SUMNER SCHOOL DISTRICT
A GREAT PLACE TO LEARN.

SCHOOL BOARD MEETING

Board of Directors
Erin Markquart, President
Deb Norris, Vice President
Paul Williams, Legislative Representative
Casey Chamberlain, Member
Richard Hendricks, Member

Mission
We believe it is our responsibility to ensure the best education for every student, every day, in every classroom. We believe in success for students and staff every day.

June 14, 2017 Special Board Meeting

Board Room

1. **Call to Order 6:00 p.m.**
2. **Flag Salute**
3. **Approval of Agenda** **(Action)**
4. **Audience Comments**

   The Sumner School Board welcomes the public to its meetings. Individuals who wish to address the Board should use the sign-up sheet provided at the door. Comments should be restricted to no more than three minutes. Remarks regarding District personnel are not appropriate for the Audience Comments portion of the meeting.

5. **New Early Learning Center on Sumner Middle School Campus and Sumner Middle School Track and Field Upgrade** **(Action)**

   In conjunction with submittal of a Conditional Use Permit, the District received objections to the Project from neighboring property owners (the "Neighborhood Group"). District staff, with the assistance of legal counsel and the District s consultants, has worked with the City of Sumner and the Neighborhood Group and its legal counsel to reach resolution of the Neighborhood Group concerns relating to the Project. The District Administration has determined that it is in the best interests of the District, its students and the community to approve the Settlement Agreement with the Neighborhood Group to facilitate the siting of the New Early Learning Center and to provide for needed athletic field upgrades at Sumner Middle School.

   The Administration recommends the Board adopt Resolution No. 28/16-17: Authorizing the Superintendent to execute the New Early Learning Center on Sumner Middle School Campus and Sumner Middle School Track and Field Upgrade.

   Resolution No. 28/16-17: New Early Learning Center on Sumner Middle School Campus and Sumner Middle School Track and Field Upgrade (p. 4)

6. Petition for Annexation of Victor Falls Elementary to the City of Bonney Lake (Action)

The Administration recommends the Board approve Resolution No. 30/16-17: Petition for Annexation of Victor Falls Elementary to the City of Bonney Lake.

Resolution No. 30/16-17: Petition for Annexation of Victor Falls Elementary to the City of Bonney Lake.pdf (p. 22)

7. Territory Transfer Denial (Action)

The Administration recommends the Board approve Resolution No. 31/16-17: Sumner School District and White River School District Territory Transfer Denial.

Resolution No. 31/16-17: Sumner School District and White River School District Territory Transfer Denial.pdf (p. 27)

8. Instructional Materials Adoption - First Reading

Policy 2020: Course Design, Selection and Adoption of Instructional Materials

Secondary Director of Curriculum Dr. Lindsay Lombardo will present a recommendation for the following instructional material:

Title: Theory of Knowledge for the IB Diploma (Second Edition)
Author: Richard van de Lagemaat
Publisher: Cambridge University Press
Copyright: 2015
Name of class in which the instructional materials will be used: IB Theory of Knowledge

9. Revised Policies - First Reading

Policy 1310: Adoption and Amendment of Policies and By-Laws

The following policies are presented for first reading:

- 3243 Student Driving
- 3520 Student Fees, Fines and Charges
- 4130 Title I Parental Involvement

3243 Student Driving (p. 28)

3520 Student Fees, Fines and Charges (p. 29)

4130 Title I Parental Involvement (p. 30)

10. Revised Procedures (Information)

Policy 1310: Adoption and Amendment of Policies and By-Laws

The following procedures are included for Board information:

- 2161P Special Education and Related Services for Eligible Students
- 3243P Student Driving
- 3520P Student Fees, Fines and Charges
- 4130P Title I Parent Involvement?

2161P Special Education and Related Services for Eligible Students (p. 32)

3243P Student Driving (p. 69)

3520P Student Fees, Fines, Charges (p. 70)

4130P Title I Parental Involvement (p. 72)

11. Reports

a. 2017-18 School Year Budget Update

Chief Financial Officer Debbie Campbell and Finance Director Merridith Way will provide an update on the 2017-18 school year budget.

12. School Board Future Planning

This is time on the agenda for the School Board to review their commitments to action and requests for Superintendent Laurie Dent.

13. Board Discussion

14. Executive Session

In accordance with the Open Public Meetings Act provision for Executive Sessions, RCW 42.30.110(f)(g), the Sumner School District Board of Directors will hold an executive session for the purposes of discussing a personnel matter and the Superintendent's evaluation. Action is not anticipated following the session.

RESOLUTION NO. 28/16-17
SUMNER SCHOOL DISTRICT NO. 320

A RESOLUTION OF THE BOARD OF DIRECTORS, SUMNER SCHOOL DISTRICT NO. 320, AUTHORIZING THE SUPERINTENDENT TO EXECUTE THE CONDITIONAL USE PERMIT SETTLEMENT, DATED MAY 18, 2017, RELATING TO THE EARLY LEARNING CENTER AND ATHLETIC FIELD UPGRADE PROJECT.

WHEREAS, the District's Capital Facilities Plan establishes that all-day Kindergarten and smaller class sizes at the elementary school level have been adopted by the District consistent with State legislative mandates and that the District has moved toward increasing early learning opportunities offered at its elementary schools to focus on the younger learners to provide dedicated classrooms and learning environments to provide readiness and socialization for the formal school system; and

WHEREAS, the District determined, as part of its educational initiatives and capital facilities planning, that with the continued significant growth experienced by the District and with its educational program goals, an Early Learning Center in the Sumner community would provide a resource for the early learners and would also include capacity for the Kindergarten level which would provide for educational opportunities between the early learners and Kindergarten students and assist in capacity needs at the elementary school level; and

WHEREAS, with available existing land at the Sumner Middle School, located at 1508 Willow Avenue, Sumner, and the transportation efficiencies of service to Maple Lawn Elementary School and Daffodil Valley Elementary School, the District determined, in conjunction with its Facilities Planning Committee, consisting of community members and the Early Center Committee, that the first Early Learning Center in the District should be located on the campus of Sumner Middle School, which adjoins Maple Lawn Elementary School; and

WHEREAS, with the passage of the District's Capital Bond in 2016, the District moved forward on site, building, and educational planning for an Early Learning Center at the Sumner Middle School campus; and

WHEREAS, the District's Capital Bond also included funds for athletic field upgrades for the District's middle schools, including Sumner Middle School; and

WHEREAS, in early 2017, the District applied for the necessary Conditional Use Permit and associated permits ("CUP Application") in the City of Sumner and initiated the required State Environmental Policy Act ("SEPA Checklist") review in order to construct an Early Learning Center on the westerly 3.56 acre portion of the Sumner Middle School Campus and to allow athletic field upgrades to the fields, track, and football field at Sumner Middle School (collectively, the "Project"); and

WHEREAS, neighbors of the Sumner Middle School campus (the "Neighborhood Group"), commented on the CUP Application and the SEPA Checklist and raised various objections to the Early Learning Center and certain athletic field upgrades proposed at the Sumner Middle School; and

WHEREAS, the Neighborhood Group appeared at District Board Meetings to express their comments and objections relating to the Early Learning Center and certain athletic field upgrades on the Sumner Middle School campus; and

WHEREAS, the Neighborhood Group engaged legal counsel to oppose the Project and to seek denial of the CUP; and

WHEREAS, upon advice of legal counsel for the District, the District Administration, in consultation and with the assistance of legal counsel and the District's architecture and engineering consultants, entered into discussions with the Neighborhood Group to discuss their comments and objections to attempt to reach resolution of their concerns in order to move the Project forward without opposition; and

WHEREAS, the discussions with the Neighborhood Group continued on-going for several months and with input from the City of Sumner led to settlement negotiations between the Neighborhood Group and the District Administration with legal counsel; and

WHEREAS, the District's legal counsel prepared a Conditional Use Permit Settlement relating to the Project which has been reviewed and revised between legal counsel and has been approved by the Neighborhood Group, a copy of which is attached hereto as Exhibit 1; and

WHEREAS, the District Administration, with the assistance and advice of legal counsel, has determined that it is in the best interests of the District to approve the Conditional Use Settlement with the Neighborhood Group to resolve the objections and opposition to the Project by the Neighborhood Group in order to allow the Project to move forward: (i) to provide a learning environment for the early learners within the District to ready those students for elementary school, to provide the needed additional capacity at Maple Lawn Elementary School and Daffodil Valley Elementary School; and to provide appropriate and necessary athletic field upgrades at Sumner Middle School to serve the students of the District and to provide youth recreational opportunities for the Sumner community as approved by the constituents of the District; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Sumner School District No. 320, that:

1. The Superintendent is authorized to execute, on behalf of the Board of Directors of the District, the Sumner School District-Neighborhood Group Early Learning Center and Athletic Field Upgrade Project Conditional Use Permit Settlement, dated as of May 18, 2017, attached hereto as Exhibit 1; and

2. The Superintendent or her designee is authorized to take such further action as necessary and appropriate to implement the terms and conditions of the Conditional Use Permit Settlement and to complete the Conditional Use Permit Application and SEPA process with the City of Sumner to construct the Early Learning Center and the Athletic Field Upgrade Project on the campus of the Sumner Middle School.

APPROVED by the Board of Directors of Sumner School District No. 320, Pierce County, Washington, this 14th day of June, 2017, in regular, open session.

Board of Directors:

_____
Erin Markquart, President

_____
Deb Norris, Vice President

_____
Casey Chamberlain, Director

_____
Richard Hendricks, Director

_____
Paul Williams, Director

_____
Laurie Dent, Superintendent/
Secretary to the Board

EXHIBIT 1

SUMNER SCHOOL DISTRICT-NEIGHBORHOOD GROUP
EARLY LEARNING CENTER AND ATHLETIC FIELD UPGRADE PROJECT
CONDITIONAL USE PERMIT SETTLEMENT,
DATED AS OF MAY 18, 2017

SUMNER SCHOOL DISTRICT – NEIGHBORHOOD GROUP
EARLY LEARNING CENTER AND ATHLETIC FIELD UPGRADE PROJECT
CONDITIONAL USE PERMIT SETTLEMENT
DATED AS OF MAY 18, 2017

The Sumner Neighborhood Group ("NG") shall not challenge, oppose, or otherwise object to, in any manner, by written, electronic, or oral communication, any and all applications, permits, approvals, and authorizations, including but not limited to a conditional use permit, special height exception, State Environmental Policy Act determination, building permit, site development permit, mechanical permit, electrical permit, plumbing permit, fire sprinkler permit, landscape plan approval, demolition permit, and NPDES permit, and as all may be amended to incorporate the terms and conditions of this Settlement Agreement (collectively, "CUP") and as may be required by the City of Sumner and such other governmental entities with jurisdiction over and relating to Sumner School District's ("School District") Early Learning Center and Sumner Middle School Athletic Field Upgrade Project located on the Sumner Middle School site, 1508 Willow Avenue, Sumner, Washington (collectively, at times referred to herein as the "ELC and/or Field Upgrade") in consideration of the School District's agreement to the following terms and conditions relating to said CUP.

1. **Exterior Lighting.**

1.1 No field lighting or infrastructure for field lighting shall be permitted or constructed on the Sumner Middle School site.

1.2 The exterior lighting for the ELC, inclusive of parking lots, the bus loop, access pathways, and exterior building lighting, shall be permissible as described in the School District's CUP Lighting Report with Site Analysis Plan, dated as of December 12, 2016, and as also illustratively shown on the Site Plan, dated November 16, 2016, in conjunction with the CUP, subject to the terms of this Settlement Agreement and any requirements of the City of Sumner.

1.3 Steve Sjolund, Executive Director of Educational Support Services, or his successor, shall be the point of contact for any questions, comments, or issues, if any, relating to exterior lighting for the ELC following approval of the CUP. Mr. Sjolund's contact information is: steve_sjolund@sumnersd.org or 253-891-6058.

1.4 The School District shall adopt and condition the CUP on that certain Exterior Lighting Operating Procedures relating to the ELC as attached hereto on **Exhibit A.** The School District acknowledges that the parking lot for Sumner Middle School which adjoins the ELC, although not part of the CUP Application, operates under the same exterior lighting operating procedures with respect to the ELC's main parking lot as set forth on **Exhibit A**.

2. **Field Use**.

2.1 A synthetic turf upgrade to the Sumner Middle School football field shall be permitted subject to the requirements of the City of Sumner.

2.2 The School District shall adopt and condition the CUP on that certain Facilities Use Operating Procedures for the Sumner Middle School site attached hereto as **Exhibit B**. Except as set forth under **Exhibit B**, the NG acknowledges and agrees that the Facilities Use Operating Procedures does not limit or prohibit Early Learning Center or the Sumner Middle School events.

2.3 The School District shall not install any permanent public address system on the fields of the Sumner Middle School site. Provided, however, nothing herein shall prohibit the use of bullhorns, megaphones, or other portable loudspeakers, including such loudspeakers powered by a portable amplifier, for the purposes of providing communication relating to activities on the school fields with the intent of allowing use of amplified sound devices in a manner consistent with prior uses of amplified sound at the Sumner Middle School site.

3. **ELC Building**.

3.1 The School District shall be permitted to construct, in accordance with all required City of Sumner approvals and permits, the ELC building in accordance with the Special Height Exception submitted as part of the CUP Application, dated January 6, 2017. The School District agrees that the scale of the building shall be in general conformance with the elevation drawing attached hereto as **Exhibit C**.

3.2 The School District shall be permitted, subject to any requirements of the City of Sumner, to install a Chiller and Generator, in the approximate westerly location, shown on the Site Plan submitted with and as generally described under the CUP Application, dated January 6, 2017.

3.3 The School District shall conduct, which shall be a condition of the CUP, a post-occupancy noise level evaluation during the spring or summer months following occupancy of the ELC when the Chiller is in operation. Copies of such noise level evaluation shall be submitted to the City of Sumner and to Stephen Burnham, the NG's legal counsel.

4. **Sumner Middle School Portables**.

4.1 The existing seven (7) portables located at Sumner Middle School may remain on the Sumner Middle School site, at the sole discretion of the School District. Following approval of the CUP and occupancy of the ELC, two (2) of the seven portables shall be prohibited for use by the School District for expanding student capacity (classroom

space) at the Early Learning Center, Sumner Middle School, or Maple Lawn Elementary School.

4.2 The remaining five (5) portables located at Sumner Middle School may be used for any school-related purpose consistent with the approvals previously granted by the City of Sumner for said portables or as may be permitted by and in accordance with the requirements of the City of Sumner.

5. **Rasmussen Stormwater Complaint**.

5.1 The NG has notified the School District that Mr. Rasmussen, whose residence abuts the westerly property line of the Sumner Middle School site, has water seepage in his basement. However, Mr. Rasmussen is not a member of the NG. The School District has agreed to investigate the claimed issue and will make contact with Mr. Rasmussen. The NG accepts the School District's efforts to investigate the matter and approval of a CUP is not contingent upon nor conditioned upon any resolution of Mr. Rasmussen's claimed issue.

6. **Crestwood Elementary School: Future 6th Grade Students**.

