

Board of Directors

Regular Meeting February 9, 2021 7:00 p.m.

In the interest of public health, Governor Inslee issued Proclamation 20-28, et seq. prohibiting in-person public meetings. On January 15, 2021, the legislature passed Senate Concurrent Resolution 8402 (2021), extending the Governor's emergency proclamations until the end of the declared emergency or further action by our Legislature or Governor.

The public may attend this meeting online using this Zoom webinar link:
<https://fpschools.zoom.us/j/94613927029?pwd=NmNKYlY2MUhIVUJjdjBVL0JiSWhOZz09>
or by phone at +1 (253) 215 8782 or +1 (346) 248 7799 or +1 (312) 626 6799.
Webinar ID: 946 1392 7029 Passcode: WsRm020921

Audience and community comments will be limited to two minutes per person. Please deliver written comments or schedule oral comments with the Superintendent's Office (kholten@fpschools.org or 253-298-3010) by 3 p.m. the day before the meeting (February 8).

If you have any questions, you may contact Kristin Holten at (253) 298-3010.

FRANKLIN PIERCE SCHOOLS

**Jo Anne Matson Administrative Center
315 129th Street South
Tacoma, WA 98444
www.fpschools.org
253-298-3000**

Franklin Pierce School Board's Operating Principles

Operating principles define the beliefs, values, and methods of working together. Successful organizations are the result of effective and dynamic leadership. To assure quality operations, leaders must agree on basic ways of working together. We, the Franklin Pierce Board and Superintendent, have discussed and agree to abide by these principles.

Communications, Cooperation, and Trust

- Support each other constructively and courteously
- Engage in discussions
- Be open-minded and adaptive to change
- Maintain confidentiality
- Focus discussions on issues, not personalities
- Uphold the integrity of every individual
- Involve those parties who will be affected by the decision and solution
- Strive to avoid any perception of a conflict of interest
- Communications between staff and the Board are encouraged
- Requests for information from the Superintendent which will take considerable time to prepare will come from the Board rather than an individual Board member

Effective Meetings

- Share ideas about new programs and directions with the Superintendent before making them public
- Read all materials and ask questions in advance
- Respect the majority and do not take unilateral action
- Board meetings will be for consideration, information, and actions
- Work sessions will be for discussions, deliberation, and direction
- Executive sessions will be held only when specific needs arise
- The President will communicate and enforce the audience participation protocol

Decision Making

- Clearly communicate decisions and their rationale
- Re-evaluate each major decision
- Move the question or table the question when discussion is repetitive
- The Superintendent will make recommendations on most matters before the Board
- Consider research, best practice, innovative and creative strategies, and public input in all decision making

Addressing Citizen or Staff Complaints

- Use proactive, clear, and transparent communication
- Be available to hear community concerns and encourage citizens to present their district issues, problems, or proposals to the appropriate person
- Direct all personnel complaints and criticisms to the Superintendent

Board Operations

- Attend training and networking opportunities
- The President will communicate regularly with the Superintendent and share pertinent information with the Board
- The President or designee will be the Board spokesperson
- Conduct an annual self-evaluation and promptly address specific issues that hinder Board effectiveness
- Set clear and concise goals for the Board and the Superintendent
- Emphasize planning, policy making, and public relations rather than becoming involved in the management of the schools

**REGULAR MEETING OF THE BOARD OF DIRECTORS
Jo Anne Matson Administration Center
February 9, 2021 – 7 p.m.**

AGENDA

The public may attend the meeting online by using this Zoom webinar link
<https://fpschools.zoom.us/j/94613927029?pwd=NmNKYlY2MUhIVUJjdjBVL0JiSWWhOZz09>
 or by phone at +1 (253) 215-8782 or +1 (346) 248-7799 or +1 (312) 626-6799.
 Webinar ID: 946 1392 7029 Passcode: WsRm020921

- I. Call to Order**
- II. Flag Salute**
- III. Establishment of a Quorum**
- IV. Adoption of Agenda**
- V. Announcements and Communication**
 - 1. Superintendent
 - 2. Student Representatives
 - 3. Board of Directors
 - 4. Audience/Community – Comments will be limited to two minutes per person and must be delivered as written comments or scheduled as oral comments with the Superintendent's Office (kholtlen@fpschools.org or 253-298-3010) by 3 p.m. on February 8, 2021.
- VI. Consent Agenda**
 - 1. Minutes: January 19, 2021 A
 - 2. Audit of Expenditures: January 2021 B
 - 3. Personnel Action C
 - 4. Budget Status Reports: December 2020 D
- VII. Unfinished Business**
 - 1. Policy 1732 – Board Member Insurance E
 - 2. Policy 3143/4314 – Notification and Dissemination of Information about Student Offenders and Notification of Threats of Violence or Harm F
 - 3. Policy 3205 – Sexual Harassment of Students Prohibited G
 - 4. Policy 3510 – Associated Student Bodies H
- VIII. New Business**
 - 1. Conditional Teaching Certificates I
 - 2. Out-of-Endorsement Assignment J
 - 3. FPEA MOU Regarding Vaccines and Accommodations K
 - 4. FPEA MOU Regarding Washington Administrative Code (WAC) Time L
- IX. Proposals**
 - 1. Supplemental Instructional Materials Adoption: *The Distance Between Us* M
 - 2. Policy 6230 – Relations with Vendors N
- X. Information**
 - 1. Procedure 2420P – Grading and Progress Reports O
 - 2. Procedure 3205P – Sexual Harassment of Students Prohibited P
 - 3. Procedure 2421.2P – Elementary to Middle School Promotion Q
 - 4. Procedure 2421.3P – Middle School to High School Promotion R
- XI. Executive Session** S
- XII. Adjournment**

Next Meeting: March 9, 2021



Franklin Pierce Schools

Administration Offices - 315 129th Street South - Tacoma, WA 98444 – (253) 298-3000
Board directors and audience attended via Zoom video webinar ID 998 1343 3059 – (253) 215-8782

January 19, 2021

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

CALL TO ORDER

Mr. Roberts called the special meeting to order at 6:01 p.m.

BOARD MEMBERS PRESENT

Ms. Gallogly, Dr. Mendoza, Mr. Roberts, Mrs. Sherman. Excused: Mr. Davis.

SPECIAL MEETING

The Board of Directors reviewed and discussed the following items:

1. Superintendent's Update
2. Transition to In-Person Learning with Dr. Anthony Chen, Director of Tacoma-Pierce County Health Department

ADJOURNMENT

There being no business to transact, the special meeting adjourned at 7:01 p.m.

Secretary of the Board

President of the Board

Franklin Pierce Schools

Jo Anne Matson Administrative Center - 315 129th Street South - Tacoma, WA 98444 – (253) 298-3000
Board directors and audience attended via Zoom video webinar 998 1343 3059 – (253) 215-8782

January 19, 2021

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

CALL TO ORDER

Mr. Roberts called the meeting to order at 7:03 p.m.

BOARD MEMBERS PRESENT

Ms. Gallogly, Dr. Mendoza, Mr. Roberts, Mrs. Sherman. Excused: Mr. Davis.

AGENDA

It was moved by Mrs. Sherman, seconded by Dr. Mendoza, and unanimously passed that the Board of Directors adopt the agenda as presented.

21-M-01

SPECIAL RECOGNITION

Dr. Goodpaster read Governor Inslee's proclamation regarding School Board Recognition Month and presented certificates of appreciation to all School Board Directors.

ANNOUNCEMENTS & COMMENTS FROM THE SUPERINTENDENT

Dr. Goodpaster commented on district and community events and the return to in-person instruction.

ANNOUNCEMENTS & COMMENTS FROM STUDENT REPRESENTATIVES

- Ezzra Prather, Franklin Pierce High School freshman ASB vice president, commented on high school activities and remote learning.
- Zhe'Rya Washington, Franklin Pierce High School 9th grade pottery student, commented on high school activities and Ms. Pascal's pottery class.
- Liz David, Washington High School senior, introduced "Winter Carol" a duet sung by Trinity Folitau and Isable Luea-Mariner, Washington High School seniors.
- Tai Falealii, Washington High School senior, commented on the Bach to Tupac class at Washington High School.
- Dessie Hildreth, Washington High School freshman, played "Three Little Birds" by Bob Marley on the ukulele.

ANNOUNCEMENTS & COMMENTS FROM THE AUDIENCE/COMMUNITY

- Ms. Pam Kruse, FPEA President, commented on the pandemic and reopening schools.
- Ms. Cate Roscoe, Franklin Pierce High School teacher, commented on reopening of the high school.
- Mr. Kevin Marshall, Washington High School teacher, commented on the return to school plan, timeline, and process.
- Ms. Melissa McPheeters, Hewins Early Learning Center Family Support Specialist, commented on input regarding the reopening.
- Ms. Amy Anderson, Central Avenue Elementary School teacher, commented on the hyflex model of instruction.
- Ms. Katie Hohnstein-Van Etten, Keithley Middle School teacher, commented on the return to campus/school reopening plan.
- Ms. Angela Muller, Ford Middle School teacher, commented on sending teachers and students back to school now and the risks associated with it.
- Ms. Violet Hill, Ford Middle School teacher, commented on concerns related to in-person learning.

ANNOUNCEMENTS & COMMENTS FROM THE AUDIENCE/COMMUNITY (continued)

- Ms. Rachel Likens, Harvard Elementary School teacher, commented on reopening schools.
- Ms. Carrie Suchy, LSS school psychologist, commented on the school reopening plan.
- Mr. James Lazzarini, Keithley Middle School teacher, submitted written comments on school reopening plans and vaccines.
- Mr. Matthew Warren, Central Avenue Elementary School teacher, submitted written comments on the Hyflex model.

ANNOUNCEMENTS & COMMENTS FROM THE BOARD OF DIRECTORS

- Mr. Roberts commented on the COVID pandemic, the Franklin Pierce School Board, and the Franklin Pierce community.
- Mr. Roberts, Mrs. Sherman, Dr. Mendoza, and Ms. Gallogly thanked the staff who commented regarding the reopening of schools and proposed instructional models.

CONSENT AGENDA

21-M-02

It was moved by Mrs. Sherman, seconded by Ms. Gallogly, and unanimously passed that the Board of Directors approve the Consent Agenda as presented.

(1) Minutes

Minutes of the Board of Directors for the special meeting held on December 1, 2020; special and regular meetings held on December 8, 2020; special meeting held on December 9, 2020; and special meeting held on January 5, 2021, were approved.

(2) Audit of Expenditures

Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, expense reimbursement claims certified as required by RCW 42.24.090, and payroll disbursements, are identified below and approved for payment. The Franklin Pierce Board of Directors, at its regularly scheduled meeting held January 19, 2021, authorized the County Treasurer to pay all warrants/transfers specified below.

	<u>Number</u>	<u>Amount</u>	<u>Date Issued</u>
General Fund – Payroll	Direct Dep/Bank Fees	\$5,607,333.95	12/31/2020
	269034-269045	\$8,847.72	12/31/2020
	269046-269081	\$2,861,312.03	12/31/2020
General Fund – A/P	A/P Direct Deposit	\$14,570.69	12/15/2020
	268982-269020	\$615,620.36	12/31/2020
	A/P Direct Deposit	\$83,249.66	12/15/2020
	269082-269130	\$574,148.37	12/31/2020
	BMO Direct Deposit	\$378,559.54	12/31/2020
Capital Projects	A/P Direct Deposit	\$197,614.14	12/15/2020
	269021-269032	\$1,768,445.83	12/31/2020
	A/P Direct Deposit	\$33,585.26	12/15/2020
	269131-269137	\$181,077.07	12/31/2020
	BMO Direct Deposit	\$14,192.74	12/31/2020
ASB	BMO Direct Deposit	\$9,231.29	12/31/2020

(3) Personnel Action

NEW HIRES

NAME	JOB TITLE / LOCATION	EFFECTIVE DATE
Budrevich-Ryan, Kevin	Teacher / Washington	12/16/2020
Hester, Abigail	Paraeducator / Elmhurst	01/04/2021
Isaacson, Abbagail	Paraeducator / Central Avenue	12/08/2020
Kobes, Cameron	Temporary Computer Repair Tech / IT	12/07/2020
Leon, Bianca	Paraeducator / Harvard	01/05/2021
Palomera Martinez, Luz	Paraeducator / Hewins ELC	12/07/2020

TERMINATIONS

NAME	JOB TITLE / LOCATION	EFFECTIVE DATE
Brown, Mary	Chief Custodian / Harvard	12/31/2020
Burg, Matthew	Paraeducator / Brookdale	12/16/2020
Carlton, Tiffany	Paraeducator / Midland	11/27/2020
Delvaux, Nicholas	Bus Driver / Transportation	11/24/2020
Dismuke, Shirley	Admin Assistant / FPHS	12/18/2020
Mims, Regina	Paraeducator / James Sales	01/04/2021
Schroeder, Arianne	Admin Assistant / Keithley	12/11/2020
Sheard, Marilyn	Chief Custodian / Collins	12/31/2020
Smith, Jodi	Paraeducator / Collins	01/04/2021
Trahan, Tanya	Paraeducator / Elmhurst	12/01/2020
Weimer, Jennifer	Teacher / Midland	01/22/2021

APPOINTMENTS / PROMOTIONS / TRANSFERS

NAME	NEW JOB TITLE / LOCATION	EFFECTIVE DATE
Crawford, Robert	Chief Custodian / Harvard	01/13/2021
Deck, Lawrence	Chief Custodian / Collins	01/12/2021
Mead, Beth	NS Manager 1 / Franklin Pierce	12/14/2020
Rodriguez, Nora	Leave Replacement Para / Christensen	01/04/2021

LEAVES OF ABSENCE

NAME	POSITION / LOCATION	LEAVE TYPE	LEAVE RETURN DATES
Brown, Brooke	Teacher / Washington	General Leave 0.6	01/04/2021 09/01/2021

(4) Investment and Financial Reports

Budget status reports for the General Fund, Capital Projects Fund, Debt Service Fund, ASB Fund, and Transportation Vehicle Fund for the month of November 2020.

