

Board of Directors

Regular Meeting November 10, 2020 7:00 p.m.

[State Legislature October 1 Extension Letter](#) and [Proclamation 20-28.11](#) (October 2) extend existing OPMA statutory waivers through 11:59 PM on November 9, temporarily suspending portions of the OPMA and PRA that require in-person meetings.

The public may attend online using this Zoom webinar link:
<https://fpschools.zoom.us/j/95025298024?pwd=bVFKUXI3U1RUdjVGSkFFRDRTMnRCQT09>
or by phone at +1 (253) 215 8782 or +1 (346) 248 7799 or +1 (312) 626 6799.
Webinar ID: 950 2529 8024 Password: 134679

Audience and community comments will be limited to two minutes per person.
Please deliver written comments or schedule oral comments with the Superintendent's Office (kholtlen@fpschools.org or 253-298-3010) by 3 p.m. the day before the meeting.

If you have any questions, you may contact Kristin Holten at (253) 298-3010.

FRANKLIN PIERCE SCHOOLS

Jo Anne Matson Administrative Center
315 129th Street South
Tacoma, WA 98444
www.fpschools.org
253-298-3000

Franklin Pierce School Board's Operating Principles

Operating principles define the beliefs, values, and methods of working together. Successful organizations are the result of effective and dynamic leadership. To assure quality operations, leaders must agree on basic ways of working together. We, the Franklin Pierce Board and Superintendent, have discussed and agree to abide by these principles.

Communications, Cooperation, and Trust

- Support each other constructively and courteously
- Engage in discussions
- Be open-minded and adaptive to change
- Maintain confidentiality
- Focus discussions on issues, not personalities
- Uphold the integrity of every individual
- Involve those parties who will be affected by the decision and solution
- Strive to avoid any perception of a conflict of interest
- Communications between staff and the Board are encouraged
- Requests for information from the Superintendent which will take considerable time to prepare will come from the Board rather than an individual Board member

Effective Meetings

- Share ideas about new programs and directions with the Superintendent before making them public
- Read all materials and ask questions in advance
- Respect the majority and do not take unilateral action
- Board meetings will be for consideration, information, and actions
- Work sessions will be for discussions, deliberation, and direction
- Executive sessions will be held only when specific needs arise
- The President will communicate and enforce the audience participation protocol

Decision Making

- Clearly communicate decisions and their rationale
- Re-evaluate each major decision
- Move the question or table the question when discussion is repetitive
- The Superintendent will make recommendations on most matters before the Board
- Consider research, best practice, innovative and creative strategies, and public input in all decision making

Addressing Citizen or Staff Complaints

- Use proactive, clear, and transparent communication
- Be available to hear community concerns and encourage citizens to present their district issues, problems, or proposals to the appropriate person
- Direct all personnel complaints and criticisms to the Superintendent

Board Operations

- Attend training and networking opportunities
- The President will communicate regularly with the Superintendent and share pertinent information with the Board
- The President or designee will be the Board spokesperson
- Conduct an annual self-evaluation and promptly address specific issues that hinder Board effectiveness
- Set clear and concise goals for the Board and the Superintendent
- Emphasize planning, policy making, and public relations rather than becoming involved in the management of the schools

REGULAR MEETING OF THE BOARD OF DIRECTORS November 10, 2020 – 7 p.m.

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<https://fpschools.zoom.us/j/95025298024?pwd=bVFKUXI3U1RUdjVGSkFFRDRTMnRCQT09>
 or by phone at +1 (253) 215 8782 or +1 (346) 248 7799 or +1 (312) 626 6799.
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AGENDA

- I. Call to Order
- II. Flag Salute
- III. Establishment of a Quorum
- IV. Adoption of Agenda
- V. Announcements and Communication
 1. Superintendent
 2. Student Representatives
 3. Board of Directors
 4. Audience/Community – Comments will be limited to two minutes per person.
Please deliver written comments or schedule oral comments with the Superintendent's Office (kholtan@fpschools.org or 253-298-3010) by 3 p.m. the day before the meeting.
- VI. Consent Agenda
 1. Minutes: October 13, 2020; October 20, 2020; October 22, 2020.....A
 2. Audit of Expenditures: October 2020B
 3. Personnel ActionC
 4. Budget Status Reports: September 2020D
- VII. Unfinished Business
 1. Core Instructional Materials Adoption: *Inspire Literacy ELL*E
 2. Core Instructional Materials Adoption: *Evolve, Level for Newcomers*F
 3. Supplemental Materials Adoption: *Quaver Music Curriculum, K-5*.....G
 4. Policy 3122: Excused and Unexcused Absences.....H
 5. Policy 3226: Interviews and Interrogations of Students on School PremisesI
 6. Policy 4310: District Relationships with Law Enforcement and Other Government AgenciesJ
 7. Policy 5404: Family, Medical, Maternity, and Military Caregiver LeaveK
- VIII. New Business
 1. Resolution 20-R-18: Educational Programs & Operations Excess Levy AdjustmentL
 2. 2020-2021 School Improvement PlansM
- IX. Proposals
 1. Policy 4300: Limiting Immigration Enforcement in SchoolsN
- X. Information
 1. Procedure 4040P: Public Access to District RecordsO
 2. Procedure 4300P: Limiting Immigration Enforcement in SchoolsP
 3. Procedure 5202P: Federal Motor Carrier Safety Administration Mandated Drug & Alcohol Testing ProgramQ
- XI. Adjournment

Next Meeting: December 8, 2020



Franklin Pierce Schools

Administration Offices - 315 129th Street South - Tacoma, WA 98444 – (253) 298-3000
Board directors and audience attended via Zoom video Webinar ID 975 1366 7808 – (253) 215-8782

October 13, 2020

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

CALL TO ORDER

Mr. Roberts called the special meeting to order at 6:02 p.m.

