

Board of Directors' Work Session January 5, 2023 at 6:30 PM District Office, 210 N Park Street

- 1. Call meeting to order
- 2. Flag salute
- 3. Modifications to the agenda
- 4. Approval of the agenda
- 5. First reading Policy 3120 Enrollment (yellow)
- 6. First reading Policy 3143 District Notification of Juvenile Offenders/Notification and Dissemination of Information About Student Offenses and Notification of Threats of Violence or Harm (gray)
- 7. First reading Policy 3144 Release of Information Concerning Student Sexual and Kidnapping Offenders (pumpkin)
- 8. First reading Policy 4316 Notification of Threats of Violence or Harm (cherry)
- 9. First reading Policy 4413 Release of Information Concerning Sexual Offenders (salmon)
- 10. First reading Policy 6970 Naming Facilities/Naming Schools, Facilities, and Teams, and Use of School Mascot, Images or Logo (lavender)
- 11. Engagement Discussion Part 2
- 12. Superintendent Report
- 13. Adjourn

Individuals with disabilities who may need a modification to participate in a meeting should contact the superintendent's office, at 509-685-6800, ext. 1002, no later than three days before a regular meeting and as soon as possible in advance of a special meeting so that special arrangements can be made.

ENROLLMENT

The superintendent <u>or designee shall will</u> develop procedures for enrolling students, recording attendance behavior and counseling and correcting students with attendance problems. When enrolling a student who has attended school in another school district, the parent and student will be required to briefly indicate in writing whether or not the student has:

- A. Aany history of placement in a special education program;
- B. aAny past, current or pending disciplinary actions;
- C. aAny history of violent behavior;
- D. or convictions, aAdjudications or diversion agreements related to a convictions described in RCW 13.04.155, which include violent offenses, a sex offenses, inhaling toxic fumes firearm or dangerous weapon offenses, a drug offense, a liquor violation, assault, kidnapping, harassment, stalking or arson and controlled substance offenses;
- E. aAny unpaid fines or fees from other schools; and
- F. aAny health conditions affecting the student's educational needs.

The school enrolling the student shall request the student's permanent record – including records of disciplinary action, history of violent behavior or behavior listed in RCW 13.04.155, attendance records, and academic performance – from the school the student previously attended.

If the district a school principal receives information that a student has a history of disciplinary actions, criminal or violent behavior, or other behavior that indicates the student could be a threat to the safety of staff or students, about adjudications or convictions described in RCW 13.04.155, then he or she will follow the procedure described in Policy 3143 – Notification of Information about Student Offenses and Notifications of Threats of Violence or Harm (CSD policy District Notification of Juvenile Offenders is out of date, WSSDA policy 3143 includes language from CSD policies 3144 Kidnapping Offenders, 4316 Notifications of Threats of Violence or Harm and 4413 Release of Information Concerning Sexual Offenders) the student's teachers and building security personnel shall be informed.

The district will require students or their parents to provide proof of residency within the district, such as copies of phone and water bills or lease agreements. The school district shall will not require proof of residency or any other information regarding an address for any student who is eligible by reason of age for the services of the district if the student does not have a legal residence. For students who meet the definition of homeless, the district will immediately enroll the student, including while any enrollment dispute is pending (see 3115 – Students Experiencing Homelessness – Enrollment Rights and Services).

The district will not inquire into a student's citizenship or immigration status or that of his/her parents or guardians.

The request for enrollment may be made by the student, parent or guardian.

Since accurate enrollment and attendance records are essential both to obtain state financial reimbursement and to fulfill the district's responsibilities under the attendance laws, staff shallthe district will be diligent in maintaining such records.

