



Employee Handbook

Arlington Public Schools
315 N French Ave
Arlington, WA 98223

Revised August 2024

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PURPOSE

The purpose of this handbook is to provide information and guidance that will help employees in understanding what can be expected from the District and what the District expects from employees. This handbook has been developed to provide policies, procedures, and rules required to provide a quality education for our students and a safe working environment for our employees. The employee handbook describes the professional expectations and necessary conditions for our very important work together – the teaching and learning of our students.

This handbook is neither a contract nor a substitute for the official District Board Policy Manual. The District reserves the right to modify, revoke, suspend, terminate, or change any or all such plans, policies, or procedures. It is not intended to alter the at-will status of non-contracted employees in any way. Rather, it is a guide to and a brief explanation of District policies and procedures related to employment. These policies and procedures can change at any time; these changes shall supersede any handbook provisions that are not compatible with the change. For more information, employees may refer to the Board Policies that are associated with handbook topics, confer with their supervisor, or call the appropriate District office department. Copies of School Board Policies and Administrative Regulations are available to all personnel and are on the Arlington Public School website at <http://www.asd.wednet.edu>.

It is important that each employee is aware of the policies and procedures related to his/her position. The information in this Handbook is subject to change and changes in District policies may supersede, modify, or eliminate the information summarized in this Handbook. Staff input regarding the content of this manual is appreciated and updates will be made as needed.

Our primary business is the education of our youth, and everything we do should be directed toward providing students with the best possible learning environment.

OUR MISSION STATEMENT

Arlington Public Schools educates all students, preparing and inspiring them to graduate and seek their full potential as lifelong learners.

DISTRICT NORMS

- Assume positive intent
- Be professional in all interactions
- Be kinder than necessary
- Be fully present and engaged
- Be prepared

SCHOOL INFORMATION

The Board of Directors

The Board of Directors of the District is composed of five district citizens elected by district voters for a four-year term and two student representatives. One student representative is selected each year to serve a two-year term.

One of the Board's duties is to approve all new employees before their employment is considered official.

The Board generally holds meetings at 6:00 pm on the second and fourth Mondays of each month in the Arlington School District Administration Office Board Room, 2nd Floor, 315 North French Avenue in Arlington. The full meeting schedule, agendas, meeting packets, and minutes can be found on the District website at www.asd.wednet.edu/boardmeetings.

Business meetings are open to the public except in certain circumstances when the Board is allowed to meet in private. The law permits holding closed Executive Sessions or meetings for discussion of personnel, confidential student matters, collective bargaining, real estate, and legal issues.

The current members are:

Mary Levesque, District 4
mary.levesque@asd16.org

Nicole Watts, District 3
michael.kingman@asd16.org

Erica Knapp, District 5
erica.knapp@asd16.org

Sheri Kelly, District 2
sheri.kelly@asd16.org

Matt Diamond, District 1
Matt.diamond@asd16.org

Dr. Chrys Sweeting, Superintendent
Serving as Board Secretary
chrys.sweeting@asd16.org

Important Phone Numbers

Superintendent's Cabinet Members

Dr. Chrys Sweeting
Superintendent
360-618-6201

Gina Zeutenhorst
Executive Director of Financial Services
360-618-6203

Kari Henderson-Burke
Executive Director of Teaching and Learning
360-618-6220

Eric DeJong
Executive Director of Human Resources
360-618-6212

Brian Lewis
Executive Director of Operations
360-618-6238

Gary Sabol
Director of Communications
360-618-6217

Brenda Booth
Director of Learning Support
360-618-6200

District Leadership Team Members

Brian Long
Director of College and Career Readiness
360-618-6300

Dave McKellar
Director of Special Education
360-618-6209

Ed Aylesworth
Director of Support Services & Child Nutrition
360-618-6213

Matt Jurick
Director of Technology
360-618-6211

Karl Olson
Director of Categorical Programs
360-618-6200

Kerri Helgeson
Director of Equity and Student Well-Being
360-618-6228

Arlington Public Schools

APPLE Preschool
Carrie Saunders, Director
360-618-6434

Arlington High School
Marilee Herman, Principal
360-618-6300

Pioneer Elementary
Sarah Durrant, Principal
360-618-6230

Post Middle School
Leslie Olson, Principal
360-618-6450

Eagle Creek Elementary
Bethany Belisle, Principal
360-618-6270

Presidents Elementary
Jamie Miller, Principal
360-618-6240

Haller Middle School
Brooke Howell, Principal
360-618-6400

Stillaguamish Valley Learning Center
Karrie Marsh, Principal
360-618-6440

Kent Prairie Elementary
Colleen Van Belle, Principal
360-618-6260

Weston High School
Andrea Dixon-Hundredmark, Principal
360-618-6340

Athletic Offices

Arlington High School, Tom Roys, Athletic Director: 360-618-6313

Haller Middle School, Joseph Green, Jr., Athletic Director: 360-618-6403

Post Middle School, Paul Dobberfuhr, Athletic Director: 360-618-6453

Who to Call

Contact Human Resources Department at ext. 10403 for information and questions regarding:

- Change of address or phone number
- Contracts
- Expiration date of required certificate
- Verification of employment
- Resignation or retirement
- Salary schedule
- Scheduled workdays

Contact Human Resources Department at ext. 10402 for information and questions regarding:

- Badges
- Coaching
- Fingerprints
- Para Pro Assessment
- Personnel file
- Recruitment – online applications
- Safe Schools
- Student teachers

Contact Benefits Specialist at ext. 10405 for information and questions regarding:

- Benefit Forms
- Employee benefits and dependent coverage
- FMLA leave
- Leave balances (sick and vacation leave)
- Leave requests and procedures
- Request for shared leave
- Workmen Compensation claims

Contact Payroll or Finance Department at ext. 10301 for information and questions regarding:

- Assistance to understand your pay
- Direct deposit
- Monthly payroll deductions
- Retirement enrollment
- Tax sheltered annuities – 403B
- Time sheets
- W2 (Year End)
- W4 changes

For other questions regarding:

- Retirement – for general questions call Washington State Department of Retirement Systems at (800) 547-6657.
- Union Dues – contact your appropriate union representative.

EMPLOYMENT

Background Check and Fingerprint Requirements

In June of 1992, a Washington State law was passed that requires any person hired by a school district who has regularly scheduled unsupervised access to children to be fingerprinted for a state and national background check. Since all school district employees and coaches have the potential to have access to

children, all new employees and coaches must be fingerprinted. An employee or coach may be exempt from this requirement only if they have been fingerprinted for a Washington State school district within the last two (2) years and those prints are accessible from the Office of Superintendent of Public Instruction (OSPI). A Washington State Patrol check will also be conducted. Employment is contingent upon a successful background check as well as School Board approval.

Badges – Employee Identification

The District provides staff with an employee identification badge. Employees **must** wear their identification badge in a visible spot during their contracted work time. They allow students, parents, coworkers, vendors, and the public to know who employees are. They are an important part of providing a secure environment for our students. ***Please be diligent in keeping track of your staff id badge.*** In any event that there is a lost or misplaced id badge, please notify the building secretary immediately. Employees may be charged \$10 for lost badges.

Certification & Licensure

Each employee who is required to be licensed or certified by law must provide the District with a copy of the current license or certificate to be maintained in his or her personnel file. It is solely the employee's responsibility to maintain valid certification. Employees are expected to know the expiration date of their license/certification and are responsible for meeting the requirements for re-licensure or certification in a timely manner. A teaching contract with any person not legally authorized to teach the named subject or at the named school shall be void. All teaching contracts shall terminate if, and when, the authority to teach terminates. If a current teaching license is not on file with the District before the first day of school requiring student contact, the teacher may be released from employment by the School Board.

For questions regarding certification issues contact:

OSPI Certification
www.k12.wa.us/certification/e_cert
360-725-6400

Change in Personal Information

Please notify your building principal and the Human Resources office if any of the following information changes: name, marital status, address or telephone number, or person to be contacted in case of emergency.

Salary Placement/Certificated Staff

- Salary placement is based on the number of credits and clock hours earned after the awarding of the first bachelor's degree, as well as the number of verified certificated years of experience.
- Salary advancement adjustments are made in the fall based on the following guidelines: Coursework **must be** completed by October 1st. Official transcripts are due in Human Resources no later than the last working day in October to advance on the salary schedule for the current year. Payments for salary advancement will retro back to the first contracted day of the current school year. New hires have 90 days from their date of hire.

Transcripts, Credits and Clock Hours

- College/university transcripts must be "official" and sealed.
- For salary placement, all college/university credits are counted in quarter hours. One semester equals one and one-half quarter credits.
- Most universities do electronic (e-script) transcripts. Please have those sent directly to Kathleen Kowalczyk, Human Resources Specialist at Kathleen.kowalczyk@asd16.org.
- Credits must be earned through an accredited college or university.
- Clock hour courses must be offered by a Washington State approved clock hour provider.

- Ten clock hours are equivalent to one quarter credit on the salary schedule.
- Clock hour classes must be a minimum of one hour to be eligible for recognition.
- Other than for salary advancement, clock hours are applicable only to the renewal of a continuing or professional certificate, not to the renewal of an initial or residency certificate.

If you have already reached 90+ credits for salary advancement purposes, Human Resources will not keep nor record those clock hours/credits as they have no effect on your salary with the District. It is your responsibility to maintain and enter them into E-Certification for certificate renewal purposes.

Human Resources will assign the required criteria. The criteria must meet one of the following:

1. Consistent with a school-based plan for mastery of student learning, goals as referenced in RCW 28A.320.205, the annual school performance report, for the school in which the individual is assigned.
2. Pertains to the individual's current assignment or expected assignment for the subsequent school year.
3. Necessary for obtaining an endorsement as prescribed by the Washington Professional Educator Standards Board.
4. Specifically required for obtaining advance levels of certification.
5. Included in a college or university degree program that pertains to the individual's current assignment or potential future assignment as a certificated instructional staff.
6. Addresses research-based assessment and instructional strategies for students with dyslexia, dysgraphia, and language disabilities when addressing learning goal one under RCW 28A.150.210, as applicable and appropriate for individual certificated instructional staff.

Certificated Experience Earned outside of Arlington School District

- For certificated experience that is earned outside of Arlington School District to be considered for salary placement, previous employers must complete and submit a “Verification of Professional Employment” form and send to Human Resources.
- It is the employee’s responsibility to submit a “Verification” form to their previous educational employers to complete.
- Certificates - All applicable certificates must be current (valid). It is important for certificated employees to monitor the expiration date of their certificates. Arlington School District does not maintain a tracking system for the 100 clock hours necessary to renew your certificate.
- A valid Washington State Teaching Certificate or Temporary Teaching Permit. Washington State does not provide the District a copy of your certificate/permit. It is the employee's responsibility to ensure a valid Washington State Certificate/Permit is on file in Human Resources prior to your first work day.

