

PORT TOWNSEND SCHOOL DISTRICT NO. 50
School Board Work/Study Session
September 9, 2014
“Discover the Power of Learning”

Mission:

In partnership with home and community, Port Townsend School District provides a learning environment where each student develops the knowledge and skills to become a creative, successful and engaged citizen.

01. Location/Time

01.01 Gael Stuart Board Room, S-11, 1610 Blaine St., 6:00 p.m.

02. Call to Order

02.01 Roll Call
02.02 Pledge of Allegiance

03. Agenda

03.01 Agenda Approval

04. Shining Star Awards – Superintendent Engle

05. Correspondence - None

06. Public Comments

07. Action Items

07.01 Accept resignation of Anne Burkart, Director District 5
07.02 Approve Policy 5201 – Drug-Free Workplace
07.03 Approve Policy 3427 – Restraint and Isolation

08. Policy Review

08.01 Policy 2161 – Special Education and Related Services for Eligible Students – First Review
 08.010 PT Current
 08.011 WSSDA Recommendation
 08.012 PT Corrected

09. Unfinished Business

10. New Business

11. Board Member Announcements/Suggestions for Future Meetings

12. Executive Session (if needed)

13. Next Meeting

13.01 September 22, 2014, Regular Meeting, Gael Stuart Board Room, S-11, 1610 Blaine Street, 6:00 p.m.

14. Adjournment

Anne Burkart
151 Windship Dr.
Port Townsend, WA 98368

August 27, 2014

Dear Holley, Board Chair; Port Townsend School District Directors and Superintendent Dr Engle:

It is with a heavy heart that I submit my resignation from the Port Townsend School Board, effective October 31, 2014. Mike's health and other family and financial considerations make it necessary to move closer to family in Southern California.

My seven year tenure on the board has been one of the most satisfying endeavors of my life. I am very excited about the direction of this district and the Maritime Discovery Schools initiative under the direction of Dr. David Engle. I believe this district is on the cutting edge of how education should and will be delivered to all students in the future.

I applaud the courage of you board members to do "what is right" for all the stakeholders in the district. It has been my honor to serve with the wonderful, dedicated, smart people that I admire and like so much.

I wish you all great success and hope you will continue to support the transformational changes that promise to make Port Townsend School District an exceptional school district where both students and educators can't wait for each school day to begin!

Sincerely

A handwritten signature in cursive script that reads "Anne Burkart". The signature is fluid and elegant, with a large initial 'A' and a long, sweeping tail on the 't'.

Anne Burkart
District 5 Director

PERSONNEL

Drug-Free Schools, Community and Workplace

The board has an obligation to staff, students and citizens to take reasonable steps to assure safety in the workplace and for the students that the staff serves.

“Workplace” is defined to mean the site for the performance of work done in connection with a federal grant. That includes any school building or any school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; off school property during any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district where work on a federal grant is performed.

For these purposes, the board declares that the following behaviors will not be tolerated:

- A. Reporting to work under the influence of alcohol, illegal and/or controlled substances including marijuana (cannabis).
- B. Using, possessing, transmitting alcohol, illegal and/or controlled substances including marijuana (cannabis) and anabolic steroids in any amount or in any manner on district property at any time or when involved in a school district activity on or off school district property. Any staff member convicted of a felony attributable to the use, possession or sale of illegal and/or controlled substances including marijuana (cannabis) will be subject to disciplinary action, including immediate termination.
- C. Using district property or the staff member’s position within the district to make or traffic alcohol, illegal and/or controlled substances.
- D. Using, possessing or transmitting illegal and/or controlled substances including marijuana (cannabis).

Any staff member who is taking a drug or medication whether or not prescribed by the staff member’s physician which may adversely affect that staff member’s ability to perform work in a safe or productive manner is required to report such use of medication to his or her supervisor. This includes drugs which are known or advertised as possibly affecting judgment, coordination, or any of the senses, including those which may cause drowsiness or dizziness. The supervisor, in conjunction with the district office, then will determine whether the staff member can remain at work and whether any work restrictions will be necessary.

As a condition of employment, each employee shall notify his or her supervisor of a conviction under any criminal drug statute violation occurring in the workplace as defined above. Such notification shall be provided no later than 5 days after such conviction. The district shall inform the federal granting agency within ten days of such conviction, regardless of the source of the information.

