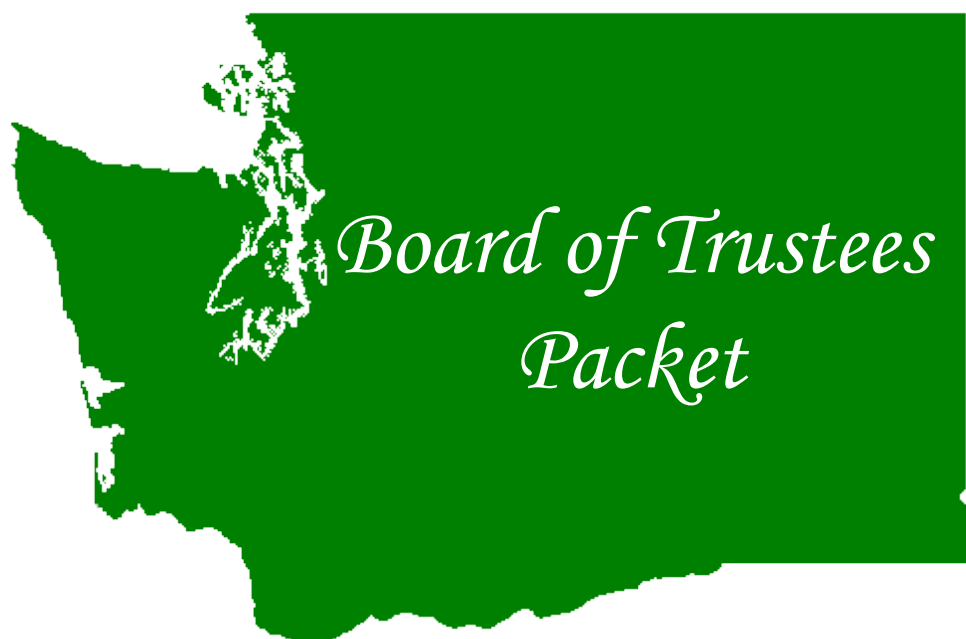


Washington State Center for Childhood Deafness & Hearing Loss

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Washington School for the Deaf

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October 2, 2015

**WASHINGTON STATE CENTER FOR
CHILDHOOD DEAFNESS & HEARING LOSS**
Board of Trustees Packet
October 2, 2015

- Agenda
- Updated Board of Trustees listing
- 2015/2016 School Calendar

AGENDA ITEMS

- Board Minutes
 - June 12, 2015
- Reports:
 - Board Finance Committee
 - Director - Rick Hauan
 - Superintendent - Jane Mulholland
 - Outreach - Kris Ching, Carol Carrothers
- Common Ground Project information
- Policy 3204: Aversive Interventions
 - Substitute House Bill 1240: K-12 Education—Restraint or Isolation of Students

INFORMATIONAL ITEMS

- Enrollment Data
- Revised Procedures 2161P: Special Education and Special Services for Eligible Students
- EIPA (Educational Interpreter Performance Assessment) requirements in each state

**WASHINGTON STATE CENTER FOR
CHILDHOOD DEAFNESS & HEARING LOSS
Board of Trustees Meeting
October 2, 2015**

- | | |
|------------|--|
| 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 |
| 9:30 a.m. | Call meeting to order and determination of a quorum
Approval of June 12, 2015, minutes |
| 9:40 a.m. | Reports <ul style="list-style-type: none">• Board Finance Committee• Questions/comments regarding Board reports |
| 10:15 a.m. | Updates from April McArthur, Director of Bilingual Services <ul style="list-style-type: none">• Presentations at IECC (Infant and Early Childhood Conference) and Newborn Screening meeting• "Socio-emotional Development and the Connection to Language"• DAW (Deaf Awareness Week) |
| 11:30 a.m. | Policy update <ul style="list-style-type: none">• Repeal policy 3204: Aversive Interventions (SHB 1240) |
| 11:45 noon | Lunch with new staff |
| 12:30 p.m. | Assessment Update <ul style="list-style-type: none">• Shannon Graham, Curriculum & Assessment Coordinator |
| 1:00 p.m. | Common Ground Project update <ul style="list-style-type: none">• Rick Hauan, Executive Director• Jane Mulholland, Superintendent |
| 1:30 p.m. | Executive Session pursuant to RCW 42.30.110(1)(g) "To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee...." |
| 2:45 p.m. | Plan for October 30, 2015, 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!

Deaf Awareness Week

September 21 - 25, 2015

Homecoming

October 1, 2015

Open House

October 1, 2015

Terrier Invitational (Volleyball)

October 2 - 3, 2015

WSBC/WSBCC 2016

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

Statewide ASL Poetry Competition

March 10, 2016

All Star Day (Secondary only)

May 26, 2016

Graduation

High School: June 15, 2016

Elementary Awards Picnic

June 16, 2016

Legend



-First and last day of school

-Non-school days

-Early Release Dates

-Residential Travel days

Red

EARLY RELEASE DATES

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

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

After School Program

Fall: September 14 - November 4, 2015

Winter: November 30, 2015 - January 27, 2016

Early Spring: February 8 - March 30, 2016

Spring: April 18 - May 25, 2016

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

*No transportation provided on Registration Day

**Holiday and travel day

Statewide and School Testing Window

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

Fall testing: October 2015

Spring testing: April 2016

SBAC (Smarter Balanced Assessment Consortium)

April - June 2016

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

Agenda Items

**WASHINGTON STATE CENTER FOR
CHILDHOOD DEAFNESS & HEARING LOSS**
BOARD OF TRUSTEES MEETING
June 12, 2015

Board Members: Allie Joiner (District #2)
Nancy Sinkovitz (District #3)
Nita Kamphuis (District # 4)
Rita Reandeau (District #6)
Ariele Belo (District #7)
Sidney Weldele-Wallace (District #8)
Nancy Fitta (District #9)

Absent: Maria Christianson (District #1)
Char Parsley (District #5)
Larry Swift (District #10)

Legal Counsel: Bonnie Terada

Executive Director: Rick Hauan

Superintendent: Jane Mulholland

Recorder: Judy Smith

Interpreters: Julie Moore, Don Coates

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

The meeting was called to order by Sidney Weldele-Wallace, chair, at 9:40 a.m. It was determined a quorum was present.

Minutes – May 1, 2015

Nita Kamphuis moved to approve the May 1, 2015, meeting minutes. Nancy Fitta seconded the motion. It was voted on and approved.

Finance Committee Report

CDHL is tracking right on schedule. There might be a slight surplus when the fiscal year ends on June 30, 2015.

Minor Works: The roofing and air-conditioning projects are almost completed.

Administration has been working on a contingency plan for the potential government shut down which will take effect on July 1st if an operating budget is not passed by the legislature. Temporary layoff notices are scheduled to go out on June 23rd.

Statewide Outreach (Carol Carrothers)

- Transition Fair information distributed and discussed.
 - Information on a transition fair to be held in Central Kitsap will be sent to the group by Rita Reandeau.
- Outreach activities during the 2014/2015 school year included:
 - Webinars
 - Workshops
 - Educational Interpreter mentorship program
 - EIPA evaluations
 - Parent trainings
 - In-service training to district
 - Student evaluations
 - Technical assistance
 - Program support
 - Professional projects
 - CDHL website
 - Statewide Transition Team meetings
 - Itinerant Teacher of the Deaf meetings
 - RESPECT/DHH Collaboration K-20s
 - Jr. Achievement

Nita Kamphuis praised the work done by Gabriela Holzman, Statewide Outreach Team member, for the amazing job she did during an evaluation of a student in the Richland School District.

The State Transition Team recently met in Tacoma to discuss goals for the 2015/2016 school year. The team members include:

- Rick Hauan, Executive Director, CDHL
- Sue Ann Bube, Center for Change in Transition Services, Seattle University
- Carol Carothers, WSDS and CDHL Outreach Director (6-21)
- Dan Crady, CDHL Transition Specialist/Coordinator for Transition Fairs throughout the state
- Nancy Hatfield, WSDS
- Michelle McConaghy, DSHS/DVR Counselor, Seattle-North
- Lynn Odom, DSHS/DVR Statewide Coordinator of Deaf Services
- Teresa Stotler-Martin, CDHL/WSD Career/Transition Services Coordinator
- Toni Stromberg, CDHL/WSD Programs Coordinator for WaCAD and Independent Living Skills
- Jennifer White, CDHL Transition Consultant and Owner of Able Opportunities

Birth-to-3 (Kris Ching)

CDHL Birth-3 registry: Out of the 274 identified DHH babies throughout the state CDHL has received 59 registration forms from 18 counties. There is a huge concern that information is provided to all families that is complete and accurate.

Upcoming plans include:

- Interagency agreement between ESIT (Early Support for Infants & Toddlers) and CDHL
- Develop an introductory webinar between CDHL, WSSB & WSDS
- In partnership with Department of Early Learning to update the EHDDI Parent Resource Guide
- Develop a strong data management
- Increase consult services

Congratulations to Miguel & Maria!

Miguel Flores and Maria Preciado, both fifth year students, were awarded their diplomas during the meeting. Miguel works for Habitat for Humanity and Maria is working for the Southwest Center for the Deaf and Hard of Hearing. Both are planning to return to WSD in the fall to participate in the WaCAD program.

Updates from April McArthur

- Presented at the IECC (Infant and Early Childhood Conference).
- Several WSD students participated in the Vancouver ASL Advisory Board High School Deaf Panel which were held at Columbia River, Hudson's Bay, and Fort Vancouver High Schools. Over 400 students attended these three events. Students from WSD who were on the panel were: Yajaira Bedolla, Kayla Girard, Miguel Peregino, Randall Smith and Noah Tufton.
 - Some of the questions asked of the panel were:
 - If you could take a pill and become hearing, would you? The panel members answered unanimously "no".
 - What do you do in the evening? Answer: Same as other teenagers do – see friends, homework, etc. The hearing students were surprised by this answer.
 - How do you communicate with your family? Answer: ASL, gestures, write notes and use word processing. Also, some have a brother and/or sister that can help and one student has hearing aids so can speak with family members.
 - The hearing students wrote letters after the panel meetings and the common theme among them was "I can't believe deaf students are just like me!"
 - It would be great if similar panel meetings could take place in all schools throughout Clark County.
- Infant Early Childhood Conference presentations in May 2015.
 - April McArthur and Pamela Whitney gave two presentations at this conference:
 - "ASL English Bilingual Education: What does it really mean?"

- “Setting up a visual classroom for the visual learner”
- Washington State Newborn Hearing Screening Meetings
 - June 1st at Sacred Heart Children’s Hospital/Spokane. Presented with Krissy Walker, ASL Aide. As a result of this presentation HOPE School is exploring the idea of setting up a bilingual program. April invited the new HOPE School Director to visit WSD’s bilingual program.
 - Upcoming: June 26th at Seattle Children’s Hospital. Presenting with Krissy Walker.

Open Public Meetings Act (Bonnie Terada)

Since CDHL’s Board is a governing Board, the members must participate in Open Public Meetings Act training every four years. Some of the topics discussed during the training were:

- Purpose of the act and who it does and does not apply to
- What is a meeting?
- Definitions of “action” and “final action”
- “Regular” meetings
- “Special” meetings
- Executive Session
- Penalties for violating the Open Public Meetings Act

A link to the PowerPoint and training information from the Attorney General’s office will be sent to the Board members who were unable to attend today’s meeting.

Strategic Plan 2015-2019 (Rick Hauan)

Changes:

- Page 12 (4th line): Change “assistant” to “assistance”
- Page 13 (3rd line): Change “assistant” to “assistance”

Nancy Fitta moved to approve the 2015-2019 Strategic Plan with the changes noted above. Allie Joiner seconded the motion. It was voted on and approved.

The Strategic Plan is a working document so if you have any suggestions for future additions and/or changes, please let Judy Smith know. Suggestions will be added to a future Board agenda.

Executive Session

The Board went into Executive Session at 1:02 p.m. for 30 minutes pursuant to RCW 42.30.110(1)(g) “To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee....”

- The meeting reopened at 1:30 p.m. and closed for an additional 15 minutes
- The meeting reopened at 1:45 p.m. and closed for an additional 12 minutes
- The meeting reopened at 1:57 p.m. and closed for an additional 10 minutes
- The meeting reopened at 2:07 p.m.

2015/2016 Board Meetings

- October 2, 2015
- October 30, 2015
- January 22, 2016
- February 26, 2016
- March 25, 2016
- April 29, 2016
- June 16, 2016

Board Finance Committee will meet 8:30 – 9:30 a.m. prior to each meeting. The Board of Trustees meeting will begin at 9:45 a.m. and end at 3:00 p.m.