Collective Bargaining Agreements and Groups

For those employees represented by a bargaining unit, work activities are subject to a collective bargaining agreement between the District and an employee organization. Represented employees may access the most recently negotiated and executed agreements on the District’s website or from their bargaining representative. The District encourages represented employees to review these documents carefully.

The majority of employees of Arlington Public Schools fall within two collective bargaining groups:

Arlington Education Association (AEA, part of Washington Education Association)

This association represents non-supervisory certificated employees such as teachers, certificated school nurses, counselors, psychologists, and other certificated specialists. The AEA representatives bargain with

respect to wages, hours, and terms and conditions of employment with the District, Superintendent, and the School Board. All new non-supervisory certificated employees will be contacted regarding membership. There will be a monthly payroll deduction for union dues.

Public School Employees of Arlington (PSE, part of Public School Employees of Washington State)

This bargaining unit consists of classified employees in the general job classifications: office personnel, individual classification, child nutrition, technology, custodial, maintenance, non-certificated school nurses, and transportation. The PSE representatives bargain with respect to wages, hours, and terms and conditions of employment with the District, Superintendent, and the School Board. All new classified employees will be contacted regarding membership. There will be a monthly payroll deduction for local membership dues, as well as state union dues.

Electronic Resources/Technology/Internet Safety/Website/Social Media ***(Board Policy 2022, Board Procedure 2022P)***

To promote internet safety and appropriate online behavior of students and staff as they use electronic resources and access material from the internet, the Superintendent or designee will develop internet safety procedures, acceptable use guidelines, and, for students, related instructional materials for every grade level. The Superintendent or designee in evaluating such procedures and instructional materials should take into account District electronic resources, community norms, privacy rights, responsible use, and issues of concern with student or staff use of electronic resources.

When students use the internet from school facilities for educational purposes, District staff will make a reasonable effort to supervise student access and use of the internet. If material is accessed that violates District policies, procedures or student guidelines for electronic resources or acceptable use, District staff may instruct the person to cease using that material and/or implement sanctions consistent with District policies, procedures, guidelines, and/or student codes of conduct.

K-20 Network Acceptable Use Guidelines/Internet Safety Requirements

These procedures are written to support the Electronic Resources Policy of the Board of Directors and to promote positive and effective digital citizenship among students and staff. Digital citizenship represents more than technology literacy. Successful, technologically-fluent digital citizens live safely and civilly in an increasingly digital world. They recognize that information posted on the internet is public and permanent and can have a long-term impact on an individual's life and career. Expectations for student and staff behavior online are no different than face-to-face interactions.

Use of Personal Electronic Devices

In accordance with all District policies and procedures, students and staff may use personal electronic devices (e.g. laptops, mobile devices and e-readers) to further the educational and research mission of the District. School staff will retain the final authority in deciding when and how students may use personal electronic devices on school grounds and during the school day.

Network

The District network includes wired and wireless devices and peripheral equipment, files and storage, e-mail and internet content (blogs, websites, collaboration software, social networking sites, wikis, etc.). The District reserves the right to prioritize the use of, and access to, the network. All use of the network must support education and research and be consistent with the mission of the District.

Acceptable network use by District students and staff includes:

- A. Creation of files, digital projects, videos, web pages, and podcasts using network resources in support of education and research;
- B. Participation in blogs, wikis, bulletin boards, social networking sites and groups and the creation of content for podcasts, e-mail and webpages that support education and research;

- C. With parental permission, the online publication of original educational material, curriculum related materials and student work. Sources outside the classroom or school must be cited appropriately;
- D. Staff use of the network for incidental personal use in accordance with all District policies and procedures; or
- E. Connection of personal electronic devices (wired or wireless), including portable devices with network capabilities, to the District network after checking with the Director of Technology to confirm that the device is equipped with up-to-date virus software, compatible network card and is configured properly. Connection of any personal electronic device is subject to all procedures in this document.

Unacceptable network use by District students and staff includes, but is not limited to:

- A. Personal gain, commercial solicitation, and compensation of any kind;
- B. Actions that result in liability or cost incurred by the District;
- C. Downloading, installing and use of games, audio files, video files, games or other applications (including shareware or freeware) without permission or approval from the Director of Technology;
- D. Support for or opposition to ballot measures, candidates, and any other political activity;
- E. Hacking, cracking, vandalizing, the introduction of viruses, worms, Trojan horses, time bombs and changes to hardware, software and monitoring tools;
- F. Unauthorized access to other District computers, networks, and information systems;
- G. Cyberbullying, hate mail, defamation, harassment of any kind, discriminatory jokes and remarks;
- H. Information posted, sent or stored online that could endanger others (e.g., bomb construction, drug manufacturing);
- I. Accessing, uploading, downloading, storage and distribution of obscene, pornographic or sexually explicit material; and
- J. Attaching unauthorized devices to the District network. Any such device will be confiscated and additional disciplinary action may be taken.

The District will not be responsible for any damages suffered by any user, including but not limited to, loss of data resulting from delays, non-deliveries, mis-deliveries or service interruptions caused by his/her own negligence or any other errors or omissions. The District will not be responsible for unauthorized financial obligations resulting from the use of, or access to, the District's computer network or the internet.

Internet Safety

Personal Information and Inappropriate Content:

- A. Students and staff should not reveal personal information, including a home address and phone number, on websites, blogs, podcasts, videos, social networking sites, wikis, and email or as content on any other electronic medium;
- B. Students and staff should not reveal personal information about another individual on any electronic medium without first obtaining permission;
- C. No student pictures or names can be published on any public class, school, or District website unless the appropriate permission has been obtained according to District policy; and
- D. If students encounter dangerous or inappropriate information or messages, they should notify the appropriate school authority.

Filtering and Monitoring

Filtering software is used to block or filter access to visual depictions that are obscene and all child pornography in accordance with the Children's Internet Protection Act (CIPA). Other objectionable

material could be filtered. The determination of what constitutes “other objectionable” material is a local decision.

- A. Filtering software is not 100% effective. While filters make it more difficult for objectionable material to be received or accessed, filters are not a solution in themselves. Every user must take responsibility for his/her use of the network and internet and avoid objectionable sites;
- B. Any attempts to defeat or bypass the District’s internet filter or conceal internet activity are prohibited (e.g. proxies, https, special ports, modifications to District browser settings and any other techniques designed to evade filtering or enable the publication of inappropriate content);
- C. E-mail inconsistent with the educational and research mission of the District will be considered SPAM and blocked from entering District e-mail boxes;
- D. The District will provide appropriate adult supervision of internet use. The first line of defense in controlling access by minors to inappropriate material on the internet is deliberate and consistent monitoring of student access to District devices;
- E. Staff members who supervise students, control electronic equipment or have occasion to observe student use of said equipment online, must make a reasonable effort to monitor the use of this equipment to assure that student use conforms to the mission and goals of the District; and
- F. Staff must make a reasonable effort to become familiar with the internet and to monitor, instruct and assist effectively.
- G. The District will provide a procedure for students and staff members to anonymously request access to internet websites blocked by the District’s filtering software. The procedure will indicate a timeframe for a designated school official to respond to the request. The requirements of the Children’s Internet Protection Act (CIPA) will be considered in evaluation of the request. The District will provide an appeal process for requests that are denied.

Copyright (*Board Policy 2025*)

Downloading, copying, duplicating and distributing software, music, sound files, movies, images or other copyrighted materials without the specific written permission of the copyright owner is generally prohibited. However, the duplication and distribution of materials for educational purposes are permitted when such duplication and distribution fall within the Fair Use Doctrine of the United States Copyright Law (Title 17, USC) and content is cited appropriately.

Ownership of Work/Intellectual Property-Work Made for Hire (*Board Policy 2027*)

All work completed by employees as part of their employment will be considered property of the District. The District will own any and all rights to such work including any and all derivative works, unless there is a written agreement to the contrary. Under federal copyright laws, this is called “work made for hire”. An employee with questions regarding ownership or copyrights on materials prepared within the scope of his/her employment should consult with his/her principal or supervisor.

Student Data is Confidential

District staff must maintain the confidentiality of student data in accordance with the Family Educational Rights and Privacy Act (FERPA).

No Expectation of Privacy

The District provides the network system, e-mail and internet access as a tool for education and research in support of the District’s mission. The District reserves the right to monitor, inspect, copy, review and store, without prior notice, information about the content and usage of:

- A. The network;
- B. User files and disk space utilization;
- C. User applications and bandwidth utilization;
- D. User document files, folders and electronic communications;

- E. E-mail;
- F. Internet access; and
- G. Any and all information transmitted or received in connection with network and e-mail use.

No student or staff user should have any expectation of privacy when using the District's network. The District reserves the right to disclose any electronic messages to law enforcement officials or third parties as appropriate. All documents are subject to the public records disclosure laws of the State of Washington.

Archive and Backup

Backup is made of all District e-mail correspondence for purposes of public disclosure and disaster recovery. Barring power outage or intermittent technical issues, staff and student files are backed up on District servers regularly. Refer to the District retention policy for specific records retention requirements.

Disciplinary Action

All users of the District's electronic resources are required to comply with the District's policy and procedures (and agree to abide by the provisions set forth in the District's user agreement). Violation of any of the conditions of use explained in the District's user agreement, Electronic Resources Policy or in these procedures could be cause for disciplinary action, including suspension or expulsion from school and suspension or revocation of network and computer access privileges.

WEBSITES AND SOCIAL MEDIA (*Board Policy 4010*)

The Arlington Public Schools Board of Directors recognizes the educational value of current and emerging technologies in the instructional setting. Staff and students may use and develop websites and social media for District-related communications or content related to instruction, research, alternate resources, presentations, information access, or any information that furthers Arlington Public Schools' missions and goals.

Arlington Public Schools ("The District") considers any electronic communication between an employee and a student to be an extension of the classroom or school, and recognizes the nexus between the employee's job and the portion of their private life involved in the communication. Therefore, employees who use email, texting, social media, or other electronic means to communicate with students must keep all communication professional, transparent, and appropriate. Staff should be aware that any electronic communications with students may be considered public records under the Washington Public Records Act (RCW 42.56) and subject to retention and disclosure, irrespective of whether the communications occurred on a personal device or online profile.

The Board recognizes the importance of social media to students and staff, who have the right under the First Amendment to speak out on matters of public concern subject to certain limitations. The District will regulate students' and staff use of social media when such use:

1. Interferes, disrupts, or undermines the educational environment and/or effective operation of the District;
2. Is used to engage in harassing, defamatory, obscene, abusive, discriminatory or threatening or similarly inappropriate communications;
3. Creates a hostile work environment; or
4. Violates any law, rule, regulation, the School Board's policies and procedures, or student and staff handbooks.

