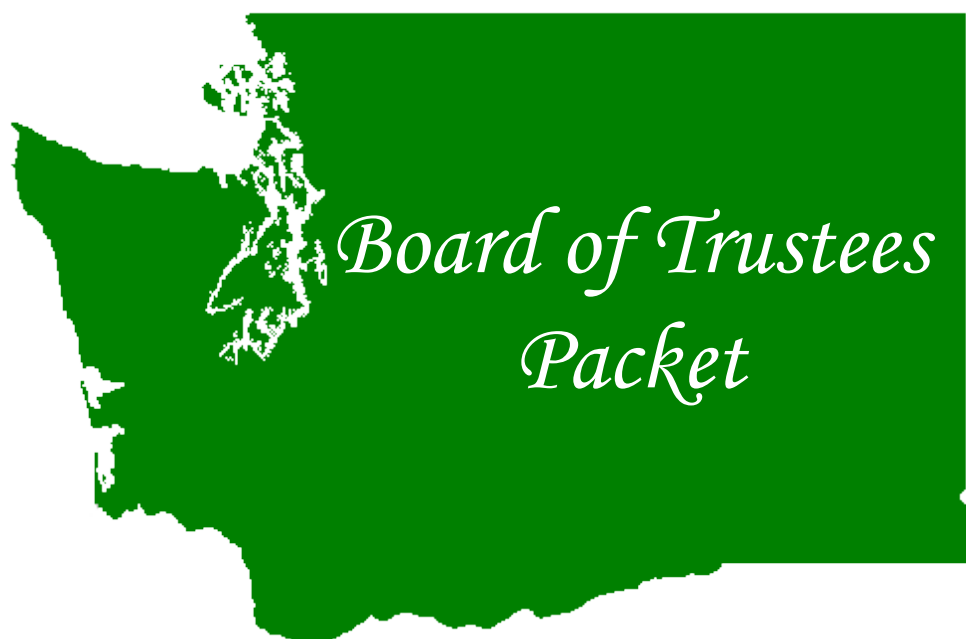


*Washington State Center for Childhood  
Deafness & Hearing Loss*

*Washington School for the Deaf*

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*March 25, 2016*

# **WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS & HEARING LOSS**

## **Board of Trustees Packet**

***March 25, 2016***

- Agenda
- Board of Trustees contact information
- 2015/2016 school calendar
- Board planning calendar

### **AGENDA ITEMS**

- Board Minutes
  - February 4, 2016
- Reports:
  - Executive Director - Rick Hauan
  - Superintendent – Jane Mulholland
  - Outreach - Kris Ching
- Rule Making Review documents
  - WAC 148-100
  - WAC 148-120
  - WAC 148-276
  - WAC 148-280
- Policy review – 3rd reading
  - Transgender Students (3211)

### **INFORMATIONAL ITEMS**

- CDHL/WSD data

**WASHINGTON STATE CENTER FOR  
CHILDHOOD DEAFNESS & HEARING LOSS  
Board of Trustees Meeting  
March 25, 2016**

- |            |  |
|------------|--|
| 8:30 a.m.  | Board Finance Committee meets (Executive Director's office)<br>Nita Kamphuis, Larry Swift, Rita Reandeau, Maria<br>Christianson, Rick Hauan, Jane Mulholland, Jessica Sydnor,<br>Bonnie Terada |
| 9:45 a.m.  | Call meeting to order and determination of a quorum<br>Approval of February 4, 2016, minutes   |
| 9:50 a.m.  | Board Finance Committee report   |
| 10:00 a.m. | Rule Making Review <ul style="list-style-type: none"><li>• WAC 148-100</li><li>• WAC 148-120</li><li>• WAC 148-276</li><li>• WAC 148-280</li></ul>   |
| 10:30 a.m. | Class of 2016 <ul style="list-style-type: none"><li>• Senior Trip</li></ul>  |
| 10:45 a.m. | Policy Review – 3 <sup>rd</sup> Reading <ul style="list-style-type: none"><li>• Transgender Students (policy 3211)</li></ul>   |
| 11:00 a.m. | Policy Planning <ul style="list-style-type: none"><li>• Rick Hauan, Executive Director</li></ul>   |
| 12:00 p.m. | Lunch  |
| 1:00 p.m.  | Math curriculum <ul style="list-style-type: none"><li>• Shannon Graham, Curriculum &amp; Assessment Coordinator</li><li>• Stowe Beecher, TOD - Math</li></ul>                                  |
| 2:00 p.m.  | Statewide Outreach Update <ul style="list-style-type: none"><li>• Kris Ching, Outreach Director (Birth to five)</li><li>• Carol Carrothers, Outreach Director (6-21)</li></ul>                 |
| 2:45 p.m.  | Plan for future meetings <ul style="list-style-type: none"><li>• April 29, 2016</li><li>• June 16, 2016</li></ul>  |
| 3:00 p.m.  | Adjourn  |

# WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS & HEARING LOSS

## BOARD OF TRUSTEES

Rick Hauan, Director (360) 418-0400 ([rick.hauan@cdhl.wa.gov](mailto:rick.hauan@cdhl.wa.gov))  
 Jane Mulholland, Superintendent (360) 418-0402 ([jane.mulholland@cdhl.wa.gov](mailto:jane.mulholland@cdhl.wa.gov))  
 Judy Smith, Executive Assistant (360) 418-0401 ([judy.smith@cdhl.wa.gov](mailto:judy.smith@cdhl.wa.gov))

<b><i>Voting Members</i></b>	<b><i>Address</i></b>	<b><i>Cong Dist.</i></b>	<b><i>Contact Information</i></b>	<b><i>Date Apptd.</i></b>	<b><i>Term Expires</i></b>	<b><i>E-Mail/Fax</i></b>
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Allie "AJ" Joiner	15806 18 <sup>th</sup> Ave. W., B 102 Lynnwood, WA 98087	2	(425) 329-8433 VP	08/30/06	07/01/20	<a href="mailto:allie.joiner@cdhl.wa.gov">allie.joiner@cdhl.wa.gov</a>
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Nita Kamphuis	635 S. Hawaii Place Kennewick, WA 99336	4	(509) 967-6059 (509) 539-0962 cell	09/19/08	07/01/18	<a href="mailto:nita.kamphuis@cdhl.wa.gov">nita.kamphuis@cdhl.wa.gov</a>
Char Parsley, Vice Chair	3427 W. 7 <sup>th</sup> Avenue Spokane, WA 99224	5	(509) 315-2128 VP (509) 329-8535 Text	03/16/07	07/01/16	<a href="mailto:char.parsley@cdhl.wa.gov">char.parsley@cdhl.wa.gov</a>
Rita Reandeau	1470 Yukon Harbor Rd., SE Port Orchard, WA 98366	6	Cell: (360) 551-3034	08/19/04	07/01/19	<a href="mailto:rita.reandeau@cdhl.wa.gov">rita.reandeau@cdhl.wa.gov</a>
Ariele Belo	1625 19 <sup>th</sup> Avenue Seattle, WA 98122	7	(206) 388-1275 TTY (206) 452-7955 (Video & Voice)	01/30/07	07/01/16	<a href="mailto:ariele.belo@cdhl.wa.gov">ariele.belo@cdhl.wa.gov</a>
Sidney Weldele-Wallace, Chair	19501 SE 332 <sup>nd</sup> Place Auburn, WA 98092	8	(253) 833-6487 (253) 833-9111 ext. 4705 (253) 569-8000 cell	06/27/02	07/01/16	<a href="mailto:sidney.weldele-walla@cdhl.wa.gov">sidney.weldele-walla@cdhl.wa.gov</a>
Nancy Fitta	512 63 <sup>rd</sup> Ave Ct NE Tacoma, WA 98422	9	(253) 517-1070 (253) 922-0539 (253) 376-0414 cell	05/01/13	07/01/20	<a href="mailto:nancy.fitta@cdhl.wa.gov">nancy.fitta@cdhl.wa.gov</a>
Larry Swift	2306 Glen Kerry Ct., SE Lacey, WA 98513	10	(360) 491-8745	07/31/02	07/01/19	<a href="mailto:larry.swift@cdhl.wa.gov">larry.swift@cdhl.wa.gov</a>

# WASHINGTON SCHOOL FOR THE DEAF

## 2015/2016 School Year

July 15

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

December 15

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20	21	22	23	24	25	26
27	28	29	30	31		

May 16

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29	30	31				

August 15

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30	31					

January 16

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31						

June 16

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19	20	21	22	23	24	25
26	27	28	29	30		

September 15

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27	28	29	30			

February 16

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28	29					

October 15

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18	19	20	21	22	23	24
25	26	27	28	29	30	31

March 16

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		1	2	3	4	5
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November 15

S	M	T	W	T	F	S
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

April 16

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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

### \*Mark Your Calendars!\*

#### Deaf Awareness Week

September 21 - 25, 2015

#### Homecoming

October 1, 2015

#### Open House

October 1, 2015

#### Terrier Invitational (Volleyball)

October 2 - 3, 2015

#### WSBC/WSBCC 2016

January 27 - 31, 2016  
Arizona School for Deaf & Blind/Tucson

#### Statewide ASL Poetry Competition

March 10, 2016

#### All Star Day (Secondary only)

May 26, 2016

#### Graduation

High School: June 15, 2016

#### Elementary Awards Picnic

June 16, 2016

#### Legend



-First and last day of school

-Non-school days

-Early Release Dates

-Residential Travel days

Red

#### \*\*EARLY RELEASE DATES\*\*

1:00 p.m. - Residential students will go to the cottages, day students will ride bus home

September 17, October 15, November 19, January 21, February 18, March 17, April 21, May 19

#### After School Program

Fall: September 14 - November 4, 2015

Winter: November 30, 2015 - January 27, 2016

Early Spring: February 8 - March 30, 2016

Spring: April 18 - May 25, 2016

Registration Day*	August 30, 2015	Presidents' Day Weekend**	February 12 - 15, 2016
First Day of School	August 31, 2015	Spring Break	April 4-8, 2016
Labor Day	September 7, 2015	Memorial Day**	May 30, 2016
Veterans' Day	November 11, 2015	Last Day of School	June 17, 2016
Thanksgiving Break	November 26-27, 2015		
Winter Break	Dec. 21, 2015-Jan. 1, 2016		
Martin Luther King Jr. Day**	January 18, 2016		
WSD's 130th Birthday	February 3, 2016		

\*No transportation provided on Registration Day

\*\*Holiday and travel day

#### Statewide and School Testing Window

##### MAP (Measure of Academic Progress) 2-12th grades

Fall testing: October 2015

Spring testing: April 2016

##### SBAC (Smarter Balanced Assessment Consortium)

April - June 2016

**Quarters end: 1st Quarter: November 6, 2015 ; 2nd Quarter: January 29, 2016 ;  
3rd Quarter: April 1, 2016; 4th Quarter: June 17, 2016**

Washington State Center for Childhood Deafness & Hearing Loss  
*2016 Planning Calendar for Board of Trustees*

<b>Meeting Date</b>	<b>Board Business</b>	<b>Policy Governance</b>	<b>Reports</b>	<b>Other</b>
April 29, 2016	<ul style="list-style-type: none"> <li>Work on report to Governor's office due 07/01/16 (RCW 72.42.041) - Center's performance, facilities, etc.</li> </ul>	Policy Planning		
June 16, 2016	<ul style="list-style-type: none"> <li>Work on report to Governor's office due 07/01/16 (RCW 72.42.041) - Center's performance, facilities, etc.</li> </ul>	Policy Planning	<ul style="list-style-type: none"> <li>MAP (Measure of Academic Program) data</li> </ul>	

# Agenda Items

**WASHINGTON STATE CENTER FOR  
CHILDHOOD DEAFNESS & HEARING LOSS**  
**Special BOARD OF TRUSTEES MEETING**  
**February 4, 2016**

Board Members: Maria Christianson (District #1)  
Allie Joiner (District #2)  
Nancy Sinkovitz (District #3)  
Nita Kamphuis (District # 4)  
Ariele Belo (District #7)  
Nancy Fitta (District #9) (via K-20)  
Larry Swift (District #10)

Absent: Char Parsley (District #5)  
Rita Reandeau (District #6)  
Sidney Weldele-Wallace (District #8)

Legal Counsel: Bonnie Terada

Executive Director: Rick Hauan

Superintendent: Jane Mulholland

Recorder: Judy Smith

Interpreters: Danni Keller, Tamara Moxham

Guests: Jessica Sydnor, Director of Business Operations  
Lorana Myers, Procurement

Congratulations to the Terriers for winning WSBC! All students that attended the competition were commended for their great attitude and sportsmanship. Kudos to the coaches for their outstanding leadership!