6.1 The School District has notified the parents of 5th grade students attending Crestwood Elementary School, that for the 2017-18 school year, these future 6th grade students will not be allowed to attend Sumner Middle School and will be re-assigned to either Lakeridge Middle School or Mt. View Middle School, at the parent's discretion.

6.2 Following the 2017-18 school year, 5th grade students attending Crestwood Elementary School (future 6th grade students) will be subject to a School Boundary Adjustment as may be adopted by the Board of Directors of Sumner School District as described under Section 7 below.

7. **School Boundary Adjustments**.

7.1 The School District has acknowledged that in the near future the Board of Directors of the School District will consider, through a public process, boundary adjustments to the Sumner Middle School and Maple Lawn Elementary School boundaries (also known as catchment or service areas) which may result in reducing the future student populations at Sumner Middle School and Maple Lawn Elementary School from areas outside of the valley floor.

7.2 The NG acknowledges that School District makes no representation that such school service or catchment area boundaries will be approved by the Board of Directors of the School District.

8. **Access to the Sumner Middle School Campus.**

8.1 The School District shall prepare, as a condition of the CUP, an emergency evacuation plan for the ELC to be submitted to the City of Sumner as a condition of obtaining a certificate of occupancy of the ELC.

8.2 The School District shall install a gate with a locking mechanism at the westerly property line of the existing Sumner Avenue access to the Sumner Middle School site in order to prohibit general public access from Sumner Avenue except for such emergency access as may be necessary.

8.3 The School District acknowledges that David and Marta Nuttall ("Nuttalls"), the owners of certain real property located at 209 Sumner Avenue, Sumner, Washington (the "Nuttalls Property"), have claimed some historical access on and limited use within the School District's driveway access from Sumner Avenue. The School District agrees to make contact with the Nuttalls regarding access across said driveway and shall work with the Nuttalls on a mutually agreeable access agreement which shall be subject to the approval of the Board of Directors of the School District.

8.4 The NG accepts the School District's efforts to make contact and work with the Nuttalls regarding access across the School District's driveway on Sumner Avenue. The NG agrees that approval of the CUP is not contingent upon nor conditioned upon any resolution of the access issue between the School District and the Nuttalls.

8.5 The School District shall amend its ELC and Athletic Field Upgrade CUP Application to include the construction of a new driveway access at the westerly terminus of Gault Street in the location as generally shown on the "New Gault Access" Illustrative Map attached hereto as **Exhibit D**. The New Gault Access shall not be a public right-of-way but shall conform to such appropriate requirements of the City of Sumner for a private driveway.

8.6 The NG and the School District agree that the New Gault Access:

8.6.1 Shall be used, during the school year, for ingress by busses to the Early Learning Center and the Sumner Middle School; provided, however, egress of such busses:

8.6.1(a) from Sumner Middle School may be by way of Willow Avenue and/or the New Gault Access subject to evaluation and at the sole discretion of the School District; and

8.6.1(b) from the Early Learning Center will be by way of the New Gault Access.

8.6.2 May be used, during the school year, for ingress and egress by teachers of the Early Learning Center and Sumner Middle School, as may be convenient to and consistent with the direction of travel of said teacher; provided, such teacher arrivals are no later than 7:00 a.m.;

8.6.3 May be used, during the school year, for general public access for ingress and egress after school hours and on the weekends and during non-school days, for ingress and egress to the Sumner Middle School and Early Learning Center facilities and the Sumner Middle School fields. The School District shall recommend and encourage public ingress and egress of the New Gault Access for usage of said facilities and fields after school hours and on the weekends during the school year and during non-school days; and

8.6.4 Shall not be used during the school day by parents arriving or departing Sumner Middle School or the Early Learning Center.

9. **Parking on Neighborhood Streets.**

9.1 The NG and the School District agree that other approaches to managing parking in the area of the Sumner Middle School campus, including but not limited to establishing parking zones, parking permits, and any other approaches within the jurisdiction of the City of Sumner shall be directed to the City of Sumner.

10. **Complete Accord and Settlement**. EFFECTIVE AS OF THE DATE OF THE LAST SIGNATURE BELOW, the Undersigned Neighborhood Group, individually, and on behalf of such applicable community property interests, do hereby:

10.1 Acknowledge and agree that that this Settlement Agreement constitutes the final and complete expression of the agreement between the Undersigned NG and Sumner School District relating to the ELC and Athletic Field Upgrade Project. Any and all other components or elements of the ELC and Athletic Field Upgrade Project, to the extent not revised by this Settlement, shall not be challenged or contested and shall be permissible under the CUP. All prior oral, written or electronic communications and documentation between the parties are hereby superseded and waived by this Settlement.

10.2 Acknowledge and agree that the Undersigned NG have been represented by legal counsel and have had ample and adequate opportunity to review the terms and conditions of the Settlement with legal counsel and that the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Settlement, and the same shall be given a reasonable interpretation in accordance with the plain meaning of its terms and the intent of the parties.

10.3 Forever waive and release any and all administrative, legal, or equitable rights, demands, claims, or actions, whether known or unknown, relating to or arising from Sumner School District's application, approval, and authorization for a Conditional Use

SUMNER SCHOOL DISTRICT – NEIGHBORHOOD GROUP EARLY LEARNING CENTER AND ATHLETIC FIELD UPGRADE PROJECT
CONDITIONAL USE PERMIT SETTLEMENT DATED AS OF MAY 18, 2017

LIST OF EXHIBITS

EXHIBIT A	EARLY LEARNING CENTER EXTERIOR LIGHTING PROCEDURES
EXHIBIT B	SUMNER MIDDLE SCHOOL FACILITIES USE (Interior and Exterior) OPERATING PROCEDURES
EXHIBIT C	EARLY LEARNING CENTER ILLUSTRATIVE BUILDING SCALE RENDERING
EXHIBIT D	NEW GAULT ACCESS ILLUSTRATIVE MAP

Permit and associated applications, permits, approvals and authorizations regarding that certain land use development known as the Early Learning Center and Sumner Middle School Athletic Field Upgrade Project, as revised herein by the terms and conditions under this Settlement.

In Witness Whereof the parties have executed this Conditional Use Permit Settlement on the date and year set forth below the parties respective signatures.

NEIGHBORHOOD GROUP

By: _____
Stephen A. Burnham
Authorized to Execute as Counsel on behalf of the following individuals and martial communities
Date: June 9, 2017

SUMNER SCHOOL DISTRICT NO. 320

By: _____
Laurie Dent
Its: Superintendent

Date: _____

EXHIBIT A TO
SUMNER SCHOOL DISTRICT – NEIGHBORHOOD GROUP
EARLY LEARNING CENTER
CONDITIONAL USE PERMIT SETTLEMENT

ELC EXTERIOR LIGHTING PROCEDURES

1. Early Learning Center Main Parking Lot and adjoining Sumner Middle School Parking Lot, ELC Exterior Pathway Lighting and ELC Exterior Building Lighting (except Southerly Exterior Mounted Lighting).

   1.1 All exterior lights are expected to be off during daylight hours.

   1.2 In the morning, exterior lights shall turn on no earlier than 15 minutes before the first employee arrives.

   1.3 In the evening, exterior lights shall turn off no later than 15 minutes after the building is secured for the evening (typically 11:15 pm -11:30 pm).

   1.4 On weekends, exterior lighting shall be allowed for School District authorized facility events. Otherwise exterior lights shall remain off.

   1.5 All exterior lights shall be equipped with motion sensors in order to dim to approximately 50% intensity when no motion is detected.

2. ELC Parking Lot Located on Sumner Avenue.

   2.1 All parking lot lights are expected to be off during daylight hours.

   2.2 In the morning, all parking lot lights shall turn on no earlier than 15 minutes before the first employee arrives.

   2.3 In the evening, parking lot lights shall be off by 6:00 p.m. except parking lot lighting shall be allowed for evening School District authorized facility events until 30 minutes after the event is concluded.

   2.4 On weekends, parking lot lights shall remain off except for evening School District authorized facility events which shall remain on until 30 minutes after the event is concluded. Otherwise, exterior parking lot lights shall remain off.

   2.5 All exterior lights shall be equipped with motion sensors in order to dim to approximately 50% intensity when no motion is detected.

3. Bus Loop and Southerly Exterior Building Mounted Lighting.

3.1 All exterior lights are expected to be off during daylight hours.

3.2 In the morning, exterior lighting shall turn on no earlier than 15 minutes before the first employee arrives.

3.3 In the evening, exterior lighting shall remain off except exterior lighting shall be allowed in the evening for School District authorized events.

3.4 On weekends, exterior lighting shall remain off except exterior lighting shall be allowed for School District authorized events.

3.5 All exterior lights shall be equipped with motion sensors in order to dim to approximately 50% intensity when no motion is detected.

EXHIBIT B TO
SUMNER SCHOOL DISTRICT – NEIGHBORHOOD GROUP
EARLY LEARNING CENTER AND ATHLETIC FIELD UPGRADE PROJECT
CONDITIONAL USE PERMIT SETTLEMENT

SUMNER MIDDLE SCHOOL FACILITIES USE (Interior and Exterior) OPERATING PROCEDURES

The following conditions shall apply to use of the Sumner Middle School interior and exterior facilities collectively:

1. There shall be not more than 3 Small User Groups (groups of 150 participants or less) scheduled in a day; provided, however, such 3 Small User Groups shall total not more than 150 participants (collectively) in a day.

2. When a Church is a User, there shall be no other User Group scheduled during the time period for a Church User.

3. For Large User Groups (groups of 150 or more participants), there shall be only 1 User Group scheduled in a day except for a Sumner Middle School school-related use of not more than 150 participants shall be allowed in the same day a Large User Group is scheduled.

4. When scheduling User Groups consecutively, there shall be not less than 30 minutes between User Group reservations to avoid overlap; provided, however, 2 or 3 Small User Groups may be scheduled concurrently. However, any such concurrent scheduling of a Small User Group shall total not more than 150 participants (collectively) in a day.

5. The term "User Group" shall mean a User Group scheduled during one reservation period.

EXHIBIT C

EXHIBIT C

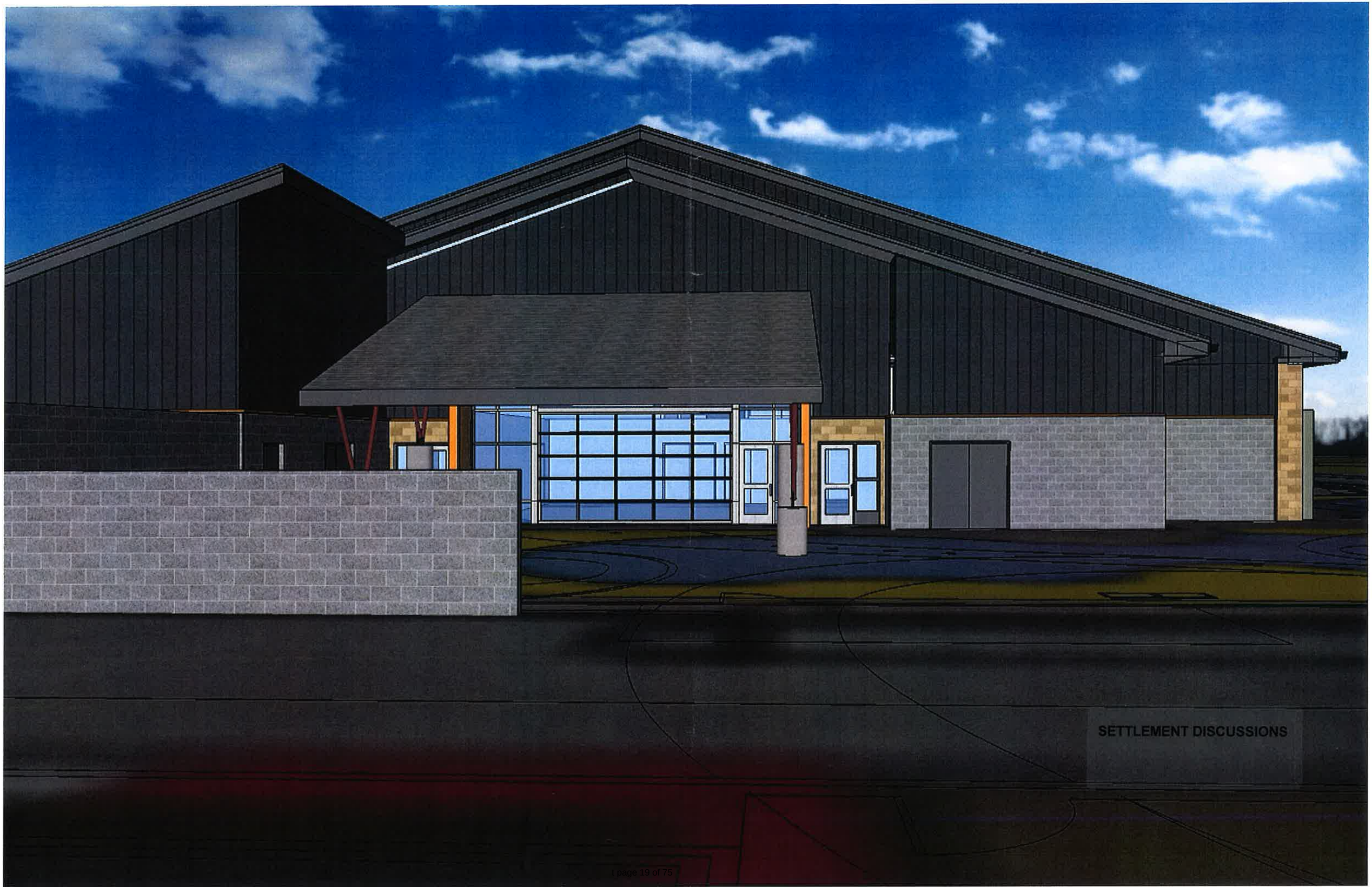

SETTLEMENT DISCUSSIONS

EXHIBIT D

EXHIBIT D

SCALE: 1"=50'-0"
0' 25' 50' 100'
NORTH
Laurel Street
Laurel St
Maple Lawn E.S.
Softball
Baseball Field
Practice Field
Multi-Use Track & Field
Tennis Courts
Kickball Area
Pump House
SMS
Bus/Fire Access
Wood Ave
Storm
Storm

RESOLUTION NO. 30/16-17
SUMNER SCHOOL DISTRICT NO. 320

A RESOLUTION OF THE BOARD OF DIRECTORS, SUMNER SCHOOL DISTRICT NO. 320, AUTHORIZING THE SUPERINTENDENT TO EXECUTE, ON BEHALF OF THE BOARD OF DIRECTORS, A PETITION FOR ANNEXATION TO THE CITY OF BONNEY LAKE OF VICTOR FALLS ELEMENTARY SCHOOL LOCATED AT 11401 188th AVENUE COURT EAST, COUNTY OF PIERCE, WASHINGTON (PARCEL NO. 0519092045).

