

CODE OF PROHIBITED CONDUCT

NOTICE TO STUDENTS AND PARENTS REQUIRED BY FEDERAL DRUG-FREE SCHOOLS AND COMMUNITIES ACT OF 1989

Tacoma Public Schools prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises or as part of school activities. Compliance with this rule is mandatory; students who disregard the prohibition will be long-term suspended or expelled. The possession and use of illegal drugs and the unlawful possession and use of alcohol are wrong and harmful to health and education. Tacoma Public Schools can assist in arranging access to drug and alcohol counseling, rehabilitation, and re-entry programs; for further information contact your school's administrator or counselor.

EXCEPTIONAL MISCONDUCT

A student who engages in the following misconduct will be subject to corrective action or discipline. A student who engages in misconduct which constitutes exceptional misconduct as defined in Regulation 3241R will be subject to suspension or expulsion. A student may be expelled or long-term suspended until the end of the semester for the first offense without regard to progressive discipline when there is good reason to believe that other forms of corrective action would fail if employed or there is a significant risk of imminent violence without immediate and further interventions. Disciplinary transfers to another school may be made when warranted.

Standard discipline for a first violation of any Exceptional Misconduct offense is suspension. The Safety and Security Department may be notified for violations of offenses in this section. If appropriate, Tacoma Police will be notified. Special education student discipline will conform to all IDEA laws and regulations and may differ in degree, type, or severity if the behavior in question is determined in a Manifestation Determination Review to be a function of the student's disabilities.

Discipline in Tacoma Public Schools is progressive. Actions listed throughout this section are recommendations, but severity may vary depending on each individual situation, frequency, grade level, and other contributing factors. The authority to determine any disciplinary action and maintain a safe and effective learning environment lies with school administration.

ALCOHOL

Possessing, using, or being under the influence of alcohol or substances containing alcohol is cause for suspension/expulsion. Selling or distributing alcohol or substances containing alcohol is also cause for suspension/expulsion.

Students may be disciplined for being under the influence of alcohol based on their behavior or appearance as determined by an administrator, school nurse, or other properly trained official, regardless of whether they have alcohol in their possession. Coming to school or a school event while under the influence is not allowed.

High school and middle school violators will be Emergency Expelled and/or short or long-term suspended up to the length of one semester. Students will be required to obtain an assessment by a certified drug and alcohol counselor and agree to comply with all required meetings and directives of the evaluator at the parent's expense before there will be any re-admittance to any school. The student and parents/guardians must agree to fulfill the recommendation of the evaluator as soon as possible and submit verification to their administrator. The administrator may consider shortening or holding the student's suspension in full or partial abeyance if the student complies with evaluation/treatment recommendations. The school

may be able to provide information about low or no cost options for appropriate services available in the community.

A second violation will result in a long-term suspension until the end of the semester. Subsequent violations may result in expulsion.

Students who are expelled will also be required to obtain an evaluation by an approved drug/substance abuse professional and participate in and satisfactorily complete any recommended drug/substance abuse program at the parent/guardian's expense before any re-admittance to any school the following school year.

ARSON

Arson is intentionally setting a fire or causing an explosion.

Careless Burning

Setting a fire, using matches, lighters, or other materials, whether in play or through carelessness, is against Tacoma School District policy. This includes lighting matches or flicking a lighter in play even if nothing else is set afire. Setting anything else afire is considered to be arson and must be immediately reported to the Fire Department.

ASSAULT

Assault is being physically violent, using unwarranted force, and demonstrating the deliberate and immediate intent to be physically violent, toward another person or one's self, including domestic violence and sexual assault. Intent is defined as taking deliberate actions toward physically harming another person such that the person has an immediate expectation that his/her personal safety is in jeopardy.

Self-Harm is defined as taking steps or planning to harm one's self such that there is good and sufficient reason to believe that one's presence poses an immediate and continuing danger to the student, other students or school personnel, or is an immediate and continuing threat of substantial disruption of the educational process.

Assault does not include incidental contact unless it is flagrant, purposeful, repeated, and/or results in serious injury.

Domestic violence as assault includes physically harming, threatening, physically restraining, or stalking a romantic or dating partner.

BOMB THREAT

Falsely reporting a bomb threat or other threat that endangers the welfare or safety of our school population will be cause for discipline and/or a referral to law enforcement.