Since both the chair and vice-chair were absent, the Board must elect a chair pro tem in accordance with WAC 148-100-030.

Larry Swift moved to appoint Nita Kamphuis as chair pro tem for the February 4, 2016 meeting. Nancy Fitta seconded the motion. It was voted on and approved.
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The meeting was called to order by Nita Kamphuis, chair pro tem, at 9:54 a.m. It was determined a quorum was present.



### **WSD's 130<sup>th</sup> birthday celebration**

WSD's birthday celebration was a huge success – what a great evening! Thanks to Nancy Fitta for suggesting a change to the meeting date so Board members could attend the festivities.

### **Minutes – October 30, 2015**

Allie Joiner moved to approve the October 30, 2015, meeting minutes. Nancy Fitta seconded the motion. It was voted on and approved

### **Board Finance Committee Report**

CDHL is in a sound financial position with a substantial projected savings at the end of the fiscal year. The bulk of savings realized will be used to conduct a technology audit. ESD 112 will be working with staff to identify technology needs. With this information they will be able to submit a technology plan for the future. CDHL/WSD will also be working closely with John Dickenson, international prominent deaf architect, on an emergency notification system.

Tom Galey, new Director of Business Operations, was able to meet with the Board Finance Committee this morning. He will start on March 14<sup>th</sup>. Congratulations Tom!

### **Reports Discussion**

*Executive Director, Rick Hauan*

- Both the executive director and superintendent traveled last week to Atlanta to continue work on the Washington/Georgia partnership. It was a very powerful connection and more information regarding this partnership will be shared at future meetings. We were awarded a grant to pay for these activities.
- OSPI's memorandum No. 003-16M "Student Enrollment in State Schools that are Identified as the Center for Childhood Deafness and Hearing Loss (CCDHL) and Washington State School for the Blind (WSSB) was distributed and discussed. Unfortunately, there are more questions than answers. The executive director and superintendent are working with OSPI and the AG's office to answer those questions as this would change how we fundamentally do business. The Board thanked the executive director and his staff for taking the lead on searching for clarification of the various issues brought up in this memo. The executive director, superintendent and director of business operations will be meeting with the superintendent of WSSB right after this meeting to discuss the memorandum. The Board will be updated as more information is gathered.
- A hearing was held regarding HB 2324 (Concerning Educational Interpreters) on January 19<sup>th</sup>. The executive director was given permission by the Governor's office to oppose the bill. HB 2324 never made it out of the House Committee on Education. Thanks to Allie Joiner for attending the hearing.
- Program reviews for the Central Kitsap and Issaquah School Districts began last November. The interest is high in these districts and the staff is eager to discuss services CDHL has to offer.

- Statewide Outreach Team members Cathy Corrado and Amy Kyler recently visited the Seattle Public Schools program and were very impressed with their progress. They observed classrooms where instruction was leading towards goals and connecting language for students. The Vision and DHH Supervisor for Seattle Public Schools was very impressed with the positive instruction being provided to their DHH students. Kudos to both Cathy and Amy for their outstanding work.
- The contract with Tacoma Public Schools has been signed and outreach services are being provided.
- The Board members would like to have a more in-depth outreach report at the next meeting. This report should include information regarding specific projects as well as the work being done in the birth to five program.

*Superintendent, Jane Mulholland*

- Common Ground Project
  - Upcoming presentations:
    - ACE-DHH Conference, February 2016 in New York City – keynote speakers
    - CEASD presentation, April 2016 in Kansas City
    - EHDI Annual Meeting, March 2016 in San Diego
    - OPTIONS Conference, May 2016 in Nashville
    - AG Bell Conference, June/July 2016 in Denver. The Common Ground Project members are hoping to meet with the Director of AG Bell in March.
  - The Oberkötter Foundation grant has been renewed for 2016 with an increase in funding to support the work of the Common Ground Project.
  - The Oberkötter Foundation also approved a second grant to continue work on the Washington/Georgia partnership.
  - The Common Ground Shared Understandings have been approved by both CEASD and OPTIONS and have been posted on their respective websites.

**Policy review – 2<sup>nd</sup> reading**

- Policy 2145: Suicide Prevention

Larry Swift moved to adopt Policy 2145: Suicide Prevention. Nancy Fitta seconded the motion. It was voted on and approved.

- Policy 3210: Nondiscrimination – Students
  - Corrections
    - First page/first line: delete “educational”
    - Second page/first line: replace “administrators and certificated and classroom personnel” with “all staff”

Nancy Fitta moved to adopt Policy 3210: Nondiscrimination – Students with the corrections noted above. Nancy Sinkovitz seconded the motion. It was voted on and

approved.

- Policy 3211: Transgender Students
  - There was concern expressed with the wording in this policy. The policy will be brought back for a 3<sup>rd</sup> reading at the March 25<sup>th</sup> meeting.

Note: Legal counsel is working to revise and update CDHL's administrative code. The revisions will be added to the April Board agenda.

### **CEASD Accreditation & Strategic Plan (Shauna Bilyeu, Principal)**

The CEASD Accreditation review team made several recommendations in their final report. Standard 2: Governance and Leadership had the following recommendation for CDHL's Board of Trustees:

- The CEASD Accreditation team recommends the Washington School for the Deaf Board of Trustees continue its proactive efforts in Olympia to identify and seek resources for the school.

A written report addressing the above recommendation is due within five years. Several possible areas to include:

- Opposition of HB 2324: Concerning Educational Interpreters
- Minor works projects
- Student partnerships
- Work done with OSPI

An email was received recently from CEASD recommending WSD for full accreditation. The certificate will be presented at the upcoming CEASD conference in April.

A Strategic Planning (SP) committee has been set up with the purpose of providing oversight to focus group work and report progress to school stakeholders. This committee will use the goals and recommendations from the CEASD report to create an action plan. The Board is very interested in this process and would like to devote one Board meeting a year to learn about updates, recommendations and plans that are emerging from this committee's work. Out of the 14 recommendations very few will go to the SP committee but will be distributed to the departments who are most qualified to address the recommendation. Kudos to Shauna Bilyeu for leading this process and to the members of the SP committee for their commitment to WSD's students and staff.

### **AdvancEd Accreditation**

AdvancEd Accreditation team visited WSD on December 16-17. In their report received January 13, 2015, they asked WSD to create a schoolwide student monitoring system and submit an action plan by December 2016.

### **Executive Session**

The Executive Session portion of the agenda was cancelled.

### **Superintendent Search**

It was decided to conduct the Superintendent search ourselves rather than hire an outside firm. Sample recruitment packets were distributed to Board members. The last week of April has been set aside to screen applicants.

**Adjournment**

Hearing no objections the meeting was adjourned at 2:00 p.m.

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Nita Kamphuis, Chair Pro Tem  
CDHL Board of Trustees

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Rick Hauan, Executive Director  
CDHL

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Date

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Date

**Washington State Center for Childhood  
Deafness & Hearing Loss  
Board of Trustees Meeting  
March 25, 2016**

**Report from Rick Hauan, Executive Director**

*What activities/projects have you been doing since our last meeting?*

- *DHH cooperative meeting (Issaquah School District)*
- *Met with Director of HSDC (Seattle)*
- *Presented at the ACE-DHH Conference 2016 (New York City)*
- *Central Kitsap program review meetings (Silverdale)*
- *Deaf Education Staff and meeting (Spokane)*
- *NEWESD 101/Spokane Special Education Director's meeting*
- *Meeting with Listen & Talk (Seattle)*
- *Spokane Community Form (hosted by Spokane Public Schools)*
- *DEL (Department of Early Learning) Practice Guide meeting (Olympia)*
- *Statewide Outreach Team meeting (Vancouver)*
- *CEASD's Capitol Hill Advocacy Day (Washington, DC)*
  - *Had coffee with Senators Murray and Cantwell*
  - *Brief meeting with Congresswoman Suzan DelBene*
- *Governor's Goal Council meeting*
- *Met with new Director of Salish Sea School (Anacortes)*
- *Met with Congressman Dave Reichert (Issaquah)*
- *Presented at EHDI conference (San Diego)*
- *Deaf Fiesta (Ellensburg)*
- *EIPA (Educational Interpreter Proficiency Assessment) Proctor (Spokane)*
- *Seattle Community meeting*
- *RESPECT K-20 (Spokane)*

*What is on your horizon (include dates)?*

- *March 29: Staff Appreciation Dessert (WSD)*
- *April 4: Governor's Goal Council meeting (Olympia)*
- *April 8 – 12: CEASD and National Outreach conferences (Kansas City)*
- *April 13: WSDS meeting (Renton)*
- *April 14: EIPA Proctor (Spokane)*
- *April 19: Central Kitsap School District DHH program meeting (Silverdale)*
- *April 19: Seattle Community meeting (Seattle Public Schools)*
- *April 20: Spokane Public Schools – Deaf Education staff meeting*
- *April 21: NEWESD 101 Special Education Director's meeting (Spokane)*

- *April 21: Spokane Public Schools parent meeting*
- *April 22: EIPA Proctor (Pasco)*
- *Week of April 25: Superintendent interviews (Vancouver)*

*Describe how you plan on collaborating and with whom?*

- Collaborating with Department of Education in Georgia along with other public and private partners in the state of Georgia to create a system in both states that offers continuity of service and system alignment
- Common Ground Project is a collaboration of national professional organizations.
- Working with leaders at AG Bell to explore how to broaden the collaborative efforts on the national front
- Continuing to work with local school districts and regional efforts including:
  - Spokane Public Schools (and region)
  - Seattle Public Schools
  - NorthWest ESD 189 (Skagit, Whatcom, Island, San Juan and North Snohomish Counties)
  - Central Kitsap (and region)
  - Interpreter skill and implementation plan for Educational Interpreter standards, Fall 2016

**Washington State Center for Childhood  
Deafness & Hearing Loss  
Board of Trustees Meeting  
March 25, 2016**

**Report by Jane Mulholland**

**Date 3/25/16**

*What activities/projects have you been doing since our last meeting?*

- Deaf Academic Bowl: Students competed against 17 other schools for the deaf in the Western Regional academic bowl hosted by the California School for the Deaf—Fremont. WSD's team did the best in their history of DAB participation. Their record allowed them to compete for the Wild Card slot for the national competition; unfortunately, they were not selected. We are proud of the students and grateful to sponsors Tyler DeShaw and Piper Gallucci for their coaching and support.
- Flying Hands: The annual statewide Flying Hands competition was a huge success this year. The competition was expanded to include ASL poetry, ASL story telling and De'VIA art. Participants included students from various locations in Washington, students from Vancouver, B.C., and of course our WSD students. Thanks to Guthrie Nutter, Amy Blades, Krissy Walker, April McArthur for taking the lead in planning and running the event!
- Latinx Activities: On February 25 WSD hosted an afternoon of activities focusing on information about and support for our Latinx students and families. Latinx is a relatively new term. Latinx is a non-gender conforming label for a person of color originating from a Latin American country. Many Latinx people do not identify as Hispanic because that name is associated with the people that colonized their country. The activities include a panel of 4-5 deaf Latinx professionals that spoke to students and staff about their personal journeys; meetings with Latinx families from WSD and a social time with Latinx students after school. Special thanks to Wendy Schlitz for planning and coordinating these activities!
- Seahawks Fever: Jermaine Kearse came to campus in February and spent an hour or so with WSD students and staff. He spoke a little out his foundation, threw the football around with kids (and staff!) and took pictures with each class. He answered questions from the audience, including one student who asked him is he could sign. He replied that he could fingerspell his name, and then proceed to do so with clarity

and fluency. The audience went wild! Each student received a t-shirt from his foundation and a copy of their class picture.