Cross Reference:	Board Policy 2255	Alternative Learning Experience
	7 17 11 2100	Programs Courses
	Board Policy 2100	Educational Opportunitites for Students
		with a Parent in the Military (NO
	D 1 D 1' 2116	CSD POLICY)
	Board Policy 3115	Students Experiencing Homelessness –
	D 10 11 2142	Enrollment Rights and Services
	Board Policy 3143	District Notification of Juvenile
		<u>Offenders</u>
Legal References:	RCW 28A,225.215	Enrollment of children without legal
Dogar residence		residences
	RCW 28A.225.330	Enrolling Students from other districts
		 Requests for information and
		permanent records - Withheld
		transcripts - Immunity from liability
		 Notification to teachers and
		security personnel – Rules
	RCW 28A.225.216	Children of military families - Residency
	WAC 392-121-106	Definitions enrolled student
	WAC 392-121-108	Enrollment exclusions
	WAC 392-121-122	Definitions — Enrolled and fFull-time
		equivalent students
	WAC 392-121-182	Alternative learning experience
	-	requirements
	<u>WAC</u> 392-169-022	Running start student — definition
Management		
Resources:	2014 – June Issue	
	2020 – August Issue	

Adoption Date: 11.18.99 Chewelah School District #36

Revised: 05.20.09

Classification: Essential

DISTRICT_NOTIFICATION AND DISSEMINATION OF INFORMATION ABOUT OF JUVENILE OFFENDERS STUDENT OFFENSES AND NOTIFICATION OF THREATS OF VIOLENCE OR HARM

INCLUDES LANGUAGE FROM CSD POLICIES 3144, 4316, and 4413 – RECOMMEND RETIRE THOSE POLICIES

The Chewelah School District is committed to providing a safe and secure environment for all its students and staff. All students, including those who have committed or been adjudicated for offenses, have constitutionals rights to public education.

A court will notify the common school in which a student is enrolled if the student has been convicted, adjudicated, or entered into a diversion agreement for any of the following offenses: a violent offense, a sex offense, a firearms offense, inhaling toxic fumes, a drug offense, liquor offense, assault, kidnapping, harassment, stalking or arson. The principal must inform any teacher of the student and any other personnel who should be aware of the information. The information may not be further disseminated.

A. NOTIFICATION OF STUDENT OFFENSES FROM COUNTY SHERIFF'S OFFICE, COURTS, DEPARTMENT OF SOCIAL AND HEALTH SERVICES, DEPARTMENT OF CORRECTIONS, AND OTHER SCHOOL DISTRICTS.

The district receives notices and information about student offenders from several statutorily authorized sources, including the county sheriff's office, the courts, the department of social and health services, the department of corrections, and other school districts where the student previously enrolled. The district will take appropriate precautionary measures when it receives notices and information of student offenses from any of these sources. Student discipline, if any, will be consistent with 3241 – Student Discipline.

The superintendent, or his or her designee, and school principals play an important role in determining and implementing appropriate precautionary measures relating to notices and information about student offenses. If the superintendent, a designee of the superintendent, or a principal of a school receives student offense information under RCW 28A.225.330 (notifications from other school districts), 9A.44.138 (sheriff notifications to school districts), 13.04.155 (court notifications to school districts), 13.40.215 (department of children, youth, and families notifications to school districts), or 72.09.730 (department of corrections notifications to school districts), the following notification provisions will be followed.

1. Sex Offenses and Registered Sex or Kidnapping Offenders. Topic 1. Previously addressed in CSD policy 3144 Release of Information Concerning Student sexual and Kidnapping Offenders

a. Superintendent or Designee. Upon receipt of information about sex offenses as defined in RCW 9.94A.030 or upon receipt of information about registered sex or kidnapping offenders pursuant to RCW 9A.44.138, the superintendent or his or her designee will provide the

information to the principal of the school where the student is enrolled or will enroll—or, if not known, where the student was most recently enrolled.

b. Principals. When the principal receives the information described above, he or she must then disclose the information as follows.

If the student is classified as a risk level II or III, the principal shall provide the information received to every teacher of the student and to any other personnel who, in the judgment of the principal, supervises the student or for security purposes should be aware of the student's record.

If the student is classified as a risk level I, the principal shall provide the information received only to personnel who, in the judgment of the principal, for security purposes should be aware of the student's record.

c. Convicted Juvenile Sex Offenders Attendance at Victims School. Convicted juvenile sex offenders shall not are prohibited from attending the elementary, middle, or high a school attended by their adjudicated victims or a their victim's victims' siblings. The parents or legal guardians of the convicted offender and his or her parent or guardian shall be responsible for providing transportation or covering other costs related to the offender's attendance at another change in school.