Nancy Fitta moved to approve the 2015/2016 Board meeting dates as listed above. Nita Kamphuis seconded the motion. It was voted on and approved.

Message from the Board

Thank you to the staff of CDHL/WSD for a great 2014/2015 school year. Wishing you all a wonderful summer!

Adjournment

Hearing no objections the meeting was adjourned at 2:21 p.m.

Sidney Weldele-Wallace, Chair
CDHL Board of Trustees

Rick Hauan, Executive Director
CDHL

Date

Date

CDHL Board of Trustees Meeting – October 2, 2015
Reports from Executive Director, Superintendent, Outreach Directors,

Rick Hauan, Executive Director

On-going

- Governor's Goal Council meeting on World Class Education
- Budget meetings

June 2015

- WSDS (Washington Sensory Disabilities Services) Retreat at WSSB
- End of the school year activities at WSD
- Meeting with Tacoma Public Schools
- WASA/AWSP Conference (Spokane)

July 2015

- Meeting with Seneca Family of Agencies, Innovation Center (Seattle)
- Pre-school meeting at HSDC (Hearing Speech & Deafness Center) (Seattle)
- Hands & Voices Board conference call
- Interviews for Statewide Outreach SLP (Speech Language Pathologist)
- Combined Summer Institute (Seattle)

August 2015

- Proctoring EIPA (Educational Interpreter Performance Assessment) (Spokane and Pasco)
- OSIP/WASA Special Education Workshop (Tacoma) – attended and presented at this conference
- Statewide Outreach Team meeting (Kingston)
- Meetings with DVR (Division of Vocational Rehabilitation)
- Planning for Biz Town 2016 (Kent)
- Visit from Senator Murray's office
- Conference call with David Brenna, Professional Educator Standards Board
- Meeting with Listen & Talk
- Cottage check-in at WSD
- August 31st – First day of school at WSD
- Ice Cream Social for students, parents, and staff

September 2015

- Meeting with DVR to discuss CDHL's transition program agreement
- WSDS meeting (Puget Sound ESD/Renton)
- DHH Program presentation at Seattle Public Schools
- Hands & Voices Board Meeting (New Braunfels, Texas)
- Tacoma Public Schools DHH meeting
- Spokane School District deaf education study meeting

- Meeting with Georgia Pathway & Insyte Partners. Planning for upcoming join meeting to develop a join plan for deaf education program continuity.
- Small Agency Cabinet meeting
- WSDS meeting (Puget Sound ESD/Renton)

Jane Mulholland, Superintendent
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Welcome to the start of the 2015-16 school year! We are off and running. Between our new staff and new students, we have lots of fresh faces, enthusiasm, and spirit. I know it is going to be a great year.

New Students: To date we have accepted 20 new students into our 45 school day diagnostic placement. These include 10 elementary, 3 middle school, and 7 high school students. We still have several students whose parents have made inquiries or taken tours that may apply. We graduated a large class and had a number of 5th/6th year and WaCAD students leave at the end of the year, so we are still building our numbers back up. Currently our enrollment is 102 with 12 students potentially pending: ES 34, MS 12, HS 48, and WaCAD 8.

CTE and Advanced Math: The high school has 7 students taking courses at Ft. Vancouver H.S. this year. I think this is a record high number. All 7 are taking CTE courses in the following areas: video production, welding, drawing and painting, athletic medicine, culinary arts and ASL; one is taking pre-calculus. WSD's partnership with Vancouver S.D. is invaluable in helping our students meet the CTE graduation requirements and pursue career interests.

Online Courses: Two students are taking online classes through internet Academy, housed in Federal Way S.D., due to conflicts with their schedule at WSD and Ft. Vancouver. One student is being served at home and is taking 3 online classes through Apex Learning, an OSPI-approved company based in Seattle.

National Project: Erica Pedro, WSD and Outreach behavior specialist, has been invited by the Clerc Center at Gallaudet University to be part of a group of people from outreach teams at schools for the deaf across the country to work on developing a process for dissemination of materials to better inform the public of services Outreach teams provide for DHH students in mainstream environments. While still in the infancy stage, this promises to be an important project and we are proud to have WSD/CDHL part of the conversation and work.

AEBCPD Training: Thank you to our ASL English Bilingual Professional Development (AEBCPD) mentors—April McArthur, Raye Schafer, Jenn Christianson and Pamela Whitney—for providing level 1 training to new and several continuing certificated staff in August. This training is critical to the development of WSD's bilingual instructional program, and the mentors' leadership and expertise is what makes the training so effective. Also, big hands waving to all the staff who gave up a week of their summer vacation to participate in the training!

Dack Virnig: Deaf performing artist Dack Virnig was at WSD last week. He had special sessions with students at all grade levels, had a performance for WSD students and staff Friday morning, and a performance open to the public Friday night. It is a wonderful and enriching experience to have someone with his talent come to WSD!

DAW: At the kick off assembly for Deaf Awareness Week September 21, Councilman Jack Burkman, Rep Liz Pike and Rep. Lynda Wilson were all in attendance. ASL specialists Guthrie Nutter and Sarah Hafer, ASL aide Krissy Walker, and ASL English bilingual services director April McArthur did a masterful job planning and emceeing the event. Monday evening Julie Spigner and Jason Cox took a group of students to the Vancouver City Council meeting to watch as Mayor Tim Leavitt read the proclamation declaring September 20 – 26 Deaf Awareness Week in the city. It was an excellent week!

Organizational Changes: As you may remember, last spring we created a new department—the ASL English Bilingual Department. This team is made up of two SLPs, two ASL specialists, an ASL aide and the ASL English bilingual director. This change brings all language services together in one place. Additional organizational changes include the Student Health Center and Interpreter Services moving under the direct supervision of the superintendent.

Work Education Program Recognized: I received an email from a former employee who is an employment specialist with Washington Vocational Services. I wanted to share it with you because it is great validation of the Work Education program Jennifer Ellis has designed, the work Teresa Stotler-Martin is doing with transition services, and the work Teresa and Michelle Clark are doing preparing seniors for their graduation requirements. I am very proud of our staff!

Just wanted to leave you all a brief note to let you know that as an Employment Consultant, I was impressed with a recent WSD graduate, who came to me fully prepared with an organized portfolio, resume (on an USB, how convenient!), a list of personal references, and best of all, WORK EXPERIENCE! I can't describe how valuable this is for me to work with since that would really help this client find a job.

I just had to share this with you as a former colleague, because I am very excited about what WSD is doing for the students, and I am seeing results of your hard work. It needs to be acknowledged so that you know that your transition program is creating results and that the program needs continue to grow. It can become an invaluable marketing niche for WSD to bring in more students, if not already! Without a doubt, the transition program at WSD is the reason why recent WSD graduate client I just mentioned is fully prepared and ready to work in the real world. Just had to let you all know that you guys are doing something wonderful!

Dana Miles, Employment Specialist

For Discussion:

- Accreditation
- Planning for the Future

Outreach, Kris Ching (0-5), Carol Carrothers (6-21),

From Kris Ching.....

- Aug. 4: Clark County Interagency Coordinating Council (ICC) meeting – ESD 112
- Aug 5: ESIT State System Improvement Plan – Kris is on Action Team II “Qualified Personnel/Partnerships & Resources” (GoToWebinar)
- Aug 11-13: Outreach Team Retreat – Kingston
- Aug 14: ESIT Practice Guide webinar planning meeting (Kris, DeEtte Snyder – WSSB, Nancy Hatfield – WSDS, Sheila Ammons – ESIT)
- Aug 19: Local Lead Agency meeting – Vancouver
- Aug 20: EHDDI Hearing Loss Helper Parent Notebook revision committee meeting
- Aug 25: Local Lead Agency meeting – Richland (DeEtte Snyder WSSB)
- Aug 28: Hough Preschool grand opening community ceremony – Vancouver (Kris)
- Sept 1: DVR/CDHL Transition contract – Olympia (Rick, Kris, Esther Bennett – DVR)
- Sept 10: HOPE School visit (Kris)
- Sept 15-18: Western Regional Early Intervention Conference – Albuquerque, NM (Kris)
- Sept 22: Spokane Region FISH Family Picnic (Kris)
- Sept 23: Spokane Public Schools D/HH Team meeting (Rick, Kris)
- Sept 24: CDHL Transition Team meeting (Dan, Lee, Kris)
- Sept 29: HSDC D/HH Preschool consult support meeting – Seattle (April McArthur, Kris)

From Carol Carrothers.....

- July 27 – August 7: Proctored 87 EIPA Performance evaluations

- August 28th: Seattle Program Review report given to the school district. I am meeting with Michael Dickneite, the newly hired coordinator of DHH and vision services for Seattle, to establish a plan of action related to the report.
- September 3: Attended the “Opening” for Seattle Public School DHH Program. Rick and I provided a presentation on the report and asked for their input on future professional development.
- September 16: ESD 105 Special Ed Director’s meeting
- September 17: Observed a student in Mukilteo SD
- September 18: Observed a student in Lake Stevens SD
- September 23: Itinerant Teacher of the Deaf meeting
- September 26: First day of Mentorship Program; Orientation at CWU in Ellensburg for all mentees

The Common Ground Project: Joint meetings between CEASD and OPTION Schools

Representatives from CEASD and OPTION (see below) have had 7 meetings since fall of 2013 and another is scheduled for April 20th. What started as exploratory discussions has progressed to increasingly clear identification of not only our differences but our common values and beliefs as well. Our hope is that we will at some point be able to collaborate on behalf of the Child First campaign and the education and whole person development of today and tomorrow's d/hh infants, children and youth and – in ways we have not in the past. We call this work the Common Ground Project.

Thus far, *Rick Hauan*, Executive Director of the Washington Center for Childhood Deafness and Hearing Loss (CDHL) which is the parent organization of the Washington School for the Deaf, has served as facilitator of the joint meetings. *Jane Mulholland*, *Joe Finnegan*, *Ron Stern* and *Jamie Tucker* have represented CEASD with the following people participating on behalf of OPTION: *Barbara Hecht*, President of OPTION Schools and Director of the Clarke School program in Boston; *Maura Berndsen*, Past President of OPTION and Educational Director of Listen and Talk in Seattle, WA; *Bill Corwin*, President of Clarke Schools and Chair of the OPTION Schools Legislation and Policy Committee; and *John Porteous*, *private businessman and chair of an OPTION school in Sacramento, CA*, who attended OPTION programs as a young child and was mainstreamed.

At our respective conferences in 2014, the Common Ground Project shared a draft of a vision statement, purpose, goals and shared understandings. After input and additional work this year, the boards for CEASD and OPTION have both unanimously approved this document, which is attached.

We look forward to the continued work of the Common Ground Project and to the positive benefits that can occur for deaf and hard of hearing students in our schools and programs.

The Common Ground Project

A joint project of CEASD and OPTION Schools

Vision Statement: All infants, children and youth who are D/HH should have the services, supports and specialized providers they need to become successful as full-fledged human beings. As children and adults, they should thrive, not just survive.

Purpose: OPTION Schools and CEASD will identify areas for collaboration to help all infants, children and youth who are D/HH succeed.

Goals:

- A. Become more familiar with each other's national organization and the membership of each.
- B. Develop shared understandings leading to specific cooperative efforts based on our common interests.
- C. Advocate, educate and articulate at the federal, state and local level the shared understandings and the differences among our groups/constituents.
- D. Develop a model for working together.
- E. Identify models and strategies we can undertake to impact at the individual state levels where the need exists now.
- F. Promote family education and empowerment that is complete, accurate, and balanced, and supports parents being able to make the best decision for their child and family.
- G. Identify additional partners in this collaborative effort on behalf of all children who are D/HH and their families.

Shared Understandings

- 1) One size does not fit all. The full continuum of communication choices and educational placements must exist so an appropriate program can be offered to meet each child's needs.
- 2) Children birth-to-3 and their families should have access to funded services in center-based settings where they have an opportunity to meet other families and other children who are D/HH and receive multidisciplinary services from specially qualified personnel.
- 3) Children 3 – 5 and their families should have access to funded services in center-based settings where they have an opportunity to meet other families and other children who are D/HH and receive multidisciplinary services from specially qualified personnel.
- 4) Qualitative and quantitative data are critical to understanding the efficacy of programs and/or services for children who are D/HH and must be collected at the program, state and national level.

Data needs to include but not be limited to demographics; language access and acquisition; literacy and academic benchmarks; cognitive ability; social/emotional development; post school outcomes; and developmental indicators.