BOARD MEMBERS PRESENT

Mr. Davis, Ms. Gallogly, Dr. Mendoza, Mr. Roberts, Mrs. Sherman.

SPECIAL MEETING

The Board of Directors reviewed and discussed the following items:

1. Superintendent's Update
2. Hybrid Learning Model
3. Legislative Assembly Report
4. School Improvement Plan Preview

ADJOURNMENT

There being no business to transact, the special meeting adjourned at 7:01 p.m.

Secretary of the Board

President of the Board

Franklin Pierce Schools

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Board directors and audience attended via Zoom video Webinar ID 975 1366 7808 – (253) 215-8782

October 13, 2020

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

CALL TO ORDER

Mr. Roberts called the meeting to order at 7:04 p.m.

BOARD MEMBERS PRESENT

Mr. Davis, Ms. Gallogly, Dr. Mendoza, Mr. Roberts, Mrs. Sherman.

AGENDA

20-M-104

It was moved by Mrs. Sherman, seconded by Dr. Mendoza, and unanimously passed that the Board of Directors adopt the agenda as presented.

ANNOUNCEMENTS & COMMENTS FROM THE SUPERINTENDENT

Mr. Goodpaster commented on remote and hybrid learning and enrollment. He introduced Washington High School teacher Brooke Brown, the Washington State Teacher of the Year.

ANNOUNCEMENTS & COMMENTS FROM THE BOARD OF DIRECTORS

All Board Directors congratulated and thanked Brooke Brown for her contributions to our district and community.

ANNOUNCEMENTS & COMMENTS FROM THE COMMUNITY

Mrs. Pam Kruse, FPEA President, commented on the inclusive, collaborative process used for planning instruction that is best for kids. She suggested everyone mask up and vote.

CONSENT AGENDA

20-M-105

It was moved by Mrs. Sherman, seconded by Mr. Davis, and unanimously passed that the Board of Directors approve the Consent Agenda as presented.

(1) Minutes

Minutes of the Board of Directors for the special and regular meetings held on September 8, 2020.

(2) Audit of Expenditures

Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, expense reimbursement claims certified as required by RCW 42.24.090, and payroll disbursements, are identified below and approved for payment. The Franklin Pierce Board of Directors, at its regularly scheduled meeting held October 13, 2020, authorized the County Treasurer to pay all warrants/transfers specified below.

(2) Audit of Expenditures (continued)

	<u>Number</u>	<u>Amount</u>	<u>Date Issued</u>
General Fund – Payroll	Direct Dep/Bank Fees	\$5,674,517.33	9/30/2020
	268537-268540 (19/20)	\$3,826.40	9/30/2020
	268541-268555	\$20,043.36	9/30/2020
	268556-268590	\$2,823,868.95	9/30/2020
General Fund – A/P	A/P Direct Deposit (19/20)	\$7,357.55	9/15/2020
	A/P Direct Deposit (20/21)	\$116,920.22	9/15/2020
	268487-268518 (19/20)	\$892,039.98	9/15/2020
	268519-268526 (20/21)	\$670,412.76	9/15/2020
	A/P Direct Deposit (19/20)	\$129.42	9/30/2020
	A/P Direct Deposit (20/21)	\$528,145.54	9/30/2020
	268591-268608 (19/20)	\$273,390.76	9/30/2020
	268615-268651 (20/21)	\$376,903.84	9/30/2020
Capital Projects	A/P Direct Deposit (20/21)	\$1,978,672.04	9/15/2020
	268527-268536 (20/21)	\$2,781,556.19	9/15/2020
	A/P Direct Deposit (19/20)	\$1,405.61	9/30/2020
	A/P Direct Deposit (20/21)	\$48,800.20	9/30/2020
	268609-268614 (19/20)	\$89,145.92	9/30/2020
	268652-268663 (20/21)	\$645,241.58	9/30/2020
ASB	A/P Direct Deposit (20/21)	\$1,654.98	9/30/2019

(3) Personnel Action**NEW HIRES**

<u>NAME</u>	<u>JOB TITLE / LOCATION</u>	<u>EFFECTIVE DATE</u>
Evans, Heather	Paraeducator / Keithley	9/8/2020
Harris, Jennifer	Paraeducator / Keithley	9/8/2020
Maxfield, Amalea	Social Worker / Learning Support Services	10/6/2020
McDonnell, Jonathan	Teacher / Ford	9/14/2020
Natucci, Gina	Paraeducator / Washington	9/30/2020
Negron, Shelbe	Paraeducator / Franklin Pierce	10/7/2020
Zurfluh III, Donald	Custodian / Washington	9/21/2020