- Work Placement: Great things are happening just across the street from WSD! Kenny Fletcher, owner of the Paper Tiger coffee shop, has been training two of our WSD students in the art of making coffee. Brandy Pietsch and Hilda Beltran-Lopez are developing their skills as baristas. Later they will learn to art of roasting as well. A big Terrier high five to Kenny and staff as they are also taking WSD's ASL class. Kenny is picking up signs quickly and doing a fantastic job communicating with our students. Please help by spreading the word of the amazing opportunity he's providing our students and their enthusiasm to learn ASL. Your help in supporting our community partners is greatly appreciated!
- Equipment Grant: Congratulations to Renee Cunningham and Kay Pedisich submitting and receiving funding for a 2015 NSLP Equipment Assistance Grant funds! WSD has received funding to purchase a tilting kettle (\$24,026) and a steamer (\$18,721). These are expensive pieces of equipment that will enhance our services in the cafeteria.  
Visual Emergency Communication System: Architect John Dickinson is working under contract with WSD to lead the design and implementation of a visual communication system. This system's initial and top priority will be for communication during an emergency. Future capacity could include use for other communication needs. John had an initial meeting with the team in February and will return March 30 for a next meeting. He hopes to have a system identified, installed and tested before school starts in the fall.
- Common Ground Project: I continue to be involved in the Common Ground Project (CGP), the collaboration between CEASD and OPTION schools. March 12-13 the CGP had a meeting in San Diego. March 15 CGP made a presentation at the EHDI conference.

*What is on your horizon (include dates)?*

- Common Ground presentation at CEASD conference April 10, 2016.
- Superintendent finalists interviews and stakeholder meetings April 25-29
- Common Ground meeting with AG Bell president and conference chair May 2.
- Common Ground presentation at OPTION conference May 4.
- Common Ground meeting in Denver in association with AG Bell conference June 29-30.
- WSD Secondary Department statewide open house May 12-13
- All Star Day May 26
- Graduation June 15

*Describe how you plan on collaborating and with whom?*

- Common Ground collaboration includes OPTION schools and AG Bell representatives.



Greetings,

This is my very first Christmas letter that I'm sending out. There was a lot of things going on with my life this year, which was big times for me...

Earlier this year until June, I was in training for the job at Washington State School for the Deaf in Vancouver, WA for landscaping from September (2014) to June. I had some great mentors/teachers for the jobs at WSD, which they taught me a lot of things when I am doing my real job. After my internship for Washington Career Academy for the Deaf (WaCAD) at WSD ended in early June, I started looking for job with help of Divisional Vocational Rehabilitation and job vendor. I have been to three job interviews in Seattle area. The first two jobs did not work, but I got my job at North Seattle College in Seattle for grounds-keeping after my third job interview. So far I am enjoying my new job and met some good coworkers and colleagues at my work.

As many of you know, I am single again. Things with my fiancée/girlfriend did not work out and we have moved on with our lives apart. I learned a lot of these past few years from our relationship. I am very happy to be single again and looking forward to other interests and fun.

Finally, I have my passions on bowling. I have been bowling in bowling leagues since I was 6<sup>th</sup> grade which some of my friends invited me to bowling league. Then I fell in love with bowling which is my sport habit. I have been over to Washington state, including Vancouver, Spokane, and Seattle areas for bowling tournaments. Last year, I suspended bowling while I was at WSD in Vancouver because there is not enough time for me to do that. Since I am back in town, I decided to skip the fall bowling leagues because I had to settle in and find a job. I am hoping that I will get back in game with bowling involving United States Bowling Congress by January.

I am excited about all the things going on my life this year. I have my next chapter for my life, which will be single for now and my passion with bowling. I have my dream that I want to become a pro bowler. Also I want to compete in bowling with other bowler from other state and countries in my future.

Merry Christmas to you, ☺

Tommy Fuglestad

Please forward this to:

- |                    |                                       |
|--------------------|---------------------------------------|
| - Kat Miller       | - Carey                               |
| - Sharon Carll     | - <del>Student</del> Life coordinator |
| - Joanne           | <del>_____</del>                      |
| - Jason Cox        | - Ron                                 |
| - Dan Crady        |                                       |
| - Warren           |                                       |
| - Dave             |                                       |
| - Shannon          |                                       |
| - Jane (SLC)       |                                       |
| - Jane (President) |                                       |

**Washington State Center for Childhood  
Deafness & Hearing Loss  
Board of Trustees Meeting  
March 25, 2016**

**Report by Kris Ching  
Date: January- March 2016**

***What activities/projects have you been doing since our last meeting?***

- Jan. 11 Birth-3 State Agencies Sensory DA meeting in Olympia at ODHH
  - New director of ODHH, Debbie O'Willow, will be attending the state agencies meeting regularly. Luckily Debbie has experience working in the early childhood realm.
  - Janet George will represent state agency Dept. of Services for the Blind at our meetings.
  - Kathy Grant-Davis, ESIT program specialist, is passing the baton to Adrienne O'Brien as ESIT representation on the team. Adrienne recently relocated from Ketchikan, Alaska. At this meeting she shared that she completed the Professional Preparation in Cochlear Implants (PPCI) program through Clarke Philadelphia and Children's Hospital of Philadelphia (9 graduate credits from Smith College).
  - We also reviewed the latest draft for the ESIT Practice Guide live webinar scheduled March 3<sup>rd</sup> 9-10am. See flyer for more information.
- Jan. 12 Attended Tacoma Public Schools preschool meeting about placement disagreement. Katie Humes is now involved to provide specific assessments related to functional vision and communication. The parent is following through with letters to Tacoma Special Ed. Administration to help the situation.
- Jan. 13 Trip to Spokane. Attended Respect meeting with Rick and Carol and then Spokane Public Schools Deaf/HH Staff meeting to support in planning an upcoming Valentine themed family event on Tues. night Feb. 23.
- Jan. 19 Attended preschool initial IEP meeting at Highline School District. The student will start attending Tacoma's Birney Elementary D/HH Listening & Spoken Language preschool.
- Jan. 20 State Interagency Coordinating Council meeting in Olympia –State Performance Plan (SPP) Annual Program Review (APR)
- Jan. 25-28 Georgia Pathway and WA State CDHL collaboration meetings
- Taking advantage of any office time possible. Constantly catching up on emails and phone calls. Coordinating and participating in preschool and B-3 consultations. Feeling thankful I work with the people I do and that I have passion for my job.
- Feb 9-11 SE WA Home Visits with Walla Walla, Clarkston, Richland, and Burbank
- Feb. 17 Local Lead Agency meeting in Spokane – DeEtte and I presented the Practice Guide Intro.
- Feb. 18 NEWESD SPED Director meeting – and Spokane Public Schools Deaf/HH Community meeting
- Feb. 23 Local Lead Agency meeting in Olympia – DeEtte and I presented again
- Feb. 24 State Interagency Coordinating Counsel meeting in Olympia

- Feb. 24 Feedback meeting on Practice Guide in Olympia
- Feb. 25 CDHL Outreach Team Meeting at WSD
- March 2 WSDS meeting at PSESD – focus on leadership and collaboration
- March 3 Early Support for Infants & Toddlers (ESIT) Sensory Disability Practice Guide Webinar
  - Combined presentation by ESIT, CDHL, WSSB, and WSSB
  - Adobe Connect technical support: Khahn Huhtala and Katie Humes
- March 8 meeting with Karl Reddy, executive director TILIKUM Deaf Services Center – asking for support in setting up Family Activity Nights in Walla Walla and Tri-Cities
- March 8 Family Academy Night (FAN) at WSD – 9-11 children ages birth-5 attended with their families, excellent turn-out this month!
- March 9 WA Hands & Voices Board meeting at Listen and Talk in Seattle and virtually by Zoom
- March 13-16 National EHDI Conference 2016 in San Diego, CA
  - 25 professionals from WA attended
  - Excellent networking and information sharing opportunities
  - Kris & Kerianne toured:
    - Laboratory for Language and Cognitive Neuroscience at San Diego State University
    - Mayberry Lab for Multimodal Language Development at University CA San Diego
- March 24 CDHL Outreach Executive Team meeting
- March 24 Respect Meeting K20

### ***What is on your horizon (include dates)?***

- March 28 WA State Newborn Hearing Screening NBHS Meeting – East: Spokane Sacred Heart Hospital
- April 4-8 CEASD Conference Kansas City, MO
- April 11-13 National Outreach Conference NOC Kansas City, MO
- April 20 Seattle Children's Audiology Webinars
  - Kris presenting on CDHL Statewide Systems and Family Case Study
- April 29-May 1 Spring Family Camp
- May 4-6 Infant Early Childhood Conference

### ***Describe how you plan on collaborating and with whom?***

CDHL is continuing to expand birth-3 Deaf/HH services one family at a time. Several Early Childhood Teachers of the Deaf are/will be providing consultation and support services to families, Family Resources Coordinators, and early intervention providers: Kerianne Christie, Kristi Morrison, Amy Hardie, and Gabriela Holzman. Jer Loudenback is the first Language Coach from the CDHL Outreach Team to provide in-home services for a Birth-3 family who lives in Ellensburg.

#### **Current Birth-3 Contracts:**

- ESD 112 in Clark County and others
- Innovative Services Northwest in Clark County
- Bright Beginnings of Kittitas County – Ellensburg
- Sedro-Woolley School District
- North Central ESD 171 – Chelan and Douglas Counties

#### **Upcoming Birth-3 Contracts:**

- Walla Walla County – Walla Walla
- Asotin County – Clarkston

- South Bend School District
- Holly Ridge Center – Kitsap County, Silverdale families
- Whatcom County

Family Activity Nights Project for SE and NW WA Regions:

- Walla Walla County LLA for location
- TILIKUM Deaf Services Centers for Deaf/HH adult involvement and support
- Families for input on topics and activities
- HSDC Bellingham – need to contact for support and ideas
- Sedro-Woolley for location possibilities
- Families
- H&V and GBYS Program for family involvement
- Lions Clubs and Kiwanis Clubs for donations

## IDEAS

*How do we lead? What does that look like?*

- Keeping up with communication – connecting with parents, school staff, EI providers, and FRCs
- Getting input and feedback using a multi-disciplinary approach – particularly from parents and Deaf/HH professionals

*How we can work at staff professional development together?*

- Using a collaborative multi-disciplinary approach – providing relevant information and networking opportunities

AMENDATORY SECTION (Amending WSR 02-22-059, filed 11/1/02, effective 12/2/02)

**WAC 148-100-001 Description of organization.** (1) The Washington state ~~((school for the deaf))~~ center for childhood deafness and hearing loss is a state agency established and organized under the authority of chapter 72.40 RCW~~((. The school provides special education and related services to deaf and hearing impaired students pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. secs. 1400 et seq.; and as administered and generally supervised by the superintendent of public instruction under chapter 28A.155 RCW.~~

~~((2) The school operates under the direction and control of the superintendent and the board of trustees.))~~ to provide statewide leadership and support for the coordination of regionally delivered educational services in the full range of communication modalities, for children who are deaf, deaf-blind, or hard of hearing. The center manages and directs the supervision of the school for the deaf and collaborates with appropriate public and private partners for the training and professional development of educators serving children who are deaf, deaf-blind, or hard of hearing.

~~((2) The ((school))~~ center is governed by a ~~((nine-member))~~ ten-member board of trustees, appointed by the governor, which is responsible for performing needed oversight services to the governor and legislature in the development of programs for the deaf, hard of hearing ~~((impaired))~~ or deaf-blind and in the operation of the center, including the school for the deaf. The ~~((superintendent is the principal administrative officer of the school and))~~ executive director of the Washington state center for childhood deafness and hearing loss shall be responsible for supervision and management of the center, including the school for the deaf and its programs as well as other duties which are prescribed by ~~((section 3, chapter 209, Laws of 2002))~~ RCW 72.40.0191 and 72.40.024.