POLICY 3120 – ENROLLMENT

It was moved by Mrs. Sherman, seconded by Ms. Gallogly, and unanimously passed that the Board of Directors adopt revised Board Policy 3120 – Enrollment as presented.

21-M-03

FINAL ACCEPTANCE – FORD MIDDLE SCHOOL BUILDING 300 REPLACEMENT PROJECT 21-M-04

It was moved by Ms. Gallogly, seconded by Dr. Mendoza, and unanimously passed that the Board of Directors accept the work performed for the Ford Middle School Building 300 Replacement project as complete in accordance with the terms and conditions of the contract documents, including drawings and specifications dated December 4, 2017.

FINAL ACCEPTANCE – WASHINGTON HIGH SCHOOL STEM PROJECT 21-M-05

It was moved by Dr. Mendoza, seconded by Mrs. Sherman, and unanimously passed that the Board of Directors accept the work performed for the Washington High School STEM project as complete in accordance with the terms and conditions of the contract documents, including drawings and specifications dated March 7, 2018.

INFORMATION TECHNOLOGY SURPLUS REQUEST 21-M-06

It was moved by Mrs. Sherman, seconded by Ms. Gallogly, and unanimously passed that the Board of Directors approve the surplus of listed items.

POLICY 1732 – BOARD MEMBER INSURANCE

Ms. Tammy Bigelow, Director of Business Services, presented revised Board Policy 1732 – Board Member Insurance for first reading. This item will be placed on the agenda for action at the next regularly scheduled Board of Directors meeting.

POLICY 3143 – NOTIFICATION AND DISSEMINATION OF INFORMATION ABOUT STUDENT OFFENSES AND NOTIFICATION OF THREATS OF VIOLENCE OR HARM

Mr. James Hester, Deputy Superintendent of PK-12, presented revised Board Policy 3143 – Notification and Dissemination of Information about Student Offenses and Notification of Threats of Violence or Harm for first reading. This item will be placed on the agenda for action at the next regularly scheduled Board of Directors meeting.

POLICY 3205 – SEXUAL HARASSMENT OF STUDENTS PROHIBITED

Mr. James Hester, Deputy Superintendent of PK-12, presented revised Board Policy 3205 – Sexual Harassment of Students Prohibited for first reading. This item will be placed on the agenda for action at the next regularly scheduled Board of Directors meeting.

POLICY 3510 – ASSOCIATED STUDENT BODIES

Ms. Tammy Bigelow, Director of Business Services, presented revised Board Policy 3510 – Associated Student Bodies for first reading. This item will be placed on the agenda for action at the next regularly scheduled Board of Directors meeting.

PROCEDURE 3143P – NOTIFICATION AND DISSEMINATION OF INFORMATION ABOUT STUDENT OFFENSES AND NOTIFICATION OF THREATS OF VIOLENCE OR HARM

Mr. James Hester, Deputy Superintendent of PK-12, presented revised Board Procedure 3143P – Notification and Dissemination of Information about Student Offenses and Notification of Threats of Violence or Harm as an information only item.

PROCEDURE 3205P – SEXUAL HARASSMENT OF STUDENTS PROHIBITED

Mr. James Hester, Deputy Superintendent of PK-12, presented revised Board Procedure 3205P – Sexual Harassment of Students Prohibited as an information only item.

PROCEDURE 3510P – ASSOCIATED STUDENT BODIES

Ms. Tammy Bigelow, Director of Business Services, presented revised Board Procedure 3510P – Associated Student Bodies as an information only item.

EXECUTIVE SESSION

Mr. Roberts announced an executive session of the Board at 9:47 p.m. for approximately sixty minutes with no action to follow to discuss potential litigation and the Superintendent's informal mid-year evaluation in accordance with RCW 42.30.110 and Board Policy 1410 – Executive or Closed Sessions. Mr. Roberts reconvened the meeting at 10:50 p.m.

ADJOURNMENT

Mr. Roberts announced that the next regular meeting of the Board of Directors will be held on Tuesday, February 9, 2021 beginning at 7 p.m. The meeting will be held remotely or in the Jo Anne Matson Administrative Center depending on current public health and open public meeting regulations.

There being no further business to transact, the meeting adjourned at 10:53 p.m.

Secretary of the Board

President of the Board



Franklin Pierce Schools

315 129th Street S, Tacoma, WA 98444
253-298-3010, Fax 253-298-3015
www.fpschools.org

MEMORANDUM

TO: Board of Directors
FROM: Tammy Bigelow, Director of Business Services
DATE: February 9, 2021
SUBJECT: Audit of Expenditures

Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, expense reimbursement claims certified as required by RCW 42.24.090, and payroll disbursements are identified below and approved for payment. The Franklin Pierce Board of Directors, at its regularly scheduled meeting held February 9, 2021, authorizes the County Treasurer to pay all warrants/transfers specified below. To obtain a copy of the detailed listing, please contact the Superintendent's Office.

	<u>Number</u>	<u>Amount</u>	<u>Date Issued</u>
General Fund – Payroll	Direct Dep/Bank Fees	\$5,584,036.14	1/29/2021
	269175-269184	\$4,411.06	1/29/2021
	269185-269221	\$2,847,124.26	1/29/2021
General Fund – A/P	A/P Direct Deposit	\$15,302.24	1/15/2021
	269138-269166	\$201,152.48	1/15/2021
	269174	\$70,553.26	1/15/2021
	A/P Direct Deposit	\$352,851.53	1/29/2021
	269222-269257	\$253,206.52	1/29/2021
Capital Projects	A/P Direct Deposit	\$312,427.27	1/15/2021
	269167-269173	\$2,255,632.08	1/15/2021
	A/P Direct Deposit	\$189,400.31	1/29/2021
	269258-269271	\$549,628.78	1/29/2021
ASB	A/P Direct Deposit	\$4,173.25	1/29/2021
	269272-269273	\$400.00	1/29/2021
TRUST	A/P Direct Deposit	\$208.82	1/29/2021

MEMORANDUM

TO: Board of Directors
FROM: Brandy Marshall, Director of Human Resources
DATE: February 9, 2021
SUBJECT: Personnel Action

NEW HIRES

NAME	JOB TITLE / LOCATION	EFFECTIVE DATE	REASON
Anderson, Amanda	Paraeducator / Midland	01/26/2021	Temporary
Bamford, Dale	Teacher / Franklin Pierce	01/28/2021	Leave Replacement
Bougard, Nicolle	Teacher / Keithley	01/22/2021	Leave Replacement
Callaway, Rebecca	Paraeducator / James Sales	01/21/2021	Temporary
Cruz, Chanel	Paraeducator / Central Avenue	01/13/2021	Replacement
Gustafson, Karen	Teacher / Midland	01/22/2021	Leave Replacement
Lorms, David	Teacher / Brookdale	01/22/2021	Leave Replacement
Monterroso, Elisa	Paraeducator / Brookdale	02/01/2021	Leave Replacement
Rummel, Linda	Teacher / James Sales	01/22/2021	Leave Replacement
Scheidler, Jaime	Teacher / Christensen	01/22/2021	Leave Replacement
Seal, Kathryn	Paraeducator / Brookdale	02/08/2021	Temporary
Walsh, Amy	Paraeducator / Brookdale	01/26/2021	Leave Replacement
Williams, Jesse	Paraeducator / Franklin Pierce	01/19/2021	Leave Replacement
Woldseth, Leslie	Paraeducator / Washington	01/15/2021	Replacement

TERMINATIONS

NAME	JOB TITLE / LOCATION	HIRE DATE	EFFECTIVE DATE	REASON
Eckhaus, Brooke	Paraeducator / Harvard	12/26/2016	01/27/2021	Resignation
Gile, Maurissa	Paraeducator / Brookdale	08/29/2017	01/27/2021	Resignation
Inman, Brittany	Teacher / Franklin Pierce	08/22/2016	06/30/2021	Resignation
Kaikala, Precious	Paraeducator / James Sales	01/12/2018	01/26/2021	Resignation
Kurbis, Jeffrey	Teacher / Franklin Pierce	08/24/2015	06/30/2021	Retirement
Root, Bud	Bus Driver / Transportation	02/26/2020	01/11/2021	Resignation
Watson, Lisa	Teacher / Franklin Pierce	08/12/2008	01/27/2021	Deceased



Franklin Pierce Schools

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MEMORANDUM

TO: Board of Directors
FROM: Tammy Bigelow, Director of Business Services
DATE: February 9, 2021
SUBJECT: Budget Status Reports, December 2020

Attached are the Budget Status Reports for all funds for December 2020.

General Fund

As of December 31, 2020, the ending fund balance was \$14,863,058. Property tax receipted was \$82,390 in December for a total revenue of \$9,582,006. Expenditures totaled \$10,162,944 with an excess of expenditures over revenues of \$580,937.

Capital Project Fund

As of December 31, 2020, the ending fund balance was \$62,942,454. Property tax receipted was \$13,152. Local income from rentals, interest, Erate and impact fees totaled \$33,169.

- **Expenditures:**
 - **Bond: \$1,996,023**
 - **Technology Levy: \$198,891**
 - Network Infrastructure: \$14,180
 - New Computers: \$119,993
 - Fiber: \$19,125
 - VOIP Charges: \$23,366
 - Other Software: \$805
 - Utilities: \$12,699
 - Bell & Clock: \$8,723

Debt Service Fund

Property tax collections in December totaled \$64,351 with ending fund balance of \$1,158,519. Principal and interest due December 1st was paid in the amount of \$6,439,500.

Associated Student Body Fund

Ending fund balance was \$389,297.

Transportation Vehicle Fund

Ending fund balance was \$523,584.

If you have any questions after reviewing these reports, please contact me for assistance. Thank you.

10--General Fund-- FUND BALANCE -- AGENCY ACCOUNTS -- Revised -- BUDGET-STATUS-REPORT
Fiscal Year 2020 (September 1, 2020 - August 31, 2021)

For the FRANKLIN PIERCE SCHOOLS School District for the Month of December, 2020

	ANNUAL	ACTUAL	ACTUAL			
<u>A. REVENUES/OTHER FIN. SOURCES</u>	<u>BUDGET</u>	<u>FOR MONTH</u>	<u>FOR YEAR</u>	<u>ENCUMBRANCES</u>	<u>BALANCE</u>	<u>PERCENT</u>
1000 LOCAL TAXES	12,946,977	82,390.37	5,827,546.69		7,119,430.31	45.01
2000 LOCAL SUPPORT NONTAX	806,000	30,256.40	81,726.74		724,273.26	10.14
3000 STATE, GENERAL PURPOSE	74,334,454	6,354,492.00	22,877,253.03		51,457,200.97	30.78
4000 STATE, SPECIAL PURPOSE	24,860,393	2,010,332.54	7,143,385.07		17,717,007.93	28.73
5000 FEDERAL, GENERAL PURPOSE	75,000	6,160.85	24,643.40		50,356.60	32.86
6000 FEDERAL, SPECIAL PURPOSE	14,042,092	1,098,374.61	2,624,503.31		11,417,588.69	18.69
7000 REVENUES FR OTH SCH DIST	500	.00	380.56		119.44	76.11
8000 OTHER AGENCIES AND ASSOCIATES	4,000	.00	.00		4,000.00	0.00
9000 OTHER FINANCING SOURCES	0	.00	.00		.00	0.00
<u>Total REVENUES/OTHER FIN. SOURCES</u>	127,069,416	9,582,006.77	38,579,438.80		88,489,977.20	30.36
<u>B. EXPENDITURES</u>						
00 Regular Instruction	67,377,125	5,042,630.84	19,508,296.98	37,585,196.49	10,283,631.53	84.74
10 Federal Stimulus	0	.00	.00	0.00	.00	0.00
20 Special Ed Instruction	20,846,151	1,634,646.75	6,589,754.53	12,837,680.70	1,418,715.77	93.19
30 Voc. Ed Instruction	4,308,297	291,360.60	1,155,627.73	2,265,088.84	887,580.43	79.40
40 Skills Center Instruction	0	.00	.00	0.00	.00	0.00
50+60 Compensatory Ed Instruct.	12,715,062	936,581.93	3,747,070.61	6,856,135.21	2,111,856.18	83.39
70 Other Instructional Pgms	1,782,578	310,894.20	699,055.35	378,109.43	705,413.22	60.43
80 Community Services	769,945	55,075.14	236,320.21	422,692.05	110,932.74	85.59
90 Support Services	30,725,461	1,891,754.82	7,920,099.27	14,234,516.62	8,570,845.11	72.11
<u>Total EXPENDITURES</u>	138,524,619	10,162,944.28	39,856,224.68	74,579,419.34	24,088,974.98	82.61
<u>C. OTHER FIN. USES TRANS. OUT (GL 536)</u>	0	.00	.00			
<u>D. OTHER FINANCING USES (GL 535)</u>	0	.00	.00			
<u>E. EXCESS OF REVENUES/OTHER FIN.SOURCES</u>						
<u>OVER (UNDER) EXP/OTH FIN USES (A-B-C-D)</u>	11,455,203-	580,937.51-	1,276,785.88-		10,178,417.12	88.85-
<u>F. TOTAL BEGINNING FUND BALANCE</u>	19,000,000		16,139,844.63			
<u>G. G/L 898 PRIOR YEAR ADJUSTMENTS(+OR-)</u>	XXXXXXXXX		.00			
<u>H. TOTAL ENDING FUND BALANCE</u>	7,544,797		14,863,058.75			
<u>(E+F + OR - G)</u>						

