne pathogens and to prevent or reduce exposure;
- ~~C-F.~~ Information about the hepatitis B vaccine;
- ~~D-G.~~ Current treatment for symptoms of blood-borne pathogens and prognosis of disease progression;
- ~~E-H.~~ State and federal laws governing discrimination of persons with blood borne pathogens; and
- ~~F-I.~~ State and federal laws regulating confidentiality of a person's blood-borne pathogens.

An opportunity for interactive questions and answers with a trainer must also be provided. The district will ensure that new employees training ~~within six months from the first day of employment in the district.~~ before staff engage in duties that may expose them to BBP then annually by law.

Continuing employees will receive information, within one year of district receipt from OSPI, on new discoveries or changes in accepted knowledge of transmission, prevention, and treatment for blood-borne pathogens.

Legal References:

WAC 296-823-12005 Provide training to your employees.

Revision Dates: 08.07; 02.13; 09.13; 08.18; 5.19; 11.2020; Jan. 27, 2025

# Coversheet

## Approval of Board Policy & Procedure No. 3420 - 1st Reading

**Section:** XII. New Business  
**Item:** E. Approval of Board Policy & Procedure No. 3420 - 1st Reading  
**Purpose:**  
**Submitted by:**  
**Related Material:** BP3420 - Anaphylaxis Prevention and Response.pdf  
PR3420 - Anaphylaxis Prevention and Response.pdf

## ANAPHYLAXIS PREVENTION AND RESPONSE

Anaphylaxis is a life-threatening allergic reaction that may involve systems of the entire body. Anaphylaxis is a medical emergency that requires immediate medical treatment and may require follow-up care by an allergist/immunologist.

The Freeman Board of Directors expects school administrators, teachers, and support staff to be informed and aware of life-threatening allergic reactions (anaphylaxis) and how to deal with the resulting medical emergencies. For students, some common life-threatening allergens are peanuts, tree nuts, fish, dairy, bee or other insect stings, latex, and some medications. Affected students require planned care and support during the school day and during school sponsored activities. Additionally, any student could potentially have a life-threatening allergic reaction even without a history of such.

Parents/guardians are responsible for informing the school about their student's potential risk for anaphylaxis and for ensuring the provision of ongoing health information and necessary medical supplies. The district will take reasonable measures to avoid allergens for affected students. The district will also train all staff in the awareness of anaphylaxis and prepare them to respond to emergencies. Additionally, student specific training will be provided for appropriate personnel. The plan shall be distributed to appropriate staff based on the students' needs and the staffs' level of interaction with the student as determined in the health plan.

Even with the district's best efforts, staff and parents/guardians need to be aware that it is not possible to achieve a completely allergen-free environment. However, the district will take reasonable precautions to reduce the risk of exposure to allergens for students with a history of anaphylaxis. ~~coming into contact with the offending allergen in school.~~

The superintendent will establish procedures to support this policy and to ensure:

1. Rescue protocol in cases of suspected anaphylaxis will follow OSPI's current Guidelines for the Care of Students with Anaphylaxis (2009);
2. A simple and standardized format for emergency care plans is utilized;
3. A protocol is in place to ensure emergency care plans are current and completed and distributed to appropriate staff;
4. Medication orders are clear and unambiguous;
5. Training and documentation is a priority.

### Cross References:

- 3420 - Anaphylaxis Prevention and Response
- 3419 - Self-Administration of Asthma and Anaphylaxis Medications
- 3418 - Emergency Treatment
- 3416 - Medication at School

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**Policy No. 3420  
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Legal References:

WAC 392-380 Public School Pupils—Immunization Requirement and Life-Threatening Health Condition  
RCW 28A.210.38~~03~~ Anaphylaxis — Policy guidelines — Procedures — Reports.  
RCW 28A.210.383 Epinephrine and epinephrine autoinjectors (EPI pens)—School supply—Use.

