

Superintendent Procedure 3143SP
**Notification and Dissemination of Information
About Student Offenses and Notification of
Threats of Violence or Harm**



Approved by: s/Dr. Brent C. Jones Date: 9/11/2023

Dr. Brent C. Jones, Superintendent

A. Introduction

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.

B. Students Registered as Kidnapping or Sex Offenders

1. Principals

Upon receipt of information about students registered as kidnapping or sex offenders, principals have statutory disclosure obligations as described in Board Policy No. 3143, Notification and Dissemination of Information About Student Offenses and Notification of Threats of Violence or Harm. In addition to those responsibilities described in Board Policy No. 3143, principals have a responsibility to work with central office staff to engage in safety planning for students registered as kidnapping or sex offenders, which includes student meetings, designing and monitoring student safety plans, and implementing safeguards when students change schools or change sex offender levels or status with parole or probation.

2. Safety Planning

The principal or designated building leader, in collaboration with central office staff, will complete safety planning for students registered as kidnapping or sex offenders with school staff, law enforcement, probation or parole professionals, treatment providers, parents or guardians, care providers, and child advocates, as appropriate, in providing a safe school environment for all students and staff. For safety planning to be effective, the district will finalize formal enrollments for students required to register as a kidnapping or sex offender promptly upon receiving enrollment requests.

3. Student Meetings

The purpose of the student meeting is to help the student be successful in their transition back to school and to provide a safe school environment for all students and staff. The principal or designated building leader, working together with probation and parole professionals as appropriate, will meet promptly with the student registered as kidnapping or sex offender to create and implement a student safety plan. The principal

or designee will determine other appropriate school personnel to be included in the meeting to assist in defining school expectations and required supports. The student's parent/guardian or caregiver (with written parent/guardian consent) should also be invited.

4. Student Safety Plan

The principal or designated building leader (and other school staff as applicable), in consultation with the student's parent/guardian, central office staff, and probation and parole professionals (if under court supervision), will create a *Student Safety Plan* for each student registered as a kidnapping or sex offender. The plan will outline the responsibilities of the student, family, school staff, and case manager, if applicable, as well as supports deemed essential in creating the necessary conditions to safely achieve the identified student behaviors.

- a. The *Student Safety Plan* will outline behavioral conditions and limitations required of the student registered as a kidnapping or sex offender concerning their interactions on the school campus.
- b. The *Student Safety Plan* will be based on the student's needs and will outline behavioral responsibilities of the student and other supports to promote those activities deemed essential in supporting the student in making decisions that promote safety.
- c. Each *Student Safety Plan* will be reviewed as necessary by school and central office staff who are tasked with facilitating and/or supporting its implementation.

5. Monitoring the Safety Plan

School staff will monitor the *Student Safety Plan* for students registered as kidnapping or sex offenders and make changes on an "as-needed" basis.

- a. School staff should monitor for any increase or escalation of the identified student's behaviors outlined in the safety plan and be prepared to take appropriate actions for the short and long-term safety of the student required to register as a kidnapping or sex offender and all other students.
- b. School staff will report to the principal or designee and to other involved agencies (treatment providers, parole/probation) if they determine the student has not followed the *Student Safety Plan*.
- c. Follow-through on the *Student Safety Plan* will be consistent with existing disciplinary policies and procedures, student conduct policies, and mandatory reporting policies.

6. When Students Move or Change Status

- a. When a student registered as a kidnapping or sex offender changes schools, whether within or outside of the district, the current principal will notify the

new principal and share the student records and safety plans with the new school. If the student's kidnapping or sex offender status or probation or parole status changes, the principal will notify the school staff as part of the school's safety planning.

- b. For students transferring within Seattle Public Schools, the principal of the student's new school should work with central office staff to re-evaluate the safety plan and determine whether any changes may be needed.

C. Sharing Information About a Student's Adjudication in Juvenile Court for an Unlawful Possession of a Controlled Substance

1. Notification by Principal

At least five days before a principal shares information about a student's adjudication in juvenile court for an unlawful possession of a controlled substance in violation of chapter 69.50 RCW with a school or district staff member, the principal *must* first notify the student and the student's parent or legal guardian of the right to appeal the principal's decision to share information. The student or parent/guardian may appeal to the Superintendent using the process described below.

The principal's notification may occur orally or in writing but must be 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.

When providing this notification, the principal will either verbally explain the process for how to appeal the principal's decision to share the information or provide the student and parent/legal guardian with a copy of this procedure.

2. Appeal Procedure

To appeal a principal's proposed sharing of information under this section, the student and/or the student's parent/guardian **must file a written notice of appeal with the Superintendent on or before the fifth (5th) business day following the date upon which the student and parent/guardian received oral or written notice from the principal.** The written appeal to the Superintendent must include a brief statement explaining the basis for the appeal.

Upon receipt of a parent/guardian appeal, the Superintendent's office will contact the principal to request a statement on the rationale for the principal's proposed disclosure of information. The principal will not share the student's adjudication information with a school or district staff member until the Superintendent makes a determination on the appeal.

The Superintendent will review and consider the statements from the parent/student and the school when making a determination on disclosure.

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

D. Notification of Threats of Violence or Harm.

In alignment with other safety policies and comprehensive safe schools' plans, as well as Board Policy No. 3225 and Superintendent Procedure 3225SP, School-Based Threat Assessment, the district has a school-based threat assessment program that supports investigations and accompanying reports of possible threats of violence or harm.

Under the Family Educational Rights and Privacy Act (FERPA), the district may release student records only with permission from the parent or the adult student (a student who is 18 years of age or older) or in a health or safety emergency, as defined by FERPA. For that reason, the district may disclose the identity of students who have made threats of violence or harm only as allowed by law. Under FERPA, the district may release information from education records in connection with a health or safety emergency, as defined by FERPA, to appropriate parties whose knowledge of the information is necessary to protect the health or safety of students or other individuals.

The district will provide relevant information about the threat to the subject of the threat and will advise the subject of the threat if law enforcement has been involved in the matter.

Exclusionary practices, including suspension, may create the risk of triggering either an immediate or a delayed violent response unless such actions are coupled with containment and support. When considering the appropriate response to a student's threat of violence or harm, the student's individual circumstances will be taken into account.

Any student discipline for making threats of violence or harm must be consistent with Board Policy No. 3240, Student Behavior and Disciplinary Responses, and the *Basic Rules of Seattle Public Schools* document. Discipline of students eligible for special education services or with disabilities must additionally be consistent with Superintendent Procedure No. 2161SP, Special Education and Related Services for Eligible Students (pp 38-41), and Superintendent Procedure No. 2162SP, Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973.

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Revised: September 2023

Cross Reference: Policy Nos. 2161; 2162; 3130; 3141; 3143; 3200; 3225; 3231; 3240; 4310; 4311; D09.00; Superintendent Procedure 3225SP