20--Capital Projects-- FUND BALANCE -- AGENCY ACCOUNTS -- Revised -- BUDGET-STATUS-REPORT
Fiscal Year 2020 (September 1, 2020 - August 31, 2021)

For the FRANKLIN PIERCE SCHOOLS School District for the Month of December, 2020

	ANNUAL	ACTUAL	ACTUAL			
<u>A. REVENUES/OTHER FIN. SOURCES</u>	<u>BUDGET</u>	<u>FOR MONTH</u>	<u>FOR YEAR</u>	<u>ENCUMBRANCES</u>	<u>BALANCE</u>	<u>PERCENT</u>
1000 Local Taxes	2,228,783	13,152.90	930,861.35		1,297,921.65	41.77
2000 Local Support Nontax	1,943,000	20,016.89	159,960.63		1,783,039.37	8.23
3000 State, General Purpose	0	.00	.00		.00	0.00
4000 State, Special Purpose	0	.00	.00		.00	0.00
5000 Federal, General Purpose	0	.00	.00		.00	0.00
6000 Federal, Special Purpose	0	.00	.00		.00	0.00
7000 Revenues Fr Oth Sch Dist	0	.00	.00		.00	0.00
8000 Other Agencies and Associates	0	.00	.00		.00	0.00
9000 Other Financing Sources	0	.00	.00		.00	0.00
<u>Total REVENUES/OTHER FIN. SOURCES</u>	4,171,783	33,169.79	1,090,821.98		3,080,961.02	26.15
<u>B. EXPENDITURES</u>						
10 Sites	0	.00	.00	1,855.06	1,855.06-	0.00
20 Buildings	68,096,000	1,995,349.11	12,215,672.12	45,931,196.21	9,949,131.67	85.39
30 Equipment	2,700,000	199,565.93	1,509,536.05	2,985,711.28	1,795,247.33-	166.49
40 Energy	0	.00	.00	0.00	.00	0.00
50 Sales & Lease Expenditure	0	.00	.00	0.00	.00	0.00
60 Bond Issuance Expenditure	0	.00	.00	0.00	.00	0.00
90 Debt	1,000	.00	.00	950.00	50.00	95.00
<u>Total EXPENDITURES</u>	70,797,000	2,194,915.04	13,725,208.17	48,919,712.55	8,152,079.28	88.49
<u>C. OTHER FIN. USES TRANS. OUT (GL 536)</u>	0	.00	.00			
<u>D. OTHER FINANCING USES (GL 535)</u>	0	.00	.00			
<u>E. EXCESS OF REVENUES/OTHER FIN. SOURCES</u>						
<u>OVER(UNDER) EXP/OTH FIN USES (A-B-C-D)</u>	66,625,217-	2,161,745.25-	12,634,386.19-		53,990,830.81	81.04-
<u>F. TOTAL BEGINNING FUND BALANCE</u>	77,230,353		75,576,840.34			
<u>G. G/L 898 PRIOR YEAR ADJUSTMENTS(+OR-)</u>	XXXXXXXXXX		.00			
<u>H. TOTAL ENDING FUND BALANCE</u>	10,605,136		62,942,454.15			
<u>(E+F + OR - G)</u>						

30--Debt Service Fund-- FUND BALANCE -- AGENCY ACCOUNTS -- Revised -- BUDGET-STATUS-REPORT
Fiscal Year 2020 (September 1, 2020 - August 31, 2021)

For the FRANKLIN PIERCE SCHOOLS School District for the Month of December, 2020

	ANNUAL	ACTUAL	ACTUAL			
<u>A. REVENUES/OTHER FIN. SOURCES</u>	<u>BUDGET</u>	<u>FOR MONTH</u>	<u>FOR YEAR</u>	<u>ENCUMBRANCES</u>	<u>BALANCE</u>	<u>PERCENT</u>
1000 Local Taxes	9,479,391	64,351.86	4,524,576.35		4,954,814.65	47.73
2000 Local Support Nontax	25,000	95.02	1,728.49		23,271.51	6.91
3000 State, General Purpose	0	.00	.00		.00	0.00
5000 Federal, General Purpose	0	.00	.00		.00	0.00
9000 Other Financing Sources	0	.00	.00		.00	0.00
<u>Total REVENUES/OTHER FIN. SOURCES</u>	<u>9,504,391</u>	<u>64,446.88</u>	<u>4,526,304.84</u>		<u>4,978,086.16</u>	<u>47.62</u>
<u>B. EXPENDITURES</u>						
Matured Bond Expenditures	3,410,000	3,410,000.00	3,410,000.00	0.00	.00	100.00
Interest On Bonds	6,008,352	3,029,500.00	3,029,500.00	0.00	2,978,852.00	50.42
Interfund Loan Interest	0	.00	.00	0.00	.00	0.00
Bond Transfer Fees	10,000	.00	600.00	0.00	9,400.00	6.00
Arbitrage Rebate	0	.00	.00	0.00	.00	0.00
Underwriter's Fees	0	.00	.00	0.00	.00	0.00
<u>Total EXPENDITURES</u>	<u>9,428,352</u>	<u>6,439,500.00</u>	<u>6,440,100.00</u>	<u>0.00</u>	<u>2,988,252.00</u>	<u>68.31</u>
<u>C. OTHER FIN. USES TRANS. OUT (GL 536)</u>	<u>0</u>	<u>.00</u>	<u>.00</u>			
<u>D. OTHER FINANCING USES (GL 535)</u>	<u>0</u>	<u>.00</u>	<u>.00</u>			
<u>E. EXCESS OF REVENUES/OTHER FIN.SOURCES</u>						
<u>OVER(UNDER) EXPENDITURES (A-B-C-D)</u>	<u>76,039</u>	<u>6,375,053.12-</u>	<u>1,913,795.16-</u>		<u>1,989,834.16-</u>	<u>< 1000-</u>
<u>F. TOTAL BEGINNING FUND BALANCE</u>	<u>3,261,537</u>		<u>3,072,314.65</u>			
<u>G. G/L 898 PRIOR YEAR ADJUSTMENTS(+OR-)</u>	<u>XXXXXXXXX</u>		<u>.00</u>			
<u>H. TOTAL ENDING FUND BALANCE</u>	<u>3,337,576</u>		<u>1,158,519.49</u>			
<u>(E+F + OR - G)</u>						

40--Associated Student Body Fund-- FUND BALANCE -- AGENCY ACCOUNTS -- Revised -- BUDGET-STATUS-REPORT
Fiscal Year 2020 (September 1, 2020 - August 31, 2021)

For the FRANKLIN PIERCE SCHOOLS School District for the Month of December, 2020

	ANNUAL BUDGET	ACTUAL FOR MONTH	ACTUAL FOR YEAR	ENCUMBRANCES	BALANCE	PERCENT
A. REVENUES						
1000 GENERAL STUDENT BODY	399,990	2,577.29	3,619.20		396,370.80	0.90
2000 ATHLETICS	225,700	250.00	2,069.63		223,630.37	0.92
3000 CLASSES	61,000	.00	2,829.38		58,170.62	4.64
4000 CLUBS	134,700	.00	499.00		134,201.00	0.37
6000 PRIVATE MONEYS	25,800	5,405.80	7,039.80		18,760.20	27.29
<u>Total REVENUES</u>	847,190	8,233.09	16,057.01		831,132.99	1.90
B. EXPENDITURES						
1000 GENERAL STUDENT BODY	393,750	256.44	6,679.65	1,430.82	385,639.53	2.06
2000 ATHLETICS	251,000	.00	4,184.66	1,794.18	245,021.16	2.38
3000 CLASSES	56,100	.00	.00	0.00	56,100.00	0.00
4000 CLUBS	144,525	.00	1,425.63	0.00	143,099.37	0.99
6000 PRIVATE MONEYS	25,800	8,949.85	8,954.85	0.00	16,845.15	34.71
<u>Total EXPENDITURES</u>	871,175	9,206.29	21,244.79	3,225.00	846,705.21	2.81
C. EXCESS OF REVENUES						
<u>OVER (UNDER) EXPENDITURES</u> (A-B)	23,985-	973.20-	5,187.78-		18,797.22	78.37-
D. TOTAL BEGINNING FUND BALANCE						
	420,055		394,485.19			
E. G/L 898 PRIOR YEAR ADJUSTMENTS (+OR-)						
	XXXXXXXXXX		.00			
F. TOTAL ENDING FUND BALANCE						
<u>C+D + OR - E</u>	396,070		389,297.41			

90--Transportation Vehicle Fund-- FUND BALANCE -- AGENCY ACCOUNTS -- Revised -- BUDGET-STATUS-REPORT
Fiscal Year 2020 (September 1, 2020 - August 31, 2021)

For the FRANKLIN PIERCE SCHOOLS School District for the Month of December, 2020

	ANNUAL BUDGET	ACTUAL FOR MONTH	ACTUAL FOR YEAR	ENCUMBRANCES	BALANCE	PERCENT
<u>A. REVENUES/OTHER FIN. SOURCES</u>						
1000 Local Taxes	0	.00	.00		.00	0.00
2000 Local Nontax	2,000	65.65	294.77		1,705.23	14.74
3000 State, General Purpose	0	.00	.00		.00	0.00
4000 State, Special Purpose	400,000	.00	.00		400,000.00	0.00
5000 Federal, General Purpose	0	.00	.00		.00	0.00
6000 Federal, Special Purpose	0	.00	.00		.00	0.00
8000 Other Agencies and Associates	708,126	.00	.00		708,126.00	0.00
9000 Other Financing Sources	0	.00	.00		.00	0.00
A. <u>TOTAL REV/OTHER FIN.SRCS(LESS TRANS)</u>	1,110,126	65.65	294.77		1,109,831.23	0.03
B. <u>9900 TRANSFERS IN FROM GF</u>	0	.00	.00		.00	0.00
C. <u>Total REV./OTHER FIN. SOURCES</u>	1,110,126	65.65	294.77		1,109,831.23	0.03
<u>D. EXPENDITURES</u>						
Type 30 Equipment	1,350,000	.00	.00	1,154,997.00	195,003.00	85.56
Type 60 Bond Levy Issuance	0	.00	.00	0.00	.00	0.00
Type 90 Debt	0	.00	.00	0.00	.00	0.00
<u>Total EXPENDITURES</u>	1,350,000	.00	.00	1,154,997.00	195,003.00	85.56
E. <u>OTHER FIN. USES TRANS. OUT (GL 536)</u>	0	.00	.00			
F. <u>OTHER FINANCING USES (GL 535)</u>	0	.00	.00			
G. <u>EXCESS OF REVENUES/OTHER FIN SOURCES</u> <u>OVER(UNDER) EXP/OTH FIN USES (C-D-E-F)</u>	239,874-	65.65	294.77		240,168.77	100.12-
H. <u>TOTAL BEGINNING FUND BALANCE</u>	522,359		523,290.11			
I. <u>G/L 898 PRIOR YEAR ADJUSTMENTS(+OR-)</u>	XXXXXXXXXX		.00			
J. <u>TOTAL ENDING FUND BALANCE</u> <u>(G+H + OR - I)</u>	282,485		523,584.88			



Franklin Pierce Schools

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MEMORANDUM

TO: Board of Directors
FROM: Tammy Bigelow, Director of Business Services
DATE: February 9, 2021
SUBJECT: Policy 1732 – Board Member Insurance

BACKGROUND INFORMATION

Board Policy 1732 – Board Member Insurance is being presented with changes that align with the School Employee Benefits Board (SEBB) program. SEBB administers health insurance and other benefits for employees of Washington’s school districts.

RECOMMENDATION

I move that the Board of Directors adopt revised Board Policy 1732 – Board Member Insurance as presented.

ACTION REQUIRED

BOARD MEMBER INSURANCE

The district shall maintain sufficient insurance to protect the Board and its individual members against liability arising from actions of the Board or its individual members while each is acting on behalf of the district and within his/her authority as a Board member.

An individual Board member may participate at his/her own cost in any form of insurance made available to district staff if plan sponsors permit such participation.

Legal References:	RCW 4.24.470	Liability of officials and members of governing body of public agency — Definitions
	RCW 4.96.010	Tortious conduct of political subdivision — Liability for damage
	RCW 28A.320.060	Officers, employees or agents of school districts or educational service districts, insurance to protect and hold personally harmless
	RCW 28A.400.360	Liability insurance for officials and employees or agents of school districts and educational service districts — Defense, costs, fees — Payment of obligation



Franklin Pierce Schools

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MEMORANDUM

TO: Board of Directors
FROM: James Hester, Deputy Superintendent of PK-12
DATE: February 9, 2021
SUBJECT: Policy 3143 – Notification and Dissemination of Information about Student Offenses and Notification of Threats of Violence or Harm
Policy 4314 – Notification of Threats of Violence or Harm

BACKGROUND INFORMATION

Board Policy 3143 – Notification and Dissemination of Information about Student Offenses and Notification of Threats of Violence or Harm, previously titled District Notification of Juvenile Offenders, is being updated to be consistent with HB 1191 (2019-20) Concerning School Notifications and includes guidance previously provided in Policy 4314 – Notification of Threats of Violence or Harm. This revision is a blended version of current Board policies 4314 and 3143. Policy 4314 and Procedure 4314P will be retired with the adoption of revised Policy 3143.