The Department of Social and Health Services (DSHS) Sex Offender School Attendance Program assists with ensuring that juvenile sex offenders, committed to Juvenile Rehabilitation Administration (JRA), do not enroll in the same school as their victim or their victims' siblings. If there is a conflict in schools, DSHS program staff will work with JRA to have the offender moved to another school.

- d. Collaboration. The principal or designee will consult and collaborate with department of corrections, juvenile justice staff, treatment providers, victim support groups, and families, as applicable, when working with students required to register as a sex or kidnapping offender.
- e. Inquiries by the Public. Law enforcement agencies receive relevant information about the release of sex and kidnapping offenders into communities and decide when such information needs to be released to the public. Therefore, district and school staff will refer all inquiries by the public at large (including parents and students) regarding students required to register as a sex or kidnapping offender directly to law enforcement.
- 2. Violent Offenses, Firearms and Dangerous Weapons Crimes, Unlawful Possession or Delivery of Controlled Substances, or School Disciplinary Actions.
- a. Superintendent or Designee. Upon receipt of information about a violent offense as defined in RCW 9.94A.030, any crime under chapter 9.41 RCW, unlawful possession or delivery, or both, of a controlled substance in violation of chapter 69.50 RCW, or a school disciplinary action, the superintendent or designee will provide the information to the principal of the school where the student is enrolled or will enrolled—or, if not known, where the student was most recently enrolled.
- b. Principals. When the principal, receives the information described above, he or she, has discretion to share the information with a district staff member if, in the principal's judgment, the information is necessary for:
 - The staff member to supervise the student:

- The staff member to provide or refer the student to therapeutic or behavioral health services; or
- Security purposes.

School principals and staff should use care not to allow a student's demographic or personal characteristics to bias the decision of whether to share information received.

Upon receipt of information about an adjudication in juvenile court for an unlawful possession of a controlled substance in violation of chapter 69.50 RCW, the principal *must* notify the student and the parent or legal guardian at least five days before sharing the information with a district staff member.

If either the student or the student's parent or legal guardian objects to the proposed sharing of the information, the student, the student's parent or legal guardian, or both, may, within five business days of receiving notice from the principal, appeal the decision to share the information with staff to the superintendent of the district in accordance with procedures developed by the district.

The superintendent shall have five business days after receiving an appeal under the above to make a written determination on the matter. Determinations by the superintendent under this subsection are final and not subject to further appeal.

A principal may not share adjudication information under this subsection with a district staff member while an appeal is pending.

3. Public Records Act.

Any information received by district staff under this section is exempt from disclosure under the public records act (chapter 42.56 RCW) and may not be further disseminated except as provided in RCW 28A.225.330, other statutes or case law, and the family and educational and privacy rights act of 1994 (20 U.S.C. Sec. 1232g et seq.).

4. Assignment of Student Offenders to Certain Classrooms.

A student convicted, adjudicated, or entering into a diversion agreement for an assault, kidnapping, harassment, stalking, or arson against a committing an offense under chapter 9!.36 (assault), 9A.40 (kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, and coercion of involuntary servitude), 9A.46 (harassment), or 9A.28 RCE (arson, reckless burning and malicious mischief) when the activity is directed toward the teacher, shall not be assigned to that teacher's classroom during for the duration or the student's attendance at that school or any school to which the teacher is assigned.

Neither shall the student be assigned to a classroom where another student who was his or her victim for the offense is enrolled. A student who commits an offense under chapter 9A.36 (assault), 9A.40 (kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, and coercion of involuntary servitude), 9A.46 (harassment), or 9A.48 RCW (arson, reckless burning, and malicious mischief), when directed toward another student, may be removed from the classroom of the victim for the duration of the student's attendance at that school or any other school where the victim is enrolled.

The state department of social and health services will notify the board of directors in writing at least thirty days before a juvenile convicted of a violent offense, a sex offense or stalking is

discharged, paroled, given authorized leave or otherwise released to reside in the district. The department will also notify the district if any adjudicated victims of a juvenile sex offender are registered with the department and on record as attending a school within the district that the juvenile sex offender might otherwise attend.

A community residential facility to which an adjudicated juvenile is transferred shall provide written notice of the offender's criminal history to the district if the juvenile is attending school in the district while residing at the community residential facility.

B. NOTIFICATION OF THREATS OF VIOLENCE OR HARM Topic B previously addressed in CSD Policy 4316 Notification of Threats of Violence or Harm.

