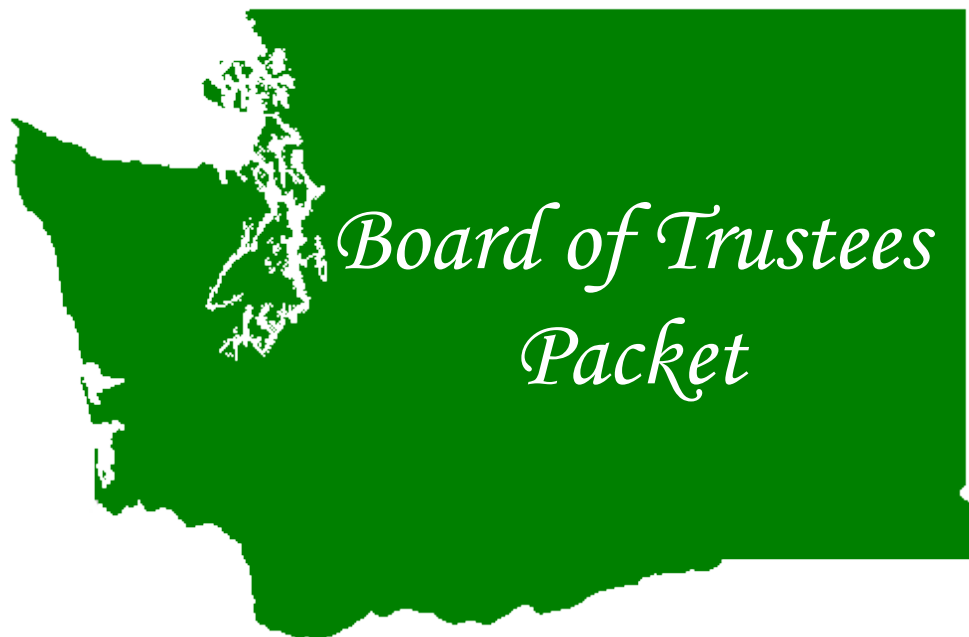


*Washington State Center for Childhood
Deafness & Hearing Loss*

Washington School for the Deaf

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April 29, 2016

WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS & HEARING LOSS

Board of Trustees Packet

April 29, 2016

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

AGENDA ITEMS

- Board Minutes
 - March 25, 2016
- Reports:
 - Executive Director - Rick Hauan
 - Superintendent – Jane Mulholland
 - Outreach – Carol Carrothers
- Rule Making Hearing documents
 - WAC 148-100
 - WAC 148-120
 - WAC 148-276
 - WAC 148-280

INFORMATIONAL ITEMS

- CDHL/WSD data
- 2016/2017 school calendar
- Thanks Bonnie!

**WASHINGTON STATE CENTER FOR
CHILDHOOD DEAFNESS & HEARING LOSS
Board of Trustees Meeting
April 29, 2016**

- | | |
|------------|--|
| 8:30 a.m. | Board Finance Committee meets (Executive Director's office)
Nita Kamphuis, Larry Swift, Rita Reandeau, Maria
Christianson, Rick Hauan, Jane Mulholland, Jessica Sydnor,
Bonnie Terada |
| 9:45 a.m. | Call meeting to order and determination of a quorum
Approval of March 25, 2016, minutes |
| 9:50 a.m. | Reports <ul style="list-style-type: none">• Board Finance Committee• Questions regarding reports in packet |
| 10:00 a.m. | Rule Making Hearing <ul style="list-style-type: none">• WAC 148-100• WAC 148-120• WAC 148-276• WAC 148-280 |
| 11:00 a.m. | Begin work on report due to the Governor's office – July 1 st <ul style="list-style-type: none">• RCW 72.42.041 – Center's performance, facilities, etc. |
| 12:00 p.m. | Lunch |
| 1:00 p.m. | Policy planning |
| 2:00 p.m. | Statewide Outreach Update <ul style="list-style-type: none">• Kris Ching, Outreach Director (Birth to five) |
| 2:45 p.m. | Plan for June 16, 2016 meeting |
| 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)
 Jane Mulholland, Superintendent (360) 418-0402 (jane.mulholland@cdhl.wa.gov)
 Judy Smith, Executive Assistant (360) 418-0401 (judy.smith@cdhl.wa.gov)