WHEREAS, Sumner School District (the "District") is the owner of certain real property commonly known as Victor Falls Elementary School ("Victor Falls"), located at 11401 188th Avenue Court East within the jurisdiction of Pierce County, Washington, and legally described on Exhibit A attached hereto; and

WHEREAS, the City of Bonney Lake ("Bonney Lake" or the "City") and Pierce County have entered into an Interlocal Agreement to facilitate the annexation into Bonney Lake of unincorporated Urban Growth Areas of Pierce County under the Growth Management Act (the "Urban Area"); and

WHEREAS, Victor Falls is located within the Urban Area of Pierce County and adjoins Bonney Lake as illustratively shown on Exhibit B attached hereto; and

WHEREAS, Bonney Lake is prepared, in accordance with the Interlocal Agreement with Pierce County, to accept a Petition for Annexation of Victor Falls Elementary into the City and to take such statutorily required steps to commence the annexation process as statutorily authorized; and

WHEREAS, RCW 28.335.110 authorizes the Board of Directors of the District (the "Board") to petition for the annexation of school district property into the City; and

WHEREAS, the District Administration has determined that it is in the best interests of the District to petition Bonney Lake to annex Victor Falls Elementary for the reasons that: (i) the City now provides utility services to Victor Falls, (ii) more efficient and responsive police services will be available, and (iii) land use, capital facility, and recreational community planning with the City can be coordinated for the benefit of the District and the Bonney Lake community; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Sumner School District No. 320, that:

1. The Superintendent is authorized to execute, on behalf of the Board of Directors of the District, the necessary petition for annexation or such other appropriate instrument approved by legal counsel, to seek annexation of Victor Falls Elementary School commonly known as Pierce County Parcel No. 0519092045 and legally described on Exhibit A attached hereto into the jurisdiction of the City of Bonney Lake; and

2. The Superintendent or her designee is authorized to take such further action as necessary and appropriate to accomplish annexation of Victor Falls Elementary School into the City of Bonney Lake.

APPROVED by the Board of Directors of Sumner School District No. 320, Pierce County, Washington, this 14th day of June, 2017, in regular, open session.

Board of Directors:

_____
Erin Markquart, President

_____
Deb Norris, Vice President

_____
Casey Chamberlain, Director

_____
Richard Hendricks, Director

_____
Paul Williams, Director

_____
Laurie Dent, Superintendent/
Secretary to the Board

EXHIBIT A

LEGAL DESCRIPTION OF
VICTOR FALLS ELEMENTARY SCHOOL

PIERCE COUNTY PARCEL NO. 0519092045

A PARCEL OF LAND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 19 NORTH, RANGE 5 EAST, W.M., PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER-CORNER OF SECTION 9, TOWNSHIP 19 NORTH, RANGE 5 EAST, W.M.; THENCE SOUTH 02°02'49" WEST, 667.13 FEET; THENCE NORTH 88°51'32" WEST, 1019.52 FEET; THENCE NORTH 17°42'45" EAST, 83.00 FEET; THENCE NORTH 24°08'01" EAST, 638.19 FEET TO THE NORTH LINE OF SAID SECTION; THENCE SOUTH 88°51'34" EAST ALONG SAID SECTION LINE, 757.11 FEET; TO THE POINT OF BEGINNING. CONTAINS 13.67 ACRES MORE OR LESS.

EXHIBIT B

ILLUSTRATIVE MAP OF
VICTOR FALLS ELEMENTARY SCHOOL

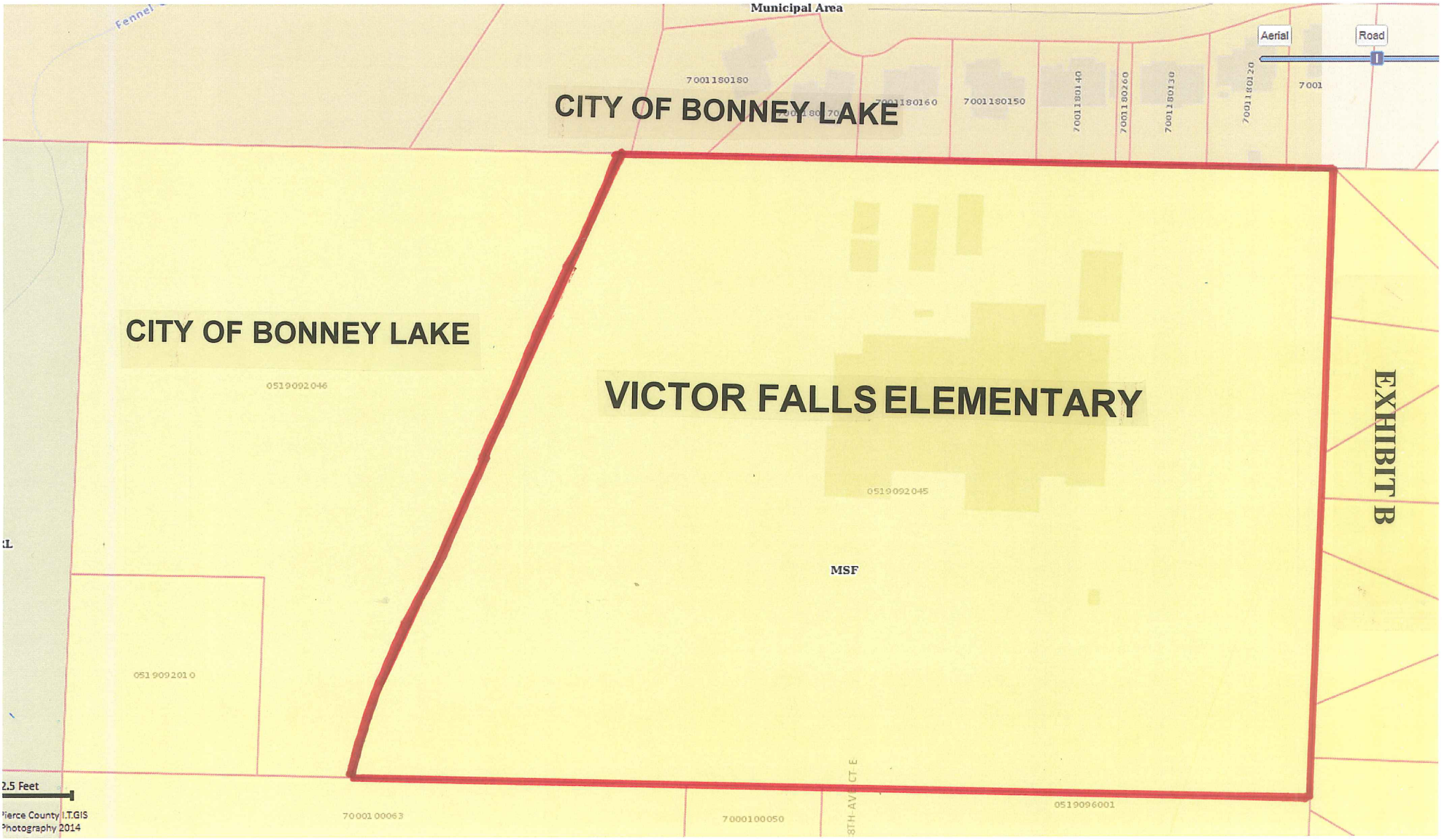

Municipal Area
Aerial
Road
CITY OF BONNEY LAKE
CITY OF BONNEY LAKE
VICTOR FALLS ELEMENTARY
EXHIBIT B
MSF
0519092046
0519092045
0519092010
7001180180
7001180160
7001180150
7000100063
7000100050
0519096001
2.5 Feet
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EXHIBIT B

RESOLUTION NO. 31/16-17

SUMNER SCHOOL DISTRICT NO. 320

WHEREAS, RCW 28A.315.195 allows for citizens to petition for a change in school district boundaries, and

WHEREAS, on February 27, 2017, such a petition was received by the Puget Sound Educational Service District proposing to transfer territory, and

WHEREAS, on March 15, 2017, Sumner School District No. 320 received verification of the validity of the aforementioned petition, and

WHEREAS, RCW 28A.315.199(a) requires the school district Board of Directors of the districts affected by a petition to transfer territory to enter into negotiations concerning the petition, and

WHEREAS, WAC 392.340.207 requires the school district Board of Directors to adopt at a public meeting a written resolution indicating whether the Board approves or disapproves the negotiated recommendation on the proposed transfer of territory, and

NOW THEREFORE BE IT RESOLVED THAT Sumner School District No. 320 does hereby deny the proposed transfer of territory from the White River School District No. 416 to the Sumner School District No. 320.

BE IT FURTHER RESOLVED THAT Puget Sound Educational Service District No. 121 be notified of this action and requested to make notification to appropriate governing bodies.

APPROVED by the Board of Directors of Sumner School District No. 320, Pierce County, Washington, this 14th day of June, 2017, in regular, open session.

_____	_____
Secretary to the Board	President
_____	_____
Director	Director
_____	_____
Director	Director

STUDENT DRIVING

The Sumner School District provides adequate transportation for all students. Parents and students bear the sole responsibly for the use of motor vehicles for travel to and from school. The superintendent **or designee** will develop procedures governing the use of motor vehicles while on school property and will disseminate those procedures to all students so affected.

Previously Policy No.3320.9
Adopted 4/2012
Revised 5/2014, **06/2017**

STUDENT FEES, FINES AND CHARGES

Within the concept of free public education, whereby all children are required to attend school, the district shall provide an educational program for students as free of costs as possible. Students may be required to pay for services and materials under certain circumstances.

The superintendent may approve the use of certain supplemental curricular supplies or materials for which a charge is made to the student so long as the charge does not exceed the cost of the supplies and materials, students are free to purchase them elsewhere, and a proper accounting is made of all moneys received by staff for supplies and materials.

The board delegates authority to the superintendent to establish appropriate fees and procedures governing the collection of fees and to make annual reports to the board regarding fee schedules. Arrangements shall be made for the waiver or reduction of fees for students whose families, by reason of their low income, would have difficulty paying the full fee. The USDA Child Nutrition Program guidelines shall be used to determine qualification for waiver.

A student shall be responsible for the cost of replacing materials or property which are lost or damaged due to negligence **and all fines accrued**. A student's grades, transcripts or diploma will be withheld until restitution is made by payment or the equivalency through voluntary work. The student or his/her parents may appeal the imposition of a charge for damages to the superintendent and board of directors.

Legal References:	AGO 1973, No. 11	Tuition & Fees — Authority of school districts to charge various fees
	28A.320.230(f)	Instructional materials — Instructional materials committee
	28A.330.100	Additional powers of board
	28A.635.060	Defacing or injuring school property — Liability of parent or guardian
	28A.220.040	Fiscal support — Reimbursement to school districts — Enrollment fees — Deposit

Adopted 4/4/2012
Revised 01/2013, **06/2017**

SUMNER SCHOOL DISTRICT
A GREAT PLACE TO LEARN.

Policy No. 4130
Community Relations

TITLE I PARENT**AL** INVOLVEMENT

A. The board recognizes that parent involvement contributes to the achievement of academic standards by students participating in district programs. The board views the education of students as a cooperative effort among school, parents and community. The board expects that its schools will carry out programs, activities and procedures in accordance with the statutory definition of parental involvement. Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring that parents:

1. **Play an integral role in assisting their child's learning;**
2. **Are encouraged to be actively involved in their child's education at school; and**
3. **Are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;**

B. The board of directors adopts as part of this policy the following guidance for parent involvement. The district will:

1. **Put into operation programs, activities and procedures for the involvement of parents in all of its Title I schools consistent with federal laws including the development and evaluation of policy. Those programs, activities and procedures will be planned and operated with meaningful consultation with parents of participating children;**
2. **Provide the coordination, technical assistance, and other support necessary to assist participating schools in the planning and implementing of effective parent involvement activities to improve student academic achievement and school performance.**
3. **Build the school's and parent's capacity for strong parental involvement;**
4. **Coordinate and Integrate Title I parental involvement strategies with parent involvement strategies under other appropriate federal funded programs. ~~Such as Head Start, Reading first, Early Reading First, Even Start, Parents as Teachers, Home Instruction, Preschool Youngsters, or state run preschools;~~**
5. **Conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of his policy in improving the academic quality of the schools served with Title I funds including: identifying barriers to greater participation of parents in Title I related activities, with particular attention to participation of parents with limited English proficiency, parents with disabilities and parents of migratory children; and**
6. **Involve the parents of children served in Title I, Part A schools in decisions about how the Title I, Part A funds reserved for parental involvement are spent.**

~~Participation includes participation of parents with students receiving general, Title, English~~

Adopted 12/2005
Revised 6/2017

~~Language Learner, migrant and disabilities services.~~

~~I. Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring that parents:~~

~~A. Play an integral role in assisting their child's learning;~~

~~B. Are encouraged to be actively involved in their child's education at school; and~~

~~C. Are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child.~~

~~II. The Board of Directors adopts as part of this policy the following guidance for parent involvement. The District shall:~~

~~A. Put into operation programs, activities and procedures for the involvement of parents in all of its Title 1 schools consistent with federal laws. Those programs, activities and procedures will be planned and operated with meaningful consultation with parents of participating children;~~

~~B. Work with its schools to ensure that the required school-level parental involvement policies meet the requirements of federal law, including the components of a school parent compact;~~

~~C. To the extent practicable, provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports in an understandable and uniform format in a language parents understand including alternative formats upon request; and~~

~~D. Involve the parents of children served in Title I, Part A schools in decisions, as required by law, about how Title I, Part A funds reserved for parental involvement are spent. (20 U.S.C. 1118)~~

Adopted 12/2005
Revised 6/2017

SPECIAL EDUCATION AND RELATED SERVICES FOR ELIGIBLE STUDENTS

The purpose of the district's special education program procedures is to address program areas where state and federal regulations require specific local procedures or permit local discretionary choices.

The state regulations governing implementation of special education services pursuant to the Individuals with Disabilities Education Improvement Act (IDEA) of 2004 are addressed in Chapter 392-172A WAC. These procedures do not address all of the requirements established in the regulations. District personnel who are not familiar with the regulations should contact the special education department executive director or administrative staff with questions regarding special education. These procedures describe how the district implements its special education program.

Free Appropriate Public Education (FAPE)

The district will apply annually for Federal Part B and state special education funding to assist in the provision of special education and any necessary related services. This funding is in addition to students' basic education funding and state special education funding.

The Superintendent and the Special Services Department Executive Director, in consultation with district and building administrative staff, will annually determine whether to use Early Intervening Services (EIS) funding for students who have not been identified as needing special education or related services, but who need additional academic and behavioral support to succeed in a general education environment.

The district will annually report to the Office of Superintendent of Public Instruction (OSPI) the number of students receiving EIS; and the number of students who received EIS and subsequently received special education and related services under Part B of IDEA during the preceding two-year period.

Services to eligible special education students, age three to 21, will be provided without charge to the student. This does not include incidental fees that are normally charged to all students. Special education services will include preschool, elementary and secondary education and are provided in conformance with the student's Individual Education Program (IEP).

The district provides a continuum of services for students, regardless of the funding source. Where the district is unable to provide all or part of the special education or necessary related services, it will make arrangements through contracts with other public or non-public sources, inter-district agreements or interagency coordination.