Previous revisions to Policy 3143 were a result of a State Auditor's Office (SAO) performance audit that examined what happened when principals and districts received notifications of student criminal offenses. During the 2020 legislative session, lawmakers responded to lingering issues identified by the SAO audit and passed HB 1191.

A copy of retiring Board Policy 4314 is attached for your reference.

RECOMMENDATION

I move that the Board of Directors adopt revised Board Policy 3143 – Notification and Dissemination of Information about Student Offenses and Notification of Violence or Harm as presented and retire Board Policy 4314 – Notification of Threats of Violence or Harm.

ACTION REQUIRED

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

The Franklin Pierce 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 constitutional rights to public education.

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

- 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 Victim's School.** Convicted juvenile sex offenders are prohibited from attending the elementary, middle, or high school attended by their victim or their victim's siblings. The parents or legal guardians of the convicted juvenile sex offender shall be responsible for providing transportation or covering other costs associated with or required by the sex offender's 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 victim's 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 be 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 committing 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 the activity is directed toward the teacher, shall not be assigned to that teacher's classroom for the duration of the student's attendance at that school or any other school where the teacher is assigned.

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.

B. 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, 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

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.

Legal References: RCW 4.24.550
RCW 9A.44.130

Sex offenders and kidnapping offenders —
Release of information to public — Web site
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.320.128	Notice and disclosure policies — Threats of violence — Student conduct — Immunity for good faith notice — Penalty
RCW 28A.320; 2020 c 167 § 1	Notification provisions
RCW 28A.600.460	Classroom discipline — Policies — Classroom placement of student offenders — Data on disciplinary actions
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
WAC 392-400	Student Discipline
20 U.S.C. 1232g; 34 C.F.R. Part 99	Family Educational Rights and Privacy Act Article IX, Section 1, Washington State Constitution

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. Parents will be included in notifications to students who are subjects of threats of violence or harm. 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 (FERPA), other legal limitations, and the circumstances.

“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 the district’s threat assessment policy, other safety policies, and comprehensive safe school plans.

If the district determines a person poses a threat of violence or harm to students, employees, or others, the district may administer relevant district discipline policies and procedures and may refer to appropriate community agencies including law enforcement and mental health services. District staff will work with in-district and community-based professionals and services in all relevant areas of expertise to address threats of violence or harm, those threatened, and those making the threats. Necessary information about the person making the threat will 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:	34 C.F.R. Part 99	FERPA Regulations
	20 U.S.C. § 1232g	Family Educational Rights and Privacy Act
	WAC 392-400	Pupils
	RCW 28A.320.128	Notice and disclosure policies — Threats of violence — Student conduct — Immunity for good faith notice — Penalty

Adoption Date: 5/13/03
Franklin Pierce Schools
Revised: 10/14/08; 08/18/20
Classification: Essential



Franklin Pierce Schools

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MEMORANDUM

TO: Board of Directors
FROM: James Hester, Deputy Superintendent of PK-12
DATE: February 9, 2021
SUBJECT: Policy 3205 – Sexual Harassment of Students Prohibited

BACKGROUND INFORMATION

Board Policy 3205 – Sexual Harassment of Students Prohibited is being updated to be consistent with new Title IX regulations governing sexual harassment. These regulations represent a significant federal shift governing K–12 public schools’ response to allegations of sexual harassment. As a result of the final regulations, we see few changes to the policy, but substantial changes to the corresponding procedure.

Revisions do include language that prohibits providing an employment recommendation for a current or former employee who engaged in sexual misconduct with a student, both in the context of a formal disciplinary discharge and in the context where there was no formal action, but staff members had probable cause to believe that sexual misconduct occurred. After consultation with legal counsel this language remains. The District will not incur liability for following this policy and procedure and in fact, Washington law provides immunity for any information provided in response to an employment inquiry in RCW 4.24.730(1).

RECOMMENDATION

I move that the Board of Directors adopt revised Board Policy 3205 – Sexual Harassment of Students Prohibited as presented.

ACTION REQUIRED

SEXUAL HARASSMENT OF STUDENTS PROHIBITED

The district is committed to a positive and productive education free from discrimination, including sexual harassment. This commitment extends to all students 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 or school training held elsewhere.

Definitions

For purposes of this policy, sexual harassment means unwelcome conduct or communication of a sexual nature. Sexual harassment can occur adult to student, student to student, or can be carried out by a group of students or adults and will be investigated by the district even if the alleged harasser is not a part of the school staff or student body. The district prohibits sexual harassment of students by other students, employees, or third parties involved in school district activities.

The term “sexual harassment” may include:

- Acts of sexual violence;
- Unwelcome sexual or gender-directed conduct or communication that interferes with an individual’s educational performance or creates an intimidating, hostile, or offensive environment;
- Unwelcome sexual advances;
- Unwelcome requests for sexual favors;
- Sexual demands when submission is a stated or implied condition of obtaining an educational benefit;
- Sexual demands where submission or rejection is a factor in an academic, or other school-related decision affecting an individual.

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.

Investigation and Response

If the district knows, or reasonably should know, that sexual harassment has created a hostile environment, it will promptly investigate to determine what occurred and take appropriate steps to resolve the situation. If an investigation reveals that sexual harassment has created a hostile environment, the district will take prompt and effective steps reasonably calculated to end the sexual harassment, eliminate the hostile environment, prevent its recurrence, and as appropriate, remedy its effects. The district will take prompt, equitable, and remedial action within its authority on reports, complaints and grievances alleging sexual harassment that come to the attention of the district, either formally or informally. The district will take these steps every time a complaint alleging sexual harassment comes to the attention of the district, either formally or informally.

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 investigate to determine what occurred and take appropriate steps to resolve the situation to the extent that such investigation does not interfere with an ongoing criminal investigation. A criminal investigation does not relieve the district of its independent obligation to investigate and resolve 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 school 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.

Staff Responsibilities

The superintendent 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 or Civil Rights Compliance 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 shall 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 will develop procedures to provide age-appropriate information and education to district staff, students, 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, 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, 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 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 is encouraged to involve staff, students, volunteers, and parents in the review process.

Legal References: 20 U.S.C. § 1681-1688

WAC 392-190-058

RCW 28A.640.020

Sexual harassment

Regulations, guidelines to eliminate
discrimination — Scope — Sexual
harassment policies

34 C.F.R. § 106



Franklin Pierce Schools

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MEMORANDUM

TO: Board of Directors
FROM: Tammy Bigelow, Director of Business Services
DATE: February 9, 2021
SUBJECT: Policy 3510 – Associated Student Bodies

BACKGROUND INFORMATION

WSSDA has revised Policy 3510 – Associated Student Bodies to address RCW 28A.325.010's authority to charge fees for optional noncredit extracurricular events, typically through an Associated Student Body (ASB) membership. The policy revisions also address that districts may waive or reduce ASB fees.

RECOMMENDATION

I move that the Board of Director adopt Board Policy 3510 – Associated Student Bodies as presented.

ACTION REQUIRED

ASSOCIATED STUDENT BODIES

An associated student body (ASB) will be formed in each school within the district whenever one or more students in that school engage in money-raising activities with the approval and at the direction or under the supervision of the district.

An ASB will be a formal organization of students, including sub-components or affiliated student groups. Each ASB will submit a constitution and bylaws to the Board for approval. The constitution and bylaws will identify how student activities become approved as student body activities and establish standards for their supervision, governance, and financing. Subject to such approval process, any lawful activity that promotes the educational, recreational, or cultural growth of students as an optional extracurricular or co-curricular activity may be considered for recognition as an ASB activity. Any lawful fundraising practices that are consistent with the goals of the district and that do not bring disrespect to the district or its students may be acceptable methods and means for raising funds for student body activities. The Board of Directors may act or delegate the authority to a staff member to act as the ASB for any school that contains no grade higher than grade six.

The school principal will designate a staff member as the primary advisor to the ASB and assure that all groups affiliated with the ASB have an advisor assigned to assist them. Advisors will have the authority and responsibility to intervene in any activities that are inconsistent with district policy, ASB standards, student safety, or ordinarily accepted standards of behavior in the community. When in doubt, advisors will consult with the school principal regarding the propriety of proposed student activities. Student activities cannot include support or opposition to any political candidate or ballot measure.

Each ASB will prepare and submit annually a budget for the support of the ASB program to the Board for approval. All property and money acquired by ASBs, except private nonassociated student body funds, will be district funds and will be deposited and disbursed from the district's ASB program fund.

Money acquired by ASB groups through fundraising and donations for scholarships, student exchanges, and charitable purposes will be private nonassociated student body fund moneys.

Solicitation of funds for nonassociated student body fund purposes must be voluntary and must be accompanied by notice of the intended use of the proceeds and the fact that the district will hold the funds in trust for their intended purpose. Nonassociated student body fund moneys will be disbursed as determined by the group raising the money. Private nonassociated student body funds will be held in trust by the district for the purposes indicated during the fundraising activities until the student group doing the fundraising requests disbursement of the funds and the accounts of the fundraising are complete and reconciled.

The Board may establish and collect a fee from students and nonstudents as a condition to their attendance at, or participation in, any optional noncredit extracurricular district event of a cultural, social, recreational, or athletic nature. If the Board establishes such a fee or fees, the superintendent or designee will establish a procedure for waiving fees for students who are eligible to participate in the federal free or reduced-price meals program and for reducing fees

for students' family members and other nonstudents sixty-five or older who, by reason of their low income, would have difficulty in paying the entire amount of such fees. Fees collected pursuant to this paragraph shall be deposited in the ASB program fund of the district.

Legal References:	RCW 28A.325.010	Fees for optional noncredit extracurricular events — Disposition
	RCW 28A.325.020	Associated student bodies — Powers and responsibilities affecting
	RCW 28A.325.030	Associated student body program fund — Fundraising activities — Nonassociated student body program fund moneys
	RCW 28A.325.050	Associated student body program fund — Publication of information on school district web site
	Chapter 392-138 WAC	Finance — Associated student body moneys



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MEMORANDUM

TO: Board of Directors
FROM: Brandy Marshall, Director of Human Resources
DATE: February 9, 2021
SUBJECT: Conditional Teaching Certificates

BACKGROUND INFORMATION

Franklin Pierce Schools has been actively pursuing teachers to fill positions in many of our education programs. Due to local, state, and nationwide teacher shortages, we have had difficulty securing highly qualified, state certified teachers for several positions. In these challenging situations, WAC 181-79A-231 allows school districts to seek conditional certificates for individuals with the skills to be effective teachers even though they do not hold the appropriate endorsement.

We have six teachers for whom we are seeking conditional certificates. These teachers are current long-term leave substitutes and demonstrate the content knowledge and skills necessary to effectively teach our students, but do not currently hold the appropriately endorsed teaching certificate. They will each receive the direct assistance of a mentor, a specific plan of assistance will be developed, and we will comply with all requirements associated with such certificates.

Dale Bamford	Secondary Teacher at Franklin Pierce	Conditional Cert in Mathematics
Nicolle Bougard	Secondary Teacher at Keithley	Conditional Cert in Mathematics
Sonia Jones	Elementary Teacher at Brookdale	Conditional Cert in Elem Education
Melissa Lee	Elementary Teacher at James Sales	Conditional Cert in Elem Education
David Lorms	Elementary Teacher at Brookdale	Conditional Cert in Elem Education
Linda Rummel	Elementary Teacher at James Sales	Conditional Cert in Elem Education

RECOMMENDATION

I move that the Board of Directors approve the Franklin Pierce Schools' request to grant conditional teaching certificates for Dale Bamford, Nicolie Bougard, Sonia Jones, Melissa Lee, David Lorms, and Linda Rummel.

ACTION REQUIRED



Franklin Pierce Schools

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MEMORANDUM

TO: Board of Directors
FROM: Brandy Marshall, Director of Human Resources
DATE: February 9, 2021
SUBJECT: Out-of-Endorsement Assignment

BACKGROUND INFORMATION

WAC 181-82-105 states that a classroom teacher should be assigned to teach classes for which course codes match the teacher's endorsement. Our district is challenged to recruit and assign teachers to courses that match their endorsement(s). Consistent with WAC 181-82-110, the district requests school board approval to assign the following teacher to instruct a class other than in their area of endorsement:

Tara Sanderson Currently endorsed in Library Media, she will teach courses that require an endorsement in Elementary Education.

As required by law, the district will provide planning and study time for this teacher. During the 2020-21 school year, this teacher will either earn the additional endorsement or be reassigned the following school year to teach courses that match their endorsement.

RECOMMENDATION

I move that the Board of Directors approve the assignment of Tara Sanderson to teach Kindergarten at Collins Elementary School.

ACTION REQUIRED



Franklin Pierce Schools

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MEMORANDUM

TO: Board of Directors
FROM: Brandy Marshall, Director of Human Resources
DATE: February 9, 2021
SUBJECT: 2020-2021 Franklin Pierce Education Association Memorandum of Understanding Regarding Vaccines and High-Risk Accommodations

BACKGROUND INFORMATION

The Franklin Pierce School District has agreed to the attached memorandum of understanding with the Franklin Pierce Education Association (FPEA) related to the COVID-19 pandemic and returning students to in-person learning. This agreement presents additional information related to leaves of absence and accommodations for medical conditions that meet Centers of Disease Control (CDC) definitions of being at high risk or higher risk for contracting COVID-19.

