

Board Special Meeting Operations Committee

August 23, 2017, 4:30pm

Board Office Conference Room, John Stanford Center
2445 – 3rd Avenue South, Seattle WA 98134



Agenda

Call to Order

4:30pm

1. Roll Call
2. Approval of agenda
3. Approval of meeting minutes – June 15, 2017

Monthly Capital Financial Report (There will be no report this month.)

Board Action Reports (Discussion and/or Action)

4:40pm

1. BTA III: Final acceptance of contract K5070, CDK Construction Services, Inc. for the Eckstein Middle School Phase II Fire Sprinkler Installation project

Board Policy Action Reports (Discussion and/or Action)

1. Policy 6810, Natural Resources Conservation (B. Skowyra)
2. Policy 3116, Students in Foster Care (P. Sander)

Special Attention Items

1. 2016-17 Title IX Annual Report (T. Meade)

Adjourn

6:30pm

Upcoming Meetings - September 7, 2017

Operations Committee meetings move to the first Thursday of each month

(Please note that this is a working committee. Documents may change before the meeting and/or prior to introduction before the Board. Special meetings of the Board may contain discussion and/or action related to the items listed on the agenda).

Board Special Meeting Operations Committee

June 15, 2017, 4:30pm

Board Office Conference Room, John Stanford Center
2445 – 3rd Avenue South, Seattle WA 98134



Minutes

Call to Order

Director Blanford called the meeting to order at 4:30pm. Directors Geary and Patu were also in attendance. Associate Superintendent Flip Herndon and Assistant Superintendent Pegi McEvoy staffed the meeting.

The agenda and minutes of the May 18th committee meeting were approved.

Monthly Capital Financial Report

Melissa Coan reviewed the summary report, noting that BTA III reflects a slight increase due to levy collections. Budgets for solar panel projects are also being earmarked. There were no questions.

Board Action Reports (Discussion and/or Action)

Amending Policy 3115: Tyra Williams said that this policy change brings the district into compliance with federal law which was updated in the October 2016 reauthorization. She talked about the McKinney-Vento Program goals as providing stability for homeless families and closing opportunity gaps; she said there are additional provisions to build capacity for homeless students. Foster care language was removed, as there will be a new separate policy. She said the significant increase in homeless youth is due not only to the increase in homelessness but also to better identification of students and coordination of access to services with schools. There are now eight staff (up from three) who provide regional support. She said she is training the athletic department staff so they can be a point of contact and work with WIAA for correct eligibility.

Committee members asked when the foster care policy would be coming forward; Tyra said it would be at the beginning of the school year. They questioned by “N/A” had been indicated in the community engagement and asked that it be updated to reflect the connections in the community and training she has already been doing. They also asked that the “N/A” in the equity analysis be changed as well, as it is a red flag. Noting that this is the public face of district work, they recommended saying that the tool was not used in this instance because it is a fundamental change in the law or reflecting that this is an “inform” action.

In response to questions about housing for unaccompanied youth, Tyra said that they have received \$67,000 in funds to support families and are working on developing housing partnerships, using the money to move families to stable housing, pay rent, transitional housing, payment or eviction, while at the same time trying to support educational services; she noted that through January 2017, the department has spent \$45,000 of the \$67,000. She said staff takes parents to stores as opposed to giving gift cards to address the gift of public funds issue. Family support workers are usually the first contact by homeless families to connect with the McKinney Vento program. After some discussion, the committee moved this item forward to the full board for consideration.

Naming the Highland Park Elementary Library: Principal Chris Cronas reviewed the letters of support and described the work of Lou Anne Rundall, who has volunteered in the school as a librarian for 45 years. He noted how Highland Park is building traditions to recognize the longevity of people who have served their community. As the board action report was not properly routed, committee members moved the item forward for consideration, asking to have her invited to the board meeting when the item comes forward.

Contract award for the community engagement platform: Carri Campbell said this action came out of the Community Engagement Task Force as part of the Community Engagem⁴nt Toolkit; funds were set aside to pay for this as part of the support of goal 5 (of the SMART goal plans). This is a supplement to the kinds of practices the district has in place, with the goal of building trust and confidence in the district through a technological outreach, particularly to communities that have not been heard. She described the bid and review process, including reference checks from current users of the recommended vendor product.

In response to questions, she said that:

- Staff bandwidth is not an issue, as the vendor moderates the on-line conversation with the community and provides analytics of the content.
- The district has not been investing in community engagement, so this is not a redirection of funds. It will allow staff to use time more wisely.
- It is a tool that allows people to build relationships, provides an educational component of issues to community, and provides the district with the expertise the community brings to the table.
- The decision on what topics to engage in will be made at the cabinet level.

Committee members expressed support for a new way to engage the community and broaden the outreach. They asked that the equity analysis section be expanded around the toolkit or other considerations. They also asked that the BAR be updated to show alignment to SMART goal 4 for 2017-18 and acknowledge that the district is spending dollars to meet goals. They then moved this item forward to the full board for consideration.

Third year renewal of athletic trainers contract: Tara Davis said this is the final year of the three-year contract with Seattle Children's Hospital to provide athletic trainers service. It was noted that in upcoming years, the board will approve a three year contract which will not come back to them during the ensuing years unless the district wants to change providers. In response to questions, staff said they are premiere people to work with and good partners. The committee moved this forward to the full board with a recommendation for approval.

Approval of contract with King County for ORCA cards: Pegi McEvoy said this district is appreciative of the King County Metro provisions in this renewal of the contract. The district's estimated monthly cost is down from last year. In response to questions she said the other ORCA program was through the City as part of Proposition 1 funding; cards are also provided to students in summer programs who are eligible for free/reduced lunch. The committee moved this item forward to the full board with a recommendation for approval.

Approval of contract with King County for stop paddle cameras: Pegi McEvoy said that putting stop paddle cameras on school buses is a national trend due to student safety issues. The City of Seattle did not have a system to implement this, so the district is contracting with King County, who is already working with several school districts. Revenues estimated at \$1.4 million/year are shared with the King

County Prosecutor's Office and the King County Sheriff's Office. Pegi noted this will help implement the two-tier bus system, which is being implemented due to student safety and getting to school in daylight. In response to committee questions, Pegi said the contractor, American Traffic Solutions, the county, and the district will be coordinating a big educational push; the first month violators will not be ticketed, just warned. Dr. Herndon said it is a significant fine (\$419) but is clearly a student safety issue. The committee moved this forward to the full board with a recommendation for approval.

Contract award for college and career readiness tool: John Krull and Nancy Petersen said the selection of the final contractor is not complete; they have gone back to validate vendors. Nancy said counselors have requested this kind of tool for a long time to provide better service to students; they currently use paper. An electronic platform will allow for development of a much more robust plan for students and offer equity to students who do not normally have access to this level of college preparation. A diverse group of students, parents, and staff has been involved in testing the various products. Nancy said there are BTA IV funds earmarked for this project, and the RFP and negotiations underway allow flexibility in choosing the level of product to use now and in the future. Both products have been around for quite awhile.

Committee members asked for information about counselor requests and diversity of student input in the BAR. They also wanted to ensure privacy of student information and restrict the ability to sell data. They then moved this item forward to the full board for consideration.

Award contract for refuse disposal and recycling: Bruce Skowyra said this contract is a slight increase over the current contract and offers a good value. There was only one bidder. Waste Management dropped out during the bidding process because they did not like the district terms and conditions; it is a significant capital investment to assume a large business contract. After some discussion, the committee moved this item forward to the full board with a recommendation for approval.

Approval of purchase order with Catalyst Workplace Activation for furniture: Richard Best said this provider is one of nine in the US Communities purchasing cooperative. This request for \$5 million is for furniture outside of the contracts and is primarily for adult chairs; they will be deployed district-wide. Committee members noted the highly designed, ergonomic, and functional nature of the chairs, and Richard said they have an estimated 25-year life span. The committee moved this item forward to the full board with a recommendation for approval.

Award contract for Eckstein A/E services: Richard Best said this contract will support seismic improvements over two summers (2018 and 2019) at Eckstein. In response to questions, he said:

- A/E fees follow guidelines, and this will be an historic structure.
- Eckstein is not likely to be in BEX V, as other middle schools are in worse condition.
- This work was part of the structural deficiencies identified in the MENG analysis.
- This work would not be removed in any future reconstruction.

The committee moved this item forward to the full board with a recommendation for approval.

Award contract for Franklin window A/E services: Richard Best said this project is a follow-up to the replacement of the terra cotta, which was replaced two years ago; the City had wanted the district to use real terra cotta, but the district is using a less heavy product. The district is in negotiations with the architect on the fee proposal. Upgrades were in BTA IV, but the district wants to move ahead with replacing windows as well. Committee members asked that some kind of running list of big project be maintained and included as part of the background information. After some discussion, the committee moved this item forward to the full board for consideration.

Authorization and contract for solar photovoltaic systems project: Richard Best said this agreement with the state's Department of Enterprise Services is fairly standard and has been reviewed by our attorneys. It will put solar panels on six BEX IV schools which are spread throughout each region; the requirement was that the buildings need to be solar ready with roofs aligned. The schools will provide a positive cash flow. The district is in conversations with Seattle City Light for a grant for more projects, the goal of which would be to make solar panel distribution more equitable through the district. Director Geary said that the district should plan to acknowledge the other agencies through this positive story. The committee then moved this item forward to the full board with a recommendation for approval.

Approval of Webster School site specific educational specifications: Richard Best said this building does not fit neatly into elementary specifications and is a tight lot with an historical nature. Flip Herndon said the building is being prepared to help the north end capacity issues with a flexible learning environment, perhaps for an alternative middle school or K-8 school. Director Patu noted it was on the ballot in BTA IV but would like to see a way to keep Rainier Beach afloat as well. After some discussion, the committee moved this item forward to the full board with a recommendation for approval.

Approval of Webster School budget increase: Richard Best said this is a GC/CM contract and that staff has accepted value engineering measures. Discussion followed regarding:

- Spending \$37 million on a small school that the district is not sure how to populate
- Wanting a thorough analysis of the viability and having conversations with Teaching and Learning
- What capacity challenges this is going to solve
- The availability and price of buying two acres in the city (\$20 million est.)
- Use of the adjacent park as a playground
- That the gym would be removed from the plans if the \$5.5-6 million budget adjustment is not passed

Noting that there is a need for further conversation on this project, the committee moved this item forward to the full board for consideration.

Approval of resolution 2016/17-25, New-in-lieu for Wing Luke Elementary: Richard Best said this required resolution is the standard assurance to OSPI that the district will use the money for this project and not use it for other purposes. There were no questions, and the committee moved this item forward to the full board with a recommendation for approval.

Approval of Resolution 2016/17-16, Building commissioning report for Seattle World School at T.T. Minor: Richard Best said this resolution accepts the building commissioning report as part of the D-11 process. There were no questions, and the committee moved this item forward to the full board with a recommendation for approval.