TERMINATIONS

NAME	JOB TITLE / LOCATION	EFFECTIVE DATE
Budrick, Conner	Paraeducator / Central Avenue	09/18/2020
Burgess, Sandra	Paraeducator / Franklin Pierce	08/31/2020
Edwards, Nicholas	Teacher / Ford	09/17/2020
Etter, Adrianna	Paraeducator / Franklin Pierce	09/30/2020
Luckman, Justin	Recreation Manager / Athletics	10/19/2020
Marshall, Alexis	Paraeducator / Hewins Early Learning Center	08/31/2020
Owen, Lillian	Nutrition Services Assistant 3 / Franklin Pierce	08/31/2020
Young, Kayla	Paraeducator / Hewins Early Learning Center	09/11/2020

APPOINTMENTS / PROMOTIONS / TRANSFERS

NAME	NEW JOB TITLE / LOCATION	EFFECTIVE DATE
Banks, Frank	Assistant Chief Custodian / Brookdale	09/04/2020
Boyan, James	Support Center Paraeducator / Washington	09/09/2020
Godinez, Jonathan	Assistant Chief Custodian / Christensen	09/23/2020
Greer, Delanie	Paraeducator / Keithley	09/08/2020
Mesa, Joseph	Assistant Chief Custodian / Washington	09/14/2020
Sepich-Hall, Trent	Assistant Chief Custodian / Collins	09/22/2020

LEAVES OF ABSENCE

NAME	POSITION / LOCATION	LEAVE TYPE	LEAVE RETURN DATES
Cooper, Mackenzie	Teacher / Harvard	0.5 FTE General	08/31/2020 09/01/2021
Nelson, Lauren	Counselor / Keithley	1.0 FTE General	08/31/2020 09/01/2021
Popkov, Marina	Teacher / Keithley	1.0 FTE General	08/31/2020 09/01/2021
Vaught, Hannah	Teacher / Harvard	0.5 FTE General	08/31/2020 09/01/2021

(4) Investment and Financial Reports

Budget status reports for the General Fund, Capital Projects Fund, Debt Service Fund, ASB Fund, and Transportation Vehicle Fund for the month of August 2020.

POLICY 3225: SCHOOL-BASED THREAT ASSESSMENT

20-M-106

It was moved by Ms. Gallogly, seconded by Mrs. Sherman, and unanimously passed that the Board of Directors adopt new Board Policy 3225: School-Based Threat Assessment as presented.

POLICY 4311: SCHOOL RESOURCE OFFICER

20-M-107

It was moved by Dr. Mendoza, seconded by Mrs. Sherman, and unanimously passed with Mr. Davis abstaining, that the Board of Directors adopt the new Board Policy 4311: School Resource Officer as presented.

OUT-OF-ENDORSEMENT ASSIGNMENTS

20-M-108

It was moved by Mrs. Sherman, seconded by Ms. Gallogly, and unanimously passed that the Board of Directors approve the assignments of Konstantin Gurmeza to teach Language Arts at Keithley Middle School, Chance Las Dulce to teach Language Arts at Washington High School, Genesis Minaya to teach Dual Language at Harvard Elementary School, and Neyshma Benitez Angulo to teach Dual Language at Harvard Elementary School.

RESOLUTION 20-R-13: SUSPENSION OF POLICIES – DISTRICT REOPENING**20-M-109**

It was moved by Mrs. Sherman, seconded by Mr. Davis, and unanimously passed that the Board of Directors adopt Resolution 20-R-13: Suspension of Policies – District Reopening.

RESOLUTION 20-R-14: LOCAL AGREEMENT – UNIVERSITY OF WASHINGTON COLLEGE IN THE HIGH SCHOOL**20-M-110**

It was moved Mrs. Sherman, seconded by Ms. Gallogly, and unanimously passed that the Board of Directors adopt Resolution 20-R-14: Local Agreement – University of Washington College in the High School.

RESOLUTION 20-R-15: PSESD PIERCE COUNTY COLLEGE AND CAREER COOPERATIVE: INTERLOCAL COOPERATIVE AGREEMENT**20-M-111**

It was moved by Dr. Mendoza, seconded by Ms. Gallogly, and unanimously passed that the Board of Directors adopt the Puget Sound Educational Service District - Pierce County College and Career Cooperative: Interlocal Cooperative Agreement.

RESOLUTION 20-R-16: ECEAP 2020-2021 SUBAWARD AGREEMENT BETWEEN PSESD AND FPSD**20-M-112**

It was moved by Ms. Gallogly, seconded by Mrs. Sherman, and unanimously passed that the Board of Directors adopt Resolution 20-R-16: Early Childhood Education and Assistance Program 2020-2021 Subaward Agreement between Puget Sound Educational Service District Early Learning Program and Franklin Pierce School District.

