



Our School Protects Students from Harassment, Intimidation, and Bullying (HIB)

We strive to make our school a safe and inclusive environment 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 explains what HIB is, what to do when you see or experience it, and how our school responds to it.

What is HIB?

State law (RCW 28A.600.477(5)(b)(i)) defines HIB as “any intentional electronic, written, verbal, or physical act including, but not limited to, one shown to be motivated by any characteristic in RCW 28A.640.010 and 28A.642.010 (discrimination based on a protected status) or other distinguishing characteristics, when the intentional electronic, written, verbal, or physical act:

- (A) Physically harms a student or damages the student’s property;
- (B) Has the effect of substantially interfering with a student’s education;
- (C) Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
- (D) Has the effect of substantially disrupting the orderly operation of the school.”

HIB often involves one student having, or appearing to have, more power than another student. While HIB often appears as repeated behaviors, it is important to take single serious incidents seriously. It usually happens more than once or is very likely to happen again. HIB is against the law in our schools.

HIB policy only applies to actions between students. It does not cover harassment, intimidation, or bullying of an employee, volunteer, parent/legal guardian, or community member.

How can I make a report about HIB?

Talk to any school staff member, start with whoever you feel most comfortable with, such as a teacher, counselor, coach, or other school staff. You can report HIB by telling school staff in person or in writing (written reports can be made in your home language; please ask your school or district for support with translation). You can make your report anonymously/without giving your name or confidentially (asking that your name not be shared with other students or parents/caregivers involved). No student will be disciplined based only on an anonymous or confidential report.

If a staff member learns about, sees, or hears HIB happening, they must act quickly to stop the behavior(s) and keep it or them from happening again. Our district also has a HIB Compliance Officer (Matthew Toth and toth.matthew@evsd90.org, 509.573.7321) who helps prevent and respond to HIB.

What happens after I make a report about HIB?

When you report HIB, school staff must act quickly to stop the behavior and prevent it from happening again. If you and the school agree the problem is resolved, then no further action may be needed. But, if you feel that you or someone you know is facing HIB that is unresolved, severe, or keeps happening, you should ask for an official HIB investigation by completing an Incident Reporting Form [\[link\]](#).

The school must also make sure that students who report HIB are not treated badly for speaking up. This is called retaliation, and it is not allowed.

What is the investigation process?

The HIB investigation begins if you submit the HIB Incident Report Form [\[link\]](#) and the incident meets the definition of HIB toward a student. When you submit the Incident Reporting Form, the HIB Compliance Officer or the staff member leading the investigation must notify the families of the students involved that a complaint was received. They must make sure a prompt and thorough investigation takes place. The

investigation is usually finished within five school days. If it takes longer, the school will keep you updated, generally once a week, until it is done.

When the investigation is complete, the HIB Compliance Officer or the staff member leading the investigation must share the results with you within two school days.

This response should include:

- A summary of what the investigation found
- A decision about whether the HIB was substantiated (found to have happened)
- Any steps the school will take to address the problem
- Clear information about how you can appeal the decision

If HIB is confirmed, the school will address it.

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

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

If you disagree with the school district’s decision, you may appeal. To appeal, send a written request asking the superintendent (or the person they’ve assigned) to review the investigation. They will send you a written decision.

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

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

What information may I have about other students?

Student privacy laws limit what the school can tell you about any intervention or discipline given to another student. You will be told whether HIB was found to have happened and that steps were taken, even if the details of those steps impacting all students involved cannot be shared.

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*.

How do I make a HIB complaint about a staff member?

This process is for concerns about one student harassing, intimidating, or bullying another student. If your concern is about a staff member’s behavior, ask your school for information on how to report it.

Our School Stands Against Discrimination

Discrimination can happen when someone is treated differently or unfairly because of a **protected status**, including their race, ethnicity, color, national origin, immigration or citizenship status, sex, gender identity, gender expression, sexual orientation, homelessness, religion, creed, disability, neurodivergence, 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 behavior that is threatening, harmful, or humiliating. It happens when the behavior is based on a student’s protected status and is serious enough to create a hostile environment. A **hostile environment** is created when behavior 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 3210* and *Procedure 3210P*, visit the [link](#).

What is sexual harassment?