Adopted 9/2016

Students Covered by Public or Private Insurance

The district may use Medicaid or other public insurance benefits programs in which a student participates to provide or pay for services required to provide a FAPE, as permitted by the public insurance program. However, the district will not:

A. Require parents to sign up for or enroll in public benefits or insurance programs in order for their student to receive FAPE under Part B of the IDEA;
B. Require parents to incur an out-of-pocket expense such as the payment of a deductible or co-pay amount incurred in filing a claim;
C. Use a parent or student's benefits under a public insurance programs if that use would:
    1. Decrease available lifetime coverage or any other insured benefit;
    2. Result in the family paying for services required after school hours that would otherwise be covered by the public insurance program;
    3. Increase premiums or result in discontinuation of insurance; or
    4. Risk loss of eligibility for home and community-based waivers, based on aggregate health-related expenditures.

The district may access a parent's private insurance proceeds to provide FAPE to an eligible student only if the parent provides informed consent to the district. Whenever the district proposes to access the parent's private insurance proceeds, the district will:

1. Obtain parent consent in accordance with Chapter 392-172A WAC each time the district wishes to access benefits for a new procedure; and
2. Inform the parents that their refusal to permit the district to access their insurance does not relieve the district of its responsibility to ensure that all required services are provided at no cost to the parents.

Before first accessing a parent's or student's public benefits, for the first time and annually after the first notification, the district will provide written notification using the prior written notice provisions under WAC 392-172A-05010(3) that includes:

1. a statement of the parental consent provisions;
2. a statement of the "no cost" provisions;
3. a statement that the parents may withdraw their consent to disclose personally identifiable information to the agency responsible for administering the state's public benefits or insurance, and
4. a statement that a parent's withdrawal or refusal to consent does not relieve the school district of its responsibility to ensure that all required services are provided at no cost to the parents.

After providing the required notification, the district will obtain written informed consent from the parent allowing the district to disclose information from the student's educational records to the agency responsible for administering the state's public benefits or insurance programs. The consent will specify:

1. The personally identifiable information that may be disclosed, such as records or information about the services that may be provided to the student;

Adopted 9/2016

2. The purpose of the disclosure;
3. The agency to which the disclosure will be made; and
4. That the parent understands and agrees that the public agency may access the parent's or student's public benefits or insurance to pay for services under the act.

To avoid financial cost to parents who would otherwise consent to use private insurance, or public benefits if the parent would incur a cost such as a deductible or co-pay, the district may use its Part B funds to pay the cost the parents would incur.

The special education case manager is responsible for providing the required notices and requests for consent to parents under this section.

Parent Participation in Meetings

The district encourages parental involvement and sharing of information between district and parents to support the provision of appropriate services to its students. As used in these procedures, the term "parent" includes biological and adoptive parents, legal guardians, persons acting in the place of a parent, such as relatives and stepparents, foster parents, persons appointed as surrogate parents and adult students.

Parents (and as appropriate, students) will be provided the opportunity to participate in any meetings with respect to the identification, evaluation, educational placement and provision of a FAPE.

When a meeting is scheduled parents will be:

A. Notified of the meeting early enough that they will have an opportunity to attend; and
B. Notified of the purpose, time, and location of the meeting and who will be in attendance.

When the meeting is to address the IEP or placement:

1. The parent will be notified that the district or the parent may invite others who have knowledge or special expertise of the student; and
2. The meetings will be scheduled at a mutually agreeable time and place.

The district will take whatever action is necessary to ensure that the parent understands the proceedings of the IEP team meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.

The staff person responsible for inviting the parents to meetings will keep documentation of the information provided and the methods used to notify the parents of the meeting. The district may proceed with the IEP or placement meeting if the district is not able to convince the parent to attend. In this case, the district will document its attempts to arrange the meeting. This documentation will include records of telephone calls and the results, copies of correspondence sent to the parent and/or other means used to contact the parent.

Adopted 9/2016

This documentation will be kept in the student's special education file.

The school psychologist or student's case manager is responsible for notification and documentation of meetings.

If the parent cannot attend the IEP or placement meeting but wishes to participate, the district will arrange for other means to participate. This can include individual or conference phone calls, video or other means of conferencing.

A meeting does not include informal or unscheduled conversations involving district personnel; conversations on issues such as teaching methodology, lesson plans, coordination of service provisions; or preparatory activities that district personnel engage in to develop a proposal or a response to a parent proposal to be discussed at a later meeting.

Identification and Referral (Child Find)

A. Identification

The purpose of child find is to locate, evaluate and identify children with suspected disabilities in need of special education services including those who are not currently receiving special education and related services and who may be eligible for those services. Activities are to reach: Children residing in the school district boundaries including preschool-aged children;

1. Children attending approved, nonprofit private elementary and secondary schools located within the district boundaries.
2. Highly mobile children (such as homeless, foster care and migrant children);
3. Children who have a disability and may need special education services even though they are advancing from grade to grade; and
4. Children at home or home-schooled.

The district will consult with parents and representatives of private school students to ensure its child find activities are comparable in approved, nonprofit private schools located within district boundaries. These consultations will occur annually by phone contact or meetings between special services and private school personnel.

The district reaches students who may be eligible for special education services through:

1. Notification to parents district-wide through local papers or other media;
2. Information regarding child find on the district's Web site;
3. Notification to private schools located in the district's boundaries;
4. Posting notices regarding screening and referral in school buildings and public locations including DSHS community service offices, Employment Security offices, grocery stores, Laundromats, day cares, community preschool sites and physicians' offices;
5. Notifying and coordinating with the designated Part C lead agencies;
6. Early childhood screenings conducted by the district;
7. Coordination with other public and private agencies and practitioners;

8. Written information provided to district staff on referral procedures;
9. Training teachers and administrators on referral/evaluation/identification procedures; and
10. Review of student behavior, discipline and absentee information and information gathered from district-wide assessment activities.

When district staff have concerns that a student may have a suspected disability which could result in eligibility for special education services, they will notify their building administrator or the special services department.

Early childhood screenings for children from birth to age three are conducted through the Pierce County ChildReach system. The district's special education department conducts screenings for children ages three to five. These occur monthly at the location designated by the district. When parents or others inquire about screenings, the caller will be referred to the special services department.

The screening process involves the following:

1. Parents are asked to provide information to assist in assessing their child; and
2. Children are screened to assess cognitive, communication, physical, social-emotional and adaptive development. Parents will be notified at the screening of the results and the parents will also be provided written notice of the results within ten days of the screening. If the screening supports evaluation, obtain written consent for evaluation at the exit interview if possible, or include consent forms with the written notice notifying the parents of the results. If the screening results indicate that the child does not need an evaluation, written notice will be sent to the parents within 10 days of the screening explaining the basis for the district's decision not to evaluate. Evaluation occurs in accordance with evaluation procedures.

B. Referral

A student, whether or not enrolled in school, may be referred for a special education evaluation by parents, district staff or other persons knowledgeable about the student. Each building principal will designate a person responsible for ensuring that district staff understands the referral process. Generally, this will be the school psychologist. Referrals are required to be in writing unless the person referring is unable to write. A person who makes a referral orally should be asked to either make the referral in writing or go to the main office of the building for assistance in making the referral.

When a referral is made, the district must act within a 25 school-day timeline to make a decision about whether or not the student will receive an evaluation for eligibility for special education services.

All certificated employees will document referrals immediately upon a referral being made to or by them. All other staff receiving a referral from another person will notify a certificated staff member or the building principal. The school psychologist or other designated special services staff: (a) records the referral; (b) provides written notice of the referral to the parent; and (c)

advises the building special services team to collect and review district data and information provided by the parent to determine whether evaluation is warranted.

During the referral period the building special services team will collect and review existing information from all sources, including parents. Examples may include:

1. Child's history, including developmental milestones;
2. Report cards and progress reports;
3. Individual teacher's or other provider information regarding the child including observations;
4. Assessment data;
5. Medical information, if provided; and
6. Other information that may be relevant to assist in determining whether the child should be evaluated.

If the review of data occurs at a meeting, the parent will be invited. Building special education staff provide written notice to the parents of the decision regarding evaluation, whether or not the parents attend the meeting.

Recommendations regarding evaluation are entered into the IEP Online data system.

If building special services staff reviews the request for evaluation and supporting data and does not suspect that the child has a disability, the district may deny the request. In this case written notice, including the reason for the denial and the information used as the basis for the denial, must be given to the parent.

If the determination is that the child should be evaluated, the reviewers will include information about the recommended areas of evaluation, including the need for further medical evaluation of the student. This information will assist the district in providing parents prior written notice and will assist the district in selecting appropriate evaluation group members. *The building assessment team leader* is responsible for notifying parents of the results using prior written notice. When the determination is that the child will be evaluated, parent consent for evaluation and consent for release of appropriate records will be sent with the notice.

Building special services staff will seek parental consent to conduct the evaluation. The school district is not required to obtain consent from the biological parent if:

1. The student is a ward of the state and does not reside with a parent;
2. The parent cannot be located, or their rights have been terminated; or
3. Consent for an evaluation is given by an individual appointed to represent the student.

When the parent provides consent, the district will select an evaluation group. The evaluation group is to complete the evaluation within 35 school days after the district's receipt of parent consent, unless:

1. The parents and district agree in writing to extending the timeline;
2. The parent fails or refuses to make the student available for the evaluation; or

3. The student enrolls in another school district after the evaluation is begun but before completion and the parent and new district have an agreement for completion of the evaluation.

If a parent does not provide written, informed consent for the evaluation, notify the district special services department. District staff will make a determination as to whether it wishes to use mediation to seek agreement to evaluate or file a due process hearing to override the parent's refusal to consent. The district may not override a parent's refusal to consent for an evaluation if the student is homeschooled or is unilaterally placed in a private school. If the parent does not provide written informed consent and the district does not use mediation or due process, the building assessment team leader will provide the parent with prior written notice informing the parent that the district cannot proceed with the evaluation to determine eligibility and is not responsible for providing special education and related services without an initial evaluation to determine eligibility.

Evaluation and Reevaluation

Evaluation of Students moving from Part C to Part B and Participation in Transition Planning Conferences
The district will participate in transition planning conferences, arranged by the local lead agency as designee of the Part C lead agency for each student who may be eligible for preschool services. Transition plans will be designed to promote uninterrupted provision of appropriate services to the child ~~(*Note- adjust this section to fit your district process*).~~

1. The district preschool specialist will serve as the point of contact with the family resource coordinator for timely execution of transition planning conferences that are arranged at least 90 days before the student's third birthday by the designee of the Part C agency;
2. The district will follow the procedures for obtaining consent and conducting an initial evaluation, if it determines that the student will be evaluated to determine eligibility for Part B services;

The district will follow the procedures for timelines and evaluation requirements for students moving from Part C to Part B except:

1. Students turning three, who were previously determined eligible for early intervention services under Part C of IDEA, will be evaluated for initial eligibility for special education services under Part B of IDEA. The evaluation must be completed in enough time to develop an initial IEP by the date of the student's third birthday.

Evaluation Requirements
The purpose of the evaluation is to collect information about a student's functional, developmental and academic skills and achievements from a variety of sources, to determine whether a student qualifies for special education and related services, and to develop an IEP. This includes information provided by the parent. All information gathered in this process is reviewed by the IEP team or other group of qualified professionals.

Adopted 9/2016

The evaluation must be an individual assessment designed to determine:

1. Whether the student is eligible for special education and any necessary related services; and,
2. The nature and extent of special education and related services needed by the student, including information related to enabling the child to be involved in and progress in the general education curriculum.

The districts building team will select the members of the evaluation group. Members selected must be knowledgeable about the student and the areas of suspected disabilities. Qualifications of a group member include having the appropriate professional license or certification and may include outside practitioners when necessary. When assessing for specific learning disabilities, the parent and a group of qualified professionals must be part of the group. If the student requires a medical evaluation in order to determine eligibility, the district will coordinate with the parents to arrange for the evaluation at district expense or through the use of public or private insurance if the parent consents to allow the district to use the insurance.

There are many legal requirements for conducting evaluations. Evaluation procedures or materials must be free of racial, cultural or sexual/gender bias and they must be used for the purpose for which they are valid and reliable. Tests must be appropriate for the student's age and stage of developmental level. Tests should be administered in the native language of the student or conducted in the mode of communication most familiar to the student. If it appears to be clearly not feasible to conduct a procedure or test in the mode of communication most frequently used by the student, the IEP team will contact the special education administrator to develop an individualized strategy for valid evaluation of the student's skills. The inclusion of parents in this collaboration is desirable and strongly encouraged.

Specific areas to be included in the evaluation are determined by the building special services team and other qualified professionals, as appropriate, as part of a review of existing data concerning the student. The evaluation does not rely on one source or procedure as the sole criterion for determination and should include:

1. Review of existing data, including corresponding response to intervention (RTI) documentation;
2. Relevant functional and developmental information;
3. Information from parents;
4. Information from other providers;
5. Information related to enabling access to and progress within the general education curriculum and assisting in determining whether there is a disability and the content of the IEP;
6. Current classroom-based evaluations, using criterion-referenced and curriculum-based methods, anecdotal records and observations;
7. Teacher and related service providers' observations; and
8. Testing and other evaluation materials, which may include medical or other evaluations when necessary.

Adopted 9/2016

All current evaluation data as well as data previously reviewed by the team must be considered. Professional members of the evaluation team need to be familiar with qualifying disability definitions and criteria in federal and state rules.

This review of existing data may be in the form of a meeting of IEP team members, or may be conducted without a meeting. It includes data provided by parents, data gathered in the general education classroom or from state and district level assessments. The data may provide information about the student's physical condition, social or cultural background and adaptive behavior.

When additional assessments are necessary, the group members have the responsibility of selecting, administering, interpreting and making judgments about evaluation methods and results, and ensuring that the tests and assessments are administered by qualified personnel in accordance with the instructions of the test producer. The gathering of additional data in combination with existing data must be sufficiently comprehensive to address all areas of the suspected disability and any special education needs, whether linked to the disability category or not. If the IEP Team determines that no additional data are needed, the IEP team will notify the student's parent of that determination and the reasons for it, and inform them of their right to request additional assessments. The district will complete the evaluation using existing data.

Parents and district staff are encouraged to work towards consensus, but the school district has the ultimate responsibility to determine whether the student has a disability or not. The school psychologist or evaluation team leader will provide the parent with prior written notice of the eligibility decision, as well as a copy of the evaluation report. If the parent disagrees with the eligibility decision they will be informed of their dispute resolution options described in the procedural safeguards.

Specific Learning Disability (SLD)

1. The district continues to use the severe discrepancy approach for identifying students with a SLD.

Evaluation of Transfer Students

If a student transfers into the school district while an evaluation process is pending from the other district, the school psychologist is responsible for determining the status of evaluations conducted to date and making a determination as to whether the evaluation can be completed within the 35 school day timeline from the date the parent provided consent. If the determination is that additional time will be needed, the school psychologist will notify the parent and obtain the parent's agreement to establish a new timeline.

Eligibility

The evaluation group and the parent will determine whether or not the student is a special education student.

1. A student is not eligible if the determinant factor is lack of appropriate instruction in reading or math, based upon the state's grade level expectations or limited English

proficiency; and
2. Eligibility may be determined by documented professional judgment when:
    a. Properly validated tests are unavailable; or
    b. Corroborating evidence indicates that results were influenced due to measuring a disability.

The parent will be provided with a copy of the evaluation report and the documentation of determination of eligibility.