Each employee will be notified of the district’s policy and procedures regarding employee drug activity at work. Any staff member who violates any aspect of this policy may be subject to disciplinary action, which may include immediate discharge. As a condition of eligibility for reinstatement, an employee may be required to satisfactorily complete a drug rehabilitation or treatment program approved by the

board, at the employee's expense. Nothing in this policy will be construed to guarantee reinstatement of any employee who violates this policy, nor does the school district incur any financial obligation for treatment or rehabilitation ordered as a condition of eligibility for reinstatement.

The district may notify law enforcement agencies regarding a staff member's violation of this policy at the district's discretion or take other actions as it the district deems appropriate.

Cross References:	Policy 4215	Use of Tobacco and Nicotine Substances on School Property
	Policy 5203	Staff Assistance Program
	Policy 5280	Termination of Employment
Legal References:	41 USC-§8103	Drug Free Workplace Requirements for Federal Grant Recipients
	20 USC §§7101-7118	Safe and Drug-Free Schools and Communities Act
	21 USC 812	Controlled Substance Act
	RCW 69.50.435	Violations committee-in or on certain public places or facilities – Additional penalty – Defenses – Construction - Definitions
Management Resources:	<i>Policy News</i> , February 1999	Bus drivers still tested for marijuana
	<i>Policy News</i> , December 2011	Changes in WSSDA's Policy Reference Manual
	<i>Policy and Legal News</i> February 2013	Policy Revisions

Date: 10/5/89; 3/21/91; 3/27/00; 4/28/03; 12/8/08; _____

STUDENTS

Use of Restraint and Isolation

This policy applies only to students with individualized education programs (IEP) or Section 504 plans while the students are participating in school-sponsored instruction or activities. As required by WAD 392-172A-03120 through 03135, District staff may use restraint or isolation to discourage undesirable student behaviors by special education students only in conjunction with an aversive intervention plan, or to control unpredicted spontaneous behavior that poses a clear and present danger of serious harm to the student, to another person, to property, or of disrupting the educational process. District staff will comply with all limitations and conditions on the use of restraint, isolation, and aversive interventions as required by law.

The District will provide a copy of this policy to parents or guardians of students with IEP's or Section 504 plans when the programs or plans are created. All IEPs must include procedures for notifying parents of guardians regarding the use of restraint or isolation. A statement will be added to the Prior Notice section stating the District policy is attached to the IEP.

The superintendent or designee will develop procedures to implement this policy.

Cross Reference:	Policy 2161	Special Education and Related Services for Eligible Students
	Policy 2162	Education of Students with Disabilities Under Section 504
Legal References:	Chapter 392-172A WAC	Rules for the Provision of Special Education
	RCW 28A.155.210	Special Education
	RCW 28A.600.485	Students
Management Resources:	<i>Policy News</i> , December 2008	Use of Reasonable Force Policy
	<i>Policy News</i> , July 2013	Use of Reasonable Force policy retitled, revised to include new reporting requirement pursuant to ESSB 1688
	<i>Policy News</i> , December 2013	New policy on Isolation and Restraint of students with IEPs and 504 plans

Date: _____

INSTRUCTION

Special Education and Related Services for Eligible Students

The district recognizes that students whose disabilities adversely impact educational performance and who require specially designed instruction have potential for improving educational performance when they receive special education and related services tailored to fit their needs.

Each eligible special education student in the district will be afforded a full education opportunity. This goal will be met consistent with the state's goals through ensuring the provision of a free appropriate public education, complying with state and local procedures, and improving performance goal indicators.

The district shall comply with state and federal requirements for special education. The superintendent shall develop procedures consistent with state and federal laws and rules to implement the following:

- Free appropriate public education (FAPE);
- Confidentiality of personally identifiable information;
- Identification, evaluation, eligibility and reevaluation;
- Participation in assessments;
- Development of individualized education program (IEP) and placement;
- Participation in regular education, least restrictive environment (LRE);
- Procedural safeguards;
- Parent participation;
- Transition from Part C to Part B services for preschool children;
- Private school students unilaterally placed by parents;
- Staff qualifications and personnel development; and
- Program administration and evaluation.

The superintendent shall develop procedures to implement this policy, as directed by federal regulation (34 CFR 300.220). This policy and procedures shall be consistent with the state's special education regulations and filed with the Office of the Superintendent of Public Instruction.