<i>Voting Members</i>	<i>Address</i>	<i>Cong Dist.</i>	<i>Contact Information</i>	<i>Date Apptd.</i>	<i>Term Expires</i>	<i>E-Mail/Fax</i>
Maria Christianson	3796 Brown Road Ferndale, WA 98248	1	(360) 402-0162 Text	11/18/13	07/01/18	maria.christianson@cdhl.wa.gov mjochristianson@gmail.com
Allie "AJ" Joiner	15806 18 th Ave. W., B 102 Lynnwood, WA 98087	2	(425) 329-8433 VP	08/30/06	07/01/20	allie.joiner@cdhl.wa.gov
Nancy Sinkovitz	6403 NE 75 th Street Vancouver, WA 98661	3	(360) 910-0338	10/01/14	07/01/20	nancy.sinkovitz@cdhl.wa.gov
Nita Kamphuis	635 S. Hawaii Place Kennewick, WA 99336	4	(509) 967-6059 (509) 539-0962 cell	09/19/08	07/01/18	nita.kamphuis@cdhl.wa.gov
Char Parsley, Vice Chair	3427 W. 7 th Avenue Spokane, WA 99224	5	(509) 315-2128 VP (509) 329-8535 Text	03/16/07	07/01/16	char.parsley@cdhl.wa.gov
Rita Reandeau	1470 Yukon Harbor Rd., SE Port Orchard, WA 98366	6	Cell: (360) 551-3034	08/19/04	07/01/19	rita.reandeau@cdhl.wa.gov
Ariele Belo	1625 19 th Avenue Seattle, WA 98122	7	(206) 388-1275 TTY (206) 452-7955 (Video & Voice)	01/30/07	07/01/16	ariele.belo@cdhl.wa.gov
Sidney Weldele-Wallace, Chair	19501 SE 332 nd Place Auburn, WA 98092	8	(253) 833-6487 (253) 833-9111 ext. 4705 (253) 569-8000 cell	06/27/02	07/01/16	sidney.weldele-walla@cdhl.wa.gov
Nancy Fitta	512 63 rd Ave Ct NE Tacoma, WA 98422	9	(253) 517-1070 (253) 922-0539 (253) 376-0414 cell	05/01/13	07/01/20	nancy.fitta@cdhl.wa.gov
Larry Swift	2306 Glen Kerry Ct., SE Lacey, WA 98513	10	(360) 491-8745	07/31/02	07/01/19	larry.swift@cdhl.wa.gov

WASHINGTON SCHOOL FOR THE DEAF

2015/2016 School Year

July 15						
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

Mark Your Calendars!						
<u>Deaf Awareness Week</u>						
September 21 - 25, 2015						
<u>Homecoming</u>						
October 1, 2015						
<u>Open House</u>						
October 1, 2015						
<u>Terrier Invitational (Volleyball)</u>						
October 2 - 3, 2015						
<u>WSBC/WSBCC 2016</u>						
January 27 - 31, 2016						
Arizona School for Deaf & Blind/Tucson						
<u>Statewide ASL Poetry Competition</u>						
March 10, 2016						
<u>All Star Day (Secondary only)</u>						
May 26, 2016						
<u>Graduation</u>						
High School: June 15, 2016						
<u>Elementary Awards Picnic</u>						
June 16, 2016						

October 15						
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April 16						
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<u>Legend</u>		<u>**EARLY RELEASE DATES**</u>		<u>After School Program</u>	
	-First and last day of school	1:00 p.m. - Residential students will go to the cottages, day students will ride bus home		Fall: September 14 - November 4, 2015	
	-Non-school days	September 17, October 15, November 19, January 21, February 18, March 17, April 21, May 19		Winter: November 30, 2015 - January 27, 2016	
	-Early Release Dates			Early Spring: February 8 - March 30, 2016	
Red	-Residential Travel days			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	
<u>MAP (Measure of Academic Progress) 2-12th grades</u>	<u>SBAC (Smarter Balanced Assessment Consortium)</u>
Fall testing: October 2015	April - June 2016
Spring testing: April 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

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

Agenda Items

WASHINGTON STATE CENTER FOR CHILDHOOD DEAFNESS & HEARING LOSS

March 25, 2016

Board Members: Maria Christianson (District #1)
Allie Joiner (District #2)
Nancy Sinkovitz (District #3)
Nita Kamphuis (District # 4)
Rita Reandeau (District #6)
Nancy Fitta (District #9)
Larry Swift (District #10)

Absent: Char Parsley (District #5)
Ariele Belo (District #7)
Sidney Weldele-Wallace (District #8)

Legal Counsel: Bonnie Terada, Sarra Yamin

Executive Director: Rick Hauan

Superintendent: Jane Mulholland

Recorder: Judy Smith

Interpreters: Dave Morrison, Danni Keller, Catherine Thomas

Guests: Jessica Sydnor, Director of Business Operations
Kris Ching, Outreach Director (Birth to 5)
Carol Carrothers, Outreach Director (6-21)

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 March 25, 2016 meeting. Nancy Fitta seconded the motion. It was voted on and approved.