RESOLUTION 20-R-17: INTERAGENCY AGREEMENT – PIERCE COUNTY SHERIFF SCHOOL RESOURCE OFFICER SERVICES**20-M-113**

It was moved by Mrs. Sherman, seconded by Dr. Mendoza, and passed by roll call vote with Directors Gallogly, Mendoza, and Roberts in favor, Director Sherman in favor with reservations, and Director Davis abstaining, that the Board of Directors adopt Resolution 20-R-17: Interagency Agreement between Franklin Pierce School District and the Pierce County Sheriff's Department for school resource officer services during the 2020-2021 school year.

2020-2021 HIGHLY CAPABLE PROGRAM PLAN**20-M-114**

It was moved by Dr. Mendoza, seconded by Mrs. Sherman, and unanimously passed that the Board of Directors approve the Highly Capable Program Plan for the 2020-2021 school year.

CAREER AND TECHNICAL EDUCATION 5-YEAR DISTRICT-WIDE PLAN**20-M-115**

It was moved by Mrs. Sherman, seconded by Ms. Gallogly, and unanimously passed that the Board of Directors approve the Career and Technical Education 5-Year District-Wide Plan.

READINESS TO LEARN COMMUNITY PARTNER**20-M-116**

It was moved by Mrs. Sherman, seconded by Dr. Mendoza, and unanimously passed that the Board of Directors approve Greater Lakes Mental Health as a community partner for implementation of the district's Readiness to Learn services through the Learning Assistance Program (LAP).

CORE INSTRUCTIONAL MATERIALS ADOPTION: *INSPIRE LITERACY ELL*

Mrs. Carolyn Treleven, Executive Director of Teaching and Learning, presented the core instructional materials, *Inspire Literacy ELL*, for first reading. This item will be placed on the agenda for action at the next regularly scheduled Board of Directors meeting.

CORE INSTRUCTIONAL MATERIALS ADOPTION: *EVOLVE, LEVEL FOR NEWCOMERS*

Mrs. Carolyn Treleven, Executive Director of Teaching and Learning, presented the core instructional materials, *Evolve, Level for Newcomers*, for first reading. This item will be placed on the agenda for action at the next regularly scheduled Board of Directors meeting.

SUPPLEMENTAL INSTRUCTIONAL MATERIALS ADOPTION: QUAVER MUSIC CURRICULUM, K-5

Mrs. Carolyn Treleven, Executive Director of Teaching and Learning, presented the supplemental instructional materials, *Quaver Music Curriculum, K-5*, for first reading. This item will be placed on the agenda for action at the next regularly scheduled Board of Directors meeting.

POLICY 3122: EXCUSED AND UNEXCUSED ABSENCES

Mr. James Hester, Deputy Superintendent, presented revised Board Policy 3122: Excused and Unexcused Absences for first reading. This item will be placed on the agenda for action at the next regularly scheduled Board of Directors meeting.

POLICY 3226: INTERVIEWS AND INTERROGATIONS OF STUDENTS ON SCHOOL PREMISES

Mr. James Hester, Deputy Superintendent, presented revised Board Policy 3226: Interviews and Interrogations of Students on School Premises for first reading. This item will be placed on the agenda for action at the next regularly scheduled Board of Directors meeting.

POLICY 4310: DISTRICT RELATIONSHIPS WITH LAW ENFORCEMENT AND OTHER GOVERNMENT AGENCIES

Mr. James Hester, Deputy Superintendent, presented revised Board Policy 4310: District Relationships with Law Enforcement and Other Government Agencies for first reading. This item will be placed on the agenda for action at the next regularly scheduled Board of Directors meeting.

POLICY 5404: FAMILY, MEDICAL, MATERNITY, AND MILITARY CAREGIVER LEAVE

Ms. Brandy Marshall, Director of Human Resources, presented revised Board Policy 5404: Family, Medical, Maternity, and Military Caregiver Leave for first reading.

PROCEDURE 3122P: EXCUSED AND UNEXCUSED ABSENCES

Mr. James Hester, Deputy Superintendent, presented revised Board Procedure 3122P: Excused and Unexcused Absences as an information only item.

PROCEDURE 3226P: INTERVIEWS AND INTERROGATIONS OF STUDENTS ON SCHOOL PREMISES

Mr. James Hester, Deputy Superintendent, presented revised Board Procedure 3226P: Interviews and Interrogations of Students on School Premises as an information only item.

PROCEDURE 5000P: RECRUITMENT AND SELECTION OF STAFF

Mr. James Hester, Deputy Superintendent, presented revised Board Procedure 5000P: Recruitment and Selection of Staff as an information only item.

EXECUTIVE SESSION

Mr. Roberts announced an executive session of the Board at 9:25 p.m. for approximately 45 minutes with no action to follow to discuss litigation or potential litigation in accordance with RCW 42.30.110 and Board Policy 1410: Executive or Closed Sessions. Mr. Roberts reconvened the meeting at 10:21 p.m.

ADJOURNMENT

Mr. Roberts announced that the next regular meeting of the Board of Directors will be held on Tuesday, November 10, 2020, beginning at 7 p.m. The meeting will be held remotely or in the Jo Anne Matson Administrative Center depending on current health regulations.