Not all students with disabilities are eligible for special education services. The needs of each student will be addressed individually and provided appropriate accommodations or modifications required under Section 504 of the Rehabilitation Act, Title II of the Americans with Disabilities Act, and the Washington laws against discrimination.

Free Appropriate Public Education (FAPE).

The district shall provide all eligible students with disabilities ages three through twenty-one with a free appropriate public education which consists of special education, necessary related services, and supplemental aids and services, provided:

1. At public expense, under district supervision and direction;
2. In compliance with the standards of the state educational public agency;

3. To include preschool, elementary, and secondary educational opportunities; and
4. In conformity with an individualized education program (IEP) which meets the requirements of special education rules.

Such educational and support services may extend beyond the traditional 180-day school calendar year if necessary to provide an individual eligible student with a free appropriate public education.

Confidentiality of Personally Identifiable Information.

In addition to complying with the district's policies and state and federal law on the confidentiality of all student records, the superintendent is directed to develop procedures to implement confidentiality requirements that are consistent with state special education rules.

This includes informing parents of students or eligible students of their right to confidentiality, at least annually, through appropriate notice.

Identification, Evaluation, Eligibility, and Re-evaluation

Childfind

The district shall develop and implement awareness and screening activities for the purpose of locating, identifying and evaluating all resident students enrolled in school or not, who are suspected of having disabilities and are in need of receiving special education and related services. These procedures shall encompass students ages birth through twenty-one regardless of the severity of their disability who reside in the district, including those attending public and private agencies and institutions and religious schools

The district's procedures shall also include methods for conducting childfind activities including methods to determine which students are not currently receiving needed special education and related services. The procedures shall include methods to locate students who are highly mobile and students suspected of being a student with a disability and in need of services even though they are advancing from grade to grade. Childfind procedures shall be developed in consultation with appropriate representatives of private school students.

Evaluation and Eligibility

The district shall develop evaluation procedures that are consistent with state and federal requirements, including: referral, evaluation methods and timeline(s), areas of evaluation, periodic review, evaluation safeguards, reporting and documenting the determination of eligibility, and independent educational evaluation.

The district recognizes the developmentally delayed category for eligible students ages three to nine. The superintendent shall develop procedures for implementation of this eligibility category.

Re-evaluation

The district shall develop reevaluation procedures that are consistent with state and federal requirements, including general requirements, purposes, notice of results, procedures for appropriate identification and classification, and procedures for determining continuing or additional needs for special education and related services.

Development of IEP and Placement

Development of IEP

The district shall develop procedures for implementing the IEP requirements for each student that are consistent with state and federal regulations, including methods for updating each IEP at least annually and appropriate inclusion of eligible students in local and state assessment programs.

Placement

The district shall develop procedures for implementing state and federal requirements regarding the delivery of special education services including: least restrictive environment, nonacademic and extracurricular services, alternative service delivery options placement considerations and annual review, initial placement, evaluation of IEP, preschool services, district initiated placements, transition of preschool students from Part C to Part B services, and placements paid for at public expense.

The district shall also develop procedures to determine the services provided to students unilaterally placed in private schools by their parents. The procedures shall include consultation with appropriate representatives of private school students to determine the number of unilaterally placed students, the needs of students and their location, so that it can be decided which students will receive services, what services will be provided, how and where services will be provided and how services will be evaluated.

Certificate of Attendance (COA)

The district shall permit any student who is receiving special education or related services and who will continue to receive services between the ages of 18 and 21 to participate in the district graduation ceremony after four years (9th, 10th, 11th, 12th grades) of high school attendance.

In lieu of a diploma, the district shall provide the student with a certificate of attendance. Receiving the certificate of attendance does not preclude a student from continuing to receive special education and related services according to the individualized education program and completing courses in pursuit of a diploma or the certificate of individual achievement.

Receipt of a certificate of attendance is not equivalent to receipt of the high school diploma or a certificate of individual achievement.

The superintendent shall establish procedures for development and distribution of the certificate of attendance.

Procedural Safeguards

The district shall develop procedures for implementing procedural safeguards for parents and students consistent with state and federal requirements that include notice relating to informed parental consent, assessment (protection in evaluation procedures), confidentiality, opportunity to examine records, prior notice, independent educational evaluation, impartial due process hearing, surrogate parents, discipline, attorney's fees, mediation and citizen complaints.