DISRUPTIVE CONDUCT

Disruptive conduct is defined as flagrantly and substantially interfering with teaching or learning at school activities or at school sponsored activities. Disruptive Conduct includes creating a substantial disruption to any school function, refusing to comply with a staff person's directive, or using vulgar or profane language or obscene gestures. Improper use of electronic devices and/or other technology is also considered disruptive conduct. Repeated insubordination of school rules may constitute Disruptive Conduct.

Gambling

Gambling includes, but is not limited to, playing cards, dice, or games of chance for money or other things of value.

Lewd Conduct

Lewd conduct includes, but is not limited to, engaging in inappropriate sexual or social behavior, such as sexual acts, either singly or consensually with another person, including sexual intercourse, oral sex, sexual touching, indecent exposure, or voyeurism.

Obscene/Explicit Material

Displaying, possessing, or distributing material of a sexual or otherwise inappropriate nature, whether it is published, written or electronic is unacceptable in Tacoma Public Schools.

Inappropriate Liberties

Inappropriate liberties by students on school district property will not be tolerated, even if the inappropriate liberties are meant as a “joke.” Inappropriate liberties include, but are not limited to:

- Prolonged hugging
- Kissing
- Inappropriate touching, including fondling or body rubbing
- Bra snapping
- The intentional exposure of one’s own undergarments or private areas
- Forcibly removing another’s clothes, depantsing
- Any behavior that is of a sexual nature or has sexual overtones
- Presence in the wrong gender restroom

Technology Tampering and Misuse

Intentionally misusing or tampering with a Tacoma Public Schools computer system, database or other technology resources is against Tacoma School District policy.

Misuse or tampering with any district technology is against Tacoma School District policy.

Improper use of district technology includes but is not limited to:

- Stealing, hacking, deleting, interfering with, or copying software, systems, or programs.
- Transmitting a virus or other material that is wholly inconsistent with the fundamental values of public school education.
- Changing of school, district, or student records without authorization.
- Accessing a district or teacher’s computer without authorization.
- Using a proxy site or other internet site from a district computer to deliberately evade district filters, or instructing others on how to deliberately evade district filters.

The use of computers belonging to Tacoma Public Schools and access to internet service from district-provided computers are privileges that may be revoked by school or district administrators at any time for abusive conduct or violation of Tacoma School District policy.

ILLCIT DRUGS/CONTROLLED SUBSTANCES

Possessing, using, or being under the influence of illegal drugs or controlled substances, or any food item with illegal drugs in it, and/or possessing drug paraphernalia is cause for suspension/expulsion. Selling, or intending to sell, drugs or controlled substances (or look-alikes) including prescription or over-the-counter drugs and any food item with illegal drugs in it is cause for long-term suspension/expulsion.

Students may be disciplined for being under the influence of a controlled substance based on their behavior or appearance as determined by an administrator, school nurse, or other properly trained official regardless of whether they have a controlled substance or drug paraphernalia in their possession. Coming to school or a school-related event while under the influence is not allowed.

High school and middle school violators will be Emergency Expelled and/or short or long-term suspended up to the length of one semester. Students will be required to obtain an assessment by a certified drug and

alcohol counselor and agree to comply with all required meetings and directives of the evaluator at the parent's expense before there will be any re-admittance to any school. The student and parents/guardians must agree to fulfill the recommendation of the evaluator as soon as possible and submit verification to their administrator. The administrator may consider shortening or holding the student's suspension in full or partial abeyance if the student complies with evaluation/treatment recommendations. The school may be able to provide information about low or no cost options for appropriate services available in the community.

A second violation will result in a long-term suspension until the end of the semester. Subsequent violations may result in expulsion.

Students who are expelled will also be required to obtain an evaluation by an approved drug/substance abuse professional and participate in and satisfactorily complete any recommended drug/substance abuse program at the parent/guardian's expense before any re-admittance to any school the following school year.

EXTORTION/BLACKMAIL/COERCION

Obtaining money, property or other consideration by violence or threat of violence or forcing someone to do something against his or her will by force or threat of violence is against Tacoma School District policy.

FALSE ALARM

A false alarm is activating a fire alarm or calling 911 for any reason other than the intended purpose of the alarm.

FIGHTING

Fighting is being involved in mutual participation in an incident involving physical violence.

If the fight or any prefight activity occurs on school grounds, the school will have the right to respond.