There being no further business to transact, the meeting adjourned at 10:22 p.m.

Secretary of the Board

President of the Board

Franklin Pierce Schools

Administration Offices - 315 129th Street South - Tacoma, WA 98444 – (253) 298-3000
Board directors and audience attended via Zoom video Webinar ID 943 8992 2590 – (253) 215-8782

October 20, 2020

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

CALL TO ORDER

Mr. Roberts called the special meeting to order at 6:01 p.m.

BOARD MEMBERS PRESENT

Ms. Gallogly, Dr. Mendoza, Mr. Roberts, Mrs. Sherman. Excused: Mr. Davis.

SPECIAL MEETING

The Hewins Early Learning Center and Franklin Pierce elementary schools, including Brookdale, Central Avenue, Christensen, Collins, Elmhurst, Harvard, James Sales, and Midland, presented their School Improvement Plans to the Board of Directors. Discussion occurred during each presentation.

ADJOURNMENT

There being no business to transact, the special meeting adjourned at 8:35 p.m.

Secretary of the Board

President of the Board

Franklin Pierce Schools

Administration Offices - 315 129th Street South - Tacoma, WA 98444 – (253) 298-3000
Board directors and audience attended via Zoom video Webinar ID 942 8321 8570 – (253) 215-8782

October 22, 2020

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

CALL TO ORDER

Mr. Roberts called the special meeting to order at 6:03 p.m.

BOARD MEMBERS PRESENT

Mr. Davis, Dr. Mendoza, Mr. Roberts, Mrs. Sherman. Excused: Ms. Gallogly.

SPECIAL MEETING

The district's secondary schools, including Ford Middle School, Keithley Middle School, Franklin Pierce High School, Washington High School, and GATES High School presented their School Improvement Plans to the Board of Directors. Discussion occurred during each presentation.

ADJOURNMENT

There being no business to transact, the special meeting adjourned at 8:20 p.m.

Secretary of the Board

President of the Board

MEMORANDUM

TO: Board of Directors
FROM: Tammy Bigelow, Director of Business Services
DATE: November 10, 2020
SUBJECT: Audit of Expenditures

Vouchers audited and certified by the auditing officer as required by RCW 42.24.080, expense reimbursement claims certified as required by RCW 42.24.090, and payroll disbursements are identified below and approved for payment. The Franklin Pierce Board of Directors, at its regularly scheduled meeting held November 10, 2020, authorizes the County Treasurer to pay all warrants/transfers specified below. To obtain a copy of the detailed listing, please contact the Superintendent's Office.

	<u>Number</u>	<u>Amount</u>	<u>Date Issued</u>
General Fund – Payroll	Direct Dep/Bank Fees	\$5,652,852.35	10/30/2020
	268711-268730	\$5,558.37	10/30/2020
	268731-268765	\$2,854,650.94	10/30/2020
General Fund – A/P	A/P Direct Deposit	\$35,993.18	10/15/2020
	268664-268698	\$340,540.48	10/15/2020
	268710	\$71,544.61	10/15/2020
	A/P Direct Deposit	\$330,877.37	10/30/2020
	268766-268818	\$638,035.56	10/30/2020
Capital Projects	A/P Direct Deposit	\$1,568,979.29	10/15/2020
	268699-268706	\$1,982,363.24	10/15/2020
	A/P Direct Deposit	\$68,018.05	10/30/2020
	268819-268829	\$161,998.67	10/30/2020
ASB	268707-268709	\$4,240.00	10/15/2020
	A/P Direct Deposit	\$2,093.25	10/30/2020
	268830-268831	\$2,980.00	10/30/2020

MEMORANDUM

TO: Board of Directors
FROM: Brandy Marshall, Director of Human Resources
DATE: November 10, 2020
SUBJECT: Personnel Action

NEW HIRES

NAME	JOB TITLE / LOCATION	EFFECTIVE DATE	REASON
Baird, Joshua	Temp Computer Repair Tech / Information Technology	10/12/2020	Replacement
Hackett, Jonathan	Computer Repair Tech / Information Technology	10/19/2020	Replacement
Johnson, Demetrius	Custodian / Franklin Pierce	10/13/2020	Replacement
Kark, Dagmar	Bus Driver / Transportation	10/01/2020	Replacement
Lancaster, Aidan	Paraeducator / Washington & GATES	10/26/2020	Replacement
LaPointe, Taylor	Paraeducator / Elmhurst	10/22/2020	Replacement
Polyashov, Emily	Paraeducator / James Sales	11/02/2020	Replacement
Taylor, Catrina	Paraeducator / Elmhurst	10/22/2020	Replacement
Tongedahl, Isaiah	Paraeducator / Elmhurst	10/14/2020	Replacement
Wilson, Lauren	Paraeducator / Early Learning Center	10/28/2020	Replacement
Wolf, Gregory	Paraeducator / Brookdale	10/26/2020	Replacement

