

Policy News

Washington State
School Directors'
Association



August 2008

A Subscriber Service from WSSDA Policy and Legal Services

School-Safety Plans

Beginning this school year, every district is required to have in place a school-safety plan consistent with the school mapping information system (RCW 28A.320.125). Guidance on safety planning is provided by the Office of the Superintendent of Public Instruction (OSPI). Although a plan is required to be in place by September, OSPI will allow districts until October 15 to report on their plans.

The law sets out required elements of a school-safety plan and several annual activities that districts must conduct to update and maintain their plan. It is recommended that a district plan include prevention, intervention, all hazard/crisis response, and post-crisis recovery when developing an individual comprehensive school-safety plan. The plan must include:

A. Required school safety policies and procedures;

- B. Emergency mitigation, preparedness, response and recovery components;
- C. Provisions for assisting and communicating with students and staff, including those with special needs or disabilities;
- D. Training of staff (specifically building principals) including certification on the incident command system;
- E. Consideration of how school facilities can be used as a community asset in the event of a community-wide emergency; and
- F. Guidelines for annually requesting city or county law enforcement agencies, local fire departments, emergency service providers and county emergency management agencies to meet with school districts and participate in safety-related drills.

Annually, districts must report the progress of their comprehensive school-safety plan to the Washington Association of Sheriffs and Police Chiefs. District activities related to the school-safety plan include:

- A review and update of the school-safety plan in collaboration with local emergency response agencies;
- An inventory of all hazardous materials;
- Updating information on school-mapping to reflect staffing and the updated plan;
- Identification of staff members who are trained or certified on the incident command system;
- Identification of school transportation procedures for evacuation;
- Providing information to all staff on the use of emergency supplies and notification and alert procedures;

IN THIS ISSUE

School Safety Plans	1
Transfer of School District Territory	3
Restructuring First Class Director Districts	3
Reminder: Federal Annual Notices	4

POLICIES AND PROCEDURES:

1105	Director Districts
1105P	Director Districts (NEW)
3421	Child Abuse, Neglect and Exploitation Prevention
3421P	Child Abuse, Neglect and Exploitation Prevention
3432	Emergencies
3432P	Emergencies

Policy News

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About the WSSDA

Founded in 1922, the Washington State School Directors' Association is comprised of all 1,477 school board members from Washington's 295 school districts. The districts they lead serve more than one million students, have a combined annual budget of \$6 billion, and employ nearly 100,000 people. WSSDA's core mission is focused on ensuring that school board members have the knowledge, tools and services they need to effectively govern their districts and improve student learning.

- Conducting safety related drills including lockdowns and shelter-in-place.

The safety-related drill provisions of the law are very specific regarding frequency and types of drills to be conducted. Specifically schools must conduct no less than one safety-related drill each month or portion of a month that school is in session. A total of eight drills are required; one of those must use the school-mapping information system. They are:

- A. One drill for lock downs;
- B. One drill for shelter-in-place; and
- C. Six drills for fire evacuation in accordance with the state fire code.

The district must document each drill by reporting date and time, as well as participants, type of drill, type of school, weather conditions, problems and extenuating circumstances. An emergency drill reporting form can be found on the OSPI Web site (www.ospi.k12.wa.us/safetycenter).

Additionally, schools are asked to consider drills for earthquakes, tsunamis or other high-risk local events.

School-Safety Plan Policy Considerations

The law which requires a school district safety plan also refers to the need to identify policies that will support the plan. A list of selected policies from the WSSDA model policy reference manual, that districts may wish to refer to in the appendix of the plan, is provided. A separate board policy on a safety plan is not recommended because a comprehensive plan will incorporate a variety of policies. However, some districts may choose to create a separate policy in addition to referencing related policies.

The following policies and procedures may have implications in a school-safety plan:

1. 3200 – Student Rights and Responsibilities;
2. 3205 – Safety and Civility in Schools;
3. 3413 – Immunization and Life-Threatening Health Conditions;
4. 3414 – Infectious Diseases;
5. 3415 – Accommodating Students with Diabetes;
6. 3416 – Medication at School;
7. 3417 – Catheterization;
8. 3418 – Emergency Treatment;
9. 3419 – Self-Administration of Asthma and Anaphylaxis Medication;
10. 3432 – Emergencies (fire drills, earthquakes, bomb threats, etc.);
11. 4000 – Public Information Program;
12. 4010 – Staff Communications Responsibility;
13. 4200 – Safe and Orderly Learning Environment;
14. 4210 – Regulation of Dangerous Weapons on School Premises;
15. 4260 – Use of School Facilities;
16. 4310 – Relations with Law Enforcement;
17. 4314 – Notification of Threats of Violence or Harm;
18. 6040 – Expenditures in Excess of Budget;
19. 6510 – Safety;
20. 6511 – Staff Safety;
21. 6513 – Workplace Violence Prevention;
22. 6600 – Transportation;
23. 6605 – Student Safety Walking to School and Riding Buses;
24. 6630 – Driver Training and Responsibility;
25. 6895 – Pesticide Notification, Posting and Record Keeping.

There may be additional policies that are unique to your district that should also be referenced as part of the district safety plan. Further, districts may want to group the policies based on focus. For example, a district may choose to create health and security categories, or separate

out those policies that would apply only to a natural disaster and create an additional comprehensive list for other emergencies. For additional assistance in creating a safety plan, review the OSPI checklist and information on creating a safety plan at www.ospi.k12.wa.us/safetycenter.