Students and school employees who are subjects of threats of violence or harm will be notified of the threats in a timely manner. "Threats of violence or harm" means direct or indirect communications by any means of the intent to inflict physical harm upon a specific individual or individuals or that place a person in fear of the imminent likelihood of serious harm.

The district will assess and address potential threats of violence or harm in a manner consistent with Policy and Procedure 3225 – School-Based Threat Assessment NO CSD POLICY, other safety policies, and comprehensive safe school plans. In instances where the threat is deemed moderate risk or high risk, or requires further intervention to prevent violence or serious harm, the school administrator shall notify the parent and/or guardian of any student who is the target/recipient of a threat as well as the parent and/or guardian of any student who made the threat. The district will ensure that the notice is in a language the parent and/or guardian understands, which may require language assistance for parents or guardians with limited-English proficiency under Title VI of the Civil Rights Act of 1964.

If there is a specific and significant threat to the health or safety of a student or other individuals, the district may disclose information from education records to appropriate parties whose knowledge of the information is necessary. Timing and details of the notice will be as extensive as permitted by the federal Family Educational Rights and Privacy Act, other legal limitations, and the circumstances.

The district may use information about a threat of harm or violence in connection with student discipline consistent with Policy and Procedure 3241 – Student Discipline.

The district, board, school officials, and school employees providing notice in good faith as required and consistent with the board's policies are immune from any liability arising out of such notification. A person who intentionally and in bad faith or maliciously, knowingly makes a false notification of a threat under this section is guilty of a misdemeanor punishable under RCW 9A.20.021.

C. IMMUNITY. Topic C previously addressed in CSD Policy 3144 Release of Information Concerning Student Sexual and Kidnapping Offenders and Policy 4413 Release of Information Concerning Sexual Offenders

Any school district or district employee who releases the information in compliance with federal and state law is immune from civil liability for damages unless it is shown that the school district or district employee acted with gross negligence or in bad faith.

Cross References:	Board Policy 2161	Special Education and Related Services for Eligible Students
	Board Policy 2162	Education of Students with Disabilities
	Board Forey 2102	Under Section 504 of the
		Rehabilitation Act of 1973
	Board Policy 3120	Enrollment
	Board Policy 3140	Release of Resident Students
	Board Policy 3207	Prohibition of Harassment, Intimidation,
	Board Folicy 3207	and Bullying
	Board Policy 3231	Student Records
	Board Policy 3241	
	Board Policy 4020	Student Discipline
		Confidential Communications
	Board Policy 5281	Disciplinary Action and Discharge
	Board Policy 4413	Release of Information Regarding Sexual Offenders
Legal References:	RCW 13.04.155	Notification to school principal of conviction, adjudication, or diversion agreement-provision of information to teachers and other personnel — Confidentiality
	RCW 13.40.215	Juveniles found to have committed violent or sex offense or stalking — Notification of discharge, parole, leave, release, transfer, or escape — To whom given — School
	RCW 28A.600.460	attendance - Definitions Classroom discipline — policies — classroom placement of student offenders — data on disciplinary actions
	RCW 4.24.550	Sex offenders and kidnapping offenders
		Release of information to publicWebsite
	RCW 9A.44.130	Registration of sex offenders and
		<u>kidnapping offenders</u> — Procedures — Definition — Penalties
	RCW 28A.225.330	Enrolling students from other districts —
	RCW ZOIX.ZZS.SSO	Requests for information and permanent records — Withheld transcripts — Immunity from liability — Notification to teachers and security personnel — Rules
	RCW 28A.320.128	Notice and disclosure policies — Threats of violence — Student conduct — Immunity for good faith
	PCW 28 A 220, 2020 167 8 1	notice — Penalty
	RCW 28A.320; 2020 c 167 § 1	Notification provisions

elease of information
e — End-of-sentence
ee — Assessment —
— Review,
eferral of offenders
narrative notices
Rights and Privacy
tion 1, Washington
es student discipline
impact policy

2018 – August Policy Issue 2018 – December Policy Issue

2020 - August Issue

Adoption Date: 12.20.00 Chewelah School District #36

Revised: 05.20.09

Classification: Priority Essential

RELEASE OF INFORMATION CONCERNING STUDENT SEXUAL AND KIDNAPPING OFFENDERS

The district recognizes its responsibility for the health and safety of all students, including students required to register as a sex or kidnapping offender enrolled within the district. Therefore, the board is desirous of taking appropriate precautionary measures in situations where the building principal has been advised by law enforcement officials that a student required to register as a sex or kidnapping offender is enrolling or is attending a school within the district.

