



DISTRICT POLICY

UPDATES

**Strategy Four – Balance Change for All
with Excellence for All**

**Objective 4.1 Continuous Improvement of Service
Quality**

**THIS GROUP OF POLICIES/PROCEDURES HAVE BEEN RECOMMENDED BY WSSDA
FOR REVISIONS & Possible WSD Changes Added**

3000 Policy Series Review

Policy	Title	Suggested Action	District Recommendation	Rationale
2104	Federal and State Programs	Essential	Approve	Minor changes
3144	Release of Information	Essential	Approve	Revised to provide for clarity, safety of staff and students, and to ensure full compliance with the law.
3144P	Release of Information		FYI	
				10/2018

FEDERAL AND/OR STATE FUNDED SPECIAL INSTRUCTIONAL PROGRAMS

The district **shall will** participate in those special programs which are funded by state **and/or** federal government for which a local need can be defined and for which a local program would be developed if funds were available. Board approval **shall will** be required before submission of an application for such a program. Applications may include, but are not limited to, programs for **gifted highly capable**, remedial, and minority students.

Pursuant to federal law, school districts receiving Title 1 funds to provide educational services to students must do so in accordance with Title 1 ~~of the No-Child Left Behind Act of 2001~~. It is the Board's intent that Title 1 funds **shall will** be used efficiently and effectively to benefit the academic opportunities and progress of students in School-wide or Targeted Assistance Programs.

Title 1 funds **shall will** be used to provide educational services that are in addition to the regular services provided for district students. By adoption of this policy, the Board ensures equivalence among schools in teachers, administrators, and auxiliary personnel, and equivalence in the provision of curriculum materials and supplies.

The superintendent **or designee shall will** adopt procedures ~~in order that~~ to ensure that planning, implementation, and evaluation phases ~~are in compliance~~ of a special program comply with the rules and regulations of the funding agency.

Cross References: 2190 – Highly Capable Programs
2108 – Learning Assistance Programs

Legal References: RCW 28A.300.070 Receipt of federal funds for school purposes —
Superintendent of public instruction to
administer
~~20 U.S.C. 1120 A(C) Required Comparability Report of Title I~~
20 U.S.C. 6321 (c) Comparability of services

Adoption Date: 08.10.98
Wenatchee School District
Revised Dates: 1/25/11; 08/04; 12.11; __/18

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~~ district will take the appropriate ~~is desirous of taking appropriate~~ precautionary measures in situations where the building principal has been advised by law enforcement ~~or a court 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

When a principal receives notice from law enforcement or a court that a sex or kidnapping offender will be attending the principal's school, the principal will 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.

~~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:~~

~~Level I~~

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

~~Level II~~

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

~~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:~~

~~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.~~

~~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.~~

~~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 and courts 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

~~Any information received by the principal and school staff personnel 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 is confidential and may not be further disseminated except as provided ~~in state or federal law.~~ in RCW 28A.225.330, other statutes or case law, and the Family and Educational Privacy Rights Act (FERPA), 20 U.S.C. § 1232g et. Seq.
~~Immunity from Liability~~

Any school district or district employee who releases the information under RCW 28A.225.330 ~~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 ~~s~~Students required to register as a sex or kidnapping offenders are 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 about students who are sex or kidnapping offenders ~~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 9A.44.130](#) [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](#)

[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 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.225.330 [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:

[2018 – August Issue](#)

Policy News, December 2006 Student Sex and Kidnapping Offender
Notice Requirements

Release of Information Concerning Student Sexual and Kidnapping Offenders

Responsibilities

Principals are required by law to respond to notification by law enforcement or courts about students who are sex or kidnapping offenders and to disseminate information about such students. Principals may rely on the Office of Superintendent of Public Instruction (OSPI) [Principal's Notification Checklist](#) for additional assistance.

Principals

Principals have a responsibility to develop a:

- A. Relationship with law enforcement agencies dealing with students required to register as a sex or kidnapping offender.
- B. Procedure for acceptance of notifications from law enforcement and courts.
- C. Procedure to notify teachers and appropriate staff of their roles and responsibilities with respect to these students, including confidentiality, harassment, intimidation and bullying issues.
- D. Protocol for responses to public inquiries about students who are required to register as sex or kidnapping offenders, stressing confidentiality and FERPA rules (in developing such protocol, the principal will need to determine how district staff will be notified and which staff will be in charge of monitoring these students).
- E. Procedure and protocol for safety planning, which will include student meetings, designing and monitoring student safety plans, and implementing safeguards when students change schools or change sex offender levels or status with parole or probation.
- F. Protocol of best practices for contacting the district superintendent or designee with a list of student sex and kidnapping offenders when notification is received from law enforcement and courts.

