

**ADMINISTRATIVE POLICY AND PROCEDURE UPDATES  
SUMMARY SHEET  
February 27, 2023**

<b><u>NAME</u></b>	<b><u>Last Revised</u></b>
<b><u>Students</u></b>	
3421 Pol & Proc – Child Abuse and Neglect	07/15
3432 Policy Only - Emergencies	07/18
<b><u>Personnel</u></b>	
5001 Policy Only – Hiring of Retires School Employees	10/16
5011 Policy Only – Sexual Harassment of District Staff Prohibited	07/15
5610 Policy Only – Substitute Employment	10/16

- All additional verbiage has been bolded, underlined and highlighted
- All deletions have been crossed through

### **Child Abuse, and Neglect, and ~~Exploitation Prevention~~**

Child abuse or, neglect, **including exploitation**, and ~~exploitation~~ are violations of children's human rights and an obstacle to their educational development. The board directs that staff will be alert for any evidence of child abuse or, neglect, **including** ~~or~~ exploitation.

For purposes of this policy, the term "child" means anyone under the age of 18, ~~and/or any current student of the district, including home-schooled students or any other person classified as a student in the district's database.~~

"Child abuse or neglect, ~~or exploitation~~" means:

- ~~A. Inflicting physical injury on a child by other than accidental means, causing death, disfigurement, skin bruising, impairment of physical or emotional health, or loss or impairment of any bodily function;~~
- ~~B. Creating a substantial risk of physical harm to a child's bodily functioning;~~
- ~~C. Attempting, committing, or allowing any sexual offense against a child as defined in the criminal code. This definition also includes any communications with a child for immoral purposes or viewing, possessing, or distributing any sexually explicit images of a child. It also includes intentionally contacting, directly or through the clothing, the genitals, anus, or breasts of a child unless the contact is necessary for the child's hygiene or health care. This also includes a child's intentional or coerced contact with anyone's genitals, anus, or breasts;~~
- ~~D. Committing acts that are cruel or inhumane regardless of observable injury. These acts may include, but are not limited to, instances of extreme discipline demonstrating a disregard of a child's pain or mental suffering;~~
- ~~E. Assaulting or criminally mistreating a child as defined by the criminal code;~~
- ~~F. Failing to provide food, shelter, clothing, supervision, or health care necessary to a child's health or safety;~~
- ~~G. Engaging in actions or omissions resulting in a substantial risk to the physical or mental health or development of a child; or~~
- ~~H. Failing to take reasonable steps to prevent the occurrence of the preceding actions.~~

- A. Injury of a child by any person under circumstances which cause harm to the child's health, welfare, or safety;
- B. Sexual abuse or sexual exploitation by any person under circumstances which cause harm to the child's health, welfare, or safety; or
- C. The negligent treatment or maltreatment of a child by a person responsible for or providing care to the child.

Physical discipline of a child, including the reasonable use of corporal punishment, is not considered abuse when it is reasonable and moderate and is inflicted by a parent or guardian for the purposes of restraining or correcting the child.

Children (including other students), family members, and any other adult can engage in child abuse, or neglect, ~~or exploitation~~. This may include incidents of student on student misconduct. Staff should report all incidents of **suspected child** abuse **or neglect** regardless of the age of the person who engages in it.

~~Subject to the definition above,~~ Staff should not focus on a person's mental status to determine if ~~she or he has~~ **they have** committed child abuse, **or neglect**, ~~or exploitation~~. The law governing mandated reporting does not allow for exceptions for people with medical conditions that may mitigate the intent for committing child abuse, **or neglect**, ~~or exploitation~~.

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

The superintendent will develop reporting procedures and provide them to all staff on an annual basis. The purpose is to identify and timely report all evidence of child abuse, **or neglect**, ~~or exploitation~~ to the proper authorities. Staff will receive training regarding reporting obligations during their initial orientation and every three years after initial employment.

All staff are responsible for reporting all suspected cases of child abuse, **or neglect**, **and exploitation** to the proper authorities and/or the appropriate school administrator. Under state law, staff are free from liability for reporting a reasonable suspicion of child abuse, **or neglect**, ~~or exploitation~~. However, failing to report the incident may result in criminal liability regardless of whether the authorities determine the incident is provable in a subsequent legal proceeding.

Staff need not verify a report that a child has been abused, **or neglected**, ~~or exploited~~. ~~Any conditions or information that may be reasonably related to child abuse, neglect, or exploitation should be reported.~~ Legal authorities have the responsibility for investigating each case and taking appropriate action under the circumstances.

Cross References: 3226 - Interviews and Interrogations of Students on School Premises  
4310 - District Relationships with Law Enforcement and other Government Agencies  
4265 - Community Education Program  
**5253 – Maintaining Professional Staff/Student Boundaries**

Legal References: RCW 13.34.300 Relevance of failure to cause juvenile to attend school as evidence to neglect petition  
 RCW 26.44.020 Definitions  
 RCW 26.44.030 Reports — Duty and authority to make — Duty of receiving agency — Duty to notify — Case planning and consultation — Penalty for unauthorized exchange of information — Filing dependency petitions — Investigations — Interviews of children — Records — Risk assessment process  
 RCW 28A.320.160 Alleged sexual misconduct by school employee — Parental notification — Information on public records act  
 RCW 28A.400.317 Physical abuse or sexual misconduct by school employees — Duty to report — Training  
 RCW 28A.620.010 Purposes  
 RCW 28A.620.020 Restrictions — Classes on parenting skills and child abuse prevention encouraged  
 RCW 43.43.830 Background checks — Access to children or vulnerable persons - Definitions  
 WAC ~~388-15-009~~ What is child abuse or neglect?  
 AGO 1987, No. 9 Children — Child Abuse — Reporting by School Officials — Alleged Abuse by Student