Principal Responsibilities

Principals are required to respond to notification by local law enforcement and to disseminate information about students required to register as a sex or kidnapping offender to appropriate staff within the school based on the following offender levels:

A. Level I

Sex offenders are classified as Level I when their risk assessments indicate a low risk of reoffense within the community at large.

B. Level II

Sex offenders are classified as Level II when their risk assessments indicate a moderate risk of reoffense within the community at large.

C. Level III

Sex offenders are classified as Level III when their risk assessments indicate a high risk of reoffense within the community at large.

A principal receiving notice must disclose the information received as follows:

- A. If the student who is required to register as a sex offender is classified as a risk Level II or III, the principal shall provide the information received to every teacher of any student required to register and to any other personnel who, in the judgment of the principal, supervises the student or for security purposes should be aware of the student's record.
- B. If the student who is required to register as a sex offender is classified as a risk Level I, the principal shall provide the information received to personnel who, in judgment of the principal, for security purposes, should be aware of the student's record.
- C. Students required to register as a kidnapping offender are not subject to leveling and therefore should be treated on a case-by-case basis.

The principal shall designate additional school personnel to be notified following consultation with probation/parole (or the student's family if not on court supervision) in order to identify or recognize high-risk situations. The following staff should be considered: district superintendent or designee, adjacent building principals, appropriate administrative and teaching staff, security personnel, volunteers or paraprofessionals working in the student's classrooms; and counselors, coaches, advisors, nurses, bus drivers, custodians, district daycare providers and playground supervisors that may have contact with the student.

Collaboration

The principal shall work with local law enforcement to coordinate the receipt of notifications regarding students registered as sex or kidnapping offenders. The principal or designee shall also consult and collaborate with department of corrections, juvenile justice staff, treatment providers, victim support groups, and families, as applicable, when working with students required to register as a sex or kidnapping offender.

Confidentiality

The principal and school staff will maintain confidentiality regarding these students, the same as all students in the school. Any written information or records received by a principal as a result of a notification are confidential and may not be further disseminated except as provided in state or federal law.

Immunity from Liability

Any school district or employee who releases the information in compliance with federal and state law is immune from civil liability for damages unless it is shown that the school district or district employee acted with gross negligence or in bad faith.

Inquiries by the Public

Inquiries by the public at large (including parents and students), regarding students required to register as a sex or kidnapping offender are to be referred directly to local law enforcement. Law enforcement agencies receive relevant information about the release of sex and kidnapping offenders into communities and decide when such information needs to be released to the public.

Student Rights and Responsibilities

All students, including those students required to register as a sex or kidnapping offender, have a constitutional right to a public education. A student required to register as a sex or kidnapping offender is also required to notify law enforcement of their intent to enroll in school.

Written Procedures

The Superintendent or his designee shall adopt written procedures for school principals describing how they will disseminate information received from law enforcement with appropriate school personnel.

Cross Reference:	Board Policy 3143	District Notification of Juvenile Offenders
	Board Policy 3120	Enrollment
Legal Reference:	RCW 4.24.550	Sex offenders — and kidnapping offenders — Release of information to public — When authorized — Immunity
	RCW 28A.225.330 [4]	Enrolling students from other districts — Requests for information and permanent records — Withheld transcripts — Immunity from liability — Notification to teachers and security personnel — Rules
	RCW 13.40.215	Juveniles found to have committed violent or sex offense or stalking — Notification of discharge, parole, leave, release, transfer, or escape — To whom given — School attendance — Definitions

RCW 72.09.345 Sex offenders — Release of information

to protect public — End-of-sentence review committee — Assessment —

Records access — Review,

classification, referral of offenders

- Issuance of narrative notices

RCW 9A.44.130(1)(e)(i) Registration of sex offenders and

kidnapping offenders — Procedures

— Definition — Penalties

RCW 13.04.155 Notification to school principal of

conviction, adjudication, or diversion

agreement --- Provision of

information to teachers and other personnel — Confidentiality

Family and Educational and Privacy Rights Act of 1994 (20 U.S. Code Section 1232g et.seq)

