



Date: September 15, 2020

TO: Stanwood-Camano School District Board of Directors

FROM: Maurene Stanton, Executive Director of Human Resources

SUBJECT: Retirement of Board Policy 3144 and Procedure 3144P Release of Information Concerning Student Sexual and Kidnapping Offenders

TYPE: ACTION REQUIRED

The Washington State School Directors Association (WSSDA) has recommended the retirement of Board Policy 3144 Release of Information Concerning Student Sexual and Kidnapping Offenders and its corresponding procedure. WSSDA created one, new model policy and procedure by merging the content of former Model Policy 3143–District Notification of Juvenile Offenders; former Model Policy, Procedure, and Form 3144/ 3144P/ 3144F–Release of Information Concerning Student Sexual and Kidnapping Offenders; and former Model Policy and Procedure 4314/4314P–Notification of Threats of Violence or Harm.

Recommendation: **That the board approve the Second Reading of the Retirement of Board Policy 3144 and its corresponding procedure, 3144P.**

RELEASE OF INFORMATION CONCERNING STUDENT SEXUAL AND KIDNAPPING OFFENDERS

Stanwood-Camano School District recognizes its responsibility for the health and safety of all students, including students required to register as a sex or kidnapping offender enrolled within the district. Therefore, the district will take appropriate precautionary measures in situations where law enforcement officials have advised that a student required to register as a sex or kidnapping offender, is enrolling or is attending a school within the district.

Principals are required to respond to notification by local law enforcement and to disseminate information about students required to register as a sex or kidnapping offender to appropriate staff within the school based on the offender level.

Any Stanwood-Camano School 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.

Inquiries by the public at large (including parents and students), regarding students required to register as a sex or kidnapping offender are to be referred directly to local law enforcement. 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.

The superintendent or designee shall adopt written procedures for school administrators describing appropriate placement, supervision and dissemination of information received from law enforcement to appropriate school personnel.

Cross References:	Policy 3120 Policy 3122 Policy 3143 Procedure 3144P	Enrollment Attendance Notification of Juvenile Offenders Release of Information Concerning Student Sexual and Kidnapping Offenders
Legal References:	RCW 4.24.550 RCW 9A.44.130(1)(e)(i) RCW 13.04.155	Sex offenders and kidnapping offenders— Release of information to public—Web site Registration of sex offenders and kidnapping offenders—Procedures— Definition— Penalties Notification to school principal of conviction, adjudication, or diversion agreement— Provision of information to teachers and other personnel— Confidentiality

Legal References:	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 [4]	Enrolling students from other districts—Requests for information and permanent records—Withheld transcripts—Immunity from liability—Notification to teachers and security personnel—Rule
	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

Family Educational Rights and Privacy Act of 1994 (20 U.S. Code Section 1232g et. seq) Art. IX, Section 1,
Washington State Constitution

Release of Information Concerning Student Sexual and Kidnapping Offenders

Registered Sex Offenders and Sexually Aggressive Youth Who Attend
Stanwood-Camano School District #401

Upon notification from law enforcement and/or the courts pursuant to [RCW 4.24.550](#), that a sex offender, adjudicated youth, or sexually aggressive youth is enrolling in school, the school principal will immediately notify the superintendent and/or designee. Prior to enrollment the principal must collect all information that will assist in the appropriate placement and supervision of the student in a manner that will provide for the safety of all students. This information includes, but is not limited to the following:

- The Order of Parole Conditions;
- Judge's Disposition Order;
- Information from social service agencies and casemanagers;
- Sexually aggressive youth evaluation results;
- Prior safety plans; and
- Special education status, if any.

With the assistance of a school team, the principal will develop a safety plan in consultation with the superintendent and/or designee. Planning must include provisions for providing information compliant with Family Educational Rights and Privacy Act (FERPA) to the student's teacher(s), other school and district staff who might be in contact with or responsible for the student, and security personnel. The parent/guardian should be informed and may be consulted in this process. This planning should be completed within five school days of enrollment. Special Services should be notified if the student has an active Individual Education Plan (IEP). School attendance will commence upon completion of the safety plan and its communication to appropriate staff, the student, and the student's parent and/or guardian.

A principal receiving sex offender notification from law enforcement shall disclose the information received as follows:

- Principals shall provide information received regarding risk level II or III offenders 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.
- Principals shall provide information received regarding risk level I offenders only to personnel who, in the judgment of the principal, for security purposes should be aware of the student's record.

The district shall work with local law enforcement to coordinate the receipt of notifications regarding students registered as sex or kidnapping offenders. The principal or designee shall also consult and collaborate with the 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.

Any written information or records received by the district as a result of a notification are confidential and may not be further disseminated except as provided in state and federal law.

Cross Reference: [Policy 3144](#)

Release of Information Concerning Student
Sexual and Kidnapping Offenders

Adoption Date: 12.05.17
Stanwood-Camano School District

Addendum A

**Sample Safety Plan for use with
Juvenile Offenders, Sex Offenders, Aggressive Youth and Sexually Aggressive Youth**

School: _____ Student: _____ Grade: _____

Background:

Offender status/ disposition orders and parole conditions: Educational placement:

Plan elements:

Responders

Additional responders

Staff response plan

Communication plan

Transition supervision

To and from school

Before/after school

Between classes/specials

Restroom visits

Office visits

Classes and specialized circumstances (i.e. "specials", lunchroom, PE, locker rooms, laboratories etc.)

Notification plan (Where and when appropriate as per FERPA, state law and collective bargaining agreement. Include classified staff, clerical, custodial, food service, etc. as appropriate.)

Immediate staff

Peripheral staff

School community

Substitute notification-identify responsible parties:

Bus drivers

Visiting teacher(s)

Visiting paraprofessionals

Other school staff

Consequences

Any assaultive behavior or exceptional misconduct as defined in [Policy 3240](#) will receive discipline as appropriate and be reported to the probation officer.

Notification in case of emergency and/or violation of plan

Parent/Guardian phone numbers

Probation officer phone numbers

Counselor/treatment provider phone numbers

School Resource Officer/law enforcement phone numbers

Notification in case of bullying or harassment

Name Role

Name Role

I understand the elements of this plan and my role in protecting the safety and security of this student and the other students enrolled at this school.

Student

Parent/Guardian

Reviewed and approved by:

Designated Administrator

Date