

NOTIFICATION AND DISSEMINATION OF INFORMATION ABOUT STUDENT OFFENSES AND NOTIFICATION OF THREATS OF VIOLENCE OR HARM

The district is committed to providing a safe and secure environment for all its students and staff members. All students, including those who have committed or have been adjudicated for offenses, have a constitutional right 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 student offenders from several statutorily authorized sources, including Clallam County sheriff's office, Port Angeles City police Department the courts, Department of Social and Health Services, 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 agencies. Student discipline, if any, will be consistent with Policy 3241 – Student Discipline

The Superintendent, or designee and building principals play an important role in determining and implementing appropriate precautionary measures relating to notices and information about student offenses. If the Superintendent or designee, or building principal of a school receives student offense information under RCW 28A.225.330 (notifications from other school districts), RCW 9A.44.138 (sheriff notifications to school districts), RCW 13.04.155 (court notifications to school districts), RCW 13.40.215 (department of children, youth, and families notifications to school districts), or RCW 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 designee will provide the information to the building principal of the school where the student is enrolled or will enroll and/or, if not known, where the student was most recently enrolled.

b. Building Principals. When the building principal receives the information described above, they will disclose the information as follows.

If the student is classified as a risk level II or III, the building principal shall provide the information received to every teacher of the student and to any other staff member who, in the

judgment of the building 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 building principal shall provide the information received only to staff member(s) who, in the judgment of the building principal, for security purposes should be aware of the student's record.

c. Convicted Juvenile Sex Offenders Attendance at Victims School. Convicted juvenile sex offenders are prohibited from attending the elementary, middle, or high school attended by their victims or their victims' siblings. The parents/guardians of the convicted juvenile sex offender will be responsible for providing transportation or covering other costs associated with or required by the sex offender's change in school.

The Department of Social and Health Services (DSHS) Sex Offender School Attendance Program assists with ensuring that juvenile sex offenders, 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 members will work with JRA to have the offender moved to another school.

d. Collaboration. The building principal or designee will consult and collaborate with Department of Corrections, Juvenile Justice Staff member(s), 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 members will refer all inquiries by the public at large (including parents/guardians 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 RCW 9.41 , unlawful possession or delivery, or both, of a controlled substance in violation of RCW 69.50 , or a school disciplinary action, the Superintendent or designee will provide the information to the building principal of the school where the student is enrolled or will be enrolled and/or, if not known, where the student was most recently enrolled.

b. Building Principals. When the building principal, receives the information described above, they have *discretion* to share the information with a district staff member(s) if, in the building 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.

Building principals and staff members will 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 RCW 69.50, the building principal will notify the student and the parent/guardian at least five (5) days before sharing the information with a district staff member(s).

If either the student or the student's parent/ guardian objects to the proposed sharing of the information, the student, the student's parent/guardian, or both, can , within five (5) business days of receiving notice from the building principal, appeal the decision to share the information with staff member(s) to the Superintendent in accordance with district procedures.

The Superintendent will have five (5) 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 building principal will not share adjudication information under this subsection with any district staff member while an appeal is pending.

3. Public Records Act.

Any information received by any district staff member under this section is exempt from disclosure under the public records act (RCW 42.56) and will 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. Assignment of Student Offenders to Certain Classrooms.

A student committing an offense under RCW 9A.36 (assault), RCW 9A.40 (kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, and coercion of involuntary servitude), RCW 9A.46 (harassment), or RCW 9A.48 RCW (arson, reckless burning, and malicious mischief) when the activity is directed toward staff member(s), will 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 staff member(s) is assigned.

A student who commits an offense under RCW 9A.36 (assault), RCW 9A.40 (kidnapping, unlawful imprisonment, custodial interference, luring, trafficking, and coercion of involuntary servitude), RCW 9A.46 (harassment), or RCW 9A.48 RCW (arson, reckless burning, and malicious mischief), when directed toward another student, will 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 staff members 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 Policy and Procedure 3225 – School-Based Threat Assessment, other safety policies, and comprehensive safe school plans. In instances where the threat is deemed moderate risk or high risk, or requires further intervention to prevent violence or serious harm, the Superintendent or designee will notify the parent/ guardian of any student who is the target/recipient of a threat as well as the parent/guardian of any student who made the threat. The district will ensure that the notice is in a language the parent/guardian understands, which may require language assistance for parents/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 will 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 will use information about a threat of harm or violence in connection with student discipline consistent with Policy and Procedure 3241 – Student Discipline.

The district, school board directors, school officials, and school staff member(s) providing notice in good faith as required and consistent with the board’s policies are immune from any liability arising out of such notification. An individual 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 staff member(s) 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 staff member(s) acted with gross negligence or in bad faith.

Cross References: 2161 - Special Education and
 Related Services for Eligible
 Students
 2162 - Education of Students
 With Disabilities Under Section
 504

3120 - Enrollment
3121 - Compulsory
Attendance
3140 - Release of Resident
Students
3144 - Release of Information
Concerning Student
Sexual and Kidnapping
Offenders
3200 - Student Rights and
Responsibilities
3205 - Sexual Harassment of
Students Prohibited
3207 - Bullying
3210 - Nondiscrimination
3211 - Transgender Students
3220 - Freedom of Expression
3223 - Freedom of Assembly
3224 - Student Dress
3225 - School-Based Threat Assessment
3231 - Student Records
3241 - Student Discipline
3245 - Students and
Telecommunications
Devices
3246 - Use of Reasonable
Force
3247 - Isolation and Restraint
of Students with IEPs
and Section 504 Plans
4010 - Staff Communication
Responsibilities
4020 - Confidential
Communications
4200 - Safe and Orderly
Learning Environment
4210 - Regulation of
Dangerous Weapons on
School Premises
4310 - Relations with the Law
Enforcement, Child
Protective Agencies
and the County Health
Department
4314 - Notification of Threats
of Violence or Harm

4315 - Release of Information
Concerning Sexual and
Kidnapping Offenders

4320- Cooperative Program
with Other Districts
and Public Agencies

5281 - Disciplinary Action and
Discharge

5282 - Civility

6511 - Safety Program

6513 - Workplace Violence
Prevention

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