TERMINATIONS

NAME	JOB TITLE / LOCATION	HIRE DATE	EFFECTIVE DATE	REASON
Callaway, Rebecca	Paraeducator / Franklin Pierce	01/17/2019	10/26/2020	Resignation
Cartwright, Christina	Bus Driver / Transportation	12/09/2016	10/30/2020	Resignation
Dominquez, Gabriella	Paraeducator / Harvard	03/25/2019	10/16/2020	Resignation
Olson, Linda	Central Kitchen Manager / Keithley	11/15/2010	10/19/2020	Resignation
Price, Jacqueline	Paraeducator / Washington	01/31/2019	09/29/2020	Resignation

APPOINTMENTS / PROMOTIONS / TRANSFERS

NAME	PREVIOUS JOB TITLE / LOCATION	EFFECTIVE DATE	NEW JOB TITLE / LOCATION	REASON
Atherton, Sean	Computer Repair / Information Technology	10/12/2020	Network Specialist / Information Technology	Promotion
Greer, Delanie	Paraeducator / Keithley	11/09/2020	Custodian / Franklin Pierce	Reassignment
Thomson, Desiree	Head Start Teacher / Hewins Early Learning Center	10/19/2020	Assistant Teacher / Hewins Early Learning Center	Return from Leave



Franklin Pierce Schools

315 129th Street S, Tacoma, WA 98444
253-298-3010, Fax 253-298-3015
www.fpschools.org

MEMORANDUM

TO: Board of Directors
FROM: Tammy Bigelow, Director of Business Services
DATE: November 10, 2020
SUBJECT: Budget Status Reports, September 2020

Attached are the Budget Status Reports for all funds for September 2020.

General Fund

As of September 30, 2020, the ending fund balance was \$13,624,870. Property tax receipted was \$212,595 in September for a total revenue of \$7,562,565. Expenditures totaled \$10,055,512 with an excess of expenditures over revenue of \$2,492,946.

Capital Project Fund

As of September 30, 2020, the ending fund balance was \$70,197,224. Property tax receipted was \$34,106. Local income from rentals, interest, Erate and impact fees totaled \$30,423.

- **Expenditures:**
 - **Bond: \$4,922,525**
 - **Technology Levy: \$521,619**
 - General: \$3,557
 - Network Infrastructure: \$13,925
 - New Computers: \$274,857
 - Wireless Access: \$11,605
 - Admin Tech: \$1,902
 - Fiber: \$19,125
 - Utilities: \$14,023
 - Bell & Clock System: \$182,625

Debt Service Fund

Property tax collections in September totaled \$164,630 with an ending fund balance of \$3,237,434.

Associated Student Body Fund

Ending fund balance was \$392,642.

Transportation Vehicle Fund

Ending fund balance was \$523,373.

If you have any questions after reviewing these reports, please contact me for assistance. Thank you.

10--General Fund-- FUND BALANCE -- AGENCY ACCOUNTS -- Revised -- BUDGET-STATUS-REPORT
Fiscal Year 2020 (September 1, 2020 - August 31, 2021)For the FRANKLIN PIERCE SCHOOLS School District for the Month of September, 2020

	ANNUAL BUDGET	ACTUAL FOR MONTH	ACTUAL FOR YEAR	ENCUMBRANCES	BALANCE	PERCENT
<u>A. REVENUES/OTHER FIN. SOURCES</u>						
1000 LOCAL TAXES	12,946,977	212,595.94	212,595.94		12,734,381.06	1.64
2000 LOCAL SUPPORT NONTAX	831,000	19,928.58	19,928.58		811,071.42	2.40
3000 STATE, GENERAL PURPOSE	74,334,454	6,003,175.96	6,003,175.96		68,331,278.04	8.08
4000 STATE, SPECIAL PURPOSE	24,726,762	1,848,754.89	1,848,754.89		22,878,007.11	7.48
5000 FEDERAL, GENERAL PURPOSE	75,000	6,160.85	6,160.85		68,839.15	8.21
6000 FEDERAL, SPECIAL PURPOSE	14,150,723	528,050.71-	528,050.71-		14,678,773.71	3.73-
7000 REVENUES FR OTH SCH DIST	500	.00	.00		500.00	0.00
8000 OTHER AGENCIES AND ASSOCIATES	4,000	.00	.00		4,000.00	0.00
9000 OTHER FINANCING SOURCES	0	.00	.00		.00	0.00
 <u>Total REVENUES/OTHER FIN. SOURCES</u>	 127,069,416	 7,562,565.51	 7,562,565.51		 119,506,850.49	 5.95
 <u>B. EXPENDITURES</u>						
00 Regular Instruction	67,382,156	4,709,441.93	4,709,441.93	51,506,948.96	11,165,765.11	83.43
10 Federal Stimulus	0	.00	.00	0.00	.00	0.00
20 Special Ed Instruction	20,846,055	1,561,857.50	1,561,857.50	16,748,606.05	2,535,591.45	87.84
30 Voc. Ed Instruction	4,270,452	279,441.09	279,441.09	3,044,297.57	946,713.34	77.83
40 Skills Center Instruction	0	.00	.00	0.00	.00	0.00
50+60 Compensatory Ed Instruct.	12,316,777	997,064.88	997,064.88	9,212,200.47	2,107,511.65	82.89
70 Other Instructional Pgms	2,215,413	245,911.17	245,911.17	545,224.86	1,424,276.97	35.71
80 Community Services	769,945	60,928.78	60,928.78	645,186.87	63,829.35	91.71
90 Support Services	30,723,822	2,200,867.10	2,200,867.10	17,579,430.48	10,943,524.42	64.38
 <u>Total EXPENDITURES</u>	 138,524,620	 10,055,512.45	 10,055,512.45	 99,281,895.26	 29,187,212.29	 78.93
 <u>C. OTHER FIN. USES TRANS. OUT (GL 536)</u>	 0	 .00	 .00			
 <u>D. OTHER FINANCING USES (GL 535)</u>	 0	 .00	 .00			
 <u>E. EXCESS OF REVENUES/OTHER FIN.SOURCES</u>						
<u>OVER(UNDER) EXP/OTH FIN USES (A-B-C-D)</u>	11,455,204-	2,492,946.94-	2,492,946.94-		8,962,257.06	78.24-
 <u>F. TOTAL BEGINNING FUND BALANCE</u>	 19,000,000		16,117,817.53			
 <u>G. G/L 898 PRIOR YEAR ADJUSTMENTS(+OR-)</u>	 XXXXXXXXXX		.00			
 <u>H. TOTAL ENDING FUND BALANCE</u>	 7,544,796		13,624,870.59			
<u>(E+F + OR - G)</u>						