(3) The administrative office of the ~~((school))~~ center is located at 611 Grand Blvd., Vancouver, Washington 98661. Any person may obtain additional information and make submissions and requests at the administrative office. Additional information concerning organization and educational programs may also be obtained from the school's webpage at <http://www.wsd.wa.gov>.

**(( BYLAWS ))**

AMENDATORY SECTION (Amending WSR 05-10-008, filed 4/25/05, effective 5/26/05)

**WAC 148-100-010 ((Time and place of board)) Meetings of the board of trustees.** The board of trustees ~~((customarily holds a regular meeting each month))~~ holds regular meetings in accordance with the

Open Public Meetings Act, chapter 42.30 RCW, and RCW 72.42.070 pursuant to a schedule established yearly by the board and such special meetings as may be requested by the chair of the board or by a majority of the members of the board and announced in accordance with RCW 42.30.080. The dates, times and locations of these meetings may be found in the Washington State Register or by contacting the office of the executive director, Washington state center for childhood deafness and hearing loss, 611 Grand Boulevard, Vancouver, Washington. A regular meeting may be canceled by action of the board or the board chair.

~~((Meetings of the board shall be at the Washington School for the Deaf, 611 Grand Blvd., Vancouver, Washington 98661, or at such other location as the board may determine.))~~

All regular and special meetings are open to the general public; however, the chair may call an executive session when permitted by law at which members of the general public shall not be present unless invited.

No official business may be conducted by the board of trustees except during a regular or special meeting. No individual member of the board may act on behalf of the board unless specifically instructed by action of the board.

AMENDATORY SECTION (Amending WSR 02-22-059, filed 11/1/02, effective 12/2/02)

**WAC 148-100-020 Meetings—Board agenda—Communication.** (1) Anyone, other than a board member or a representative of the ~~((superintendent's))~~ executive director's office wishing an item placed on the agenda of a board meeting, must have a written request to the board secretary, ~~((superintendent's))~~ executive director's office, no later than twelve o'clock noon twelve business days before the next scheduled meeting of the board. The secretary will relate the request to the chair of the board as soon as feasible. The chair will determine whether the item is to be placed on the agenda. The chair or designee will notify the individual initiating the request as to whether or not the item will be placed on the agenda.

(2) All materials to be considered by the board must be submitted in sufficient quantities to provide each member of the board and the secretary with appropriate copies. To allow the board to have the benefit of background information and research, the ~~((superintendent))~~ executive director shall be given an opportunity, whenever possible, to review and evaluate all materials prepared for consideration by the board prior to submission to the board. The ~~((superintendent))~~ executive director shall also have the opportunity to make recommendations prior to a decision by the board on the matter.

(3) Proposed new policies and/or changes in policy will be presented first to the board of trustees as a report. Board action will usually be taken at a subsequent meeting. If expedient action on the matter would clearly be beneficial to the school, the board may consider taking action at the time the policy is first presented to the board.

(4)(a) Each regular meeting of the board shall provide members of the public an opportunity to address the board on any item of business. Groups and individuals are to submit their statements in writing

to the board secretary, (~~((superintendent's))~~) executive director's office, whenever possible no less than two weeks prior to the time of the meeting. The board encourages groups to designate a spokesperson to address the board on their behalf.

(b) The chair of the board reserves the right to determine time limits on statements and presentations.

(c) The intent of the board shall be to provide equal time for opposing presentations. The chair also maintains the right to regulate the subject matter of that which may be presented or discussed at the open meeting including, but not limited to, matters which are the subject of current or pending grievances or adjudicative or disciplinary proceedings. Matters for consideration, discussion, and/or debate will be limited to the extent allowed by the Open Public Meetings Act, chapter 42.30 RCW.

AMENDATORY SECTION (Amending WSR 02-22-059, filed 11/1/02, effective 12/2/02)

**WAC 148-100-030 Officers of the board.** (1) At the first regular meeting of the board each fiscal year, the board shall elect from its membership, a chair and vice-chair to serve for the ensuing year. In addition, the (~~((superintendent of the Washington school for the deaf))~~) executive director shall serve as secretary to the board of trustees. The secretary may, at his or her discretion, appoint the executive assistant to the (~~((superintendent))~~) executive director to act as recording secretary for all regular and special meetings of the board.

(2) The chair shall preside at each regular or special meeting of the board, sign all legal and official documents recording action of the board, and review the agenda prepared for each meeting of the board. The chair shall, while presiding at official meetings, have full right of discussion and vote.

(3) The vice-chair shall act as chair of the board in the absence of the chair.

(4) In case of the absence of the chair and vice-chair from any meeting of the board of trustees or in case of the inability of both of the two to act, the board of trustees shall elect for the meeting a chair pro tempore, and may authorize such chair pro tempore to perform the duties and acts authorized or required by said chair or vice-chair to be performed, as long as the inability of these said officers to act may continue.

(5) The secretary of the board shall, in addition to any duties imposed by law or the governor, keep the official seal of the board, maintain all records of meetings and other official action of the board.

(6) The secretary shall also be responsible for board correspondence, compiling the agenda of meetings, and distributing the minutes of the meetings and related reports.

(7) The secretary, or his or her designee, must attend all regular and special meetings of the board, and official minutes must be kept of all such meetings except in executive sessions.

AMENDATORY SECTION (Amending WSR 02-22-059, filed 11/1/02, effective 12/2/02)

**WAC 148-100-050 Revision of bylaws.** (1) The board of trustees may adopt bylaws to govern its operations. (~~(A record of these bylaws shall be maintained in the office of the president.)~~)

(2) Bylaws of the board may be revised by majority vote of the board, provided such changes are proposed at least one meeting prior to the meeting at which the vote is taken. Bylaws may be revised by unanimous vote of the board at the same meeting at which the revision is originally proposed.

~~((RULES COORDINATOR))~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 148-100-040	Records of board action.
WAC 148-100-200	Rules coordinator.



## NEW SECTION

**WAC 148-120-001 Purpose and application.** The purpose of this chapter is to establish standards of conduct for students and prescribe the substantive and procedural due process rights of students at the Washington school for the deaf. The procedures and standards set forth in this chapter shall govern the imposition of discipline. "Discipline" means all forms of corrective action other than emergency removal from a class, subject, or activity, suspension, or expulsion and shall include the exclusion of a student from a class by a teacher or administrator for a period of time not exceeding the balance of the immediate class period: Provided that the student is in the custody of a school employee for the balance of such period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or on behalf of the school. Discipline is considered part of the school's educational process. In every case of misconduct, the nature and circumstances of the violation will be considered and appropriate discipline will be administered on a less restrictive alternative basis including, but not limited to, time out, detention, behavior contracts, restriction of privileges, reprimand, restitution, suspension or expulsion.

AMENDATORY SECTION (Amending WSR 94-13-058, filed 6/8/94, effective 7/9/94)

**WAC 148-120-010 Student responsibilities and duties.** Washington school for the deaf is dedicated to offering its students an opportunity for the best education for deaf and hard-of-hearing (~~((impaired))~~) students in the state of Washington. Concomitant to the rights and privileges guaranteed by federal and state law to students are duties and responsibilities (~~((which guarantee the rights of all students, including))~~) of each student to pursue his/her course of studies, show respect for the rights of others, ((compliance)) comply with written rules adopted herein and set forth in student handbooks, and ((submission)) submit to reasonable ((disciplinary)) corrective action for violation(s) for such rules. This chapter is intended to assure that ~~((disciplinary))~~ corrective action is imposed for just cause and in a fair and reasonable manner.

## NEW SECTION

**WAC 148-120-012 Jurisdiction.** The student conduct code shall apply to student conduct that occurs on school premises, during transportation to and from school, to conduct that occurs at or in connection with school-sponsored programs or activities, or to off-campus conduct (or in nonschool electronic environments) that in the judgment of the school threatens safety or security or otherwise adversely impacts the school community.

**WAC 148-120-015 Student rights.** (1) Each student (~~(is guaranteed)) shall possess~~ the following substantive rights(~~(, within the limitations of statutory law and school policy which are deemed necessary to achieve the school's educational goals:~~

~~(a) Students possess the right to a learning environment which is free from unlawful discrimination, inappropriate and disrespectful conduct, and sexual harassment.~~

~~(b) Students possess the rights, guaranteed under the Constitution, to freedom of expression, free inquiry, and peaceful assembly upon and within school facilities that are generally open and available to the public):~~

(a) No student shall be unlawfully denied an equal educational opportunity or be unlawfully discriminated against because of sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression or identity, disability, or the use of a trained dog guide or service animal.

(b) Students possess the constitutional right to freedom of speech and press, and the constitutional right to peaceably assemble and to petition the government and its representatives for a redress of grievances.

(c) Students possess the rights, guaranteed under the Constitution, to the free exercise of religion and to have their school free from sectarian control or influence, subject to reasonable limitations upon the time, place, and manner of exercising such right.

(d) Students possess the constitutional right to be secure in their persons, quarters, papers, and effects against unreasonable searches and seizures, subject to limitations set forth in RCW 28A.600.210 through 28A.600.240 as now or hereafter amended.

(e) Students have the right to be free from unlawful interference in their pursuit of an education while enrolled at the Washington school for the deaf.

(f) Students shall not be deprived of the right to an equal educational opportunity in whole or in part by the Washington school for the deaf without due process including:

(i) Notice to the accused student of the nature of the charges and the proposed disciplinary action; and

(ii) The opportunity to request a hearing as set forth in this chapter.

(2) The foregoing enumeration of rights shall not be construed to deny or disparage other rights guaranteed in the Constitution and the laws of the state of Washington.

(3) The school shall publish and make available to all students and parents, on an annual basis, written rules which state with reasonable clarity the types of misconduct for which disciplinary action may be imposed.

NEW SECTION

**WAC 148-120-020 References to OSPI's rules.** Where OSPI's rules are incorporated by reference: "School district" means "Washington

school for the deaf"; "school district superintendent" means "superintendent of the Washington school for the deaf." These substitutions should be made as appropriate. They should not be made where the "school district" referred to is the student's district of residence.

#### NEW SECTION

**WAC 148-120-110 Prohibited student conduct.** The school may impose disciplinary sanctions against a student who commits, or aids, abets, incites, encourages or assists another person to commit, an act(s) of misconduct set forth in this section. As applicable, the term "conduct" includes acts performed by electronic means.

(1) **Personal offenses.** The term "personal offense" is an offense against the safety or security of any person and includes physical assault, reckless endangerment, physical or verbal abuse, threats, intimidation, harassment, bullying, stalking, invasion of privacy, or other similar conduct that harms any person, or that is reasonably perceived as threatening the health or safety of any person, or that has the purpose or effect of unlawfully interfering with any person's rights. The term includes personal offenses committed by electronic means.

(a) Bullying is physical or verbal abuse, repeated over time, and involving a power imbalance between the aggressor and victim.

(b) Stalking is intentional and repeated following of another person, which places that person in reasonable fear that the perpetrator intends to injure, intimidate, or harass that person. Stalking also includes instances where the perpetrator knows or reasonably should know that the person is frightened, intimidated, or harassed, even if the perpetrator lacks such an intent.

(2) **Property violations.** The term "property violation" includes the theft, misappropriation, unauthorized use or possession, vandalism, or other nonaccidental damaging or destruction of school property or the property of another person; including possession of such property or money after it has been stolen. Property for purposes of this subsection includes computer passwords, access codes, identification cards, other confidential personal information, and intellectual property.

(3) **Sexual misconduct.** The term "sexual misconduct" includes, but is not limited to, sexual harassment and sexual violence.

(a) **Sexual harassment.** The term "sexual harassment" means unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature that is sufficiently serious as to deny or limit, and that does deny or limit, based on sex, the ability of a student to participate in or benefit from the school's educational programs/activities or that creates an intimidating, hostile, or offensive educational environment.

Sexual harassment may include conduct or communication that involves adult to student, student to adult, student to student, adult to adult, male to female, female to male, male to male, and female to female.

(b) **Sexual intimidation.** The term "sexual intimidation" incorporates the definition of "sexual harassment" and means threatening or emotionally distressing conduct based on sex, including stalking (or

cyberstalking), voyeurism, indecent exposure, or the nonconsensual recording of sexual activity or distribution of such recording.