Adjourn

This meeting adjourned at 6:33pm.

jd



SCHOOL BOARD ACTION REPORT

DATE: July 28, 2017
FROM: Dr. Larry Nyland, Superintendent
LEAD STAFF: Dr. Lester Herndon, Associate Superintendent, Facilities and Operations
206-252-0644, lherndon@seattleschools.org

For Introduction: August 30, 2017
For Action: September 6, 2017

1. TITLE

BTA III: Final Acceptance of Contract K5070, CDK Construction Services, Inc. for the Eckstein Middle School Phase II Fire Sprinkler Installation project

2. PURPOSE

Board action is required to approve final acceptance of Contract K5070 for the Eckstein Middle School Phase II Fire Sprinkler Installation project for purposes of avoiding disputes over the timing of the filing of liens prior to the release of retention.

3. RECOMMENDED MOTION

I move that the School Board accept the work performed under Contract K5070, CDK Construction Services, Inc. for the Eckstein Middle School Phase II Fire Sprinkler Installation project as final.

4. BACKGROUND INFORMATION

a. Background

Eckstein Middle School Phase II Fire Sprinkler Installation project originated from the Meng Building Conditions Report issued April 2009 and was included on the Buildings, Technology and Academics/Athletics (BTA) III capital levy. In 2015, a project was completed which included installation of a Phase I fire suppression system, replacement of existing hot water recirculation lines, upgrades to the mechanical system and replacement of roof top skylights. To accommodate school programs and complete the work in the summer months, the fire suppression system for the auditorium, lunchroom and modular classroom were completed in a Phase II project in the summer of 2016.

The Contractor, CDK Construction Services, Inc. has satisfactorily completed the contracted work and the consulting Architect, Harthorne Hagen Architects, is in agreement and recommends acceptance of the completed work.

b. Alternatives

Not accepting the project in a timely manner could put the District in a position subject to litigation. Therefore, this alternative is not recommended.

c. **Research**

- Building Condition Survey, Meng Analysis, April 2009
- Seattle Public Schools Technical Building Standards dated December 2012

5. **FISCAL IMPACT/REVENUE SOURCE**

All payments have been made to the contract from BTA III Capital levy funds. No outstanding invoices remain.

Contractor:	CDK Construction
Contract Amount	\$ 552,700
Change Orders	\$ 38,646
Sales Tax	\$ 56,949
Total Contract	\$ 648,296
Retention	\$ 29,567

Amy Fleming: _____ Date: _____
Director of Accounting

Expenditure: One-time Annual Multi-Year N/A

Revenue: One-time Annual Multi-Year N/A

6. **COMMUNITY ENGAGEMENT**

With guidance from the District's Community Engagement tool, this action was determined to merit the following tier of community engagement:

Not applicable

Tier 1: Inform

Tier 2: Consult/Involve

Tier 3: Collaborate

7. **EQUITY ANALYSIS**

This motion was not put through the process of a full racial equity analysis. The selection of projects in the BTA program was designed to provide equitable access to safe school facilities across the city.

8. **STUDENT BENEFIT**

This project helps ensure a safe, secure learning environment for every student.

9. WHY BOARD ACTION IS NECESSARY

- Amount of contract initial value or contract amendment exceeds \$250,000 (Policy No. 6220)
- Amount of grant exceeds \$250,000 in a single fiscal year (Policy No. 6114)
- Adopting, amending, or repealing a Board policy
- Formally accepting the completion of a public works project and closing out the contract
- Legal requirement for the School Board to take action on this matter
- Board Policy No. _____, [TITLE], provides the Board shall approve this item
- Other: _____

10. POLICY IMPLICATION

For purposes of avoiding disputes over the timing of the filing of liens, the School Board should accept the work on a construction project as finally complete prior to the release of retention.

11. BOARD COMMITTEE RECOMMENDATION

This motion was discussed at the Operations Committee meeting on August 23, 2017. The Committee reviewed the item and _____.

12. TIMELINE FOR IMPLEMENTATION

Acceptance of Completed Project by School Board
Release of Retainage
Contractor's One-Year Warranty period ends

September 6, 2017
Approx. December 2017
September 14, 2017

13. ATTACHMENTS

- None



SCHOOL BOARD ACTION REPORT

DATE: 7-27-17
FROM: Dr. Larry Nyland, Superintendent
LEAD STAFF: Bruce Skowyra, Director of Facilities Operations (206) 252-0609; Flip Herndon, Associate Superintendent Capital, Facilities and Enrollment Planning (206) 252-0644

For Introduction: September 6, 2017
For Action: September 20, 2017

1. TITLE

Repeal Natural Resources Conservation Policy and Procedure H25.00 and H25.01 and Adopt Board Policy No. 6810, Natural Resources and Conservation

2. PURPOSE

This Board Action Report continues the Board's Phase II policy work by repealing and replacing Natural Resources Conservation Policy and Procedure H25.00 and H.2501 with a new Policy No. 6810, Natural Resources Conservation, and corresponding superintendent procedure.

3. RECOMMENDED MOTION

I move that the School Board repeal Board Policy H25.00 and Board Procedures H25.01 and adopt a new Policy No. 6810, Natural Resources Conservation.

4. BACKGROUND INFORMATION

a. Background

This Board Action Report repeals and replaces Natural Resources Conservation Policy and Procedure H25.00 and H25.01, which were last updated in November 2006. The replacement policy is a new No. 6810, which does not contain any changes from the current language other than the new policy number. The new Superintendent Procedure 6810SP, which is attached for reference, does contain some modified language, which reflects best practices and accurately describes district goals and methods to achieve them. The procedure complies with the Office of Superintendent of Public Instruction's (OSPI) Washington Sustainable Schools Protocol. The revision also incorporates the goals of the May 2013 Seattle School District Board Resolution No. 2012/13-1 (the "Green Resolution").

b. Alternatives

Not adopting a new policy. This is not recommended, as the old numbering system is obsolete.

c. Research

Staff benchmarked this policy with those from several districts in Washington State and nationally. Staff compared policies at Auburn, Bethel, Boise, Camas, Federal Way, Highline, Kent, Olympia and Renton. Staff also examined documents from the WSU Energy Program and interviewed Resource Conservation and Sustainability Managers at: Sumner School District;

Auburn School District, Tacoma Public Schools, Evergreen School District, Bethel School District, and Renton School District.

Other resources include:

Benchmarked utility data and SPS resource usage from 2008 – 2016:
<http://www.seattleschools.org/cms/One.aspx?siteId=627&pageId=18890>

Office of Public Instruction Washington Sustainable Schools Protocol:
<http://www.k12.wa.us/SchFacilities/Programs/HighPerformanceSchools/WSSP2015EditionSecondPublication.pdf>

City of Seattle Energy Benchmarking Ordinance #125000 – (for reference)
http://www.clerk.seattle.gov/~legislativeItems/Ordinances/Ord_125000.pdf

City of Seattle Building Tune-Up Ordinance #125002– (for reference)
http://www.clerk.seattle.gov/~archives/Ordinances/Ord_125002.pdf

City of Seattle Waste Management Recycling Ordinance #124313 – (for reference)
<http://www.clerk.seattle.gov/~scripts/nph-brs.exe?s3=&s4=124313&s5=&s1=&s2=&S6=&Sect4=AND&l=0&Sect2=THESON&Sect3=PLURON&Sect5=CBORY&Sect6=HITOFF&d=ORDF&p=1&u=%2F~public%2Fcbor1.htm&r=1&f=G>

City of Seattle Waste Management Composting Ordinance #124582– (for reference)
<http://www.clerk.seattle.gov/~scripts/nph-brs.exe?s3=&s4=124582&s5=&s1=&s2=&S6=&Sect4=AND&l=0&Sect2=THESON&Sect3=PLURON&Sect5=CBORY&Sect6=HITOFF&d=ORDF&p=1&u=%2F~public%2Fcbor1.htm&r=1&f=G>

Olympia School District Greenhouse Gas Emissions Reduction Plan:
<http://osd.wednet.edu/media/pagefiles/1452.osdghg12.pdf>

Seattle Public Schools Energy Use Index

Seattle Public Schools Resource Conservation Achievements, presented at Powerful Business Energy Conference 2017: <http://www.electricleague.net/uploads/resource-66.pdf>

Hargis Engineering analysis of energy use of Washington Schools

Energy Integration at the Olympia School District or integration for solutions about energy: https://conferences.wsu.edu/forms/EFC/Session1/S1-Meyer_Deer.pdf

PSE Resource Conservation Program:
<https://pse.com/savingsandenergycenter/ForBusinesses/energy-management-programs/Pages/Resource-Conservation-Manager.aspx>

WSU Energy Program Resource Conservation Management:
<http://www.energy.wsu.edu/PublicFacilitiesSupport/ResourceConservation.aspx>

Data Trends: Energy Use in K-12 Schools in US Energy Star Publication 11/2016:
<https://www.energystar.gov/buildings/tools-and-resources/datatrends-energy-use-k-12-schools>

5. FISCAL IMPACT/REVENUE SOURCE

The Natural Resources Conservation policy and procedures have had a net positive fiscal impact over the last nine years. The updated procedures should allow the district to continue saving resources and increase avoided resource costs. By increasing the amount of material recycled, by composting, and by reducing waste generation, high garbage disposal rates decrease. By monitoring and controlling building hours of use and temperature, operating costs decrease. When lighting is upgraded to energy efficient LEDs, the teaching and learning environment is improved and electricity use is significantly reduced. These changes also help the District adhere to the Green Resolution and follow OSPI's Washington Sustainable Schools Protocol and City of Seattle regulations around benchmarking and achieving reductions in greenhouse gas emissions.

Expenditure: One-time Annual Multi-Year N/A

Revenue: One-time Annual Multi-Year N/A Revenues are in the form of incentives and rebates from utility providers.

6. COMMUNITY ENGAGEMENT

With guidance from the District's Community Engagement tool, this action was determined to merit the following tier of community engagement:

Not applicable

Tier 1: Inform

Tier 2: Consult/Involve

Tier 3: Collaborate

Although the policy language remains unchanged, staff notified the affected departments and leads of the proposed Superintendent Procedures update. Staff collected departmental and lead staff recommendations for updates. After incorporating the recommendations into the documents, they were sent out for Departmental review. The draft procedure with a ten question detailed survey was then emailed to 90 engaged community members who were invited to provide detailed comments. The group included Green Team Members, outside partners from non-profit agencies, utilities, OSPI, and community groups, in addition to teachers, principals, and staff. The draft procedure with a link to the survey was then posted on the district website. Fifteen people submitted reviews. Over 80% of reviewers support unaltered procedures. There were 22 comments and several suggested specific changes, which staff considered. Themes from feedback obtained throughout the community engagement process were incorporated into

the procedure language. Affected departments approved these revisions and the final procedures document was created for Operations Committee review.

7. EQUITY ANALYSIS

Staff determined that renumbering the policy and making minor updates to the procedure did not merit a full application of the racial equity analysis toolkit.

