



Shoreline School Board

AGENDA

June 29, 2023

4:00 p.m.

Via Zoom and Streamed in
Shoreline Center - Board Room

Zoom Meeting Link:

<https://ssd412-org.zoom.us/j/82635400567?pwd=bWc1N0FuOVB1Z2ZnSmNjQXd2YWVhUT09>

Webinar ID: 826 3540 0567

Passcode: 148631

Special Board Meeting

1. Approval of Personnel

a) Certificated - Recommended for Election, Leaves of Absences, Retirements/Resignations

[1a-Personnel-Certs.pdf \(p. 3\)](#)

b) Certificated - Out-of-Endorsement

[1b-Personnel-Certs OOE.pdf \(p. 4\)](#)

c) Administrative - Recommended for Election, Retirements/Resignations

[1c-Personnel-Admin.pdf \(p. 5\)](#)

2. Adoption of Revisions to Policy 3209, Students: Sexual Harassment of Students Prohibited and Policy 5013, Personnel: Sexual Harassment of District Staff Prohibited

[2-Bkgrd-Revisions-Adopt Policy 3209 & 5013 Board Mtg 06292023.pdf \(p. 6\)](#)

[2-Policy 3209-June 2023 Revisions.pdf \(p. 7\)](#)

[2-Policy 5013-June 2023 Revisions.pdf \(p. 11\)](#)

3. Adoption of Revisions to Policy 3210, Students: Nondiscrimination and Policy 5010, Personnel: Nondiscrimination

[3-Bkgrd-Revisions Adopt Policy 3210 & 5010 Board Mtg 06292023.pdf \(p. 15\)](#)

[3-Policy 3210-June 2023 Revisions.pdf \(p. 16\)](#)

[3-Policy 5010-June 2023 Revisions.pdf \(p. 18\)](#)

4. Adjournment: _____ p.m.

**SHORELINE PUBLIC SCHOOLS
HUMAN RESOURCES - CERTIFICATED
June 29, 2023**

1a

RECOMMENDED FOR ELECTION

NAME	EFFECTIVE	ASSIGNMENT	LOCATION	FTE	REASON
Baer, Sally	5/29/23	MLL	RC	0.4	Vacancy
Flexen, Sarah	8/29/23	Grade 5	PW	1.0	Vacancy
Giannini, Eboli	8/29/23	SLP	TBD	1.0	Vacancy
Pickett, Nicole	8/29/23	SPED	EMS	1.0	Vacancy

LEAVES OF ABSENCE

NAME	EFFECTIVE	ASSIGNMENT	LOCATION	FTE	NOTES
Crowley, Daniel	23/24	Math	EMS	1.0	Approved Leave
McClellan, Amy	23/24	Social Studies	KMS	0.4	Approved Leave
McManus, Sara	23/24	Counselor	SC	0.1	Approved Leave
Wieberg, Trent	8/30/23-11/6/23	Social Studies	SW	0.8	Approved Leave

RETIREMENTS/RESIGNATIONS

NAME	EFFECTIVE	ASSIGNMENT	LOCATION	FTE	NOTES
Eberhart, Holly	8/31/23	SPED	ECELP	1.0	Resignation
Scherf, Marybeth	10/1/23	Elem Ed	Syre	1.0	Resignation

**Shoreline Public Schools
Human Resources - Certificated
June 29, 2023**

Out-of Endorsement Assignments

LAST	FIRST	CURRENT ENDORSEMENT	ASSIGNMENT	LOCATION	NOTES
Gerst	Alexander	4-12 Chemistry, 4-12 Physics	Elementary	CK-8	Educator is capable of teaching in this assignment
Gross	Erin	Special Ed	Self-Contained	Highland Terrace	Educator is capable of teaching in this assignment
Spooner	Alecia	Emergency Sub	Elementary	Echo Lake	Educator is capable of teaching in this assignment

SHORELINE PUBLIC SCHOOLS
HUMAN RESOURCES
June 29, 2023

1c

ADMINISTRATIVE STAFF
RECOMMENDED FOR ELECTION

LAST	FIRST	EFFECTIVE	ASSIGNMENT	LOCATION	FTE	REASON
Manza	Dorian	7/1/23	Middle School Principal	Einstein	1.0	Vacancy

RESIGNATIONS/RETIREMENTS

LAST	FIRST	EFFECTIVE	ASSIGNMENT	LOCATION	FTE	REASON
Shawver	Alison	6/30/23	High School Asst. Prin.	Shorecrest	1.0	Resignation