Sexual harassment is unwelcome behavior or communication that is sexual in nature and seriously 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 accept unwelcome sexual behavior or communication to receive something in return, such as a better grade or a place on a sports team.

Examples of sexual harassment include:

- Pressuring a person for sexual actions or favors.
- Unwelcome sexual touching.
- Written, graphic, or electronic messages that are sexual in nature.
- Sharing sexually explicit texts, emails, or pictures.
- Making sexual jokes, spreading sexual rumors, or making suggestive comments.
- Physical violence, including rape and sexual assault.

Our school does not discriminate based on sex. We prohibit sex discrimination in all education programs, activities, and employment, as required by Title IX and state law.

To review the district's Sexual Harassment Policy [3205](#) and Procedure [3205P](#), visit [Link](#).

What should my school do about discriminatory and sexual harassment?

When a school learns about possible discriminatory harassment or sexual harassment, it must investigate and take steps to stop the unwanted behavior. The school must address any effects of the harassment on the student at school, including eliminating the hostile environment, and prevent the harassment from happening 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 to report your concerns, ask questions, or learn more about how to resolve your concerns. If English isn't your first language, you can request an interpreter or prepare the complaint in your language. If you have a disability and need accommodations to make a complaint, let the school know your disability needs.

Concerns about discrimination:

Civil Rights Coordinator: Matthew Toth, Assistant Superintendent, 2002 Beaudry RD., Yakima, WA, 98901 toth.matthew@evsd90.org, 509.895.4147

Concerns about sex discrimination, including sexual harassment:

Title IX Coordinator: Matthew Toth, Assistant Superintendent, 2002 Beaudry RD., Yakima, WA, 98901 toth.matthew@evsd90.org, 509.895.4147

Concerns about disability discrimination:

Section 504 Coordinator: Tami Scrivner, Director of Special Programs, 2002 Beaudry RD., Yakima, WA, 98901 scrivener.tami@evsd90.org, 509.573.7332

Concerns about discrimination based on gender identity:

Gender-Inclusive Schools Coordinator: Tami Scrivner, Director of Special Programs, 2002 Beaudry RD., Yakima, WA, 98901 scrivener.tami@evsd90.org, 509.573.7332

To **submit a written complaint**, describe the behavior or incident that you believe may be discriminatory. 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 so the school district can investigate it promptly. You must submit your complaint within one year of the behavior 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 will make sure your complaint is investigated promptly and thoroughly. The investigation will be completed within 30 calendar days unless you agree to a different timeline. If exceptional circumstances require more time, the Civil Rights Coordinator will notify you in writing and tell you the expected date for the response.

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

- A summary of the investigation results.
- A determination of whether the school district failed to comply with civil rights laws.
- Any corrective actions or remedies that are needed.
- Information about how to appeal the decision.

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

If you disagree with the decision about your complaint, you may appeal the decision to the School Board. You may then file a complaint with the Office of Superintendent of Public Instruction (OSPI). For more information about this process, including important deadlines, see the school 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 be discrimination if it is based on a protected status. 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 address your concerns.

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, whether or not they have legally changed their name.
- Update students' gender designation so they are accurately reflected in school records.
- Provide students with access to restrooms and locker rooms that align with their gender identity.
- Ensure students can participate in sports, physical education classes, field trips, and overnight trips consistent with their gender identity.
- Keep students' health and education information private and confidential.
- Allow students to wear clothing that reflects their gender identity and enforce dress codes without regard to a student's gender or perceived gender.
- Create an inclusive, respectful environment and protect students from teasing, bullying, or harassment based on their gender or gender identity.

To review the district's Gender-Inclusive Schools Policy [3211](#) and Procedure [3211P](#), or visit the [link](#). If you have questions or concerns, please contact the Gender-Inclusive Schools Coordinator: Tamie Scrivner at scrivener.tami@evsd90.org or 509.573.7332

For concerns about discrimination or discriminatory harassment based on gender identity or gender expression, please see the information above on page 2.

Our School is Committed to Students and State Law

Students have the right to learn in schools that follow state law and protect their rights. Willful noncompliance happens when a school district leader or school board member does something—or fails to do something—that they knew, or reasonably should have known, would violate state law. Under ESHB 1296,

OSPI is responsible for investigating complaints about willful noncompliance and working to find fair solutions.