8. STUDENT BENEFIT

The Natural Resources Conservation Superintendent Procedure includes encouraging teachers to work with students on a variety of levels to help them become good environmental stewards who understand how resource use impacts the earth. Opportunities include participation in Green teams, Washington Green Schools Certification Programs, funding for environmental field trips, support for school “green” and sustainable features, and providing and enforcing recycling and composting options district-wide. Resource Conservation Specialists also provide in-depth analysis of utility bills and make data available to teachers and student researchers to share with their classes. In addition, students benefit from the District building and operating more sustainable buildings. These buildings have features that enhance the teaching and learning environment. Conserving natural resources through these procedures reduce utility costs, which allows funds to be used for other priority spending. The procedures increase indoor air quality and reduce emissions from idling vehicles outside schools, improving access to clean air.

9. WHY BOARD ACTION IS NECESSARY

- Amount of contract initial value or contract amendment exceeds \$250,000 (Policy No. 6220)
- Amount of grant exceeds \$250,000 in a single fiscal year (Policy No. 6114)
- Adopting, amending, or repealing a Board policy
- Formally accepting the completion of a public works project and closing out the contract
- Legal requirement for the School Board to take action on this matter
- Board Policy No. _____, [TITLE], provides the Board shall approve this item
- Other: _____

10. POLICY IMPLICATION

The background section above describes the changes to policy as proposed.

11. BOARD COMMITTEE RECOMMENDATION

This motion was discussed at the Operations Committee meeting on August 23, 2017. The Committee reviewed the motion and _____.


12. TIMELINE FOR IMPLEMENTATION

Upon approval of this motion, the policy and procedure will be implemented immediately. Information about the procedure will be shared throughout the year with Principals, Custodian Engineers and Leadership. Classroom procedures will be summarized by Resource Conservation Specialists, distributed to each school and posted on our website.

13. ATTACHMENTS

- NEW Policy No. 6810, Natural Resources Conservation (for approval)
- Natural Resources Conservation Policy and Procedure H25.00 and H25.01 (for repeal)
- NEW Superintendent Procedure 6810SP, Natural Resources Conservation – (for reference)
https://www.seattleschools.org/UserFiles/Servers/Server_543/File/NaturalResources%20Conservation%20Procedures%20Update%20SP6810.pdf
- Seattle School District Board Resolution No. 2012/13-1 (for reference)
https://www.seattleschools.org/UserFiles/Servers/Server_543/File/District/Departments/ResourceConservation/20130501_GreenResolution.pdf

DRAFT

	<p>Natural Resources Conservation</p>	<p>Policy No. 6810</p> <p>[DATE]</p> <p>Page 1 of 1</p>
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POLICY

It is the policy of the Seattle School Board that the District wisely manage the use of natural resources and maintain programs that support conservation of energy and other natural resources. The goal of this policy is to create and maintain sustainable, healthy school environments through a long-term resource management plan.

Seattle Public Schools will model environmental stewardship by instituting a resource conservation management plan, to:

- Reduce the use of energy, water, and other natural resources and encourage recycling
- Educate students, teachers, and staff about the importance of conserving natural resources
- Lessen environmental damage attributable to natural resources consumption.

Adopted: ,

Revised: 9/2017

Cross Reference:

Related Superintendent Procedure: 6810SP

Previous Policies: H 25.00

Legal References: City of Seattle Energy Benchmarking Ordinance #125000, City of Seattle Building Tune-Up Ordinance #125002, City of Seattle Waste Management Recycling Ordinance #124313, and City of Seattle Waste Management Composting Ordinance #124582

Management Resources:

Superintendent Procedure 6810SP Natural Resources Conservation



Approved by: _____ Date: _____

Dr. Larry Nyland, Superintendent

This procedure implements School Board Policy 6810 and is the long-term resource conservation management plan for the District.

Introduction

The natural resources conservation procedures focus on adopting long-term, sustainable measures and practices that minimize the use of natural resources, and may be maintained and operated at low cost. When we pay less for utilities, we are avoiding fixed costs. These savings may be used for additional conservation allowing for a greater investment in our core mission of excellence in education. For the purposes of this document *natural resources* refers to resources purchased from our utilities, including energy - electricity and natural gas; water- drinking water, sewer and irrigation; and waste - landfill, recycling, composting and yard waste. Everyone in the District is responsible for minimizing energy, water, and waste at District buildings. All levels of the District have responsibility and authority to implement this procedure. District Resource Conservation Specialists have leadership responsibility for directing implementation of these procedures including coordination, facilitation, communication, data analysis, documentation, and reporting.

1) Heating, Cooling, and Ventilation (HVAC) & Mechanical Equipment

- a) Normal operating schedule for mechanical heating, cooling and ventilation (HVAC)
 - i) Monday – Friday HVAC schedules are based on staff contract work times and school start/end times.
 - ii) After school, HVAC is provided for academic and District scheduled events only.
 - iii) HVAC systems shall not heat or cool during non-school hours, during school breaks and holidays, and in unoccupied areas unless it is necessary for freeze or equipment protection.
 - iv) Exceptions to the HVAC operating schedule may be made for events outside of the normal operating hours through the District building rentals system. Rental fees may apply. See Superintendent Procedure 4260SP: Use of School Facilities.
 - v) Fan cooling is allowed during occupied times.
 - vi) For heating, cooling or fans after hours, a building use permit is required.
- b) HVAC set points during scheduled occupied periods – these set points mean that actual temperatures may be within +/- 2 degrees
 - i) Classroom and office area set points are 68 degrees heating. Where available, 76 degrees mechanical cooling, 74 degrees economizer cooling.
 - ii) Lunchroom and auditorium set points are 65 degrees heating. Where available, 76 degrees mechanical cooling, 74 degrees economizer cooling.
 - iii) Gym and hallway set points are 62 degrees heating. Cooling is not commonly provided.
 - iv) Temperature settings in classrooms with motion sensor integrated HVAC should have heating set points reduced by 3 degrees and cooling set points increased 3 degrees during the normal

operating schedule when the room becomes unoccupied. The motion sensor will turn the system back to occupied temperatures when a person enters the room.

- v) Exceptions to the HVAC set points are made for those with special needs as noted in their 504 documents.
- c) Portable space heaters are a potential fire hazard, can trip our breakers, and use a significant amount of energy. Only spaces that do not meet District standard HVAC set points, during the normal operating schedule, from the building's HVAC systems may be permitted to have a space heater. All heaters must meet District safety requirements. Approved space heaters shall be shut off during unoccupied hours and while unattended. Please note: space heaters are not rated to be used with extension cords and should be directly plugged into the wall.
- d) Thermostats, radiators, unit ventilators, supply and return air vents and other HVAC equipment shall not be tampered with and shall have a minimum of three feet of unobstructed space around them to ensure adequate airflow and temperatures.
- e) All school activities, including summer school and before and after school activities, should minimize resource use by consolidating activities into the fewest possible number of buildings, building areas, and rooms. Consolidation will allow for the fewest number of rooms to be conditioned which will reduce cost and resource use.
- f) Circulating pumps, fans, boilers, etc. shall be turned off during unoccupied periods of evenings and weekends except as needed for freeze protection.
- g) Water heaters shall be turned off during extended school breaks, where feasible.
- h) Staff should properly shut down and unplug smaller District refrigeration units such as milk coolers, reach-ins, ice chests and ice machines during breaks of four consecutive weeks or more. Food from these units should be consolidated and placed into walk-in units, where available.

2) **Lighting**

- a) Indoor lighting
 - i) Everyone is responsible for turning off lights in unoccupied areas. Lighting should not be left on overnight. Emergency lighting will remain on automatically per building code.
 - ii) String lights, lamps, and other decorative illumination not integral to the school building shall only use energy efficient bulbs (LED or compact fluorescent). Always follow best practices for fire safety.
 - iii) Photo cells, lighting controls and occupancy sensors should remain clear and unobstructed.
- b) Outdoor lighting
 - i) Outside lights shall be off during daylight hours.
 - ii) Plan after school and weekend events that require lighting to be located together on the main floor and close to the outside doors, to minimize the need for communal lighting (hallway, stairwell, exterior.)
 - iii) For lighting after hours, a building use permit is required.
- c) Photocells and lighting control requirements are found in the District Technical Standards.
- d) Interior walls and ceilings should be of a light color to improve the light quality of the teaching and learning environment.

3) **Composting, Recycling, Waste Reduction and Waste Disposal**

- a) Everyone using District buildings shall minimize use of natural resources with the goal to reduce waste generation and encourage reuse and shared use of resources.
- b) Everyone shall make sure that all materials discarded are sorted into the correct container or dumpster.
- c) Everyone shall sort waste into three types, as required by the City of Seattle.

- i) Compost goes in the green containers labeled “compost” (e.g. food waste, food soiled paper, and yard waste).
- ii) Recycling goes in the blue container labeled “recycling” (e.g. clean paper, bottles, cups, milk cartons).
- iii) Garbage goes into the grey/black/white container labeled “landfill” (e.g. plastic wrappers and dirty containers).
- d) New composting programs must be pre-approved by Facilities Operation and be developed using the Resource Conservation Guidelines. No new program may be started before all planning aspects are complete and the impacted parties are provided an opportunity to participate in program design.
- e) Materials that meet the legal definition of “confidential records” shall be destroyed in accordance with Washington State RCW 40.14.
- f) Printing and copying
 - i) All District staff should minimize paper and copier use.
 - ii) All staff shall be able to scan and send documents electronically instead of printing hard copies, and print and copy on double-sided paper to reduce paper waste. Training videos are available to staff.
 - iii) Double-sided and black-and-white printing should be set as the default for copiers and printers whenever possible to avoid wasting ink and paper.
- g) Toner cartridges for networked printers/copiers/scanners should be recycled.

4) New construction and remodels

- a) Buildings and grounds shall be designed and constructed to minimize the use of resources in accordance with Seattle School District Board Resolution No. 2012/13-12.
- b) Building design choices shall be made to recognize the life cycle cost. This analysis shall include identifying the operations and maintenance budget prior to construction.
- c) All new construction and major remodels shall follow state and City building codes and Washington Sustainable Schools Protocol.
- d) The Capital Department shall follow their technical design standards and provide annual reports to the School Board on natural resource conservation measures employed in capital projects.
- e) All Capital projects shall have a corresponding Owners Project Requirements document, such as those identified by the U.S. General Services Administration.
- f) District Technical Standards shall be followed for all new construction and major remodels.
- g) Prior to construction, Design teams shall provide operations and maintenance staff model resource usage, including energy use index (EUI) and construction and operations solid waste analysis. Presentations shall be reviewed by the Facilities Department at schematic design, design development, and construction document stages.
- h) The District shall follow the guidelines of the City of Seattle’s most current energy code, where applicable.
- i) Design teams shall collaborate with the local electricity, natural gas, water/sewer, solid waste and storm water utility companies, the City of Seattle, and other agencies to reduce the use of resources in construction, operation, and maintenance of schools.
- j) Design teams shall assist the District in maximizing grants and rebates for conservation. The District shall include in the bid documents a requirement to provide all necessary conservation – related data to utility partners prior to and post construction.
- k) Capital projects shall utilize third party commissioning of building systems in accordance with technical specifications. Systems shall operate at, or exceed, design specification objectives.