The meeting was called to order by Nita Kamphuis, chair pro tem, at 9:52 a.m. It was determined a quorum was present.

Minutes – February 4, 2016

Nancy Fitta moved to approve the February 4, 2016, meeting minutes. Allie Joiner seconded the motion. It was voted on and approved

Board Finance Committee Report

Good news! Spending was down for the last few months and the financial climate of the agency is looking very positive.

Minor Works: Remaining monies will be used on the first phase of an emergency notification system. Other needs include new dishwashers and mattresses in the cottages.

Congratulations to Jessica Sydnor for the great job she has done in both roles as Director of Business and Director of Human Resources. She has done an amazing job!

Rule Making review

The process to update laws is called rule making. At the April 29, 2016, meeting a Rule Making Hearing will be part of the agenda. The proposed updates were included in the Board packet and they are more in line with current laws and policies of the agency. If Board members have any questions or wish to suggest substantial changes to the proposed updates please submit your comments to Judy Smith as soon as possible.

Senior Trip - Class of 2016 (Tredynn Selvog, Class of 2016 president, Randall Smith, Class representative for senior trip, Stowe Beecher, Senior class sponsor

The senior class would like to travel to the San Juan Islands, stay overnight and return the next day. The participants are willing to sign a contract that says they will follow WSD rules on the field trip or miss out "walking" on graduation. Everyone is over 18 with the exception of two students. The seniors have been fundraising and feel they have sufficient funds to cover the costs.

The Board was very impressed with Tredynn and Randall's presentation. They feel two additional adults should accompany the group to ensure everyone is rested and adequate supervision is maintained.

Allie Joiner moved to allow the Senior Class trip as proposed. Rita Reandeau seconded the motion as long as the additional adults went on the trip. Allie Joiner agreed with the addition. It was voted on and approved.

Policy review – 3rd reading

- Policy 3211: Transgender Students

Nancy Fitta moved to adopt Policy 3211: Transgender Students. Maria Christianson seconded the motion. It was voted on and approved.

Math Curriculum (Shannon Graham, Curriculum & Assessment Coordinator and Stowe Beecher, TOD, Math)

Screening process:

- Graduation requirements & Common Core State Standards (CCSS)
- Accessibility
- Assessment

- Tech capabilities
- Content & instructional design

Current program

- The elementary program has one curriculum which aligns with the CCSS
- The secondary uses a variety of curriculums depending on the needs of the student:
 - Integrated math
 - Community-based functional math
 - Project-based math
 - Consumer math

The proposed curriculum includes:

- Elementary – McGraw Hill My Math
- Middle School: McGraw Hill Math Course 1, 2, 3
- High School:
 - Integrated math: Pearson Integrated Mathematics I, II, III
 - Project-based math: CCSS aligned topics
 - Community-based functional math: Every Day Counts: Calendar Math
 - Consumer math: CCSS/CCEE (Common Core Essential Elements) aligned topics, Finance Park, consumer math

Total cost for the proposed curriculum and needed technology is \$37,700.

Proposed implementation

- Summer 2016: Training
- Fall 2016: Training/pilot
- Spring 2017: Full implementation

Thanks to Stowe and Shannon for their work in investigating the various math curriculums as well as working with staff to come to a decision best for our students.

Larry Swift moved to adopt the new math curriculum as proposed in today's meeting. Nancy Fitta seconded the motion. It was voted on and approved.