(c) **Sexual violence.** The term "sexual violence" incorporates the definition of "sexual harassment" and means a physical sexual act perpetrated without clear, knowing, and voluntary consent, such as committing a sexual act against a person's will, exceeding the scope of consent, or where the person is incapable of giving consent. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, sexual coercion, sexual exploitation, or gender- or sex-based stalking. A person may be incapable of giving consent because she or he is underage, unable to understand what is happening, or is disoriented, helpless, asleep or unconscious for any reason, including due to drug or alcohol consumption, is disabled, or cannot consent because of threat or intimidation.

(4) **Disruptive or obstructive conduct.** The term "disruptive" or "obstructive conduct" means conduct, not protected by law, that interferes with, impedes, or otherwise unreasonably hinders the normal teaching, learning, administrative, or other functions, procedures, services, programs, or activities of the school. The term includes disorderly conduct, breach of the peace, lewd or obscene conduct, obstruction of pedestrian or vehicular traffic, or interfering with the orderly conduct of school investigations or disciplinary proceedings, including interfering with or retaliating against any complainant, witness, or other participant.

(5) **Failure to comply.** Refusal or failure to comply with instructions or directions of school officials, refusing to comply with any term or condition of a disciplinary sanction.

(6) **Safety violations.** Any nonaccidental conduct that interferes with or otherwise compromises any school policy, equipment, or procedure relating to the safety and security of the center and school community, including tampering with or disabling safety equipment and triggering false alarms or other emergency response systems.

(7) **False or deceptive conduct.** The term "false" or "deceptive conduct" means dishonest conduct (other than academic dishonesty) that includes forgery, altering or falsifying of school records, furnishing false or misleading information, or falsely accusing any person of misconduct.

(8) **Academic dishonesty.** All forms of cheating, plagiarism and fabrication.

(a) **Cheating.** Cheating includes any attempt to give or obtain unauthorized assistance relating to the completion of an academic assignment. This includes assisting another to commit an act of academic dishonesty or allowing someone to do these things for one's benefit.

(b) **Plagiarism.** Plagiarism includes taking and using as one's own, without proper attribution, the ideas, writings or work of another person in completing an academic assignment. Prohibited conduct may also include the unauthorized submission for credit of academic work that has been submitted for credit in another course.

(c) **Fabrication.** Fabrication includes falsifying data, information, or citations in completing an academic assignment and also includes providing false or deceptive information to a teacher concerning the completion of an assignment.

(9) **Unauthorized access.** The term "unauthorized access" means gaining entry without permission to any restricted area or property of the school or the property of another person, including any computer system, e-mail account, or electronic or paper files. Unauthorized ac-

cess includes computer hacking and the unauthorized possession or sharing of any restricted means of gaining access, including keys, keycards, passwords, or access codes.

(10) **Alcohol, drug and tobacco violations.**

(a) **Alcohol.** Use, possession, delivery, or being visibly under the influence of any alcoholic beverages.

(b) **Marijuana.** Use, possession, delivery, or being visibly under the influence of marijuana or the psychoactive compounds found in marijuana and intended for human consumption, regardless of form.

(c) **Drug.** Use, possession, distribution, delivery, or being under the influence of any legend drug, including anabolic steroids, androgens, or human growth hormones as defined in chapter 69.41 RCW, or any other controlled substance under chapter 69.50 RCW, except as prescribed for a student's use by a licensed practitioner. The abuse, misuse, or unlawful sale or distribution of prescription or over-the-counter medications may also constitute a drug violation.

(d) **Tobacco.** Smoking or use of tobacco, tobacco products, electronic smoking devices, or other smoking devices.

(11) **Retaliation.** Harming, threatening, intimidating, coercing or taking adverse action of any kind against a person because such person reported an alleged violation of this code or other school policies, provided information about an alleged violation, or participated as a witness or in any other capacity in an investigation or disciplinary proceeding.

(12) **Weapons violations.** A "weapons violation" includes possessing, carrying, displaying, exhibiting, or storing any firearm or dangerous weapon. Dangerous weapons include, but are not limited to, firearms, dangerous chemicals, explosives, slungshots, sand clubs, metal knuckles, daggers, dirks, spring blade knives, nunchaku sticks, throwing stars, air guns, stun guns, and devices used or intended to be used as a weapon to injure a person by an electric shock, charge, or impulse.

(13) **Harassment, intimidation, or bullying.** Harassment, intimidation, or bullying means any intentional electronic, written, verbal or physical act including, but not limited to, one shown to be motivated by race, color, religion, ancestry, national origin, gender, sexual orientation including gender identity or expression, mental or physical disability, socio-economic status, physical appearance, or other distinguishing characteristic, when the act:

(a) Physically harms a student or damages the student's property;

(b) Has the effect of substantially interfering with a student's education;

(c) Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or

(d) Has the effect of substantially disrupting the orderly operation of the school.

Nothing in this section requires the affected student to actually possess a characteristic that is a basis for the harassment, intimidation, or bullying.

"Intentional act" refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

Harassment, intimidation, and bullying are often carried out through acts of misconduct, which are addressed and prohibited under other rules in this chapter.

(14) **Gang activity.** Claiming membership in, association with, affiliation with, or participation in a gang, in gang-related activities or similar destructive or illegal group behavior at school, during

school-related functions, or on any school property. "Gang" has the meaning given the term under RCW 28A.600.455.

(15) **Theft or misuse of electronic resources.** Theft or misuse of computer time or other electronic information resources of the school. Such misuse includes, but is not limited to:

(a) Unauthorized use of such resources or opening of a file, message, or other item;

(b) Unauthorized duplication, transfer, or distribution of a computer program, file, message, or other item;

(c) Unauthorized use or distribution of someone else's password or other identification;

(d) Use of such time or resources to interfere with someone else's work;

(e) Use of such time or resources to send, display, or print an obscene or abusive message, text, or image;

(f) Use of such time or resources to harass, abuse, bully or engage in other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person;

(g) Use of such time or resources to interfere with normal operation of the school's computing system or other electronic information resources;

(h) Use of such time or resources in violation of applicable copyright or other law;

(i) Failure to comply with the student computing resources policy.

(16) **Cyber misconduct.** Cyberstalking, cyberbullying, or online harassment. Use of electronic communications including, but not limited to, electronic mail, instant messaging, electronic bulletin boards, and social media sites to harass, abuse, bully, or engage in other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person. Prohibited activities include, but are not limited to, unauthorized monitoring of another's e-mail communications directly or through spyware, sending threatening e-mails, disrupting electronic communications with spam or by sending a computer virus, sending false messages to third parties using another's e-mail identity, nonconsensual recording of sexual activity, and nonconsensual distribution of a recording of sexual activity.

(17) **Violation of other laws or policies.** Violation of any federal, state, local law, rule, or regulation or other school rules or policies which are published annually in the student/parent handbook.

AMENDATORY SECTION (Amending WSR 11-05-033, filed 2/8/11, effective 3/11/11)

**WAC 148-120-205 Limitations.** (1) No form of disciplinary action shall be enforced in such a manner as to prevent a student from accomplishing specific academic grade, subject, or graduation requirement: Provided, That a student's academic grade or credit in a particular subject or course may be adversely affected as a result of excessive tardiness or absences.

(2) Corporal punishment as defined by the superintendent of public instruction in WAC 392-400-235((+4)) (2) as now or hereafter amended, is prohibited.

AMENDATORY SECTION (Amending WSR 94-13-058, filed 6/8/94, effective 7/9/94)

**WAC 148-120-210 Emergency removal from class or activity.** (1) Notwithstanding any other provision of this chapter, a student may be removed immediately from a class, subject, or activity by a certificated teacher or an administrator and sent to the principal or his/her designee: Provided, That the teacher or administrator has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school personnel, or an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process of the school. The removal from classes, subjects, or activities shall continue only until:

(a) The danger or threat ceases; or  
(b) The principal or his/her designee acts to impose disciplinary action pursuant to this chapter.

(2) The principal or his/her designee shall meet with the student as soon as reasonably possible following the student's removal and initiate or take appropriate ((disciplinary)) corrective action. In no case shall the student's opportunity for such meeting be delayed beyond the commencement of the next school day. Prior to or at the time any such student is returned to the class(es), subject(s), or activity(ies), the principal or his/her designee shall notify the teacher or administrator who removed the student therefrom of the action which has been taken.

AMENDATORY SECTION (Amending WSR 11-05-033, filed 2/8/11, effective 3/11/11)

**WAC 148-120-250 Discipline procedures.** Disciplinary procedures for students at ((WSD)) the school who are eligible for special education shall follow the requirements in WAC 392-172A-05140 through 392-172A-05175, which are adopted by reference. ((Students at WSD are)) In addition to the rules and procedures in this chapter, students may also be subject to rules and procedures governing discipline for all students in public schools in chapter 392-400 WAC. ((WSD)) The school shall determine on a case-by-case basis whether and to what extent the rules and procedures in chapter 392-400 WAC may apply.

AMENDATORY SECTION (Amending WSR 01-16-100, filed 7/27/01, effective 8/27/01)

**WAC 148-120-313 Referral to and action by law enforcement and judicial authorities.** (1) Nothing in Part B of the Individuals with Disabilities Education Act, or this chapter prohibits the Washington school for the deaf from reporting a crime committed by a student to appropriate authorities, or prevents state law enforcement and judicial authorities from exercising their responsibilities with regard to

the application of federal and state law to crimes committed by a student.

(2) When reporting a crime committed by a student, the school shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom it reports the crime((-

(3) ~~When reporting a crime under this section, the school may transmit copies of the student's special education and disciplinary records only))~~, to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act.

AMENDATORY SECTION (Amending WSR 04-02-002, filed 12/24/03, effective 1/24/04)

**WAC 148-120-400 Emergency expulsion—Limitations.** ((~~Notwithstanding any other provision of this chapter, a student may be expelled immediately by the superintendent or a designee of the superintendent in emergency situations: Provided, That the superintendent or designee has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process. An emergency expulsion shall continue until rescinded by the superintendent or his or her designee, or until modified or reversed pursuant to the hearing provisions set forth in WAC 148-120-410 or the appeal provisions set forth in WAC 148-120-415.~~)) WAC 392-400-295 is incorporated by reference.