Management Resources: 2015 – June Issue  
 2010 - April Issue  
 Policy News, February 2007 Physical Abuse and Sexual Misconduct Notice Requirements  
 Policy News, June 1999 23% of districts out-of-compliance on child abuse policies  
**Department of Children, Youth & Family**  
**(<https://www.dcyf.wa.gov/safety/what-is-abuse>)**

### Procedure Child Abuse, and Neglect, ~~and Exploitation~~ Prevention

Each school principal will develop and implement an instructional program that will teach students:

1. How to recognize the factors that may cause people to abuse or neglect, ~~or exploit~~ children;
2. How one may protect oneself from incurring experiencing abuse or neglect these forms of maltreatment; and;
3. What resources are available to assist an individual who does or may encounter an abusive or neglectful situation.

To facilitate such a program, staff development activities will receive training regarding reporting obligations during their initial orientation and every three years after initial employment. Training may include such topics as:

1. Child growth and development;
2. Identification of child abuse or neglect, ~~and exploitation~~;
3. Effects of abuse or neglect child maltreatment on child growth and development;
4. Personal safety as it relates to potential child abuse or neglect, ~~and exploitation~~;
5. Parenting and supervision skills;
6. Life situations/stressors which may lead to child abuse or neglect maltreatment; and; ~~or~~
7. Substance abuse.

### Reporting Responsibilities

Staff are ~~expected~~ **required** to report every instance of suspected child abuse or neglect, ~~or exploitation~~. Since protection of children is the paramount concern, staff should discuss any suspected evidence with the principal, nurse, or supervisor regardless of whether the condition is listed among the indicators of abuse or neglect.

~~Staff are reminded of their obligation as district employees to report suspected child abuse, neglect, or exploitation. Professional staff are reminded of their legal obligation to report these incidents. Staff are also reminded of their immunity from potential liability for doing so. The following procedures are~~ **required when** ~~to be used in reporting instances of suspected child abuse~~ or neglect, ~~or exploitation~~:

- A. When there is reasonable cause to believe that a student child has suffered abuse or neglect, ~~or exploitation~~, staff or the principal will immediately contact the nearest office of the Child Protective Services (CPS) of the Department of Children, Youth and Families (DCYF) Department of Social and Health Services (DSHS) If the situation is urgent and CPS cannot immediately respond, staff shall immediately contact or the local law enforcement agency. This report must be made at the first opportunity, but in no

**case longer than** contact must be made within forty-eight (48) hours **after there is reasonable cause to believe that the child has suffered abuse or neglect.**

Staff will also advise the principal ~~or supervisor~~ regarding instances of suspected abuse **or** neglect, ~~or exploitation~~ as well as reports that have been made to CPS or law enforcement. In his/her **the principal's** absence, **staff will advise** the report will be made to the nurse or counselor.

A staff member may contact CPS to determine if a report should be made. Child Protective Services has the responsibility of determining the fact of child abuse or neglect. Any doubt about the child's condition **legal necessity of making a report** will be resolved in favor of making the report.

- B. A written report will be submitted promptly to the agency to which the **oral** report was made. The report will include **the following information, if known:**
1. The name, address and age of the child;
  2. The name and address of the **child's** parents **stepparents, guardians, or other** persons having custody of the child;
  3. The nature and extent of the suspected abuse or neglect;
  4. Any evidence of previous abuse **or neglect, including the nature and extent;**
  5. **Any** other information that may relate to the cause or extent of the abuse or neglect; and
  6. The identity, ~~if known,~~ of the person accused of inflicting the abuse.
- C. When the district receives a report that a school employee has committed an act of sexual misconduct, it will notify the parents of the alleged victim **at the first opportunity but in all cases** within forty-eight (48) hours **of receiving the report. The notice will include information regarding their rights under the public records act, chapter 42.56 RCW, to request the public records regarding school employee discipline. This information shall be provided to all parents on an annual basis**
- D. **Child abuse as defined by the statutes can be inflicted "by any person" and may include student-on-student abuse. These cases also require reporting to CPS or law enforcement.**

### **Defining Child Abuse and Neglect**

#### **Child abuse or neglect means:**

- A. **Injury of a child by any person under circumstances which cause harm to the child's health, welfare, or safety;**
- B. **Sexual abuse or sexual exploitation by any person under circumstances which cause harm to the child's health, welfare, or safety; or**
- C. **The negligent treatment or maltreatment of a child by a person responsible for or providing care to the child.**

Physical abuse means the nonaccidental infliction of physical injury or physical mistreatment on a child that harms the child's health, welfare, or safety. It may include, but is not limited to, such actions as:

- (a) Throwing, kicking, burning, or cutting a child;
- (b) Striking a child with a closed fist;
- (c) Shaking a child under age three;
- (d) Interfering with a child's breathing;
- (e) Threatening a child with a deadly weapon; or
- (f) Doing any other act that is likely to cause and that does cause bodily harm greater than transient pain or minor temporary marks or that is injurious to the child's health, welfare or safety.