The Superintendent will develop procedures that encourage access to electronic information systems and networks by students, staff, and patrons while establishing reasonable controls for the lawful, efficient and appropriate use and management of the system.

The network, and the messages and documents transmitted over it, are the property of the District.

Websites and Social Media

Purpose

Arlington Public Schools (“The District”) recognizes the modern learning environment requires students and staff to adapt to changing methods of communication to better engage, collaborate and learn. The District further recognizes that it is important to create an atmosphere of trust and individual accountability, keeping in mind that information posted online by staff and students may be a reflection on the entire District and is subject to the District's policies and procedures, handbooks, and Washington and federal law. The following guidelines provide direction for employees, students and the School District community for online social media activities.

Staff Use of Social Media

- Staff may participate in online publishing or discussions (e.g., blog, wiki, social network) subject to any Arlington Public Schools conduct policies and handbooks. Staff members are responsible for anything they post online, whether it is through a professional or personal account. The District encourages staff with a personal online presence to be mindful of the information they post. A staff member’s online behavior should reflect standards of honesty, respect, good judgment, and consideration. Staff should be mindful that once posted, information may remain public despite their efforts to delete it.
- The lines between public and private, personal and professional, may often be blurred on the internet. A staff member who identifies his/herself as an Arlington Public Schools staff member in an online profile connects to networks of colleagues, students, parents and the school community. Thus, staff members should ensure their conduct is consistent with District policies and procedures, staff handbooks, and promotes a respectful school culture.
- Staff should include a disclaimer in their profiles that their personal views do not reflect the views of their employer.
- Staff should be cognizant of their privacy settings and ensure their social media profiles are limited to their intended audience.
- Maintaining professional boundaries over the internet is critical for staff members to ensure a trusting relationship with Arlington Public Schools and its families. All staff communications with students via the internet (e.g., email, text messaging, instant messaging, or social networking sites) will be for school-related purposes only. Appropriate discussions include the student’s homework, class activity, or extracurricular activities.
- Do not utilize personal accounts to “friend” or engage with current students and parents that you know *professionally*. Arlington Public Schools recognizes staff members may have students or parents who are family members or close personal friends. Staff should maintain separate professional and private online profiles to reduce the risk of crossing personal-professional lines.
- Staff should be aware that any electronic communications with students may be considered public records under the Washington Public Records Act (RCW 42.56) and subject to retention and disclosure, irrespective of whether the communications occurred on a personal device or online profile.
- School Board members should avoid any use of social media that would violate open public meeting laws.

Public Documents and Records Retention

To the extent District websites, social media, and electronic communications constitute public records, Arlington Public Schools subscribes to records retention services to archive a variety of social media sources. Staff must register all work-related social media sites with the Director of Communications.

While the District may allow approved user-generated content on its social-media sites, it does not intend to create an open public forum for speech. Rather, to the extent comments are enabled on Arlington Public

Schools' social media outlets, The District intends to create a limited public forum subject to moderation pursuant to these procedures. Page administrators will moderate and may not allow comments on District postings that:

- Contain obscene, graphic, explicit or racial comments or submissions;
- Are abusive or hateful toward any individual, group, or organization;
- Are of a commercial nature (i.e. advertisements, solicitations);
- Suggest or encourage activity that violates local, state, or federal law or the District's policies and procedures;
- Contain any confidential information;
- Are clearly off topic;
- Contain political or religious messages;
- Are clearly offensive;
- Contain information that violates any third party's intellectual property rights (e.g., copyrights); or
- Promotes, fosters, or perpetuates discrimination on the basis of race, religion, creed, color, national origin, age, honorably discharged veteran or military status, sex, sexual orientation, gender expression or identity, marital status, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability.

The District reserves the right to temporarily or permanently remove comments that do not meet these guidelines. The limitations will be applied neutrally and will not favor a particular viewpoint or ideology.

The District reserves the right to ban, block, or otherwise restrict access to users who violate these guidelines. Prior to removing any comment under these guidelines, the page administrator must save a screenshot or copy of the post that allegedly violates these guidelines for record retention and verification purposes. Any commenter who believes the District wrongfully removed any comment may appeal the decision by contacting the Arlington Public Schools Director of Communications at 360-618-6217.

The District does not endorse statements or external links and comments posted by third parties on District pages or postings, nor do any such postings represent the views of the District, its Board, or its staff. Any individual commenting on a District page or posting takes personal responsibility for their comments, username, and avatar/photograph. All District comments and postings will be considered public records subject to disclosure.

The District strives to communicate about urgent issues and respond to inquiries from the community in a timely manner, but please note that the District's social media accounts are not monitored 24/7. If you are a student in crisis, or have an emergency, please call 911 or the SafeSchools Tip Line. For non-emergency inquiries, please contact the Director of Communications at 360-618-6217 and we will respond in as timely a manner as possible. The District's Facebook and other social media pages are not intended to be used for third parties to make formal complaints against the District, its employees or its students. Formal complaints are to be directed to the building/department administrator.

Staff Accountability (*Board Policy 5281, Board Procedure 4010P*)

An employee who is responsible for a social media network posting that fails to comply with the rules and guidelines set forth in this procedure may be subject to discipline pursuant to Arlington Public Schools.

Employee Access

Employees have electronic access, through Skyward-Employee Access, to their information such as payroll, time off/leave balance, professional development, and employment opportunities. It is the employee's responsibility to regularly check Employee Access. Please call ext. 10303 to gain access or to confirm your login and/or password. Please refer to handout given.

Evaluations (*Board Policy 5240*)

Evaluation of an employee's job performance is a continuous process that focuses on improvement. Performance evaluation is based on an employee's assigned job duties and other job-related criteria. All employees will participate in the evaluation process with their assigned supervisor at least annually. Written evaluations will be completed on forms approved by the District. Reports, correspondence, and memoranda also can be used to document performance information. All employees will receive a copy of their written evaluation, participate in a performance conference with their supervisor, and have the opportunity to respond to the evaluation.

Fair Labor Standards Act

Arlington Public Schools will comply fully with the Fair Labor Standards Act (FLSA), its regulations, and relevant court decisions. This District will inform employees of FLSA through proper posting of information as disseminated by the U.S. Department of Labor. The District will cooperate with all state agencies and maintain compliance. *Reference: Fair Labor Standards Act.*

All non-exempt classified employees must be paid for all work permitted and must be paid at regular time, overtime, or compensatory time. If a non-exempt employee's total hours actually worked (leave time and holiday time excluded) exceeds forty (40) hours in any established work week, the District is required to compensate through overtime pay or compensatory (comp) time, as outlined below:

Overtime Pay

Overtime provisions under the Fair Labor Standards Act are in effect when a non-exempt classified employee works more than forty (40) hours per week during an established work-week or as specified in collective bargaining agreements. Non-exempt classified employees must be paid no less than time and one-half (1 ½) for all overtime hours worked. Any overtime must be preapproved by a building administrator.

Compensatory Time

The FLSA 1985 Amendments provide that non-exempt employees of a public agency may, under certain conditions, receive comp time in lieu of overtime pay. Any comp time must be given at a rate of not less than one and one-half (1 ½) hours for each hour of employment for which overtime compensation is required. The employee has the privilege of requesting compensatory time, but it cannot be required or mandated by a supervisor.

Compensatory Time must be preapproved by the supervisor and is subject to conditions of the Collective Bargaining Agreements. The employee must complete the necessary paperwork and maintain accurate records. Forms may be found on the District's website under "District Forms".

Forms

For commonly used District Forms, on our website, please go to the For Staff tab, then select "District Forms for Staff". The majority of forms are in a pdf format and are fillable. New forms are being added regularly.

Mandatory Trainings

Arlington Public Schools has several mandatory trainings such as Bloodborne Pathogens, Bullying Recognition & Response, Boundary Invasions, Harassment, and General Safety.

The District utilizes the SafeSchools, through Vector Solutions, on-line program as a tool for mandatory trainings. Additional trainings may be covered in your building/site staff meeting or through SafeSchools.

All new-hires and continuing employees are given mandatory training assigned through SafeSchools. During your initial meeting with the Human Resources Department, you'll be informed of the trainings required for your position. All assigned training must be completed within 30 days of assignment.

Personnel Records (*Board Policy 5260*)

The District shall organize, compile and maintain personnel records and files for each staff member of the District. Any employee will be permitted, during normal District business hours (by appointment), to review the contents of his/her personnel file in the presence of an authorized staff member.

COMPENSATION AND BENEFITS

COBRA/Continuation of Coverage

Federal law (COBRA) gives employees and their qualified beneficiaries the opportunity to continue their existing health (medical, dental, and vision) insurance coverage under the District's health plan for a period of time after the occurrence of a "qualifying event" which otherwise would result in the loss of coverage. Some common qualifying events are the termination of employment (whether by resignation, layoff, discharge or even death); a substantial reduction in an employee's hours; an extended non-FMLA leave of absence; or legal separation or divorce of the employee and his/her spouse.

When such a qualifying event occurs, the District will notify the employee of the right to continue health insurance coverage under COBRA/continuation of coverage, as well as the time limits and triggering events, which are applicable in order to continue coverage. To continue coverage, the employee (or beneficiary) must timely elect to exercise their COBRA rights and must timely pay the total premiums required for coverage (including their own share and the District's share).

Family and Medical Leave Act (FMLA) / other Leaves

Arlington Public Schools recognizes that employees may, on occasion, need extended leave in order to care for themselves or for an immediate family member. Therefore, the District shall provide for family and medical leave for all eligible employees pursuant to the Family and Medical Leave Act of 1993 (FMLA).

(FMLA)—General Provisions

The following text is from the federal notice, *Employee Rights and Responsibilities under the Family and Medical Leave Act*. Specific information that the District has adopted to implement the FMLA follows this general notice.

Basic Leave Entitlement. The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or childbirth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition;
- or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements. Eligible employees with a spouse, son, daughter, or parent on active military duty and deployed to a foreign country may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. An eligible employee under this provision is the spouse, son, daughter, parent, or next of kin of the covered service member. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. It also includes a family member who is a veteran with an illness or injury that occurs in the line

of duty while on active duty and manifests itself before or after the service member became a veteran. The veteran must have been on active duty during the five years preceding the need for treatment, recuperation, or therapy.

Benefits and Protections. During FMLA, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements. Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave. An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave. Employees may choose or employers may require use of accrued paid leave while taking FMLA. In order to use paid leave for FMLA, employees must comply with the District's normal paid leave policies.