Parents will also be provided with prior written notice of the eligibility decision within ten school days of the decision. The building special education team is responsible for sending the notice.

Students remain eligible for special education services until one of four events occur:
1. The student is determined through a reevaluation to no longer be eligible for special education;
2. The student has met the district's high school graduation requirements;
3. The student has reached age 21. A special education student whose 21st birthday occurs after August 31, will continue to be eligible for special education and any necessary related services for the remainder of the school year; or
4. The student no longer receives special education services based upon a parent's written revocation of services.

When a special education student is expected to graduate prior to age 21, or when graduation is part of the transition plan, the IEP team will document a student's progress towards achieving course credits towards graduation on the transition portion of the IEP. The district will provide prior written notice to parents and adult students that the student is expected to graduate and will no longer be eligible for special education services. The district will also provide the parents and student with a summary of academic achievement and functional performance and recommendations to assist the student with postsecondary goals.

Evaluation Report
Each person conducting an assessment of the student will specify the procedures and instruments used and their results and the significance of findings related to the student's instructional program, including a specification of the factors interfering with performance and the special education and related services needed.

The evaluation group will determine who is most appropriate to develop the evaluation report reflecting the evaluation information. This will be completed before the conclusion of the evaluation period and will, at a minimum:
1. Identify the disability which requires special education and related services, if a disability exists;
2. Discuss assessments and review data supporting conclusions regarding eligibility;
3. Include the additional information required for the specific learning disability eligibility

category;
4. Describe how the disability or disabilities affect the student's involvement and progress in the general curriculum;
5. Make recommendations to the IEP team with respect to special education and related services needed, materials or equipment, instructional and curricular practices, student management strategies, the need for extended school year services beyond 180 school days and location of services;
6. Include other information, as determined through the evaluation process and parent input;
7. Include the additional information required for the specific learning disability eligibility category;
8. Provide any necessary professional judgments and the facts or reasons in support of the judgments; and
9. Be signed and dated by the evaluation group members certifying their agreement. Any group member who disagrees with the conclusions will prepare a statement presenting the conclusion.
10. The building evaluation team leader is responsible for notifying parents of the date, time and location of evaluation meetings by following the procedures in the parent participation section for inviting parents to meetings. Forms used for this purpose are located in IEP Online.

Reevaluations

A reevaluation of a student receiving special education or related services is conducted if academic achievement and functional performance has improved to warrant a reevaluation, if the IEP team suspects that the student may no longer be a student with a disability or if the child's parent or teacher requests a reevaluation. A reevaluation does not occur more than once per year, unless parent and school agree otherwise. A reevaluation must occur at least once every three years, unless parent and school staff agree that a reevaluation is unnecessary. An agreement that an evaluation is unnecessary will be confirmed in writing to the parent. The school psychologist will schedule a review of this determination.

Students who turn six who met the eligibility requirements for the disability category of "Developmentally Delayed" (DD) under the criteria for ages three to six years need not be reevaluated at age six under the criteria for six to nine years until three years after their initial evaluation was completed

Students who were previously eligible under the category "Developmentally Delayed" must be reevaluated before age nine to determine eligibility within another category.

As part of any reevaluation, the IEP team members and other professionals the district determines appropriate will review existing data that includes:
1. Evaluations and information provided by the parents;
2. Current classroom-based assessment, local or state assessments and classroom based observations; and
3. Observations by other teachers and related services providers data.

Adopted 9/2016

Based on this review the team will determine whether any additional data is necessary to determine:

1. Whether the student continues to be eligible for special education and any necessary related services;
2. The present levels of performance and educational needs; and
3. Whether any additions or modifications to the student's program are needed. This review can occur with or without a meeting or through individual review. If the IEP team members and any other persons reviewing the data determine that no further testing is necessary, the district will notify the parents of this determination, using written prior notice and will inform parents that they have the right to request assessments if they disagree with the determination that additional testing is not necessary. Parent consent is not required if the reevaluation does not require additional testing:
    a. If additional testing is needed, the designated evaluation team leader will request written parental consent for reevaluation and provide prior written notice identifying the areas of assessment;
    b. If the parents do not return the signed consent form, the district will send another letter explaining the need for reevaluation and parent consent and will enclose another consent form and a copy of the prior written notice. In addition, the district will document its reasonable attempts to obtain consent such as telephone calls, emails, personal contact and other efforts to obtain consent;
    c. If the parents do not respond to the request for consent, and the district has documented its reasonable attempts to obtain consent, the district can proceed with the reevaluation; and
    d. If the parents refuse to consent to the reevaluation, the evaluation group will notify the special services department so that the district can determine whether it will seek mediation in order to obtain consent or request a due process hearing to ask an administrative judge to override the parents refusal to consent.

After the reevaluation is completed, the evaluation team leader will both invite parents to the eligibility meeting and will provide prior written notice after the meeting of the results of the reevaluation to parents in their primary language, indicating one or more of the following:

1. Whether the student continues to be eligible and in need of special education;
2. Present levels of performance and educational needs of the student; and
3. Whether any additions or modifications to the special education and related services are needed to enable the student to meet IEP annual goals and to participate, as appropriate, in the general curriculum.

This notice will occur within ten school days of the eligibility decision. The special education department or evaluation case manager is responsible for sending the notice.

Reevaluation and Graduation

No reevaluation is required when special education eligibility terminates due to graduation from high school with a regular diploma or due to reaching the end of the school year during which

the student turned 21. Instead, the district will provide prior written notice to the student and the parent and the IEP team will provide the student with a summary of academic achievement and functional performance including recommendations on how to assist the student in meeting post-secondary goals. The IEP case manager is responsible for assuring that the IEP team completes the summary of academic achievement and functional performance.

Independent Educational Evaluations (IEE)
Parents of students eligible for special education, students referred for special education and determined to not be eligible or students determined not to need an evaluation have a right to obtain an IEE at public expense, each time the district conducted or obtained an evaluation of the student.

When parents request an IEE the district must decide within 15 calendar days whether or not it agrees to provide it. Any parent request for an independent evaluation should be immediately referred to the special education executive director. The special education executive director will review the request and determine whether or not the request is warranted. If the district agrees to provide an IEE, arrangements will be made promptly. If the district denies the request to pay for an IEE, it must file for a due process hearing within 15 calendar days of the parent's request. The district may request mediation as an option after filing the due process hearing. If the parents withdraw their request for an IEE the due process hearing can be dismissed.

When a parent requests an IEE, the district must provide parents a list of district criteria and evaluators. If the school district initiates a hearing and a decision is made that the district's evaluation is appropriate, the parent still has the right to an IEE but not at public expense. A parent is only entitled to one IEE at public expense each time the district conducts an evaluation with which the parent disagrees.

If the parent obtains an IEE at either public or private expense, any results of the IEE must be considered by the district in providing FAPE. The IEE may also be presented as evidence at a hearing regarding the student.

The following criteria are established for the selection of an individual to conduct an IEE at public expense. These criteria are established in order to identify the knowledge, experience and qualifications of individuals selected to conduct the evaluations. Any individual selected to conduct either a district evaluation or an IEE must be:

1. Licensed, credentialed or otherwise qualified within the state of Washington or state of residence/practice to perform an evaluation in the specific professional discipline for which an independent evaluation is sought;
2. Knowledgeable and experienced in evaluating children with similar disabilities;
3. Geographically located within the state of Washington; and
4. Available to the district at a maximum fee which does not exceed by more than 25% the prevailing average for similar evaluations within the state of Washington.

Exceptions to the criteria will be granted only when it can be shown that the unique

circumstances of the child or the disability:

1. Make it impossible to identify anyone within the state of Washington who holds the appropriate credentials or experience necessary to conduct the evaluation; or

2. Require a specialized evaluator whose fee exceeds the prevailing average by more than 25%; or

3. Include factors which would warrant an exception in order to obtain an appropriate evaluation.

Individualized Education Programs (IEP)

A. IEP Development

The IEP is the written statement reflecting the implementation of instructional programs and other services for special education students based on the evaluation and student needs.

An IEP must be in effect before initiation of special education services. The IEP must be developed within 30 calendar days after the student's initial determination of eligibility for special services. IEPs must be updated annually, or revised more frequently if needed to adjust the program and services.

Parent consent is required before the initial provision of special education services. If a parent refuses to consent to the provision of special education services, the district may not use mediation or due process to override a parent's refusal. When a parent refuses to provide consent the Special Services Director or Special Services Executive Director will notify the parent that the district does not have a FAPE obligation to the student. The notification will be documented in the student's file.

The district will maintain a copy of the current IEP which is accessible to all staff members responsible for providing education, other services or implementation of the IEP. All staff members will be informed of their responsibilities for its implementation. This includes not only teachers and other service providers, but also bus drivers, playground and lunchroom supervisors, nursing staff and others who may be responsible for the proper implementation. The building principal and IEP case manager are responsible for ensuring that staff members are knowledgeable about their responsibilities.

IEPs will be implemented without undue delay following IEP meetings, regardless of the payment source for special education and or related services.

Parents are members of the IEP team and will have the opportunity to fully participate. The district will make sure that the parents understand the proceedings, including arranging for an interpreter for parents who are deaf or whose native language is other than English. The district will also ensure that meeting locations are accessible. The

special education department is responsible for coordinating interpreters and making arrangements for the meeting location.

The district will provide parents/guardians with a copy of the district's Required Notification of Isolation or Restraint of Students with IEPs or Section 504 Plans policy (Policy 3247) when the student's IEP is created.

The IEP team includes:

1. The parents of the student;
2. Not less than one general education teacher (or preschool teacher) of the student if the student is, or will be, participating in the general education environment;
3. Not less than one special education teacher, or if appropriate, not less than one special education provider of the student;
4. A representative of the district, who is qualified to provide or supervise the provision of special education and related services, is knowledgeable about general education curriculum, and is knowledgeable about the availability of district resources;
5. An individual who can interpret the instructional implications of the evaluation results;
6. Any other individuals who have knowledge or special expertise about the student. These individuals may be invited by both the district and the parents, at the discretion of the person making the invitation;
7. The student, when appropriate, or when required;
8. Students must be invited when the purpose of the meeting includes discussion of transition needs or services;
9. If another agency is or may be responsible for payment or provision of transition services, an agency representative will be invited, with the parent's consent. If the agency representative cannot attend the meeting, district personnel will keep the representative informed of the meeting and obtain agency information that will assist in the service provision; and
10. Parents will be notified of the participation of the Part C service coordinator or other designated representatives of the Part C system as specified by the state lead educational agency for Part C at the initial IEP meeting for a child previously served under Part C of IDEA.

The parents and district must agree in writing before any of the above team members are excused from all or part of a meeting. If a team member's area of the IEP is being discussed or modified, then the parent and district must consent to their excusal; and that specific team member must provide advance written input for their part of the IEP prior to the meeting. Forms for excusing IEP team members from IEP meetings are located in IEP Online.

Existing team members may fill more than one of these roles if they meet the criteria for the role.

Sometimes parents do not attend IEP meetings. There will also be times the parents do not agree with the IEP as proposed, and despite attempts to reach agreement on IEP content, the team does not reach agreement. If a parent attends the IEP meeting and agreement is not reached on the IEP, the team will determine whether another IEP meeting should be scheduled as soon as mutually possible, or whether there is enough information to complete the IEP. When the decision is made that the IEP will be implemented the district must send prior written notice of the decisions reached to the parent, including the date the IEP will be implemented.

When the parents do not attend the IEP meeting, despite the district's efforts to ensure participation, or if the team does not reach agreement, it is the district's obligation to offer an appropriate educational program:
1. Have IEP members present sign the IEP (or document participation if any member is unwilling to sign);
2. Send a copy to the parent, and provide the parent prior written notice that the district intends to implement the IEP; and
3. Forward the documentation of actual or attempted contacts to the special education department for processing when parents do not attend the meeting.

When making changes to an IEP after the annual IEP meeting for a school year, the parent and the district may agree not to convene an IEP meeting for the purpose of making changes. The parent and the district must complete a written document indicating the changes and inform IEP team members and appropriate individuals of the changes. The student's IEP case manager is responsible for providing appropriate amendments to existing IEPs. If the parent requests that the district revise the IEP to include the amendments, the IEP case manager will revise the IEP.

B. IEP Preparation and Content:
IEP teams will consider the recommendations in the most recent evaluation to develop the IEP. In developing the IEP, the team should consider:

1. The strengths of the student including the academic, developmental and functional needs of the student and the concerns of the parents for enhancing the education of their child;
2. **Whether positive behavioral interventions and supports, including a behavioral intervention plan, as defined by WAC 392-172A-01031, are needed to address the student's behavior;** ~~Whether a behavior plan, including positive supports and possible aversive interventions should be considered;~~
3. **The language needs of the student as those needs relate to the student's IEP, for a student with limited English proficiency;** ~~Whether the student with limited English proficiency has language needs;~~
4. Whether Braille instruction is appropriate for a student who is blind or visually impaired;
5. Whether a student has other language and communication needs; and

6. Whether assistive technology devices or services are needed.

IEP content includes:

1. The student's present levels of academic and functional performance with a description of how the disability(ies) affect the student's involvement and progress in the general curriculum or preschool activities;
2. Measurable academic and functional annual goals for the student (including benchmarks or short term objectives if the student is participating in alternate assessments) that will meet the student's needs resulting from the disability(ies) to enable involvement and progress in the general curriculum or in preschool activities, and will meet the student's other educational needs;
3. A statement of special education services, any necessary related services, and supplementary aids and services based on peer-reviewed research to the extent practicable to be provided to the student and program modifications or supports for personnel so that the student may advance towards annual goals, progress in the general curriculum and be educated and participate with other special education students and non-disabled students and participate in extracurricular and other nonacademic activities;
4. A statement of the extent, if any, that the student will not participate with non-disabled students in general classroom, extra-curricular and non-academic activities;
5. A statement of any individual appropriate accommodations in the administration of state or district-wide assessments of student achievement that are needed to measure academic achievement and functional performance of the child on state assessments. If the team determines that the student will not participate in a particular assessment, the IEP will address why the student cannot participate in the regular assessment(s) and why the particular alternative assessment is appropriate for the child;
6. The date for the beginning of services and the anticipated frequency, location and duration of services and modifications;
7. A statement of how the student's progress towards goals will be measured, how the student's parents will be regularly informed of their child's progress towards the annual goals and whether the progress is sufficient to enable the student to achieve the goal by the end of the year. Measurement of the student's progress will be based on the data collected as designated on the IEP. The individual responsible for implementing the goal is responsible for maintaining the data used to measure progress. Information to the parents can be provided at the same time the district issues progress reports or report cards, or other agreed times as identified in the IEP;
8. The projected beginning date for the special education and related services;
9. With an IEP that is in effect when the child turns 16, or sooner if the IEP team determines it is appropriate, a statement of needed transition services and any interagency responsibilities or needed linkages. The transition component must include appropriate measurable postsecondary goals based on age appropriate transition and assessments related to training, education, employment and independent living skills where appropriate; and the transition services (including courses of study) needed to assist the child in reaching those goals;

10. **Emergency response protocols, if determined necessary by the IEP team for the student to receive FAPE and parents provide consent. Emergency response protocols must meet the requirements state in WAC 392-172A-02105;** ~~Aversive interventions, if required. Any use of aversive interventions are only considered after the determination has been made that positive interventions alone are not effective, and there is a need for an aversive intervention plan. The plan will address which staff with required training and certification may use the interventions. Any questions about the need for or use of aversive interventions should be referred to the special education director. When aversive interventions are considered the IEP team will include a certificated employee who understands the appropriate use of interventions and concurs with the need and will include a person who works directly with the student. The district will establish a process for evaluating the effects of the use of aversive interventions, at least every three months when school is in session;~~
11. **A behavioral intervention plan (BIP), if determined necessary by the IEP team for a student to receive FAPE. The BIP must meet the requirements stated in WAC 392-172A-01031;**
12. The procedures by which parents/guardians will be notified of the use of isolation or restraint or a restraint device on their student (see Procedure 3247);
13. A statement regarding transfer of rights at the age of majority. The IEP case manager will provide prior written notice to the student one year prior to student turning 18 years of age; and
14. Extended school year (ESY) services. The consideration for ESY services is a team decision, based on information provided in the evaluation report and progress monitoring of IEP goals, and based on the individual needs of a student. ESY services are not limited by categories of disability, or limited by type amount or duration of the services. If the need for ESY services is not addressed in the IEP and ESY services may be appropriate for the student, the IEP team will meet by May 15 to address the need for ESY. Factors for the team to consider when determining the need for ESY may include, but are not limited to: 1) Evidence of regression or recoupment time based on documented evidence; or 2) A documented determination based on the professional judgment of the IEP team including consideration of the nature and severity of the student's disability, the rate of progress and emerging skills.