Shoreline Board of Directors

SPECIAL BOARD MEETING

June 29, 2023

TO: Members, Shoreline Board of Directors

ISSUE:	<u> X </u>	ACTION	<u>Adoption of Revisions to Policy 3209, Students: Sexual</u>
	<u> </u>	INFORMATION	<u>Harassment of Students Prohibited and Policy 5013,</u>
			<u>Personnel: Sexual Harassment of District Staff</u>
			<u>Prohibited--attached</u>

BACKGROUND INFORMATION:
 The revisions to Policies 3209 and 5013 were presented for first reading at the Board’s June 20, 2023 regular meeting. These revisions have been provided by legal counsel and bring the policies into alignment with current requirements and regulations. Small changes have been made to both policies since the first reading. All sentences that referenced a strikethrough as follows: “superintendent ~~or designee~~,” now have “or designee” restored.

FISCAL IMPACT:

- CURRENT REVENUE SOURCE:
- FUTURE REVENUE SOURCE:

RECOMMENDED DECISION:
 It is the recommendation of the Superintendent that the Board adopt the revisions to Policy 3209, Students: Sexual Harassment of Students Prohibited and Policy 5013, Personnel: Sexual Harassment of District Staff Prohibited, as presented and to be effective June 29, 2023.

Report prepared by: Darlene Mendoza, Executive Director of Human Resources

STUDENTS

Sexual Harassment of Students Prohibited

This district is committed to a positive and productive education free from discrimination, including sexual harassment. This commitment extends to all students and others involved in academic, educational, extracurricular, athletic, or 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 that constitutes sexual harassment under Title IX or Chapter 28A.640 RCW. The term “sexual harassment” under this policy relates to certain legal definitions, which are described below. The district will refer to those legal definitions when responding to potential sexual harassment.

The district prohibits sexual harassment of students by other students, employees, or third parties involved in district activities. Sexual harassment can occur adult-to-student, can occur student-to-student, or can be carried out by a group of students or adults. The district will respond to sexual harassment even if the alleged harasser is not a part of the school staff or student body.

Under Chapter 28A.640 RCW, the term “sexual harassment” means unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature if:

- submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining an education or employment;
- submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual’s education or employment;
- or
- that conduct or communication has the purpose or effect of substantially interfering with an individual’s educational or work performance, or of creating an intimidating, hostile, or offensive educational or work environment.

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.

STUDENTS

Sexual Harassment of Students Prohibited

Definitions (continued)

Under Title IX, the term “sexual harassment” means conduct on the basis of sex that satisfies one or more of the following:

- an employee of the district conditioning the provision of an aid, benefit, or service on an individual’s participation in unwelcome sexual conduct;
- conduct that creates a “hostile environment,” meaning unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the education program or activity; or
- “sexual assault” as defined in 20 U.S.C. § 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. § 12291(a)(10), “domestic violence” as defined in 34 U.S.C. § 12291 (a)(8), or “stalking” as defined in 34 U.S.C. § 12291(a)(30).

District’s Response

If the district knows, or reasonably should know, about sexual harassment, it will promptly take (1) appropriate action to investigate, and (2) effective steps reasonably calculated to end harassment, eliminate any hostile environment, prevent its recurrence, and remedy its effects as appropriate.

Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. Regardless of whether the misconduct is reported to law enforcement, school staff will promptly respond to sexual harassment to the extent that the response does not interfere with an ongoing criminal investigation. A criminal investigation does not relieve the district of its independent obligation to respond to sexual harassment.

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending students, staff or other third parties involved in 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.

STUDENTS

Sexual Harassment of Students Prohibited

Staff Responsibilities

The superintendent or designee 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 timelines 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 Coordinator. 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 Coordinator. Reports of disability discrimination or harassment will be referred to the district's Section 504 Coordinator.

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

Notice and Training

The superintendent or designee will develop procedures to provide age-appropriate information and education to district staff, students, parents/guardians, and volunteers regarding this policy and the recognition and prevention of sexual harassment. At minimum, sexual harassment recognition and prevention and the elements of this policy will be included in staff, student, and regular volunteer orientation. This policy and the procedure, which includes the complaint process, will be posted in each district building in a place available to staff, students, parents/guardians, volunteers, and visitors. Information about the policy and procedure will be clearly stated and conspicuously posted throughout each school building, provided to each employee and reproduced in each student, staff, volunteer and parent handbook. Such notices will identify the District's Title IX Coordinator and provide contact information, including the Coordinator's email address.