Personnel Development

The district recognizes the importance of a qualified staff in delivering appropriate educational services to special education students. The superintendent shall develop procedures for the implementation of a district plan for hiring and staff development for administrators, teachers and support personnel. Such a plan shall be complementary to the statewide plan for Comprehensive System of Personnel Development, which includes:

1. The in-service training of general and special educational administrative, instructional and support personnel to insure that they are appropriately and adequately prepared and trained;
2. Effective procedures for acquiring and disseminating to teachers and administrators of programs for special education students significant information derived from educational research, demonstration, and similar projects; and
3. Procedures for adopting promising practices.

Program Administration and Evaluation

Program Administration

The district shall develop procedures for implementing the administrative requirements contained in state and federal regulations including: full educational opportunity, public control, use of funds including excess cost, non-supplanting, and maintenance of effort, comparable services, information reports and records, public participation, transportation, program coordination, construction and comparability of facilities, program length, health or safety, transition to preschool, aversive interventions disciplinary exclusions, and citizen's complaint process.

Evaluation

The district shall develop procedures for updating, at least annually, the effectiveness of individualized education programs in meeting the educational needs of special education students, including parent/family involvement in the evaluation process. Students eligible for special education and related services shall be re-evaluated every three years in accordance with state and federal requirements.

Cross References:	Board Policy 2162	Education of Students with Disabilities (Section 504)
	Board Policy 3200	Student Rights and Responsibilities
	Board Policy 3231	Student Records
Legal References:	RCW 28A.605.020	Parents' Access to Classroom or School Sponsored Activities
Legal References:	RCW 28A.155	Special Education
	WAC 392-172A	Special Education Programs
	20 USC 1400-1491	IDEA (1997 Individuals with Disabilities Education Act)
	34 CFR 99.1-99.67	Family Education Rights and Privacy

	34 CFR 104.1-104.61	Nondiscrimination on the basis of handicap in programs or activities receiving or benefiting from Federal financial assistance.
	34 CFR 300.1-300.754	Title I Assistance to Education of Children with Disabilities Program, Part B
	34 CFR 303.1-303.67	Early intervention for infants and toddlers with disabilities, Part C
Management Resources:	<i>Policy News</i> , December 1999	Rule adoption leads to special education policy
	<i>Policy News</i> , June 2007	Graduation Ceremonies for Special Education Students

Date: 1/5/89; 5/7/93; 1/22/96; 5/8/00; 2/12/01; 11/22/04; 5/5/08; 1/11/10.

PORT TOWNSEND SCHOOL DISTRICT NO. 50

Special Education and Related Services for Eligible Students

The board recognizes that students whose disabilities adversely impact educational performance and who require specially designed instruction can improve their educational performance when they receive special education and related services tailored to fit their needs. The district adopts the state's full educational opportunity goal to provide students in need of special education services with a free appropriate public education.

Special education programs for eligible students will be an integral part of the general educational programs of this district, and will be operated in compliance with federal and state requirements governing special education. The district will provide a continuum of placement options, which may include services within and outside the district depending on the student's needs.

Not all students with disabilities are eligible for special education services. The needs of those students will be addressed individually and if, appropriate, the student will be provided accommodations or modifications required under Section 504 of the Rehabilitation Act in accordance with district policy and procedures.

Mediation or Resolution Agreements

The board authorizes the superintendent or a designee to bind the district to a mediation or resolution agreement.

Commencement Exercises/Certificate of Attendance

In order to participate in commencement exercises, students must have met the minimum criteria for graduation prior to the date of the exercise and otherwise be in good standing with their school through the commencement date. Minimum criteria for participation may be adjusted for students with an IEP whose disabilities have impacted their opportunity to accumulate credits. Each student's IEP team will determine the student's graduation plan, including graduation date. IEP students who have attended four years of high school and need additional time to complete IEP goals and/or credits may request participation in commencement exercises. IEP students will receive a certificate of attendance until they complete their credits for graduation.

The district superintendent will develop and maintain special education procedures necessary to implement this policy. This policy and the procedures will be available to the public.

Cross References: 2162 - Education of Students With Disabilities Under Section 504 of the Rehabilitation Act of 1973
2163 - Response to Intervention
2410 - High School Graduation Requirements
3231 - Student Records
3241 - Classroom Management, Corrective Actions Or Punishment
3247 - Required Notification of Isolation or Restraint of Students with IEPs or Section 504 Plans

Legal References: Chapter 28A.155 RCW Special education

RCW 28A.600.485 Restraint of students with individualized education programs or plans developed under section 504 of the rehabilitation act of 1973 – Procedures – Definitions.