- l) All contracts, RFPs, bid documents, etc. that involve the building envelope, HVAC system, lighting system, or irrigation system shall be reviewed by the Mechanical/Electrical Coordinator to assess resource conservation measures.
- m) Design teams shall review and analyze actual utility use compared to expected utility use one year, two years, and five years after construction is complete and the building has been accepted by the District. Design teams shall document finding, present them to the Facilities Department and include lessons learned in future project planning.

5) Ongoing Maintenance Operations and Procurement

- a) When maintenance is required to fix broken equipment, the repair shall maintain the functionality of the systems and/or equipment as they were designed unless the design is found to be faulty. The District Computerized Maintenance Management System (CMMS) shall be utilized to optimize the efficiency and life of mechanical systems operating in the buildings.
- b) The District shall tune-up buildings at least once every 5-years in accordance with City of Seattle Ordinance #124927. The tune-up shall optimize energy and water performance by identifying no- or low- cost actions related to building operations and maintenance, including but not limited to major building systems for mechanical, electrical, lighting, and water.
- c) District Technical Standards shall be followed for all maintenance, operations, and procurement.
- d) The District should evaluate the cost effectiveness of procuring high efficient and green products and equipment.
- e) Maintenance and operations staff shall partner with the local electricity, natural gas, water/sewer, solid waste and storm water utility companies, the City of Seattle, and other agencies to reduce the use of resources in the operation and maintenance of schools, and to maximize utility grants and rebates and incentives.
- f) The District should purchase recycled content and environmentally preferable supplies when the cost and functionality is equivalent to other supplies.
- g) All vending machines shall operate with the non-essential and advertising lighting disabled.
- h) All vending machines shall be put into low power mode when not in use.
- i) Handwashing faucets should be set to run for ten seconds (see also WAC 246-366-060).

6) Conservation outreach and training

- a) Annual training opportunities should be provided for District staff members with responsibilities over the utility resources, including Senior Leadership, Custodial and Nutrition Services staff, Principals, and Maintenance staff.
- b) The District shall set five-year conservation goals for energy, water, and solid waste. Progress shall be reported on annually by the Facilities Department. District goals shall be based on local, state-wide, and national conservation benchmarks whenever possible.
- c) The District shall calculate annual and long-term avoided utility costs. As we continue to minimize our use of resources, we shall continue to reinvest in conservation to take advantage of opportunities to build additional conservation capacity.
- d) The District shall benchmark energy use annually through ENERGY STAR® Portfolio Manager for all buildings 20,000 square feet and larger. This data is publically available through the City of Seattle Energy Benchmarking Ordinance #125000.
- e) The District agrees to pass along part of the utility savings to the schools in a shared savings program intended to allow schools to invest in resource conservation to achieve additional and continued savings.
- f) Annual utility data shall be provided to principals, building custodians, and other senior staff.

- g) Principals are responsible for sharing these data and reminding occupants about the Natural Resources Conservation Procedures.

7) Occupants of offices and classrooms equipment-operating responsibilities

- a) Everything plugged into a school or office outlet draws power and therefore uses public resources.
- b) All office and classroom electrical equipment (sound systems, speakers, computer *monitors*, fans, phone chargers, etc.) shall be turned off each night and during all weekend and extended non-occupied times.
- c) Networked devices such as District printers/scanners, computers and projectors shall stay on but should be switched into low power mode when not in use.
- d) The District may provide pre-approved appliances in shared areas for the use of staff, these appliances may include communal refrigerators, microwaves and coffee makers.
- e) All appliances used in the District must be located in communal spaces and available for shared use. Individual appliances may not be installed unless they are providing ADA accommodation or have been preapproved by Facilities Operations.
- f) All items plugged into outlets shall be National Underwriters Laboratories tested and labeled and all label instructions shall be followed by the user.
- g) Everyone is responsible for turning off lights and closing windows, doors, blinds, and drapes at the end of the day.
- h) All staff are responsible for taking action to shut down their rooms before extended breaks. A shutdown checklist will be provided.

8) School Grounds and Gardens

- a) School gardens
 - i) All proposed gardens or any sort must be preapproved for Facilities Operations and follow operational guidelines.
- b) Landscaped areas and lawns
 - i) Shall be irrigated only during the first two year planting establishment periods.
 - ii) Shall not have automatic timers on irrigation systems unless the area is being established.
 - iii) Shall be planted with native plants appropriate for specific site conditions, preferentially use drought tolerant species in drier areas.
 - iv) Shall evaluate soils and location to select the appropriate planting material for each space.
- c) Athletic and play fields
 - i) Natural turf (grass) fields shall only be irrigated if they are part of the Seattle Parks – Seattle School District Joint Use Agreement and they have a functioning mechanical irrigation system. Irrigation schedules shall be calculated based on the need of the soil and vegetation.
 - ii) Fields that are not part of the Seattle Parks – Seattle School District Joint Use Agreement shall not be irrigated unless the area is being established for the first two years after planting.
- d) All irrigation shall be scheduled for cooler times of the day to avoid evaporation, unless extreme weather conditions require additional irrigation.
- e) Leaf fall from trees shall be left to compost in place or is mulched on-site whenever possible.
- f) Integrated Pest Management shall be used to manage all school grounds in accordance with Superintendent Procedure 6895SP: Integrated Pest Management.

9) Transportation and Anti-idling

- a) All vehicles on and adjacent to school property should be operated to minimize idling to reduce fuel use and air pollution.


- b) Vehicles shall not be warmed up by idling and engines shall not be left running when not on the road.
- c) All operators of District contracted busses shall receive training to minimize fuel use and reduce pollution.
- d) When purchasing vehicles the District shall give preferential consideration to vehicles with the most fuel efficacy considering a life-cycle cost analysis of every purchase.

Approved:

Revised:

Cross Reference: School Board Policy No.6810

DRAFT

 <p>SEATTLE PUBLIC SCHOOLS</p>	<p>NATURAL RESOURCES CONSERVATION POLICY</p>	<p>H25.00 Adopted NOV 1, 2006</p>
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POLICY

It is the policy of the Seattle School Board that the district wisely manage the use of natural resources and maintain programs that support conservation of energy and other natural resources. The goal of this policy is to create and maintain sustainable, healthy school environments through a long-term resource management plan. Seattle Public Schools will model environmental stewardship by instituting a resource conservation management plan, to:

- Reduce the use of energy, water and other natural resources and encourage recycling
- Educate students, teachers and staff about the importance of conserving natural resources
- Lessen environmental damage attributable to natural resources consumption.



NATURAL RESOURCES
CONSERVATION
PROCEDURE

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PROCEDURE

Introduction


The Seattle School Board strives to create healthy and comfortable learning and working environments for students, staff, and the Seattle community. The focus of the natural resources conservation program is long-term, sustainable measures and practices that reduce consumption of natural resources and seek out alternative energy and green technologies. By reducing the District's use of natural resources, a greater amount of the District funds can be spent for supporting student learning and excellence. Additionally, conservation lessens negative impacts on our environment. Wasting resources contributes to many environmental problems such as global warming, water pollution, acid rain, etc. When we conserve energy and water, reduce solid waste, and utilize green alternatives, we help reduce and prevent environmental damage.

A successful natural resources conservation program welcomes and relies upon active participation by all members of the school community. Responsibility and authority for implementing the natural resources conservation management plan lie at all levels of the District. Resource conservation begins with the design of the buildings and landscaping, and continues through the daily operation and maintenance of the schools. Seattle Public Schools seeks to model environmental stewardship to the staff, students, and the Seattle community, linking conservation, the environment, and our role in determining the future health and well being of people, the environment, and the planet.

Standards, and Practices

The District will set standards and promote practices and procedures to reduce natural resource consumption in the following areas:

1. Operations and Maintenance
 - A. Heating and cooling set points for the HVAC systems
 - B. Operating Schedule for the HVAC and, Lighting Systems
 - C. Exceptions to the Operating Schedule for HVAC and, Lighting Systems
 - D. Operating Practices for Energy, Water and Solid Waste, including Recycling
 - E. Maintenance Practices
2. Facility Design, Products and Equipment Procurement
3. Shared Savings Program
4. Education, Outreach, and Training
 - A. Provide annual conservation training for District staff members with responsibilities over the utility resources.

	<p>NATURAL RESOURCES CONSERVATION PROCEDURE</p>	<p>H25.01 Adopted NOV 1, 2006 Page 2 of 4</p>
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- B. Provide monthly utility data to senior staff, principals, and building custodians.
- C. Promote and recognition success conservation program in the schools.

STAFF PROCEDURES

1. Operations and Maintenance Standards

- A. Heating and cooling set points for the HVAC systems
 - 1. Classroom and office areas 68 degree heating, 76 degree cooling.
 - 2. Lunchrooms and auditoriums 65 degree heating, 76 degree cooling.
 - 3. Gyms and hallways 62 degree heating, no cooling provided.
 - 4. Turn the heat off in unoccupied areas (freeze protection only).

- B. Operating Schedule for the HVAC and, Lighting Systems
 - 1. Monday-Friday HVAC schedules are based on staff contract work times.
 - 2. After school and weekend HVAC are provided for academic events only.
 - 3. Heating and cooling systems will not be enabled during non-school hours from April 1 through October 15.
 - 4. Professional development days, HVAC system will only be enabled in occupied areas to the minimum extent necessary.
 - 5. The HVAC system shall not operate during school breaks and holidays except for freeze protection.
 - 6. The lights will be off in all areas that are not being occupied.
 - 7. Circulating pumps will be turned off evenings and weekends, and water heaters will be turned off over school breaks.

- C. Exceptions to the Operating Schedule for HVAC and Lighting Systems
 - 1. Schools may purchase heating and or cooling for after school and weekend non-academic events.
 - 2. Community and outside users may purchase heating and or cooling for events through the established building rentals system.
 - 3. Summer school and before and after school activities will be concentrated to occupy the minimum number of buildings, building areas, and rooms.

- D. Operating Practices for Energy, Water and Solid Waste
 - 1. Staff and students are responsible for turning off lights, closing windows, doors, drawing the blinds or drapes at night.
 - 2. Staff and students shall participate in Seattle Public Schools recycling program by recycling paper, plastic, cans, and glass recyclable materials.



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3. Unoccupied areas will not be heated, cooled, and all lights will be turned off.
4. Outside lights should be turned off during daylight hours.
5. All office and classroom electrical equipment (copy machines, printers, coffee pots, lamps, TVs, projectors, etc.) shall be turned off each night.
6. Computers shall be turned off after school unless required to run over night for District/school business and monitor sleep mode shall be enabled.
7. Set double sided printing as a default for copiers and printers where possible. Promote the use of .pdf files and email correspondence in lieu of hardcopies.
8. Personal electrical appliances are only permitted for school related purposes.
9. Vending machines will operate with lighting turned off. Vending machines shall be unplugged during school breaks of four days or more and/or operate with energy saving devices.
10. During summer breaks, food from District refrigerators and freezers shall be consolidated into the smallest space necessary. Refrigerators and freezers not being used shall be cleaned and turned off/unplugged.
11. School gardens, landscaped areas, lawns, and non-scheduled fields shall not be mechanically irrigated unless the area is being established. Landscaped areas shall be planted with drought tolerant species. School gardens, landscaped areas may be irrigated with drip system or soaker hose.
12. Scheduled fields shall be mechanically irrigated; watering systems shall only operate at night.
13. District vehicles shall not be warmed up.