Policy Review

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

STUDENTS

Sexual Harassment of Students Prohibited

Cross reference:	Policy 3210 3300 3308 3421 5013	Nondiscrimination Student Conduct Expectations and Reasonable Sanctions Prohibition of Harassment, Intimidation, and Bullying/Cyberbullying Child Abuse and Neglect Prevention Personnel: Sexual Harassment of District Staff Prohibited
Legal reference:	20 U.S.C. §§ 1691 <i>et seq.</i> 34 CFR Part 106 RCW 28A.640.020 Chapter 392-190 WAC	Regulations, guidelines to eliminate discrimination— Scope—Sexual harassment policies

Adopted:

November 2, 2020
February 13, 2017
January 10, 2011
January 10, 2011

PERSONNEL

Sexual Harassment of District Staff Prohibited

This district is committed to a positive and productive working environment 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 training held elsewhere.

Definitions

For the purposes of this policy, sexual harassment means unwelcome conduct or communication of a sexual nature that constitutes sexual harassment under Title IX or Chapter 28A.640 RCW. The term "sexual harassment" under this policy relates to legal definitions, which are described below. The district will refer to legal definitions when responding to potential sexual harassment.

The district prohibits sexual harassment of staff by students, other employees, or third parties involved in district activities. Sexual harassment can occur student to student, student to adult, adult to adult, adult to student or can be carried out by a group of students or adults. The District will respond to sexual harassment even if the alleged harasser is not a part of the school staff or student body.

Under Chapter 28A.640 RCW, the term "sexual harassment" means unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature if:

- A. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining an education or employment;
- B. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's education or employment;
or
- C. that conduct or communication has the purpose or effect of substantially interfering with an individual's education or work performance, or of creating an intimidating, hostile or offensive educational or work environment.

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.

Under Title IX, the term "sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

- A. An employee of the district conditioning the provision of an aid, benefit or service on an individual's participation in unwelcome sexual conduct;

PERSONNELSexual Harassment of District Staff ProhibitedDefinitions (continued)

- B. Conduct that creates a “hostile environment,” meaning unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the education program or activity; or
- C. “Sexual assault,” as defined in 20 U.S.C. § 1092(f)(6)(A)(v); “dating violence,” as defined in 34 U.S.C. § 12291(a)(10); “domestic violence,” as defined in 34 U.S.C. 12291(a)(8); or “stalking,” as defined in 34 U.S.C. § 12291(a)(30).

District’s Response

If the district knows, or reasonably should know, about sexual harassment, it will promptly take:

- A. appropriate action to investigate, and
- B. effective steps reasonably calculated to end harassment, eliminate any hostile environment, prevent its recurrence and remedy its effects as appropriate.

This policy applies to sexual harassment (including sexual violence) targeted at district employees carried out by a student, employee, or a third party involved in school district activities. A formal complaint filed by an employee or filed by or on behalf of a student complainant against an employee respondent will be investigated under the definitions, requirements, and procedures of Policy 3209 and Procedure 3209P.

Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. Regardless of whether the misconduct is reported to law enforcement, school staff will promptly respond to sexual harassment to the extent that the response does not interfere with an ongoing criminal investigation. A criminal investigation does not relieve the district of its independent obligation to respond to sexual harassment.

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending students, staff, or other third parties. 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.

PERSONNEL

Sexual Harassment of District Staff Prohibited

Retaliation and False Allegations (continued)

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 or designee 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 timelines and delineate staff responsibilities under this policy.

Any school employee who witnesses sexual harassment or receives report, informal complaint, or written complaint about sexual harassment is responsible for informing the district's Title IX Coordinator. 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 Coordinator. Reports of disability discrimination or harassment will be referred to the district's Section 504 Coordinator.

Notice and Training

The superintendent or designee will develop procedures to provide information and education to district staff, parents, and volunteers regarding this policy and the recognition and prevention of sexual harassment. At a minimum, sexual harassment recognition and prevention and the elements of this policy will be included in staff, and regular volunteer orientation. This policy and the procedure, which includes the complaint process, will be posted in each district building in a place available to staff, parents, volunteers, and visitors. Information about the policy and procedure will be clearly stated and conspicuously posted throughout each school building, provided to each employee and reproduced in each staff, volunteer and parent handbook. Such notices will identify the District's Title IX Coordinator and provide contact information, including the Title IX Coordinator's email address.