- 5) Eligibility determinations for special education and 504 plans should take into consideration the supports the child has required (birth-3) and will require (3-21) to develop age-appropriate language, pre-academic/academic and developmental skills, and to access the curriculum as an engaged learner/participant at the school.
- 6) IEP teams/service delivery models need to plan for the unique educational and access needs of a child/student who is D/HH, and address the whole child including academic, cognitive, social/emotional, communication, and language development components.
- 7) It is critical to provide accurate information to federal, state and local policy makers about the diverse needs of children who are D/HH. Explore areas where we can collaborate in this effort.
- 8) In order to prevent potentially lifelong developmental ramifications, a child identified as D/HH requires immediate and ongoing specialized, quality, family-centered early intervention/involvement designed to meet that child's individual needs.
- 9) States must develop a system for empowering parents of newly-identified deaf/hard of hearing infants/toddlers/children to become informed decision-makers through provision of complete, balanced, unbiased information about their learning and whole person development needs, language acquisition, communication modalities, technology and the early intervention system.
- 10) Families with children who are D/HH need ongoing, quality opportunities to receive accurate information about the range of language and communication needs, whole child development, educational approaches and placement options, the special education process, and the importance of the parents' role and decision-making throughout.
- 11) Children who are D/HH should not be made to fit into the program that happens to exist in their local area. The needs of the child, which are informed by the family's desired outcomes for the child or other family circumstances, data, team input and evaluation, should drive program, services and placement.
- 12) LRE has been misapplied by federal, state and local agencies. D/HH children should receive their education and support in an environment that meets their individual needs.

3/18/15

WASHINGTON SCHOOL FOR THE DEAF

POLICY: 3204

Adopted: **December 9, 2004**

SUBJECT: **Aversive Interventions**

Approved by:


Larry Swift, Chair, Board of Trustees

In order to assure that WSD students are safeguarded against the use and misuse of various forms of aversive intervention, the following procedures and definitions are being established. These definitions and procedures are not new, and are in complete conformance with state statutes (RCWs) and Washington Administrative Code (WACs).

No employee, volunteer, contractor, or other agent of the Washington School for the Deaf shall authorize, permit, or condone the use of aversive interventions which violates WAC 392-172-388 through 392-172-426 and adopted by reference at WAC 148-120-314 as stated below.

"Aversive intervention" means the systematic use of stimuli or other treatment which a student is known to find painful or unpleasant for the purpose of discouraging undesirable behavior on the part of the student. The term does not include the use of reasonable force, restraint, or other treatment to control unpredicted spontaneous behavior which poses one of the following dangers:

1. A clear and present danger of serious harm to the student or another person.
2. A clear and present danger of serious harm to property.
3. A clear and present danger of seriously disrupting the educational process.

Certain forms of aversive intervention are manifestly inappropriate by reason of their offensive nature or their potential negative physical consequences, or both. These forms of aversive intervention are uniformly prohibited, as follows:

1. Electric current. No student may be stimulated by contact with electric current as a means of aversive intervention.
2. Food services. No student who is willing to consume subsistence food or liquid when the food or liquid is customarily served may be denied or subjected to an unreasonable delay in the provision of the food or liquid as a means of aversive intervention.
3. Force and restraint in general. No force or restraint which is either unreasonable under the circumstances or deemed to be an unreasonable form of corporal punishment as a matter of state law may

be used as a means of aversive intervention. See RCW 9A.16.100 which cites the following uses of force or restraint as uses which are presumed to be unreasonable and therefore unlawful:

- a. Kicking, burning, or cutting a student.
 - b. Striking a student with a closed fist.
 - c. Shaking a student under age three.
 - d. Interfering with a student's breathing.
 - e. Threatening a student with a deadly weapon.
 - f. Doing any other act that is likely to cause and which does cause bodily harm to a student greater than transient pain or minor temporary marks.
4. The statutory listing of worst case uses of force or restraint described in subsection (3) of this section may not be read as implying that all unlisted uses (e.g., shaking a four year old) are permissible. Whether or not an unlisted use of force or restraint is permissible depends upon such considerations as the balance of these rules, and whether the use is reasonable under the circumstances.
 5. Hygiene care. No student may be denied or subjected to an unreasonable delay in the provision of common hygiene care as a means of aversive intervention.
 6. Isolation. No student may be excluded from his or her regular instructional or service area and isolated within a room or any other form of enclosure as a means of aversive intervention, except under the conditions set forth in WAC 392-172-394.
 7. Medication. No student may be denied or subjected to an unreasonable delay in the provision of medication as a means of aversive intervention.
 8. Noise. No student may be forced to listen to noise or sound which the student finds painful as a means of aversive intervention.
 9. Noxious sprays. No student may be forced to smell or be sprayed in the face with a noxious or potentially harmful substance as a means of aversive intervention.
 10. Physical restraints. No student may be physically restrained or immobilized by binding or otherwise attaching the student's limbs together or by binding or otherwise attaching any part of the student's body to an object as a means of aversive intervention, except under the conditions set forth in WAC 392-172-394.
 11. Taste treatment. No student may be forced to taste or ingest a substance which is not commonly consumed or which is not commonly consumed in its existing form or concentration as a means of aversive intervention.
 12. Water treatment. No student's head may be partially or wholly submerged in water or any other liquid as a means of aversive intervention.

Various forms of aversive therapy which are not prohibited by WAC 392-172-392 nevertheless warrant close scrutiny. Accordingly, the use of aversive intervention

involving bodily contact, isolation, or physical restraint not prohibited by WAC 392-172-392 is conditioned upon compliance with certain procedural and substantive safeguards, as follows:

1. Bodily contact. The use of any form of aversive intervention not prohibited by WAC 392-172-392 which involves contacting the body of a student shall be provided for by the terms of the student's individualized education program established in accordance with the requirements of WAC 392-172-396.
2. Isolation. The use of aversive intervention which involves excluding a student with a handicapping condition from his or her regular instructional area and isolation of the student within a room or any other form of enclosure is subject to each of the following conditions:
 - a. The isolation, including the duration of its use, shall be provided for by the terms of the student's individualized education program established in accordance with the requirements of WAC 392-172-396.
 - b. The enclosure shall be ventilated, lighted, and temperature controlled from inside or outside for purposes of human occupancy.
 - c. The enclosure shall permit continuous visual monitoring of the student from outside the enclosure.
 - d. An adult responsible for supervising the student shall remain in visual or auditory range of the student.
 - e. Either the student shall be capable of releasing himself or herself from the enclosure or the student shall continuously remain within view of an adult responsible for supervising the student.
3. Physical restraint. The use of aversive interventions which involves physically restraining or immobilizing a student by binding or otherwise attaching the student's limbs together or by binding or otherwise attaching any part of the student's body to an object is subject to each of the following conditions:
 - a. The restraint shall only be used when and to the extent it is reasonably necessary to protect the student, other persons, or property from serious harm.
 - b. The restraint, including the duration of its use, shall be provided for by the terms of the student's individualized education program established in accordance with the requirements of WAC 392-172-396.
 - c. The restraint shall not interfere with the student's breathing.
 - d. An adult responsible for supervising the student shall remain in visual or auditory range of the student.
 - e. Either the student shall be capable of releasing himself or herself from the restraint or the student shall continuously remain within view of an adult responsible for supervising the student.

The terms of a student's individualized education program (hereafter IEP) respecting the use of an aversive intervention involving bodily contact, isolation, or physical restraint shall meet each of the following requirements:

1. The IEP shall be based upon and consistent with the recommendations of a IEP team which includes a school psychologist and/or other certificated employee who understands the appropriate use of the aversive interventions and who concurs with the recommended use of the aversive intervention, and a person who works directly with the student.
2. The IEP shall specify the aversive intervention that may be used.
3. The IEP shall state the reason the aversive interventions are judged to be appropriate and the behavioral objective sought to be achieved by its use, and shall describe the positive intervention attempted and the reasons they failed, if known.
4. The IEP shall describe the circumstances under which the aversive intervention may be used.
5. The IEP shall describe or specify the maximum duration of any isolation or restraint.
6. The IEP shall specify any special precautions that must be taken in connection with the use of the aversive intervention technique.
7. The IEP shall specify the person or persons permitted to use the aversive intervention or the current qualifications and required training of the personnel permitted to use the aversive intervention.
8. The IEP shall establish a means of evaluating the effects of the use of the aversive intervention and a schedule for periodically conducting the evaluation.

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1240

Chapter 206, Laws of 2015

64th Legislature
2015 Regular Session

K-12 EDUCATION--RESTRAINT OR ISOLATION OF STUDENTS

EFFECTIVE DATE: 7/24/2015

Passed by the House April 23, 2015
Yeas 71 Nays 27

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 21, 2015
Yeas 48 Nays 0

BRAD OWEN

President of the Senate

Approved May 8, 2015 9:54 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1240** as passed by House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

May 8, 2015

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1240

AS AMENDED BY THE SENATE

Passed Legislature - 2015 Regular Session

State of Washington

64th Legislature

2015 Regular Session

By House Education (originally sponsored by Representatives Pollet, Santos, S. Hunt, Orwall, Senn, Lytton, Robinson, Walsh, Griffey, Goodman, Buys, and Tarleton)

READ FIRST TIME 02/20/15.

1 AN ACT Relating to restraint or isolation of students, including
2 students with disabilities, in public schools; amending RCW
3 28A.155.020 and 28A.600.485; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that there is no
6 educational or therapeutic benefit to children from physically
7 restraining or isolating them as part of their public school programs
8 when not necessary for immediate safety. The use of seclusion or
9 restraints in nonemergency situations poses significant physical and
10 psychological danger to students and school staff. The legislature
11 declares that it is the policy of the state of Washington to prohibit
12 the planned use of aversive interventions, to promote positive
13 interventions when a student with disabilities is determined to need
14 specially designed instruction to address behavior, and to prohibit
15 schools from physically restraining or isolating any student except
16 when the student's behavior poses an imminent likelihood of serious
17 harm to that student or another person.

18 **Sec. 2.** RCW 28A.155.020 and 2007 c 115 s 2 are each amended to
19 read as follows:

1 There is established in the office of the superintendent of
2 public instruction an administrative section or unit for the
3 education of children with disabilities who require special
4 education.

5 Students with disabilities are those children whether enrolled in
6 school or not who through an evaluation process are determined
7 eligible for special education due to a disability.

8 In accordance with part B of the federal individuals with
9 disabilities education improvement act and any other federal or state
10 laws relating to the provision of special education services, the
11 superintendent of public instruction shall require each school
12 district in the state to insure an appropriate educational
13 opportunity for all children with disabilities between the ages of
14 three and twenty-one, but when the twenty-first birthday occurs
15 during the school year, the educational program may be continued
16 until the end of that school year. The superintendent of public
17 instruction, by rule, shall establish for the purpose of excess cost
18 funding, as provided in RCW 28A.150.390, 28A.160.030, and 28A.155.010
19 through 28A.155.160, functional definitions of special education, the
20 various types of disabling conditions, and eligibility criteria for
21 special education programs for children with disabilities, including
22 referral procedures, use of ((~~aversive~~)) positive behavior
23 interventions, the education curriculum and statewide or
24 district-wide assessments, parent and district requests for special
25 education due process hearings, and procedural safeguards. For the
26 purposes of RCW 28A.155.010 through 28A.155.160, an appropriate
27 education is defined as an education directed to the unique needs,
28 abilities, and limitations of the children with disabilities who are
29 enrolled either full time or part time in a school district. School
30 districts are strongly encouraged to provide parental training in the
31 care and education of the children and to involve parents in the
32 classroom.

33 Nothing in this section shall prohibit the establishment or
34 continuation of existing cooperative programs between school
35 districts or contracts with other agencies approved by the
36 superintendent of public instruction, which can meet the obligations
37 of school districts to provide education for children with
38 disabilities, or prohibit the continuation of needed related services
39 to school districts by the department of social and health services.

1 This section shall not be construed as in any way limiting the
2 powers of local school districts set forth in RCW 28A.155.070.

3 **Sec. 3.** RCW 28A.600.485 and 2013 c 202 s 2 are each amended to
4 read as follows:

5 (1) The definitions in this subsection apply throughout this
6 section unless the context clearly requires otherwise.

7 (a) "Isolation" means (~~excluding a student from his or her~~
8 ~~regular instructional area and~~)) restricting the student alone within
9 a room or any other form of enclosure, from which the student may not
10 leave. It does not include a student's voluntary use of a quiet space
11 for self-calming, or temporary removal of a student from his or her
12 regular instructional area to an unlocked area for purposes of
13 carrying out an appropriate positive behavior intervention plan.

14 (b) "Restraint" means physical intervention or force used to
15 control a student, including the use of a restraint device to
16 restrict a student's freedom of movement. It does not include
17 appropriate use of a prescribed medical, orthopedic, or therapeutic
18 device when used as intended, such as to achieve proper body
19 position, balance, or alignment, or to permit a student to safely
20 participate in activities.