20--Capital Projects-- FUND BALANCE -- AGENCY ACCOUNTS -- Revised -- BUDGET-STATUS-REPORT
Fiscal Year 2020 (September 1, 2020 - August 31, 2021)For the FRANKLIN PIERCE SCHOOLS School District for the Month of September, 2020

	ANNUAL BUDGET	ACTUAL FOR MONTH	ACTUAL FOR YEAR	ENCUMBRANCES	BALANCE	PERCENT
<u>A. REVENUES/OTHER FIN. SOURCES</u>						
1000 Local Taxes	2,228,783	34,106.02	34,106.02		2,194,676.98	1.53
2000 Local Support Nontax	1,943,000	30,423.60	30,423.60		1,912,576.40	1.57
3000 State, General Purpose	0	.00	.00		.00	0.00
4000 State, Special Purpose	0	.00	.00		.00	0.00
5000 Federal, General Purpose	0	.00	.00		.00	0.00
6000 Federal, Special Purpose	0	.00	.00		.00	0.00
7000 Revenues Fr Oth Sch Dist	0	.00	.00		.00	0.00
8000 Other Agencies and Associates	0	.00	.00		.00	0.00
9000 Other Financing Sources	0	.00	.00		.00	0.00
 <u>Total REVENUES/OTHER FIN. SOURCES</u>	 4,171,783	 64,529.62	 64,529.62		 4,107,253.38	 1.55
 <u>B. EXPENDITURES</u>						
10 Sites	0	.00	.00	1,855.06	1,855.06-	0.00
20 Buildings	68,096,000	4,713,588.49	4,713,588.49	58,135,804.26	5,246,607.25	92.30
30 Equipment	2,700,000	730,556.52	730,556.52	2,879,471.19	910,027.71-	133.70
40 Energy	0	.00	.00	0.00	.00	0.00
50 Sales & Lease Expenditure	0	.00	.00	0.00	.00	0.00
60 Bond Issuance Expenditure	0	.00	.00	0.00	.00	0.00
90 Debt	1,000	.00	.00	950.00	50.00	95.00
 <u>Total EXPENDITURES</u>	 70,797,000	 5,444,145.01	 5,444,145.01	 61,018,080.51	 4,334,774.48	 93.88
 <u>C. OTHER FIN. USES TRANS. OUT (GL 536)</u>	 0	 .00	 .00			
 <u>D. OTHER FINANCING USES (GL 535)</u>	 0	 .00	 .00			
 <u>E. EXCESS OF REVENUES/OTHER FIN. SOURCES OVER(UNDER) EXP/OTH FIN USES (A-B-C-D)</u>	 66,625,217-	 5,379,615.39-	 5,379,615.39-		 61,245,601.61	 91.93-
 <u>F. TOTAL BEGINNING FUND BALANCE</u>	 77,230,353		 75,576,840.34			
 <u>G. G/L 898 PRIOR YEAR ADJUSTMENTS(+OR-)</u>	 XXXXXXXXXX		 .00			
 <u>H. TOTAL ENDING FUND BALANCE (E+F + OR - G)</u>	 10,605,136		 70,197,224.95			

30--Debt Service Fund-- FUND BALANCE -- AGENCY ACCOUNTS -- Revised -- BUDGET-STATUS-REPORT
Fiscal Year 2020 (September 1, 2020 - August 31, 2021)