Art. IX, Section 1, Washington State Constitution

Management Resources: *Policy News*, December 2006 Student Sex and Kidnapping Offender Notice Requirements

Adoption Date: 02.21.07

Chewelah School District #36

Revised: 05.20.09

Classification: Priority

NOTIFICATION OF THREATS OF VIOLENCE OR HARM

Students and school employees who are subjects of threats of violence or harm shall be notified of the threats in a timely manner. Parents shall be included in notifications to students who are subjects of threats of violence or harm. Timing and details of the notice will be as extensive as permitted by the federal Family Educational Rights and Privacy Act, other legal limitations, and the circumstances.

Individual-directed threats of violence or harm are communications that create fear of physical harm to a specific individual or individuals, communicated directly or indirectly by any means.

Building-directed threats of violence or harm are direct or indirect communications by any means of the intent to cause damage to a school building or school property (e.g., bomb threats), or to harm students, employees, volunteers, patrons or visitors.

The district will address threats of violence or harm in a manner consistent with the district's safety policies and comprehensive safe school plans.

Persons found to have made threats of violence or harm against district property, students, employees or others will be subject to relevant district discipline policies and will be referred to appropriate community agencies including law enforcement and mental health services. District staff shall work with in-district and community-based professionals and services in all relevant disciplines to address threats of violence or harm, those threatened and those making the threats. Necessary information about the person making the threat shall be communicated by the principal to teachers and staff, including security personnel.

State law provides the district, school district directors and district staff with immunity from liability for providing notice of threats in good faith. Persons who make a knowingly false notification of a threat are subject to appropriate district discipline policies and may be referred for prosecution.

The superintendent is directed to develop and implement procedures consistent with this policy.

Legal References: RCW 28A.320.128 Notice and disclosure policies--Threats of violence-

-student conduct--Immunity for good faith notice--

Penalty

WAC 180-40 Pupils

20 U.S.C. § 1232g Family Educational Rights and Privacy Act

34 C.F.R. Part 99 FERPA Regulations

Adoption Date: 09.17.03 Chewelah School District #36

Revised Date:

Classification: Essential

RELEASE OF INFORMATION CONCERNING SEXUAL OFFENDERS

Public agencies are authorized to release relevant and necessary information regarding sex offenders to the public when the release of the information is necessary for public protection. Law enforcement agencies receive relevant information about the release of sexual offenders into communities, and decide when such information needs to be released to the public. The school district has a public safety role to play in the dissemination of such information to staff, parents, students and the community and will disseminate such information under the following conditions:

- 1. Receipt of a specific request from a law enforcement agency that information be disseminated to staff and/or students and parents. In every case where students are notified, parents will be notified as soon as possible.
- 2. Receipt of the actual documents to be distributed. The district may duplicate the documents, but they will be distributed in form received from the law enforcement agency.

Legal Reference: RCW 4.24.550 Sex offenders--Release of information to public--When authorized--Immunity

Adoption Date: 02.19.97 Chewelah School District #36

Revised Date:

Classification: Priority

NAMING <u>SCHOOLS</u>, <u>FACILITIES</u>, <u>AND TEAMS</u>, <u>AND USE OF SCHOOL MASCOTS</u>, <u>IMAGES</u>, OR LOGOS

New district buildings and facilities shall will be named after persons who have attained national or local prominence in the fields of education, arts and sciences, politics, military achievements and statesmanship, after past U.S. presidents or Washington national senators or representatives or after the geographic characteristics of the area in which the facility is located.

School or team mascots, logos or images will not be of Native American names, symbols, or images.

The following is optional alternative language available only for districts that include "Indian Country" pursuant to 18 USC § 1151, or are in a county or adjacent to a county that contains all or part of a reservation or tribal trust lands, if adjacent to a qualifying county, the tribe must be the nearest federally recognized tribe:

School and team mascots, logos, or images will not be of Native American names, symbols or images unless the local tribe has approved the use by appropriate enactment or resolution.

Adoption Date: 2.19.97 Chewelah School District

Revised: 12.08

Classification: Optional Discretionary