Policy Review

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

PERSONNEL

Sexual Harassment of District Staff Prohibited

Cross reference: Policy 3209 Sexual Harassment of Students Prohibited
3308 Prohibition of Harassment, Intimidation and
Bullying/Cyberbullying
3210 Nondiscrimination
3213 Gender-Inclusive Schools
3421 Child Abuse, Neglect, and Exploitation Prevention
5010 Nondiscrimination

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

Adopted

February 13, 2017
June 15, 2015
January 11, 2011
April 20, 1992

Shoreline Board of Directors

SPECIAL BOARD MEETING

June 29, 2023

TO: Members, Shoreline Board of Directors

ISSUE:	<u> X </u>	ACTION	<u>Adoption of Revisions to Policy 3210, Students:</u>
	<u> </u>	INFORMATION	<u>Nondiscrimination and Policy 5010, Personnel:</u>
			<u>Nondiscrimination--attached</u>

BACKGROUND INFORMATION:
 The revisions to Policies 3210 and 5010 were presented for first reading at the Board’s June 20, 2023 regular meeting. These revisions have been provided by legal counsel and bring the policies into alignment with current requirements and regulations. Since the first reading, one slight change was made to Policy 3210 in the cross references on page 2 (see strikethrough and underscore).

FISCAL IMPACT:

- CURRENT REVENUE SOURCE:
- FUTURE REVENUE SOURCE:

RECOMMENDED DECISION:
 It is the recommendation of the Superintendent that the Board adopt the revisions to Policy 3210, Students: Nondiscrimination and Policy 5010, Personnel: Nondiscrimination, as presented and to be effective June 29, 2023.

Report prepared by: Darlene Mendoza, Executive Director of Human Resources

STUDENTS

Nondiscrimination

The district shall provide 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 including 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 shall be free from all unlawful harassment, including sexual.

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 occurrence, and remedy its effects.

The district's nondiscrimination 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 does 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 superintendent shall publish annual notice and complaint procedures to inform students, parents/guardians, and employees as required by law to ensure that there is in fact equal opportunity for all students in the district in a language they can understand.

The district will designate a staff member to serve as the compliance officer for this policy. The compliance officer or designee will be responsible for investigating any discrimination complaints communicated to the district.

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

Cross References:	Policy	2120	Curriculum Development and Adoption
	Policy	2140	Guidance and Counseling
	Policy	2150	Co-Curricular Program
	Policy	2151	Interscholastic Activities
	Policy	2173	Animals in the Schools
	Policy	2311	Selection and Adoption of Instructional Materials
	Policy	3200	Student Rights and Responsibilities
	Policy	<u>3300</u>	<u>Student Conduct Expectations and Reasonable Sanctions</u>
	Policy	4330	Use of School Facilities

STUDENTS

Nondiscrimination

Legal References:

RCW 28A.640
RCW 49.60
RCW 28A.642
42 U.S.C. §§ 12101-12213
WAC 392-190-060

WAC 392-190-020

20 U.S.C. _7905

Sexual Equality
Discrimination – Human rights commission
Discrimination prohibition
Americans with Disabilities Act
Compliance – School district designation of
responsible employee – Notification
Training – Staff responsibilities – Bias
awareness
Boy Scouts of America Equal Access Act

Adopted

June 15, 2015
November 19, 2012
December 6, 2010
October 6, 2008
August 5, 2002
June 4, 2001
November 20, 1995
June 20, 1991

PERSONNEL

Nondiscrimination

The district shall provide equal employment opportunity and treatment for all applicants and staff in recruitment, hiring, retention, assignment, transfer, promotion, and training. Such equal employment opportunity shall be provided without discrimination with respect to race, color, national origin, sex, sexual orientation, gender expression or identity, marital status, creed, religion, age, honorably discharged veteran or military 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 shall not discriminate against a person with a disability if the person can perform the essential functions of the job with reasonable accommodations and without an undue hardship.

The district will not discriminate against any person who is a member of, applies to be a member of, performs, has performed, applies to perform, or has an obligation to perform service in a uniformed service of the United States, 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.

The board shall designate a staff member to serve as affirmative action/Title IX Compliance Officer.

Legal reference:	RCW 28A.400.310	Law against discrimination applicable to district's employment practices
	RCW 28.A.642	Discrimination prohibition
	RCW 49.60	Law against Discrimination
	RCW 49.60.030	Freedom from discrimination-Declaration of civil rights
	WAC 392-200	Employment Discrimination
	PL 99-603	Immigration Reform and Control Act (IMCA) of 1986
	42 USC_2000e1-2000e10	Title VII of Civil Rights Act of 1964
	20 USC_1681-1688	Title IX of the Educational Amendments of 1972
	42 USC_12101-12213	Americans with Disabilities Act (ADA)
	38 USC_4212	Vietnam Era Veterans Readjustment Act of 1974 (VEVRAA)
	38 USC_4301-4333	Uniformed Services Employment and Reemployment Rights Act

Adopted

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- July 21, 2016
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- June 15, 2015
-
- December 6, 2010
-
- June 3, 2002
-
- August 6, 2001
-
- November 2, 1992
-