Fighting includes, but is not limited to:

- Engaging in mutual physical contact involving anger or hostility or premeditation.
- Teasing, harassing, threatening or intimidating others resulting in physical contact involving anger or hostility.
- Retaliating physically for teasing, harassing, threatening, or intimidating behavior.
- Verbally inciting or physically supporting a fight by one's encouragement or presence.

Attending a fight or encouraging/promoting a fight is potentially dangerous and students will be disciplined accordingly for their involvement.

FIREWORKS, EXPLOSIVES, CHEMICALS, AND INCENDIARY DEVICES

Fireworks include, but are not limited to, firecrackers, sparklers, smoke bombs or stink bombs, cherry bombs, M80s, bottle rockets, or other explosive, incendiary or poison gas, or gas pen/gas pencils.

Possessing or using fireworks or an explosive, chemical, or incendiary device on school property, school-provided transportation, areas or facilities being used exclusively as school district property or at school-sponsored events or activities is against Tacoma School District policy.

GANGS AND RELATED BEHAVIOR

Belonging to an organized gang, hate group, or similar organization or group and knowingly engaging in gang/hate group activity on school grounds or during school activities or functions is against Tacoma School District policy. A gang or hate group is defined as a group of two or more persons with identifiable leadership who conspire and act in concert for criminal purposes.

Gang/Hate Group activity includes, but is not limited to:

- The presence of any apparel, dress, attire, and/or accessories by virtue of color, arrangement, altered symbol or any other attribute may indicate membership or affiliation.
- Promoting, soliciting, and/or recruiting of students.
- Related behaviors which present a clear and present danger to students, staff, and patrons.
- Behaviors such as threats, force, assault, and/or violence to advocate the purpose of gangs.
- Writing, graffiti, and/or depictions to advocate the purpose of gangs.

HARASSMENT

Harassment, intimidation or bullying means any intentional electronic, written, verbal, auditory or physical act, including, but not limited to one shown to be motivated by any characteristic of 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, marital status or weight, when the intentional electronic, written, verbal, auditory or physical act:

- physically harms a student; or
- damages the student's property; or
- has the effect of substantially interfering with a student's education; or
- is so severe, persistent or pervasive that it creates an intimidating or threatening educational environment; or
- has the effect of substantially disrupting the orderly operation of the school.

Nothing in this section requires the affected student to actually possess a characteristic that is a basis for the harassment, intimidation or bullying. "Intentional act" refers to the individual's decision to engage in the act rather than the ultimate impact of the action(s).

Threats/Intimidation

Communicating threats of violence or harm to an individual or group of individuals, directly or indirectly, whether by physical, verbal, written, telephone, or other electronic means, which cause the other person to believe his or her life, safety, or property is in danger, or which cause a listener to believe that another person's life, safety, or property is in danger. It is not necessary that the threat be communicated to the intended victim.

Threats toward Staff

Making threats of violence or harm toward any person acting in their official capacity as an employee and/or agent of the Tacoma School District is against Tacoma School District policy.

Staff has the right to work in a safe and non-threatening atmosphere. Tacoma Public Schools has no tolerance for students threatening staff persons. If there is a risk of violence to the staff person, the student may be expelled.

Hazing

Assault may be charged for hazing behaviors that involve physical violence.

Initiating or harassing another student with meaningless, difficult, dangerous, or humiliating tasks through behaviors that cause, or are likely to cause, physical injury, endangerment or emotional distress. In hazing situations, club advisors, coaches, and administrators likely have not been told what will occur and have not given their approval to the activity. Targeted students may not feel that they have the choice to opt out of this activity or the opportunity to quit at any time. Evidence of hazing that falls into this category may include, but is not limited to, activities with any of the following components:

- Physical harm or restraints.
- Reckless endangerment or life-threatening stunts, *e.g.*, being forced to jump off a bridge or structure, or ingest substances that may cause an allergic reaction.
- Unsafe activities, such as being left alone to get out of a harmful situation at the end of the activity, *e.g.*, in a park at night or from a locked room.
- Property damage.
- Illegal activity.

Prohibition of Harassment, Intimidation, and Bullying

The board of directors is committed to a safe and civil educational environment for every student, staff member, parent/legal guardian, family member and guest, free from harassment, intimidation or bullying. A safe and civil educational environment prohibits harassment, intimidation or bullying by integrating training, prevention and intervention into schools and support sites through a coalition of students, staff members, parents/legal guardians, families and the community.