E. Maintenance Practices

1. Perform scheduled maintenance on HVAC units.
2. Failed outside lights photocells shall be assigned emergency work order status.
3. Flush valve and plumbing leaks shall be assigned emergency work order status.
4. Condensate system and boiler loop leaks shall be assigned emergency work order status.
5. Tune-up boilers every two years.
6. Calibrate temperature thermostats every three years.
7. Recalibrate temperature controls and thermostats every year.

2. Facility Design, Products and Equipment Procurement

- A. Buildings and grounds shall be designed and constructed to minimize operational utility resources. Design decisions shall recognize the life cycle cost with the operation and maintenance budget identified prior to construction.



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- B. Design teams shall model resource usage and present energy use index and refuge and recycling analysis to operations and maintenance prior to construction. Presentations shall be reviewed at schematic design, design development, and construction document stages. Additionally the capital department. shall provide annual reports to the school board on natural resource conservation measures employed in capital projects.
- C. Design teams shall work with the local utility companies, the City of Seattle, and other agencies to maximize grants and rebates for the District providing necessary data prior to construction.
- D. Capital projects shall utilize third party commissioning of building systems. Systems shall operate at design specifications or greater.
- E. All contracts, RFPs, or bid documents, etc. that involve the building envelope, HVAC system, lighting system, or irrigation system shall be reviewed by the operations department to assess natural resource conservation measures.
- F. The District shall evaluate the cost effectiveness of procuring high efficient and green products and equipment, including alternative fuel vehicles (hybrid and biodiesel) and green building options in new construction and remodels, printers and copiers that default to double sided printing, and flat screen monitors.
- G. Irrigation systems, including temporary systems, shall be equipped with an irrigation deduct meter.

3. Shared Saving Program

The District agrees to pass along part of the utility savings to the schools in a shared savings incentive program. The incentive dollars are intended to allow schools to invest in resource conservation through education materials, field trips, etc. to achieve additional and continued savings.

4. Education, Outreach, and Training

- A. Provide annual conservation trainings for District staff members with responsibilities over the utility resources.
- B. Provide monthly utility data to senior staff, principals, and building custodians.
- C. Promote and recognition success conservation program in the schools.
- D. Model conservation and recycling in the classroom.



SCHOOL BOARD ACTION REPORT

DATE: August 7, 2017
FROM: Dr. Larry Nyland, Superintendent
LEAD STAFF: Alesia Jessie, Family Support Program Manager-(Foster Care Point of Contact) amjessie@seattleschools.org
Patricia Sander, Executive Director Coordinated School Health psander@seattleschools.org; Michael Tolley, Associate Superintendent Teaching and Learning mftolley@seattleschools.org

For Introduction: September 6, 2017

For Action: September 20, 2017

1. TITLE

Adopting Policy No. 3116, Students in Foster Care

2. PURPOSE

This Board Action Report adopts new Policy No. 3116, Students in Foster Care, in order to meet new requirements of the Every Student Succeeds Act (ESSA), effective October 2016. The changes emphasize the District’s need to be in compliance with the federal regulations that govern the rights of children and youth who reside in foster care.

3. RECOMMENDED MOTION

I move that the School Board adopt Board Policy No. 3116, Students in Foster Care, as attached to the Board Action Report.

4. BACKGROUND INFORMATION

a. Background

The motion to adopt new Board Policy No. 3116, Students in Foster Care is formally required for the Seattle School District to meet its legal obligation.

New provisions under Title 1 ensuring educational stability for children in foster care under section 1111(g)(1)(e) as amended by the Every Student Succeeds Act (ESSA), October 2016, requires an additional Board policy for students in foster care. The ESSA removed the provision of children “awaiting foster care” from the definition of “homeless children and youth” eligible under the McKinney-Vento Act, section 725(2). In accordance with these changes, the ESSA requires the District to identify, enroll, and serve children and youth in

foster care. Under the Fostering Connections Act (FCA) established October 2008, the State Education Agencies (SEAs) and the Local Education Agencies (LEAs) are required to work with child welfare agencies to ensure educational stability of children in foster care and the successful implementation of the FCA(5).

The FCA requires that the District appoint a person to serve as a point of contact (POC) with appropriate state, local and/or tribal child welfare agencies to receive notifications and share information regarding the status and progress of students in foster care. The FCA includes a mandate that SEAs and LEAs work together with other child welfare agencies to ensure youth in foster care receive adequate access to resources, such as transportation, as a means to help ease chronic absenteeism and boost academic success.

In order for the District to be in compliance with the FCA and new ESSA regulations, the District is required to identify and adopt new Board Policy No. 3116.

b. Alternatives

No alternatives are available, given that the adoption of Board Policy 3116 is required by Federal law, under the ESSA, effective October 2016.

c. Research

Research and data indicate that students in foster care may experience significant negative impact on children academically, socially, and emotionally.

Students in foster care experience greater school mobility than their non-foster care peers. School mobility may cause interruption to a child’s education and is associated with lower school achievement and increased risk of dropping out of school.

Students in foster care are at a greater risk of being chronically absent than their non-foster care peers. Chronic absenteeism is associated with lower academic achievement and higher dropout rates.

5. FISCAL IMPACT/REVENUE SOURCE

The District is responsible for providing school stability and educational supports for children in foster care as needed. These supports may include items such as clothing (apparel required to fully participate in school activities), student fees, test fees, personal supplies such as backpacks, immunizations, food, medical/dental services, counseling services, extended learning, and tutoring.

The fiscal impact of this action is estimated at \$51,000. This cost is eligible to be paid with Title I, Part A funds, under the ESSA law.

The revenue source for this motion is Title 1.

Expenditure: One-time Annual Multi-Year N/A

Revenue: One-time Annual Multi-Year N/A

6. **COMMUNITY ENGAGEMENT**

With guidance from the District’s Community Engagement tool, this action was determined to merit the following tier of community engagement:

Not applicable

Tier 1: Inform

Tier 2: Consult/Involve

Tier 3: Collaborate

In accordance with the FCA, key stakeholders including Title 1 Coordinator, Program Supervisor for Foster Care for the Office of Superintendent of Public Instruction (OSPI), Regional Contact for the Department of Social & Health Services-Children’s Administration, Treehouse, Youth Care, and the Washington Foster Care Regional Support teams were consulted.

Staff will continue to work with community partners and school staff to implement the new policy and procedures.

In addition, Washington State Directors’ Association (WSSDA) reference documents outline procedural guidelines that informed Policy No. 3116.

7. **EQUITY ANALYSIS**

The Racial Equity Analysis tool was not applied for this decision because the new provisions under the FCA, as amended by the ESSA, supports racially equitable outcomes for students experiencing foster care placement.

8. **STUDENT BENEFIT**

ESSA requires the District to identify, enroll, and serve children and youth in foster care. The mandate requires SEAs and LEAs work together with state, local or other child welfare agencies to ensure youth in foster care receive adequate access to resources.

9. **WHY BOARD ACTION IS NECESSARY**

Amount of contract initial value or contract amendment exceeds \$250,000 (Policy No. 6220)

Amount of grant exceeds \$250,000 in a single fiscal year (Policy No. 6114)

- Adopting, amending, or repealing a Board policy
- Formally accepting the completion of a public works project and closing out the contract
- Legal requirement for the School Board to take action on this matter
- Board Policy No. _____, [TITLE], provides the Board shall approve this item
- Other: _____

10. POLICY IMPLICATION

Board Policy No. 3116 Students in Foster Care

11. BOARD COMMITTEE RECOMMENDATION


This motion was discussed at the Operations Committee meeting on August 23, 2017. The Committee reviewed the motion and _____.

12. TIMELINE FOR IMPLEMENTATION

[Upon approval of this motion, the policy will take immediate effect. Upon approval of this motion, the policy will be posted on the Board website. A Superintendent’s Procedure will be routed for approval, and the District will collaborate with child welfare agencies to reach a mutual understanding on payment for services.

13. ATTACHMENTS

- School Board Policy 3116 Students in Foster Care
- Board Policy No. 3116, Students in Foster Care – clean (for approval)
- Board Action Report- Policy 3116 Students in Foster Care- Redline
- Superintendent Procedure No. 3116SP, Students in Foster Care – clean (for reference)

	<p>Students in Foster Care</p>	<p>Policy No. 3116 August 11th , 2017 Page 1 of 2</p>
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It is the policy of the Seattle School Board that every student receives the high-quality instruction, supports, and interventions they need to graduate high school on time and prepared for the future. Students in foster care experience mobility in and out of the foster care system and from one home placement to another. This mobility may disrupt education and create barriers to academic success and on-time graduation. By collaborating with involved state, local, and/or tribal child welfare agencies, the District will strive to minimize or eliminate educational barriers for students in foster care, particularly with regard to enrollment, transfer of student records, and transportation to their school of origin. The District will review unexpected or excessive absences and facilitate on-time grade level progression and graduation of students in foster care.

The Superintendent or his or her designee will appoint a staff member to serve as the District’s point of contact for local child welfare agencies if such agencies notify the District in writing that they have designated a point of contact for the District. This staff member will work with the involved state, local, and/or tribal child welfare agencies to receive notifications and share information regarding the status and progress of students in foster care. This staff member will also work collaboratively with the District’s Title I coordinator to provide supports for students in foster care that are enrolled in, or seeking to enroll in, the District.

Whenever practical and in the student’s best interest, students in foster care will remain enrolled in the school they were attending upon entering foster care. To determine the student’s best interest, the District will consider the factors provided in the procedures that accompany this policy. In addition, students in foster care who need transportation to their school of origin will have their transportation provided, arranged, and funded pursuant to the procedures that accompany this policy.

If remaining in the student’s school of origin is determined not be in the student’s best interest, the District will immediately enroll the student in their new school. Enrollment will not be denied or delayed based on a failure to provide documents that are normally required for enrollment. Further, the District will expedite the transfer of records for former students in foster care that are placed in a school outside of the District.

The Superintendent is authorized to establish procedures for implementing this policy.