Management Resources:

2018 - August Issue  
2013 - December Issue  
2012 - August Issue  
2009 - February Issue  
OSPI, ~~March 2009~~ Guidelines for the Care of Students with Anaphylaxis

Adoption Date: July 30, 2020

Revision Date: Jan. 27, 2025

## ANAPHYLAXIS PREVENTION AND RESPONSE

For students with a medically diagnosed life-threatening allergy (anaphylaxis), the district will take appropriate steps for the student's safety, including implementing a nursing-carehealth plan developed by the school nurse. The district will utilize the Guidelines for the Care of Students with Anaphylaxis published by the Office of the Superintendent of Public Instruction.

### Parent/Guardian Responsibility

Prior to enrolling a student, the parent/guardian will inform the school in writing of the medically diagnosed allergy(ies) and risk of anaphylaxis. School districts will develop a process to identify students at risk for life-threatening allergies and to report this information to the school nurse. Upon receiving the diagnosis, school staff will contact the parent/guardian to develop a nursing-carehealth plan. A nursing-carehealth plan will be developed for each student with a medically diagnosed life-threatening allergy.

### Nursing-CareHealth Plan

The school nurse (registered nurse) will develop a written plan that identifies the student's allergies, symptoms of exposure, practical strategies to minimize the risks, and how to respond in an emergency.

The principal or designee ~~(school nurse) may shall~~ arrange for a consultation with-between the school nurse and parent/guardian prior to the first day of attendance to develop and discuss the nursing-carehealth plan. The plan will be developed by the school nurse in collaboration with parent/guardian, licensed health care provider (LHP), and appropriate school staff. If the treatment plan includes self-administration of medications, the parent/guardian, student, and staff will comply with model policy and procedure 3419, *Self-Administration of Asthma and Anaphylaxis Medication*.

Annually and prior to the first day of attendance, the student health file will contain: 1) a current, completed nursing-carehealth plan; 2) a written ~~description of the treatment~~medical order, signed by a LHP; and 3) an adequate and current supply of auto-injectors or intranasal medication ~~(and other medications if needed)~~. The school will also recommend to the parents/guardians that the student wear a medical alert bracelet at all times. The parents/guardians are responsible for notifying the school if the student's condition changes and for providing the medical treatment order, appropriate auto-injectors or nasal spray, and other medications as ordered by the LHP.

The district will exclude from school those students who have a medically diagnosed life-threatening allergy and no medication or treatment order presented to the school to the extent that the district can do so consistent with federal requirements for students with disabilities under the Individuals with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, and pursuant to the following due process requirements:

- A. Written notice to the parents/guardians or persons in loco parentis is delivered in person, ~~or~~ by certified mail or email;



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B. Notice of the applicable laws, including a copy of the laws and rules; and  
 C. The order that the student will be excluded from school immediately and until medications and a treatment medical order are presented.

~~C-D.~~ The student's and parents' right to a hearing to challenge the decision.

**Communications Plan and Responsibility of School Staff**

After the nursing care health plan is developed, the school principal or a designee will inform appropriate staff regarding the affected student. The school nurse (registered nurse) will train appropriate staff regarding the affected student and the nursing care plan. The plan will be distributed to appropriate staff and placed in appropriate locations in the district (classroom, office, school bus, lunchroom, near playground, etc.). With the permission of parents/guardian and the student, (if appropriate), other students and parents may be given information about anaphylaxis to support the student's safety and control to exposure to allergens.

**All School Staff Training**

Annually, each school principal will provide for an in-service training on how to minimize exposure and how to respond to an anaphylaxis emergency. The training will include a review of avoidance strategies, recognition of symptoms, the emergency protocols to respond to an anaphylaxis episode (calling 911/EMS when symptoms of anaphylaxis are first observed), and hands-on training in the use of an auto injector and nasal spray. Training should also include notifications that more than one dose may be necessary in a prolonged anaphylaxis event.

Student specific training and additional information will be provided (by the school nurse) to teachers, teacher's assistants, clerical staff, food service workers, and bus drivers who will have known contact with a student diagnosed with a known allergen.

**Student-specific Training**

Annually, before the start of the school year and/or before the student attends school for the first time, the school nurse will provide student-specific training and additional information to teachers, teacher's assistants, clerical staff, food service workers, and bus drivers who will have known contact with a student diagnosed with a known allergen and are implementing the nursing care plan.