Sexual Harassment

It is the policy of Tacoma School District No. 10 to maintain a working and learning environment for all its employees, students, parents, volunteers and others involved in school district activities which provides for fair and equitable treatment, including freedom from sexual harassment. This policy also covers anyone else who engages in sexual harassment on school property or at school activities.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal and/or physical conduct of a sexual nature when:

- submission to the conduct or communication is either explicitly or implicitly made a term or condition of an individual's employment, grades, work opportunity or other benefit;
- submission to or rejection of the conduct or communication is used as a factor for employment/grade decisions or other school-related decisions affecting an individual; and/or
- such conduct or communication has the purpose or effect of substantially interfering with an individual's work or school performance or creates an intimidating, hostile or offensive working/school environment.

Sexual harassment can occur adult to student, student to adult, student to student, adult to adult, female to male, male to female, female to female, and male to male. The district will take prompt, equitable and remedial action on reports and complaints that come to its attention, either through formal or informal channels. Allegations of criminal misconduct will be reported to the appropriate law enforcement agency and suspected child abuse will be reported to law enforcement or Child Protective Services. Individuals found to have been subjected to sexual harassment will have reasonable and appropriate school district services made available to them and adverse consequences of the harassment shall be reviewed and remedied, if appropriate. Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending students, staff, and contractors. Anyone else engaging in sexual harassment on school property or at school activities will have access to school property and activities restricted, as appropriate. Retaliation against any person who makes a complaint or is a witness under this policy is prohibited and will be subject to appropriate disciplinary action. Individuals who knowingly report false allegations of sexual harassment or corroborate false allegations will be subject to appropriate disciplinary action.

All staff are responsible for receiving informal complaints and reports of sexual harassment and informing appropriate district personnel of the complaint or report for investigation and resolution. All staff are also responsible for informing complainants of the formal complaint process. Staff members who fail to take prompt action to report allegations or violation of this policy shall be subject to appropriate discipline. Administrators, managers and/or supervisors who fail to take prompt action upon receiving an allegation of sexual harassment shall be subject to disciplinary action up to and including termination. The process for responding to allegations is outlined in Regulation 5265R -Discrimination Complaint Procedure.

Information regarding this policy will be provided in student, staff and volunteer orientation. All students will receive information relative to this policy during the first semester of each school year. Each school shall develop a process for discussing the district's sexual harassment policy. The process shall ensure the discussion addresses the definition of sexual harassment and issues covered in this policy.

This policy shall be reproduced in each student, staff, volunteer and parent handbook. All parents will receive copies of this policy as a part of the Student Rights, Responsibilities and Regulations Handbook. This policy shall be posted in each district building in a place available to staff, parents, volunteers and visitors. A copy of the policy shall appear in any publication of the school or school district setting for the rules, regulations, procedures, and standards of conduct for the school or school district.

The superintendent shall make an annual report to the board reviewing the use and efficacy of these policies and related procedures. Recommendations for changes to these policies, if applicable, shall be included in the report. All administrators, managers, and supervisors shall receive training in these policies. Such training shall be conducted no less than every three years. New administrators shall receive training within ninety (90) days of their first day of work in the new position.

Questions concerning the application of these policies are to be referred to the Equity and Diversity Office, P.O. Box 1357, Tacoma, Washington 98401-1357, telephone (253) 571-1292. Questions regarding Section 504 of the Rehabilitation Act of 1973 are to be referred to the Coordinator, Comprehensive Guidance Programs, PO Box 1357, Tacoma, Washington 98401-1357 – telephone (253) 571-1063. Individuals with complaints or concerns regarding application of this policy are encouraged to first contact the Equity and Diversity Office. For complaints or concerns regarding Section 504 of the Rehabilitation Act of 1973, contact the Coordinator, Comprehensive Guidance Programs, PO Box 1357, Tacoma, Washington 98401-1357. Complaints will be resolved in accordance with Regulation 5265. An individual may also contact the U.S. Department of Education, Office for Civil Rights (OCR); Equal Employment Opportunity Commission (EEOC), Region X, Seattle; Washington State Human Rights Commission (HRC), Olympia; or seek private legal advice.