RECOMMENDATION

I move that the Board of Directors approve the 2020-2021 Franklin Pierce Education Association Memorandum of Understanding regarding vaccines and high-risk accommodations as presented.

ACTION REQUIRED

**Memorandum of Understanding
By and Between
Franklin Pierce Education Association
and
Franklin Pierce Schools**

This MOU is in addition to the August COVID MOU that is posted online at:

https://resources.finalseite.net/images/v1609896616/fpschoolsorg/simm13dhxbcvgmh7t1r/FPEARTWMOUsigned_1.pdf

Reaffirmation of Safety Protocols. The District and Association reaffirms its commitment made in the August 2020 Memorandum of Understanding that states, *“District wide health and safety protocols will be designed to comply with guidance of all applicable public health agencies. Strict compliance with all relevant District safety and health rules will be an essential function of each employee’s job.”* Building Specific Safety Plans and COVID-19 Reporting Protocols will be emailed to all staff.

Vaccine Release Time. Staff will endeavor to obtain COVID-19 vaccinations outside the workday. Evaluators are authorized to work with staff to provide appropriate release time for COVID-19 vaccinations as feasible, and if needed. Employees who are granted Release Time will need to provide proof of receipt of a dose of the vaccine. The verification must identify the employee’s name, the date and time when the vaccine dose was administered, and if the employee has completed the vaccination regimen or requires an additional dose. If the vaccination receipt provides any other information pertaining to the employee’s health condition, the employee may redact that information on the receipt.

Building-Related COVID/Quarantine Leave. An employee is eligible for up to 10-days of paid District COVID leave if the employee is not able to meet their job responsibilities remotely. The leave must be as a result of contracting COVID-19 on-site or quarantine as a result of on-site exposure. The determination of on-site exposure for both cases will be determined by the Tacoma-Pierce County Health Department (TPCHD). This provision does not entitle the recipient to more leave than required to quarantine by the TPCHD.

Educators with Higher Risk Considerations Not Assigned a Fully Virtual Position:

The Association and District acknowledge that certificated educators identified as higher-risk according to the Centers for Disease Control (CDC) or living with individuals identified as higher-risk were prioritized for all available virtual assignments at the start of the 2020-2021 school year as agreed upon in the MOU Regarding Impact of the Pandemic of Coronavirus for the 2020-2021 School Year. It is further recognized that because of multiple factors, including regular job assignments and enrollment, not every employee who requested a fully virtual assignment was able to be assigned to one. For the remainder of the 2020-2021 school year, work accommodations for qualifying employees will be offered to the extent possible in consultation between the employee, the employee's supervisor, and human resources through the COVID-19 Medical Accommodation Form. Priority for consideration in work accommodations will be given to employees in the following order:

1. Certificated educators in a high-risk category as defined by the [Centers for Disease Control](#) that did not receive a fully virtual assignment or that have entered a high-risk category since the beginning of the 2020-2021 school year.
2. Certificated educators who did not receive a fully virtual assignment and live with or care for immediate family members who are at high risk as defined above, including those living in multi-generational households with family members aged 60 or older.

For all educators identified above, the following accommodations will be available for the remainder of the school year or until the effective date of any COVID-19 vaccine made available to the employee, **whichever occurs first**, regardless of whether the employee chooses to accept the vaccine.

Accommodations may include but are not limited to:

1. In-person workplace modifications, for example: Additional HEPA filters provided for the educator's workspace, higher grade air filters for workspace, plastic shields/barriers provided for workplace separations, or other accommodations as recommended by the employee's medical provider.
2. Specific mitigation measures responding to an employee's individual situation, for example: Higher grade PPE provided for the employee such as faceshields and KN-95 mask (or higher-rated PPE as warranted by the employee's assignment), specific limits to potential exposures in the workplace such as limiting interactions with other adults and/or children, preferential workspace location, etc.
3. In extraordinary circumstances and/or if necessary to avoid negative impact on the instructional program, specific assignment to perform duties in a mutually agreed upon remote setting, for example: Educators instruct and/or conduct work duties remotely while students are supervised in-person at the school site, etc.

Those employees who do not meet the criteria for High Risk as defined by the [Centers for Disease Control](#) may apply for individual accommodations through the COVID-19 Medical Accommodation Form. Each will be considered on a case-by-case basis.

An employee whose assignment requires work at a District work site and who does not feel the accommodations mentioned above meet their needs and/or are still concerned about their safety may choose to use their Personal Leave and/or request an unpaid leave of absence for the remainder of the 2020-2021 school year.

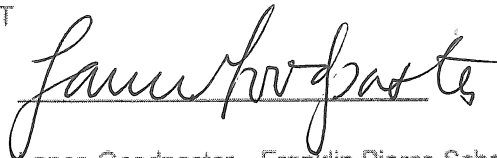
The District will continue to review current public health data, inclusive of regional and District-specific data, and may delay bringing back a grade level if warranted by conditions at each step of reopening.

Agreed to this 8th day of February, 2021.

FOR THE ASSOCIATION FOR THE DISTRICT



Pam Kruse, President—FPEA



Lance Goodpaster—Franklin Pierce Schools



Franklin Pierce Schools

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MEMORANDUM

TO: Board of Directors
FROM: Brandy Marshall, Director of Human Resources
DATE: February 9, 2021
SUBJECT: 2020-2021 Franklin Pierce Education Association Memorandum of Understanding Regarding Washington Administrative Code Time

BACKGROUND INFORMATION

The Franklin Pierce School District has agreed to the attached memorandum of understanding with the Franklin Pierce Education Association (FPEA) related to the COVID-19 pandemic and returning students to in-person learning. This agreement clarifies the way the district can utilize the 60 minutes of additional time that is added to the instructional day per the Washington Administrative Code (WAC).

RECOMMENDATION

I move that the Board of Directors approve this 2020-2021 Franklin Pierce Education Association Memorandum of Understanding regarding Washington Administrative Code (WAC) time as presented.

ACTION REQUIRED

Memorandum of Understanding
By and Between
Franklin Pierce Education Association
and
Franklin Pierce Schools
Agreement Regarding Terms of Employment and
Delivery of District Services Impacted by the COVID-19 Crisis
SUPPLEMENTAL A

Current Language:

9. **Work Day:** It is understood that there will be an increase in individually directed planning time overall during the remote instructional model. Therefore, at alternative educational settings (GATES, ELC), a full 30 minutes before and after school may not be available as during normal operations for "WAC time."

Added language as of this signed agreement:

There may be a need at individual schools to exercise flexibility in when WAC time occurs. It is agreed that WAC time may be structured as:

- 30 minutes before school and 30 minutes after school;
- 15 minutes before school and 45 minutes after school;
- 45 minutes before school and 15 minutes after school; or
- 60 minutes before or 60 minutes after school.


Effective dates of this Supplemental A shall follow those outlined in the main FPEA COVID MOU.

Agreed to this 3rd day of February, 2021.

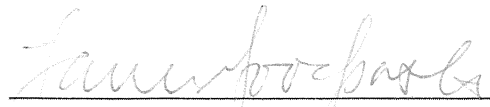
Signed this 3rd day of February 2021.

FOR THE ASSOCIATION

FOR THE DISTRICT



 Pam Kruse, President - FPEA



 Lance Goodpaster, Superintendent - FPS



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MEMORANDUM

TO: Board of Directors
FROM: Carolyn Treleven, Executive Director of Teaching & Learning
DATE: February 9, 2021
SUBJECT: Supplemental Instructional Materials Adoption: *The Distance Between Us*

BACKGROUND INFORMATION

On January 26, 2021, the Instructional Materials Committee reviewed and approved the following for submittal to the School Board:

Title: *The Distance Between Us*
Publisher: Washington Square Press, Simon and Schuster
Author: Reyna Grande
Copyright: 2012

In Bridge to College Prep (11th grade) this title is one of the approved modules from the state Bridge to College consortium and fills the requirement of a novel-length text for a unit of study. This particular title is a memoir and describes the author's own experiences with immigration, multiple cultures, multigenerational living, discrimination, poverty, and abuse.

RECOMMENDATION

None.

ACTION REQUIRED

None. This item is being presented for first reading.



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MEMORANDUM

TO: Board of Directors
FROM: Tammy Bigelow, Director of Business Services
DATE: February 9, 2021
SUBJECT: Policy 6230 – Relations with Vendors

BACKGROUND INFORMATION

Board Policy 6230 – Relations with Vendors is being presented with changes that permit third-party receipting. This also aligns with the State Auditor's Office regarding a sufficient contract authorizing third party vendors to receive and handle revenue for district events.

RECOMMENDATION

None.

ACTION REQUIRED

None. This policy is being presented for first reading.

RELATIONS WITH VENDORS

Conflicts of Interest

Financial and business transactions of the district ~~shall be carried out in conformity with~~ will conform to the law and be consistent with sound and ethical business practices. ~~Purchasing~~ The district will make purchasing decisions ~~shall be made based~~ on the basis of objectivity and ~~shall~~ will not be influenced by friendships or other personal relationships. ~~Board~~ Neither Board members, administrators, nor staff ~~shall not~~ will solicit or accept a gift or favor from vendors ~~or~~ prospective vendors ~~or~~ other firms, or individuals who have had or hope to have transactions with the district. ~~Financial~~ Board members, administrators, and staff are prohibited from financial interests ~~of Board members, administrators, or staff~~ in any district purchase, sale, or other transaction ~~shall be prohibited~~.

Third-Party Receipting for Online Fundraising and/or Ticket Sales

If the district contracts with a vendor, firm, individual, or other entity for third-party receipting, the district will include in its contract appropriate provisions establishing the details of the payment remittance process in accordance with the Washington State Auditor's Guidance for Third Party Receipting.

Legal References: 2 CFR 200.318(c)(1)

RCW 42.23.030

Interest in contract prohibited — ~~Excepted~~
cases Exceptions

RCW 42.23.040

Remote interests

Adoption Date: 12/9/08

Franklin Pierce Schools

Revised: 3/09/21

Classification: Discretionary



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MEMORANDUM

TO: Board of Directors
FROM: Carolyn Treleven, Executive Director of Teaching and Learning
DATE: February 9, 2021
SUBJECT: Procedure 2420P – Grading and Progress Reports

BACKGROUND INFORMATION

In Franklin Pierce Schools, we have spent the last several years transitioning to standards-based learning and grading philosophy and practices. The changes in Procedure 2420P – Grading and Progress Reports formalizes those practices and communicates our effort to accurately report students' progress toward proficiency of learning standards.

RECOMMENDATION

None.

ACTION REQUIRED

None. This is an information item only.

GRADING AND PROGRESS REPORTS

Standards-Based Learning and Grading

Grades should communicate students' knowledge and skills. Standards-based learning, assessment, and grading focuses on the connection between academic expectations (standards) and the level of proficiency demonstrated by students. Tasks assigned to students are aligned to district and state standards and allow teachers to track progress, give feedback, and adapt instruction to ensure students meet proficiency.

Standards-based grading performance descriptors:

The standards-based grade book and report card will communicate to students and families the student's progress toward proficiency in a set of predetermined standards grouped into domains.

The performance descriptors used at the elementary level are as follows:

- 4 Advanced
- 3 Proficient
- 2 Developing
- 1 Significant gaps in learning
- 0 No evidence of learning

Additional marks are available for the report card which include:

- 3 – Proficient in the part(s) of the standard that has been taught (used in elementary only)
- ME Missing evidence
- NA Not assessed during this grading period
- Modified Standards have been modified to meet the current instructional level based on Individual Education Plan.

In grades K-6 for 2020 and transitioning to 7th grade in 2021 and 8th grade in 2022, grades will be reported on the report card by domain, to communicate relative proficiency and areas of need. This will be reported in numeric form (0, 1, 2, 3, 4) without letter grade conversion (A, B, C).

In graduation credit-bearing courses (high school and select 7th/8th grade courses), requirements to provide a letter grade for the course on the standardized transcript require letter grade calculations. They are as follows: grades will be reported on the report card by domain, as to communicate relative proficiency and areas of need. Cluster scores are then averaged to create an overall score for the course which is converted to a letter grade using this conversion table:

<u>SBG Grade</u>	<u>Letter Grade</u>	<u>SBG Grade</u>	<u>Letter Grade</u>
<u>4.0 – 3.8</u>	<u>A</u>	<u>2.7 – 2.5</u>	<u>C+</u>
<u>3.7 – 3.6</u>	<u>A-</u>	<u>2.4 – 2.2</u>	<u>C</u>
<u>3.5 – 3.3</u>	<u>B+</u>	<u>2.1 – 2.0</u>	<u>C-</u>
<u>3.2 – 3.0</u>	<u>B</u>	<u>INC+</u>	<u>INC</u>
<u>2.9 – 2.8</u>	<u>B-</u>	<u>INC</u>	<u>NC</u>

GRADE POINT AVERAGE

The grade point averages for grades 9-12 shall be calculated in the following manner:

- A. Each student's grade point average shall be the sum of the point values of all the marks/grades received for all courses attempted divided by the sum of the credits for all courses attempted. The grade point value shall be calculated by multiplying the numerical value of the mark/grade earned by the number of credits assigned to the course.
- B. The numerical value of grades are:
- | | |
|-------------|----------------------------|
| 1. A = 4.0 | 6. C+ = 2.3 |
| 2. A- = 3.7 | 7. C = 2.0 |
| 3. B+ = 3.3 | 8. C- = 1.7 |
| 4. B = 3.0 | 9. No credit = 1.6 or less |
| 5. B- = 2.7 | 10. F = 0.0 |

The minimal passing mark/grade is C- = 1.7. Pass/fail, credit/no credit, and satisfactory/unsatisfactory marks may also be used. These non-numerical marks/grades shall be clearly identified and excluded from the calculation of grade point average.