21 (c) "Restraint device" means a device used to assist in
22 controlling a student, including but not limited to metal handcuffs,
23 plastic ties, ankle restraints, leather cuffs, other hospital-type
24 restraints, pepper spray, tasers, or batons. Restraint device does
25 not mean a seat harness used to safely transport students. This
26 section shall not be construed as encouraging the use of these
27 devices.

28 (2) The provisions of this section apply (~~only to any restraint~~
29 ~~of a student who has an individualized education program or plan~~
30 ~~developed under section 504 of the rehabilitation act of 1973 that~~
31 ~~results in a physical injury to a student or a staff member, any~~
32 ~~restraint of a student who has an individualized education program or~~
33 ~~plan developed under section 504 of the rehabilitation act of 1973,~~
34 ~~and any isolation of a student who has~~)) to all students, including
35 those who have an individualized education program or plan developed
36 under section 504 of the rehabilitation act of 1973. The provisions
37 of this section apply only to incidents of restraint or isolation
38 that occur while a student (~~who has an individualized education~~
39 ~~program or plan developed under section 504 of the rehabilitation act~~

1 of—1973)) is participating in school-sponsored instruction or
2 activities.

3 (3)(a) An individualized education program or plan developed
4 under section 504 of the rehabilitation act of 1973 must not include
5 the use of restraint or isolation as a planned behavior intervention
6 unless a student's individual needs require more specific advanced
7 educational planning and the student's parent or guardian agrees. All
8 other plans may refer to the district policy developed under
9 subsection (3)(b) of this section. Nothing in this section is
10 intended to limit the provision of a free appropriate public
11 education under Part B of the federal individuals with disabilities
12 education improvement act or section 504 of the federal
13 rehabilitation act of 1973.

14 (b) Restraint or isolation of any student is permitted only when
15 reasonably necessary to control spontaneous behavior that poses an
16 imminent likelihood of serious harm, as defined in RCW 70.96B.010.
17 Restraint or isolation must be closely monitored to prevent harm to
18 the student, and must be discontinued as soon as the likelihood of
19 serious harm has dissipated. Each school district shall adopt a
20 policy providing for the least amount of restraint or isolation
21 appropriate to protect the safety of students and staff under such
22 circumstances.

23 (4) Following the release of a student from the use of restraint
24 or isolation, the school must implement follow-up procedures. These
25 procedures must include: (a) Reviewing the incident with the student
26 and the parent or guardian to address the behavior that precipitated
27 the restraint or isolation and the appropriateness of the response;
28 and (b) reviewing the incident with the staff member who administered
29 the restraint or isolation to discuss whether proper procedures were
30 followed and what training or support the staff member needs to help
31 the student avoid similar incidents.

32 ((4+)) (5) Any school employee, resource officer, or school
33 security officer who uses ((any—chemical—spray, mechanical))
34 isolation or restraint((, or physical force)) on a student during
35 school-sponsored instruction or activities must inform the building
36 administrator or building administrator's designee as soon as
37 possible, and within two business days submit a written report of the
38 incident to the district office. The written report ((should)) must
39 include, at a minimum, the following information:

40 (a) The date and time of the incident;

1 (b) The name and job title of the individual who administered the
2 restraint or isolation;

3 (c) A description of the activity that led to the restraint or
4 isolation;

5 (d) The type of restraint or isolation used on the student,
6 including the duration; ~~((and))~~

7 (e) Whether the student or staff was physically injured during
8 the restraint or isolation incident and any medical care provided;
9 and

10 (f) Any recommendations for changing the nature or amount of
11 resources available to the student and staff members in order to
12 avoid similar incidents.

13 ~~((+5+))~~ (6) The principal or principal's designee must make a
14 reasonable effort to verbally inform the student's parent or guardian
15 within twenty-four hours of the incident, and must send written
16 notification as soon as practical but postmarked no later than five
17 business days after the restraint or isolation occurred. If the
18 school or school district customarily provides the parent or guardian
19 with school-related information in a language other than English, the
20 written report under this section must be provided to the parent or
21 guardian in that language.

22 (7)(a) Beginning January 1, 2016, and by January 1st annually,
23 each school district shall summarize the written reports received
24 under subsection (5) of this section and submit the summaries to the
25 office of the superintendent of public instruction. For each school,
26 the school district shall include the number of individual incidents
27 of restraint and isolation, the number of students involved in the
28 incidents, the number of injuries to students and staff, and the
29 types of restraint or isolation used.

30 (b) No later than ninety days after receipt, the office of the
31 superintendent of public instruction shall publish to its web site
32 the data received by the districts. The office of the superintendent
33 of public instruction may use this data to investigate the training,
34 practices, and other efforts used by schools and districts to reduce
35 the use of restraint and isolation.

Passed by the House April 23, 2015.

Passed by the Senate April 21, 2015.

Approved by the Governor May 8, 2015.

Filed in Office of Secretary of State May 8, 2015.

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Informational Items

CDHL Data September, 2015

WSD Campus

- Elementary School: 34
- Middle School: 12
- High School: 48
- WaCAD: 8
 - Total students: 102

Statewide Outreach

- Birth to 5 program
 - Southwest Washington: 4
 - Central Washington: 15

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	Yakima	WSSB	Chehalis/Centralia	Central Kitsap	Auburn	Richland	Moses Lake	Anacortes
Freeman			Elma		Franklin Pierce	Walla Walla	Wenatchee	Burlington-Edison
Pullman					Highline			Everett
					Issaquah			Mt. Vernon
					Puyallup			
					Snoqualmie			
					Tacoma			

Number of student visits contracted 2015/2016 school year: 139

Number of students contracted 2015/2016 school year: 56

Washington State Center for Childhood Deafness & Hearing Loss

PROCEDURE: **2161P**

Adopted: **March 11, 2004**
Revised: **March 9, 2011**
February 6, 2015
August 17, 2015
September 1, 2015

SUBJECT: **Special Education and Special Services for Eligible Students**

Approved by: 
Rick Hauan, Executive Director

Special Education and Related Services for Eligible Students

The purpose of these special education program procedures for Washington School for the Deaf (WSD) under the auspices of the Washington State Center for Childhood Deafness and Hearing Loss (CDHL) is to address program areas where state and federal regulations require specific agency procedures or permit agency discretionary choices.

The state regulations governing implementation of special education services pursuant to the Individuals with Disabilities Education Improvement Act (IDEA) of 2004 are addressed in Chapter 392-172A WAC. These procedures do not address all of the requirements established in the regulations. WSD personnel who are not familiar with the regulations need to contact the Superintendent or Principal if there are questions regarding special education. These procedures describe how WSD implements its special education program.

Free Appropriate Public Education (FAPE)

CDHL will apply annually for Federal Part B and state special education funding to assist in the provision of special education and any necessary related services provided at WSD. This funding is in addition to general fund - state allocation.

WSD offers services to eligible deaf/hard of hearing students age three to 21 who are residents of the state of Washington without charge to the student or his/her family. This does not include incidental fees that are normally charged to all students. Special education services will be provided at the preschool, elementary and secondary level and are provided in conformance with the student's Individual Education Program (IEP).

WSD provides a continuum of services for students. Where WSD is unable to provide all or part of the special education or necessary related services, it will make arrangements through contracts with other public or non-public sources, interagency agreements or interagency coordination.

Early Intervention

WSD participates in the provision of early intervention services to eligible children with a disability, birth to three, consistent with the state-lead educational agency's policies and procedures and the regulations implementing Part C of the IDEA, to the extent funding and resources are available.

Students Covered by Public or Private Insurance

WSD may use Medicaid or other public insurance benefits programs in which a student participates to provide or pay for services required to provide a FAPE, as permitted by the public insurance program. However, WSD shall not:

1. Require parents to sign up for or enroll in public benefits or insurance programs in order for their student to receive FAPE under Part B of the IDEA;
2. Require parents to incur an out-of-pocket expense such as the payment of a deductible or co-pay amount incurred in filing a claim;
3. Use a student's benefits under a public insurance program if that use would:
 - a) Decrease available lifetime coverage or any other insured benefit;
 - b) Result in the family paying for services required after school hours that would otherwise be covered by the public insurance program;
 - c) Increase premiums or result in discontinuation of insurance; or
 - d) Risk loss of eligibility for home and community-based waivers, based on aggregate health-related expenditures.

WSD may access a parent's private insurance proceeds to provide FAPE to an eligible student only if the parent provides informed consent to WSD. Whenever WSD proposes to access the parent's private insurance proceeds, WSD shall:

1. Obtain parent consent in accordance with Chapter 392-172A WAC each time WSD wishes to access benefits for a new procedure; and
2. Inform the parents that their refusal to permit WSD to access their insurance does not relieve WSD of its responsibility to ensure that all required services are provided at no cost to the parents.

Before first accessing a parent's or student's public benefits, for the first time and annually after the first notification, WSD will provide written notification using the prior written notice provisions under WAC 392-172A-05010(3) that includes:

1. A statement of the parental consent provisions;
2. A statement of the "no cost" provisions;
3. A statement that the parents may withdraw their consent to disclose personally identifiable information to the agency responsible for administering the state's public benefits or insurance, and
4. A statement that a parent's withdrawal or refusal to consent does not relieve WSD of its responsibility to ensure that all required services are provided at no cost to the parents.

After providing the required notification, the WSD will obtain written informed consent from the parent allowing WSD to disclose information from the student's educational

records to the agency responsible for administering the state's public benefits or insurance programs. The consent will specify:

1. The personally identifiable information that may be disclosed, such as records or information about the services that may be provided to the student;
2. The purpose of the disclosure;
3. The agency to which the disclosure will be made; and
4. That the parent understands and agrees that the public agency may access the parent's or student's public benefits or insurance to pay for services under the act.

To avoid financial cost to parents who would otherwise consent to use private insurance or public benefits if the parent would incur a cost such as a deductible or co-pay, WSD may use its Part B funds to pay the cost the parents would incur.

The superintendent or designee is responsible for providing the required notices and requests for consent to parents under this section.

Parent Participation in Meetings

Washington School for the Deaf (WSD) encourages parental involvement and sharing of information between WSD and parents to support the provision of appropriate services to its students. As used in these procedures, the term "parent" includes biological and adoptive parents, legal guardians, persons with legal authority to act in the place of a parent, such as relatives and stepparents, foster parents, persons appointed as surrogate parents and adult students.

Parents (and as appropriate, students) will be provided the opportunity to participate in any meetings with respect to the identification, evaluation, educational placement and provision of a FAPE.

When a meeting is scheduled, parents will be:

1. Notified of the meeting early enough that they will have an opportunity to attend/participate; and
2. Notified of the purpose, time, and location of the meeting and who will be in attendance.

When the meeting is to address the IEP or placement, the parent will be:

1. Notified that WSD or the parent may invite others who have knowledge or special expertise of the student; and
2. Consulted in order to schedule at the meeting at a mutually agreeable time and place.

WSD shall take whatever action is necessary to ensure that the parent understands the proceedings of the IEP team meeting, including arranging for an interpreter for parents whose native language is other than ASL or English.

The special education secretary is responsible for inviting the parents to meetings and will keep documentation of the information provided and the methods used to notify the

parents of the meeting. WSD may proceed with the IEP or placement meeting if WSD is not able to convince the parent to attend. In this case, WSD will document its attempts to arrange the meeting. This documentation will include records of telephone calls and the results, copies of correspondence sent to the parent and/or other means used to contact the parent. This documentation will be kept in the student's special education file.

If the parent cannot attend the IEP or placement meeting but wishes to participate, WSD will arrange for other means to participate. This can include individual or conference phone calls, videophone, K-20 conferencing or other means of conferencing.

A meeting does not include informal or unscheduled conversations involving WSD personnel; conversations on issues such as teaching methodology, lesson plans, coordination of service provisions; or preparatory activities that WSD personnel engage in to develop a proposal or a response to a parent proposal to be discussed at a later meeting.

Identification and Referral (Child Find)

The purpose of child find is to locate, evaluate and identify children with suspected disabilities in need of special education services including those who are not currently receiving special education and related services and who may be eligible for those services. WSD does not have responsibility for Child Find for students admitted for a 45 school day diagnostic evaluation. WSD does have responsibility for Child Find for students who are fully enrolled at WSD.

Evaluation of Students

A student who is enrolled at WSD as a 504 student or a special education student for whom additional disability areas are suspected may be referred for a special education evaluation by parents, school staff or other persons knowledgeable about the student. Referral will be made by notice to the special education secretary. The superintendent is responsible for ensuring staff understands the referral process. Referrals are required to be in writing unless the person referring is unable to write. A person who makes a referral orally should be asked to either make the referral in writing or go to the administrative offices for assistance in making the referral.