AMENDATORY SECTION (Amending WSR 04-02-002, filed 12/24/03, effective 1/24/04)

**WAC 148-120-405 Emergency expulsion—Notice of hearing—Waiver of hearing right.** ((~~(1) The student and his or her parent(s) or guardian(s) shall be notified of the emergency expulsion of the student and of their opportunity for a hearing either (a) by hand delivering written notice to the student's parent(s) or guardian(s) within twenty-four hours of the expulsion and documenting delivery by obtaining his or her signature acknowledging receipt or the written certification of the person making the delivery, or (b) by certified letter(s) deposited in the United States mail, within twenty-four hours of the expulsion: Provided, That if the emergency expulsion is based upon a failure to comply with the state immunization law (see chapter 180-38 WAC), the notice must be received by the student's parent(s) or guardian(s) prior to the emergency expulsion of the student regardless of the method of delivery. In addition, if the notice is by certified letter, reasonable attempts shall be made to notify the student and his or her parent(s) or guardian(s) by telephone or in person as soon as reasonably possible. Such written and oral notice shall:~~



~~(a) Be provided in the predominant language of a student and/or a parent(s) or guardian(s) who predominantly speak a language other than English, to the extent feasible,~~

~~(b) Specify the alleged reason(s) for the emergency expulsion,~~

~~(c) Set forth the corrective action or punishment taken and proposed,~~

~~(d) Set forth the right of the student and/or his or her parent(s) or guardian(s) to a hearing for the purpose of contesting the allegation(s) as soon as reasonably possible, and~~

~~(e) Set forth the facts that:~~

~~(i) A written (or "oral" if provided for by school policy) request for a hearing must be received by the school employee designated, or by his or her office, on or before the expiration of the tenth school business day after receipt of the notice of opportunity for a hearing, and~~

~~(ii) If such a request is not received within the prescribed period of time, then the right to a hearing may be deemed to have been waived and the emergency expulsion may be continued as deemed necessary by the school without any further opportunity for the student or his or her parent(s) or guardian(s) to contest the matter. A schedule of "school business days" potentially applicable to the exercise of such hearing right should be included with the notice.~~

~~(2) The student and/or his or her parent(s) or guardian(s) shall reply to the notice of opportunity for a hearing and request a hearing within ten school business days after the date of receipt of the notice. A request for a hearing shall be provided to the school employee specified in the notice of opportunity for a hearing, or to his or her office. A request for a hearing shall be accepted if in writing and may be accepted orally if expressly provided for and allowed by rule of the school.~~

~~(3) If a request for a hearing is not received within the required ten school business day period, the school may deem the student and his or her parent(s) or guardian(s) to have waived the right to a hearing and the emergency expulsion may be continued as deemed necessary by the school district.) WAC 392-400-300 is incorporated by reference.~~

AMENDATORY SECTION (Amending WSR 04-02-002, filed 12/24/03, effective 1/24/04)

**WAC 148-120-410 Emergency expulsion—Prehearing and hearing process.** ~~((1) If a request for a hearing within the required ten school business days is received pursuant to WAC 148-120-405, the school shall immediately schedule and give notice of a hearing to commence as soon as reasonably possible and in no case later than the third school business day after receipt of the request for hearing.~~

~~(2) The student and his or her parent(s) or guardian(s) shall have the right to:~~

~~(a) Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,~~

~~(b) Be represented by legal counsel,~~

~~(c) Question and confront witnesses, unless a school witness does not appear and the nonappearance of the witness is excused by the person(s) hearing the case based upon evidence of good reason for doing so submitted by the school. The evidence submitted by the school must at a minimum establish either:~~

~~(i) That the school made a reasonable effort to produce the witness and is unable to do so; or,~~

~~(ii) That it is not advisable for the student to appear due to an expectation and fear on the part of the responsible school official(s) or the student of retaliation against the student if he or she appears as a witness,~~

~~(d) Present his or her explanation of the alleged misconduct, and~~

~~(e) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.~~

~~(3) The designee(s) of the school assigned to present the school's case and/or the assistant attorney general shall have the right to inspect in advance of the hearing any documentary and other physical evidence that the student and his or her parent(s) or guardian(s) intend to introduce at the hearing.~~

~~(4) The person(s) hearing the case shall not be a witness and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.~~

~~(5) Either a tape-recorded or verbatim record of the hearing shall be made.~~

~~(6) Within one school business day after the date upon which the hearing concludes, a decision as to whether or not the expulsion shall be continued shall be rendered, and the student's legal counsel or, if none, the student and his or her parent(s) or guardian(s) shall be notified thereof by depositing a certified letter in the United States mail. The decision shall set forth the findings of fact, the conclusions (including a conclusion as to whether or not the emergency situation giving rise to the emergency expulsion continues), and whether or not the emergency expulsion shall be continued or a lesser form of corrective action or punishment is to be imposed.~~

~~(7) An emergency expulsion may be continued following the hearing on the basis that the emergency situation continues and/or as corrective action or punishment for the action(s) giving rise to the emergency expulsion in the first instance.)) WAC 392-400-305 is incorporated by reference.~~

## REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 148-120-100	Conduct violations.
WAC 148-120-120	Misdemeanor and/or felony.
WAC 148-120-200	Policy.
WAC 148-120-314	Aversive interventions.

AMENDATORY SECTION (Amending WSR 90-16-017, filed 7/19/90, effective 8/19/90)

**WAC 148-276-010 Purpose.** The purpose of the rules in this chapter is to ((ensure that the school complies with the public records provisions of RCW 42.17.250 through 42.17.340)) establish the procedures Washington state center for childhood deafness and hearing loss (center) will follow in order to provide full access to nonexempt public records. These rules provide information to persons requesting access to public records of the center and establish processes for both requestors and center staff that are designed to best assist members of the public in obtaining access.

AMENDATORY SECTION (Amending WSR 90-16-017, filed 7/19/90, effective 8/19/90)

**WAC 148-276-030 ((Description of central organization of Washington state school for the deaf.)) Agency description—Public records officer—Public records.** (1) The Washington state ((school for the deaf)) center for childhood deafness and hearing loss is a state agency established and organized under the authority of chapter 72.40 RCW ((for the purpose of implementing the educational goals established by the legislature in RCW 72.40.010)) to provide statewide leadership and support for the coordination of regionally delivered educational services and supports for children who are deaf or hard of hearing and promote the development of communication-rich learning environments for these children. The administrative office of the ((school)) center is located ((in)) at 611 Grand Boulevard, Vancouver, Washington((. The Vancouver campus comprises the central headquarters for all operations of the school.

((2)) The school operates under the supervision and control of the superintendent of the state school for the deaf, appointed by the governor. The superintendent takes such actions and promulgates such rules, regulations, and policies in harmony with the rules and regulations established by the office of superintendent of public instruction and the United States Department of Education, as are necessary to the administration and operation of the school.

((3)) A board of trustees serves as an advisory board to the superintendent and to the legislature. The board consists of a member from each of the state's congressional districts and ex-officio members representing specific interests and constituents of the school. The responsibilities and functions of the board are provided in chapter 72.42 RCW.

((4)) Elementary and high school education is under the direction of a principal or separate principals as student population increases and educational needs demand. Academic support services, including but not limited to outreach, nursing, and audiology are under the supervision of the director of academic support services. The director of media manages the learning resource center. Residential services are under the direction of the director of student life. Consolidated services, serving both the Washington state school for the blind and the Washington state school for the deaf, are administered by personnel

located at the school for the deaf. Consolidated services include: The commissary, business, and personnel offices, the maintenance department, and custodial and food services.)) 98661. The center manages and supervises the school for the deaf which is also located at 611 Grand Boulevard, Vancouver, Washington 98661.

(2) Any person wishing to request access to public records of the center, or seeking assistance in making such a request should contact the public records officer of the center:

Washington State Center for Childhood Deafness and Hearing Loss  
611 Grand Blvd.  
Vancouver, WA 98661-4918  
360-696-6525 (voice)  
360-334-5448 (video phone)  
360-696-6291 (fax)  
Judy.Smith@wsd.wa.gov

(3) The public records officer will oversee compliance with the act but another center staff member may process the request. Therefore, these rules will refer to the public records officer or "designee." The public records officer or designee and the center will provide the "fullest assistance" to requestors; create and maintain for use by the public and center officials an index to public records of the center; ensure that public records are protected from damage or disorganization; and prevent fulfilling public records requests from causing excessive interference with essential functions of the center.

AMENDATORY SECTION (Amending WSR 90-16-017, filed 7/19/90, effective 8/19/90)

**WAC 148-276-050 Public records available.** ((All public records of the school, as defined in this chapter, are deemed to be available for public inspection and copying pursuant to these rules, except as otherwise provided by RCW 42.17.310.)) (1) Hours for inspection of records. Public records are available for inspection and copying during normal business hours of the center, Monday through Friday, 8:00 a.m. to noon and 1:00 p.m. to 5:00 p.m., excluding legal holidays and holidays established by the school calendar. Records must be inspected at the offices of the center.

(2) Records index. An index of public records is available for use by members of the public consisting of the records retention schedule according to record series title, manuals and policy statements by one or more of the following classifications: Administration, statewide (outreach) services, academic and residential life.

(3) Organization of records. The center will maintain its records in a reasonably organized manner. The center will take reasonable actions to protect records from damage and disorganization. A requestor shall not take center or school for the deaf records from center offices without the permission of the public records officer or designee.

(4) Making a request for public records.

(a) Any person wishing to inspect or copy public records of the center should make the request in writing on the center's public records request form, or by letter, fax, or e-mail addressed to the public records officer and including the following information:

- Name of requestor;

- Address of requestor;
- Other contact information, including telephone number and any e-mail address;
- Identification of the public records adequate for the public records officer or designee to locate the records;
- The date and time of day of the request; and
- A verification that the records requested shall not be used for commercial purposes.

(b) If the requestor wishes to have copies of the records made instead of simply inspecting them, he or she should so indicate and make arrangements to pay for copies of the records or a deposit. Pursuant to WAC 148-276-090, standard photocopies will be provided at fifteen cents per page.

(c) A form is available for use by requestors at the office of the public records officer or online at the center's web site.

(d) The public records officer or designee may accept requests for public records that contain the above information by telephone or in person. If the public records officer or designee accepts such a request, he or she will confirm receipt of the information and the substance of the request in writing.

#### NEW SECTION

**WAC 148-276-055 Processing of public records requests.** (1) **Order of processing public records requests.** The public records officer or designee will process requests in the order that allows the most requests to be processed in the most efficient manner.

(2) **Acknowledging receipt of request.** Within five business days of receipt of the request, the public records officer will do one or more of the following:

(a) Make the records available for inspection or copying;

(b) If copies are requested and payment of a deposit for the copies, if any, is made or terms of payment are agreed upon, send the copies to the requestor;

(c) Provide a reasonable estimate of when records will be available;

(d) If the request is unclear or does not sufficiently identify the requested records, request clarification from the requestor. Such clarification may be requested and provided by telephone or video-phone. The public records officer or designee may revise the estimate of when records will be available; or

(e) Deny the request.

(3) **If no response is received.** If the center does not respond in writing within five business days of receipt of the request for disclosure, the requestor should consider contacting the public records officer to ensure that the center received the request.

(4) **Protecting rights of others.** In the event that the requested records contain information that may affect rights of others and may be exempt from disclosure, the public records officer may, prior to providing the records, give notice to such others whose rights may be affected by the disclosure. Such notice should be given so as to make it possible for the affected persons to seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request.

(5) **Records exempt from disclosure.** Some records are exempt from disclosure, in whole or in part. If the center believes that a record is exempt from disclosure and should be withheld, the public records officer will state the specific exemption and provide a brief explanation of why the record or a portion of the record is being withheld. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the public records officer will redact the exempt portions, provide the nonexempt portions, and indicate to the requestor why portions of the record are being redacted.

(6) **Inspection of records.**

(a) Consistent with other demands, the center shall promptly provide space to inspect public records. No member of the public may remove a document from the viewing area or disassemble or alter any document. The requestor shall indicate which documents he or she wishes the center to copy.

(b) The requestor must claim or review the assembled records within thirty days of the center's notification to him or her that the records are available for inspection or copying. The center will notify the requestor in writing of this requirement and inform the requestor that he or she should contact the center to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the thirty-day period or make other arrangements, the center may close the request and refile the assembled records. Other public records requests can be processed ahead of a subsequent request by the same person for the same or almost identical records, which can be processed as a new request.

(7) **Providing copies of records.** After inspection is complete, the public records officer or designee shall make the requested copies or arrange for copying.

(8) **Electronic records.** The process for requesting electronic public records is the same as for requesting paper public records. When a person requests records in an electronic format, the public records officer will provide the nonexempt records or portions of such records that are reasonably locatable in an electronic format that is used by the center and is generally commercially available, or in a format that is reasonably translatable from the format in which the center keeps the record.

(9) **Providing records in installments.** When the request is for a large number of records, the public records officer or designee will provide access for inspection and copying in installments, if he or she reasonably determines that it would be practical to provide the records in that way. If, within thirty days, the requestor fails to inspect the entire set of records or one or more of the installments, the public records officer or designee may stop searching for the remaining records and close the request.

(10) **Completion of inspection.** When the inspection of the requested records is complete and all requested copies are provided, the public records officer or designee will indicate that the center has completed a diligent search for the requested records and made any located nonexempt records available for inspection. Then the public records officer will close the request.

(11) **Closing withdrawn or abandoned request.** When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the public records officer will close the re-

quest and indicate to the requestor that the center has closed the request.

(12) **Later discovered documents.** If, after the center has informed the requestor that it has provided all available records, the center becomes aware of additional responsive documents existing at the time of the request, it will promptly inform the requestor of the additional documents and provide them on an expedited basis.