These laws include requirements related to:

- Civil rights and nondiscrimination (RCWs 28A.640 and 28A.642)
- Harassment, intimidation, or bullying (RCW 28A.600.477)
- Curriculum requirements and instructional materials policies (RCWs 28A.150.230, 28A.300.475, 28A.320.170, 28A.320.230, and 28A.320.235)
- Use of restraint or isolation (RCW 28A.600.485)
- Student discipline (chapter 28A.600 RCW)

How do I make a complaint about willful noncompliance with state law?

You must first use available complaint processes to try to resolve your concern. This means the available complaint processes start with your school district, even if the school district superintendent or a school board member is the subject of your complaints. School personnel are not allowed to retaliate for making a formal complaint.

If no available complaint processes are available, you must check OSPI's website for other OSPI complaint procedures at [How to File a Complaint](#), and follow any applicable processes. If none exist, or you have completed all other processes, you must send written notice to the district superintendent at least 30 calendar days before filing a complaint with OSPI.

Complaints to OSPI must be submitted within 30 calendar days after a final decision in the local complaint process, when one applies. The complaint must be in writing and include enough information to describe the concern and the actions or failures to act that may be willful noncompliance. You may send the complaint by mail, email, or hand delivery to OSPI.

When OSPI receives a complaint that meets the requirements for investigation, it will open an investigation. OSPI will send you a written notice of the allegations under investigation. After the investigation is complete, OSPI will issue written findings to you and your school. These findings will state whether noncompliance occurred and may require the school to take actions to fix the issue.

Who else can help with HIB, Discrimination, or Willful Noncompliance Concerns?

Office of Superintendent of Public Instruction (OSPI)

All reports must start locally at the school or district level, even if the complaint involves the school or school district. School personnel should not retaliate against students or families for making a formal complaint.

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, as well as complaints alleging willful noncompliance with state law under ESHB 1296.

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

OSPI Office of Legal Affairs (For more details on the willful noncompliance complaint process)

- Website: ospi.k12.wa.us/educator-support/educator-conduct/state-law-noncompliance-complaints
- Email: OLA@k12.wa.us

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

The Washington State Office of the Education Ombuds works with families, communities, and schools to help solve problems so every student can fully participate and thrive in Washington's K-12 public schools. OEO provides informal conflict resolution, coaching, facilitation, and training on family and 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: www.ed.gov/
- Email: ocr@ed.gov
- Phone: 800-421-3481

Our School is Committed to Safety at School Activities and Events

Washington State wants school activities and events, like athletic competitions, performances, and other extracurricular activities, to be safe for everyone who takes part in them or watches them.

What does state law say?

Washington State law has long banned intimidation, force, and threats of violence at school events. [ESB 5272](#) (which takes effect in 2026) made those protections stronger. It now also covers officials and volunteers at extracurricular athletic activities, and it has created new consequences for breaking the law. For non-students, if they are convicted of a crime, they may be banned from school activities for up to 18 months, receive a fine, or go to jail for no more than 6 months. For students, other school consequences, including removal from school, may also apply under [RCW 28A.600.015](#).

How is this different from HIB?

This is different from our school's HIB policy, which deals with conduct between students through a school process. ESB 5272 covers more people and more situations and is enforced through criminal law and school discipline procedures instead of the school's HIB process.

The expectations in this section are broader. They apply to everyone at school activities — students, parents, and community members alike — and they cover behavior toward everyone involved, not just students. This section and the HIB section work together but cover different situations.

What should I do if I experience or witness this conduct?

- **Call 911** if there is an immediate safety concern
- **Report to a coach, event supervisor, school administrator, or other trusted adult** as soon as possible. They can connect you with the right support and make sure the right steps are taken
- **If a student was the target** of the conduct, you may also be able to file a report under our school's HIB policy – see the HIB section of this handbook for more information

Who can I contact with questions?

For questions about safety at school events, contact your school principal or Matthew Toth at toth.matthew@evsd90.org or (509) 573-7321.

For questions about whether conduct student-to-student may also be HIB, contact the HIB Compliance Officer: Matthew Toth at toth.matthew@evsd90.org or (509) 573-7321.