- C. Marks/grades for each course taken shall be included in the calculation of grade point averages. Only the highest mark/grade for a class/course taken more than once to improve a mark/grade shall be included in the calculation of grade point averages. Marks/grades for recurring classes shall all be included in the calculation of grade points. Grade point averages shall be rounded to two decimal places and reported for each trimester/semester or other term and for the cumulative credits earned for all courses attempted in high school.
- D. The standardized high school transcript shall contain:
- The student's name (last name, first name, and middle name or middle initial);
 - The student's current address, address at graduation, or address at withdrawal from school (street, city, state, zip code);
 - The student's birth date and sex;
 - The student's identification number (if applicable);
 - The school's name;
 - The school's address (street, city, state zip code, and telephone number);
 - The dates of the student's entry, reentry, withdrawal, and graduation (if applicable) related to the school issuing the transcript;
 - The student's academic history for high school (grade level and date of course completion, course titles, marks/grades earned, credits attempted, and grade point average);
 - The name and address of parent(s) or guardian(s) (street, city, state, zip code) if such information is available;
 - A list of previous high schools attended (school name, address, city, state, and month and year of entrance and exit); and
 - The signature and/or seal of the authorized school official (name, title, and date).

Date: 7/08/08

Revised: 9/14/10; 2/09/21



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MEMORANDUM

TO: Board of Directors
FROM: James Hester, Deputy Superintendent of PK-12
DATE: February 9, 2021
SUBJECT: Procedure 3205P – Sexual Harassment of Students Prohibited

BACKGROUND INFORMATION

Board Procedure 3205P – Sexual Harassment of Students Prohibited is being updated to be consistent with new Title IX regulations governing sexual harassment. These regulations represent a significant federal shift governing K–12 public schools’ response to allegations of sexual harassment. While there were many changes, some of the more significant changes include that the federal regulations narrow the definition of sexual harassment, establish a lower standard for when a district must respond, and add more components to the process of responding.

This procedure is returning to follow up on board director questions during the January 19th meeting. This version’s edits include grammatical changes and incorporate legal counsel’s recommendation for clarifying what must be published publicly on the district website (page 2). Resolutions of complaints need to be retained for the stated period but should not be published on the website.

RECOMMENDATION

None.

ACTION REQUIRED

None. This is an information item only.

SEXUAL HARASSMENT OF STUDENTS PROHIBITED

The procedure is intended to set forth the requirements of Policy 3205, including the process for a prompt, thorough, and equitable investigation of allegations of sexual harassment and the need to take appropriate steps to resolve such situations. If sexual harassment is found to have created a hostile environment, staff must take immediate action to eliminate the harassment, prevent its reoccurrence, and address its effects.

This procedure applies to sexual harassment (including sexual violence) targeted at students carried out by other students, employees, or third parties involved in school district activities. Because students can experience the continuing effects of off-campus harassment in the educational setting, the district will consider the effects of off-campus conduct when evaluating whether there is a hostile environment on campus. The district has jurisdiction over these complaints pursuant to Title IX of the Education Amendments of 1972, Chapter 28A.640, RCW and Chapter 392-190 WAC.

Title IX Coordinator, Investigator, and Decision-maker

The district will designate and authorize one employee to act as “Title IX Coordinator” to coordinate the district’s state and federal sex discrimination and sexual harassment regulation compliance efforts. The decision-maker who reaches the final determination of responsibility for alleged Title IX sexual harassment will be the superintendent or designee. The decision-maker cannot be the same person who serves as the Title IX Coordinator or the investigator of the Title IX complaint.

The Title IX Coordinator’s name, title, office address, telephone number, and email address must be available on the district website; in handbooks/catalogs that are made available to staff, students, and parents; and in the district’s nondiscrimination statement.

Any individual designated as Title IX Coordinator, an investigator, or decision-maker, and any person who facilitates an informal resolution process must not have a conflict of interest or bias for or against the individual(s) who made the complaint (“complainant(s)”) or the individual(s) reported to be the perpetrator of the conduct that could constitute sexual harassment (“respondent(s)”) in general or individually, and must receive training on the following:

- The definition of sexual harassment under Title IX and state law;
- The scope of the district’s education program or activity;
- How to conduct an investigation and grievance process and informal resolution process;
- How to serve impartially;
- Their responsibilities Chapter WAC 392-190 WAC; and
- How to raise awareness of and eliminate bias based on sex, race, creed, religion, color, national origin, honorably discharged veteran or military status, sexual orientation, gender expression, gender identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal.

District investigators must also receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

District decision-makers must also receive training on any technology to be used during hearings if the district provides for a hearing, and on issues of relevance of questions and evidence, including the requirement that questions and evidence about a complainant's sexual predisposition or prior sexual conduct are not relevant unless 1) such questions and evidence is offered to prove that someone other than the respondent committed the alleged conduct or 2) questions and evidence concerning specific incidents of the complainant's prior sexual behavior with respect to the respondent is offered to prove consent.

Any training materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process must not rely on sex stereotypes and must promote impartial investigations and adjudications of complaints. The district shall maintain for a period of seven years records of any informal resolution and the result; and all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.

The District will make available on its website at least the following information:

1. The Title IX Coordinator's contact information, including name or title, office address, electronic mail address, and telephone number;
2. A copy of this procedure and accompanying policy; and
3. All materials used to train the school's Title IX personnel.

Notice of Sexual Harassment Policy and Procedure

- Information about the district's sexual harassment policy and complaint procedure will be easily understandable and conspicuously posted throughout each school building and be reproduced in each student, staff, volunteer, and parent handbook. This notice will be provided in a language that each parent and guardian can understand.
- In addition to the posting and reproduction of this procedure and Policy 3205, the district will provide annual notice to employees that complaints pursuant to this procedure may be filed at Franklin Pierce Schools, 315 129th St S, Tacoma, WA 98444.

Responding to Notice of Sexual Harassment

The district is on notice and required to take action when any employee knows, or in the exercise of reasonable care should know, about possible sexual harassment. This includes informal and formal reports made to any staff member.

Upon notice of possible sexual harassment, staff will always notify the Title IX Coordinator. In addition, in the event of an alleged sexual assault, the school principal will immediately inform law enforcement and notify the targeted student(s) and their parents/guardians of their right to file a criminal complaint and a sexual harassment complaint simultaneously.

Once the district is on notice of possible sexual harassment, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. Additionally, staff will also inform an appropriate supervisor or professional staff member when they receive complaints of sexual

harassment, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

Supportive measures must be offered to the complainant, before or after the filing of a formal complaint, or where no formal complaint has been filed. Supportive measures may also be provided to the respondent. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or respondent. Supportive measures should be designed to restore or preserve access to the District's education program or activity without unreasonably burdening the other party.

Supportive measures may include:

- An opportunity for the complainant to explain to the alleged harasser that his or her conduct is unwelcome, offensive, or inappropriate, either in writing or face-to-face;
- A statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;
- A general public statement from an administrator in a building reviewing the district sexual harassment policy without identifying the complainant;
- Developing a safety plan;
- Modifications of work or class schedules;
- Mutual restrictions on contact between the parties;
- Increased security and monitoring of certain areas of the campus or school building, or
- Providing staff and/or student training.

In response to notice of sexual harassment, the district will take prompt and appropriate action to investigate and take prompt and effective steps reasonably calculated to end harassment, eliminate the hostile environment, prevent its recurrence, and as appropriate, remedy its effects.

The district will inform the complainant and their parent/guardian how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

A complainant may file a formal complaint at any time while receiving supportive measures. A complainant, their parent or guardian, or the Title IX Coordinator may file a formal complaint because, for example, they feel the complaint needs to be more thoroughly investigated or discipline may be warranted for the individual alleged to have engaged in sexually harassing conduct.

Confidentiality

- The district will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the district to provide the supportive measures.
- If a complainant requests that his or her name not be revealed to the alleged perpetrator or asks that the district not investigate or seek action against the alleged perpetrator, the request will be forwarded to the assistant superintendent for evaluation.

- The assistant superintendent should inform the complainant that honoring the request may limit its ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator.
- If the complainant still requests that his or her name not be disclosed to the alleged perpetrator or that the district not investigate or seek action against the alleged perpetrator, the district will need to determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students, staff, and other third parties engaging in district activities, including the person who reported the sexual harassment. Although a complainant's request to have his or her name withheld may limit the district's ability to respond fully to an individual allegation of sexual harassment, the district will use other appropriate means available to address the sexual harassment.

Retaliation

Title IX and state law prohibit retaliation against any individual who files a complaint under these laws or participates in a complaint investigation. When an informal or formal complaint of sexual harassment is made, the district will take steps to stop further harassment and prevent any retaliation against the person who made the complaint, against the person who was the subject of the harassment, or against those who provided information as a witness. The district will investigate all allegations of retaliation and take actions against those found to have retaliated.

Formal Complaint Process

Level One – Complaint to District

Anyone may initiate a formal complaint of sexual harassment, even if the informal complaint process is being utilized.

Filing of Complaint

- All formal complaints will be in writing and will set forth the specific acts, conditions, or circumstances alleged to have occurred and to constitute sexual harassment. The Title IX Coordinator may draft the complaint based on the report of the complainant for the complainant to review and approve. The Title IX Coordinator may also conclude that the district needs to conduct an investigation based on information in his or her possession, regardless of the complainant's interest in filing a formal complaint.
- The time period for filing a complaint is one year from the date of the occurrence that is the subject matter of the complaint. However, a complaint filing deadline may not be imposed if the complainant was prevented from filing due to: 1) specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint; or 2) withholding of information that the district was required to provide under WAC 392-190-065 or WAC 392-190-005.
- Complaints may be submitted by mail, fax, e-mail, or hand-delivery to the district Title IX Coordinator. Any district employee who receives a complaint that meets these criteria will promptly notify the Coordinator.

Determining Whether to Incorporate Additional Title IX Complaint Procedures

The Title IX Coordinator will assess whether a formal complaint of sexual harassment meets the criteria for a Title IX complaint. If so, the district will implement investigation and response procedures under state law, as well as the following additional procedures as required by Title IX regulations.

Under Title IX, the term “sexual harassment” means:

- 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).

The district will implement additional Title IX procedures in response to a sexual harassment complaint when the alleged conduct constitutes sexual harassment as defined by Title IX regulations, and:

- The written complaint is filed by the complainant of the alleged sexual harassment, by the complainant’s legal guardian, or by the Title IX Coordinator;
- The complaint requests that the district investigate the allegation(s) of sexual harassment, as defined under Title IX regulations;
- The complaint is against a named respondent who, at the time of the alleged harassment, was under the control of the school district (such as a student, employee, or volunteer);
- The alleged sexually harassing conduct occurred in the United States; and
- The complainant is participating in or attempting to participate in the district’s educational program or activity at the time.

If the formal complaint is determined to meet the criteria for a Title IX complaint, the district will conduct the investigation implementing the additional Title IX procedures. **Skip to *Standard Complaint Process with Additional Title IX Requirements*.**

If the formal complaint is determined not to meet the criteria for a Title IX complaint, the district will conduct the investigation without implementing the additional Title IX procedures. **Continue to *Standard Complaint Process*.**

STANDARD COMPLAINT PROCESS

Acknowledging a Complaint - *Standard Complaint Process*

- Upon receipt of a complaint, the Coordinator will provide the complainant a copy of this procedure in a language the complainant can understand.

Investigating a Formal Complaint - *Standard Complaint Process*

- Investigations will be carried out in a manner that is prompt, thorough, reliable, and impartial. During the investigation process, the complainant and respondent(s), if the complainant has identified an accused harasser(s), will have an equal opportunity to present witnesses and relevant evidence. Complainants, respondents, and witnesses may have a trusted adult with them during any district-initiated investigatory activities. The school district and complainant may also agree to resolve the complaint in lieu of an investigation.
- When the investigation is completed, the investigator will compile a full written report of the complaint and the results of the investigation.

Mediation - *Standard Complaint Process*

At any time during the complaint procedure set forth in WAC 392-190-065 through 392-190-075, a district may, at its own expense, offer mediation. The complainant and the district may agree to extend the complaint process deadlines in order to pursue mediation.

The purpose of mediation is to provide both the complainant and the district an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator. Mediation must be voluntary and requires the mutual agreement of both parties. It may be terminated by either party at any time during the mediation process. It may not be used to deny or delay a complainant's right to utilize the complaint procedures.

Mediation must be conducted by a qualified and impartial mediator who may not: 1) Be an employee of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the subject of the complaint being mediated; or 2) Have a personal or professional conflict of interest. A mediator is not considered an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.

If the parties reach agreement through mediation, they may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the course of mediation will remain confidential and may not be used as evidence in any subsequent complaint, due process hearing, or civil proceeding. The agreement must be signed by the complainant and a district representative who has authority to bind the district.