Physical discipline of a child, including the reasonable use of corporal punishment, is not considered abuse when it is reasonable and moderate and is inflicted by a parent or guardian for the purposes of restraining or correcting the child.

Sexual abuse means committing or allowing to be committed any sexual offense against a child as defined in the criminal code. The intentional touching, either directly or through the clothing, of the sexual or other intimate parts of a child or allowing, permitting, compelling, encouraging, aiding, or otherwise causing a child to engage in touching the sexual or other intimate parts of another for the purpose of gratifying the sexual desire of the person touching the child, the child, or a third party.

A parent or guardian of a child, a person authorized by the parent or guardian to provide childcare for the child, or a person providing medically recognized services for the child, may touch a child in the sexual or other intimate parts for the purposes of providing hygiene, child care, and medical treatment or diagnosis.

Sexual exploitation includes, but is not limited to, sex trafficking and commercial sexual exploitation and includes such actions as allowing, compelling, encouraging, aiding, or otherwise causing a child to participate in one or more of the following:

- (a) Any sex act when anything of value is given to or received by any person for the sex act;
- (b) Sexually explicit, obscene, or pornographic activity to be photographed, filmed, or electronically reproduced or transmitted;
- (c) Sexually explicit, obscene, or pornographic activity as part of a live performance or for the benefit or sexual gratification of another person.

Negligent treatment or maltreatment means an act or a failure to act, or the cumulative effects of a pattern of conduct, behavior, or inaction, on the part of a child's parent, legal custodian, guardian, or caregiver that shows a serious disregard of the consequences to the child and creates a clear and present danger to the child's health, welfare, or safety.

These signs may signal the presence of child abuse or neglect:

The child:

- Shows sudden changes in behavior or school performance.
- Has not received help for physical or medical problems brought to the parents' attention.
- Has learning problems (or difficulty concentrating) that cannot be attributed to specific physical or psychological causes.
- Is always watchful, as though preparing for something bad to happen.
- Lacks adult supervision.
- Is overly compliant, passive, or withdrawn.
- Comes to school or other activities early, stays late, and does not want to go home.

The parent or other adult caregiver and the child:

- Shows little concern for the child.
- Denies the existence of or blames the child for the child's problems in school or at home.
- Asks teachers or other caretakers to use harsh physical discipline if the child misbehaves.
- Sees the child as entirely bad, worthless, or burdensome.
- Demands a level of physical or academic performance the child cannot achieve.
- Looks primarily to the child for care, attention, and satisfaction of emotional needs.

The Parent or other adult caregiver and child:

- Rarely touch or look at each other.
- Consider their relationship entirely negative.
- State that they do not like each other.

**Abuse Indicators**

Common Indicators of Physical Abuse indicators:

Consider the possibility of physical abuse when the child:

- Has unexplained burns, bites, bruises, broken bones, or black eyes.
- Has fading bruises or other marks noticeable after an absence from school.
- Is frightened of the parents and protests or cries when it is time to go home.
- Shrinks at the approach of adults.
- Reports injury by a parent or another adult caregiver.



**Consider the possibility of physical abuse when the parent or other adult caregiver:**

- **Offers conflicting, unconvincing, or no explanation for the child's injury.**
  - **Describes the child as "evil," or in some other very negative way.**
  - **Uses harsh physical discipline with the child.**
  - **Has a history of abuse as a child.**
  -
1. ~~Bilateral bruises, extensive bruises, bruises of different ages, patterns of bruises caused by a particular instrument (belt buckle, wire, straight edge, coat hanger, etc.) or unreasonable use of force (grabbing, pinching, dragging, and/or other unapproved forms of restraint);~~
  2. ~~Burn patterns consistent with forced immersion in a hot liquid (a distinct boundary line where the burn stops), burn patterns consistent with a spattering by hot liquids, patterns caused by a particular kind of implement (electric iron, etc.) or instrument (circular cigarette burns, etc.);~~
  3. ~~Lacerations, welts, abrasions;~~
  4. ~~Injuries inconsistent with information offered by the child;~~
  5. ~~Injuries inconsistent with the child's age; or~~
  6. ~~Injuries that regularly appear after absence or vacation.~~

**Common Indicators of Emotional Abuse Indicators:**

**Consider the possibility of emotional maltreatment when the child:**

- **Shows extremes in behavior, such as overly compliant or demanding behavior, extreme passivity, or aggression.**
- **Is either inappropriately adult-like (parenting other children, for example) or inappropriately infantile (frequently rocking or head-banging, for example).**
- **Is delayed in physical or emotional development.**
- **Has attempted suicide.**
- **Reports a lack of attachment to the parent.**

**Consider the possibility of emotional maltreatment when the parent or other adult caregiver:**

- **Constantly blames, belittles, or berates the child.**
  - **Is unconcerned about the child and refuses to consider offers of help for the child's problems.**
  - **Overtly rejects the child.**
1. ~~Lags in physical development;~~
  2. ~~Extreme behavior disorder;~~
  3. ~~Fearfulness of adults or authority figures; or~~
  4. ~~Revelations of highly inappropriate adult behavior, i.e., being enclosed in a dark closet, forced to drink or eat inedible items.~~

### **Common Sexual Abuse Indicators of Sexual Abuse:**

Sexual abuse, whether physical injuries are sustained or not, is any act or acts involving intentional sexual contact, conduct, or communication with a child. Beyond direct evidence of this kind of abuse, indicators may include, but are not limited to:

#### **Consider the possibility of sexual abuse when the child:**

- Has difficulty walking or sitting.
- Suddenly refuses to change for gym or participate in physical activities.
- Reports nightmares or bedwetting.
- Experiences a sudden change in appetite.
- Demonstrates bizarre, sophisticated, or unusual sexual knowledge or behavior.
- Becomes pregnant or contracts a venereal disease, particularly if under age 14.
- Runs away.
- Reports sexual abuse by a parent or another adult caregiver.

