

	<p style="text-align: center;">NOTIFICATION AND DISSEMINATION OF INFORMATION ABOUT STUDENT OFFENSES AND NOTIFICATION OF THREATS OF VIOLENCE OR HARM</p>	<p style="text-align: center;">Policy No. 3143 August 22, 2023 Page 1 of 6</p>
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Seattle Public Schools is committed to providing a safe and welcoming environment for all its students and staff. All students, including those who have committed or been adjudicated for offenses, have constitutional rights to public education.

A. Notification of Student Offenses from County Sheriff’s Office, Courts, Department of Social and Health Services, Department of Corrections, and Other School Districts

The district receives notices and information about students who have been found to have committed offenses from several statutorily authorized sources, including the county sheriff’s office, the courts, the department of social and health services, the department of corrections, and other school districts where the student previously enrolled. The district will take appropriate precautionary measures when it receives notices and information of student offenses from any of these sources. Student discipline, if any, will be consistent with Board Policy No. 3240, Student Behavior and Disciplinary Responses, and the Basic Rules of Seattle Public Schools.

The Superintendent, or their designee, and school principals play an important role in determining and implementing appropriate precautionary measures relating to notices and information about student offenses. If the Superintendent, a designee of the Superintendent, or a principal of a school receives student offense information under RCW 28A.225.330 (notifications from other school districts), 9A.44.138 (sheriff notifications to school districts), 13.04.155 (court notifications to school districts), 13.40.215 (department of children, youth, and families notifications to school districts), or 72.09.730 (department of corrections notifications to school districts), the following notification provisions will be followed.

1. Sex Offenses and Registered Sex or Kidnapping Offenders

a. Superintendent or Designee. Upon receipt of information about sex offenses as defined in RCW 9.94A.030 or upon receipt of information about registered sex or kidnapping offenders pursuant to RCW 9A.44.138, the Superintendent or their designee will provide the information to the principal of

the school where the student is enrolled or will enroll—or, if not known, where the student was most recently enrolled.

b. Principals. When the principal receives the information described above, they must then disclose the information as follows.

If the student is classified as a risk level II or III, the principal shall provide the information received to every teacher of the student and to any other personnel who, in the judgment of the principal, supervises the student or for security purposes should be aware of the student's record.

If the student is classified as a risk level I, the principal shall provide the information received only to personnel who, in the judgment of the principal, for security purposes should be aware of the student's record.

c. Students Found to Have Committed a Juvenile Sex Offense

Attendance at Victims School. Students found to have committed juvenile sex offenses are prohibited from attending the elementary, middle, or high school attended by their victims or their victims' siblings. The parents or legal guardians of the student found to have committed a juvenile sex offense shall be responsible for providing transportation or covering other costs associated with or required by the change in school for the student found to have committed a sex offense.

The Department of Social and Health Services (DSHS) Sex Offender School Attendance Program assists with ensuring that juveniles found to have committed a sex offense, committed to Juvenile Rehabilitation Administration (JRA), do not enroll in the same school as their victim or their victims' siblings. If there is a conflict in schools, DSHS program staff will work with JRA to have the student found to have committed the offense moved to another school.

d. Collaboration. The principal or designee will consult and collaborate with department of corrections, juvenile justice staff, treatment providers, victim support groups, and families, as applicable, when working with students required to register as a sex or kidnapping offender.

e. Inquiries by the Public. Law enforcement agencies receive relevant information about the release of sex and kidnapping offenders into communities and decide when such information needs to be released to the public. Therefore, district and school staff will refer all inquiries by the public at large (including parents and students) regarding students required to register as a sex or kidnapping offender directly to law enforcement.

2. Violent Offenses, Firearms and Dangerous Weapons Crimes, Unlawful Possession or Delivery of Controlled Substances, or School Disciplinary Actions

a. Superintendent or Designee. Upon receipt of information about a violent offense as defined in RCW 9.94A.030, any crime under chapter 9.41 RCW, unlawful possession or delivery, or both, of a controlled substance in violation of chapter 69.50 RCW, or a school disciplinary action, the Superintendent or designee will provide the information to the principal of the school where the student is enrolled or will be enrolled—or, if not known, where the student was most recently enrolled.

b. Principals. When the principal, receives the information described above, they have discretion to share the information with a district staff member if, in the principal’s judgment, the information is necessary for:

- The staff member to supervise the student;
- The staff member to provide or refer the student to therapeutic or behavioral health services; or
- Security purposes.

School principals and staff should use care not to allow a student’s demographic or personal characteristics to bias the decision of whether to share information received.

Upon receipt of information about an adjudication in juvenile court for an unlawful possession of a controlled substance in violation of chapter 69.50 RCW, the principal must notify the student and the parent or legal guardian at least five days before sharing the information with a district staff member.

If either the student or the student's parent or legal guardian objects to the proposed sharing of the information, the student, the student's parent or legal guardian, or both, may, within five business days of receiving notice from the principal, appeal the decision to share the information with staff to the Superintendent of the district in accordance with procedures developed by the district.

The Superintendent shall have five business days after receiving an appeal under the above to make a written determination on the matter. Determinations by the Superintendent under this subsection are final and not subject to further appeal.