Adopted:

Revised:

Cross Reference: 3115

Related Superintendent Procedure: 3116SP; 3115SP

Previous Policies:

Legal References: RCW 28A.150.510 Transmittal of education records to department of social and health services – Disclosure of educational records – Data sharing agreements – Comprehensive needs requirement document – Report; RCW 28A.225.023 Youth dependent pursuant to Chapter 13.34 RCW – Review of unexpected or excessive absences – Support for youth’s school work; RCW 28A.225.215 Enrollment of children without legal residences; RCW 28A.225.330 Enrolling students from other districts – Requests for information and permanent records – Withheld transcripts – Immunity from liability – Notification to teachers and security personnel – Rules; RCW 28A.320.192 On-time grade level progression and graduation of students who are dependent youth; RCW 74.13.550 Child placement – Policy of educational continuity; 20 U.S.C. 6301 et seq. Elementary and Secondary Education Act of 1965 as amended by the Every Student Succeeds Act (ESSA)

Management Resources:

Superintendent Procedure [3116SP] Students in Foster Care



Approved by: _____ Date: _____

Dr. Larry Nyland, Superintendent

It is the policy of the Seattle School Board that every student receives the high-quality instruction, supports, and interventions they need to graduate high school on time and prepared for the future. To the extent practical and as required by law, the District shall work with students in foster care, their designated caregivers, and social workers to provide stability in school attendance and other services.

A. The Foster Care Liaison

The Superintendent or his or her designee will designate a District Foster Care Liaison to work with the District's Title 1 Coordinator to provide supports for students in foster care. The Liaison will also serve as the District's point of contact (POC) with appropriate state, local, and/or tribal welfare agencies to receive notification and share information regarding the status and progress of students in foster care.

The District Foster Care Liaison will:

1. Ensure that students placed in foster care have full and equal opportunity to succeed in school;
2. Ensure that students in foster care are enrolled and are able to continue at their school of origin if requested or in their best interest;
3. Collaborate with transportation department to develop and implement transportation procedures;
4. Provide child-centered best interest determination for school placement;
5. Document all best interest determination processes as well as collaboration with the child welfare agency;
6. Facilitate the transfer of records and immediate enrollment;
7. Facilitate data sharing with child welfare agencies that is in compliance with FERPA and other student privacy legal requirements;
8. Manage transportation costs disputes;
9. Coordinate all appeals of education-based decisions for students in foster care and district appeals of inter-agency disputes; and
10. As resources permit, provide guidance to school staff on available Title 1 provisions and educational needs of students in foster care on an as-needed basis.

B. Definitions Applicable to Foster Care Students

1. "Foster Care" means twenty-four (24) hours per day temporary, substitute care for the child placed away from the child's parents or guardians, and for whom the Department of Social and Health Services (DSHS) or a licensed or certified child placing agency has placement and care responsibility. This includes any out-of-

home care (including a relative or suitable person), so long as the child is under the placement and care of DSHS, and placed in out- of-home care by DSHS.

2. "School of origin" means the school in which a child is enrolled at the time of placement in foster care. If a child's foster care placement changes, the school of origin would be considered the school in which the child is enrolled at the time of placement change.
3. "Best interest determination" means using child-centered criteria for determining which educational setting is best for a particular child. Decisions should be made on a case-by-case basis and should not be based on the cost of transportation.
4. "Additional cost incurred in providing transportation" are those costs which reflect the difference between what the district would otherwise spend to transport a student to his or her assigned school and the cost of transporting a student in foster care to his or her school of origin. The District would, for example, incur an additional cost if it had no choice but to reroute buses to transport a student in foster care to one of its schools.
5. "Caregiver in Washington State" applies to potential out-of-home placement options that include: licensed foster homes, relatives, group care providers or other court-ordered suitable parties. These placement options must be the result of a state dependency action as established by the court for the dispute resolution process located herein to apply.
6. "Educational decision-maker" means the caregiver and social worker listed on the *Caregiver Authorization* form who are authorized to make day-to-day decisions for children and youth in foster care. Additional decision-makers such as the birth parent, education liaison, or other appropriate adult may be court-appointed and identified on the *Health and Education Authorization Court Order*.
7. "Other supervising agency" means an agency licensed by the state under RCW 74.15.090 or licensed by a federally recognized Indian tribe located in Washington under RCW 74.15.190 that has entered into a performance-based contract with the department to provide case management for the delivery and documentation of child welfare services as defined in RCW 74.13.020.

C. Identification and Support Services

The District will:

1. Receive from Children's Administration (CA) the foster care notification form that verifies students placed in state custody for school enrollment. This form will be provided to Enrollment and the current or receiving school.
2. Identify foster care students by using the Comprehensive Education Data and Research System (CEDARS) through a collaborative effort between OSPI and DSHS. This will help with identifying children and youth in care to focus on services, data collection, and outreach efforts.
3. Include the Foster Care Liaison's contact information on the Seattle Public Schools website.
4. Access foster care student data available in the Comprehensive Education Data and Research System (CEDARS).
5. Provide foster care training, as needed.
6. Provide materials for social workers and foster parents for foster children and youth, in all applicable languages.
7. Develop agency partnerships to serve foster children and youths, as needed.

D. Placement and Enrollment

1. Upon receipt of notification from Children's Administration that verifies a student has been placed in state custody or will be moving to a new foster care placement, the Foster Care Liaison will, in a timely manner, determine the appropriateness of the current educational setting.
2. In order to minimize disruption to a foster care student's education, it is presumed that students in foster care should remain enrolled in their school of origin unless it is determined that such placement is not in the student's best interest.
3. After conducting a best interest determination, the District's Foster Care Liaison will provide to the student's social worker a written explanation of the final decision and the right to appeal in a timely manner and in a language that can be understood (see Dispute Resolution Procedure, below).
4. Should it be determined the foster care student will change school placement, relevant academic and other records will be immediately obtained and forwarded to the new school.
5. Pending resolution of disputes that arise over eligibility, school selection, or enrollment, the District will immediately enroll foster students in the school in which their social worker or foster parent seeks enrollment.
6. The District will avoid delays or denial of enrollment of foster care students, even if they have missed application or enrollment deadlines during any period while in foster care or are unable to produce records required for enrollment (e.g. previous academic records, immunization, health records, proof of guardianship, birth certificates).

E. Best Interest Determination

1. In the event that the student's placement in the school of origin is in question, the District Foster Care Liaison will meet with the child welfare agency's point of contact, the student, and if feasible, the student's biological parent and caregiver or educational decision-maker to determine a placement that is in the student's best interest. The following list includes, but is not limited to, factors that should be considered:
 - a. Preference of the student;
 - b. Preference of the student's parents or educational decision-makers;
 - c. The student's attachment to the school, including meaningful relationships with staff and peers;
 - d. Placement of student's sibling(s);
 - e. Influence on the school climate of the child (including safety);
 - f. The availability and quality of services in the school to meet the child's educational and social-emotional needs;
 - g. History of school transfers and their impact on the student;
 - h. Length of commute and how it would impact the student based on their developmental stage;
 - i. Whether the student is eligible to receive related aids or services under Section 504 and, if so the availability of those services in a school other than the school of origin;

- j. Whether the student is receiving English Language Learning services and, if so the availability of those services in the school other than the school of origin;
2. Any best interest determination will be made promptly after the Children's Administration's notification of placement to the District. All meeting participants will receive written notification of the outcome.
3. In addition, the student's caregiver or educational decision-maker will receive the notice of the appeals process (see Dispute Resolution Process below) after the best interest determination. Only a caregiver or education decision-maker for the student may file an appeal using the Dispute Resolution Process.

F. Transportation

1. Transportation will be provided for foster care students to their school of origin while in foster care placement or until the end of the academic school year if the student exits foster care.
2. The District and Children's Administration will develop and implement clear, written procedures governing transportation to maintain students in foster care in their school of origin, when it is in their best interest.
3. The District and Children's Administration will determine a method to apportion the responsibility and costs for a student's transportation to and from their school of origin. If the agencies cannot reach agreement, the responsibility and costs for transportation will be shared equally.
4. If additional cost is incurred in providing transportation to the school of origin, the District will provide transportation if:
 - a. The local child welfare agency agrees to reimburse the District for the cost of such transportation;
 - b. The District agrees to pay for the cost using Title 1 part A funds; or
 - c. The District and the local child welfare agency agrees to share the cost equally.
5. Pending the outcome of any enrollment appeal or transportation dispute, transportation will continue to be provided until resolution is reached.

G. Dispute Resolution Process: District v. Student Caregiver / Educational Decision-Maker

1. Level I
 - a. The student's caregiver or educational decision-maker may dispute the District's Best Interest Determination, transportation decision, or the provision of any other education-related service for a student in foster care.
 - b. Written notice of the dispute must be submitted to the District Foster Care Liaison within fifteen (15) business days of receiving notice of the District's determination (e.g., that the District intends to enroll the student in a school other than the school of origin or the school requested by the caregiver or the educational decision-maker).
 - c. The Foster Care Liaison will log receipt of the notice, including date and time and electronically file documents.

- d. The Foster Care Liaison will make a decision on the dispute within five (5) business days of receipt and inform the caregiver or educational decision-maker in writing of the result.
- e. The Foster Care Liaison will verify receipt of the written decision by the caregiver or educational decision-maker.

2. Level II

- a. The student's caregiver or educational decision-maker may appeal a Level I decision to the superintendent or his/her designee by providing the Superintendent's office with a copy of the Level I appeals package within ten (10) business days of their receipt of the Level I decision.
- b. The following documents will be included with the decision in an "*appeals package*":
 - 1) A copy of the original notice of dispute;
 - 2) Any additional information provided by the caregiver or educational decision-maker and/or Foster Care Liaison; and
 - 3) Instructions on appealing the decisions.
- c. Within five (5) business days of the notification to the district that the caregiver or educational decision-maker intends to appeal, the Superintendent or designee will arrange to meet within a reasonably expeditious time period, either in-person or through phone/video conference with the student's caregiver or educational decision-maker, the student if appropriate, and at least one representative from DSHS or another supervising agency. If it is not possible for the DSHS or other supervising agency representative to be present within a reasonable time, the Superintendent or designee will document their efforts to include the representative and proceed with the conference.
- d. Within five (5) business days of the conference, the Superintendent or designee will provide the caregiver or educational decision-maker with a written decision, supporting evidence, reasons for the decision and an appeals package that includes:
 - 1) A copy of the initial dispute filed at the Level I and the Foster Care Liaison's decision;
 - 2) The Superintendent or designee's written decision
 - 3) Any additional information provided by the caregiver or education decision-maker and/or Foster Care Liaison.
 - 4) Instructions on appealing the decision, including the physical and email address of where to submit related documentation for the appeal

Office of the Superintendent of Public Instruction (OSPI)
Foster Care Education Program Supervisor
Old Capital Building
PO Box 47200
Olympia, WA 98504-7200
foster@k12.wa.us

And also to:

Foster Care Liaison
Seattle Public Schools

e. The Foster Care Liaison will also be provided a copy of the Level II decision and appeals package. The liaison will be responsible for verifying receipt of the decisions and appeals package by the caregiver or education decision-maker.