#### **Consider the possibility of sexual abuse when the parent or other adult caregiver:**

- Is unduly protective of the child or severely limits the child's contact with other children, especially of the opposite sex.
- Is secretive and isolated.
- Is jealous or controlling with family members.

1. ~~A child's developmentally inappropriate sexual conduct, regardless of the child's own mental status or development;~~
2. ~~Child engaging in "sex talk", drawings, or attempting to access pornography;~~
3. ~~Child's disclosure of "grooming behaviors" or inappropriate conduct that does not necessarily rise to a specific sexual act;~~
4. ~~An adult's attempt to form a secret or unreasonably special relationship with a child;~~
5. ~~Venereal disease in a child of any age;~~
6. ~~Evidence of physical trauma or bleeding to the oral, genital or anal areas; or~~
7. ~~Pregnancy.~~

### **Physical Common Indicators of Neglect Indicators**

#### **Consider the possibility of neglect when the child:**

- Is frequently absent from school.
- Begs or steals food or money.
- Lacks needed medical or dental care, immunizations, or glasses.
- Is consistently dirty and has severe body odor.
- Lacks sufficient clothing for the weather.
- Abuses alcohol or other drugs.

- States that there is no one at home to provide care.

Consider the possibility of neglect when the parent or other adult caregiver:

- Appears to be indifferent to the child.
- Seems apathetic or depressed.
- Behaves irrationally or in a bizarre manner.
- Is abusing alcohol or other drugs

1. ~~Lack of basic needs (food, clothing, safety, shelter);~~
2. ~~Inadequate supervision;~~
3. ~~Lack of essential health care and high incidence of illness;~~
4. ~~Poor hygiene on a regular basis;~~
5. ~~Inappropriate clothing in inclement weather; or~~
6. ~~Abandonment.~~

**Some Behavioral Indicators of Abuse:**

1. ~~Wary of adult contact;~~
2. ~~Frightened of parents;~~
3. ~~Afraid to go home;~~
4. ~~Habitually truant or late to school;~~
5. ~~Arrives at school early and remains after school later than other students;~~
6. ~~Wary of physical contact by adults;~~
7. ~~Shows evidence of overall poor care;~~
8. ~~Parents or caretakers describe child as “difficult” or “bad;”~~
9. ~~Inappropriately dressed for the weather — no coat or shoes in cold weather or long sleeves and high necklines in hot weather (possibly hiding marks of abuse); or~~
10. ~~Exhibit behavioral extremes: crying often or never, unusually aggressive or withdrawn and fearful.~~

**NOTE:** Indicators in and of themselves do not necessarily prove that abuse, neglect, or exploitation has occurred. However, they still may warrant a referral to CPS or law enforcement. When in doubt, staff should consult with CPS about making a report.

~~Child abuse as defined by the statutes can be inflicted “by any person” and may include student-on-student abuse. These cases also require reporting to CPS or law enforcement.~~

*Revised Dates: 10.98; 02.07; 4.07; 08.08; 04.10; 12.11; 12.13; 6.15; 07.15; 01/23*

## EMERGENCIES

The district is committed to having current safe school plans and procedures in place to maximize safety for all students and staff. A commitment to safety enables teaching and learning. The district and its schools shall develop comprehensive all-hazard emergency operations plans that address prevention, mitigation, preparedness, response, and recovery strategies.

District and school plans shall:

- Include required school safety policies and procedures;
- Address emergency mitigation, preparedness, response, and recovery;
- Include provisions for assisting and communicating with students and staff, including those with special needs or disabilities;
- Include a family-student reunification plan, including procedures for communicating the reunification plan to staff, students, families, and emergency responders;
- Use the training guidance provided by the Washington emergency management division of the state military department in collaboration with the state school safety center in the office of the superintendent of public instruction, established under RCW 28A.300.630, and the school safety and student well-being advisory committee, established under RCW 28A.300.635;
- Require the building principal to be certified on the incident command system;
- Consider how school facilities may be used as a community asset in the event of a community-wide emergency; and
- Set guidelines for requesting city or county law enforcement agencies, local fire departments, emergency service providers, and county emergency management agencies to meet with the district and participate in safety-related drills.

To the extent that funds are available, the district will to the following annually:

- Review and update the safe school plans in collaboration with emergency response agencies;
- Conduct an inventory of all hazardous materials;
- Identify all staff members who are trained on the national incident management system, trained on the incident command system, or are certified on the incident command system;
- Identify school transportation procedures for evacuation, to include bus staging areas, evacuation routes, communication systems, parent-student reunification sites, and secondary transportation agreements; and
- Provide information to all staff on the use of emergency supplies and alert procedures.