**Controlling the Exposure to Allergens**

Controlling the exposure to allergens requires the cooperation of parents/guardians, students, the health care community, school employees, and the board. The district will inform parents/guardians of the presence of a student with life threatening allergies in their child's classroom and/or school and the measures being taken to protect the affected-student. Parents/guardians will be asked to ~~cooperate and~~ limit the allergen in school lunches and snacks or other products. The district will discourage the sharing of food, utensils, and containers. The district will take other precautions such as appropriate cleaning of eating surfaces, avoiding the use of party balloons or contact

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with latex gloves. Additionally, play areas will be specified that are lowest risk for the affected student.

The district will also identify high-risk events and areas for students with life-threatening allergies, such as foods and beverages brought to school for seasonal events, school equipment, and curricular materials used by large numbers of students (play-dough, stuffed toys, science projects, etc.), and implement appropriate accommodations.

During school-sponsored activities, appropriate supervisors, staff, and parents/guardians will be made aware of the identity of the student with life-threatening allergies, the allergens, symptoms, and treatment. The lead teacher will ensure that the auto-injector is brought on field trips.

**Storage/maintenance/expiration/disposal**

School staff will comply with all manufacturer's instructions as to storage, maintenance, expiration, and disposal of epinephrine ~~auto injectors~~. School staff will also comply with district medication policy and procedures related to safe, secure management of medications.

**Administration**

Epinephrine ~~auto injectors~~ may be used on all school property, including buildings, playgrounds, and school buses. For school-sponsored events and field trips, the school nurse or designated trained school personnel may carry an appropriate supply of school-supplied epinephrine ~~auto injectors~~. This does not negate the need to carry the supply of epinephrine ~~auto injectors~~ devices belonging to students with known anaphylaxis.

The district will maintain all practices regarding prescriptions and self-medication for children with existing epinephrine ~~auto injector~~ prescriptions and/or a guided anaphylaxis care plan. Parents/guardians of students with identified life-threatening allergies must continue to provide the school with appropriate medication and treatment orders pursuant to [RCW 28A.210.320](#), Life-Threatening Conditions.

**Employee Opt-Out**

School employees (except licensed nurses) who have not previously agreed in writing to the use of epinephrine auto injectors as part of their job description may file a written letter of refusal to administer epinephrine auto injectors with the districts. The employee's refusal may not serve as grounds for discharge, non-renewal, or other action adversely affecting the employee's contract status.

**No Liability**

If the school employee or school nurse who administers epinephrine ~~by auto injector~~ to a student substantially complies with the student's prescription (that has been prescribed by a licensed health professional within the scope of the professional's prescriptive authority) or a statewide standing order and the district's policy on anaphylaxis prevention and response, the employee, nurse, district, superintendent,

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**Procedure No. 3420P  
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and board are not liable for any criminal action or civil damages that result from the administration.

Adoption Date: July 30, 2020  
Revision Date: Jan. 27, 2025

# Coversheet

## Approval of Board Policy & Procedure No. 3424 - 1st Reading

**Section:** XII. New Business  
**Item:** F. Approval of Board Policy & Procedure No. 3424 - 1st Reading  
**Purpose:**  
**Submitted by:**  
**Related Material:** BP3424 - Opioid Related Overdose Reversal.pdf  
PR3424 - Opioid Related Overdose Reversal.pdf

## OPIOID RELATED OVERDOSE REVERSAL

The board recognizes that the opioid epidemic is a public health crisis and access to opioid-related overdose reversal medication can be life-saving. To assist a person at risk of experiencing an opioid-related overdose, the district will seek to obtain and maintain at least one set of opioid overdose reversal medication doses in each of its ~~high~~-schools.

SSB 5804 amended RCW 28A.210.390. The district ~~has authority to~~must obtain and maintain opioid overdose reversal medication either through a standing order, prescribed and dispensed according to RCW 69.41.095(5), or through one or more donation sources. The district will seek at least one set of opioid reversal medication doses for each of its ~~high~~-schools. However, if the district documents a good faith effort to obtain and maintain opioid overdose reversal medication through a donation source, and is unable to do so, the district is exempt from the obligation to have a set of opioid reversal medication doses for each ~~high~~-school. Documentation of good faith effort must be kept on file.