RCW 28A.600.486 District policy on use of isolation or restraint – Notice to parents and guardians of children who have individualized education programs or plans developed under section 504 of the rehabilitation act of 1973.

RCW 28A.605.020 Parents' Access to Classroom or School Sponsored Activities – Limitation

Chapter 49.60 RCW Discrimination – Human rights commission

WAC 392-172A Rules for the provision of special education

29 U.S.C. 794 Section 504 of the Rehabilitation Act of 1973, as amended by the Rehabilitation Act Amendments of 1974, Pub. L. 93-516, 29 U.S.C. 794

20 U.S.C. 1400 et seq. Individuals with Disabilities Education Act of 2004

42 U.S.C. 12131-12133 Americans with Disabilities Act of 1990

28 CFR Part 35 Nondiscrimination on the Basis of Disability in State and Local Government Services

34 CFR Part 99 Family Education Rights and Privacy Act (FERPA)

34 CFR Part 104 Nondiscrimination on the basis of handicap in programs and activities receiving federal financial assistance

34 CFR Part 300 Assistance to States for the Education of Children With Disabilities

34 CFR Part 303 Early Intervention Program for Infants and Toddlers with Disabilities

Management Resources:

2014 – June Policy Alert

2009 - October Issue

Policy News, December 2007 Updated Special Education Policy and Procedure

Policy News, June 2007 Graduation Ceremonies for Special Education Students

Policy News, December 1999 Rule Adoption Leads to Special Education Policy

Adoption Date:

Classification: **Essential**

Revised Dates: 02.00; 06.07; 12.07; 10.09; 12.11; **06.14**

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~~Rehabilitation Act, Title II of the Americans with Disabilities Act, and the Washington laws against discrimination in accordance with district policy and procedures.~~

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Program Administration and Evaluation

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Cross References: Board Policy 2162 Education of Students with Disabilities (Section 504)
Board Policy 2410 High School Graduation Requirements
Board Policy 3200 Student Rights and Responsibilities
Board Policy 3231 Student Records
Board Policy 3427 Required Notification of Isolation or Restraint of Students with IEPs or Section 504 Plans

Legal References: RCW 28A.155 Special Education
RCW 28A.600.485 Restraint of students with individualized education programs or plans developed under Section 504 of the Rehabilitation Act of 1973 – Procedures – Definitions
RCW 28A. 600.486 District policy on use of isolation or restraint – Notice to parents and guardians of children who have individualized education programs or plans developed under Section 504 of the Rehabilitation Act of 1973
RCW 28A.605.020 Parents' Access to Classroom or School Sponsored Activities
Chapter 49.60 RCW Discrimination – Human rights commission
WAC 392-172A Special Education Programs
20 USC 1400-1491 IDEA (1997 Individuals with Disabilities Education Act)
28 CFR Part 35 Nondiscrimination on the Basis of Disability in State and Local Government Services
29 USC 794 Section 504 of the Rehabilitation Act of 1973, as amended by the Rehabilitation Act Amendments of 1974, Pub. L. 93-516, 29 USC 794
34 CFR 99.1-99.67 Family Education Rights and Privacy
34 CFR 104.1-104.61 Nondiscrimination on the basis of handicap in programs or activities receiving or benefiting from Federal financial assistance.
34 CFR 300.1-300.754 Title I Assistance to Education of Children with Disabilities Program, Part B
34 CFR 303.1-303.67 Early intervention for infants and toddlers with disabilities, Part C
42 USC 12131-12133 Americans with Disabilities Act of 1990

Management Resources:	<i>Policy News, Dec 1999</i>	Rule adoption leads to special education policy
	<i>Policy News, June 2007</i>	Graduation Ceremonies for Special Education Students
	<i>Policy News, Dec 2007</i>	<i>Updated Special Education Policy and Procedure</i>
	<i>June 2014 Policy Alert</i>	

Date: 1/5/89; 5/7/93; 1/22/96; 5/8/00; 2/12/01; 11/22/04; 5/5/08; 1/11/10_____

PORT TOWNSEND SCHOOL DISTRICT NO. 50