Superintendent's Response to a Formal Complaint - *Standard Complaint Process*

- The superintendent or their designee will respond in writing to the complainant and the respondent within thirty (30) calendar days of receipt of the complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the parties in writing of the reason for the extension and the anticipated response date. At the time the district responds to the complainant, the district must send a copy of the response to the Office of the Superintendent of Public Instruction (OSPI).
- The response of the superintendent or designee will include: 1) a summary of the results of the investigation; 2) a statement as to whether a preponderance of the evidence establishes that the complainant was sexually harassed; 3) if sexual harassment is found

to have occurred, the corrective measures the district deems necessary, including assurance that the district will take steps to prevent recurrence and remedy its effects on the complainant and others, if appropriate; 4) notice of the complainant's right to appeal to the School Board and the necessary filing information; and 5) any corrective measures the district will take, remedies for the complainant (e.g., sources of counseling, advocacy, and academic support), and notice of potential sanctions for the perpetrator(s) (e.g., discipline).

- The superintendent's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964. If the complaint alleges discriminatory harassment by a named respondent or respondent(s), the Coordinator will provide the respondent(s) with notice of the outcome of the investigation and notice of their right to appeal any discipline or corrective action imposed by the district.
- Any corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the superintendent's mailing of a written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy.
- The district will inform the complainant and their parent/guardian how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

Resume “Standard Complaint Process” at Level Two - Appeal to Board of Directors

STANDARD COMPLAINT PROCESS WITH ADDITIONAL TITLE IX REQUIREMENTS

The following sections outline the process the district will take to respond to complaints of sexual harassment under state law and Title IX.

Acknowledging a Formal Title IX Complaint

The Title IX Coordinator will receive and investigate all formal, written complaints of sexual harassment or information in the Coordinator's possession that they believe requires further investigation. The Coordinator will delegate his or her authority to participate in this process if such action is necessary to avoid any potential conflicts of interest. Upon receipt of a complaint, the Coordinator will offer supportive measures to both parties.

The district will acknowledge receipt of the formal complaint by providing the following written notice to the respondent(s) and complainant:

- A copy of the school's discrimination complaint procedure in a language the parties can understand.
- Notice of the allegations of sexual harassment with sufficient time for the parties to prepare a response before any initial interview and with sufficient detail. Such sufficient detail includes the identities of the parties involved in the incident if known, the conduct

allegedly constituting sexual harassment, and the date and location of the alleged incident if known.

- Notice that the parties may have an advisor of their choice who may be an attorney or non-attorney, and who may inspect and review evidence of the alleged sexual harassment.
- Notice that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility for alleged sexual harassment is made at the conclusion of the grievance process.
- Notice of any provision in student conduct policies and procedures that prohibits false statements or submitting false information.

Investigation of a Title IX Formal Complaint

The district must investigate allegations contained in a formal complaint. If the conduct alleged would not constitute sexual harassment under Title IX regulations even if proved, did not occur in the district's education program or activity, or did not occur against a person in the United States, then the district must dismiss the formal complaint under Title IX. Such dismissal does not preclude action under another provision of district policy or procedure or under sexual harassment investigation procedures as required by state law (See *Standard Complaint Process*).

The district adopts preponderance of the evidence/clear and convincing evidence as the standard or proof it will use in reaching decisions regarding complaints.

The district's investigation of a Title IX complaint must:

- Include a prompt and thorough investigation into the allegations in the complaint.
- Ensure that the district bears the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility for the alleged sexual harassment. The district may not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting or assisting in their professional capacity and made and maintained in connection with the provision of treatment to the party unless the district obtains the party's voluntary, written consent to do so.
- Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- Provide the parties with the same opportunities to have others present during any grievance proceeding; including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be an attorney or non-attorney. The district will apply any restrictions regarding the extent to which an advisor may participate equally to both parties;
- Provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all hearings, interviews, or other meetings, with sufficient time for the parties to prepare to participate;
- Prior to the completion of an investigative report, provide an equal opportunity for the parties to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint so that each party can

meaningfully respond to the evidence prior to the conclusion of the investigation. This includes evidence that the district does not intend to rely on in reaching a determination of responsibility for the alleged sexual harassment, regardless of the source of the evidence. The parties will have at least ten (10) days to submit a written response for the investigator to consider prior to completion of the investigative report.

- At least ten (10) days prior to a determination regarding responsibility, create an investigative report that fairly summarizes relevant evidence, and send the investigative report in an electronic or hard copy format to each party and each party's advisor for their review and written response.
- After transmitting the investigative report to the parties, but before reaching a final determination regarding responsibility, the decision maker must give each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant unless they are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or unless they concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant.

The district's Title IX investigative and grievance process is not required to include investigative hearings.

Discipline and Emergency Removals for Alleged Sexual Harassment under Title IX

A respondent who is accused of sexual harassment under Title IX is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. The district may not impose any disciplinary sanctions, or other actions that are not supportive measures, against the respondent until the district has determined the respondent was responsible for the sexual harassment at the conclusion of the grievance process.

These additional Title IX sexual harassment procedures do not preclude a school district from removing a student from school on an emergency basis consistent with Policy and Procedure 3241 – Student Discipline and the associated student discipline regulations for emergency expulsion.

Title IX Informal Resolution Process

At any time prior to a determination in a formal Title IX complaint, the district may permit a complainant to waive the formal complaint grievance process in favor of an informal resolution process not involving a full investigation and adjudication, provided that the district obtains the parties' voluntary, written consent; the district does not offer informal resolution of sexual harassment allegations against a respondent who is an employee of the district, the district provides reasonably prompt time frames for the informal resolution process; and the district provides the parties with written notice disclosing the allegations, the requirements for the informal resolution process, and the circumstances in which the parties would be precluded from continuing with a formal resolution process for the same allegations.

A party has the right to withdraw from the informal resolution process and resume the formal Title IX grievance process at any time prior to agreeing to a resolution. The district may not require the waiver of the right to an investigation and adjudication of formal complaints of sexual harassment under Title IX as a condition of enrollment, employment, or enjoyment of any other right, nor may the district require the parties to participate in an informal resolution process. The district will not offer an informal resolution process unless a formal complaint is filed.

Superintendent's Response to a Formal Title IX Complaint

At the conclusion of the investigation, the decision-maker (superintendent or designee) must issue a written determination of responsibility regarding the alleged sexual harassment within thirty (30) calendar days of receipt of the complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. In the event an extension is needed, the district will notify the parties in writing of the reason for the extension and the anticipated response date.

The superintendent's written determination must be issued to the parties simultaneously and must include the following:

- Identification of the allegations potentially constituting sexual harassment under Title IX regulations;
- A description of the procedural steps taken from the time of the district's receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings supporting the determination;
- A summary of the results of the investigation;
- Conclusions regarding the application of the district's code of conduct policies to the facts;
- A statement as to whether a preponderance of the evidence establishes that the complainant was sexually harassed;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary or other sanctions imposed on the respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; and
- If sexual harassment is found to have occurred, the corrective measures the district deems necessary, including assurance that the district will take steps to prevent recurrence and remedy its effects on the complainant and others, if appropriate; and
- Notice of the parties' right to appeal to the school board and the necessary filing information.

The superintendent's or designee's response will be provided in a language the complainant can understand and may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act of 1964.

At the time the district responds to the parties, the district must send a copy of the response to the Office of the Superintendent of Public Instruction.

Any corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty (30) days after the superintendent's mailing of a written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded. Staff may also pursue complaints through the appropriate collective bargaining agreement process or anti-discrimination policy. **Continue to State Complaint Process with Additional Title IX Requirements at Level Two - Appeal to Board of Directors.**

Level Two - Appeal to Board of Directors

Notice of Appeal and Hearing

- If the complainant or respondent(s) disagrees with the superintendent's or designee's written decision, the disagreeing party may appeal the decision to the district Board of Directors by filing a written notice of appeal with the secretary of the Board within ten (10) calendar days following the date upon which the complainant received the response.
- If the complaint involves a named respondent, the district will implement appeal procedures equally for both parties and provide written notice to the other party when an appeal is filed.
- The district will ensure that the decision-maker for the appeal is not the same decision-maker who reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator;
- The district will ensure that the decision-maker for the appeal has received the training required for decision-makers as required by this procedure.
- The Board will schedule a hearing to commence by the twentieth (20th) calendar day following the filing of the written notice of appeal, unless otherwise agreed to by the complainant and the superintendent or for good cause.
- Both parties will be allowed a reasonable, equal opportunity to submit a written statement in support of or challenging the outcome of the initial determination.

Board Decision

- Unless otherwise agreed to by the complainant, the Board will render a written decision within thirty (30) calendar days following the filing of the notice of appeal and provide the complainant with a copy of the decision.
- The written decision will describe the result of the appeal and the rationale for the result.
- The decision will include notice of the complainant's right to appeal to the Superintendent of Public Instruction and will identify where and to whom the appeal must be filed. The district will send a copy of the appeal decision to the Office of the Superintendent of Public Instruction.
- The decision will be provided in a language that the complainant can understand, which may require language assistance for complainants with limited English proficiency in accordance with Title VI of the Civil Rights Act.

Level Three - Complaint to the Superintendent of Public Instruction

Filing of Complaint

- If a complainant disagrees with the decision of the Board of Directors, or if the district fails to comply with this procedure, the complainant may file a complaint with the Superintendent of Public Instruction.
- A complaint must be received by the Superintendent of Public Instruction on or before the twentieth (20th) calendar day following the date upon which the complainant received written notice of the Board of Directors' decision, unless the Superintendent of Public Instruction grants an extension for good cause. Complaints may be submitted by mail, fax, electronic mail, or hand delivery.
- A complaint must be in writing and include: 1) a description of the specific acts, conditions, or circumstances alleged to violate applicable anti-sexual harassment laws; 2) the name and contact information, including address, of the complainant; 3) the name and address of the district subject to the complaint; 4) a copy of the district's complaint and appeal decision, if any; and 5) a proposed resolution of the complaint or relief requested. If the allegations regard a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information.

Investigation, Determination, and Corrective Action

- Upon receipt of a complaint, the Office of the Superintendent of Public Instruction may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the superintendent or Board.
- Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with RCW 28A.642.010 or Chapter 392-190, WAC and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.
- All corrective actions must be completed within the timelines established by OSPI in the written decision unless OSPI grants an extension. If timely compliance is not achieved, OSPI may take action including but not limited to referring the district to appropriate state or federal agencies empowered to order compliance.

A complaint may be resolved at any time when, before the completion of the investigation, the district voluntarily agrees to resolve the complaint. OSPI may provide technical assistance and dispute resolution methods to resolve a complaint.

Level Four - Administrative Hearing, State Requirement

A complainant or school district that desires to appeal the written decision of the Office of the Superintendent of Public Instruction may file a written notice of appeal with OSPI within thirty (30) calendar days following the date of receipt of that office's written decision. OSPI will conduct a formal administrative hearing in conformance with the Administrative Procedures Act, Chapter 34.05 RCW.

Other Complaint Options

Office for Civil Rights (OCR), U.S. Department of Education

OCR enforces several federal civil rights laws, which prohibit discrimination in public schools on the basis of race, color, national origin, sex, disability, and age. File complaints with OCR within 180 calendar days of the date of the alleged discrimination.

206-607-1600 | TDD: 1-800-877-8339 | OCR.Seattle@ed.gov | www.ed.gov/ocr

Washington State Human Rights Commission (WSHRC)

WSHRC enforces the Washington Law Against Discrimination (RCW 49.60), which prohibits discrimination in employment and in places of public accommodation, including schools. File complaints with WSHRC within six months of the date of the alleged discrimination.

1-800-233-3247 | TTY: 1-800-300-7525 | www.hum.wa.gov

Investigation Recordkeeping

The district will maintain records of all sexual harassment investigations as required by the Washington State Archives Local Government Common Records Retention Schedule (CORE) and School Districts and Educational Service Districts Records Retention Schedule.

The district will maintain, for a period of seven years, records of each Title IX sexual harassment investigation, including any determination regarding responsibility and any audio or audiovisual recording or transcript; any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant; and any appeal from the result of a determination regarding responsibility.

The district will maintain, for a period of seven years, records of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment under Title IX.

Training and Orientation

A fixed component of all district orientation sessions for staff, students and regular volunteers will introduce the elements of this procedure and the corresponding policy. Staff will be provided information on recognizing and preventing sexual harassment. Staff will be fully informed of their responsibilities when on notice of sexual harassment, of the formal complaint procedures, and their roles and responsibilities under the policy and procedure.

Certificated staff will be reminded of their legal responsibility to report suspected child abuse, and how that responsibility may be implicated by some allegations of sexual harassment. Regular volunteers will get the portions of this component of orientation relevant to their rights and responsibilities.

Students will be provided with age-appropriate information on the recognition and prevention of sexual harassment and their rights and responsibilities under this and other district policies and rules at student orientation sessions and on other appropriate occasions, which may include parents/guardians.

As part of the information on the recognition and prevention of sexual harassment, staff, volunteers, students, and parents/guardians will be informed that sexual harassment may include, but is not limited to:

- Demands for sexual favors in exchange for preferential treatment or something of value;
- Stating or implying that a person will lose something if he or she does not submit to a sexual request;
- Penalizing a person for refusing to submit to a sexual advance, or providing a benefit to someone who does;
- Making unwelcome, offensive, or inappropriate sexually suggestive remarks, comments, gestures, or jokes; or remarks of a sexual nature about a person's appearance, gender, or conduct;
- Using derogatory sexual terms for a person;
- Standing too close, inappropriately touching, cornering, or stalking a person; or
- Displaying offensive or inappropriate sexual illustrations on school property.