The following personnel may distribute or administer the school-owned opioid overdose reversal medication to respond to symptoms of an opioid-related overdose:

- A school nurse;
- School personnel who become designated trained responders; or
- A health care professional or trained staff person located at a health care clinic on public school property or under contract with the school district.

Training for school personnel to become designated trained responders and distribute or administer opioid overdose reversal medication must meet the requirements for training described in the statute and any rules or guidelines for such training adopted by the Office of Superintendent Public Instruction. ~~If a district high school does not have a full-time school nurse or trained health care clinic staff,~~ The district shall identify at least one member of each high school's personnel to become a designated trained responder who can distribute and administer opioid overdose reversal medication.

Opioid overdose reversal medication may be used on school property, including the school building, playground, and school bus, as well as during field trips or sanctioned excursions away from school property. A school nurse or a designated trained responder may carry an appropriate supply of school-owned opioid overdose reversal medication on in-state field trips and sanctioned in-state excursions.

Individuals who have been directly prescribed opioid overdose reversal medication according to RCW 69.41.095 lawfully possess and administer opioid overdose reversal medication, based on their personal prescription. However, such "self-carrying" individuals and those who obtain opioid overdose reversal medication over-the-counter, must show proof of training as verified by a licensed registered professional nurse employed or contracted by the district or participate in district training as specified in the accompanying procedure.

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Administration of the district's opioid overdose reversal medication will be performed by designated, trained, district personnel as needed. However, "RCW 69.41.095 allows for "any person" (including students) to lawfully possess, store, deliver, distribute, and administer an opioid overdose reversal medication that has been properly prescribed and/or authorized. The board further recognizes that:

- incidences of opioid overdoses are increasing in communities and schools,
- naloxone is highly unlikely to cause harm if administered when not needed,
- students may carry naloxone at school in order to have access to it outside of school, and
- delay in administering naloxone for suspected overdose or delay activating emergency medical services could cause severe harm.

Therefore, neither the district nor its schools will pursue disciplinary action for students or personnel solely for possession or good faith administration of naloxone. Naloxone will not be confiscated from students.

Students who exhibit concern for the risk of overdose for themselves or others shall be counseled on the availability of behavioral health supports and instructed of the district policy and procedure for opioid overdose response, and the importance of summoning adult help and emergency services for any suspected overdose.

If any type of overdose is suspected, including an opioid related overdose, district staff will call 9-1-1 and alert a first responder emergency services. The school nurse, designated trained responder, or trained staff person located at a health care clinic on public school property or under contract with the school district will follow the Washington Department of Health steps for administering naloxone for a suspected opioid related overdose.

**Cross References:**

- 3418 - Response to Student Injury or Illness
- 3416 - Medication at School

**Legal References:**

- Chapter 28A.210 RCW – Health Screening and Requirements
- Chapter 69.50.315 RCW – Health Screening and Requirements
- Chapter 69.50.315 RCW – Drug-related overdose

**Management Resources:**

- 2020 - February Issue

**FREEMAN SCHOOL DISTRICT NO. 358**

**Policy No. 3424**  
**Students**

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*OSPI, January 2020, Opioid Related Overdose Policy Guidelines and Training in the School Setting*

Adoption Date: June 26, 2024

Revision Date: Jan. 27, 2025

## OPIOID RELATED OVERDOSE REVERSAL

An opioid overdose requires immediate medical attention. It is essential to initiate emergency medical services for medical assessment and support.

Opioid overdose reversal medication and rescue breathing are evidence-based interventions known to result in positive outcomes for individuals experiencing an opioid related overdose. The district shall utilize the *Opioid ~~Related~~ Overdose Reversal Policy and Training Guidelines & Training in the for Schools Setting* published by the Office of the Superintendent of Public Instruction.

### Opioids and Overdose

Opioids are a class of drugs derived from opium poppy or entirely created in a lab. Opioids include morphine, codeine, oxycodone, hydrocodone, hydromorphone, heroin, meperidine, fentanyl, and methadone. There are prescription opioids and opioids that are created and obtained illicitly.