Employee Responsibilities. Employees must provide 30 days advance notice of the need to take FMLA when the need is foreseeable. When 30 days of notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal calling procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave.

Employees also must inform the employer if the requested leave is for a reason for which FMLA was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities. Covered employers must inform employees requesting leave whether they are eligible under the FMLA. If they are eligible, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA, the employer must notify the employee.

Unlawful Acts by Employers. The FMLA makes it unlawful for any employer to: interfere with, restrain, or deny the exercise of any right protected under the FMLA; discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

Enforcement. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

The FMLA does not affect any Federal or State law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

Local Family and Medical Leave Provisions

Eligible employees can take up to 12 weeks of unpaid leave in a rolling 12-month period measured backward from the date an employee uses FMLA.

Use of Paid Leave. FMLA runs concurrently with accrued sick and personal leave, temporary disability leave, compensatory time, assault leave, and absences due to a work-related illness or injury. The District will designate the leave as FMLA, if applicable, and notify the employee that accumulated leave will run concurrently.

Combined Leave for Spouses. A husband and wife who are both employed by the District are limited to a combined total of 12 weeks of FMLA to care for a parent with a serious health condition; or for the birth, adoption, or foster placement of a child. Military caregiver leave for spouses is limited to a combined total of 26 weeks.

Intermittent Leave. When medically necessary or in the case of a qualifying exigency, an employee may take leave intermittently or on a reduced schedule. The District does not permit the use of intermittent or reduced-schedule leave for the care of a newborn child or for adoption or placement of a child with the employee.

Request for FMLA. When the need for FMLA is foreseeable, employees must provide 30-day advance notice to the District. When the need for leave is not foreseeable, employees must contact the Human Resources Department as soon as possible. Employees may be required to provide the following:

- Medical certification from a qualified health care provider supporting the need for leave due to a serious health condition affecting the employee or an immediate family member;
- Second or third medical opinions and periodic recertification of the need for leave;
- Periodic reports during the leave regarding the employee's status and intent to return to work;
- Medical certification from a qualified health care provider at the conclusion of leave of an employee's ability to return to work; or
- Certification of the need for family military leave.

Employees requiring family and medical leave should contact the Human Resources Department for details on eligibility, requirements, and limitations.

Washington Paid Family and Medical Leave Act (PFMLA)

Under Washington's Paid Family and Medical Leave (PFMLA) law, eligible employees will be entitled to paid leave up to 12 weeks for their own serious health condition (medical leave) or for family care (family leave), up to 16 weeks combined family and medical leave, and up to 2 additional weeks for certain pregnancy complications. FMLA runs concurrently with PFMLA.

Effective January 1, 2020 eligible employees are entitled to the following leave:

- **Family Leave:** An employee can take up to 12 weeks of paid family leave, which includes caring for a newborn or newly-adopted child or a family member with a serious health condition, which includes a child, spouse, domestic partner, parent, parent-in-law, sibling, grandparent, or grandchild. Employees can also take time to be with a family member injured in military service, or to deal with exigencies of military deployment.
- **Medical Leave:** An employee can take up to 12 weeks of paid medical leave, which can only be used for the employee's own serious health condition, with an additional 2 weeks available for pregnancy complications.
- **Combined Family and Medical Leave:** For combined family and medical leave (for example, medical leave due to birth of a child plus caring for a newborn), the total combined leave an employee can take in a year is 16 weeks, or 18 weeks if the leave includes a qualifying pregnancy-related complication.
- **Waiting Period:** For all leaves except birth or placement of a child, there is waiting week before an employee will be eligible for PFMLA benefits. You can use your sick leave for during this time.
- **Leave Benefits:** To receive benefits under the state program, an employee must file a claim with ESD, notify the employer of the request, and meet certain eligibility requirements. If ESD approves the application, ESD pays benefits for the duration of the leave of absence directly to the employee. The amount an employee receives is a percentage of the employee's weekly wages, up to \$1,456 per week. Employees will typically pay 63 percent of the premium, with employers contributing 37 percent.
- **Leave is Job-Protected:** Family or medical leave under the program is protected, when running concurrently with Family Medical Leave Act, meaning an employee must be returned to the same or comparable position at the end of the leave period, if the employer has at least 50 employees and the employee has worked for the employer for at least 12 months and at least 1,250 hours in the preceding year. Regardless, employers should be mindful of additional legal protections, such as reinstatement requirements under state and federal laws, before making any decisions regarding employment separation.
- **Eligibility:** An employee who worked at least 820 hours in Washington in four of the last five completed quarters, will be covered. The hours worked *do not* need to be for the same employer for eligibility purposes.
- **Employer Notification:** Employee must provide 30 days advance notice of the need to take PFMLA when the need is foreseeable. If the event is unforeseeable, you must provide notice as practicable.

Insurance Benefits

Medical, Dental, Vision, Life and Disability

All certificated employees with at least .5 FTE or classified employees working more than 17.5 hours per week may be offered medical, dental, vision, life, and disability insurance for themselves and their family when they are hired. This does not imply that all costs for medical premiums are paid by the District. Any changes to benefits can be made during open enrollment of each year or in any month within 30 - 60 days of a qualifying event. Tax sheltered annuities can also be added at any time.

School Employees Benefit Board (SEBB)

Effective January 1, 2020, all school employees will receive their health insurance and other benefits through the School Employees Benefits Board (SEBB). All employees that are anticipated to work at least 630 hours per school year, or 17.5 hours per week, may be eligible.

Labor & Industries

Arlington Public School employees are covered for work related injuries through the Washington State Department of Labor and Industries. Employees that are injured on the job are expected to immediately complete and submit an accident report which will notify the District Office of their work-related accident. If medical attention is needed, a Physician Initiated Report must be completed by the physician in order for medical bills to be paid. If employees miss time away from work, they can use any accrued sick leave that they have on record. The Department of Labor and Industries will compensate a percentage of employees' time-loss starting after three (3) days of absence.

Each employee pays a small portion of the cost for State Labor and Industry Insurance. The School District pays a higher portion in order to insure all employees.

All in-district accident reports are confidentially reviewed by the employee safety committee in order to avoid any possible future employee accidents.

Payroll Information

Employees are paid on a twelve month payroll cycle with the pay dates falling on the last business day of the month. Your contract will be split into twelve pay periods.

Direct Deposit: Direct deposit is required for all employees of Arlington Public Schools. You will not receive a statement of deposit. You can view all payroll information through Employee Access.

Cut-Off dates: In order to insure proper payment, all payroll items must be turned in to payroll by the first working day of the month. Benefit changes must be received in payroll by the tenth of each month.

Questions/Concerns: The Payroll Department is available all year, M-F, 7:00 am to 3:30 pm at 360-618-6225.

Holidays

The District observes the following holidays:

- New Year's Eve
- New Year's Day
- Martin Luther King Jr. Day
- President's Day
- Memorial Day
- Juneteenth
- Independence Day
- Veteran's Day
- Labor Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Eve
- Christmas Day

Retirement Programs (*Board Policy 5510*)

Participation in the State Retirement Program is mandatory for employees working in an eligible position. Retirement is through Washington State Department of Retirement Systems. Questions about the programs may be directed to retirement systems at (1-800-547-6657). Booklets on each retirement system may be obtained online at: <http://www.drs.wa.gov>. Questions can also be sent via email to: recep@drs.wa.gov.

ATTENDANCE, LEAVES, AND ABSENCES

Attendance

The District expects employees to make every effort to be present and prepared for work. Employees are expected to adhere to their assigned schedule. In order for the schools and departments to operate effectively, employees are expected to perform all assigned duties and work all scheduled hours during each designated workday, unless the employee has received approved leave. Breaks and meal periods may only be taken during times designated by the employee's principal or supervisor and as further specified in

other parts of this Handbook. Any deviation from assigned hours must have prior approval from the employee's principal or supervisor.

Employees who are unable to report to work shall report his/her absence using the current electronic substitute calling system and/or follow their individual building protocol for absence reporting prior to the start of the school day. Any time spent not working during an employee's scheduled day must be accounted for in our electronic sub system using the appropriate reasons. The District will monitor attendance and absence patterns. Theft of time and/or improper modification of time worked records will be investigated and will result in disciplinary action up to and including termination. Failure to notify the District of an absence and failure to report to work on such day could result in disciplinary action up to and including termination. Failure to return to work the day following the expiration of an authorized leave of absence may result in termination of employment.

Most certificated employees are contracted and paid for 183 full school days (1.0 FTE). When you are absent on a half day or an early release day, you will be charged for a full day of leave and must enter the absence in as a full day, regardless if a substitute is only needed for half or partial day.

Most classified employees are contracted and paid for 180 full school days. On half days, early release, and/or conference days, you are expected to work your full contracted shift. If you are absent on a half day, early release, and/or conference day, you will be charged for a full day of leave and must enter the absence in as a full day. You may use your re-purposed time in accordance with your supervisor's approval.

Absences Greater than One Day

The following absences will need a Leave Request form completed and will also require approval from the Executive Director of Human Resources: Illness of 5 or more days, Maternity/Paternity Leave, Personal Leave of 3 or more days, all Bereavement Leave, and all Unpaid Leave. A detailed explanation must accompany any unpaid leave request.

Special Programs itinerant staff members (OT/PT, SLP, SLP Assistants, Psychologists, and COTAs) must call Special Services at extension 10203 to notify them of any absence and record such absence.

Building Nurses should also contact the District Nurse **and** Substitute Coordinator directly to report/arrange any absences.

Leave: Sick & Personal (Board Policy 5400, 5401)

Employees who are unable to report to work shall follow the applicable procedures for reporting his/her absence. Any time spent not working during an employee's scheduled day must be accounted for in ReadySub using the appropriate reasons. The District will monitor attendance and absence patterns. Theft of time and/or improper modification of time worked records will be investigated and will result in disciplinary action up to and including termination.

Employees are front-loaded up to twelve days of sick leave per fiscal year. Sick leave will be prorated if the employee starts after the beginning of the school year and based upon number of hours scheduled to work. Accrued sick leave can transfer at resignation to any Washington State Public School within the state guidelines. A leave sharing program is available in accordance with law.

Employees shall be entitled up to two days of personal leave which will be front-loaded to each regular employee who works the approved District student calendar or more days per work year. Personal leave will be prorated if the employee starts after the beginning of the school year and based upon number of hours scheduled to work. Where granted, an employee shall receive personal leave based upon his/her regular hours of work. Please refer to your Collective Bargaining Agreement regarding cash out and carryover of personal leave.

It is the employee's responsibility to know the balance of sick leave and personal leave by checking Ready Sub on a regular basis. Keep in mind that absences entered in Ready Sub will not immediately show up on Employee Access as payroll uploads it a month behind. Please call Human Resources at any time to verify the balance of sick leave and/or personal leave.