All certificated employees will document referrals immediately upon a referral being made to or by them. All other staff receiving a referral from another person will notify the special education secretary.

When a referral is made, WSD must act within a 25 school-day timeline to make a decision about whether or not the student will receive an evaluation for eligibility to special education services or services to address an additional disability area.

The special education secretary (a) records the referral; (b) provides written notice of the referral to the parents; and (c) advised the school psychologist to collect and review

school data and information provided by the parent to determine whether evaluation is warranted. During the referral period, the evaluation team will collect and review existing information from all sources, including parents. Examples may include:

1. Child's history, including developmental milestones;
2. Report cards and progress reports;
3. Individual teacher's or other provider information regarding the child including observations;
4. Assessment data;
5. Medical information, if provided;
6. Other information that may be relevant to assist in determining whether the child should be evaluated.

If the review of data occurs at a meeting, the parent will be invited. The special education secretary provides written notice to the parents of the decision regarding evaluation, whether or not the parents attend the meeting.

Recommendations regarding evaluation are forwarded to the evaluation team. After the evaluation team reviews the request for evaluation and supporting data and does not suspect that the child has a disability or an additional disability, WSD may deny the request. In this case written notice, including the reason for the denial and the information used as the basis for the denial, must be given to the parent.

If the determination is that the child should be evaluated, the evaluation team shall include information about the recommended areas of evaluation, including the need for further medical evaluation of the student. This information will assist the school in providing parents prior written notice and will assist the school in selecting appropriate evaluation group members. The special education secretary is responsible for notifying parents of the results using prior written notice. When the determination is that the child will be evaluated, parent consent for evaluation and consent for release of appropriate records will be sent with the notice.

The school psychologist will seek parental consent to conduct the evaluation. The school is not required to obtain consent from the biological parent if:

1. The student is a ward of the state and does not reside with a parent;
2. The parent cannot be located, or their rights have been terminated;
3. Consent for an evaluation is given by an individual appointed to represent the student; or
4. The student is 18 years or older, in which case the student gives consent.

When the parent provides consent, the WSD will select an evaluation team. The evaluation team is to complete the evaluation within 35 school days after the WSD's receipt of parent consent, unless:

1. The parents and WSD agree in writing to extending the timeline;
2. The parent fails or refuses to make the student available for the evaluation; or

3. The student enrolls in another school district after the evaluation is begun but before completion and the parent and new district have an agreement for completion of the evaluation.

If the student withdraws from WSD after the evaluation is begun but before completion, the new school district will be responsible for completion of the evaluation. In this case, WSD will provide information to the new school district regarding the evaluation activities completed at the time of withdrawal.

If a parent does not provide written, informed consent for the evaluation, the special education secretary will notify the evaluation team. The superintendent will make a determination as to whether to use mediation to seek agreement to evaluate or file a due process hearing to override the parent's refusal to consent.

Evaluation Requirements

The purpose of the evaluation is to collect information about a student's functional, developmental and academic skills and achievements from a variety of sources, to determine whether a student qualifies for special education and related services, and to develop an IEP. This includes information provided by the parent. All information gathered in this process is reviewed by the IEP team or other group of qualified professionals.

The evaluation must be an individual assessment designed to determine:

1. Whether the student is eligible for special education and any necessary related services; and
2. The nature and extent of special education and related services needed by the student, including information related to enabling the child to be involved in and progress in the general education curriculum.

WSD shall select the members of the evaluation team. Members selected must be knowledgeable about the student and the areas of suspected disabilities. Qualifications of a group member include having the appropriate professional license or certification and may include outside practitioners when necessary. When assessing for specific learning disabilities, the parent and a group of qualified professionals must be part of the group. If the student requires a medical evaluation in order to determine eligibility, the district will coordinate with the parents to arrange for the evaluation at school expense or through the use of public or private insurance if the parent consents to allow the WSD to use the insurance.

There are many legal requirements for conducting evaluations. Evaluation procedures or materials must be free of racial, cultural or sexual/gender bias and they must be used for the purpose for which they are valid and reliable. Tests must be appropriate for the student's age and stage of developmental level. Tests should be administered in the

native language of the student or conducted in the mode of communication most familiar to the student. If it appears to be clearly not feasible to conduct a procedure or test in the mode of communication most frequently used by the student, the IEP team will contact the superintendent to develop an individualized strategy for valid evaluation of the student's skills. The inclusion of parents in this collaboration is desirable and strongly encouraged.

Specific areas to be included in the evaluation are determined by the school psychologist and other qualified professionals, as appropriate, as part of a review of existing data concerning the student. The evaluation does not rely on one source or procedure as the sole criterion for determination and should include:

1. Review of existing data, including corresponding response to intervention (RTI) documentation;
2. Relevant functional and developmental information;
3. Information from parents;
4. Information from other providers;
5. Information related to enabling access to and progress within the general education curriculum and assisting in determining whether there is a disability and the content of the IEP;
6. Current classroom-based evaluations, using criterion-referenced and curriculum-based methods, anecdotal records and observations;
7. Teacher and related service providers' observations;
8. Testing and other evaluation materials, which may include medical or other evaluations when necessary.

All current evaluation data as well as data previously reviewed by the team must be considered. Professional members of the evaluation team need to be familiar with qualifying disability definitions and criteria in federal and state rules. This review of existing data may be in the form of a meeting of IEP team members, or may be conducted without a meeting. It includes data provided by parents, data gathered in the general education classroom or from state and district level assessments. The data may provide information about the student's physical condition, social or cultural background and adaptive behavior.

When additional assessments are necessary, the evaluation team has the responsibility of selecting, administering, interpreting and making judgments about evaluation methods and results, and ensuring the tests and assessments are administered by qualified personnel in accordance with the instructions of the test producer. The gathering of additional data in combination with existing data must be sufficiently comprehensive to address all areas of the suspected disability and any special education needs, whether linked to the disability category or not. If the IEP team determines that no additional data are needed, the special education secretary will notify the student's parent of that determination and the reasons for it, and inform them of their right to request additional assessments. WSD will complete the evaluation using existing data.

Parents and school staff are encouraged to work toward consensus, but the school has the ultimate responsibility to determine whether the student has a disability or not. The special education secretary will provide the parent with prior written notice of the eligibility decision, as well as a copy of the evaluation report. If the parent disagrees with the eligibility decision, the evaluation team will inform them of their dispute resolution options described in the procedural safeguards.

Evaluation of Transfer Students

If a student is accepted into a 45 school day diagnostic placement while an evaluation process is pending from the sending district, the sending district is responsible for completing the evaluation according to established timelines and criteria. WSD is not responsible for evaluation for eligibility of special education for students during the 45 day diagnostic placement.

Eligibility

The evaluation team and the parent will determine whether or not the student is a special education student.

1. A student is not eligible if the determinant factor is lack of appropriate instruction in reading or math, based upon the state's grade level expectations or limited English proficiency.
2. Eligibility may be determined by documented professional judgment when:
 - a) Properly validated tests are unavailable; or
 - b) Corroborating evidence indicates that results were influenced due to measuring a disability.

The parent will be provided with a copy of the evaluation report and the documentation of determination of eligibility.

Parents will also be provided with prior written notice of the eligibility decision within ten school days of the decision. The special education secretary is responsible for sending the notice.

Students remain eligible for special education services until one of four events occurs:

1. The student is determined through a reevaluation to no longer be eligible for special education;
2. The student has met WSD's high school graduation requirements; or
3. The student has reached age 21. A special education student, whose 21st birthday occurs after August 31, shall continue to be eligible for special education and any necessary related services for the remainder of the school year.
4. The parent or adult student submits a written revocation to consent pursuant to WAC 392-172A-03000(2)(e).

When a special education student is expected to graduate prior to age 21, or when graduation is part of the transition plan, the IEP team will document a student's progress towards achieving course credits towards graduation on the transition portion of the IEP. WSD will provide prior written notice to parents and adult students that the student is

expected to graduate and will no longer be eligible for special education services. WSD will also provide the parents and student with a summary of academic achievement and functional performance and recommendations to assist the student with postsecondary goals.

Evaluation Report

Each person conducting an assessment of the student will specify the procedures and instruments used and their results and the significance of findings related to the student's instructional program, including a specification of the factors interfering with performance and the special education and related services needed.

The evaluation team will determine who is most appropriate to develop the evaluation report reflecting the evaluation information. This will be completed before the conclusion of the evaluation period and will, at a minimum:

1. Identify the disability which requires special education and related services, if a disability exists;
2. Discuss assessments and review data supporting conclusions regarding eligibility;
3. Include the additional information required for the specific learning disability eligibility category;
4. Describe how the disability or disabilities affect the student's involvement and progress in the general curriculum;
5. Make recommendations to the IEP team with respect to special education and related services needed, materials or equipment, instructional and curricular practices, student management strategies, the need for Extended School Year (ESY) services and location of services;
6. Include other information, as determined through the evaluation process and parent input;
7. Include the additional information required for the specific learning disability eligibility category;
8. Provide any necessary professional judgments and the facts or reasons in support of the judgments; and
9. Be signed and dated by the evaluation group members certifying their agreement. Any group member who disagrees with the conclusions shall prepare a statement presenting the conclusion.

The special education secretary is responsible for notifying parents of the date, time and location of evaluation meetings by following the procedures in the parent participation section for inviting parents to meetings.

Reevaluations

A reevaluation of a student receiving special education or related services is conducted if academic achievement and functional performance has improved to warrant a reevaluation, if the IEP team suspects that the student may no longer be a student with a disability or if the child's parent or teacher requests a reevaluation. A reevaluation

does not occur more than once per year, unless parent and school agree otherwise. A reevaluation must occur at least once every three years, unless parent and school staff agrees that a reevaluation is unnecessary. An agreement that an evaluation is unnecessary shall be confirmed in writing to the parent. The school psychologist will schedule a review of this determination and notify the special education secretary.

Students who turn six who met the eligibility requirements for the disability category of "Developmentally Delayed" (DD) under the criteria for ages three to six years need not be reevaluated at age six under the criteria for six to nine years until three years after their initial evaluation was completed.

Students who were previously eligible under the category "Developmentally Delayed" must be reevaluated before age nine to determine eligibility within another category.

As part of any reevaluation, the IEP team members and other professionals WSD determines appropriate will review existing data that includes:

1. Evaluations and information provided by the parents;
2. Current classroom-based assessment, local or state assessments and classroom based observations; and
3. Observations by other teachers and related services providers' data.

Based on this review the team will determine whether any additional data is necessary to determine:

1. Whether the student continues to be eligible for special education and any necessary related services;
2. The present levels of performance and educational needs; and
3. Whether any additions or modifications to the student's program are needed.

This review can occur with or without a meeting or through individual review. If the IEP team members and any other persons reviewing the data determine that no further testing is necessary, WSD will notify the parents of this determination, using written prior notice and will inform parents that they have the right to request assessments if they disagree with the determination that additional testing is not necessary. Parent consent is not required if the reevaluation does not require additional testing.

- a) If additional testing is needed, the school psychologist will request written parental consent for reevaluation and provide prior written notice identifying the areas of assessment.
- b) If the parents do not return the signed consent form, WSD shall send another letter explaining the need for reevaluation and parent consent and will enclose another consent form and a copy of the prior written notice. In addition, WSD will document its reasonable attempts to obtain consent such as telephone calls, emails, personal contact and other efforts to obtain consent;
- c) If the parents do not respond to the request for consent, and WSD has documented its reasonable attempts to obtain consent, WSD can proceed with the reevaluation; and

- d) If the parents refuse to consent to the reevaluation, the evaluation group will notify the superintendent so that WSD can determine whether it will seek mediation in order to obtain consent or request a due process hearing to ask an administrative judge to override the parents' refusal to consent.

After the reevaluation is completed, the special education secretary will invite parents to the eligibility meeting and provide prior written notice after the meeting of the results of the reevaluation to parents in their primary language, indicating one or more of the following:

1. Whether the student continues to be eligible and in need of special education;
2. Present levels of performance and educational needs of the student; and
3. Whether any additions or modifications to the special education and related services are needed to enable the student to meet IEP annual goals and to participate, as appropriate, in the general curriculum.

This notice will occur within ten school days of the eligibility decision. The special education secretary is responsible for sending the notice.

Reevaluation and Graduation

No reevaluation is required when special education eligibility terminates due to graduation from high school with a regular diploma or due to reaching the end of the school year during which the student turned 21. Instead, WSD will provide prior written notice to the student and/or the parent (one month before the student's anticipated last day of school) and the IEP team will provide the student with a summary of academic achievement and functional performance including recommendations on how to assist the student in meeting post-secondary goals. This summary will be provided to the student at the time of the final year's IEP meeting. The transition services coordinator is responsible for assuring that the IEP team completes the summary of academic achievement and functional performance.