An opioid overdose happens when someone has taken too much of an opioid. Synthetic opioids such as Fentanyl are especially dangerous due to its potency and ~~can be added~~ are often found to illicit street drugs in a wide variety of forms including counterfeit pills and in illicit drugs. A person under the influence of opioids may experience ~~non-life-threatening effects such as~~ nausea, vomiting, or sleepiness which are not immediately life-threatening. ~~A person may also~~ An overdose is life-threatening when a person stops breathing or they experience inconsistent breathing, experience life threatening effects that may lead to death, including infrequent or absent breathing, loss of consciousness, slowed or irregular heartbeat, no response to stimuli, and/or severe allergic reaction.

Risk factors for an opioid overdose include:

- Mixing opioids with other substances including benzodiazepines, stimulants, or alcohol
- Using after a break in use due to decreased tolerance
- Taking too many opioids
- Other health conditions
- Previous overdose
- Taking medications that were not prescribed for them
- Using opioids not from a pharmacy ~~because the strength is unknown~~
- Using alone (increases risk from dying from an overdose)

~~Those who overdose rarely experience sudden breathing cessation. There is usually enough time to intervene before breathing completely stops and death occurs. Opioid overdose reversal medication and rescue breathing are evidence-based intervention outcomes for individuals experiencing an opioid overdose.~~

An opioid high presents differently than an opioid overdose. The effects of opioid exposure include:



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Opioid <del>High</del> <u>Effects – not immediately life-threatening</u>	Opioid Overdose <u>– life-threatening</u>
Normal skin tone	Pale, clammy skin Blue or purple lips or fingernails for person with light complexion and white or ashy lips and fingernails for person with dark complexion
Breathing appears normal	Infrequent, shallow, or absent breathing Respiratory rate less than 8 breaths per minute
Normal heart rate	Slow or irregular heartbeat
Looks sleepy	Unconscious or unable to wake
Speech slurred or slow	Deep snoring, gurgling, or choking sounds (death rattle)
Responsive to stimuli	Not responsive to stimuli
Pinpoint pupils (with some exceptions)	Pinpoint pupils

**Opioid Overdose Response**

Opioid overdose reversal medication and rescue breathing are evidence-based interventions for individuals experiencing an opioid overdose. In the case of an opioid overdose, naloxone should be administered without delay to restore breathing and improve the person’s chances of survival.

Naloxone is effective only if there are opioids involved in the overdose. Naloxone will not reverse an overdose involving alcohol, benzodiazepines, methamphetamines, or cocaine. The District shall follow the Washington Department of Health’s steps for administering naloxone for drug overdose. (<https://www.doh.wa.gov/Portals/1/Documents/Pubs/150-126-NaloxoneInstructions.pdf>)

~~An opioid overdose may occur intentionally or in many cases unintentionally after injection, ingestion, or inhalation of an opioid.~~ Assessing an individual for responsiveness and breathing is critical to a successful outcome ~~of for~~ a person ~~experiencing suspected of experiencing~~ an opioid overdose. A few quick ways to determine this are:

- Shout their name and shake them
- Rub knuckles hard on the breastbone in the middle of the chest ~~or on the upper lip~~ of the individual.

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If the person responds to the stimuli, assume an overdose has not yet occurred but may continue to progress. ~~However, Emergency medical services should~~ must be notified. Remain with the individual and ~~continue to assess~~ monitor for responsiveness and continued breathing until help arrives. It is important to monitor the person and try to keep the individual awake and alert. If the person does not respond to hearing their name, being shook, or having knuckles rubbed on their breast bone ~~or upper lip~~, or if they are not breathing, assume they may be experiencing an opioid overdose and administer naloxone per standing order and prescription.

According to American Heart Association guidelines in response to suspected overdose, an AED should be brought and used to rule out a shockable rhythm for a victim who is not breathing/not breathing normally.