### Fire Drills

Students shall receive instruction so that in case of fire or sudden emergency they shall be able to leave their particular building in the shortest time possible, or take such other steps as the particular emergency demands, and without confusion or panic. Fire drills shall be held monthly.

The superintendent shall direct principals to develop emergency evacuation procedures for each building.

## Drills

Drills are an essential component of safety planning. Drills teach students and staff basic functional responses to potential threats and hazards. The four functional responses are adaptable and can be applied to a variety of situations. Additionally, some threats or hazards may require the use of more than one basic functional response. Therefore, each school in the district will conduct at least one safety-related drill per month, including summer months when school is in session with students. Drill planning and implementation shall consider and accommodate the needs of all students.

### Basic Functional Drills

The basic functional responses include shelter-in-place, lockdowns, evacuations, and earthquakes (drop-cover-hold on):

#### Shelter-in-Place

Shelter in place is designed to limit the exposure of students and staff to hazardous materials, such as chemical, biological, or radiological contaminants that are released into the environment by isolating the inside environment from the outside. Staff and students will receive instruction so that they will be able to remain inside and take the steps necessary to eliminate or minimize the health and safety hazard.

#### Lockdowns

Lockdowns are meant to isolate students and staff from threats of violence, such as suspicious trespassers, armed intruders, and other threats that may occur in a school or in the vicinity of a school. Staff and students will receive instruction so that in the event of the breach of security of a school building or campus, staff, students, and visitors will be able to take positions in secure enclosures. Lockdown drills will not include live simulations of or reenactments of active shooter scenarios that are not trauma-informed and age and developmentally appropriate.

#### Evacuations

When an emergency within a school or its surrounding area necessitates evacuation and/or total or partial closure of the schools within the district, staff will be responsible for aiding in the safe evacuation of the students within the endangered school or its surrounding area.

Staff and students will receive instruction so that in the event the school or district needs to be evacuated due to threats, such as fires, oil train spills, earthquakes, etc. They will be able to leave the building in the shortest time possible and take the safest route possible to a designated reunification site.

Schools in mapped tsunami or mapped lahar hazard zones, will plan and participate in one pedestrian evacuation drill annually.

#### Earthquakes: Drop-Cover-Hold on

The Manson School District recognizes the importance of protecting staff, students and facilities in the event of an earthquake. Facilities shall be designed and maintained in a manner that recognizes the potential danger from such an occurrence. Likewise, staff must be prepared to take necessary action to protect students and staff from harm.

~~The superintendent shall establish guidelines and action taken by building principals should an earthquake occur while school is in session.~~

**“Drop – cover – hold on” is the basic functional earthquake response. The superintendent or designee will establish guidelines and the action for building principals to take should an earthquake occur while school is in session.**

### **Additional Drills**

**In addition to the above four functional response drills, the district shall, at a minimum, also develop response plans for the following:**

### **Pandemic/Epidemic**

**The board recognizes that a pandemic outbreak is a serious threat that could affect students, staff, and the community. The superintendent or a designee will serve as a liaison between the school district and local health officials. The district liaison, in consultation with local health officials, will ensure that a pandemic/epidemic plan exists in the district and establish procedures to provide for staff and student safety during such an emergency.**

**When an emergency within a school or its surrounding area necessitates evacuation and/or total or partial closure of the schools within the district, staff will be responsible for aiding in the safe evacuation of the students within the endangered school or its surrounding area.**

### **Bomb Threats**

The superintendent **or designee** shall **will** establish procedures for action in the event that any threat is received toward the school by telephone, letter, orally or by other means.

### **Emergency School Closure or Evacuation (Modified Shelter-in-Place)**

When weather conditions or other circumstances make it unsafe to operate schools the superintendent is directed to determine whether schools should be started late, closed for the day or transportation will be provided only on emergency routes. Those decisions will be communicated through community media resources pursuant to a plan developed by the superintendent or designee.

When an emergency within a school or its surrounding area necessitates evacuation and/or total or partial closure of the schools within the district, staff shall be responsible for aiding in the safe evacuation of the students within the endangered school or its surrounding area.

The superintendent shall establish procedures for the emergency closure of a building or department.

All safety plans and drills shall include protocols for both internal and external communications, as well as procedures for drill documentation. Evacuation plans shall also include reunification plans. Schools shall document the dates and time of such drills. Each school will maintain the time and type of drill in the school office.

Cross Reference:	<b><u>4310 - District Relationships with Law Enforcement and other Government Agencies</u></b>

Legal References:	<b><u>RCW 19.27.110</u></b>	<b><u>International fire code — Administration and enforcement by counties, other political subdivisions and municipal corporations — Fees</u></b>
	<b><u>RCW 28A.320.125</u></b>	<b><u>Safe school plans — Requirements — Duties of school districts and schools — Drills — Rules — First responder agencies</u></b>
	<del>RCW 28A.305.130(11)</del>	<del>Powers and duties generally (sudden emergency evacuation)</del>
	<del>WAC 51-45-003</del>	<del>Uniform fire code standards</del>
	<del>WAC 180-41-010 Through 040</del>	<del>Evacuation of buildings in sudden emergency</del>
	<del>WAC 180-41-035</del>	<del>Evacuation of buildings in sudden emergency</del>

Management Resources:	<b><u>2017 – July Issue</u></b>
	<b><u>2013 – June Issue</u></b>
	<b><u>June 2008 OSPI School Safety Planning Manual</u></b>
	<b><u>2008 – August Issue</u></b>
	<b><u>2006 – October 2006</u></b>
	1999 – February Issue

*Adoption Date: February 27, 2006; Revised 01/23*

## Hiring of Retired School Employees

The district will recruit, select and employ the best-qualified individuals as employees. The district may employ persons retired from the Teachers' Retirement System (TRS), the School Employees' Retirement System (SERS) or the Public Employees' Retirement System (PERS). A retired employee will only be rehired pursuant to this district policy.