Use of isolation, restraint and restraint devices:

A. Definitions

1. Imminent: The state or condition of being likely to occur at any moment or near at hand, rather than distant or remote.

2. Isolation: Restricting a student alone within a room or any other form of enclosure, from which the student may not leave. It does not include a student's voluntary use of a quiet space for self-calming, or temporary removal of a student from his or her regular instructional area to an unlocked area for purposes of

carrying out an appropriate positive behavior intervention plan.

3. Likelihood of serious harm: A substantial risk that physical harm will be inflicted by a student:

    a. upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself;

    b. upon another, as evidenced by behavior that has caused such harm or that places another person or persons in reasonable fear of sustaining such harm;

    c. upon the property of others, as evidenced by behavior that has caused substantial loss or damage to the property of others; or

    d. after the student has threatened the physical safety of another and has history of one or more violent acts.

4. Positive behavioral intervention: Strategies and instruction that can be implemented in a strategic manner in order to provide alternatives to challenging behaviors, reinforce desired behaviors, and reduce or eliminate the frequency and severity of challenging behaviors. Positive behavioral interventions include the consideration of environmental factors that may trigger challenging behaviors and teaching a student the skills to manage his or her own behavior.

5. Restraint: Physical intervention or force used to control a student, including the use of a restraint device. It does not include appropriate use of a prescribed medical, orthopedic or therapeutic device when used as intended, such as to achieve proper body position, balance or alignment or to permit a student to safely participate in activities.

6. Restraint device: A device used to assist in controlling a student, including, but not limited to, metal handcuffs, plastic ties, ankle restraints, leather cuffs, other hospital-type restraints, pepper spray, tasers, or batons. Restraint device does not mean a seat harness used to safely transport students. This definition is consistent with RCW 28A.600.485(1)(c), and is not intended to endorse or encourage the use of such devices or techniques with district students.

B. Practices presumed to be unreasonable when correcting or restraining any student under the age of 18:
Under RCW 9A.16.100, the following is a non-exclusive list of acts that are presumed unreasonable when correcting or restraining a child:

    1. throwing, kicking, burning, or cutting a child;

2. striking a child with a closed fist;

3. shaking a child under the age of three:

4. interfering with a child's breathing;

5. threatening a child with a deadly weapon; or

6. doing any other act that is likely to cause bodily harm to a student greater than transient pain or minor temporary marks.

This non-exclusive list should not be read so as to imply that another, unlisted form of correction or restraint is permissible. Whether or not an unlisted use of force or restraint is presumptively permissible depends upon a balanced consideration of all relevant state laws and regulations, and whether the use is reasonable under the totality of the circumstances.

C. Conditions specific to use of isolation:

1. The isolation must be discontinued as soon as the likelihood of serious harm has dissipated;

2. The enclosure will be ventilated, lighted and temperature controlled from inside or outside for purposes of human occupancy.

3. The isolation enclosure will permit continuous visual monitoring of the student from outside the enclosure.

4. An adult responsible for supervising the student will remain in visual or auditory range of the student at all times.

5. Either the student shall be capable of releasing himself or herself from the enclosure, or the student shall continuously remain within view of an adult responsible for supervising the student.

6. Any staff member or other adults using isolation must be trained and certified by a qualified provider in the use of isolation, unless trained personnel are not immediately available due to the unforeseeable nature of the emergency.

D. Conditions specific to use of restraint and restraint devices:

1. The use of restraint or a restraint device must be discontinued as soon as the likelihood of serious harm has dissipated;

2. The restraint or restraint device will not interfere with the student's breathing;

3. Any staff member or other adults using restraint or restraint devices must be trained and certified by a qualified provider in the use of such restraint or restraint devices, unless trained personnel are not immediately available due to the unforeseeable nature of the emergency.

4. In the case of a restraint device, either the student will be capable of releasing himself or herself from the restraint device or the student shall continuously remain within view of an adult responsible for supervising the student.

E. Prohibited practices involving restraint, use of force, and discipline:
The following practices are prohibited with students eligible for special education services:

1. District personnel are prohibited from using aversive interventions;

2. District personnel are prohibited from physically restraining or isolating a student, except when the student's behavior poses an imminent likelihood of serious harm as defined above;

3. No student may be stimulated by contact with electric current, including, but not limited to, tasers;

4. A student may not be denied or subjected to an unreasonable delay in the provision of food or liquid as a form of punishment;

5. A student may not be the recipient of force or restraint that is either unreasonable under the circumstances or deemed to be an unreasonable form of corporal punishment as a matter of state law (see above, for example, for a list of practices presumed to be unreasonable when used in correcting or restraining a child);

6. A student must not be denied or subjected to an unreasonable delay in the provision of common hygiene care;

7. A student must not be denied or subjected to an unreasonable delay in the provision of medication;

8. A student may not be excluded from his or her regular instructional or service area and isolated within a room or any other form of enclosure, except under the conditions set forth in WAC 392-172A-02110;

9. A student must not be forced to listen to noise or sound that the student finds painful;

10. A student must not be forced to smell or be sprayed in the face with a noxious or potentially harmful substance;

11. A student must not be forced to taste or ingest a substance which is not commonly consumed or which is not commonly consumed in its existing form or concentration;

12. A student's head must not be partially or wholly submerged in water or any other liquid.

13. A student must not be physically restrained or immobilized by binding or otherwise attaching the student's limbs together or by binding or otherwise attaching any part of the student's body to an object, except under the conditions set forth in WAC 392-172A.02110.

F. Documentation and Reporting Requirements
Districts must follow the documentation and reporting requirements for any use of isolation, restraint, or a restraint device consistent with RCW 28A.600.485 and the parental notification requirement of RCW 28A.155.210. See Policy and Procedure 3246.

Specific procedures are available to staff in individual schools, and are more generally available on request by through the special services office. Contact: **Hope Craker** ~~Sidnie Reed~~, Administrative Assistant.

Transfer Students
Students who transfer from one district to another within the state continue to be eligible for special education and any necessary related services. When an eligible student transfers into the district, the school psychologist will notify the special education department. The building special education team in consultation with the special education director, building principal, and parents will review the student's IEP to ensure the district provides services comparable to those in the previous IEP until the district adopts the previous IEP or develops, adopts and implements a new IEP.

When a student who was identified as eligible for special education transfers from out of state into the district, the school psychologist will notify the special education department as soon as possible. The building special services team will review the evaluation, eligibility documentation and IEP to determine whether or not the student meets state eligibility criteria. If the student meets the state eligibility criteria, the district will follow the procedures described in the previous paragraph to provide comparable services until the district develops an IEP for the student. If the student needs to be evaluated to determine eligibility in this state, the school psychologist will notify the parents, obtain consent and evaluate the student for eligibility within 35 school days of the receipt of the parent's consent. The district, in consultation with the parents, will continue to

provide special education services comparable to the services on the student's IEP, pending the results of the initial evaluation.

The district must take reasonable steps to promptly obtain records, including IEP supporting documents and any other records related to special education or related services from the previous school. The special services office staff in charge of records is responsible for obtaining records and ensuring follow-up if records are not provided.

A. Placement

No student may receive special education and related services without being determined eligible for services, and thus the evaluation process and IEP development precedes the determination of the special education placement. When a student has been evaluated and the evaluation team and parent have determined student eligibility and the need for special education and related services, programming decisions must occur. These decisions are made on the basis of information generated through the evaluation and IEP processes. The actual program is considered within the context of least restrictive environment (LRE) and the continuum of placement alternatives (reviewed below). When determining initial eligibility for special education, including determination of the appropriate placement, the parent or adult student must provide written consent for services before the student receives special education services. If the parents do not consent to the provision of special education and related services, the district will not provide special education services to the student. The district will notify the parents that the student is eligible for services and that the district is willing to provide the services when the parent provides written consent. The notification will also inform parents that the district has no FAPE obligation to the student when parents refuse to provide consent.

When program decisions are addressed by the IEP team, proper consideration must be given to the LRE. Within the educational setting, the student should be placed, whenever possible:

1. In the school the disabled student would normally attend; and
2. With non-disabled students in the general educational setting to the maximum extent possible.

Special classes, separate schools or removal of students with disabilities from the general education environment occurs only when the nature or severity of the disability is such that education in the general education classroom with use of supplementary aids and services cannot be satisfactorily achieved.

If the IEP team believes that the student will not be successful within the general education classroom, the team will consider:

1. The educational benefits of full-time placement in a regular classroom;
2. The non-academic benefits of such a placement;
3. The effect the student will have on the teacher and other students in the regular classroom; and
4. The costs of placing the student in the regular classroom.

The degree to which the student is to be integrated into the general classroom setting is dependent upon the identified needs of the student. This placement is to occur unless the nature

of the needs are so severe that this cannot be satisfactorily achieved, even with supplementary aids and services. If the placement is in another building, the appropriate educational placement will be as close to the student's home as reasonably possible.

Within the nonacademic setting, students will be provided nonacademic and extracurricular activities with non-disabled students. These opportunities include athletics and other extracurricular activities, including recreational activities and club participation. Limits on nonparticipation or conditions of participation must be designated in the IEP.

The district will also make opportunities available for students eligible for special education to participate with non-disabled students in the district's art, music, industrial arts, computer, consumer classes and home economics classes.

Within the district, a continuum of alternative placement options exists spanning within a class, resource room, self-contained, home-bound and out-of-district provisions. District program placement options include extended day preschool program, self-contained behavior programs, and Developmental Learning Center programs. Other service options on the continuum include co-taught classes at middle and high school. These options are intended to address the individual needs of students and they are considered according to the following process:

The placement of each student with a disability will be determined annually, or sooner if appropriate, by the IEP team.

The appropriateness of placement options will be based upon various decisions including:

1. Data-based judgments in IEP development;
2. Judgments (data-based) in determining LRE;
3. The reasonable probability of the placement option(s) assisting the student to attain annual goals and objectives and the quality of services needed; and
4. The consideration of potentially harmful effects upon the student or on the quality of services needed.

Placement options along the continuum must include alternative placement options identified in the definition of special education and make provisions for supplementary services such as resource room or itinerant instruction to be provided in concert with the general education placement.

B. Students Unilaterally Enrolled in Private Nonprofit Schools by Parents

On November 1st, the district will conduct an annual count of the number of private elementary and secondary school students eligible for special education who are unilaterally enrolled by their parents in a private school located within district boundaries The district special education administrative staff will have timely and meaningful consultation with appropriate representatives of private schools and representatives of parents of private school students and make determinations about who will receive services and what services will be provided. The purpose of the child count is to determine the proportionate amount that the district must spend

on providing special education and related services, including transportation, to private elementary or secondary school students in the next fiscal year.

The district is required to spend a proportionate amount of federal special education Part B and Section 619 funds to provide special education and related services to private school students. In order to determine which students will receive services, what services will be provided, how and where the services will be provided, and how services provided will be evaluated, the district will consult with appropriate representatives and parents of private school students. The district will make the final decision with respect to services to be provided to eligible private school students. The special education office will notify each approved nonprofit private school or preschool operating in the district seeking recommendations of persons to serve as representatives of special education private school students in consultations with the district. An initial meeting will be called by the district to establish a work plan and schedule with the private school representatives and representatives of private school parents to discuss how to identify students, the amount of proportionate share, how the proportionate share was calculated, which students will receive services, what services will be provided, how and where services will be provided, and how services will be evaluated.

Public school special education personnel are responsible for developing any services plans with private schools. A private school student has no individual entitlement to any service or amount of service (s)he would have received if enrolled in a public school to receive FAPE. However, for each private school student receiving special education or related services, the district will initiate and conduct meetings to develop, review and revise a services plan describing the special education and related services that the district will provide. The services plan must: (1) meet IEP content requirements as appropriate; and (2) be developed, reviewed, implemented and revised annually consistent with the requirements for IEP review. The district will make every effort to include a representative from the private school at each meeting. If the private school representative is not able to attend, the district will use other methods, including individual or conference telephone calls, to assure the representative's participation.

Private school students may receive a different amount of services than special education students in public schools. However, the services provided to special education private school students will be provided by personnel meeting the same standards as personnel providing the services in the district.

Services to students in private schools including private sectarian schools may be provided on-site. District personnel may be made available to private schools only to the extent necessary to provide the services required, if those services are not normally provided by the private school. Services will not include payment of private school teachers' or other employees' salaries, except for services performed outside regular private school hours and under public supervision and control.

Equipment and/or supplies may be placed on private school premises for the period of time necessary for the services plan program, but the district will retain and exercise title and

administrative control of said equipment/supplies. The district will keep records and make an accounting assuring that said equipment/supplies is/are used solely for the services plan program. Said equipment/supplies will be removed if necessary to avoid its/their use for other purposes or if no longer needed for the services plan program. No district funds will be used for repairs, minor remodeling or construction of private school facilities.

The district will provide services to students in private schools in a manner that: (1) maintains physical and administrative separation between the private and public school programs; and (2) does not benefit the private school at public expense.

Procedural Safeguards

A. Consent

The district will obtain informed, written parental consent before:

1. Conducting an initial evaluation;
2. Providing initial special education and related services to a student; and
3. Conducting a reevaluation if the reevaluation includes administration of additional assessments.

Parental consent is not required to review existing data as part of an evaluation or reevaluation, or to administer a test or other evaluation that is administered to all students unless consent is required of all students' parents.

Informed consent means that the parent or adult student:

1. Has been fully informed of all information that is relevant to the activity for which the district is asking consent, and that the information is provided in his or her native language or other mode of communication;
2. Understands and agrees in writing to the activity for which consent is sought and the consent describes the activity and lists any records which will be released and to whom; and
3. Understands that the granting of consent is voluntary and may be revoked at any time. If consent is revoked, the revocation does not negate an action that has occurred after the consent was given and before the consent was revoked.