~~An opioid overdose requires immediate medical attention. It is essential to have a trained medical professional assess the condition of a person experiencing an overdose. All schools are expected to activate emergency medical services in an expected case of an suspected overdose. Naloxone is effective only if there are opioids involved in the overdose. Naloxone will not reverse an overdose involving alcohol, benzodiazepines, or cocaine. Washington's Good Samaritan Law provides some protections when calling 911 to save a life, even if drugs are at the scene according to RCW 69.50.315. The victim and person calling 911 cannot be prosecuted for simple possession. The District shall follow the Washington Department of Health's steps for administering naloxone for drug overdose. (<https://www.doh.wa.gov/Portals/1/Documents/Pubs/150-126-NaloxoneInstructions.pdf>)~~

**Obtaining and Maintaining Opioid Overdose Medication**

If a statewide standing order for intranasal or auto-injection intramuscular forms of naloxone is available, the district will obtain and maintain those forms of opioid overdose reversal medication exclusively.

The district may seek to obtain opioid overdose reversal medication through donations from manufacturers, non-profit organizations, hospitals, and local health jurisdictions. The district may also purchase opioid overdose reversal medication directly from companies or distributors ~~at discounted pricing~~. If a district is unable to obtain naloxone through a donation source and pursues an exemption from the requirement to stock naloxone per RCW 28A.210.390 ~~†~~ The district must maintain written documentation of its good faith effort to obtain opioid overdose reversal medication from these sources.

A school administrator at each district ~~high~~ school shall ensure that the opioid overdose reversal medication is stored safely and consistently with the manufacture's guidelines. School administrators will also make sure that an adequate inventory of opioid overdose reversal medication is maintained with reasonably projected demands. Medication should be routinely assessed to ensure enough time for reacquiring the medication prior to the expiration date.

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Opioid overdose reversal medication shall be clearly labeled in an unlocked, easily accessible cabinet in a supervised location. Consider storing opioid overdose reversal medication in the same location as other rescue medications. Districts may store additional doses in unsupervised locations such as Automated External Defibrillator (AED) cabinets for faster access on large campuses or after hours. Naloxone stocked in unsupervised locations should be checked at least weekly. Districts are encouraged to stock additional doses in first aid and sports kits. Expiration dates should be documented on an appropriate log a minimum of two times per year. Additional materials (e.g., instructions for administering opioid overdose reversal medication, barrier masks, gloves, etc.) associated with responding to an individual with a suspected opioid overdose can be stored with the medication.

**Training**

School-based health centers are responsible for training their personnel.

The district will ensure each ~~high~~-school has at least one personnel member who can distribute or administer opioid overdose reversal medication. Districts should consider having adequate designated and trained personnel for availability at school and school-sponsored activities. Any staff member may be designated and trained upon approval by Principal and/or school nurse. Personnel certified in first aid/CPR should be prioritized for designation and training for administration of opioid overdose reversal medication. If opioid overdose reversal medication is stocked in first aid and athletic kits as encouraged by RCW 28A.210.390, staff members in possession of these kits at off-site events should be designated and trained in order to administer the medication.

Training for designated trained responders will occur annually prior to the beginning of each school year and throughout the school year as needed. Training may take place through a variety of platforms, including online or in ~~a more conventional classroom setting~~person. Training may ~~occur in small groups or conducted one-on-one and may~~ be offered by nonprofit organizations, higher education institutions, or local public health agencies. A licensed registered professional nurse who is employed or contracted by the district may train the designated trained responders on the administration of the opioid overdose reversal medication consistent with OSPI's guidelines and this policy/procedure.

Training for designated personnel will include:

- District policy and procedure
- What are opioids
- What is an opioid overdose
- Other types of overdoses.
- Signs and symptoms of an overdose
- Actions to take when a suspected opioid overdose occurs

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- Naloxone access points in the school
- Reporting requirements
- Skill practice
- Good Samaritan law

The district will maintain a log of all designated trained responders for each ~~high~~ school. The log will include a list of all persons who are designated trained responders, a list of their trainings with the date and location of the training and the name of the trainer.

**Student Possession of Opioid Overdose Reversal Medication – “Self-carry”**

Individuals who have been directly prescribed opioid overdose reversal medication according to RCW 69.41.095 lawfully possess and administer opioid overdose reversal medication, based on their personal prescription. Individuals may also acquire over-the-counter opioid overdose reversal medications. However, Ssuch “self-carrying” individuals must either show proof of training as verified by a licensed registered professional nurse employed or contracted by the district or participate in district training. These self-carrying individuals do not count toward the designated trained responders at each ~~high~~ school.