Until August 1, 2020, the district may employ teachers in TRS Plan 2 or 3 who have retired under the alternate early retirement provisions of RCW 41.32.765(3)(b) or RCW 41.32.875(3)(b). Such employment is subject to the following conditions: 1) One calendar month must have elapsed since the retiree's accrual date; 2) the retiree must be employed exclusively as either a substitute teacher as defined in RCW 41.32.010(48)(a) or in an instructional capacity (as opposed to an administrative or supervisory capacity); and 3) the district must compensate its substitute teachers at a rate that is at least 85% of the full daily amount allocated by the state to the district for substitute teacher compensation.

All retirees of TRS, SERS or PERS may work an annual threshold of eight hundred sixty-seven (867) hours per year while receiving retirement benefits. The annual threshold for TRS Plan 1 retirees is calculated per fiscal year. All other plans are calculated per calendar year. Qualified hours are determined by whether the retiree works in an eligible position as defined by RCW 41.32.010(48)(a) or by the Department of Retirement Systems (DRS).

### TRS Plan 1 Retirees

TRS Plan 1 retirees who reenter employment more than one calendar month after their accrual date may be employed in a non-administrative position for up to 867 hours in a school year without suspension of their pension benefits.

Until July 1, 2025, TRS Plan 1 retirees who enter reemployment more than one calendar month after their accrual date may work in a school district in a non-administrative position for up to 1,040 hours in a school year and continue to receive their pension payments.

[If your district is a second-class district as defined in RCW 28A.300.065, you can include this language in addition to what's above: Until July 1, 2025, TRS Plan 1 retirees who retired before January 1, 2022, may be employed as a superintendent or an in-school administrator for up to 1,040 hours in a school year and continue to receive pension payments.]

### TRS Plan 2 & Plan 3 Retirees

TRS Plan 2 and Plan 3 retirees who reenter employment more than one calendar year after their accrual date may be employed in an eligible position as defined in RCW 41.32.010, 41.35.010, or 41.40.010 for up to 867 hours in a calendar year without suspension of their pension benefits.

TRS Plan 2 and Plan 3 retirees who have retired under the alternate early retirement provisions of RCW 41.32.765(3)(b) or 41.32.875(3)(b) and who reenter employment more than one calendar month after their accrual date and after June 9, 2016, may be employed in a non-administrative capacity for up to 867 hours in a calendar year without suspension of their pension benefits.

Until July 1, 2025, TRS Plan 2 and Plan 3 retirees who enter reemployment more than one



calendar month after their accrual date may work in a school district in a non-administrative position for up to 1,040 hours in a calendar year and continue to receive their pension payments.

Until July 1, 2025, TRS Plan 2 and Plan 3 retirees who retired before January 1, 2022, may be employed as a superintendent or an in-school administrator for up to 1,040 hours in a calendar year and continue to receive pension payments.]

#### SERS Plan 2 & 3 Retirees

SERS Plan 2 and Plan 3 retirees who reenter employment more than one calendar year after their accrual date may be employed in an eligible position as defined in RCW 41.32.010, 41.35.010, or 41.40.010 for up to 867 hours in a calendar year without suspension of their pension benefits.

SERS Plan 2 and Plan 3 retirees who have retired under the alternate early retirement provisions of RCW 41.35.420(3)(b) and who reenter employment more than one calendar month after their accrual date may be employed in a non-administrative capacity for up to 867 hours in a calendar year without suspension of their pension benefits.

Until July 1, 2025, SERS Plan 2 and Plan 3 retirees who enter reemployment more than one calendar month after their accrual date, including those who have retired under the alternate early retirement provisions of RCW 41.35.420(3)(b) or 41.35.680(3)(b), may work in a school district in a non-administrative position for up to 1,040 hours in a calendar year and continue to receive their pension payments.

#### PERS Retirees

PERS retirees who reenter employment more than one calendar year after their accrual date may be employed in an eligible position as defined in RCW 41.32.010, 41.35.010, or 41.40.010 for up to 867 hours in a calendar year without suspension of their pension benefits.

Until July 1, 2025, PERS retirees who enter reemployment more than 100 days after their accrual date, including those who have retired under the alternate early retirement provisions of RCW 41.40.630(3)(b) or 41.40.820(3)(b), may work in a school district in a non-administrative position for up to 1,040 hours in a calendar year and continue to receive their pension payments

#### **District Responsibilities**

The district will abide by the following process when considering a retiree for employment:

- A. The board of directors will approve a process for recruitment and selection of employees, including those vacancies for which a retiree applicant may be considered;
- B. Applicant(s) will be evaluated and considered equally, selecting the candidate who best meets the needs of the district;
- C. There will be no prearranged employment agreement or commitment to rehire an employee after retirement. Mere inquiries about post-retirement employment do not constitute an agreement;
- D. Employment will be limited to a maximum of a one-year, non-continuing contract or appointment;
- E. Subject to any applicable bargaining agreements, vacancies filled by retirees will be annually reviewed by the board to determine whether the retiree will be rehired for another year of employment;

- F. The district will provide the retiree with the same terms and conditions of employment as other appointees or employees in comparable positions with the exception of sick-leave cash-out; and
- G. The district will report the number of hours worked by the retiree to DRS.