Behavior/Expressions

Harassment, intimidation or bullying can take many forms including, but not limited to: slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, hazing or other written, verbal, auditory, physically or electronically transmitted messages or images. This policy is not intended to prohibit expression of religious, philosophical or political views, provided that the expression does not substantially disrupt the educational environment. Many behaviors that do not rise to the level of harassment, intimidation or bullying may still be prohibited by other district policies or building, classroom or program rules. The goals of this policy are to foster a safe and civil educational environment through training, prevention and intervention strategies and to support targeted student(s), victims and/or others impacted by the violation. The district will intervene promptly and equitably within its authority on reports, complaints and grievances alleging harassment, intimidation or bullying that come to the district's attention, either formally or informally.

Education

Comprehensive education of students and staff shall be implemented to support the district's responsibility to create and maintain a safe, civil, respectful and inclusive educational environment.

Prevention

The district will provide students and staff with strategies aimed at preventing harassment, intimidation and bullying. In its efforts to educate students and staff, the district will seek partnerships with families, law enforcement and other community agencies.

Intervention

Interventions are designed to remediate the impact on the targeted student(s), victims and/or others affected by the violation, to change the behavior of the aggressor(s) and to restore a positive educational environment. The district will consider the frequency of incidents, developmental age of the student(s) and severity of the conduct when determining intervention strategies. Interventions will range from counseling, providing direction to change behavior, discipline, to law enforcement referrals.

Students, staff or other school visitors who engage in harassment, intimidation or bullying will receive appropriate discipline, sanctions or other appropriate interventions. False reports or retaliation for harassment, intimidation or bullying also constitute violations of this policy. Coercion, discrimination or reprisals taken against persons filing complaints or persons acting as witnesses to complaints shall result in appropriate disciplinary action or sanctions according to district policy or other applicable laws or regulations. Persons who knowingly file false allegations or report or corroborate false allegations shall also be subject to appropriate disciplinary action or sanctions according to district policy or other applicable laws or regulations. In accordance with applicable laws and regulations, students, parents/legal guardians, families, staff and other interested parties shall be informed of this policy and the accompanying regulation pertaining to the filing of complaints. The policy shall be posted in each district building and information regarding it will be provided in student, staff and parent/legal guardian handbooks. District staff will be provided with appropriate information on the recognition and prevention of harassment, intimidation and bullying including electronically transmitted messages or images and their rights and responsibilities under this policy.

Compliance Officer

The superintendent will appoint a compliance officer as the primary district contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the district. The superintendent is authorized to direct the implementation of regulations addressing the elements of this policy. Annually, for the first three years after adoption of this policy, the superintendent or designee shall convene an ad hoc committee composed of representatives of certificated and classified staff, students, community members and parents/legal guardians to review the use and efficacy of this policy and regulation. The superintendent's designated compliance officer will be included in the committee. The superintendent shall make an annual report to the board reviewing the use and efficacy of this policy and related regulations. This report will include recommendations for changes to the policy and regulation, if applicable.

Cross-references:	Policy 3200	Student Rights and Responsibilities
	Policy 3205	Safety & Civility in Schools
	Policy 3210	Nondiscrimination
	Policy 3240	Student Conduct
	Policy 3241	Classroom Management, Corrective Action or Punishment
	Policy 5265	Nondiscrimination
	Policy 5266	Sexual Harassment
Legal Reference:	RCW 28A.300.285	Harassment, intimidation, and bullying prevention policies

Management Resources: *Policy News*, April 2008 Cyberbullying Policy Required

Adoption Date: 1/13/05; Revised: 6/26/08

INTERFERENCE WITH SCHOOL AUTHORITIES

Interfering, or attempting to interfere, with the discharge of the official duties of district personnel by using direct, deliberate, or focused threats, force, or violence, such that the staff person believes his or her safety or the well-being of his or her property is in danger is against Tacoma School District policy.

Interfering with the discharge of the official duties of district staff by includes, but is not limited to:

- Using force or violence that is non-deliberate and not focused on the staff person, such as attempting to continue a fight when a staff person is trying to stop the fight and inadvertently striking that person, or
- Disobeying the orders of school officials to leave school property or disperse as instructed, or
- Heckling or harassing school authorities engaged in any lawful task, function, process, or procedure of the school district such that it interferes with their ability to maintain order or complete their lawful duties.

Conspiracy

Students who conspire to break rules may have the same consequences assigned as the offender.

Examples of conspiracy include, but are not limited to:

- Encouraging someone to break the rules, i.e. if two people are in a hostile argument and you say something like “fight, fight” instead of getting help from an adult or leaving the area.
- Covering up for someone who has broken rules.
- Withholding information before or after a violation has occurred. (Not telling everything you know or not telling the truth)
- Knowing a fight or assault is being planned and failing to report it.
- Attending a fight or assault involving others, even if you are not physically involved.