The district may not use a parent's refusal to consent to one service or activity to deny the parent or child any other service, benefit or activity of the district.

If the district is unable to obtain a parent's consent, the district may use mediation procedures to obtain a parent's consent or request a due process hearing asking the administrative law judge to override the parent's refusal to consent to an evaluation or reevaluation. The district may not request a due process hearing to override a parent's refusal to consent to initial special education services. The district may not use mediation or due process procedures to override a parent's refusal to consent to an evaluation or reevaluation if the student is homeschooled or enrolled in a private school.

B. Revocation of Consent

Parents may revoke consent for the continued receipt of special education and related services. If parents revoke consent, the staff member receiving the revocation will forward the revocation to the special services department.

Upon receipt of the parent's written notice of revocation, the IEP case manager:

1. Will provide prior written notice for a reasonable time before the district stops providing services. The notice will include information about the effect of revocation and will inform the parent of the date the district will stop providing special education and related services.

Discontinuation of special education and related services in response to the parent's written revocation will not be in violation of FAPE and eliminates the district's requirement to convene an IEP meeting or develop an IEP. However, the district does have a continuing Child Find duty, and staff will follow referral procedures if they believe the student should be referred for special education. In addition, parents may request that the district conduct an initial evaluation for eligibility for special education services after they have revoked consent for continued services.

C. Notice of Procedural Safeguards

In addition to protections provided to parents of eligible students, parents also have procedural safeguard protections when a student's identification, evaluation or placement is at issue. The school district will provide a copy of the procedural safeguards notice to the parents and adult students one time a year and:

1. Upon initial referral or parent request for evaluation;
2. Upon receipt of the parent's first state complaint and first request for due process hearing in a school year;
3. Upon a disciplinary action that will result in a disciplinary change of placement; and
4. Upon request by the parent.

The procedural safeguard notice used by the district includes a full explanation of all the procedural safeguards relating to independent educational evaluation, prior written notice, parental consent, access to educational records, discipline procedures for students who are subject to placement in an interim alternative educational setting, requirements for unilateral placement by parents of children in private schools at public expense, state complaint procedures, mediation, the child's placement during pendency of due process proceedings including requirements for disclosure of evidence, due process hearings, civil actions and attorney's fees. Copies of the district's special education procedural safeguards are available at each school building and at the special services district office.

D. Prior Written Notice

Prior written notices are provided to parents when a district makes a decision relating to a student's identification, evaluation, placement or provision of a FAPE. Prior written notices document the decisions made by the IEP teams and evaluation group.

The district will provide prior written notice to the parent evaluation whenever the district

proposes or refuses to initiate or change the identification, evaluation, educational placement or provision of a FAPE to the student.

The prior written notice will include:

1. A statement that the parents have procedural safeguard protections and if a copy of the procedural safeguards do not accompany the notice, a statement that describes how a copy of the statement of procedural safeguards may be obtained;
2. A description of the action proposed or refused by the district;
3. An explanation of why the district proposes or refuses to take the action and a description of other options that the district considered and the reasons why the options were rejected;
4. A description of any other factors which are relevant to the district's proposal or refusal;
5. A description of each evaluation procedure, test, record or report the district used as a basis for the proposal or refusal; and
6. A description of any evaluation procedures the district proposes to conduct and sources for parents to contact to obtain assistance in understanding the procedural safeguards provision of this chapter.

Prior written notice and the notice of procedural safeguards must be provided in the native language of the parent or other mode of communication used by the parent unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the district will take steps to ensure that the notice is translated orally or by other means to the parent. This may involve:

1. Arranging for an interpreter if English is not the native language of the parent or if the parent has a hearing impairment; or
2. Providing notice orally if the written language is not a native language.

The district will document in writing how this information was provided and that the parent understands the content of the notice. Evaluation team leaders and/or IEP case managers are responsible for sending prior written notices after evaluation, eligibility, IEP team and placement decisions.

E. Transfer of Educational Rights to an Adult Student

When a student eligible for special education reaches the age of 18, all educational rights under Part B of the IDEA, previously exercised by the parent, transfer to the student, unless the student is determined incapacitated in a guardianship proceeding or the district has appointed an educational representative for the student. When the student turns 18, the district will notify the parent and student that the educational rights have transferred to the student and will send any required notices to both the parent and the adult student. School psychologists or IEP case managers are responsible for sending the required notice.

At an IEP meeting occurring one year before the student turns 18, the district will inform the parents and the student that educational rights will transfer to the student and the district will inform the student about those educational rights. This information will be documented on the

IEP.

Appointment of an Educational Representative
A student over the age of eighteen is presumed to be capable of making educational decisions and able to provide informed consent unless he or she is determined to be "incapacitated" through a legal guardianship proceeding. If a parent, another interested party, or the district believes that a student over the age of eighteen is unable to provide informed consent or to make educational decisions, and the student does not have a legal guardian, the parent or other interested party may ask the district to appoint an educational representative. This determination will only be made if two separate professionals state that they conducted an examination and interviewed the student, and concluded the student is incapable of providing informed consent. The district will inform the student of the decision and appoint either, the spouse, the student's parents, another adult or a surrogate educational representative to represent the student. The appointment of the educational representative will continue for one year.

The student or other adult may challenge the certification at any time. If a challenge occurs, the district will not rely on the education representative, until the representative is recertified.

Confidentiality and Records Management
The principal at each building is responsible for maintaining the confidentiality of personally identifiable information pertaining to special education and all other students. The building administrator and special services director will maintain, for public inspection, a current list of the names and positions of district employees who have access to personally identifiable information of special education students. The district will provide parent and adult students, upon request, a list of the types and locations of educational records collected, maintained or used by the district.

The district will provide instruction annually to employees collecting or using personally identifiable information on the procedures to protect the confidentiality of personally identifiable information. The training will address the protections outlined in WAC 392-172A, state law and federal regulations implementing the Family Educational Rights and Privacy Act, FERPA, (34 CFR Part 99).

Upon request, the parent(s) of a special education student or adult student will be afforded an opportunity to inspect, review and challenge all educational records which will include, but not be limited to, the identification, evaluation, delivery of educational services and provision of FAPE to the student. The district will comply with the request promptly and before any meeting regarding an IEP or hearing relating to the identification, evaluation, educational placement of the student or provision of FAPE to the student, including disciplinary proceedings. In any case, the district will respond no more than 45-calendar days after the date the district received the request. If an educational record includes information on more than one student, the parents (and/or adult student) may only inspect and review information relating to their child. School personnel receiving requests for educational records will immediately forward the request to the Special Services Executive Director.

Adopted 9/2016

If parents believe that information in an education record is inaccurate or misleading or violates the privacy or rights of the student, they may request that the district amend the information. Policy and Procedure 3231, Student Records, describes the process and timelines for challenges and hearings regarding student records.

The district follows the guidelines for records retention outlined in the Secretary of State's, General Records Retention Schedule and Records Management Manual. The district will inform parents or adult students when personally identifiable information collected, maintained or used is no longer needed to provide educational services to the student. The information will be destroyed at the request of the parent(s) or adult student, or will be provided to the parent or adult student upon their request. However, a permanent record of the student's name, address and phone number, his or her grades, attendance, record, classes attended, grade level completed and year completed will be maintained without time limitation.

Records management is also governed by Policy and Procedure 4040, Public Access to District Records.

A. Surrogate Parents

A surrogate parent is a person appointed by the school district to act on behalf of a student to help ensure the rights of the student to a FAPE when a parent cannot be identified, the whereabouts of the parent are unknown or the student is a ward of the state and does not have a foster parent.

The Special Services Executive Director or Program Director is responsible for determining the need for appointment of a surrogate parent.

Natural or adoptive parents, foster parents, persons acting in the place of a parent such as stepparents or relatives and persons with legal custody or guardianship are considered parents. Students who are homeless and not living with a parent may need a surrogate parent.

The following is guidance for the district to follow to assist in determining the status of the parent's rights to make educational decisions:
In cases where the student is in out of home care the district must determine the legal custodial status of the child.

1. Parents who have voluntarily placed their child in state placement still retain legal custody of the child and retain the right to make educational decisions. In this situation the student is not a ward of the state;
2. Parents whose children are placed in group care, pending a determination of "dependency" may still retain rights to make educational decisions unless otherwise ordered by the court;
3. When a disposition order and order of dependency is issued, the state becomes the legal as well as physical custodian of the child. Parents may no longer have the right to make educational decisions during this stage of dependency; and

4. Parents whose parental rights are terminated no longer have the right to make educational decisions on behalf their child.

When a student is placed in foster care the foster parent may act as the parent. When a student is placed in group care, the district will work with the parents, case-worker(s), foster parents and others who have knowledge of the student's legal status in order to determine the need for appointment of a surrogate.

When selecting a surrogate parent the district will select a person willing to participate in making decisions regarding the student's educational program, including participation in the identification, evaluation, placement of and provisions of FAPE to the student.

If a student is referred for special education or a special education student transfers into the district who may require a surrogate parent, the district special education office will be notified of the potential need. The special education office will then select a trained individual who can adequately represent the student to ensure that all student rights are observed.

The person selected as a surrogate:

1. Must have no interest that conflicts with the interests of the student he or she represents;
2. Must have knowledge and skills that assure adequate representation of the student; and
3. May not be an employee of a school district and/or other agency which is involved in the education or care of the student. This includes OSPI, DSHS, district employees and group care providers.

The district will at a minimum, review with the surrogate parent procedural safeguards, parent involvement in the special education process, parent education publications and special education regulations. The district will also cooperate with other districts, the ESD or OSPI in training surrogate parents and in establishing a list of persons willing and able to serve as surrogate parents.

B. Mediation

The purpose of mediation is to offer both the parent and the school district an alternative to a formal due process hearing. Mediation is voluntary and requires the consent and agreement of both parties. Mediation cannot be used to deny or delay access by a parent to a due process hearing. Mediation is used to resolve disagreements concerning the identification, evaluation and delivery of educational services or provision of a FAPE to a special education student. Mediation may be terminated by either party at any time during the process.

The primary participants are the parents, school district representatives and mediator. The process is voluntary, confidential and informal. It is a collaborative process, conducted in a nonadversarial manner. Mediation services will be provided by the Office of Superintendent of Public Instruction (OSPI) at no cost to either party.

The district's special education executive director is responsible for coordinating requests for

mediation. If a parent requests mediation, notify the director and the director will respond to the parent and coordinate with OSPI's contracted agent. Staff members are reminded that discussions that occur during the mediation process are confidential.

One person designated by the district to attend the mediation must have authority to bind the district in any agreement reached through mediation.

Due Process Hearing

Both parents and districts may file due process hearings involving the identification, evaluation, placement or provision of FAPE to a student. IDEA requires that specific information be provided as part of a due process hearing request. The requirements are identified in the notice of procedural safeguards. If parents request information about how to file a due process hearing, the district will provide the parent with a due process hearing request that contains the required information. Due process hearing request forms are available at the special services office and on the OSPI Special Education and Administrative Resources Web site.

If any staff receives a request for a due process hearing, a copy of the request should be immediately forwarded to the *Special Services Executive Director.* If the parent has not filed the request for hearing with OSPI, the district will forward the parent request to OSPI Administrative Resources Section. The district may not delay or deny a parent's due process hearing request. Parents are entitled to a copy of the notice of procedural safeguards if this is the first due process hearing in a school year. The district's special services administrative staff is responsible for providing the parents a copy of the procedural safeguards in this situation and documenting that the safeguards were provided to the parent.

When a parent files a due process hearing, the student remains in the placement at the time of the request for hearing unless the parents and district agree to a different placement. See the discipline section below for placements when a disciplinary action is challenged.

When parents file a request for a due process hearing, the Special Services Executive Director will immediately schedule a resolution meeting. The meeting must occur within 15 days after a parent files a due process request with the district and provides a copy of the request to OSPI, or, within seven days if the hearing request involves an expedited hearing regarding discipline. The Special Services Executive Director will determine the appropriate district staff that will attend the resolution meeting. The district will ensure that one of the district representatives attending the resolution meeting has authority to bind the district in any resolution agreement. The district will not bring district counsel to a resolution meeting unless the parent is bringing an attorney to the meeting.

Any resolution agreement reached will be documented in writing and is binding on the parties. The document will inform the parent of their right to void the agreement within three business days of signing the agreement.

Adopted 9/2016

Discipline
Students eligible for special education may be disciplined consistent with the disciplinary rules that apply to all students. The district will determine on a case by case basis whether discipline that is permitted under WAC 392-400 should occur. However, students eligible for special education must not be improperly excluded from school for disciplinary reasons that are related to their disability or related to the district's failure to implement a student's IEP. The district will take steps to ensure that each employee, contractor and other agents of the district responsible for education or care of a student is knowledgeable of special education disciplinary rules.

A. Removal Up to Ten Days
Building administrators may order the removal of a special education student from a current placement. The district need not provide services to a student who is removed from the current placement for ten school days or less in any school year, if services are not provided to a student without disabilities.

B. Removal for More than Ten Days
Once a student has been removed from placement for a total of ten school days in the same school year, and if the district determines that the removal is not a change of placement, the district must, during subsequent days of removal, provide appropriate services to the extent necessary to enable the student to participate in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. The IEP case manager, in consultation with one or more of the student's teachers, will make the determination of such necessary services.

C. Change in Placement
A change of placement occurs when an eligible student is:

1. Removed from his or her current placement for more than ten consecutive school days in a school year; or
2. Subjected to a series of removals in a school year and which constitute a pattern of removal because: 1) the series of removals total more than ten school days in a year; 2) the student behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and 3) because of factors such as the length of each removal, the total amount of time a student is removed, and the proximity of the removals to one another.

Whether a pattern of removal constitutes a change in placement is determined on a case-by-case basis by the building principal and special education director and is subject to review through due process and judicial proceedings. Building staff will notify the special education district office of students whose removal exceeds ten days.

D. Manifestation Determination
Within ten school days after the date on which the district makes a decision to change the student's placement, the district will schedule a manifestation determination meeting to

determine the relationship between the student's disability and the behavior subject to the disciplinary action.

The review of the relationship between a student's disability and the behavior subject to the disciplinary action will occur at meeting that includes the parent and relevant members of the IEP team who are selected by the parent and the district. The IEP case manager is responsible for contacting the parent to schedule the meeting. The team will review all relevant information in the student's file, including the IEP, teacher observations and information provided by the parent to determine:

1. If the conduct was caused by or had a direct and substantial relationship to the child's disability; or
2. If the conduct in question was the direct result of the district's failure to implement the student's IEP.

If the team determines that the behavior resulted from any of the above, the behavior must be considered a manifestation of the student's disability

The district will take immediate action to remedy the deficiencies, and will:

1. Conduct a functional behavioral assessment (unless already completed) and implement a behavioral intervention plan if one is not already in place; or
2. Review the existing behavioral intervention plan and modify it to address the behavior; and
3. Return the child to the placement from which he or she was removed from unless the parents and the district agree a change is necessary as part of the behavioral intervention plan, or unless the infraction involves drugs, weapons or serious bodily injury.