A principal may not share adjudication information under this subsection with a district staff member while an appeal is pending.

3. Public Records Act

Any information received by district staff under this section is exempt from disclosure under the public records act (chapter 42.56 RCW) and may not be further disseminated except as provided in RCW 28A.225.330, other statutes or case law, and the family and educational and privacy rights act of 1994 (20 U.S.C. Sec. 1232g et seq.).

4. Classroom Assignments of Students Found to Have Committed Certain Offenses

A student committing an offense under chapter 9A.36 (assault), 9A.40 (kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, and coercion of involuntary servitude), 9A.46 (harassment), or 9A.48 RCW (arson, reckless burning, and malicious mischief) when the activity is directed toward the teacher, shall not be assigned to that teacher's classroom for the duration of the student's attendance at that school or any other school where the teacher is assigned.

A student who commits an offense under chapter 9A.36 (assault), 9A.40 (kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, and coercion of involuntary servitude), 9A.46 (harassment), or 9A.48 RCW (arson, reckless burning, and malicious mischief), when directed toward another student, may be removed from the classroom of the victim for the duration of the student's attendance at that school or any other school where the victim is enrolled.

B. Notification of Threats of Violence or Harm

Students and school employees who are subjects of threats of violence or harm will be notified of the threats in a timely manner. "Threats of violence or harm" means direct or indirect communications by any means of the intent to inflict physical harm upon a specific individual or individuals or that place a person in fear of the imminent likelihood of serious harm.

The district will assess and address potential threats of violence or harm in a manner consistent with Board Policy No. and Superintendent Procedure 3225, School-Based Threat Assessment, other safety policies, and comprehensive safe school plans. In instances where the threat is deemed imminent, moderate risk or high risk, or requires further intervention to prevent violence or serious harm, the school administrator shall notify the parent and/or guardian of any student who is the target/recipient of a threat as well as the parent and/or guardian of any student who made the threat. The district will ensure that the notice is in a language the parent and/or guardian understands, which may require language assistance for parents or guardians with limited-English proficiency under Title VI of the Civil Rights Act of 1964.

If there is a specific and significant threat to the health or safety of a student or other individuals, the district may disclose information from education records to appropriate parties whose knowledge of the information is necessary. Timing and details of the notice will be as extensive as permitted by the federal Family Educational Rights and Privacy Act, other legal limitations, and the circumstances.

The district may use information about a threat of harm or violence in connection with student discipline consistent with Board Policy No. 3240, Student Behavior and Disciplinary Responses, and the Basic Rules of Seattle Public Schools.

The district, Board, school officials, and school employees providing notice in good faith as required and consistent with the Board's policies are immune from any liability arising out of such notification. A person who intentionally and in bad faith or maliciously, knowingly makes a false notification of a threat under this section is guilty of a misdemeanor punishable under RCW 9A.20.021.

C. Immunity

Any school district or district employee who releases the information in compliance with federal and state law is immune from civil liability for damages unless it is shown that the school district or district employee acted with gross negligence or in bad faith.

D. Procedures

The Superintendent is authorized to develop procedures for this policy, as necessary.

Adopted: December 2011

Revised: August 2023 (per Policy No. 1310); March 2022; June 2019

Cross Reference: 2161; 2162; 3130; 3131; 3140; 3141; 3200; 3207; 3225; 3231; 3240; D09.00; 4020; 4040; 4310; 4311; 5281; 6600

Related Superintendent Procedure: 3143SP

Previous Policies: 4314; 4315

Legal References: RCW 4.24.550 Sex offenders and kidnapping offenders – Release of information to public – Website; RCW 9A.44.130 Registration of sex offenders and kidnapping offenders – Procedures – Definition – Penalties; RCW 9A.44.138 Attendance, employment of registered sex offenders and kidnapping offenders at schools and institutions of higher education—Notice to designated recipients—Information exempt from disclosure; RCW 13.04.155 Notification to designated recipient of adjudication or conviction—Information exempt from disclosure; RCW 13.40.215 Juveniles found to have committed violent or sex offense or stalking – Notification of discharge, parole, leave, release, transfer, or escape – To whom given – School attendance – Definitions; RCW 28A.225.330 Enrolling students from other districts—Requests for information and permanent records—Immunity from liability—Rules; RCW 28A.320.128 Notice and disclosure policies – Threats of violence – Student conduct – Immunity for good faith notice – Penalty; RCW 28A.320.163 Notifications—Appeals; RCW 28A.600.460 Classroom discipline – Policies - Classroom placement of student offenders – Data on disciplinary actions; RCW 28A.320; 2020 c 167 § 1 – Notification provisions; RCW 42.56.315 Certain student information; RCW 72.09.345 Sex offenders – Release of information to protect public – End-of-sentence review committee – Assessment – Records access – Review, classification, referral of offenders – Issuance of narrative notices; Chapter 392-400 WAC Student Discipline; 20 U.S.C. 1232g; 34 C.F.R. Part 99 Family Educational Rights and Privacy Act; Article IX, Section 1, Washington State Constitution
Management Resources: *WSSDA Policy & Legal News*, August 2020; *Basic Rules of Seattle Public Schools*