AMENDATORY SECTION (Amending WSR 90-16-017, filed 7/19/90, effective 8/19/90)

**WAC 148-276-090 ((Copying.)) Costs of providing copies of public records.** ~~((No fee shall be charged for the inspection of public records. The school may impose a reasonable charge for providing copies of public records and for the use by any person of agency equipment to copy public records; such charges shall not exceed the amount necessary to reimburse the school for its actual costs incident to such copying. No person shall be released a record so copied until and unless the person requesting the copied public record had tendered payment for such copying to the appropriate school official. All charges must be paid by money order, cashier's check, or cash in advance.))~~ **(1) Costs for paper copies.** There is no fee for inspecting public records. A requestor may obtain standard black and white photocopies for fifteen cents per page and color copies for twenty-five cents per page.

Before beginning to make the copies, the public records officer or designee may require a deposit of up to ten percent of the estimated costs of copying all the records selected by the requestor. The public records officer or designee may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment. The center will not charge sales tax when it makes copies of public records.

**(2) Costs for electronic records.** The cost of electronic copies of records shall be five dollars for information on a CD-ROM. The cost of scanning existing center paper or other nonelectronic records is ten cents per page. There will be no charge for e-mailing electronic records to a requestor, unless another cost applies such as a scanning fee.

**(3) Costs of mailing.** The center may also charge actual costs of mailing, including the cost of the shipping container.

**(4) Payment.** Payment may be made by cash, check, or money order to the Washington state center for childhood deafness and hearing loss.

AMENDATORY SECTION (Amending WSR 90-16-017, filed 7/19/90, effective 8/19/90)

**WAC 148-276-100 ((Determination regarding exempt records.)) Exemptions.** ~~((1) The school reserves the right to determine that a public record requested in accordance with the procedures outlined in WAC 148-276-080 is exempt pursuant to the provisions set forth in RCW~~

42.17.310 and 42.17.315. Such determination may be made in consultation with the public records officer, the school superintendent, or an assistant attorney general assigned to the school.

(2) Pursuant to RCW 42.17.260, the school reserves the right to delete identifying details when it makes available or publishes any public record when there is reason to believe that disclosure of such details would be an unreasonable invasion of personal privacy; provided, however, in each case, the justification for deletion shall be explained fully in writing.

(3) Response to requests for a public record must be made promptly. For the purposes of this section, a prompt response occurs if the person requesting the public record is notified within two business days as to whether his request for a public record will be honored.

(4) All denials of request for public records must be accompanied by a written statement, signed by the public records officer or his/her designee, specifying the reason for the denial, a statement of the specific exemption authorizing the withholding of the record, and a brief explanation of how the exemption applies to the public record withheld.)) (1) The Public Records Act provides that a number of types of documents are exempt from public inspection and copying. In addition, documents are exempt from disclosure if any "other statute" exempts or prohibits disclosure. Requestors should be aware of the following exemptions, outside the Public Records Act, that restrict the availability of some documents held by the center for inspection and copying:

(a) The Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g;

(b) RCW 5.60.060(2), records subject to the attorney-client privilege; and

(c) RCW 42.56.290, attorney work-product involving a controversy.

(2) The center is prohibited by statute from disclosing lists of individuals for commercial purposes.

AMENDATORY SECTION (Amending WSR 90-16-017, filed 7/19/90, effective 8/19/90)

**WAC 148-276-110 Review of denials of public records requests.**

(1) Petition for internal administrative review of denial of access. Any person who objects to the initial denial or partial denial of a request for a public record may petition in writing (including e-mail) to the public records officer for prompt review of ((such decision by tendering a written request for review. The written request shall specifically refer to the written statement which constituted or accompanied the denial.

(2) The written request by a person demanding prompt review of a decision denying a public record shall be submitted to the superintendent, or his or her designee.

(3) Within two business days after receiving the written request by a person petitioning for a prompt review of a decision denying public record, the superintendent, or his or her designee, shall complete such review.

(4) During the course of the review, the superintendent or his or her designee, shall consider the obligations of the school fully to comply with the intent of chapter 42.17 RCW insofar as it requires



~~providing full public access to official records, but shall also consider both the exemptions provided in RCW 42.17.310 through 42.17.315, and the provisions of the statute which require the school to protect public records from damage or disorganization, prevent excessive interference with essential functions of the agency, and prevent any unreasonable invasion of personal privacy by deleting identifying details.)) that decision. The petition shall include a copy of or reasonably identify the written statement by the public records officer or designee denying the request.~~

(2) **Consideration of petition for review.** The public records officer shall promptly provide the petition and any other relevant information to the public records officer's supervisor for review. That person will immediately consider the petition and either affirm or reverse the denial within two business days following the center's receipt of the petition, or within such other time as mutually agreed upon by the center and the requestor.

(3) **Review by the attorney general's office.** Pursuant to RCW 42.56.530, if the center denies a requestor access to public records because it claims the record is exempt in whole or in part from disclosure, the requestor may request the attorney general's office to review the matter. The attorney general has adopted rules on such requests in WAC 44-06-160.

(4) **Judicial review.** Any person may obtain court review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative appeal.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 148-276-020	Definitions.
WAC 148-276-040	Operations and procedures.
WAC 148-276-060	Public records officer.
WAC 148-276-070	Office hours.
WAC 148-276-080	Requests for public records.
WAC 148-276-120	Protection of public records.
WAC 148-276-130	Records index.
WAC 148-276-140	Adoption of form.

**Chapter 148-280 WAC**  
**FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT ((OF 1974))**

AMENDATORY SECTION (Amending WSR 03-20-014, filed 9/22/03, effective 10/23/03)

**WAC 148-280-010 Confidentiality of student records.** The Washington ~~((school for the deaf))~~ state center for childhood deafness and hearing loss implements policy contained in this chapter in compliance with the Family Educational Rights and Privacy Act ~~((of 1974))~~, 20 U.S.C. Sec. 1232(g); 34 C.F.R. Part 99 (FERPA) ~~((, and the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1412 (a)(8). These laws establish))~~. This law establishes that the education records of students attending or having attended the school for the deaf (school) are confidential and can be released only with written permission of the parent (or adult student). The primary rights of parents and adult students under FERPA are:

- (1) To inspect and review education records;
- (2) To request amendment of education records; and
- (3) To have some control over the disclosure of information from education records.

AMENDATORY SECTION (Amending WSR 03-20-014, filed 9/22/03, effective 10/23/03)

**WAC 148-280-011 Definitions.** As used in this chapter:

(1) "Directory information" means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the student's name, photograph, ~~((address, telephone listing,))~~ date ~~((and place))~~ of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diplomas, honors, and awards received, and ~~((previous))~~ most recent school or program attended.

(2) "Disclosure" means to permit access to or the release, transfer, or other communication of education records, or the personally identifiable information contained in those records, to any party, by any means, including oral, written, or electronic means.

(3) "Education records" means ~~((those records, files, documents, and other materials that are:~~

- ~~((a) Maintained by the school; and~~
- ~~((b) Directly related to a student.~~

~~The term "education records" does not include:~~

~~((i) Records of school staff that are kept in the sole possession of the maker of the record, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;~~

~~((ii) Records created and maintained by school security or the law enforcement unit of the school;~~

(iii) ~~Records made and maintained in the normal course of business which relate exclusively to such person in that person's capacity as an employee and which are not available for any other purpose: Provided, That this exception does not apply to records relating to an individual in attendance at the school who is employed as a result of his or her status as a student;~~

(iv) ~~Records on a student who is eighteen years of age or older that are created and maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity, or assisting in that capacity and that are created, maintained, or used only in connection with the treatment of the student; and are not available to anyone other than persons providing such treatment; provided, however, that such records can be personally reviewed by a physician or other appropriate professional of the student's choice; and~~

(v) ~~Records that contain only information relating to an individual after he or she is no longer a student at the school)) the type of records covered under the definition of "education records" in 34 C.F.R. Part 99 (regulations implementing FERPA).~~

(4) "Adult student" means a student who has reached eighteen years of age. When a student becomes an "adult student," the rights accorded to, and the consent required of, parents under this chapter transfer from the parents to the student.

(5) "Legitimate educational interest" ~~((means the necessity to review educational records))~~ exists if the school official needs to have access to the record in order to fulfill the official's professional responsibility, perform appropriate tasks that are specified in his or her position description or contract agreement, perform a function related to a student's education or discipline, perform a service or benefit relating to the student or student's family, such as health education, counseling, advising, or student employment, or maintain safety and security.

(6) "Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

(7) "Personally identifiable information" includes, but is not limited to, the student's name; the name of the student's parent or other family member; the address of the student or student's family; a personal identifier, such as the student's Social Security number or student number or biometric record; a list of personal characteristics or other information that would make ~~((the student's identity easily traceable; or other information that would make the student's identity easily traceable))~~ it possible to identify the student with reasonable certainty.

(8) "School official" includes a person employed by the center or the school as a teacher, administrator, supervisor, counselor, support or clerical staff ~~((member (including health or medical staff and law enforcement unit personnel), a person serving on the school)),~~ human resources staff, information systems specialist, school security personnel, a person appointed to the board of trustees, a person with whom the school has contracted to perform a ~~((special task))~~ service to or on behalf of the center or school (such as an attorney, hearing officer, auditor, medical consultant, or therapist), ~~((or))~~ a parent or student serving on an official committee or assisting another school official in performing his or her tasks, or other party to whom the school has outsourced institutional services or functions.

(9) "Participating agency" means any school district, agency or institution which collects, maintains, or uses personally identifiable information, or from which information is obtained in implementing chapters 392-172A and 148-172 WAC (rules for the provision of special education), and includes the OSPI, school districts and other public agencies.

AMENDATORY SECTION (Amending WSR 03-20-014, filed 9/22/03, effective 10/23/03)

**WAC 148-280-015 Notice.** The school ~~((shall))~~ provides parents and adult students currently in attendance with annual notice of their rights ~~((as defined by))~~ under FERPA by publication in the parent/student handbook and through these rules.

AMENDATORY SECTION (Amending WSR 03-20-014, filed 9/22/03, effective 10/23/03)

**WAC 148-280-020 ~~((Education records--))~~Access rights.** (1) ~~((A parent, adult student, or representative of the parent has the right to inspect and review the education records of the student.))~~ The school shall permit parents of students eligible for special education to inspect and review, during school business hours, any education records relating to the student which are collected, maintained, or used by the school under chapters 392-172A and 148-172 WAC. A request by a parent (or adult student) to inspect and review education records should be made in writing to the supervising administrator K-12 (i.e., building principal). The supervising administrator K-12 shall comply with a request promptly and before any meeting regarding an individualized education program or hearing or resolution session relating to the identification, evaluation, educational placement of the student or provision of FAPE to the student, including disciplinary proceedings. The school shall respond, in no case, more than forty-five calendar days after the request has been made.

(2) Where the education record ~~((or data))~~ includes information on more than one student, the parent(s) of those students (or the adult students) shall have the right to inspect and review only the information relating to their child (or themselves) or to be informed of that specific information.

(3) ~~((The parent (or adult student) has the right to obtain copies of the student's education records. Charges for the copies shall not exceed the cost normally charged by the school. However, if the fee effectively prevents the parent (or adult student) from exercising the right to inspect and review the student's education records, the school may provide such copies free of charge.))~~ The right to inspect and review education records under this section includes:

(a) The right to a response from the center to reasonable requests for explanations and interpretations of the records;

(b) The right to request that the center provide copies of the records containing the information if failure to provide those copies

would effectively prevent the parent or adult student from exercising the right to inspect and review the records; and

(c) The right to have a representative of the parent or adult student inspect and review records.

(4) The school may presume that a parent has authority to inspect and review records relating to his/her child unless the school has been advised that ((there is a court order, parenting plan, or legally binding document relating to such matters as dissolution, separation, guardianship, or custody that specifically revokes these rights)) the parent does not have the authority under applicable state law governing such matters as guardianship, separation, and divorce.

(5) ((The parent (or adult student) has the right to a response from the school to reasonable requests for explanations and interpretations of the records.)) A list of the types and locations of education records collected, maintained, or used by the school may be obtained by the parent (or adult student) at the superintendent's office.