Administration of the district’s opioid overdose reversal medication will be performed by designated, trained, district personnel when needed. However, “RCW 69.41.095 allows for “any person” (including students) to lawfully possess, store, deliver, distribute, and administer an opioid overdose reversal medication that has been properly prescribed and/or authorized. The board further recognizes that:

- incidences of opioid overdoses are increasing in communities and schools,
- naloxone is highly unlikely to cause harm if administered when not needed,
- students may carry naloxone at school in order to have access to it outside of school, and
- delay in administering naloxone for suspected overdose or delay activating emergency medical services could cause severe harm.

Therefore, neither the district nor its schools will pursue disciplinary action for students solely for possession or good faith administration of naloxone. Naloxone will not be confiscated from students who are found to have it in their possession at school and school-sponsored events.

Students who exhibit concern for the risk of overdose for themselves or others shall be counseled on the availability of behavioral health supports and instructed of the district

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policy and procedure for opioid overdose response. The importance of summoning adult help and emergency services for any suspected overdose must be emphasized.

**Post-incident Follow-up**

Districts should plan to provide student and personnel support within a one to two days after a suspected overdose incident. Supports may include critical incident stress debriefing, Flight team, postvention, or other support and prevention measures. Considerations for continued prevention and wellness promotion are also recommended.

**Liability**

The district's and practitioner's liability is limited as described in RCW 69.41.095.

Adoption Date: June 26, 2024

Revision Date: Jan. 27, 2025

# Coversheet

## Future Board Meetings

**Section:** XIII. Other Information  
**Item:** A. Future Board Meetings  
**Purpose:**  
**Submitted by:**  
**Related Material:** Future Board Meeting Schedule 2024-2025 .pdf



## FREEMAN SCHOOL BOARD MEETINGS 2024 - 2025

<b>MONDAY</b>	<b>JANUARY 27</b>	<b>11:00 AM</b>	<b>PRTC CONFERENCE ROOM</b>
<b>THURSDAY</b>	<b>FEBRUARY 27</b>	<b>6:00 PM</b>	<b>PRTC CONFERENCE ROOM</b>
<b>MONDAY</b>	<b>MARCH 24</b>	<b>6:00 PM</b>	<b>PRTC CONFERENCE ROOM</b>
<b>MONDAY</b>	<b>APRIL 28</b>	<b>6:00 PM</b>	<b>PRTC CONFERENCE ROOM</b>
<b>WEDNESDAY</b>	<b>MAY 28</b>	<b>6:00 PM</b>	<b>PRTC CONFERENCE ROOM</b>
<b>TUESDAY</b>	<b>JUNE 10</b>	<b>4:00 PM</b>	<b>PRTC CONFERENCE ROOM</b>
<b>WEDNESDAY</b>	<b>JUNE 25</b>	<b>6:00 PM</b>	<b>PRTC CONFERENCE ROOM</b>
<b>MONDAY</b>	<b>JULY 28</b>	<b>9:00 AM</b>	<b>PRTC CONFERENCE ROOM</b>
<b>WEDNESDAY</b>	<b>AUGUST 27 *</b>	<b>6:00 PM</b>	<b>PRTC CONFERENCE ROOM</b>
			<b>* SCHOOL BOARD ADVANCE WORK SESSION</b>

June 2024

# Coversheet

## Personnel Action

**Section:** XIV. Personnel  
**Item:** A. Personnel Action  
**Purpose:**  
**Submitted by:**  
**Related Material:** Personnel Action 12-11-2024.pdf



FREEMAN SCHOOL DISTRICT NO. 358  
PERSONNEL ACTION

The administration recommends the following personnel action to the Board of Directors of Freeman School District No. 358 for December 11, 2024.

Administration:

Certified: Savanna Jenkins - Substitute Teacher

Classified:

Extracurricular: Bill Brebner – Resignation – 7<sup>th</sup> Grade Head Boys Basketball Coach  
Kyle Monasmith – Resignation – 7<sup>th</sup> Grade Head Girls Basketball Coach