Substitutes

The ReadySub system allows staff members to report absences, notify and dispatch substitutes, and monitor information from any location at any time through the internet. Each staff member has the ability to select the names of requested substitutes, which are given priority over the general pool. The results have been that staff have received requested substitutes more frequently and we have had fewer empty classrooms. Guest teachers and classified substitutes are able to view open assignments and be more prepared for those they do accept.

ReadySub: All absences, regardless if a substitute is needed, need to be entered into ReadySub. Pre-approval is needed when taking personal leave, emergency leave, jury duty, vacation, and unpaid leave.

Vacation: PSE

- Employees who are members of the PSE bargaining group have collective bargaining language which governs the accrual and distribution of vacation pay.
- Employees that work only during the course of the normal school calendar (180 days) will receive vacation pay rather than time off work. This vacation pay will be prorated, paid out with normal monthly pay, and will be spread over 12 months or even installments.
- Employees that work 260 days per year will receive paid vacation time. Accrued unused vacation time will be paid at employment termination in accordance to state guidelines. See the PSE agreement for vacation accrual schedule.
- Employees shall obtain prior approval by their immediate supervisor before using accrued vacation time.

Weather Related Late Start/School Closure Days

In the case of school late start, each employee needs to assess safety related issues such as road conditions, traffic, and weather then plan their travel accordingly. Given the weather related challenges, some/occasional late arrivals are inevitable. Staff may be asked to cover duties of staff arriving late if necessary. Please have a discussion with your supervisor to develop a plan for "late starts". Employees who are not able to report to work because of inclement weather may use emergency leave, which draws from the employee's sick leave. Employee **must** contact building principal and Substitute Coordinator.

In the case of school closure, employees whose work days are tied to student days are not expected to report. This work day will become a "make up day" at the end of the school year in June. Employees in this category include teachers, certificated specialists, and 180-day classified staff (i.e. para-educators, bus drivers, main office secretaries, child nutrition).

All 260-day employees are expected to report to work on school closure days. Every effort should be made to report to work as close to your normally scheduled work time as safety permits. Employees unable to report to work due to inclement weather may use emergency (sick) leave. If there is a delayed start, the following schedule changes will apply:

- No pre-school, or ECEAP
- No out-of-district or special education transportation
- No morning skills center
- No secondary zero hour classes

FlashAlert.org and the local news stations are the best sources for accurate and up-to-the-minute information.

Most importantly, please be safe!

GENERAL EMPLOYMENT PRACTICES & EXPECTATIONS

Accident/Incident Reports

All accidents/incidents occurring on District property, school buses or during the course of school sponsored activities, including field trips and other away events, are to be reported to the building principal or supervisor immediately. Reports should cover property damage as well as personal injury.

A completed accident report form must be submitted within twenty-four hours or the next scheduled District workday. Forms are available in the school office.

Child Abuse Reporting (*Board Policy 3421*)

Except as provided under Washington Statute any of the following persons who has reasonable cause to suspect that a child, seen by the person in the course of professional duties, has been abused or neglected or who has reason to believe that a child, seen by the person in the course of professional duties, has been threatened with abuse or neglect, and that abuse or neglect of the child will occur, shall report as provided for below: school nurse, social worker, professional counselor, school teacher, school administrator, school counselor, child care worker in a child care center, or residential care center for children and youth a child care provider, an alcohol or other drug abuse counselor, a physical therapist, a physical therapist assistant, an occupational therapist, a dietitian, a speech-language pathologist, an audiologist, an emergency medical technician, a first responder and a police or law enforcement officer, including a police liaison officer.

A person required to report shall immediately inform, by telephone or personally, the applicable District administrative personnel.

Employees who are not mandatory reporters as set forth in paragraph A, above, and who in connection with their job responsibilities have reasonable cause to suspect that a child has been abused or neglected or who have reason to believe that a child has been threatened with abuse or neglect and that abuse or neglect of the child will occur shall notify their principal or supervisor or other administrative personnel of such alleged abuse.

Conflicts of Interest (*Board Policy 5251*)

A conflict of interest is defined as any judgment, action or relationship that may benefit an employee or another party the employee is affiliated with because of the employee's position with the District.

Employees are asked to avoid outside activity that may compete or be in conflict with the best interests of the District. Employees must disclose to their principal or supervisor information of any transaction that may be considered a conflict of interest as soon as they know the facts. No employee may use his or her position to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for an organization with which he or she is associated.

Discipline/Termination (*Board Policy 5280, 5281*)

The level of discipline imposed will take into consideration the seriousness of the infraction as well as the employee's performance record.

When appropriate, discipline should be corrective in nature. At the employer's sole discretion, various types of employee discipline may be imposed which include, but are not limited to, suspension, with or without pay, demotion, or termination. Verbal warnings, written warnings or reprimands are not considered to be forms of discipline and are not subject to the established Grievance Procedures. Employees are entitled to

union representation at meetings where disciplinary measures are being proposed. *See Appendix A, "Weingarten Rights"*. None of these disciplinary measures are required to be used before discharge from employment occurs nor are the listed disciplinary actions required to be used in any specific order. The Employer may repeat disciplinary action. Fundamental fairness is necessary when an employee is being disciplined or terminated. *See Appendix B, "Just Cause"*. Employees are expected to work in a competent and conscientious manner which reflects favorably upon the employee and the School District.

District Property

The District may supply an employee with equipment or supplies to assist the employee in performing his/her job duties. All employees are expected to show reasonable care for any equipment issued and to take precautions for theft. Employees cannot take District property for personal use or gain. Any equipment, unused supplies, or keys issued must be returned prior to the employee's last day of employment, including, but not limited to: laptops, employee identification badges and the key fob for building entry.

District Vehicles

Employee's job duties or assignment may require them to operate a District owned vehicle. Drivers, other than School Bus Drivers, required to operate vehicles with students must first complete the appropriate Safe Schools Van Safety course and order a complete driving abstract from the Washington State Department of Licensing. At no time shall a vehicle, other than a school bus, with a capacity greater than eight passengers be used to transport students. District owned vehicles shall be used for official District business only. Any citation for violation of motor vehicle laws shall be the sole responsibility of the operator. If involved in any accident, the operator shall notify the proper law enforcement agency immediately and file an incident/accident report within twenty-four hours. The driver and all passengers shall wear seat belts at all times. Drivers are expected to report to their supervisor or designee any damage, deficiencies or safety concerns. Use of tobacco products is not allowed in District owned vehicles at any time.

Drug-Free Schools, Community and Workplace (Board Policy 5201)

The District seeks to provide a safe drug-free workplace for all of its employees.

"Workplace" is defined to mean the site for the performance of work done, which includes work done in connection with a federal grant. That includes any school building or any school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the School District which could also include work on a federal grant.

For these purposes, the following behaviors will not be tolerated:

- A. Reporting to work under the influence of alcohol, marijuana, illegal chemical substances, or opiates.
- B. Using, possessing, or transmitting alcohol, marijuana, illegal chemical substances (including anabolic steroids), or opiates in any amount or in any manner on District property at any time or when involved in a School District activity on or off School District property. Any staff member convicted of a felony attributable to the use, possession, or sale of illegal chemical substances or opiates will be subject to disciplinary action, including immediate termination.
- C. Using District property or the staff member's position within the District to make or traffic alcohol, marijuana, illegal chemical substances, or opiates.
- D. Using, possessing or transmitting alcohol, marijuana, illegal chemical substances, and opiates in a manner which is detrimental to the interest of the District. Any staff member who is taking a drug or medication, whether or not prescribed by the staff member's physician, which may adversely affect that staff member's ability to perform work in a safe or productive manner, is required to report such use of medication to his or her supervisor. This includes drugs which are known or advertised as possibly affecting judgment, coordination, or any of the senses, including those which may cause drowsiness or dizziness. The supervisor in conjunction with the District Office then will

determine whether the staff member can remain at work and whether any work restrictions will be necessary.

As a condition of employment, each employee will notify his or her supervisor of a conviction under any criminal drug statute violation occurring in the workplace as defined above. Such notification will be provided no later than five (5) days after such conviction. The District will inform the federal government within ten (10) days of such conviction, regardless of the source of the information.

Each employee will be notified of the District's policy and procedures regarding employee drug activity at work. Any staff member who violates any aspect of this policy may be subject to disciplinary action, which may include immediate discharge.

Employee Safety (*Board Policy 6511*)

The District is dedicated to providing a safe and healthy work environment for all District personnel. It is our goal to reduce the frequency and severity of accidental injuries by providing our employees with safety information and appropriate safety training as a means of protecting employee welfare.

The employer is responsible to provide a safe and healthy workplace free from recognized hazards.

- Establish, supervise, and enforce safety rules.
- Provide the required safety training to all employees.
- Ensure that personal protective equipment is worn when tasks dictate.

The employee is required to know and comply with all safety rules and procedures. Immediately report all accidents to your supervisor. Identify and report all potential hazards and play an active role in creating a safe and healthy workplace. Take personal responsibility for working safely and use common sense while performing your job.

Facility and Equipment Use for Personal Gain (*Board Policy 5251*)

An employee will not perform any duties related to an outside job during regular working hours or for professional employees during the additional time that the responsibilities of the District's position require; nor will an employee use any District facilities, equipment or materials in performing outside work.

Harassment, Intimidation, Bullying (*Board Policy 3207, Board Procedure 3207P*)

The District is committed to a safe and civil educational environment for all students, employees, volunteers and patrons free from harassment, intimidation, or bullying. "Harassment, intimidation or bullying" means any intentional electronic, written, verbal, or physical act, including but not limited to one shown to be motivated by any characteristic in RCW 9A.36.080(3) (race, color, religion, ancestry, national origin, gender, sexual orientation including gender expression or identity, mental or physical disability) or other distinguishing characteristics such as but not limited to physical appearance, clothing or other apparel, socioeconomic status or weight.

Any staff member or volunteer who has witnessed, or has reliable information that a student has been subjected to harassment, intimidation, or bullying, whether electronically, written, verbal or physical, should report such incident to an appropriate school official. No school employee, student, or volunteer may engage in reprisal, retaliation, or false accusation against a victim, witness, or one with reliable information about an act of harassment, intimidation, or bullying. Depending upon the frequency and severity of the conduct, intervention, counseling, correction, discipline and/or referral to law enforcement will be used to remediate the impact on the victim and the climate and change the behavior of the perpetrator. This includes appropriate intervention, restoration of a positive climate, and support for victims and others impacted by the violation. If you believe you've been bullied, contact your principal or supervisor.