Statewide Outreach Update (Carol Carrothers, Kris Ching)

Outreach activities include:

- Educational Interpreter Mentorship program
 - Collaborating with SEE mentoring program
 - Summer intensive workshop (July 5-8 @ WSD)
 - EIPA proctoring in Spokane, Pasco, Everett, Tacoma, Vancouver, Ellensburg
 - Discussions regarding the implementation of RCW 28A.410.267
 - Working with PESB regarding rule making changes to the current WAC which would establish guidelines for the new educational interpreter standards

- Educational interpreter pay needs to be address as educational interpreting is a highly technical professional field.
- State Transition Team (Toni Stromberg, Dan Crady, Jennifer White) attended PepNet2 in Georgia regarding establishing goals around family involvement;
- Discussions regarding a regional program in Issaquah
- Working with Gallaudet to create “bookmarks” for general education teachers who have DHH students.
- Deaf Fiesta for Hispanic families was extremely well attended this year. Deaf Fiesta is an annual event and is free for Spanish-speaking parents and their DHH children. Deaf Fiesta was sponsored this year by Seattle Children’s Hospital and WSDS.
- CDHL’s Statewide Outreach Team has provided extensive support to several school districts including:
 - Seattle
 - Pasco
 - Central Kitsap
 - Spokane
- New activities
 - Internal newsletter to keep team members updated.
 - Statewide SLP (Speech Language Pathologists) meeting. Eighteen SLPs from around the state attended the first meeting.
- Follow up with Washington State Personnel Association to discuss RCW 28A.410.267. Jessica was asked to help connecting with this organization.
- DECSEA (Deaf Education Consultants in State Education Agencies)
 - At the February 10 & 11, 2016, meeting four areas of potential priorities were identified:
 - Literacy
 - Adopted as the top priority
 - Goal is that all students will read on grade level by age 8.
 - Expanded core curriculum for DHH students
 - Teacher/interpreter training, recruitment, retention and professional development.
 - Development of appropriate Individualized Education Programs based on individual student needs.
 - Contracts for this year include audiology services, ASL educational interpreter evaluations, program studies, student specific visits and private/tribal visits. Contracts have been approved for over 90 students resulting in over 344 student visits.
 - Future Statewide Outreach Team meetings will include a reception the night before inviting special education directors, families, support personnel and community members to meet and interact with the outreach team members. The Board is welcome to attend any of the receptions and/or meetings:
 - ESD 101/Spokane: May 25 (5 – 8 p.m.) & 26 (8 a.m. – 3 p.m.)
 - Wenatchee: September 14 (5 – 8 p.m.) & 15 (8 a.m. – 3 p.m.)

- Burlington: November 30 (5 – 8 p.m.) & December 1 (8 a.m. – 3 p.m.)
- Sarah Decker is the new outreach coordinator and is doing a wonderful job.
- Needs of the Statewide Outreach Team
 - More audiology time
 - Additional ASL/Bilingual staff
 - The ability to send teams on consult rather than one team member per visit.
- CDHL's statewide outreach information will soon be on the WSDS (Washington Sensory Disabilities Services) site. This project is in the development stage and the Board will be sent a link once the site is up and running.

Due to time constraints Kris Ching will present Birth to 5 program activities at the April 29th meeting.

Plan for future meetings

- April 29 – Rule Making Hearing, Birth to 5 presentation
- June 16 – Reminder: Graduation is June 15th
- Possible summer Retreat: Policy development, biennial budget, review report to the legislature

Adjournment

Hearing no objections the meeting was adjourned at 3:06 p.m.

Nita Kamphuis, Chair Pro Tem
CDHL Board of Trustees

Rick Hauan, Executive Director
CDHL

Date

Date

**Washington State Center for Childhood
Deafness & Hearing Loss
Board of Trustees Meeting
April 29, 2016**

Report by: Rick Hauan, Executive Director

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

- *March 29: Met with staff at the Spokane School District regarding a magnet program.*
- *March 30: Worked with East Valley School District regarding audiologist and student support.*
- *March 31: Participated in the interview for the WSSB Superintendent position (Olympia)*
- *April 5: Check in conference call with Instye Partners and Georgia Pathway*
- *April 7: Met with Seattle area parent*
- *April 8-12: Attended CEASD and NOC conferences in Kansas City*
- *April 13: Attended WSDS meeting in Renton*
- *April 14: Dinner with Director, Center for Special Education Services for the NorthEast Washington ESD 101/Spokane*
- *April 15:*
 - *Attended ESD 123 (Pasco) Regional Special Education Director's meeting*
 - *Met with Director of Special Services and parents in the Deer Park School District.*
- *April 18: Attended IEP/Evaluation meeting for a student in the Seattle School District at the request of the parent*
- *April 19: John Dickinson – emergency response system*
- *April 20: Outreach Director's meeting and Biztown*
- *April 21: Attended Special Education Director's meeting and community/parent meeting for Spokane Public Schools*
- *April 22: EIPA proctor in Pasco*

What is on your horizon (include dates)?