### **Retired Employee Responsibilities**

The following conditions of employment will apply to retirees that are re-employed:

- A. Retired applicants will disclose to the district whether they are retired from a Washington state retirement plan.
- B. Employees must satisfy the DRS requirement for separation and retirement from service prior to accepting a retire/rehire position with the district.
- C. Retirees are subject to the same collective bargaining membership as other one-year temporary employees.
- D. Retirees are responsible for tracking service hours during post-retirement employment among multiple employers.

Cross References: 5612 - Temporary Administrators  
5610 - Substitute Employment  
5050 - Contracts

Legal References: **RCW 28A.405.900 Certain certificated employees exempt from chapter provisions.**  
Chapter 41.32 RCW Teachers' retirement  
Chapter 41.40 RCW Washington public employees' retirement system  
**RCW 41.32.570 Post-retirement employment—Reduction or suspension of pension payments**  
**RCW 41.32.802 Reduction of retirement allowance upon reemployment or if covered by plan under RCW 28B.10.400—Reestablishment of membership**  
**RCW 41.32.862 Reduction of retirement allowance upon reemployment or if covered by plan under RCW 28B.10.400—Reestablishment of membership**  
**RCW 41.35.060 Reduction of retirement allowance upon reemployment or if covered by plan under RCW 28B.10.400—Reestablishment of membership**  
**RCW 41.40.037 Service by retirees—Break in employment requirement—Reduction of retirement allowance upon reemployment—Reestablishment of membership**  
**Chapter 41.35 RCW Washington school employees' retirement system**

Management **2022 - June Issue**  
Resources: 2016 - July Issue  
2011 - August Issue  
Policy News, June 2007 Revisions to Retire/Rehire Law

## **Sexual Harassment of District Staff Prohibited**

This district is committed to a positive and productive education and working environment free from discrimination, including sexual harassment. ~~The district prohibits sexual harassment of students, employees and others involved in school district activities.~~ **This commitment extends to all employees and other persons 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 training held elsewhere.**

### **Definitions**

For purposes of this policy, sexual harassment means unwelcome conduct or communication of a sexual nature. Sexual harassment can occur student to adult, adult to adult or can be carried out by a group of students or adults and will be investigated by the District even if the alleged harasser is not a part of the school staff or student body. The district prohibits sexual harassment of district employees by other students, employees or third parties involved in school district activities.

Under federal and state law, the term "sexual harassment" includes:

- acts of sexual violence;
- unwelcome sexual or gender-directed conduct or communications that interferes with an individual's employment performance or creates an intimidation, hostile, or offensive environment;
- unwelcome sexual advances;
- unwelcome requests for sexual favors;
- sexual demands when submission is a stated or implied obtaining work opportunity or other benefit;
- sexual demands where submission or rejection is a factor in a work or other school-related decision affecting an individual.

A "hostile environment" for an employee is created where the unwanted conduct is sufficiently severe or pervasive to create a work environment that a reasonable person would consider intimidation, hostile, or abusive

Sexual harassment occurs when:

- A. ~~Submitting to the harasser's sexual demands is a stated or implied condition of obtaining an education or work opportunity or other benefit;~~
- B. ~~Submission to or rejection of sexual demands is a factor in an academic, work or other school-related decision affecting an individual; or~~
- C. ~~Unwelcome sexual or gender directed conduct or communication interferes with an individual's performance or creates an intimidating, hostile or offensive environment.~~

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

~~The district will take prompt, equitable and remedial action within its authority on reports, complaints and grievances alleging sexual harassment that come to the attention of the district, either formally or informally. Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. Persons found to have been subjected to sexual harassment will have appropriate school district services made reasonably available to them and adverse consequences of the harassment will be reviewed and remedied, as appropriate.~~

~~Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending students, staff and contractors. Anyone else who engages in sexual harassment on school property or at school activities will have their access to school property and activities restricted, as appropriate.~~

### **Retaliation and False Allegations**

Retaliation against any person who makes or is a witness in a sexual harassment complaint is prohibited and will result in appropriate discipline. The district will take appropriate actions to protect involved persons from retaliation.

It is a violation of this policy to knowingly report false allegations of sexual harassment. Persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

### **Staff Responsibilities**

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

**This policy applies to sexual harassment (including sexual violence) targeted at district employees carried out by a student, employee, or a third party involved in school district activities. A formal complaint filed by an employee or filed by or on behalf of a student complainant against an employee respondent will be investigated under the definitions, requirements, and procedures of Policy 3205 and Procedure 3205P.**

**Reports of discrimination and discriminatory harassment will be referred to the district's Title IX/Civil Rights Compliance Coordinator. Reports of disability discrimination or harassment will be referred to the district's Section 504 Coordinator.**