Our Schools Protect Students from Harassment, Intimidation, and Bullying (HIB)

Schools are meant to be safe and inclusive environments where all students are protected from Harassment, Intimidation, and Bullying (HIB), including in the classroom, on the school bus, in school sports, and during other school activities. This section defines HIB, explains what to do when you see or experience it, and our school's process for responding to it.

What is HIB?

HIB is any intentional electronic, written, verbal, or physical act of a student that:

- Physically harms another student or damages their property;
- Has the effect of greatly interfering with another student's education; or,
- Is so severe, persistent, or significant that it creates an intimidating or threatening education environment for other students.

HIB generally involves an observed or perceived power imbalance and is repeated multiple times or is highly likely to be repeated. HIB is not allowed, by law, in our schools.

How can I make a report or complaint about HIB?

Talk to any school staff member (consider starting with whoever you are most comfortable with!). You may use our district's reporting form to share concerns about HIB ([link to form](#)) but reports about HIB can be made in writing or verbally. Your report can be made anonymously, if you are uncomfortable revealing your identity, or confidentially if you prefer it not be shared with other students involved with the report. No disciplinary action will be taken against another student based **solely** on an anonymous or confidential report.

If a staff member is notified of, observes, overhears, or otherwise witnesses HIB, they must take prompt and appropriate action to stop the HIB behavior and to prevent it from happening again. Our district also has a HIB Compliance Officer ([District HIB Name and contact Info](#)) that supports prevention and response to HIB.

What happens after I make a report about HIB?

If you report HIB, school staff must attempt to resolve the concerns. If the concerns are resolved, then no further action may be necessary. However, if you feel that you or someone you know is the victim of unresolved, severe, or persistent HIB that requires further investigation and action, then you should request an official HIB investigation.

Also, the school must take actions to ensure that those who report HIB don't experience retaliation.

What is the investigation process?

When you report a complaint, the HIB Compliance Officer or staff member leading the investigation must notify the families of the students involved with the complaint and must make sure a prompt and thorough investigation takes place. The investigation must be completed within 5 school days unless you agree on a different timeline. If your complaint involves circumstances that require a longer investigation, the district will notify you with the anticipated date for their response.

When the investigation is complete, the HIB Compliance Officer or the staff member leading the investigation must provide you with the outcomes of the investigation within 2 school days. This response should include:

- A summary of the results of the investigation
- A determination of whether the HIB is substantiated
- Any corrective measures or remedies needed
- Clear information about how you can appeal the decision

What are the next steps if I disagree with the outcome?

For the student designated as the “targeted student” in a complaint:

If you do not agree with the school district’s decision, you may appeal the decision and include any additional information regarding the complaint to the superintendent, or the person assigned to lead the appeal, and then to the school board.

For the student designated as the “aggressor” in a complaint:

A student found to be an “aggressor” in a HIB complaint may not appeal the decision of a HIB investigation. They can, however, appeal corrective actions that result from the findings of the HIB investigation.

For more information about the HIB complaint process, including important timelines, please see the district’s [HIB webpage](#) or the district’s *HIB Policy [3207] and Procedure [3207P]*.

Our School Stands Against Discrimination

Discrimination can happen when someone is treated differently or unfairly because they are part of a **protected class**, including their race, color, national origin, sex, gender identity, gender expression, sexual orientation, religion, creed, disability, use of a service animal, or veteran or military status.

What is discriminatory harassment?

Discriminatory harassment can include teasing and name-calling; graphic and written statements; or other conduct that may be physically threatening, harmful, or humiliating. Discriminatory harassment happens when the conduct is based on a student’s protected class and is serious enough to create a hostile environment. A **hostile environment** is created when conduct is so severe, pervasive, or persistent that it limits a student’s ability to participate in, or benefit from, the school’s services, activities, or opportunities.

To review the district’s Nondiscrimination Policy [insert #] and Procedure [insert #], visit [insert website].

What is sexual harassment?

Sexual harassment is any unwelcome conduct or communication that is sexual in nature and substantially interferes with a student’s educational performance or creates an intimidating or hostile environment. Sexual harassment can also occur when a student is led to believe they must submit to unwelcome sexual conduct or communication to gain something in return, such as a grade or a place on a sports team.

Examples of sexual harassment can include pressuring a person for sexual actions or favors; unwelcome touching of a sexual nature; graphic or written statements of a sexual nature; distributing sexually explicit texts, e-mails, or pictures; making sexual jokes, rumors, or suggestive remarks; and physical violence, including rape and sexual assault.

Our schools do not discriminate based on sex and prohibit sex discrimination in all of our education programs and employment, as required by Title IX and state law.

To review the district’s Sexual Harassment Policy [insert #] and Procedure [insert #], visit [insert website].

What should my school do about discriminatory and sexual harassment?

When a school becomes aware of possible discriminatory or sexual harassment, it must investigate and stop the harassment. The school must address any effects the harassment had on the student at school, including eliminating the hostile environment, and make sure that the harassment does not happen again.

What can I do if I'm concerned about discrimination or harassment?

Talk to a Coordinator or submit a written complaint. You may contact the following school district staff members to report your concerns, ask questions, or learn more about how to resolve your concerns.

Concerns about discrimination:

Civil Rights Coordinator: **NAME, TITLE, CONTACT (Address, Email, Phone)**

Concerns about sex discrimination, including sexual harassment:

Title IX Coordinator: **NAME, TITLE, CONTACT (Address, Email, Phone)**

Concerns about disability discrimination:

Section 504 Coordinator: **NAME, TITLE, CONTACT (Address, Email, Phone)**

Concerns about discrimination based on gender identity:

Gender-Inclusive Schools Coordinator: **NAME, TITLE, CONTACT (Address, Email, Phone)**

To **submit a written complaint**, describe the conduct or incident that may be discriminatory and send it by mail, fax, email, or hand delivery to the school principal, district superintendent, or civil rights coordinator. Submit the complaint as soon as possible for a prompt investigation, and within one year of the conduct or incident.

What happens after I file a discrimination complaint?

The Civil Rights Coordinator will give you a copy of the school district's discrimination complaint procedure. The Civil Rights Coordinator must make sure a prompt and thorough investigation takes place. The investigation must be completed within 30 calendar days unless you agree to a different timeline. If your complaint involves exceptional circumstances that require a longer investigation, the Civil Rights Coordinator will notify you in writing with the anticipated date for their response.

When the investigation is complete, the school district superintendent or the staff member leading the investigation will send you a written response. This response will include:

- A summary of the results of the investigation
- A determination of whether the school district failed to comply with civil rights laws
- Any corrective measures or remedies needed
- Notice about how you can appeal the decision

What are the next steps if I disagree with the outcome?

If you do not agree with the outcome of your complaint, you may appeal the decision to **[identify the decision maker on appeal identified in board policy (e.g., the School Board)]** and then to the Office of Superintendent of Public Instruction (OSPI). More information about this process, including important timelines, is included in the district's Nondiscrimination Procedure (**3210P**) and Sexual Harassment Procedure (**3205P**).

I already submitted an HIB complaint – what will my school do?

Harassment, intimidation, or bullying (HIB) can also be discrimination if it's related to a protected class. If you give your school a written report of HIB that involves discrimination or sexual harassment, your school will notify the Civil Rights Coordinator. The school district will investigate the complaint using both the Nondiscrimination Procedure (3210P) and the HIB Procedure (3207P) to **fully resolve your complaint**.

Who else can help with HIB or Discrimination Concerns?

Office of Superintendent of Public Instruction (OSPI)

All reports must start locally at the school or district level. However, OSPI can assist students, families, communities, and school staff with questions about state law, the HIB complaint process, and the discrimination and sexual harassment complaint processes.

OSPI School Safety Center (For questions about harassment, intimidation, and bullying)

- Website: ospi.k12.wa.us/student-success/health-safety/school-safety-center
- Email: schoolsafety@k12.wa.us
- Phone: 360-725-6068

OSPI Equity and Civil Rights Office (For questions about discrimination and sexual harassment)

- Website: ospi.k12.wa.us/policy-funding/equity-and-civil-rights
- Email: equity@k12.wa.us
- Phone: 360-725-6162

Washington State Governor's Office of the Education Ombuds (OEO)

The Washington State Governor's Office of the Education Ombuds works with families, communities, and schools to address problems together so every student can fully participate and thrive in Washington's K-12 public schools. OEO provides informal conflict resolution tools, coaching, facilitation, and training about family, community engagement, and systems advocacy.

- Website: www.oeo.wa.gov
- Email: oeoinfo@gov.wa.gov
- Phone: 1-866-297-2597

U.S. Department of Education, Office for Civil Rights (OCR)

The U.S. Department of Education, Office for Civil Rights (OCR) enforces federal nondiscrimination laws in public schools, including those that prohibit discrimination based on sex, race, color, national origin, disability, and age. OCR also has a discrimination complaint process.

- Website: <https://www2.ed.gov/about/offices/list/ocr/index.html>
- Email: orc@ed.gov
- Phone: 800-421-3481

Our School is Gender-Inclusive

In Washington, all students have the right to be treated consistent with their gender identity at school.

Our school will:

- Address students by their requested name and pronouns, with or without a legal name change
- Change a student's gender designation and have their gender accurately reflected in school records
- Allow students to use restrooms and locker rooms that align with their gender identity
- Allow students to participate in sports, physical education courses, field trips, and overnight trips in accordance with their gender identity
- Keep health and education information confidential and private
- Allow students to wear clothing that reflects their gender identity and apply dress codes without regard to a student's gender or perceived gender
- Protect students from teasing, bullying, or harassment based on their gender or gender identity

To review the district's Gender-Inclusive Schools Policy [insert #] and Procedure [insert #], visit [insert website]. If you have questions or concerns, please contact the Gender-Inclusive Schools Coordinator: [NAME, TITLE, CONTACT]

For concerns about discrimination or discriminatory harassment based on gender identity or gender expression, please see the information above on page ##.

Investigations

Expectation of Cooperation: In the event of a District investigation or inquiry, every District employee has an affirmative duty to provide to his/her principal, supervisor(s), or any other District official assigned to investigate all relevant and factual information about matters. Employees failing to volunteer such information shall receive a directive from an administrator to provide a statement. The employee's failure to comply with the directive may constitute "insubordination", a violation that will be grounds for disciplinary action up to and including termination.

Administrative Leave: The District may place an employee on administrative leave, paid or unpaid, during an investigation into alleged misconduct by the employee.

Personal Appearance/Staff Dress Code

District employees are judged not only by their service but also by their appearance. It is the District's expectation that every employee's appearance is consistent with the high standards we set for ourselves as a District. Employees are expected to present a well-groomed, professional appearance, and to practice good personal hygiene. The District expects that all employees are neat, clean, and wear appropriate clothing for work that is in good taste and suitable for the job at hand. Employees shall be expected to exhibit a professional image to students, parents, and the community.