WSSDA's model policy and procedure 3432, Emergencies, have been updated to incorporate the new monthly drill requirements for school districts.

Transfer of School District Territory

On occasion school districts transfer territory between themselves. To initiate a transfer requires a petition signed by at least 51 percent of the active registered voters or signed by a majority of the members of the board of directors of one of the districts affected by a proposed transfer of territory.

The process is largely one of districts negotiating among themselves until they reach a mutually agreeable solution. The law does provide general timelines and an opportunity for the districts to request a mediator. If the districts agree, the property is transferred. However, if either rejects the transfer, it does not occur. When they cannot agree, either district may request a hearing and a decision by a regional review committee.

During the last legislative session, additional requirements were added to the process for school directors who chose to sign a petition supporting a transfer. The directors must document, before signing the petition requesting transfer, that they communicate:

- A. The proposed transfer to the board of directors of the affected district, or districts, and provide an opportunity for the board of the affected district or districts to respond; and
- B. The proposed transfer to the registered voters residing in the territory proposed to be transferred, provide notice of a public hearing regarding the proposal, and provide the voters an opportunity to comment on the proposal at the public hearing.

Previously, many districts may have used an informal process to communicate a proposed property transfer to voters. The new legal requirements create a formal process for informing voters as well as the affected districts. The law stresses communication, however documentation is also required so districts would be wise to communicate in writing, to keep minutes of all public hearings and compile written records of public comment. These documents will serve as the record the board may rely upon prior to taking action at a formal board meeting. A procedure for model policy 1105, Director District Boundaries, has been created to reflect the new transfer of property requirements for school directors.

Restructuring of First-Class Director Districts

Formerly the law only permitted second-class school districts to change from director districts to a combination of director districts and at-large districts. Such a change was allowed if the board of directors submitted a resolution to their Educational Service District (ESD) superintendent requesting the change; or if 20 percent of the registered voters in the district signed a petition requesting the change.

The resolution or the petition requests the dissolution of the existing director districts and reapportionment of the district into "no fewer than three directors' districts and with no more than two directors at large."

The ESD superintendent, working with the county auditor, formulates the ballot question for the voters. A special election of the district voters is required to approve the request to reconfigure director districts. The approval is a simple

majority of those voting. If the ballot measure is successful, as the existing members terms expire their successors are elected according to the new voter-approved director districts.

During the 2008 legislative session, the law was amended to allow first-class districts, composed of all director districts, to reconfigure to a combination of director districts and at-large districts by resolution or obtaining a petition from 20 percent of the voters in the dis-

tract. The process for first-class districts now mirrors the process used by second class districts.

Although the process is outlined in the law, new language is added to model procedure 1105, Director District Boundaries, as an easy reference for districts who may consider a director district

Reminder: Federal Annual Notices

Numerous federal laws require school districts to provide annual notices to parents regarding programs and services. Historically, districts provide the notice at the beginning of the school year in the annual district calendar, student handbook or through the beginning-of-the-year parent information packet. Some of the notices districts are required to provide include:

- Federal Educational Rights and Privacy Act (FERPA): Provides parents notice of their rights to inspect and review education records, amend education records or consent to disclose personally identifiable information in education records. (www.ed.gov/policy/gen/guid/fpco/doc/ferpamodelnotice04.doc)
- No Child Left Behind: Multiple notices are required including: annual report cards; progress reviews; schools identified for school improvement; corrective action; parental involvement policies; complaint procedures; and teacher and paraprofessional qualifications. (www.ed.gov/programs/titleiparta/parentinguid.doc)
- Protection of Pupil Rights Amendment (PPRA): Requires notification of the district policy regarding administration of surveys, instruc-

reconfiguration. This is important information for school directors to be aware of in performing their governance function. Next year is an election year in school districts across the state and approximately one-third of members will be up for election. Because of changing demographics and the growing de-

tional material, physical examinations, personal information; and notification of the dates when surveys on certain topics will be conducted, when certain non-emergency, invasive physical examinations will occur or when student information will be used for selling or marketing purposes. (www.ed.gov/policy/gen/guid/fpco/pdf/modelnotification.pdf)

- National School Lunch Program: Districts must provide parents and the public information about free and reduced-priced meals and/or free milk. Districts must also provide an application form. (www.fns.usda.gov/cnd/Guidance/eligibility_guidance.pdf)
- McKinney-Vento Act: The district's homeless liaison must provide notice of the education rights of homeless students by disseminating district information in locations where homeless students receive services. (www.serve.org/nche/products_list.php#youth_poster)
- Asbestos Hazard Emergency Response Act: Districts must annually notify parents, teachers and employee organizations of the availability of the asbestos management plan as well as inspections,

mands on individuals, as well as the time it takes to serve on a local school board, it is often difficult to recruit a large number of candidates in a particular director area. Allowing candidates to run for district wide positions offers a potential solution to this dilemma.

actions and surveillance activities. (www.epa.gov/region2/ahera/notiform.htm)

- Non-Discrimination Laws: Title VI (race, color, and national origin); Title IX (sex); Section 504 (disability); Age Discrimination (age); Title II (disability): Districts must notify students, parents and others that they do not discriminate on the basis of race, color, national origin, sex, disability or age. (www.ed.gov/print/about/offices/list/ocr/docs/nondisc.html)
- Individuals with Disabilities Education Act: Districts must provide parents of students with disabilities a copy of procedural safeguards one time per year, as well as at other key points in the process such as upon initial referral or upon filing a request for a due process hearing. (idea.ed.gov/download/modelform3_Procedural_Safeguards_Notice.pdf)