False Reporting

False reporting is knowingly and maliciously reporting an incident (fight, harassment, etc.) or falsely corroborating misbehavior of others that disrupts the orderly operation of the school environment.

Misrepresentation

Misrepresentation includes, but is not limited to, the following behaviors:

- Forging a parent's, guardian's, or any other person's signatures on any letter to the school, on any school document or form, or on any other document or form used by the school.
- Changing grades or attendance records on official District forms, including attendance reporting sheets and grade books, for any student without authorization of a school official.
- Providing a false name when asked to identify oneself to a school authority.
- Providing false information to school personnel, or impersonating another person verbally or in writing to provide false or misleading information, regarding a student's attendance or absence from school, including, but not limited to, falsely excusing absences or authorizing a student to be excused early from class or school.

Plagiarism

Cheating, or copying the work of other persons, or turning in another person's papers, projects, computer programs, etc., as your own constitutes plagiarism.

Plagiarism includes, but is not limited to:

- Using another writer's words or ideas without proper citation, or merely rearranging or changing a few of the author's words and presenting the result as your own work, or not using quotation marks when citing a source;

- Having someone else write your paper, program, or project, including asking friends, paying someone, using a paper writing service, or taking information verbatim off the Internet.
- Copying another student's work during a test, lab, or classroom activity and turning it in as your own.

THEFT AND VANDALISM

Theft

Theft is defined as stealing school district property or the property of a staff member, student, or school visitor. This includes theft of intellectual property, such as, but not limited to, looking at or taking a teacher's test or notes for a test, artwork, or any other teacher or student intellectual property.

Robbery

Robbery is defined as taking another's property by force or threat of force.

Burglary

Burglary is defined as unauthorized or forced entry or remaining unlawfully in a district building or room in the building for the purpose of taking property.

Possession of Stolen Property

Possession of stolen property is defined as knowingly receiving, retaining, possessing, concealing, selling or attempting to sell, or disposing of stolen property.

Property includes:

- District, teacher, student, or visitor possessions
- Intellectual property, such as a teacher's test or notes for a test, artwork, or any other teacher or student document or object, physical or electronic.

Malicious Mischief

Intentionally causing damage, including writing, painting, drawing, or otherwise marking graffiti on any district, school or staff property is against Tacoma School District policy. This includes damage to intellectual property, such as, but not limited to, damaging or destroying a staff person's or student's work, whether artistic, written, or electronic.

TOBACCO AND RELATED ITEMS

It is against state law and school district policy to use or possess any tobacco products in or on public school property, on school buses, and at school-sponsored activities.

Possession of tobacco and tobacco related products, including but not limited to electronic cigarettes, liquid nicotine, lighters, matches, and rolling papers will be cause for suspension. Selling, distributing, and using such products on campus may be cause for more severe disciplinary consequences.

Additionally, minors in possession of tobacco may be subject to criminal sanctions and a \$75.00 mandatory fine and court appearance.

TRESPASSING

Being unlawfully present on Tacoma School District property or in district buildings is against district policy. Trespassing includes, but is not limited to unlawful presence, being in an unauthorized area, and loitering.

WEAPONS

A weapon includes, but is not limited to:

- (1) a firearm
- (2) an airgun or any item which appears to be a realistic firearm or airgun look-alike
- (3) a device commonly known as throwing stars, nunchucka sticks; air gun; slung shot; sand club; metal knuckles; any knife having a blade which opens, or falls, or is ejected into position by the force of gravity, or by an outward, downward, or centrifugal thrust or movement; or any dagger or dirk furtively carried, or any portable device manufactured to function as a weapon and/or which is commonly known as a stun gun, including a projectile stun gun, that emits an electrical shock, charge, or impulse
- (4) any knife which is a cutting or stabbing instrument with a sharp blade set in a handle. This includes pocket knives.

Possession of a weapon, firearm, airgun, or “look-alike” will result in disciplinary action up to and including expulsion from any Washington State public school.

The Board of Directors of the Tacoma Public School has declared its intent not to tolerate possession of weapons by students on district property or at district sponsored events. *See*, RCW 9.41.010 and 18 U.S.C. § 921 for a complete definition of firearm.