Special Circumstances

School personnel may order a change in placement to an appropriate interim alternative educational setting for the same amount of time that a student without disabilities would be subject to discipline, but for not more than 45 school days, if a special education student:

1. Possesses a "dangerous weapon" or carries such a weapon to school or to a school function;
2. Knowingly possesses or uses "illegal drugs" while at school or a school function;
3. Sells or solicits the sale of a "controlled substance" while at school or a school function; or
4. Inflicts serious bodily injury upon another person while at school or a school function. Serious bodily injury means a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

Any interim alternative educational setting in which the student is placed is determined by the student's IEP team and will:

1. Be selected so as to enable the student to participate in the general curriculum, although

in another setting and to progress toward meeting the goals set out in the student's IEP; and
2. Include services and modifications designed to address the behavior or to prevent the behavior from recurring.

The district may ask an administrative law judge, or seek injunctive relief through a court having jurisdiction of the parties, to order a change in placement to an appropriate interim alternative educational setting for not more than 45 school days or seek injunctive relief through a court having jurisdiction of the parties when:

1. The district believes that maintaining the student's current placement is substantially likely to result in injury to the student or others. If the student's IEP team believes that the student may not be maintained in his or her current placement, the IEP team should work with the district's special education director.

Unless the parent and the district agree otherwise, if a parent requests a hearing to challenge either the manifestation determination or the interim alternative educational setting, the student must remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the 45 day period, whichever occurs first.

Basis of Knowledge
A student who has not been determined eligible for special education services may assert the protections if the district had knowledge that the student was an eligible for special education before the behavior that precipitated disciplinary action occurred.

The district is deemed to have knowledge if:

1. The parent expressed concern in writing (or orally if the parent does not know how to write or has a disability the prevents a written statement) to district supervisory or administrative personnel or a teacher that the student is in need of special education and related services;
2. The parent requested that the student be evaluated for special education services; or
3. The teacher or other school personnel has expressed specific concern about a pattern of behavior demonstrated by the student to the director of the special education department or to other supervisory staff.

If instituting disciplinary action that would exceed ten days and the principal believes that one or more of these events applies to the student, the principal will notify the special education department to determine the appropriate disciplinary procedures.

The district is not deemed to have knowledge if, as a result of receiving the information described above, the district either:

1. Conducted a special education evaluation of the student and determined that the student was not eligible for services; or
2. The parent of the student has not allowed an evaluation of the child or has refused services.

Adopted 9/2016

If the district is not deemed to have knowledge that a student is a special education student, the student may be disciplined as a student without disabilities who engages in comparable behaviors. The district will conduct an evaluation, which is requested during the time period such a student is subjected to disciplinary measures, in an expedited manner. Until the evaluation is completed, such a student will remain in the educational placement determined by the district, which can include suspension or expulsion without educational services.

Notwithstanding the foregoing, the district may report a crime committed by a special education student to appropriate authorities. In the event of such a report, the district will ensure that copies of the student's special education and disciplinary records are transmitted for consideration by the appropriate authorities to whom the crime is reported, to the extent transmission of the records is permitted by the Family Educational Rights and Privacy Act (FERPA).

Staff Qualifications
All employees of the district funded in whole or part with state or federal excess special education funds will meet the standards established by the State Board of Education (SBE) and defined in WAC 392-172-A-02090.

All employees will hold such credentials, certificates or permits as are now or hereafter required by the SBE for the particular position of employment and will meet such supplemental standards established by the district.

All special education teachers providing, designing, supervising, evaluating or monitoring the provision of special education will possess "substantial professional training." This will be shown by the issuance of an appropriate special education endorsement on an individual teaching certificate issued by the superintendent of public instruction.

In the event a special education teacher does not have a certificate endorsed in special education, a district may apply for a pre-endorsement waiver through the special education section of the OSPI. To qualify for the special education pre-endorsement waiver, the teacher must meet SBE criteria.

If the district must temporarily assign a classroom teacher without a special education endorsement to a special education position, the district Human Resources Manager will document in writing that:

1. The district is unable to recruit a teacher with the proper endorsement who was qualified for the position;
2. The need for a teacher with such an endorsement could not have been reasonably anticipated and the recruitment of such a classroom teacher at the time of assignment was not reasonably practical; and/or
3. The reassignment of another teacher within the district would be unreasonably disruptive to the current assignments of other classroom teachers or would have an adverse effect on the educational program of the students assigned to the other teacher.

Adopted 9/2016

If one or more of these criteria can be documented and the district determines that a teacher has the competencies to be an effective special education teacher and the teacher has completed six-semester hours or nine-quarter hours of course work which are applicable to the special education endorsement, the district can assign the teacher to special education in compliance with the process for making out-of-endorsement assignments and reporting them to the state.

Classified staff will present evidence of skills and knowledge necessary to meet the needs of students with disabilities. The district will provide training to classified staff to meet the state recommended core competencies.

Personnel Development
In order to provide a staff development program to improve the quality of instructional programs, the following procedures will be employed:

1. Special education concerns will be identified through a staff needs assessment completed by administrators, teachers, educational staff associates, program assistants, parents and volunteers;
2. **All personnel who use restraint, restraint devices and/or isolation, must be certified and annually trained in the use of such restraint, restraint devices and/or isolation.** ~~Training must be provided annually to all personnel who may be providing aversive interventions under a student's IEP;~~
3. In-service training schedules will be developed based upon the results of the district assessment and in support of needs identified;
4. Training activities will be conducted for regular general and special education staff, staff of other agencies and organizations and private school staff providing services for special education student; and
5. Training for classified staff in the state recommended core competencies will occur through professional development structures set up the Human Resources department.

Public Participation
Any application and any required policies, procedures, evaluations, plans and reports are readily available to parents and other members of the public through the district's special education office and the office of the superintendent. A notice regarding the availability of such documents will be placed on the district's Web site.

Adopted 9/2016

STUDENT DRIVING

The Sumner School District provides adequate transportation for all students. High school students may drive automobiles to and from school. Students may not drive or leave the campus during the school day without the consent of the parent and principal (SSD Policy 3242 Closed Campus). A registration and permitting process is required of all student drivers. Corrective actions for violations of district driving guidelines contained in policy, procedure, student handbooks and the parking permit application may include **fines**, vehicle booting or towing, or loss of driving and parking privileges.

A student may use the school parking lot subject to the following conditions:

1. A student must register the car and receive a parking permit through the high school. The student must possess and maintain a valid Washington driver's license, show evidence of liability and property damage insurance coverage on the vehicle, and acknowledge that he/she will assume full responsibility for any comprehensive or collision claims that may occur while on school property. Parking on school district property is at the owner's/driver's own risk. The school district does not assume any liability or responsibility for damage to or loss of privately owned vehicles or property in vehicles at any time.

2. Students may not occupy a vehicle (without permission) during the school day. Parking lots are considered off campus during the school day, but are still district property. All district and school policies govern conduct in any district parking lot; and

3. In terms of student conduct rules, "possession" of alcoholic beverages, illegal chemical substances or opiates, firearms or dangerous weapons will also extend to a student's vehicle. All vehicles parked on campus may be subject to search according to SSD Policy 3230 Student Privacy and Searches.

Revised 3/2006, 5/2014, **6/2017**

STUDENT FEES, FINES, CHARGES

Student fee schedules for individual buildings must be approved on an annual basis. Each building will submit an annual report which includes a report indicating the fees collected by each department. In establishing fees for classes, the following guidelines will be used:

A. Class registration literature will describe fees for each class or activity and the process for obtaining a waiver or fee reduction;

B. A fee may be collected for any program in which the resultant product is in excess of minimum requirements and, at the student's option, becomes the personal property of the student. Fees may not exceed the cost of the materials. The district will furnish materials for those introductory units of instruction where a student is acquiring the fundamental skills for the course. A student must be able to obtain the highest grade offered for the course without being required to purchase extra materials;

C. A fee may be collected for personal physical education and athletic equipment, apparel and towels or towel service. However, any student may provide his/her own if it meets reasonable requirements and standards relating to health and safety;

D. A reasonable fee, not to exceed the actual annual maintenance cost, for the use of musical instruments and uniforms owned or rented by the district may be collected;

E. Students may be required to furnish personal or consumable items including pencils, paper, erasers and notebooks;

F. Security deposits for the return of materials or equipment may be collected. Provisions will be made to return the deposit when the student returns the item at the conclusion of the school term; and

G. A fee may be collected for a unit of instruction where the activity necessitates the use of facilities not available on the school premises, and participation in the course is optional on the part of the student. A waiver or fee reduction need not be offered for such activities.

Fees will not be levied for:

A. Field trips required as part of a basic educational program or course;

B. Textbooks (nonconsumable) which are designated as basic instructional material for a course of study; or

C. Instructional costs for necessary staff employed in any course or educational program.

Fee waivers and reductions will be granted to students whose families would have difficulty paying by reason of their low income. The USDA Child Nutrition Program guidelines will be used to determine qualification for a fee waiver or reduction.

Fines or damage charges may be levied for lost textbooks, library books or equipment **and other approved items on the fines/fees list**. In the event the student does not make proper restitution, grades, transcripts and/or diplomas will be withheld. A student may make restitution through a voluntary work program. If a student has transferred to another school that has requested the

Adopted 4/2012
Revised 1/2013, 8/2013, **6/2017**

student's records without paying an outstanding fine or fee, only records pertaining to the student's academic performance, special placement, immunization history and discipline actions will be sent to the enrolling school. This information will be communicated to the enrolling district within two school days and the confirming records will be sent as soon as possible. The official transcript will not be sent until the outstanding fee or fine is discharged. The enrolling school will be notified that the official transcript is being withheld due to an unpaid fee or fine.

A charge for lost or damaged materials or equipment may be appealed to the superintendent. The superintendent's decision may be appealed to the board. Care will be exercised by advising students and their parents, in writing, regarding the nature of the damages, how restitution may be made, and how a student or his/her parents may request a hearing. When damages are $100 or less, a parent and/or student has a right to appeal the imposition of a fine in a manner similar to that specified for a short-term suspension. When damages exceed $100, the parent and/or student may request a hearing in the manner provided for in a long-term suspension.

All fees will be deposited with the business office on a regular basis. The respective departments and schools will be credited by the amount of their deposit.

Adopted 4/2012
Revised 1/2013, 8/2013, **6/2017**

TITLE I PARENTAL INVOLVEMENT

Federal Requirements
The superintendent or designee will ensure that the district's Title I Parent Involvement policy, plan and programs comply with the requirements of federal law.

A. **The district will take the following actions to involve parents in the joint development of its district wide parental involvement plan:**

   1. **An annual meeting of parents of participating Title I students will be held to explain the goals and purposes of the Title I program. Within the first two months of each school year, the District Title I, Part A Coordinator will provide the coordination, technical assistance and support to assist Title I, Part A schools/principals in planning and implementing annual informational meetings to parents/guardians of participating students;**

   2. **Parents will be given the opportunity to participate in the development, operation and evaluation of the program. Annually, parents/guardians and staff who comprise the Title I Parent Involvement Committee will be given the opportunity to participate in the development, implementation and evaluation of the program and the parent involvement plan; and**

   3. **Parents will be encouraged to participate in planning activities, to offer suggestions, and to ask questions regarding policies and programs. Parents/guardians will be encouraged to offer suggestions and give requested feedback regarding related policies and programs. An annual Title I/LAP program survey will be provided for such input at each Title I school.**

B. **The district will take the following actions to involve parents in the process of school review and improvement:**

   1. **Parents will be given the opportunity to review the school improvement plan in November of each year at building Parent Title Nights and throughout the school year on our Sumner School District website; and**

   2. **Parents will be encouraged to participate in the building self-review in January of each year at building Parent Title Nights and through end of the year Title I surveys.**

C. **The district will provide the following coordination, technical assistance, and other support to assist Title I, Part A schools in planning and implementing effective parental involvement activities:**

Adopted 6/2017

1. Identify barriers to greater participation by parents in parental involvement activities;

2. Use findings of the evaluation to design strategies for more effective parental involvement; and

3. Revise, when necessary, the district and school parent involvement policies.

D. The district will coordinate and integrate parental involvement strategies with similar strategies under the following other programs, such as:

1. Head Start;

2. Even Start;

3. Learning Assistance Program;

4. Special Education; and

5. State-operated preschool programs.

The district will facilitate removing barriers to parental involvement by activities such as:

a. Conducting joint parent meetings with other programs;

b. Holding meetings at various times of the day and evening;

c. Arranging for in home conferences; and

d. Title I funds may be used to facilitate parent attendance at meetings by payment of transportation and child care costs.

E. The district will conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of the parental involvement policy.

F. The district will build the schools' and parent's capacity for strong parental involvement through the following:

1. The school district will, with the assistance of its Title I, Part A schools, provide information to parents of children served by the school district or school, as appropriate, in understanding topics such as the following:

a. The State's essential academic learning requirements;

b. The State and local academic assessments including alternate assessments;

c. How to monitor their child's progress; and

d. How to work with educators through monthly newsletters and quarterly Title I nights, phone calls and emails.

2. The school district will, with the assistance of its schools, provide materials and training to help parents work with their children to improve their children's academic achievement, by:

a. Giving guidance as to how parents can assist at home in the education of their child;

b. Holding parent meetings at various times of the day and evening to provide parents;

c. Providing opportunities for parents to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children;

d. Submitting parent comments about the program to the district; and

e. Providing parents with opportunities to meet with the classroom and Title I, Part A teachers to discuss their children's progress.

G. School district personnel including teachers, principals and other staff, will reach out to communicate with, and engage parents as equal partners. The district will provide:

1. Reasons supporting their child's selection for the program;

2. A description and explanation of the school's curriculum;

3. Information in the academic assessment used to measure student progress; and

4. Information on the proficiency levels students are expected to meet. Information on the proficiency levels students are expected to meet through monthly newsletters and quarterly Title I Nights.

Adopted 6/2017

H. The school district will take action to ensure that information related to the school and parent programs, meetings, and other activities, is sent to the parents of participating children. The information will be provided in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language the parents can understand:

1. Distribution of the Title I Family Involvement policy on an annual basis. The district will ensure that information related to the school and parent/guardian programs, meetings, and other activities, is sent to the parent/guardians of participating students in an understandable and uniform format, including alternative formats upon request, and to the text practicable, in a language the parents/guardians can understand; distributing written information on a regular basis in multiple languages; and, if feasible, providing information orally for limited English proficient parents/guardians in a language they understand.

2. Distribution of the Title I Family Involvement policy in multiple languages or formats to the extent needed and practicable.

School-Based Parent Involvement Policy
In addition to the district-wide policy on family involvement, each school offering Title I, Part A services will have a separate school building parent involvement policy.

The building-level Title I, Part A parent involvement policy will meet the following requirements:

A. Each building in the district receiving Title I, Part A funds will jointly develop with and distribute to parents of students served in the program a written building-level policy, agreed upon by parents of Title I served students;

B. The policy will outline how parents, school staff and students share responsibility for student achievement in meeting academic standards;

C. Parents will be notified of the policy in an understandable and uniform format;

D. To the extent practicable, the policy will be provided in a language the parents can understand; and

The policy will be evaluated with parents annually.

Adopted 6/2017