- *May 1—3: Present and attend the OPTION Schools conference in Nashville*
- *May 18: RESPECT meeting (via video conferencing)*
- *May 19: ESD 101 Special Education Director's meeting in Spokane*
- *May 20: ESD 114 Special Education Director's meeting in Sequim*
- *May 24: EIPA Proctor in Spokane*
- *May 25:*
 - *Spokane Public Schools Deaf education staff meeting*
 - *Statewide Outreach Team reception for DHH professionals*
- *May 26: Statewide Outreach Team meeting in Spokane*
- *May 27: CDHL Outreach Director's meeting in Tacoma*
- *June 2: WSDS retreat at WSD*

- *June 6: Governor's Goal Council meeting*
- *June 8: CDHL monthly budget meeting*
- *June 9: Superintendent's dinner at WSD*
- *June 10: EIPA Proctor in Spokane*
- *June 15: WSD Graduation*

**Washington State Center for Childhood
Deafness & Hearing Loss
Board of Trustees Meeting
April 29, 2016**

Report by Jane Mulholland

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

- Earlier this month WSD hosted a club-level Communication Contest for the Deaf and Hard of Hearing sponsored by the Vancouver chapter of the Optimist Club. Three students presented on the topic of "How My Best Brings Out the Best in Others." The top two move on to the district level competition where they will present with representatives from the British Columbia School for the Deaf here in Lloyd Auditorium on Saturday, April 30. Senior Randall Smith came in first with seniors Vangeline Sohler and Joel Castro coming in second and third respectively. Randall unfortunately has a conflict with the district competition (a great excuse though, representing WSD at the high school all-star game at the National USA Deaf Basketball tournament in St. Louis along with Senior Tredynn Selvog) so Vangeline and Joel will be representing WSD at the district competition on April 30.
- Jane attended the CEASD national conference and the National Outreach Conference in Kansas City, MO April 8-12; participated on a panel at CEASD related to the Common Ground Project and the WA/GA project.
- Jane attended Biz Town and Finance Park April 20, 21 and had a table with information about WSD's programs/services.

What is on your horizon (include dates)?

- Nashville May 1-4—OPTION conference and Common Ground meeting.
- Superintendent Selection Process: We have had a number of qualified applicants from within and outside WSD. A screening committee has begun the process of conducting 1 hour interviews with all qualified candidates. These interviews will conclude by April 28th. We anticipate having 2-3 finalists, and will conduct a full day of on-campus activities for each of them May 9 & 10 (we will add May 11 if a third day is necessary). The daily schedule for the finalist visits will include:
 - 8:05 – 8:30 am Meet with Residential Graveyard Staff—Clarke Hall 150
 - 8:45 – 9:15 am Meet with Elementary Students—Northrop Lobby
 - 9:30 – 10:30 am Campus Tour
 - 10:45 – 11:30 am Meet with Secondary Students—Lloyd Auditorium
 - 11:45 – 12:15 pm Lunch with Secondary Students—Kastel
 - 12:30 – 1:45 pm Formal Interview with Expanded Interview Team—Clarke Hall 334
 - 2:00 – 3:00 pm Meet with WSD Classified Staff & Supervisors—Clarke Hall 150

- 3:15 – 4:15 pm Meet with WSD Certificated Staff & Supervisors—Clarke Hall 150
- 6:15 – 7:45 pm Meet with WSD Stakeholders—Lloyd Auditorium

Parents, alumni, staff, students, stakeholders and interested community members are welcome to attend the meeting Monday evening, 6:15 – 7:45 p.m. The approximate schedule for that evening, assuming 2 finalists will be:

- 6:15 – 7:00 pm: Presentation by Candidate A 6:15-6:30; Q & A with the audience 6:30 – 7:00 p.m.
- 7:00 – 7:45pm: Presentation by Candidate B 7:00 – 7:15; Q & A with the audience 7:15 – 7:45 p.m.

As soon as we have identified the finalists, we will be sending information to all of you with names and background information. This is an exciting time for WSD as we look forward to our next superintendent and the leadership the person will bring!

Describe how you plan on collaborating and with whom?