Independent Educational Evaluations (IEE)

Parents of students eligible for special education, students referred for special education and determined to not be eligible or students determined not to need an evaluation have a right to obtain an IEE at public expense, without unnecessary delay, each time WSD conducts an evaluation of the student.

When parents request an IEE, WSD must decide within 15 calendar days whether or not it agrees to provide it. Any parent request for an independent evaluation should be immediately referred to the principal. The principal and evaluation team shall review the request and determine whether the request is warranted. If WSD agrees to provide an IEE, arrangements will be made promptly. If WSD denies the request to pay for an IEE, it must file for a due process hearing within 15 calendar days of the parent's request. WSD may request mediation as an option after filing the due process hearing. If the parents withdraw their request for an IEE, the due process hearing can be dismissed.

When a parent requests an IEE, WSD must provide parents a list of WSD criteria and evaluators. If WSD initiates a hearing and a decision is made that WSD's evaluation is appropriate, the parent still has the right to an IEE but not a public expense. A parent is only entitled to one IEE at public expense each time WSD conducts an evaluation with which the parent disagrees.

If the parent obtains an IEE at either public or private expense, any results of the IEE must be considered by WSD if providing FAPE. The IEE may also be presented as evidence at a hearing regarding the student.

The following criteria are established for the selection of an individual to conduct an IEE at public expense. These criteria are established in order to identify the knowledge, experience and qualifications of individuals selected to conduct the evaluations. Any individual selected to conduct either a district evaluation or an IEE must be:

1. Licensed, credentialed or otherwise qualified within the state of Washington or state of residence/practice to perform an evaluation in the specific professional discipline for which an independent evaluation is sought;
2. Knowledgeable and experienced in evaluating children with similar disabilities;
3. Geographically located within the state of Washington; and
4. Available to WSD at a maximum fee which does not exceed by more than 25% the prevailing average for similar evaluations within the state of Washington.

Exceptions to the criteria will be granted only when it can be shown that the unique circumstances of the child or the disability:

1. Make it impossible to identify anyone within the state of Washington who holds the appropriate credentials or experience necessary to conduct the evaluation or;
2. Require a specialized evaluator whose fee exceeds the prevailing average by more than 25% or;
3. Include factors which would warrant an exception in order to obtain an appropriate evaluation.

Individualized Education Programs (IEP)

Transitions of Birth-to-Three Students to Preschool

CDHL/WSD will participate in transition planning conferences, arranged by the designated Part C lead agency and the home school district, for each student to whom Part C services have been provided by CDHL/WSD, and who may be eligible for preschool services. Transition plans will be designed to promote uninterrupted provision of appropriate services to the child.

The regional Family Resource Coordinator (FRC) and the child's home school district are responsible for the timely execution of transition planning conferences, that are arranged at least 90 days before the student's third birthday, and the CDHL/WSD Early Childhood Specialist will participate in the meeting.

1. Participants will review the child's program options for the period from the child's third birthday through the remainder of the school year;

2. If a student is determined eligible for special education services, the CDHL/WSD Early Intervention Specialist will provide input, upon the request of the home school district, for the development and implementation of the IEP by the student's third birthday. If the third birthday is not during the school year, the home school district may set the IEP start date for the beginning of the school year.

IEP Development

The IEP is the written statement reflecting the implementation of instructional programs and other services for special education students based on the evaluation and student needs.

An IEP must be in effect on or before the initiation of special education services. The IEP must be developed within 30 calendar days after the student's initial determination of eligibility for special services. IEPs must be updated annually, or revised more frequently if needed to adjust the program and services.

Parent consent is required before the initial provision of special education services. If a parent refuses to consent to the provision of special education services, WSD may not use mediation or due process to override a parent's refusal. When a parent refuses to provide consent, the superintendent will notify the parent that WSD does not have a FAPE obligation to the student. The notification will be documented in the student's file.

WSD will maintain a copy of the current IEP, which is accessible to all staff members responsible for providing education, other services or implementation of the IEP. All staff members will be informed of their responsibilities for its implementation. This includes not only teachers and other service providers, but also bus drivers, playground and lunchroom supervisors, nursing staff and others who may be responsible for the proper implementation. The principal is responsible for ensuring staff members are knowledgeable about their responsibilities.

IEPs will be implemented without undue delay following IEP meetings, regardless of the payment source for special education or related services.

Parents are members of the IEP team and shall have the opportunity to fully participate. WSD will make sure parents understand the proceedings; including arranging for an interpreter for parents whose native language is other than ASL or English. WSD will also ensure meeting locations are accessible. The special education secretary is responsible for coordinating interpreters and making arrangements for the meeting location.

WSD will provide parents/guardians with a copy of WSD's *"Isolation and Restraint of Students with IEPs and Section 504 Plans"* policy 3247) when the student's IEP is created.

The IEP team includes:

1. The parent(s) of the student;
2. Not less than one special education teacher, or if appropriate, not less than one special education provider of the student;
3. A representative of WSD, who is qualified to provide or supervise the provision of special education and related services, is knowledgeable about general education curriculum, and is knowledgeable about the availability of WSD resources;
4. An individual who can interpret the instructional implications of the evaluation results;
5. Any other individuals who have knowledge or special expertise about the student. These individuals may be invited by both WSD and the parents, at the discretion of the person making the invitation;
6. The student, when appropriate, or when required; students must be invited when the purpose of the meeting includes discussion of transition needs or services;
7. An agency representative may be invited. If the agency representative can not attend the meeting, WSD shall keep the representative informed of the meeting and obtain agency information that will assist in the service provision;
8. Students must be invited when the purpose of the meeting includes discussion of transition needs or services.

The parents and WSD must agree in writing before any of the above team members are excused from all or part of a meeting. If a team member's area of the IEP is being discussed or modified, the parent and WSD must consent to their excusal. The specific team member must provide advance written input for their part of the IEP prior to the meeting. Permission for excusal will be obtained at the start of the IEP meeting. Existing team members may fill more than one of these roles if they meet the criteria for the role.

Sometimes parents do not attend IEP meetings. There will also be times the parents do not agree with the IEP as proposed, and despite attempts to reach agreement on IEP content, the team does not reach agreement. If a parent attends the IEP meeting and agreement is not reached on the IEP, the team shall determine whether another IEP meeting should be scheduled as soon as mutually possible, or whether there is enough information to complete the IEP. When the decision is made that the IEP will be implemented, WSD must send prior written notice of the decisions reached to the parent, including the date the IEP will be implemented.

When the parents do not attend the IEP meeting, despite WSD's efforts to ensure participation, or if the team does not reach agreement, it is WSD's obligation to offer an appropriate educational program. Additionally, WSD will:

1. Have IEP members present sign the IEP (or document participation if any member is unwilling to sign);
2. Send a copy to the parent, and provide the parent prior written notice that WSD intends to implement the IEP;

3. Maintain the documentation of actual or attempted contacts in the student's special education file when parents do not attend the meeting.

When making changes to an IEP after the annual IEP meeting for a school year, the parent and the special education facilitator may agree not to convene an IEP meeting for the purpose of making changes. The parent and WSD must complete a written document indicating the changes and inform IEP team members and appropriate individuals of the changes. If the parent requests that WSD revise the IEP to include the amendments, the Special Education Facilitator (SEF) will revise the IEP.

IEP Preparation and Content:

IEP teams will consider the recommendations in the most recent evaluation to develop the IEP. In developing the IEP, the team should consider:

1. The strengths of the student including the academic, developmental and functional needs of the student and the concerns of the parents for enhancing the education of their child;
2. Whether a behavior plan, including positive supports and possible aversive interventions should be considered;
3. Whether the student with limited English proficiency has language needs;
4. Whether Braille instruction is appropriate for a student who is blind or visually impaired;
5. Whether a student has other language and communication needs; and
6. Whether assistive technology devices or services are needed.

IEP content includes:

1. The student's present levels of academic and functional performance with a description of how the disability(ies) affect the student's involvement and progress in the general curriculum or preschool activities;
2. Measurable academic and functional annual goals for the student (including benchmarks or short term objectives if the student is participating in alternate assessments) that will meet the student's needs resulting from the disability(ies) to enable involvement and progress in the general curriculum or in preschool activities, and will meet the student's other educational needs;
3. A statement of special education services, any necessary related services, and supplementary aids and services based on peer-reviewed research to the extent practicable to be provided to the student and program modifications or supports for personnel so that the student may advance towards annual goals, progress in the general curriculum and be educated and participate with other special education students and non-disabled students and participate in extracurricular and other nonacademic activities;
4. A statement of the extent, if any, that the student will not participate with non-disabled students in general classroom, extra-curricular and non-academic activities;
5. A statement of any individual appropriate accommodations in the administration of state or other approved assessments of student achievement that are needed

to measure academic achievement and functional performance of the child on state assessments. If the team determines that the student will not participate in a particular assessment, the IEP will address why the student cannot participate in the regular assessment(s) and why the particular alternative assessment is appropriate for the child;

6. The date for the beginning of services and the anticipated frequency, location and duration of services and modifications;
7. A statement of how the student's progress towards goals will be measured, how the student's parents will be regularly informed of their child's progress towards the annual goals and whether the progress is sufficient to enable the student to achieve the goal by the end of the year. Measurement of the student's progress will be based on the data collected as designated on the IEP. The individual responsible for implementing the goal is responsible for maintaining the data used to measure progress. Information to the parents can be provided at the same time the WSD issues progress reports or report cards, or other agreed times as identified in the IEP>
8. The projected beginning date for the special education and related services;
9. With an IEP that is in effect when the child turns 16, or sooner if the IEP team determines it is appropriate, a statement of needed transition services and any interagency responsibilities or needed linkages. The transition component must include appropriate measurable postsecondary goals based on age appropriate transition and assessments related to training, education, employment, and independent living skills where appropriate; and the transition services (including course of study) needed to assist the child in reaching those goals;
10. Aversive interventions, if required, must be provided by trained staff and only considered after the determination has been made that positive interventions alone are not effective. The plan will address which staff with required training and certifications may use the interventions. Any questions about the need for or use of aversive interventions should be referred to the principal. When aversive interventions are considered, the IEP team will include a certificated employee who understands the appropriate use of interventions and concurs with the need and shall include a person who works directly with the student. WSD will establish a process for evaluating the effects of the use of aversive interventions, at least every three months when school is in session;
11. The procedures by which parents/guardians will be notified of the use of isolation or restraint or a restraint device on their student (*Procedure 3247P: Use of Reasonable Force*);
12. A statement regarding transfer of rights at the age of majority. The special education facilitator will provide prior written notice to the student one year prior to student turning 18 years of age; and
13. Extended school year (ESY) services. The consideration for ESY services is a team decision, based on information provided in the evaluation report and based on the individual needs of a student. ESY services are not limited by categories of disability, or limited by type amount or duration of the services. If the need for ESY services is not addressed in the IEP and ESY services may be appropriate

for the student, the IEP team will meet by May 15th to address the need for ESY. Factors for the team to consider when determining the need for ESY may include, but are not limited to: 1) Evidence of regression or recoupment time based on documented evidence; or 2) A documented determination based on the professional judgment of the IEP team including consideration of the nature and severity of the student's disability, the rate of progress and emerging skills.

Transfer Students

Students who transfer from one district to another within the state continue to be eligible for special education and any necessary related services. When a special education student in a school district in Washington applies to WSD, the admissions team will review the student's records, including the IEP evaluation and supporting documents and any other records relating to the provision of special education or related services to the student, from the school district in which the student was previously enrolled, pursuant to RCW 28A.225.330 and consistent with applicable Family Education Rights and Privacy Act (FERPA) requirements, and determine appropriate placement options in accordance with the *Admissions for new and former students* (policy 3000). The admissions team and principal in consultation with parents will review the student's IEP to ensure WSD provides appropriate educational services to those listed on the previous IEP until WSD adopts the previous IEP or develops, adopts and implements a new IEP.

Students who transfer from out of state to a local school district within the state of Washington and are eligible for services at WSD may apply for admission as outlined in policy 3000. The student's local school district is responsible for conducting the evaluation for Washington State eligibility and developing the initial Washington IEP. The admissions team will review the application for admission along with the evaluation, eligibility documentation and IEP to determine whether or not the student meets WSD's admissions criteria. If the student meets WSD's admissions criteria, follow the procedures described in the previous paragraph.