No tolerance for weapons means that disciplinary action should be imposed for possession of weapons, but, with the exception of firearms, there is no specific sanction that must be imposed in every case. Rather, discipline should be imposed that is appropriate based on the circumstances.

Firearm – One Year Mandatory Expulsion

Carrying a firearm onto, or possessing a firearm on, school property, school-provided transportation, areas of facilities being used exclusively as school district property, or at school-sponsored events or activities is illegal. Tacoma Public Schools has a policy of no tolerance for weapons.

Firearm is defined as a weapon from which a projectile or projectiles may be fired by an explosive such as gunpowder. It also includes an explosive, incendiary, or poison gas bomb, grenade, rocket, missile, or mine. Violators will be expelled from Tacoma Public Schools for not less than one calendar year. *See*, RCW 28A.600.420. The Superintendent or his or her designee may modify the expulsion on a case-by-case basis.

District Identified Dangerous Weapons

Carrying a dangerous weapon onto, or possessing a dangerous weapon on, school property, school-provided transportation, areas of facilities being used exclusively as school district property, or at school-sponsored events or activities are against Tacoma School District policy.

District-defined dangerous weapons include: BB gun of any type, pellet gun of any type, soft air gun, slingshot, hand club, sandbag, Chaco sticks, metal pipe or bar used or intended for use as a club, Billy club, black jack, switchblade knife, fixed blade knife (*e.g.*, kitchen knife, steak knife, and hunting and military-type knives that do not fold), large folding knife with a blade over 2-1/2 inches long; any knife with a blade that locks open; any knife with more than one blade; razor blade; box cutter; blowgun, Taser gun, and bullets.

The definition of a dangerous weapon may also include any object, such as pepper/gas spray, that can reasonably be used to inflict serious bodily injury when a student uses such an object with the intent to harm or intimidate someone, or when there is no other reasonable purpose for possessing the object except to use it as a weapon. A laser pen may be considered to be a dangerous weapon if the light is deliberately aimed at another person's eyes, whether or not there is intent to cause harm. (See Policy 3240R)

The normal discipline for a first-time possession of a dangerous weapon is a long-term suspension. The

administrator can elect to give a lesser corrective action because of the particular facts and circumstances.

Personal Spray Devices

Persons over 18 years of age and persons between 14 and 18 years of age with prior written parental or guardian permission may possess personal protection spray devices on school property. No one under 18 years of age may deliver such devices, nor may anyone 18 years or older deliver a spray device to anyone under 14 or to anyone between 14 and 18 who does not have parental permission. Persons younger than 14 years of age may not possess personal protection devices.

OFF CAMPUS BEHAVIOR

Discipline may be imposed for an off-campus act of misconduct if the discipline is reasonable under the circumstances and closely connected to the educational process. The following criteria should be considered to decide whether an act of misconduct is sufficiently connected to the educational process:

- (1) Location of the misconduct (proximity to school grounds or to a school activity);
- (2) Hour and date of the misconduct (during school hours, but off-campus; immediately before or after school hours; on district-sponsored transportation, directly before entering or after leaving district-sponsored transportation, or during school-sponsored activities);
- (3) Effect on other participants or victims to the misconduct (did the misconduct involve or affect other students or school district personnel);
- (4) Severity of the misconduct and its likely connection to student or school district personnel safety (*e.g.*, fighting or other violent or destructive acts, the selling of a controlled substance, or possession of a weapon); and
- (5) Extent to which the off-campus activity affects the environment or safety of the school (*e.g.*, students are afraid to come to school or afraid at school because of it; it is disruptive to the school atmosphere in that special precautions or actions need to be taken to protect students and staff; the arrangements for the activity were made on campus but conducted off campus, such as drug sales, a fight or assault, etc.; or there are likely repercussions such as students from other schools or non-students coming onto the campus to effect retribution).

The District will respond to off-campus student speech that causes or threatens to cause a substantial disruption on campus or interference with the right of students to be secure and obtain their education. *Substantial disruption* includes, but is not limited to, significant interference with instruction, school operations or school activities, violent physical or verbal altercations between students, or a hostile environment that significantly interferes with a student's education.

ADOPTION OF RULES BY TACOMA SCHOOL BOARD

The Tacoma School District follows the substantive and procedural due process rights guaranteed by the Office of Superintendent of Public Instruction under RCW 28A.600.015. *See*, WAC 392.400. A copy of the regulations can be requested by contacting the Discipline Appeals Office at 253-571-1191.