AMENDATORY SECTION (Amending WSR 03-20-014, filed 9/22/03, effective 10/23/03)

**WAC 148-280-030 ((Education records))Amendment of records—Hearing on request to amend records.** (1)(a) A parent (or adult student) who believes that information contained in the education record is inaccurate, misleading, or violates the privacy or other rights of the student, may request the school to amend the information.

(b) A parent (or adult student) shall not be permitted under this chapter to challenge the validity of grades or other evaluations which are accurately recorded.

(2) The school shall decide whether to amend the record as requested within a reasonable time after receipt of the request.

(3) If the school decides to deny the request, it shall inform the parent (or adult student) of the decision and of the right to a hearing. ~~((The hearing shall be a brief adjudicative proceeding.))~~

(4) The school will conduct a hearing within a reasonable time after it has received the request for a hearing.

(a) Notice of the date, time and place shall be provided reasonably in advance of the hearing.

(b) ~~The hearing ((will be conducted by a hearing officer who is a disinterested party. This hearing officer may be a school official))~~ may be conducted by any party, including an official of the school, who does not have a direct interest in the outcome of the hearing. The parent (or adult student) shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend an education record. The parent (or adult student) may, at their own expense, be assisted or represented at the hearing by one or more individuals, including an attorney.

(c) ~~The ((hearing officer will prepare))~~ school will provide a written decision ((based solely on the evidence presented at)) within a reasonable period of time after the conclusion of the hearing. The decision ~~((will))~~ shall be based solely upon the evidence presented at the hearing and include a summary of the evidence presented and the reasons for the decision.

(5) If, as a result of the hearing, the school decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the information accordingly and so inform the parent (or adult student) in writing.

(6) If, as a result of the hearing, the school decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parent (or adult student) of the right to place in the record a statement commenting on the challenged information ~~((and/or a statement of the parent's (or adult student's)))~~ or setting forth any reasons for disagreeing with the decision of the school in the records it maintains on the student.

(7) Any explanation placed in the records of the student under this section must:

(a) Be maintained by the school as part of the records of the student as long as the record or contested portion is maintained by the school; and

(b) Be included with any disclosure of the record or contested portion to which the explanation relates.

AMENDATORY SECTION (Amending WSR 03-20-014, filed 9/22/03, effective 10/23/03)

**WAC 148-280-040** ~~((Disclosure of personally identifiable information from education))~~ Consent for release of records. ~~((1) The school shall not disclose information from education records (other than "directory information") without the written consent of the parent (or adult student) except that records may be disclosed without consent when disclosure is to:~~

~~(a) School officials who have a legitimate educational interest in the records;~~

~~(b) Officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll. Pursuant to RCW 28A.225.330, records disclosed under this subsection will include disciplinary action, violent behavior or behavior listed in RCW 13.04.155, attendance, immunization records, and academic performance. The school shall provide the parent (or adult student), upon request, with a copy of the records disclosed and an opportunity for a hearing to challenge the content of the record;~~

~~(c) Federal and state officials requiring access to education records in connection with the audit and evaluation of a federal or state supported education program, or in connection with the enforcement of or compliance with federal or state legal requirements which relate to such programs;~~

~~(d) Organizations conducting studies for, or on behalf of the school, for purposes of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction: Provided, That the study is conducted in such a manner that does not permit the personal identification of parents and students by persons other than representatives of such organizations, and such information is destroyed when no longer needed for the purposes for which it was provided;~~

~~(e) Accrediting organizations in order to carry out their accrediting functions;~~

~~(f) Any person or entity designated by judicial order or lawfully issued subpoena: Provided, That the school shall make a reasonable effort to notify the parent (or adult student) in advance of compliance, unless such notification and disclosure is specifically prohibited by an order of the court or other issuing agency or the order has been issued ex parte.~~

~~(i) If the school initiates legal action against a parent or student, the school may disclose to the court, without a court order or subpoena, the education records of the student that are relevant and necessary for the school to proceed with the legal action.~~

~~(ii) If a parent or student initiates legal action against the school, the school may disclose to the court, without a court order or subpoena, the student's education records that are relevant and necessary for the school's defense;~~

~~(g) State and local officials or authorities if specifically required by state law adopted before November 19, 1974, or if reporting or disclosure concerns the juvenile justice system and the system's ability to effectively serve the student prior to adjudication;~~

~~(h) Appropriate persons in connection with a health or safety emergency if knowledge of such information is necessary to protect the health or safety of a student or other individuals;~~

~~(i) Teachers and school officials in other schools and school districts, and teachers, security personnel and other personnel at the Washington school for the deaf who have a legitimate educational interest in the behavior of the student when the information concerns disciplinary action taken against the student for behavior that posed a significant risk to safety or well being of that student, other students, or other members of the school community, or a history of violent behavior or behaviors listed in RCW 13.04.155. "Disciplinary action" means the investigation, adjudication or imposition of sanctions by the school for an infraction or violation of the student conduct code.~~

~~(2) Where the consent of a parent (or adult student) is obtained for the release of education records, it shall be in writing, signed and dated by the person giving such consent, and shall include:~~

~~(a) A specification of the records to be released;~~

~~(b) The reasons for such release; and~~

~~(c) The names of the parties to whom such records will be released.~~

~~(3) When a disclosure is made under subsection (2) of this section, if a parent (or adult student) so requests, the school shall provide him or her with a copy of the records disclosed.~~

~~(4) Personally identifiable education records released to third parties, with or without parent (or adult student) consent, shall be accompanied by a written statement indicating that the information cannot be subsequently released in a personally identifiable form to any other party without the prior consent of the parent (or adult student).)~~ (1) Parental consent must be obtained before personally identifiable information is disclosed to parties, other than officials of participating agencies in accordance with subsection (2) of this section, unless the information is contained in education records, and the disclosure is authorized without parental consent under 34 C.F.R. Part 99.

(2) Except as provided in this section, parental consent is not required before personally identifiable information is released to of-

officials of participating agencies for purposes of meeting a requirement of this part.

(3) Parental consent, or the consent of an eligible student who has reached the age of majority under state law, must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services.

(4) If a parent (or adult student) so requests, the school shall provide him or her with a copy of the records disclosed.

(5) "Directory information" may be disclosed without the parent's (or adult student's) prior written consent, unless the parent (or adult student) notifies the school in writing within ten days of enrollment and thereafter by the tenth day of the academic year that he or she does not want any or all of the student's information to be designated as directory information.

AMENDATORY SECTION (Amending WSR 03-20-014, filed 9/22/03, effective 10/23/03)

**WAC 148-280-055 Record of access.** ~~((1))~~ The school shall maintain a record of ~~((each request for access to and each disclosure of personally identifiable information from the education records of each student.~~

~~(2) The school shall maintain the record with the education records of the student as long as the records are maintained.~~

~~(3) For each request or disclosure the record must include:~~

~~(a) The name of the party who had requested or received information;~~

~~(b) The date access was given; and~~

~~(c) The legitimate interest or purpose the party has in requesting or obtaining the information.~~

~~(4) If the party receiving personally identifiable information makes further disclosures of the information on behalf of the school, the record must include:~~

~~(a) The names of additional parties to which the receiving party may disclose the information; and~~

~~(b) The legitimate interests under WAC 148-280-040 which each of the additional parties has in requesting or obtaining the information.~~

~~(5) Subsection (1) of this section does not apply if the request was from, or the disclosure was to:~~

~~(a) The parent or adult student;~~

~~(b) A designated school official with a legitimate educational interest under WAC 148-280-040 (1)(a);~~

~~(c) A party with written consent from the parent or adult student;~~

~~(d) A party seeking directory information; or~~

~~(e) A party seeking or receiving records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed)) parties obtaining access to educational records collected, maintained, or used under this chapter including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records. The agency is not required to~~



keep a record of access by parents, and authorized employees with a legitimate educational interest in the records.

AMENDATORY SECTION (Amending WSR 03-20-014, filed 9/22/03, effective 10/23/03)

**WAC 148-280-060 Destruction of information.** (1) Student education records may be destroyed in accordance with state laws and regulations: Provided, That the school shall not destroy any education records if there is an outstanding request to inspect and review the records under this chapter.

(2)(a) The school shall inform parents (or adult students) when personally identifiable information is no longer needed to provide educational services to the student, or is no longer required to be retained under state or federal law.

(b) At the request of a parent (or adult student), the school shall destroy personally identifiable information. However, the school may maintain a permanent record of the student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year of completion without time limitation.

(3) For the purpose of this section, "destruction" shall mean physical destruction or removal of personal identifiers.

#### REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 148-280-025            Education records—Access procedures.

## **CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS**

POLICY: 3211

Adopted:

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SUBJECT:           **Transgender Students**

Approved by:

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Sidney Weldele-Wallace, Chair, CDHL Board of Trustees

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The CDHL Board of Trustees believes in fostering an educational environment that is safe and free of discrimination and harassment for all students, regardless of sex, sexual orientation, gender identity or gender expression. "Gender expression or identity" means having or being perceived as having a gender identity, self image, appearance, behavior, or expression that is different from what is traditionally associated with the sex assigned to that person at birth. To that end, the board recognizes the importance of an inclusive, respectful approach toward transgender students with regard to official records, confidential health and education information, communication, restroom and locker room accessibility, sports and physical education, dress codes, residential life and other school activities, in order to provide these students with an equal opportunity for learning and achievement. This policy and its procedure will support that effort by facilitating CDHL/WSD compliance with local, state and federal laws concerning harassment, intimidation, bullying and discrimination.

Cross References:

2145 - Suicide Prevention  
3207 - Prohibition of Harassment, Intimidation and Bullying  
3210 - Nondiscrimination  
3231 - Student Records

Legal References:

RCW 28A.642.010 Discrimination Prohibition  
RCW 49.60.040  
20 U.S.C. 1232g, 34 C.F.R., Part 99 - Family Education Rights and Privacy Act  
20 U.S.C. § 1681(a) - Title IX

Management Resources:

Prohibiting Discrimination in Washington Public Schools - OSPI Guidelines for school districts to implement Chapters 28A.640 and 28A.642 RCW and Chapter 392-190 WAC (February 2012)  
2015-2016 Washington Interscholastic Activities Association Handbook: Philosophy of gender identity participation; 18.15.0-5  
Gender identity participation

# **Informational Items**

## CDHL Data As of March 15, 2016

### WSD Campus

- Elementary School: 34
- Middle School: 11
- High School: 48
- WaCAD: 7
  - Total students: 100

### Statewide Outreach

- Birth to 5 program
  - Southwest Washington: 5
  - Central Washington\*:
    - Birth to 3: 8
    - 3 to 5: 2
    - Kindergarten to 12<sup>th</sup>: 5

\*This position now works with Birth to 12<sup>th</sup> grade children

Districts Served Through Statewide Outreach (2015-2016 School Year)
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ESD 101	ESD 105	ESD 112	ESD 113	ESD 114	ESD 121	ESD 123	ESD 171	ESD 189
East Valley	Granger	Hockinson	Chehalis/Centralia	Central Kitsap	Auburn	Pasco	Bridgeport	Anacortes
Freeman	Ellensburg	La Center	Elma	Port Townsend	Eatonville	Richland	Methow Valley	Burlington-Edison
Northport	Sunnyside	Longview	Rochester		Franklin Pierce	Walla Walla	Moses Lake	Edmonds
Medical Lake	Wahluke	WSSB	Toledo		Highline		Wenatchee	Everett
Pullman	Yakima		Tumwater		Issaquah			Lake Stevens
					Kent			Mt. Vernon
					Puyallup			Sedro-Woolley
					Seattle			Snohomish
					Shorenorth (preschool)			Stanwood
					Snoqualmie			
					Tacoma			
					White River			

- Audiology services: 37
- ASL Educational Interpreter evaluations: 24
- Program studies: 7
- Student visits contracted 2015/2016 school year: 344
- Students contracted 2015/2016 school year: 87
- Private/Tribal visits contracted for 2015/2016 school year: 15
- Private/Tribal students contracted for 2015/2016 school year: 4