### **Notice and Training**

The superintendent will develop procedures to provide ~~age-appropriate~~ information and education to district staff, ~~students~~, parents and volunteers regarding this policy and the recognition and prevention of sexual harassment. At a minimum sexual harassment recognition and prevention and the elements of this policy will be included in staff, ~~student~~ and regular volunteer orientation. This policy and the procedure, which includes the complaint process, will be posted in each district building in a place available to staff, ~~students~~, parents, volunteers and visitors. **Information about the policy and procedure will be clearly stated and conspicuously posted throughout each school building, provided to each employee and reproduce in each 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.**  
~~reproduced in each student, staff, volunteer and parent handbook.~~

### **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, and volunteers and parents in the review process.

Cross References:	Board Policy <b><u>3205</u></b>	<b><u>Sexual Harassment of Student</u></b>
		<b><u>Prohibited</u></b>
	3207	Prohibition of Harrassment, Intimidation and Bullying
	3210	Nondiscrimination
	<b><u>3211</u></b>	<b><u>Gender Inclusive Schools</u></b>
	3240	Student Conduct
	3421	Child Abuse, Neglect and Exploitation Prevention
	5010	Nondiscrimination and Affirmative Action
	5281	Disciplinary Action and Discharge
Legal References:	RCW 28A.640.020	Regulations, guidelines to eliminate discrimination — Scope—Sexual harrassement policies
	WAC 392-190-056-058	Sexual harassment
Management Resources:	<b><u>2022 June Issue</u></b>	
	<b><u>2015 July Policy Alert</u></b>	
	<i>2014 December Issue</i>	
	<i>Policy News</i> , October 2011	Policy Manual Revisions

## SUBSTITUTE EMPLOYMENT

The district authorizes the employment of a certificated substitute in the absence of a certificated staff member. In addition, the district may use a substitute in place of a ~~regularly contracted staff member~~ when:

- A. Enrollment uncertainties exist at the beginning of a school year; or
- B. Resignations of regular staff do not allow sufficient time for the district to employ an immediate replacement.

On either of the latter occasions the district will employ a contracted staff person within a reasonable time.

The superintendent **or designee** will be responsible for establishing procedures by which teachers request substitutes and by which substitute teachers are assigned, employed and compensated.

Substitute teachers who have served for 20 full consecutive working days in the same assignment will, from the 21st day of service on, be paid according to the regular salary schedule of certificated staff.

The district authorizes the employment of a spouse of an officer as a substitute teacher when the superintendent deems that there is a shortage of substitute teachers in the district. **The terms of the spouse's employment must be commensurate with the relevant pay plan or collective bargaining agreement operating in the district.**

~~Retired teachers or administrators may work up to eight hundred sixty seven (867) hours of employment.~~

If the superintendent reasonably anticipates that the list of qualified, willing substitutes will be exhausted, emergency substitute certification may be sought from the Office of the Superintendent of Public Instruction for persons not fully qualified for a teaching or substitute certificate. Substitutes holding emergency certification may only be assigned work when the list of fully-qualified substitutes is exhausted.

The board authorizes the employment of a classified substitute in the absence of a classified staff member when a program will be adversely affected by the regular staff member's absence and when a substitute can perform the duties in a reasonable manner. A classified substitute employee's eligibility to purchase retirement service credit will be determined according to [RCW 41.35](#) and retirement system rules. Substitute classified employee means a classified employee who is employed by the district exclusively as a substitute for an absent employee. The superintendent is authorized to establish procedures relating to the use of substitute classified staff.

By October 1 of each year, the district will report to the office of the superintendent of public instruction: 1) The number of substitute teachers hired per school year; 2) the number of **hours worked by each substitute** teacher hired under the expedited certification process for out-of-

state teachers; 3) **the number of substitute teachers that received benefits under the school employees' benefits board;** 4) the full daily compensation rate per substitute teacher; and 4) the reason for hiring the substitute teacher.

Cross References: 5001 – Hiring of Retired School Employees  
5612 - Temporary Administrators

Legal References: ~~Chapter~~ **RCW 28A.300. Substitute teachers – Hiring and compensation reporting** RCW Superintendent of Public Instruction  
RCW 28A.330.240 Employment Contracts  
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  
RCW 28A.405.900 Certain certificated employees exempt from chapter provisions  
RCW 28A.410.010 Certification — Duty of professional educator standards board — Rules — Record check — Lapsed certificates — Superintendent of Public Instruction as administrator  
RCW 41.32.570 Postretirement employment — Reduction or suspension of pension payments  
**RCW 41.32.802 Reduction of retirement allowance upon reemployment or if covered by plan under RCW 28B.10.400—Reestablishment of membership**  
**RCW 41.32.862 Reduction of retirement allowance upon reemployment or if covered by plan under RCW 28B.10.400—Reestablishment of membership**  
~~Chapter~~ **41.35.033 Membership – Service credit – Substitute employees - rules** RCW Washington school employees' retirement system  
**RCW 41.35.060 Reduction of retirement allowance upon reemployment or if covered by plan under RCW 28B.10.400—Reestablishment of membership**  
**RCW 41.40.037 Service by retirees—Break in employment requirement—Reduction of retirement allowance upon reemployment—Reestablishment of membership**  
RCW 42.23.030(9) Interest in contracts prohibited — Exceptions  
**WAC 181-79A-231 Limited certificates**

Management  
Resources:

2016 – July Issue  
2011 - August Issue  
Policy News, June 2008 Substitute Employment  
Policy News, August 2001 Legislature Authorizes “Retire-Rehire”