OPTION schools—Common Ground collaboration project

**Washington State Center for Childhood
Deafness & Hearing Loss
Board of Trustees Meeting
April 29, 2016**

Report by Carol Carrothers

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

April 8-12 CEASD and National Outreach Conference. Excellent conference. The biggest take away for me was Wisconsin has a different approach to providing consultations. They follow up the recommendations with a remote coaching for the teacher in how to implement the recommendations. That is something I will pursue with them for WA. We need that.

April 14th Everett Consultation for a highly impacted student that Erica has been seeing for 2 years. Jennifer White went and we have new direction to pursue which I believe will change the trajectory of her communication and academics.

Continue to provide the EIPA Performance Evaluation. April 22 in Pasco, 26th in Everett, 28th in Tacoma.

April 29, 30 May 1st Deaf Family Camp At Lazy F Camp and Retreat Center and wonderful week of fishing, crafts, science, reading/drama and outdoor activities for kids. Parent will be hearing from Zach Featherstone a deaf gentleman in medical school, Guthrie Nutter from the Outreach Team, Amy Kyler from the Outreach Team and myself. Parents will also be in small groups to talk about raising deaf children.

What is on your horizon (include dates)?

May 11 and 12 providing a Program Review for Snohomish SD.

CDHL Outreach meeting May 17 and 18 in Spokane.

Describe how you plan on collaborating and with whom?

We collaborate with CCTS, DVR, and Able Opportunities in the State Transition Committee.

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) Any one, 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.

Informational Items

CDHL Data As of April 15, 2016

WSD Campus

- Elementary School: 35
- Middle School: 12
- High School: 48
- WaCAD: 7
 - Total students: 102

Statewide Outreach

- Birth to 5 program
 - Southwest Washington: 5
 - Central Washington*:
 - Birth to 3: 8
 - 3 to 5: 3
 - Kindergarten to 12th: 6

*This position now works with Birth to 12th grade children

Districts Served Through Statewide Outreach (2015-2016 School Year)

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

- Audiology services: 36
- ASL Educational Interpreter evaluations: 29
- Program studies: 7
- Student visits contracted 2015/2016 school year: 397
- Students contracted 2015/2016 school year: 90

WASHINGTON SCHOOL FOR THE DEAF

2016/2017 School Year

July 16

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 16

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

May 17

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			

August 16

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			

January 17

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				

June 17

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	

September 16

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	

February 17

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				

October 16

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					

March 17

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	

November 16

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			

April 17

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						

Mark Your Calendars!

Deaf Awareness Week

September 26 - 30, 2016

Homecoming

September 28, 2016 (?)

Open House

September 28, 2016 (?)

Terrier Invitational (Volleyball)

September 30 - October 1, 2016

WSBC/WSBCC 2017

January 25 - 29, 2017
Oregon School for the Deaf

Statewide ASL Poetry Competition

March 9, 2017

All Star Day (Secondary only)

May 25, 2017

Graduation

June 14, 2017

Elementary Awards Picnic

June 16, 2017

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 22, October 20, November 17, December 15,
January 19, February 16, March 16, April 20, May 18

After School Program

Fall: September 12 - November 2, 2016
Winter: November 28, 2016 - January 25, 2017
Early Spring: February 13 - March 29, 2017
Spring: April 17 - May 24, 2017

Registration Day*	August 28, 2016	Presidents' Day**	February 20, 2017
First Day of School	August 29, 2016	Spring Break	April 3 - 7, 2017
Labor Day	September 5, 2016	Memorial Day**	May 29, 2017
Veterans' Day	November 11, 2016	Last Day of School	June 16, 2017
Thanksgiving Break	November 24-25, 2016		
Winter Break	December 19, 2016 - January 2, 2017		
Martin Luther King Jr. Day**	January 16, 2017		

*No transportation provided on Registration Day

**Holiday and travel day

Statewide and School Testing Window

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

October 3 - 28, 2016
April 10 - May 5, 2017

SBAC (Smarter Balanced Assessment Consortium)

May 8 - June 2, 2017

Quarters end: 1st Quarter: November 4, 2016; 2nd Quarter: January 27, 2017;
3rd Quarter: March 31, 2017; 4th Quarter: June 16, 2017

The difference between
ordinary & extraordinary is the
EXTRA!



Thank You for all you have done for
CDHL & WSD!

Good Luck!

CDHL Board of Trustees