Personal Property (*Board Policy 6540*)

The District shall not assume responsibility for the maintenance, repair or replacement of any privately-owned property brought to a school or District function unless the use or presence of such property has been specifically requested in writing by the administration.

The District shall not make reimbursement for loss or damage to a staff member's personal equipment or materials brought to school unless evidence can be shown that it was necessary or highly desirable for use in the school program. Evidence of loss or damage must show that the loss was not due to any negligence or fault of the staff member.

Personnel – Student Relations (*Board Policy 5253*)

All District personnel will recognize and respect the rights of students, as established by local, state, and federal law. Employees shall, at all times, maintain a professional relationship and exhibit a professional demeanor in their interactions with students. Further, employees shall refrain from engaging in any actions or conduct of a sexual nature (verbal or physical) directed toward a student, including, but not limited to, sexual advances, activities involving sexual innuendo, or requests for sexual favors or sexually explicit language or conversation. Employees shall not form inappropriate social or romantic relationships with students, regardless of whether or not the student is 18 years old. Employees shall not use profane or obscene language or gestures in the workplace.

Sexual Misconduct Disclosure

The Legislature has determined that additional safeguards are necessary in the hiring of School District employees to ensure the safety of Washington's school children. All new employees are required to sign a release authorizing former employers to disclose all information related to any acts of sexual misconduct committed by the employee as defined by the State Board of Education. Sexual misconduct definitions are found in WAC 180-87-080.

Sexual Harassment of Students Prohibited – (*Board Policy 3205*)

This School District is committed to maintaining a positive and productive learning environment for students that is 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.

Definitions

For purposes of this policy, “sexual harassment” means unwelcome conduct or communication of a sexual nature. Sexual harassment can occur adult to student, student to student, or can be carried out by a group of students or adults. The District prohibits sexual harassment of students 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 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; and
- Sexual demands where submission or rejection is a factor in an academic, or other school-related decision affecting an individual.

A “hostile environment” has been created for a student when sexual harassment is sufficiently serious to interfere with or limit the student’s ability to participate in or benefit from the school’s program. The more severe the conduct, the less need there is to demonstrate a repetitive series of incidents. In fact, a single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe, violent, or egregious.

Non-Discrimination (*Board Policy 3210*)

Arlington Public Schools provides equal educational opportunity and treatment for all students in all aspects of the academic and activities program without discrimination based on race, religion, creed, color, national origin, age, honorably discharged veteran or military status, sex, sexual orientation, gender expression or identity, marital status, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability. The District will provide equal access to school facilities to the Boy Scouts of America and all other designated youth groups listed in Title 36 of the United States Code as a patriotic society. District programs will be free from sexual harassment. Auxiliary aids and services will be provided upon request to individuals with hearing, vision, or speech disabilities.

Conduct against any student that is based on one of the categories listed above that is sufficiently severe, persistent, or pervasive as to limit or deny the student’s ability to participate in or benefit from the District’s course offerings, educational programming, or any activity, will not be tolerated. When a District employee knows, or reasonably should know, that such discriminatory harassment is occurring or has occurred, the District will take prompt and effective steps reasonably calculated to end the harassment, prevent its recurrence and remedy its effects.

The District’s non-discrimination statement will be included in all written announcements, notices, recruitment materials, employment applications, and other publications made available to all students, parents, or employees. The statement will include: 1) notice that the District will not discriminate in any programs or activities on the basis of any of the above listed categories; 2) the name and contact information of the District’s Compliance Officer designated to ensure compliance with this policy; and 3) the names and contact information of the District’s Section 504 and Title IX Compliance Officers.

Non-Discrimination and Inclusive Schools (*Board Procedure 3000*)

Arlington Public Schools provides equal educational opportunity and treatment for all students in all aspects of the academic and activities program without discrimination based on race, religion, creed, color, national origin, age, honorably discharged veteran or military status, sex, sexual orientation, gender expression or identity, marital status, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability. The District will provide equal access to school facilities to the Boy Scouts of America and all other designated youth groups listed in Title 36 of the United States Code as a patriotic society. District programs will be free from sexual harassment. Auxiliary aids and services will be provided upon request to individuals with hearing, vision, or speech disabilities.

Conduct against any student that is based on one of the categories listed above that is sufficiently severe, persistent, or pervasive as to limit or deny the student’s ability to participate in or benefit from the District’s course offerings, educational programming, or any activity, will not be tolerated. When a District employee knows, or reasonably should know, that such discriminatory harassment is occurring or has occurred, the District will take prompt and effective steps reasonably calculated to end the harassment, prevent its recurrence and remedy its effects.

GENDER-INCLUSIVE SCHOOLS

The Board believes in fostering an educational environment that is safe and free of discrimination for all students, regardless of gender expression, gender identity, or sex. To that end, the Board recognizes the importance of an inclusive approach toward transgender and gender-expansive students with regard to key terms, communication and the use of names and pronouns, student records, confidential health and education information, communication, restroom and locker room use and accessibility, sports and physical

education, dress codes, and other school activities, in order to provide these students with an equal opportunity for learning and achievement.

This policy is a component of the District's responsibility to create and maintain a safe, civil, respectful and inclusive learning community and will be implemented with comprehensive training of staff and volunteers. Specific training requirements are included in the accompanying procedure. The Superintendent will appoint primary contacts for staff and students to receive copies of all formal and informal complaints and ensure policy implementation. The names and contact information for the compliance officers will be communicated throughout the District. The District compliance officers will participate in mandatory training offered by OSPI.

This policy and its procedures will support that effort by facilitating District compliance with local, state and federal laws concerning harassment, intimidation, bullying, and discrimination.

The District's non-discrimination statement will be included in all written announcements, notices, recruitment materials, employment applications, and other publications made available to all students, parents, or employees. The statement will include: 1) notice that the District will not discriminate in any programs or activities on the basis of any of the above-listed categories; 2) the name and contact information of the District's Compliance Officer designated to ensure compliance with this policy; and 3) the names and contact information of the District's Section 504 and Title IX Compliance Officers.

The District will annually publish notice reasonably calculated to inform students, students' parents/guardians (in a language that they can understand, which may require language assistance), and employees of the District's discrimination complaint procedure.

The District will provide annual training to administrators and certificated and classroom personnel regarding their responsibilities under this policy and to raise awareness of and eliminate bias and discrimination based on the protected classes identified in this policy.

Non-Discrimination (*Board Procedure 3210P*)

Arlington Public Schools provides equal educational opportunity and treatment for all students in all aspects of the academic and activities program without discrimination based on race, religion, creed, color, national origin, age, honorably discharged veteran or military status, sex, sexual orientation, gender expression or identity, marital status, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability. The District will provide equal access to school facilities to the Boy Scouts of America and all other designated youth groups listed in Title 36 of the United States Code as a patriotic society. District programs will be free from sexual harassment. Auxiliary aids and services will be provided upon request to individuals with hearing, vision, or speech disabilities.

Transgender Students

Non-Discrimination of transgender students requires proactive and responsive steps to ensure transgender students are afforded the protections provided by state and federal law. Therefore, these procedures provide specific guidance to students, families, and staff with respect to the needs of transgender students.

Definitions/Terms

- **Gender Expression** is how a person expresses their gender, often through behavior, emotional expression, mannerisms, dress, grooming, interests, and activities.
- **Gender Identity** refers to one's deeply felt internal sense of being female, or male, or both, or neither, regardless of their gender assigned at birth.
- **Gender Nonconforming** describes a person whose gender expression differs from stereotypical expectations about how they should look or act based on the gender they were assigned at birth. This includes people who identify outside traditional gender categories or identify as both genders, or as gender neutral.
- **Biological Sex** refers to a person's internal and external anatomy, chromosomes, and hormones.

- **Transgender** is a general term often used to describe a person whose gender identity and/or expression is different from that traditionally associated with the person's gender assigned at birth.
- **Transitioning** refers to the process in which a person goes from living and identifying as one gender to living and identifying as another.

Official Records

The District is required to maintain a permanent student record which includes the student's legal name and the student's gender. The District will change a student's official records to reflect a change in legal name upon receipt of:

- Documentation that the student's legal name or gender has been changed pursuant to a court order or through amendment of state or federally-issued identification; or
- A written, signed statement explaining that the student has exercised a common law name change and has changed their name for all intents and purposes and that the change has not been made for fraudulent reasons.

Schools may change a student's official gender designation upon parent or student request pursuant to the Office of the Superintendent of Public Instruction's (OSPI's) process found at: <http://www.k12.wa.us/CEDARS/ReportingGuidance.aspx>.

To the extent that the District is not legally required to use a student's legal name and biological sex on school records or documents, the District should use the name and gender by which the student identifies. In situations where school employees are required by law to use or report a student's legal name or gender, such as for standardized testing, school staff should adopt practices to avoid the inadvertent disclosure of the student's transgender or gender nonconforming status.

Confidential Health or Educational Information

Information about a student's gender status, legal name, or gender assigned at birth may constitute confidential medical or educational information. Disclosing this information to other students, their parents, or other third parties may violate privacy laws, such as the federal Family Education Rights and Privacy Act (FERPA) (20 U.S.C. §1232; 34 C.F.R. Part 99). Therefore, to ensure the safety and well-being of the student, school employees should not disclose a student's transgender or gender nonconforming status to others, including the student's parents and/or other school personnel, unless the school is (1) legally required to do so or (2) the student has authorized such disclosure.

Communication and Use of Names and Pronouns

An appropriate school employee will privately ask known transgender or gender nonconforming students how they would like to be addressed in class, in correspondence to the home, and at conferences with the student's parent/guardian. That information will be included in the electronic student record system along with the student's legal name in order to inform teachers and staff of the name and pronoun by which to address the student. When appropriate or necessary, this information will be communicated directly with staff to facilitate the use of proper names and pronouns. A student is not required to change their official records or obtain a court-ordered name and/or gender change as a prerequisite to being addressed by the name and pronoun that corresponds to their gender identity.

When communicating with transgender or gender nonconforming students regarding particular issues such as conduct, discipline, grades, attendance or health, school employees will focus on the conduct or particular issues rather than making assumptions regarding the student's actual or perceived gender identity. When communicating with parents of transgender or gender nonconforming students, school employees will refrain from the use of gender pronouns and refer to the student by name whenever practicable. The District will not condone the intentional and persistent refusal to respect a student's gender identity, or inappropriate release of information regarding a student's transgender status.

Restroom Accessibility

Students will be allowed to use the restroom that corresponds to the gender identity they assert at school. No student will be required to use a restroom that conflicts with his or her gender identity.