Placement

No student may receive special education and related services without being determined eligible for services, and thus the evaluation process and IEP development precedes the determination of a special education placement. When a student has been evaluated and the evaluation team and parent have determined student eligibility and the need for special education and related services, programming decisions must occur. These decisions are made on the basis of information generated through the evaluation and IEP processes. The actual program is considered within the context of least restrictive environment (LRE) and the continuum of placement alternatives (reviewed below). When program decisions are addressed by the IEP team, proper consideration must be given to the LRE. Within the educational setting, if the student's academic, social, emotional and behavioral needs can be met, the student should be placed, whenever possible:

1. In the school the disabled student would normally attend; and,

2. With non-disabled students in the general educational setting to the maximum extent possible.

Special classes, separate schools or removal of students with disabilities from the general education environment occurs only when the nature or severity of the disability is such that education in the general education classroom with use of supplementary aids and services cannot be satisfactorily achieved.

If the IEP team believes the student will not be successful within the general education classroom, the team will consider:

1. The educational benefits of full-time placement in a regular classroom;
2. The non-academic benefits of such a placement;
3. The effect the student will have on the teacher and other students in the regular classroom; and;
4. The costs of placing the student in the regular classroom.

The degree to which the student is to be integrated into the general classroom setting is dependent upon the identified needs of the student. This placement is to occur unless the nature of the needs is so severe this cannot be satisfactorily achieved, even with supplementary aids and services. If the placement is in another building, the appropriate educational placement will be as close to the student's home as reasonably possible.

Within the nonacademic setting, students may be provided nonacademic and extracurricular activities with non-disabled students, if appropriate these may include participation on sports teams, classes or activities in the community. Limits on nonparticipation or conditions of participation must be designated in the IEP.

The placement of each student with a disability will be determined annually, or sooner if appropriate, by the IEP team.

The appropriateness of placement options will be based upon various decisions including:

1. Data-based judgments in IEP development;
2. Judgments (data-based) in determining LRE;
3. The reasonable probability of the placement option(s) assisting the student to attain annual goals and objectives and the quality of services needed; and
4. The consideration of potentially harmful effects upon the student or on the quality of services needed.

Procedural Safeguards

Consent

WSD will obtain informed, written parental consent before:

1. Conducting an initial evaluation;
2. Providing special education and related services to a student; and

3. Conducting a reevaluation if the reevaluation includes administration of additional assessments.

Parental consent is not required to review existing data as part of an evaluation or reevaluation, or to administer a test or other evaluation that is administered to all students unless consent is required of all students' parents.

Informed consent means the parent or adult student:

1. Has been fully informed of all information that is relevant to the activity for which WSD is asking consent, and that the information is provided in his or her native language or other mode of communication;
2. Understands and agrees in writing to the activity for which consent is sought and the consent describes the activity and lists any records which will be released and to whom; and
3. Understands that the granting of consent is voluntary and may be revoked at any time. If consent is revoked, the revocation does not negate an action that has occurred after the consent was given and before the consent was revoked.

WSD may not use a parent's refusal to consent to one service or activity to deny the parent or child any other service, benefit or activity of WSD.

If WSD is unable to obtain a parent's consent, WSD may use mediation procedures to obtain a parent's consent or request a due process hearing asking the administrative law judge to override the parent's refusal to consent to an evaluation or reevaluation. WSD may not request a due process hearing to override a parent's refusal to consent to initial special education services.

Revocation of Consent to Provision of Special Education Services

Parents may revoke consent for the continued receipt of special education and related services. If parents revoke consent, the staff member receiving the revocation will forward the revocation to the special education secretary.

Upon receipt of the parent's written notice of revocation, the special education secretary, with the knowledge of the principal and special education facilitator:

1. Will provide prior written notice for a reasonable time before the WSD stops providing services. The notice will include information about the effect of revocation and will inform the parent of the date the WSD will stop providing special education and related services.

Discontinuation of special education and related services in response to the parent's written revocation will not be in violation of FAPE and eliminates WSD's requirement to convene an IEP meeting or develop an IEP. However, the WSD does have a continuing Child Find duty to its enrolled students, and staff will follow referral procedures if they believe the student should be referred for special education. In addition, parents may request that the WSD conduct an initial evaluation for eligibility for special education services after they have revoked consent for continued services.

Notice of Procedural Safeguards

In addition to protections provided to parents of eligible students, parents also have procedural safeguard protections when a student's identification, evaluation or placement is at issue. WSD shall provide a copy of the procedural safeguards notice to the parents and adult students one time a year and:

1. Upon initial referral or parent request for evaluation;
2. Upon receipt of the parent's first state complaint and first request for due process hearing in a school year;
3. Upon a disciplinary action that will result in a disciplinary change of placement; and
4. Upon request by the parent.

The procedural safeguard notice used by WSD includes a full explanation of all the procedural safeguards relating to independent educational evaluation, prior written notice, parental consent, access to educational records, discipline procedures for students who are subject to placement in an interim alternative educational setting, state complaint procedures, mediation, the child's placement during pendency of due process proceedings including requirements for disclosure of evidence, due process hearings, civil actions and attorney's fees. Copies of WSD's special education procedural safeguards are available at the Office of the Superintendent, Washington School for the Deaf, 611 Grand Blvd, Vancouver, WA 98661, or on WSD's website at www.wsd.wa.gov

Prior Written Notice

Prior written notices are provided to parents when WSD makes a decision relating to a student's identification, evaluation, placement or provision of a FAPE. Prior written notices document the decisions made by the IEP teams and evaluation group.

WSD will provide prior written notice to the parent whenever WSD proposes or refuses to initiate or change the identification, evaluation, educational placement or provision of a FAPE to the student.

The prior written notice will include:

1. A statement that the parents have procedural safeguard protections and if a copy of the procedural safeguards do not accompany the notice, a statement that describes how a copy of the statement of procedural safeguards may be obtained;
2. A description of the action proposed or refused by WSD;
3. An explanation of why WSD proposes or refuses to take the action and a description of other options that WSD considered and the reasons why the options were rejected;
4. A description of any other factors which are relevant to WSD's proposal or refusal;

5. A description of each evaluation procedure, test, record or report WSD used as a basis for the proposal or refusal;
6. A description of any evaluation procedures WSD proposes to conduct and sources for parents to contact to obtain assistance in understanding the procedural safeguards provision of this chapter.

Prior written notice and the notice of procedural safeguards must be provided in the native language of the parent or other mode of communication used by the parent unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, WSD will take steps to ensure that the notice is translated orally or by other means to the parent. This may involve:

1. Arranging for an interpreter if English or ASL is not the native language of the parent; or
2. Providing notice orally/visually if the native language is not a written language.

WSD will document in writing how this information was provided and that the parent understands the content of the notice. The principal/designee is responsible for notification.

Transfer of Educational Rights to an Adult Student

When a student eligible for special education reaches the age of 18, all educational rights under Part B of the IDEA, previously exercised by the parent, transfer to the student, unless the student is determined incapacitated in a guardianship proceeding or the school has appointed an educational representative for the student. When the student turns 18, WSD will notify the parent and student that the educational rights have transferred to the student and will send any required notices to the adult student. The special education facilitator is responsible to notify parent and adult student.

At an IEP meeting occurring one year before the student turns 18, WSD will inform the parents and the student that educational rights will transfer to the student and WSD will inform the student about those educational rights. This information will be documented on the IEP.

Appointment of an Educational Representative

A student over the age of eighteen is presumed to be capable of making educational decisions and able to provide informed consent unless he or she is determined to be "incapacitated" through a legal guardianship proceeding. If a parent, another interested party, or WSD believes that a student over the age of eighteen is unable to provide informed consent or to make education decisions, and the student does not have a legal guardian, the parent or other interested party may ask WSD to appoint an educational representative. This determination will only be made if two separate professionals state that they conducted an examination and interviewed the student, and concluded the student is incapable of providing informed consent. The WSD will inform the student of the decision and appoint either, the spouse, the student's parents, another adult relative willing to act as the student's educational representative, or a surrogate educational

representative to represent the student. The appointment of the educational representative will continue for one year.

The student or other adult may challenge the certification at any time. If a challenge occurs, the WSD will not rely on the education representative, until the representative is recertified.

Confidentiality and Records Management

The superintendent is responsible for maintaining the confidentiality of personally identifiable information pertaining to special education and all other students. The superintendent will maintain, for public inspection, a current list of the names and positions of district employees who have access to personally identifiable information of special education students. WSD will provide parent and adult students, upon request, a list of the types and locations of educational records collected, maintained or used by WSD.

WSD will provide instruction annually to employees collecting or using personally identifiable information on the procedures to protect the confidentiality of personally identifiable information. The training will address the protections outlined in WAC 392-172A, state law and federal regulations implementing the Family Educational Rights and Privacy Act, FERPA, (34 CFR Part 99).

Upon request, the parent(s) of a special education student or adult student will be afforded an opportunity to inspect, review and challenge all educational records which shall include, but not be limited to, the identification, evaluation, delivery of educational services and provision of FAPE to the student. WSD shall comply with the request promptly and before any meeting regarding an IEP or hearing relating to the identification, evaluation, educational placement of the student or provision of FAPE to the student, including disciplinary proceedings. In any case, WSD shall respond no more than 45-calendar days after the date WSD received the request. If an educational record includes information on more than one student, the parents (and/or adult student) may only inspect and review information relating to their child. School personnel receiving requests for educational records will immediately forward the request to the building principal.

If parents believe information in an education record is inaccurate or misleading or violates the privacy or rights of the student, they may request that WSD amend the information. *Student Records* (policy 3231 and procedure 3231), describes the process and timelines for challenges and hearings regarding student records.

WSD follows the guidelines for records retention outlined in the Secretary of State's, *General Records Retention Schedule and Records Management Manual*. WSD shall inform parents or adult students when personally identifiable information collected, maintained or used is no longer needed to provide educational services to the student. The information shall be destroyed at the request of the parent(s) or adult student, or will be provided to the parent or adult student upon their request. However, a permanent

record of the student's name, address and phone number, his or her grades, attendance, record, classes attended, grade level completed and year completed will be maintained without time limitation.

Records management is also governed by *Preservation and Production of Electronic Records* (policy 4040 and procedure 4040P).

Surrogate Parents

A surrogate parent is a person appointed by the school district to act on behalf of a student to help ensure the rights of the student to a FAPE when a parent cannot be identified, the whereabouts of the parent are unknown or the student is a ward of the state and does not have a foster parent.

The principal is responsible for determining the need for appointment of a surrogate parent.

Natural or adoptive parents, foster parents, persons acting in the place of a parent such as stepparents or relatives and persons with legal custody or guardianship are considered parents. Students who are homeless and not living with a parent may need a surrogate parent.

The following is guidance for WSD to follow to assist in determining the status of the parent's rights to make educational decisions:

In cases where the student is in out-of-home care WSD must determine the legal custodial status of the child.

1. Parents who have voluntarily placed their child in state placement still retain legal custody of the child and retain the right to make educational decisions. In this situation the student is not a ward of the state.
2. Parents whose children are placed in group care, pending a determination of "dependency" may still retain rights to make educational decisions unless otherwise ordered by the court.
3. When a disposition order and order of dependency is issued, the state becomes the legal as well as physical custodian of the child. Parents may no longer have the right to make educational decisions during this stage of dependency.
4. Parents whose parental rights are terminated no longer have the right to make educational decisions on behalf their child.

When a student is placed in foster care the foster parent may act as the parent. When a student is placed in group care, WSD will work with the parents, case-worker(s), foster parents and others who have knowledge of the student's legal status in order to determine the need for appointment of a surrogate.

When selecting a surrogate parent, WSD will select a person willing to participate in making decisions regarding the student's educational program, including participation in the identification, evaluation, placement of and provision of FAPE to the student.

If a student is referred for special education or a special education student transfers to WSD who may require a surrogate parent, the principal will be notified of the potential need. The principal or designee will then select a trained individual who can adequately represent the student to ensure that all student rights are observed.

The person selected as a surrogate:

1. Must have no interest that conflicts with the interests of the student he or she represents;
2. Must have knowledge and skills that assure adequate representation of the student; and
3. May not be an employee of a school district and/or other agency which is involved in the education or care of the student. This includes OSPI, DSHS, district employees and group care providers.

WSD will at a minimum, review with the surrogate parent procedural safeguards, parent involvement in the special education process, parent education publications and special education regulations. WSD will also cooperate with other districts, the ESD or OSPI in training surrogate parents and in establishing a list of persons willing and able to serve as surrogate parents.

Mediation

The purpose of mediation is to offer both the parent and WSD an alternative to a formal due process hearing. Mediation is voluntary and requires the consent and agreement of both parties. Mediation cannot be used to deny or delay access by a parent to a due process hearing. Mediation is used to resolve disagreements concerning the identification, evaluation and delivery of educational services or provision of a FAPE to a special education student. Mediation may be terminated by either party at any time during the process.

The primary participants are the parents, school representatives and mediator. The process is voluntary, confidential and informal. It is a collaborative process, conducted in a non-adversarial manner. Mediation services will be provided by the Office of Superintendent of Public Instruction (OSPI) at no cost to either party.