Policy and Procedure Review

Annually, the superintendent or designee will convene an ad hoc committee composed of representatives of certificated and classified staff, volunteers, students, and parents to review the use and efficacy of this policy and procedure. The compliance officer will be included in the committee. Based on the review of the committee, the superintendent will prepare a report to the board including, if necessary, any recommended policy changes. The superintendent will consider adopting changes to this procedure if recommended by the committee.



Franklin Pierce Schools

315 129th Street S, Tacoma, WA 98444
253-298-3010, Fax 253-298-3015
www.fpschools.org

MEMORANDUM

TO: Board of Directors
FROM: Carolyn Treleven, Executive Director of Teaching and Learning
DATE: February 9, 2021
SUBJECT: Procedure 2421.2P – Elementary to Middle School Promotion

BACKGROUND INFORMATION

In 2003, Franklin Pierce Schools adopted Board Procedure 2421.2P – Elementary to Middle School Promotion to create a system of accountability for promotion from elementary to middle school. In the subsequent years, so much has changed, with more rigorous standards, and more rigorous local and state assessments. In practice, the district has new structures of accountability for schools, and our efforts in ensuring student success in transition from one level to another is built into our curriculum and course work. To that end, we are retiring Procedure 2421.2P Elementary to Middle School Promotion from our policy manual.

RECOMMENDATION

None.

ACTION REQUIRED

None. This is an information item only.

ELEMENTARY TO MIDDLE SCHOOL PROMOTION

The purpose of the promotion procedure is to determine whether an elementary student has the basic skills in reading, writing, and mathematics to be successful in middle school.

A Promotion Portfolio will be compiled on each student that will be updated by the grade level teacher, and will be available to parents for review and discussion on a regular basis during grades 3 through 5. The portfolio will contain student work and assessment results to indicate if a student is meeting minimum grade level standards in reading, writing, and mathematics.

Multiple criteria in reading, writing, and math (i.e., written work, classroom, district, and statewide assessments) are considered for promotion with multiple opportunities for success.

5th Grade Reading Standard

MAP Reading RIT at or above median 212 **or** MAZE at or above 24 **or** meet standard on 5th grade MSP (replacement of WASL)

OR

Meet standard on at least 3 of the following Evidence of Learning:

- 4th grade WASL (to be replaced by MSP)
- MAP Reading RIT at or above median 208
- MAZE at or above 20
- Reading Fluency Rate (CBM) of at least 125 words per minute
- FPS Reading Common Assessments (9 possible)

5th Grade Writing Standard

Meet standard at least 2 of the following Evidence of Learning:

- 4th grade writing WASL (to be replaced by MSP)
- Social studies CBA "Big Idea" (scored for writing using Expository Scoring Guide)
- Additional social studies CBA (scored for writing)
- 4-5 Paragraph Expository Essay*
- 4-5 Paragraph Persuasive Essay*

*Essays will be scored using an expository or persuasive scoring guide.

*Essays could be tied to social studies, science, or health content.

Transfer students can use other class work as evidence of writing ability and identify smaller writing samples from core curriculum.

5th Grade Mathematics Standard

MAP Mathematics RIT at or above 219 **or** meet standard on 5th grade MSP (replacement of WASL)

OR

Meet standard on at least 3 of the following Evidence of Learning:

- 4th grade WASL (to be replaced by MSP)
- Computation Assessment
- FPS Math Problem-Solving Tasks
- *Everyday Math* Common Assessments

At the end of 4th grade, if the student has not demonstrated that he/she is meeting minimum grade level standards in reading, writing, and mathematics, he/she may be required to attend summer school.

- A. Parents/guardians will be regularly notified through teacher conferences, progress reports, and letters from the principal as to whether their child is progressing on schedule to meet the reading, writing, and math standards.
- B. Summer school tuition is paid by the school district through I-728 funds, as long as the district has funding available.

At the beginning of 5th grade, if the student is still not meeting minimum grade level standards in reading, writing, and mathematics, a formal plan will be developed, put into place, and agreed to by the teacher, student, and parent. The plan may include extended learning options before and/or after the regular school day.

At the end of 5th grade:

- A. If the student meets all three academic standards, he/she is promoted to middle school.
- B. If the student meets fewer than all three academic standards, he/she may be required to attend summer school with the district paying tuition.
 - If standards previously deemed deficient are met in summer school, the student is promoted to middle school.
 - If the student has still not met all standards at the end of summer school, but has met at least two of the standards, he/she will move to the middle school but will be assigned to either an Intensive Reading or Intensive Math class, where additional instruction will be provided in literacy or math until all standards are met.
- C. If the student fails to meet more than one of the standards, the Grade Placement Committee will meet to develop a plan for the student.
- D. The Grade Placement Committee will convene by May 30th and consist of the parent, the classroom teacher, the principal, and representatives from the central office and special education, as needed.

Exceptional circumstances related to promotion include, but are not limited to:

Students receiving special education services

- A. The decision making team for such students is the Individualized Education Program (IEP) Team.

- B. The IEP Team will decide how the promotion standards will apply to the student and record the decisions on the IEP under program modifications.
- C. The IEP Team must ensure that the modification to promotion standards matches the student's area of eligibility.

Students with a Section 504 plan

- A. Decisions for any accommodation to the promotion standards should be made by the team that includes a person knowledgeable about the student, a person knowledgeable about the student's disability, and the student's parent.
- B. Any change to the standards needs to be described in the accommodation plan and shared with the student's teacher.

English Language Learners (ELL students)

- A. A Grade Placement Committee, using relevant data, should make decisions for full participation in the promotion process.
- B. At a minimum, the team should consist of a general education teacher, principal, ELL teacher, student's parent, and an interpreter (if necessary).
- C. The need for alternate promotion standards is determined by assessing the student's English proficiency level during the current school year.
 - If the student scores in the limited proficiency range of the WLPT-II, then accommodations to the promotion standards can be recommended.
- D. Exemptions from the promotion standards may be recommended if the student:
 - Has spent one school year or less in a school where English is the language of instruction; and
 - Is not proficient in English and scores at the lowest level on the WLPT-II.

Home-schooled students entering public school in grades 3-5

- A. Students must meet all promotion criteria previously outlined in this procedure.

Transfer students from out-of-district in grades 3-5

- A. Transfer students must meet all other promotion criteria previously outlined in this procedure.



Franklin Pierce Schools

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MEMORANDUM

TO: Board of Directors
FROM: Carolyn Treleven, Executive Director of Teaching and Learning
DATE: February 9, 2021
SUBJECT: Procedure 2421.3P – Middle School to High School Promotion

BACKGROUND INFORMATION

In 2003, Franklin Pierce Schools adopted Board Procedure 2421.3P – Middle School to High School Promotion to create a system of accountability for promotion from elementary to middle school. In the subsequent years, so much has changed, with more rigorous standards, and more rigorous local and state assessments. In practice, the district has new structures of accountability for schools, and our efforts in ensuring student success in transition from one level to another is built into our curriculum and course work. To that end, we are retiring Procedure 2421.3P Middle School to High School Promotion from our policy manual.

RECOMMENDATION

None.

ACTION REQUIRED

None. This is an information item only.

MIDDLE SCHOOL TO HIGH SCHOOL PROMOTION

The purpose of the promotion procedure is to determine whether a middle school student has the basic skills in reading, writing, and mathematics to be successful in high school.

A Promotion Portfolio will be compiled on each student that will be updated by the grade level teachers, and will be available to parents for review and discussion on a regular basis during grades 6 through 8. The portfolio will contain student work and assessment results to indicate if a student is meeting minimum grade level standards in reading, writing, and mathematics.

Multiple criteria in reading, writing, and mathematics (i.e., report card grades, written work, classroom, district, and statewide assessments) are considered for promotion with multiple opportunities for success.

8th Grade Reading Standard

MAP reading RIT score at or above median 223 **or** meet standard on 8th grade MSP (replacement of WASL)

OR

At least 3 of the following Evidence of Learning:

- 7TH grade WASL – level 3 or 4 (to be replaced by MSP)
- MAP reading RIT score between 217 and 223
- Meeting standard in Common Assessments in reading
- Passing grade in 1st semester of 8th grade Humanities
- Passing grade in 2nd semester of 8th grade Humanities

8th Grade Writing Standard

Meet standard on at least 2 of the following Evidence of Learning:

- 7th grade writing WASL (to be replaced by MSP)
- 8th grade social studies CBA (scored for writing using Expository Scoring Guide)
- Additional 7th or 8th grade social studies CBA (scored for writing)
- 4-5 Paragraph Expository Essay*
- 4-5 Paragraph Persuasive Essay*
- Passing grades both semesters of 8th grade Humanities

*Essays will be scored using expository or persuasive scoring guides.

*Essays could be tied to social studies, science or health content.

Transfer students can use other class work as evidence of writing ability and identify smaller writing samples from core curriculum.

8th Grade Mathematics Standard

MAP Mathematics RIT score at or above median 234 or meet standard on 8th grade MSP

OR

Meet standard on at least 3 of the following Evidence of Learning:

- 7th grade WASL – level 3 or 4 (to be replaced by MSP)
- MAP mathematics RIT score between 224 and 234
- *Math Thematics, Book 3* Mid-Year Assessment
- *Math Thematics, Book 3* End-of-Year Assessment
- *CT Bridge to Algebra* Mid-Year Assessment
- *CT Bridge to Algebra* End-of-Year Assessment
- *Discovering Algebra* Mid-Year Assessment
- *Discovering Algebra* End-of-Year Assessment
- Passing grade in 1st semester of 8th grade math class
- Passing grade in 2nd semester of 8th grade math class

At the end of 6th and 7th grade, if the student has not demonstrated that he/she is meeting minimum grade level standards in reading, writing, and mathematics, he/she may be required to attend summer school.

- A. Parents/guardians will be regularly notified through teacher conferences, progress reports, and letters from the principal as to whether their child is progressing on schedule to meet the reading, writing, and math standards.
- B. Summer school tuition is paid by the school district as long as the district has funding available.

At the beginning of 8th grade, if the student is still not meeting minimum grade level standards in reading, writing, and mathematics, a formal plan will be developed, put into place, and agreed to by the teachers(s), student, and parent. The plan may include extended learning options during, before, and/or after the regular school day.

At the end of 8th grade:

- A. If the student meets all three academic standards, he/she is promoted to high school.
- B. If the student meets fewer than all three academic standards, he/she may be required to attend summer school with the district paying tuition.
 - If standards previously deemed deficient are met in summer school, the student is promoted to high school.
 - If the student has still not met all standards at the end of summer school, but has met at least two of the standards, he/she will move to the high school but will be assigned to either an Intensive Reading or Intensive Math class, where additional instruction will be provided in literacy or math until all standards are met.
- C. If the student fails to meet more than one of the standards, the Grade Placement Committee will meet to develop a plan for the student.
- D. The Grade Placement Committee will convene by May 30th and consist of the parent, the classroom teacher, the principal, and representatives from the central office and special education, as needed.

Exceptional circumstances related to promotion include but are not limited to:

Students receiving special education services

- A. The decision making team for such students is the Individualized Education Program (IEP) Team.
- B. The IEP Team will decide how the promotion standards will apply to the student and record the decisions on the IEP under program modifications.
- C. The IEP Team must ensure that the modification to promotion standards matches the student's area of eligibility.

Students with a Section 504 plan

- A. Decisions for any accommodation to the promotion standards should be made by the team that includes a person knowledgeable about the student, a person knowledgeable about the student's disability, and the student's parent.
- B. Any change to the standards needs to be described in the accommodation plan and shared with the student's teacher.

English Language Learners (ELL students)

- A. A Grade Placement Committee, using relevant data, should make decisions for full participation in the promotion process.
- B. At a minimum, the team should consist of a general education teacher, principal, ELL teacher, student's parent, and an interpreter (if necessary).
- C. The need for alternate promotion standards is determined by assessing the student's English proficiency level during the current school year.
 - If the student scores in the limited proficiency range of the WLPT-II, then accommodations to the promotion standards can be recommended.
- D. Exemptions from the promotion standards may be recommended if the student:
 - Has spent one school year or less in a school where English is the language of instruction; and
 - Is not proficient in English and scores at the lowest level on the WLPT-II.

Home-schooled students entering public school in grades 6-8

- A. Grade points are calculated as passing at .50 points per grade per trimester in reading, writing, and math.
- B. Students must meet all other promotion criteria previously outlined in this procedure.

Transfer students from out-of-district in grades 6-8

- A. Determine a passing grade based on grading scale: A, B, and C = passing; D and F = not passing.
- B. Transfer students must meet all other promotion criteria previously outlined in this procedure.

RETIRED



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MEMORANDUM

TO: Board of Directors
FROM: Dr. Lance Goodpaster, Superintendent
DATE: February 9, 2021
SUBJECT: Executive Session

BACKGROUND INFORMATION

In accordance with RCW 42.30.110 and Board Policy 1410 – Executive or Closed Sessions, an executive session of the Board to discuss potential litigation and the Superintendent’s informal mid-year evaluation will be held for approximately 60 minutes with no action to follow. The Board will reconvene following the executive session to adjourn the regular meeting of the Board of Directors.

RECOMMENDATION

None.

ACTION REQUIRED

None. The executive session discussion is for information only.