3. Level III

- a. If the student's caregiver or educational decision-maker disagrees with the decision of the Superintendent or designee, he or she may appeal the decision by notifying the District's Foster Care Liaison or Superintendent or designee within ten (10) business days of receipt of the Level II decision of their intent to file a Level III appeal.
- b. The Superintendent or designee will forward all written and electronic documentation to the OSPI Foster Care Education Program Supervisor or designee for review within five (5) business days of receiving notification of the caregiver or educational decision-maker's intent to file a Level III appeal.
- c. The caregiver or educational decision-maker may also submit related documentation to the OSPI Foster Care Education Program Supervisor and the District's Foster Care Liaison for review within five (5) business days after notifying the District of their intent to file a Level III appeal. The documentation must be submitted into one package and sent to both parties via email or the US Postal Service.
- d. The OSPI Foster Care Education Program Supervisor or designee and appropriate DSHS representatives shall make a decision within fifteen (15) business days of receipt of the dispute. The decision will be forwarded to the District's Foster Care Liaison for distribution to the caregiver or educational decision-maker (via certified mail), the DSHS representative engaged by the District at Level II, and the Superintendent. The decision shall be the final resolution for placement and provision of services for a child or youth in foster care in the District.
- e. The District will maintain records of disputes resolved at Level I, Level II and/or Level III. Records shall be made available to OSPI upon request.

H. Dispute Resolution Process: District v. Child Welfare Agency

1. If a dispute between the District and the child welfare agency arises that **does not** involve educational placement or the provision of educational services (e.g., failure to collaborate, transportation reimbursements, data sharing, records release policies), either party may seek resolution of the dispute by contacting, in writing, the OSPI Foster Care Education Program Supervisor or designee.
2. Within ten (10) business days of receipt of the dispute, a written decision will be forwarded to the Superintendent, the District's Foster Care Liaison, and the agency representative involved in the dispute. The decisions of OSPI shall be the final resolution for placement and the provision of services for a child or youth in foster care in the District.

I. Inter-District Dispute Process

1. If districts are unable to resolve a dispute regarding the placement of a foster care student or youth, either district may submit a written request to the OSPI Foster Care Education Program Supervisor or designee seeking resolution.
2. OSPI Foster Care Education Program Supervisor or designee will resolve the dispute within ten (10) business days of notification of the dispute and inform all interested parties of the decision.

Approved:

Revised:

Cross Reference: School Board Policy No. 3115

Policy 3208 Annual Report to
Seattle Public Schools Superintendent and Board of Directors

To: Operations Committee
From: Tina Meade, Student Civil Rights Compliance Officer and Kristina Alarcon, Title IX Coordinator
Date: August 7, 2017

I. Introduction

The Seattle Public Schools (District) is dedicated to fostering an environment free from discrimination, including discrimination on the basis of sex or gender. This would encompass a prohibition against sexual harassment. Consequently, upon notice the District must take prompt, equitable, and remedial action within its authority when the District receives reports, complaints, and grievances, either informally or formally, which allege acts of sexual harassment. Federal and state laws, as well as School Board Policies 3207, 3208, and 3210, along with the implementing Superintendent Procedures 3207SP.A, 3208SP, and 3210SP.B/5010SP, provide the basis for the District's administrative complaint and resolution processes regarding reports of general harassment, sexual harassment, and discrimination, respectively.

Additionally, regarding incidents of sexual harassment specifically, Board Policy 3208 requires the Superintendent to make an annual report to the Board of Directors, and states in pertinent part, "The Superintendent shall make an annual report to the Board reviewing the use and efficacy of this policy and related procedures. Recommendations for changes to this policy, if applicable, shall be included in the report." With respect to the annual report, Superintendent Procedure 3208SP.B states further:

The Title IX Coordinator shall prepare an annual report to the Superintendent at the conclusion of each school year. The annual report shall include a discussion of all instances of sexual harassment in which students were alleged to have been subjected to sexual harassment:

1. When, where, and how the District disseminated information required by this procedure;
2. Any relevant training and curriculum given to staff or students; and
3. A summary of formal complaints made in the previous year. This summary shall indicate at a minimum, the number of formal complaints, the most common types of harassment experienced, the number of incidents of sexual violence, the most common types of remedies applied, and the number of appeals.

Therefore, in accordance with Board Policy 3208, the Office of Student Civil Rights (OSCR) is submitting this report to the District's Operations Committee for review and further referral to the Superintendent and Board of Directors.

II. District Dissemination of Information Regarding Prohibitions Against Discrimination on the Basis of Sex and Sexual Harassment

A. Posters for each District building and program

Preceding the start of the 2016-2017, OSCR revised two posters and required both of these posters to be posted in prominent locations around the John Stanford Center and at each District school and program. The posters contain, in essence, the following information:

- District's "notice of nondiscrimination"
- Information specific to issues or concerns of sexual harassment and how to report incidents within the District
- Contact information for Title IX Coordinator, ADA/Section 504 Grievance Coordinator, and Office of Student Civil Rights

Copies of the posters are attached to this report. It should be noted that the posters contain generic contact information regarding the Title IX Coordinator, ADA/Section 504 Grievance Coordinator, and OSCR, whereas previously posted documents contained contact information tied to a specific District staff. To eliminate the need for revisions due to personnel changes, the District now maintains a "generic" email inbox for the Title IX Coordinator, "title.ix@seattleschools.org." This insures cost-effectiveness in providing the required contact information to constituents for compliance with state and federal law.

B. Title IX Website Update

As a part of dissemination information, OSCR updated information regarding sexual harassment and the discrimination complaint process on Title IX specific webpages on the District's public-facing website, starting at <http://www.seattleschools.org/cms/one.aspx?pageId=1286908>.

Content of the Title IX webpages includes the following information:

- Introduction to Title IX, with a link to the District's sexual harassment policy and procedure;
- Brief definitions of sexual harassment and sexual assault, with a link for more detailed explanation of conduct constituting sexual harassment;
- Detail of specific rights afforded to individuals under Title IX;
- Information about filing a complaint of sexual harassment, with a link for more detailed information about filing a complaint of discrimination;
- Responsibilities of the Title IX Coordinator; and
- Contact information for the Title IX Coordinator

Due to the District website refresh, further review of the information on these webpages will be conducted during the 2017-2018 school year to assess for readability and ease of use to obtain relevant information regarding the District's role and responsibilities with respect to reported incidents of sexual harassment.

C. Pre-Service Professional Development for the 2016-2017 School Year

On August 9, 2016, the previous Student Civil Rights Compliance Officer and Accessibility Coordinator, who also serves as the District's ADA/Section 504 Grievance Coordinator, provided a three-hour training to school administrators who are new to the District. The training was attended by 25 administrators and covered the following content: the Office of Student Civil Rights; Web Accessibility; Harassment, Intimidation, and Bullying; Sexual Harassment/Title IX; and Investigative Skills training based on a sexual harassment scenario. Administrators that attended were provided with an online Sexual Discrimination and Sexual Harassment "Tool Kit," which included relevant policies and procedures, sexual harassment information, tips and samples, and resources for interim and remedial measures, such as safety plans and student "no contact" agreements. This information was made available to school administrators via online systems (i.e. Sharepoint and Schoology).

III. Additional Professional Development Provided to District Staff

Over the course of the 2016-2017 school year, staff members from OSCR provided professional development opportunities to various internal constituency groups regarding, among other topics, the prohibition against sex or gender discrimination. The content of the training program regarding sex discrimination consisted of a review of the District policies, procedures, and complaint resolution process; information regarding the District's obligation to respond and investigate upon notice of an incident of sexual harassment or sexual violence; what constitutes notice to the District and issues regarding incidents occurring off school grounds or outside school hours; internal District reporting protocols (i.e. when to report to 411 Team, Safety/Security; Legal, Risk Management, Human Resources, etc.); investigation tools and strategies; implementation of interim safety measures; intersection between OSCR, HR, Discipline, and Special Education departments; and post-investigation action and remedial steps.

The following are the internal constituency groups for which training was provided during the 2016-2017 school year:

- Garfield High School staff
- Safety and Security Department security specialists
- School Principals through LLD
- B.F. Day Elementary School staff
- Staff from Communities in Schools, a community-based organization partnering to provide services within District schools
- Washington Middle School administrative staff
- Leschi Elementary School staff
- Secondary School Counselors (middle and high school level counselors)

OSCR recognizes that additional work needs to be done in the area of professional development to reach a larger number of District staff regarding the obligation to respond, report, and –

depending upon a staff member's job responsibilities – investigate incidents of sex discrimination and sexual harassment. In that regard, at the end of the 2016-2017 school year and during the summer months preceding the 2017-2018 school year, OSCR staff reached out to additional internal constituencies in order to formalize ongoing annual training to District staff members who are most likely to receive reports or address in some manner incidents of alleged sex discrimination or sexual harassment. Consequently, OSCR staff are scheduled to provide professional development to the following groups in advance or at the beginning of the 2017-2018 school year:

- SLI/Operations (for administrators new to the District) – week of July 31 – August 4
- Discipline Hearing Officers – August 17th
- All District School Counselors – date to be determined
- Special Education Regional Supervisors & Specialists – date pending, anticipated September
- School Principals – September LLD
- School Assistant Principals – date pending, anticipated September

OSCR and the Title IX Coordinator also acknowledge that significant work needs to be done to provide training opportunities to parents and community-based advocacy organizations on topics regarding the District's prohibition against sex discrimination and sexual harassment, with an emphasis on providing information regarding sexual harassment prevention/intervention strategies and tools. OSCR intends to work in collaboration with the District's Chief Engagement Officer and this task will be included as an agenda item for the Title IX ad hoc committee, as detailed below.

IV. Ongoing Collaboration with Seattle Police Department

One issue facing District staff responding to and investigating reported incidents of alleged sexual harassment is the fact that some types of conduct deemed sexually harassing may also constitute a criminal offense, such as sexual assault or harassment with sexual motivation. Incidents reported to the Title IX Coordinator this year included reports of inappropriate touching or groping of sexual body parts, attempted sexual assaults, and sexual assaults. District staff members – in particular certificated staff members – have a mandatory obligation to report an incident alleging sexual assault or sexual abuse to either local law enforcement (Seattle Police Department; SPD) or Child Protective Services (CPS).

While these external agencies may conduct their own investigation of alleged sexual harassment/sexual violence, SPD or CPS investigations do not relieve the District of its own obligation to respond and investigate an incident under District policy and the federal civil rights law prohibiting discrimination on the basis of sex. Moreover, there is no District staff member at this juncture who is trained to conduct child forensic interview, while SAU staffs an individual whose primary role is to conduct forensic interviews related to sexual offenses or child abuse. Thus, to reduce the possibility of re-traumatizing an alleged victim through multiple interviews and to conduct appropriate forensic interviews, staff from OSCR and the General Counsel's Office have been partnering with members from SPD's Special Assault Unit (SAU), attorneys from the King County Prosecutors Office's (KCPO) Criminal Division specializing in juvenile

offenses, and victim advocates from SAU and KCPO to draft a “Memorandum of Understanding” (MOU). The purpose of the MOU is to establish specific parameters regarding cooperative investigations, including forensic interviewing; and to memorialize a shared understanding of each respective organization’s roles and responsibilities when investigating reports of sexual assault or sexual abuse. The goal is to finalize the MOU for appropriate signatures during the 2017-2018 school year.