Locker Room Accessibility

Use of locker rooms by transgender or gender nonconforming students will be assessed on a case-by-case basis, with the goal of maximizing transgender or gender nonconforming student social integration, providing an equal opportunity to participate in physical education classes and athletic opportunities and ensuring the student's safety. In most cases, the District should provide the student access to the locker room that corresponds to the gender identity they assert at school. Reasonable alternatives to locker room conditions include, but are not limited to:

- Use of a private area (e.g., nearby restroom stall with a door, an area separated by a curtain, an office in the locker room, or a nearby health office restroom);
- A separate changing schedule (i.e., utilizing the locker room before or after the other students).

Any alternative to locker room conditions will be provided in a manner that allows the student to keep his or her transgender or gender nonconforming status private. No student, however, will be required to use a locker room that conflicts with his or her gender identity.

Sports and Physical Education Classes

The District will provide all students, including transgender students, the opportunity to participate in physical education and athletic programs/opportunities in a manner that is consistent with their gender identity.

A student may seek review of his or her eligibility for participation in interscholastic athletics by working through the Gender Identity Participation Procedure set forth by the Washington Interscholastic Activities Association (WIAA).

Dress Codes

The District will allow students to dress in a manner that is consistent with their gender identity and/or gender expression within the constraints of the dress codes adopted at their school site and within the constraints of the District guidelines for dress as they relate to health and safety issues (e.g., prohibitions on wearing gang-related apparel). School dress codes will be gender-neutral and will not restrict a student's clothing choices on the basis of gender.

Other School Activities

In any school activity, students will be permitted to participate in accordance with the gender identity they assert at school. Teachers and other school employees will make every effort to assign/group students based on factors relevant to the District's educational goals and the safety and comfort of students.

Non-Discrimination and Affirmative Action (*Board Policy 5010*)

Nondiscrimination

The District will provide equal employment opportunity and treatment for all applicants and staff in recruitment, hiring, retention, assignment, transfer, promotion and training. Such equal employment opportunity will be provided without discrimination with respect to race, religion, creed, color, national origin, age, honorably discharged veteran or military status, sex, sexual orientation, gender expression or identity, marital status, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability.

The Superintendent will designate a staff member to serve as the Compliance Officer.

Affirmative Action

The District, as a recipient of public funds, is committed to undertake affirmative action, which will make effective equal employment opportunities for staff and applicants for employment. Such affirmative action will include a review of programs, the setting of goals and the implementation of corrective employment procedures to increase the ratio of aged, persons with disabilities, ethnic minorities, women, and Vietnam veterans who are under-represented in the job classifications in relationship to the availability of such persons having requisite qualifications. Affirmative action plans may not include hiring or employment preferences based on gender or race, including color, ethnicity or national origin. Such affirmative action will also include recruitment, selection, training, education, and other programs.

The Superintendent will develop an affirmative action plan which specifies the personnel procedures to be followed by the staff of the District and will ensure that no such procedures unlawfully discriminate against any individual. Reasonable steps will be taken to promote employment opportunities of those classes that are recognized as protected groups - aged, persons with disabilities, ethnic minorities, women, and Vietnam veterans, although under state law, racial minorities and women may not be treated preferentially in public employment.

This policy, as well as the affirmative action plan and procedures developed according to it, will be disseminated widely to staff in all classifications and to all interested patrons and organizations. Progress toward the goals established under this policy will be reported annually to the Board.

Employment of Persons with Disabilities

In order to fulfill its commitment of nondiscrimination to those with disabilities, the following conditions will prevail:

- A. No qualified person with disabilities will, solely by reason of a disability, be subjected to discrimination, and the District will not limit, segregate, or classify any applicants for employment or any staff member in any way that adversely affects his/her opportunities or status because of a disability. This prohibition applies to all aspects of employment from recruitment to promotions and includes fringe benefits and other elements of compensation.
- B. The District will make reasonable accommodation to the known physical or mental limitations of an otherwise qualified disabled applicant or employee unless it is clear that an accommodation would impose an undue hardship on the operation of the District program.

Such reasonable accommodations may include:

- 1. Making facilities used by staff readily accessible and usable by persons with disabilities; and
- 2. Job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, the provision of readers or interpreters and other similar actions.
- 3. In determining whether or not accommodation would impose an undue hardship on the District, factors to be considered include the nature and cost of the accommodation.
- 4. The District will not use any employment tests or criteria that screen out persons with disabilities unless the test or criteria is clearly and specifically job related. Also, the District will not use such tests or criteria if alternative tests or criteria (that do not screen out persons with disabilities) are available.
- 5. While the District may not make pre-employment inquiry as to whether an applicant has a disability or as to the nature and severity of any such disability, it may inquire into an applicant's ability to perform job-related functions;
- 6. Any staff member who believes that there has been a violation of this policy or the law prohibiting discrimination because of a disability may initiate a grievance through the procedures for staff complaints.

Nondiscrimination for Military Service

The District will not discriminate against any person who is a member of, applies to be a member or performs, has performed, applies to perform, or has an obligation to perform service in a uniformed service, on the basis of that participation in a uniformed service. This includes initial employment, retention in employment, promotion or any benefit of employment. The District will also not discriminate against any person who has participated in the enforcement of these rights under state or federal law.

Sexual Harassment of District Staff Prohibited (*Board Policy 5011*)

This school district is committed to maintaining a positive and productive working environment for staff that is free from discrimination, including sexual harassment. 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 or school 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. The District prohibits sexual harassment of District employees by 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 communication that interferes with an individual’s employment 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 a work opportunity or other benefit; or
- 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 intimidating, hostile, or abusive. The more severe the conduct, the less need there is to demonstrate a repetitive series of incidents. In fact, a single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe, violent, or egregious.

Investigation and Response

If the District knows, or reasonably should know, that sexual harassment has created a hostile environment, the District will promptly investigate to determine what occurred and will take appropriate steps to resolve the situation. If an investigation reveals that sexual harassment has created a hostile environment, the District will take prompt and effective steps reasonably calculated to end the sexual 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 every time a report, complaint, and grievance alleging sexual harassment comes to the attention of the District, either formally or informally.

Allegations of criminal misconduct will be reported to law enforcement. 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 sexual harassment will result in appropriate discipline or other appropriate sanctions against offending staff or other third parties involved in school district activities. 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.

Any school employee who witnesses sexual harassment or receives a report, informal complaint, or written complaint about sexual harassment is responsible for informing the District's Title IX or Civil Rights Compliance Officer. All staff are also responsible for directing complainants to the formal complaint process.

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

Tobacco-Free Workplace (*Board Policy 4215*)

In order to protect students from exposure to the addictive substance of nicotine, the use of tobacco and nicotine substances are prohibited on School District property. This shall include all District buildings, grounds, and District-owned vehicles. Tobacco products and delivery devices include, but are not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, electronic smoking/vapor devices and vapor products, non-prescribed inhalers, nicotine delivery devices or chemicals that are not FDA-approved to help people quit using tobacco, devices that produce the same flavor or physical effect of nicotine substances and any other smoking equipment, device, material, or innovation.

Volunteers (*Board Policy 5630*)

We encourage staff to involve volunteers in the classroom. The voluntary help of our community should be requested by staff through administrative channels. The school will conduct a criminal background check on all persons volunteering in positions where they will be left alone with a child. Do not leave children alone with a volunteer who has not been cleared through a formal background check. Volunteers are expected to work under the supervision of staff.

Regulation of Dangerous Weapons on School Premises (*Board Policy 4210*)

It is a violation of District policy and state law for any person to carry a firearm or dangerous weapon on school premises, school-provided transportation, or areas of other facilities being used exclusively for school activities unless specifically authorized by state law. Licensed police officers who are serving in their official capacities are the only persons excepted from this prohibition. Carrying a dangerous weapon onto school premises, school-provided transportation, or areas of other facilities being used exclusively for school activities in violation of RCW 9.41.280 is a criminal offense.

Work Spaces, including Desks, Lockers, etc.

Employees shall have no expectation of privacy with respect to any item or document (including email and electronic records) stored in or on District-owned property, which includes, but is not limited to, desks, filing cabinets, mailboxes, lockers, tables, shelves, and other storage spaces in or out of the classroom.

APPENDIX A

Weingarten Rights: Employee right to union representation

“If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative, officer or steward be present at the meeting. Without representation, I will attend the meeting and follow lawful orders, but I choose not to answer any questions.”

Weingarten Rights

Under the Supreme Court’s Weingarten decision, when an interview for investigation occurs, the following rules apply:

RULE 1: The employee must make a clear request for union representation before or during the interview. The employee cannot be punished for making this request.

RULE 2: After the employee makes the request, the employer must choose from among three options. The Employer must either:

- Grant the request and delay questioning until the union representative arrives and has a chance to consult privately with the employee, or
- Deny the request and end the interview immediately; or
- Give the employee a choice of (1) having the interview without representation or (2) ending the interview.

RULE 3: If the employer denies the request for union representation, and continues to ask questions, it commits an unfair labor practice and the employee has a right to refuse to answer. The employer may not discipline the employee for such a refusal.

Weingarten Rights: Employee right to union representation

“If this discussion could in any way lead to my being disciplined or terminated, or affect my personal working conditions, I respectfully request that my union representative, officer or steward be present at the meeting. Without representation, I will attend the meeting and follow lawful orders, but I choose not to answer any questions.”

- If an employee has reasonable belief that discipline or other adverse consequences may result from what he or she says, the employee has the right to request union representation.
- Management is not required to inform the employee of his/her Weingarten Rights.
- It is the employee’s responsibility to know and request.

National Labor Relations Board (NLRB) vs. Weingarten, Inc., 1975 U.S. Supreme Court

APPENDIX B

WHAT DOES “JUST CAUSE” MEAN?

The concept of “just cause” requires that there be fundamental fairness in decisions related to the discipline and discharge of employees. Arbitrators have articulated many definitions and explanations of “just cause” over the years, including, but not limited to the following tests:

1. Did the employer give the employee forewarning or foreknowledge of the possible or probable disciplinary consequences of the employee’s conduct?
2. Was the employer’s rule or managerial order reasonably related to the orderly, efficient, and safe operation of the business?
3. Did the employer, before administering discipline to an employee, make an effort to discover whether the employee did in fact violate or disobey a rule or order of management?
4. Was the employer’s investigation conducted fairly and objectively?
5. At the investigation, did the “judge” obtain substantial evidence or proof that the employee was guilty as charged?
6. Has the employer applied its rules, orders, and penalties evenhandedly and without discrimination to all employees?
7. Was the degree to discipline administered by the employer in a particular case reasonably related to (a) the seriousness of the employee’s proven offense and (b) the record of the employee in his or her service with the employer?