Students

It is the responsibility of students who are required to register as sex or kidnapping offenders to follow all rules and regulations of the school, including those outlined in the student handbook and the district policies and procedures. Further, students must conduct themselves as defined in the student handbook and policies and procedures, and follow all stipulations as outlined in their individual student safety plans.

Notifications

Notifications from law enforcement or courts that a student required to register as a sex or kidnapping offender is enrolled or attending school can come to the principal in a variety of methods including email, U.S. mail, or hand-delivery.

Although currently there is no standard notification form statewide, the following items may be found on most notifications: offender name, address, sex, height, weight, hair color, eye color, age, ethnicity,

crime, sex offender level, convicting jurisdiction, neighborhood, proximity to schools, and level descriptors.

Notification Lists

Upon receipt of notification, the principal or a designee will review the list of students. The principal or designee will review the list to determine which students are currently enrolled, currently attending school, or are new to the district and not yet enrolled.

Notifying Additional School Personnel

The principal will designate additional school personnel to be notified following consultation with probation or 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, appropriate administrative and teaching staff, school resource officers, adjacent building principals, security personnel, staff working directly in the student's classrooms; and school counselors, school psychologists, coaches, advisors, school social workers, nurses, bus drivers, custodians, district daycare providers, and playground supervisors that may have contact with the student.

Safety Planning

The principal will complete safety planning with school staff, law enforcement, probation or parole, treatment providers, parents or guardians, care providers, and child advocates, as appropriate, in order to provide a safe school environment for all students and staff. For safety planning to be effective, the district will finalize formal enrollments for students required to register as a sex or kidnapping offender promptly after their enrollment request.

Convicted juvenile sex offenders will not attend a school attended by their victims or their victims' siblings. Offenders and their parents or guardians will be responsible for providing transportation or covering other costs related to the offenders' attendance at another school.

Student Meetings

The principal or designee, working together with probation and parole professionals, will meet promptly with the student to create and implement a student safety plan. The principal or designee will determine other appropriate school personnel to be included in the meeting to assist in defining school expectations. The student's parent or guardian or care provider may also be invited. The purpose for the meeting is to help the student be successful in his or her transition back to school and to provide a safe school environment for all students and staff.

Student Safety Plan

The principal or designee (and other school staff as applicable) in consultation with probation and parole professionals (if under court supervision) will create a student safety plan for each registered sex or kidnapping offender. The plan will outline the responsibilities of the student and other stakeholders to promote those activities deemed essential in safely managing the student's behavior.

The Student Safety Plan will outline conditions and limitations on each student required to register as a sex or kidnapping offender concerning their interactions on the school campus;

For students not under court supervision, the Student Safety Plan should be developed in conjunction with school staff in consultation with the student's family or guardian or care provider;

The Student Safety Plan will be based on the student's needs and include guidelines for expected intervention actions for high-risk behaviors and reinforce positive behaviors;

Each Student Safety Plan will be reviewed as necessary by staff designated by the principal.

Monitoring the Safety Plan

The Student Safety Plan will be monitored and changes made on an “as-needed” basis by school staff. School authorities should be prepared to take appropriate actions (especially if they notice an increase or escalation of a student’s high-risk behaviors) for the short and long-term safety of the student required to register as a sex or kidnapping offender and all other students;

School staff will report to the principal or designee and to law enforcement or other involved agencies (treatment providers, parole/probation) if they determine the student has not followed the Student Safety Plan.

Follow-through on the Student Safety Plan will be consistent with existing disciplinary policies and procedures, student conduct policies, and mandatory reporting policies. Schools may develop school threat assessment teams and make referrals to those teams when students engage in inappropriate behaviors as defined in the Student Safety Plan.

When Students Move or Change Status

When a student changes schools within the district, the current principal will notify the new principal and share the student records and safety plans with the new school. If the student’s sex offender status or probation or parole status changes, the principal will notify the school staff as part of the schools safety planning.

Adopted: ___/18
Wenatchee School District