Additionally, OSCR and SAU have established ongoing quarterly meetings to foster open communication regarding how SAU detectives and District investigators are able to cooperate with each other on investigations and to discuss the limitations each respective organization has regarding the disclosure of student or individual information and access to public records. During the 2016-17 school year, SPS/SPD meetings occurred on September 15, 2016, March 1, 2017, and May 17, 2017. We anticipate continuing these cooperative meetings for the 2017-2018 to further enhance the collaborative relationship with SPD and to inform our investigation procedures and protocols.

V. Incident Investigation Information

As stated above, the Title IX annual report to the Superintendent must include information regarding incidents of sexual harassment, which occurred over the course of the school year and must include specific information about formal complaints filed. Superintendent Procedure 3208SP incorporates by reference the discrimination complaint process detailed in 3210SP.B/5010SP. This procedure states a formal complaint, “shall be in writing; shall be signed by the complainant; and shall set forth the specific acts, conditions, or circumstances alleged to have occurred that constitute discrimination.” Individuals can use the general discrimination complaint form developed by the District in September 2016 (see http://www.seattleschools.org/UserFiles/Servers/Server_543/File/District/Departments/Office%20of%20Student%20Civil%20Rights/SPS%20Discrimination%20Complaint%20Form%20ACC%2009122016.pdf) to file a formal complaint of sexual harassment. That said, there is no prescribed document or form that a complainant must use to file a formal complaint of discrimination, including a complaint of sexual harassment, so long as the written document submitted by a complainant contains the minimum information detailed above.

Consequently, in 2016-2017, information about sexual harassment incidents¹ where students were the alleged victim² reported to the Title IX Coordinator for the date range August 1, 2016 through July 31, 2017 are detailed below³.

¹ Some incidents reported multiple concerns, such as allegations of general harassment/bullying and discrimination on the bases of disability, race, and sex (including different treatment and sexual harassment). These multiple allegations incidents are included in this information if the report included an allegation of hostile environment sexual harassment.

² For this report from the Title IX Coordinator, all of the alleged victims are students. Superintendent Procedure 3208SP directs the Assistant Superintendent of Human Resources to make a separate report to the Superintendent and Board of Directors regarding reported incidents of sexual harassment where the alleged victim is a district staff member.

³ Charts or tables are not included so as to insure the report is accessible if posted to the District’s public-facing webpage.

Total number of incidents reported	100
Informal complaints	93
Formal complaints	7

In accordance with 3208SP, a summary of the seven formal complaints is as follows:

- Types of harassment reported through a formal complaint:
 - Inappropriate touching of one student toward another student – 3 complaints; all at elementary schools in the primary grades;
 - Unwelcome comments of a sexual nature directed at a targeted student from another student – 2 complaints; one at an elementary school and one at a high school
 - Off campus sexual assault occurring at a student’s residence outside school hours by another student. Targeted student subjected to inappropriate comments by alleged aggressor during school hours – 1 complaint; elementary school;
 - Student observing another student engaging in inappropriate behaviors of a sexual nature in a school bathroom – 1 complaint; alternative program. Complainant subsequently retracted this allegation during his interview.

- Number of formal complaints reporting sexual violence, where “sexual violence” for purposes of this report is defined as rape, attempted rape, and inappropriate touching of an individual’s sexual body parts⁴: 4

- Most common types of remedies applied for both formal complaints:
 - Safety Plans for all students involved
 - “No Contact” agreements – These are made between students and include parental notification
 - Alterations to student schedules
 - Modification to student school day (i.e. early release, late start)
 - IEP team meeting
 - Individualized corrective action for alleged aggressor, up to and including emergency removal and suspension
 - Training for staff

- There have been no appeals for formal complaints of sexual harassment submitted to date.

⁴ The National Institute of Justice (NIJ) in the U.S. Department of Justice defines sexual violence as, “a specific constellation of crimes including sexual harassment, sexual assault, and rape.” As this report is specifically reporting incidents of sexual harassment, using the NIJ definition of sexual violence would encompass all formal complaints submitted to the District under Policy 3208. This does not seem to accurately reflect the specific information sought by the Superintendent, as articulated in 3208SP. However, further clarification of the definition of sexual violence for purposes of the annual report will be addressed by the Title IX ad hoc committee as a possible revision to the 3208SP procedure.

Overall number of incidents of alleged sexual harassment reported by school type

Elementary School	41
Middle School	14
K8 School	15
High School	27
Alternative School/Program	3

Alleged sexual harassment incidents reported by region and by school type

Northwest		15
<i>Elementary</i>	3	
<i>Middle</i>	3	
<i>K8</i>	3	
<i>High</i>	6	
Northeast		23
<i>Elementary</i>	14	
<i>Middle</i>	4	
<i>K8</i>	2	
<i>High</i>	3	
Central		26
<i>Elementary</i>	8	
<i>Middle</i>	3	
<i>K8</i>	2	
<i>High</i>	11	
<i>Alternative</i>	2	
West Seattle		18
<i>Elementary</i>	10	
<i>Middle</i>	3	
<i>K8</i>	4	
<i>High</i>	1	
Southeast		18
<i>Elementary</i>	6	
<i>Middle</i>	1	
<i>K8</i>	4	
<i>High</i>	6	
<i>Alternative</i>	1	

Further breakdown of the incidents by region and school to include student demographic information has not been included in this report in order to maintain confidentiality and privacy of either an alleged victim, alleged aggressor, or both. That is, since some schools only reported one incident during the 2016-2017 school year, by providing demographic information of the students involved in the reported incident, it may be possible to determine the specific identity of the parties involved, thereby violating student privacy. That said, it will be the work of the Title

IX ad hoc committee to compile and conduct a more comprehensive analysis of the student demographic information of reported sexual harassment incidents for the purposes of determining appropriate strategies for the prevention or intervention of sexual harassment and sexual violence (see below).

VI. Use and Efficacy of Policy and Procedures; Periodic Review

Superintendent Procedure 3208SP states the following with respect to conducting a periodic review of the District's sexual harassment policy and procedure:

In every odd numbered year, the Title IX Coordinator shall convene an *ad hoc* committee composed of representatives of certificated and classified staff, volunteers, students, and parents/guardians to review the use and efficacy of Policy No. 3208 and this procedure. Superintendent Procedure 4110SP shall be followed in the development and operations of the ad hoc committee. Based on the review of the committee, the Title IX Coordinator shall prepare a report to the Superintendent including, if appropriate, any recommended policy or procedure changes.

To that end, OSCR will be soliciting volunteers starting in October 2017 for membership to this ad hoc committee with a goal of completing its work no later than spring 2018. The committee will be co-facilitated by the District's Student Civil Rights Compliance Officer and the Title IX Coordinator, with additional oversight provided by the Deputy Superintendent. A report will be developed and provided to Operations Committee and the Superintendent at the conclusion of the committee's work.

The scope of the committee's work for the 2017-2018 school year will include, but may not be limited to:

- Review and conduct statistic analyses of demographic information regarding alleged victims and alleged aggressors for the purpose of determining whether the District's response protocol produces equitable results and to identify relevant prevention and intervention activities;
- Review and revise, as necessary, policy and procedure 3208 and 3208SP based on past incident response and investigative efforts;
- Review and revise, as necessary, content posted on the District website regarding prevention, intervention, and response to incidents of sexual harassment; and
- Develop outreach and/or education plan for parents/guardians and community members regarding prevention, intervention, and education about the District's response to incidents of sexual harassment or sexual violence.

Discrimination is Against the Law!

Seattle Public Schools, {"SPS"}, provides Equal Educational Opportunities and Equal Employment Opportunities and does not discriminate in any programs or activities on the basis of sex; race; creed; color; religion; ancestry; national origin; age; economic status; sexual orientation, including gender expression or identity; pregnancy; marital status; physical appearance; the presence of any sensory, mental or physical disability; honorably discharged veteran or military status; or the use of a trained dog guide or service animal. SPS also provides equal access to the Boy Scouts and other designated youth groups.

SPS complies with all applicable state and federal laws and regulations, including but not limited to: Title IX of the Education Amendments of 1972; Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act (ADA) of 1990 and the ADA Amendments Act of 2008; and the Washington Law Against Discrimination RCW 49.60. SPS's compliance includes, but is not limited to all district programs, courses, activities, including extra-curricular activities, services, and access to facilities.

The following employees have been designated to handle questions and complaints of alleged discrimination:

For students and members of the public, the following employees have been designated to handle questions and complaints of alleged discrimination: **Office of Student Civil Rights**, (206) 252-0306, or oscr@seattleschools.org or by mail at Seattle Public Schools, MS 32-149, P.O. Box 34165, Seattle, WA 98124-1166. In that department:

- **For sex discrimination concerns**, including sexual harassment, contact: Title IX Grievance Coordinator, (206) 252-0367, or Title.IX@seattleschools.org
- **For disability discrimination concerns** contact: ADA/Section 504 Grievance Coordinator, (206) 252-0178, or accessibility@seattleschools.org

For employee questions about or requests for disability related accommodations and/or complaints of alleged discrimination, including sexual harassment, contact: **Assistant Superintendent of Human Resources**, Seattle Public Schools, Mailstop 33-157, P.O. Box 34165, Seattle, WA 98124-1166, (206) 252-0024, or hreeoc@seattleschools.org



Affected by Sexual Harassment?

STUDENTS AND STAFF ARE PROTECTED AGAINST SEXUAL HARASSMENT BY ANYONE IN ANY SCHOOL PROGRAM OR ACTIVITY, INCLUDING ON THE SCHOOL BUS AND ON OR OFF CAMPUS.

What is Sexual Harassment?

Sexual Harassment is unwelcome behavior or communication that is sexual in nature when:

- A student or employee is led to believe that he or she must submit to unwelcome sexual conduct or communications in order to gain something in return, such as a grade, a promotion, a place on a sports team, or any educational or employment decision, or
- The conduct substantially interferes with a student's educational performance, or creates an intimidating or hostile educational or employment environment.

EXAMPLES OF SEXUAL HARASSMENT

- Pressuring a person for sexual favors
- Unwelcome touching of a sexual nature
- Writing graffiti of a sexual nature
- Making sexual jokes, rumors, or suggestive remarks
- Distributing sexually explicit texts, emails, or pictures
- Physical violence, including rape and sexual assault

How do I report Sexual Harassment?

You can report Sexual Harassment to any school staff member, or to any of the following designated officials:

- Your School Compliance Official: the Principal or designee
- The Title IX Coordinator: 206-252-0367, Title.IX@seattleschools.org
- OSPI Equity and Civil Rights Office: 360-725-6162, equity@k12.wa.us
- US Dept. of Education , Office for Civil Rights: 206-607-1600, OCR.Seattle@ed.gov

You have rights!! For a statement describing the rights and responsibilities of victims of sexual harassment or those who are the subject of complaints, contact your school office or go to the district's Title IX webpage (link below). For more information about SPS's Sexual Harassment policy and procedures, go to your school office or visit the Title IX webpage which can be found under additional links on the Seattle Public Schools website:www.seattleschools.org