The superintendent of WSD is responsible for coordinating requests for mediation. If a parent requests mediation, notify the principal and the superintendent. The superintendent will respond to the parent and coordinate with OSPI's contracted agent. Staff members are reminded that discussions that occur during the mediation process are confidential.

One person designated by WSD to attend the mediation must have authority to bind WSD in any agreement reached through mediation.

Due Process Hearing

Both parents and schools may file due process hearings involving the identification, evaluation, placement or provision of FAPE to a student. IDEA requires that specific information be provided as part of a due process hearing request. The requirements are identified in the notice of procedural safeguards. If parents request information about how to file a due process hearing, WSD will provide the parent with a due process hearing request that contains the required information. Due process hearing request forms are available in the superintendent's office and on the OSPI Special Education and Administrative Resources Web site.

If any staff receives a request for a due process hearing, a copy of the request should be immediately forwarded to the superintendent. If the parent has not filed the request for hearing with OSPI, WSD will forward the parent request to OSPI Administrative Resources Section. WSD may not delay or deny a parent's due process hearing request. Parents are entitled to a copy of the notice of procedural safeguards if this is the first due process hearing in a school year. The superintendent at WSD is responsible for providing the parents a copy of the procedural safeguards in this situation and documenting that the safeguards were provided to the parent.

When a parent files a due process hearing, the student remains in the placement at the time of the request for hearing unless the parents and the WSD agree to a different placement. See the discipline section below for placements when a disciplinary action is challenged.

When parents file a request for a due process hearing, the superintendent will immediately schedule a resolution meeting. The meeting must occur within 15 days after a parent files a due process request with the WSD and provides a copy of the request to OSPI or within seven days if the hearing request involves an expedited hearing regarding discipline. The superintendent will determine the appropriate school staff that will attend the resolution meeting. WSD will ensure that one of WSD representatives attending the resolution meeting has authority to bind WSD in any resolution agreement. WSD will not bring legal counsel to a resolution meeting unless the parent is bringing an attorney to the meeting.

Any resolution agreement reached will be documented in writing and is binding on the parties. The document will inform the parent of their right to void the agreement within three business days of signing the agreement.

Discipline

Students eligible for special education may be disciplined consistent with the disciplinary rules that apply to all students. WSD shall determine on a case by case basis whether discipline that is permitted under WAC 392-400 should occur. However, students eligible for special education must not be improperly excluded from school for disciplinary reasons that are related to their disability or related to WSD's failure to implement a student's IEP. WSD shall take steps to ensure that each employee,

contractor and other agents of WSD responsible for education or care of a student is knowledgeable of special education disciplinary rules.

Removal Up to Ten Days

The superintendent or principal may order the removal of a special education student from a current placement. WSD need not provide services to a special education student removed from the current placement for ten school days or less in any school year.

Removal for More than Ten Days

Once a student has been removed from placement for a total of ten school days in the same school year, and if the WSD determines that the removal is not a change of placement, the WSD must, during subsequent days of removal, provide appropriate services to the extent necessary to enable the student to participate in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. The principal, in consultation with one or more of the student's teachers, shall make the determination of such necessary services.

Change in Placement

A change of placement occurs when an eligible student is:

1. Removed from his or her current placement for more than ten consecutive school days in a school year; or
2. Subjected to a series of removals in a school year and which constitute a pattern of removal because:
 - a) The series of removals total more than ten school days in a year;
 - b) The student behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and
 - c) Because of factors such as the length of each removal, the total amount of time a student is removed, and the proximity of the removals to one another.

Whether a pattern of removal constitutes a change in placement is determined on a case-by-case basis by the principal and superintendent and is subject to review through due process and judicial proceedings.

Manifestation Determination

Within ten school days after the date on which the WSD makes a decision to change the student's placement, the WSD will schedule a "manifestation determination" meeting to determine the relationship between the student's disability and the behavior subject to the disciplinary action.

The review of the relationship between a student's disability and the behavior subject to the disciplinary action shall occur at a meeting that includes the parent and relevant members of the IEP team who are selected by the parent and WSD. The principal is responsible for contacting the parent and convening the IEP team and provide notice to

the parent. The team shall review all relevant information in the student's file, including the IEP, teacher observations and information provided by the parent to determine:

1. If the conduct was caused by or had a direct and substantial relationship to the child's disability; or
2. If the conduct in question was the direct result of WSD's failure to implement the student's IEP.

If the team determines that the behavior resulted from any of the above, the behavior must be considered a manifestation of the student's disability. WSD will take immediate action to remedy the deficiencies, and will:

1. Conduct a functional behavioral assessment (unless already completed) and implement a behavioral intervention plan if one is not already in place; or
2. Review the existing behavioral intervention plan and modify it to address the behavior; and
3. Return the child to the placement from which he or she was removed unless the parents and WSD agree a change is necessary as part of the behavioral intervention plan, or unless the infraction involves drugs, weapons or serious bodily harm.

Special Circumstances

The Executive Director, Superintendent, Principal or Director of Residential Services may order a change in placement to an appropriate interim alternative educational setting for not more than 45 school days, if a WSD student:

1. Possesses a "dangerous weapon" or carries such a weapon to school or to a school function; or
2. Knowingly possesses or uses "illegal drugs" while at school or a school function; or
3. Sells or solicits the sale of a "controlled substance" while at school or a school function.
4. Inflicts serious bodily injury upon another person while at school or a school function. Serious bodily injury means a substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

Any interim alternative educational setting in which the student is placed is determined by the student's IEP team and will:

1. Be selected so as to enable the student to participate in the general curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP; and
2. Include services and modifications designed to address the behavior or to prevent the behavior from recurring.

WSD may ask an administrative law judge, or seek injunctive relief through a court having jurisdiction of the parties, to order a change in placement to an appropriate

interim alternative educational setting for not more than 45 school days or seek injunctive relief through a court having jurisdiction of the parties when:

1. WSD believes that maintaining the student's current placement is substantially likely to result in injury to the student or others. If the student's IEP team believes the student may not be maintained in his or her current placement, the IEP team should work with the principal or superintendent.

Unless the parent and WSD agree otherwise, if a parent requests a hearing to challenge either the manifestation determination or the interim alternative educational setting, the student must remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the 45 day period, whichever occurs first.

Basis of Knowledge

A student who has not been determined eligible for special education services may assert the protections if WSD had knowledge that the student was eligible for special education before the behavior that precipitated disciplinary action occurred.

WSD is deemed to have knowledge if:

1. The parent expressed concern in writing (or orally if the parent does not know how to write or has a disability that prevents a written statement) to WSD supervisory or administrative personnel or a teacher that the student is in need of special education and related services;
2. The parent requested that the student be evaluated for special education services; or
3. The teacher or other school personnel has expressed specific concern about a pattern of behavior demonstrated by the student to the director of the special education department or to other supervisory staff.

If instituting disciplinary action that would exceed ten days and the principal believes that one or more of these events applies to the student, the principal will work with the special education facilitator and superintendent to determine the appropriate disciplinary procedures.

WSD is not deemed to have knowledge if, as a result of receiving the information described above, WSD either:

1. Conducted a special education evaluation of the student and determined that the student was not eligible for services; or
2. The parent of the student has not allowed an evaluation of the child or has refused services.

If WSD is not deemed to have knowledge that a student is a special education student, the student may be disciplined as a student without disabilities who engages in comparable behaviors. WSD shall conduct an evaluation, which is requested during the time period such a student is subjected to disciplinary measures, in an expedited manner. Until the evaluation is completed, such a student shall remain in the

educational placement determined by WSD, which can include suspension or expulsion without educational services.

Notwithstanding the foregoing, WSD may report a crime committed by a special education student to appropriate authorities. In the event of such a report, WSD shall ensure that copies of the student's special education and disciplinary records are transmitted for consideration by the appropriate authorities to whom the crime is reported; to the extent transmission of the records is permitted by the Family Educational Rights and Privacy Act (FERPA).

Staff Qualifications

All employees of CDHL/WSD funded in whole or part with state or federal excess special education funds will meet the standards established by the State Board of Education (SBE) and defined in WAC 392-172-A-02090.

All employees will hold such credentials, certificates or permits as are now or hereafter required by the SBE for the particular position of employment and shall meet such supplemental standards established by CDHL/WSD.

There may be occasions when, despite efforts to hire or retain highly qualified teachers, CDHL/WSD is unable to do so. Under WAC 392-172-A-02090(2), the following options are available in these situations:

1. Teachers who meet state board criteria pursuant to WAC 18-82-110(3) as now or hereafter amended, are eligible for a pre-endorsement waiver. Application for the special education pre-endorsement waiver shall be made to the special education section at the Office of the Superintendent of Public Instruction.

All special education teachers providing, designing, supervising, evaluating or monitoring the provision of special education shall possess "substantial professional training." This shall be shown by the issuance of an appropriate special education endorsement on an individual teaching certificate issued by the superintendent of public instruction.

In the event a special education teacher does not have a certificate endorsed in special education, a district may apply for a pre-endorsement waiver through the special education section of the OSPI. To qualify for the special education pre-endorsement waiver, the teacher must meet SBE criteria.

If CDHL/WSD must temporarily assign a classroom teacher without a special education endorsement to a special education position, the Human Resources Manager will document in writing that:

1. CDHL/WSD is unable to recruit a teacher with the proper endorsement who was qualified for the position; and/or

2. The need for a teacher with such an endorsement could not have been reasonably anticipated and the recruitment of such a classroom teacher at the time of assignment was not reasonably practical; and/or
3. The reassignment of another teacher within CDHL/WSD would be unreasonably disruptive to the current assignments of other classroom teachers or would have an adverse effect on the educational program of the students assigned to the other teacher.

If one or more of these criteria can be documented and CDHL/WSD determines that a teacher has the competencies to be an effective special education teacher and the teacher has completed six-semester hours or nine-quarter hours of course work which are applicable to the special education endorsement, CDHL/WSD can assign the teacher to special education in compliance with the process for making out-of-endorsement assignments and reporting them to the state.

Classified staff will present evidence of skills and knowledge necessary to meet the needs of students with disabilities. CDHL/WSD will provide training to classified staff to meet the state recommended core competencies.

Personnel Development

In order to provide a staff development program to improve the quality of instructional programs, the following procedures will be employed:

1. Special education concerns will be identified through a staff needs assessment completed by administrators, teachers, educational staff associates, program assistants, parents and volunteers;
2. Training must be provided annually to all personnel who may be providing aversive interventions under a student's IEP;
3. In-service training schedules will be developed based upon the results of WSD assessment and in support of needs identified;
4. Training activities may be conducted for deaf education and special education staff, staff of other agencies and organizations and private school staff providing services for special education student; and
5. Training for classified staff in the state recommended core competencies will occur through education reform training opportunities.

Public Participation

Any application and any required policies, procedures, evaluations, plans and reports are readily available to parents and other members of the public through the principal's office and the office of the superintendent. A notice regarding the availability of such documents will be placed on the WSD website www.wsd.wa.gov.

State	Credentials
Alabama	EIPA 3.5
Alaska	EIPA 4.0
Arizona	EIPA 3.5
Arkansas	EIPA 3.5
California	EIPA 4.0 or NIC
Colorado	EIPA 3.5 in all four areas
Connecticut	NIC
Delaware	
DC	
Florida	
Georgia	NIC, or State Assessment
Hawaii	
Idaho	EIPA 3.5 or NIC
Illinois	EIPA 3.5
Indiana	
Iowa	EIPA 3.5
Kansas	EIPA 3.0
Kentucky	NIC
Louisiana	EIPA 3.5 or NIC
Maine	State Licensure
Maryland	
Massachusetts	
Michigan	
Minnesota	NIC, State Test and Complete ITP
Mississippi	
Missouri	EIPA
Montana	
Nebraska	EIPA 3.5
Nevada	EIPA 4.0
New Hampshire	State Licensure
New Jersey	EIPA 3.0
New Mexico	EIPA 3.5 or NIC
New York	
North Carolina	EIPA 3.0
North Dakota	
Ohio	State Licensure
Oklahoma	EIPA 3.5
Oregon	
Pennsylvania	EIPA 3.5
Rhode Island	NIC, or State licensure
South Carolina	
South Dakota	State Certification
Texas	State Certification

Utah	EIPA3.5
Vermont	
Washington	EIPA 3.5 or RID and EIPA Written
West Virginia	
Wisconsin	EIPA 3.0 and complete ITP
Wyoming	EIPA 3.5
<p>Terms: EIPA is the Educational interpreter Performance Assessment</p> <p>NIC is the National Interpreter Certificate</p> <p>ITP is Interpreter Training Program</p>	