For the FRANKLIN PIERCE SCHOOLS School District for the Month of September, 2020

	ANNUAL	ACTUAL	ACTUAL			
	BUDGET	FOR MONTH	FOR YEAR	ENCUMBRANCES	BALANCE	PERCENT
<u>A. REVENUES/OTHER FIN. SOURCES</u>						
1000 Local Taxes	9,479,391	164,630.94	164,630.94		9,314,760.06	1.74
2000 Local Support Nontax	25,000	488.48	488.48		24,511.52	1.95
3000 State, General Purpose	0	.00	.00		.00	0.00
5000 Federal, General Purpose	0	.00	.00		.00	0.00
9000 Other Financing Sources	0	.00	.00		.00	0.00
 <u>Total REVENUES/OTHER FIN. SOURCES</u>	 9,504,391	 165,119.42	 165,119.42		 9,339,271.58	 1.74
 <u>B. EXPENDITURES</u>						
Matured Bond Expenditures	3,410,000	.00	.00	0.00	3,410,000.00	0.00
Interest On Bonds	6,008,352	.00	.00	0.00	6,008,352.00	0.00
Interfund Loan Interest	0	.00	.00	0.00	.00	0.00
Bond Transfer Fees	10,000	.00	.00	0.00	10,000.00	0.00
Arbitrage Rebate	0	.00	.00	0.00	.00	0.00
Underwriter's Fees	0	.00	.00	0.00	.00	0.00
 <u>Total EXPENDITURES</u>	 9,428,352	 .00	 .00	 0.00	 9,428,352.00	 0.00
 <u>C. OTHER FIN. USES TRANS. OUT (GL 536)</u>	 0	 .00	 .00			
 <u>D. OTHER FINANCING USES (GL 535)</u>	 0	 .00	 .00			
 <u>E. EXCESS OF REVENUES/OTHER FIN.SOURCES</u>						
<u>OVER(UNDER) EXPENDITURES (A-B-C-D)</u>	76,039	165,119.42	165,119.42		89,080.42	117.15
 <u>F. TOTAL BEGINNING FUND BALANCE</u>	 3,261,537		 3,072,314.65			
 <u>G. G/L 898 PRIOR YEAR ADJUSTMENTS(+OR-)</u>	 XXXXXXXXX		 .00			
 <u>H. TOTAL ENDING FUND BALANCE</u>	 3,337,576		 3,237,434.07			
<u>(E+F + OR - G)</u>						

40--Associated Student Body Fund-- FUND BALANCE -- AGENCY ACCOUNTS -- Revised -- BUDGET-STATUS-REPORT
Fiscal Year 2020 (September 1, 2020 - August 31, 2021)

For the FRANKLIN PIERCE SCHOOLS School District for the Month of September, 2020

	ANNUAL BUDGET	ACTUAL FOR MONTH	ACTUAL FOR YEAR	ENCUMBRANCES	BALANCE	PERCENT
<u>A. REVENUES</u>						
1000 GENERAL STUDENT BODY	399,990	953.16	953.16		399,036.84	0.24
2000 ATHLETICS	225,700	1,035.36	1,035.36		224,664.64	0.46
3000 CLASSES	61,000	.00	.00		61,000.00	0.00
4000 CLUBS	134,700	44.00	44.00		134,656.00	0.03
6000 PRIVATE MONEYS	25,800	.00	.00		25,800.00	0.00
 <u>Total REVENUES</u>	 847,190	 2,032.52	 2,032.52		 845,157.48	 0.24
 <u>B. EXPENDITURES</u>						
1000 GENERAL STUDENT BODY	393,750	1,737.52	1,737.52	900.00	391,112.48	0.67
2000 ATHLETICS	251,000	.00	.00	1,500.00	249,500.00	0.60
3000 CLASSES	56,100	.00	.00	0.00	56,100.00	0.00
4000 CLUBS	144,525	82.54-	82.54-	0.00	144,607.54	0.06-
6000 PRIVATE MONEYS	25,800	.00	.00	0.00	25,800.00	0.00
 <u>Total EXPENDITURES</u>	 871,175	 1,654.98	 1,654.98	 2,400.00	 867,120.02	 0.47
 <u>C. EXCESS OF REVENUES</u>						
<u>OVER (UNDER) EXPENDITURES</u> <u>(A-B)</u>	23,985-	377.54	377.54		24,362.54	101.57-
 <u>D. TOTAL BEGINNING FUND BALANCE</u>	 420,055		392,265.19			
 <u>E. G/L 898 PRIOR YEAR ADJUSTMENTS (+OR-)</u>	 XXXXXXXXXX		.00			
 <u>F. TOTAL ENDING FUND BALANCE</u>	 396,070		392,642.73			
<u>C+D + OR - E)</u>						

90--Transportation Vehicle Fund-- FUND BALANCE -- AGENCY ACCOUNTS -- Revised -- BUDGET-STATUS-REPORT
Fiscal Year 2020 (September 1, 2020 - August 31, 2021)For the FRANKLIN PIERCE SCHOOLS School District for the Month of September, 2020

	ANNUAL BUDGET	ACTUAL FOR MONTH	ACTUAL FOR YEAR	ENCUMBRANCES	BALANCE	PERCENT
<u>A. REVENUES/OTHER FIN. SOURCES</u>						
1000 Local Taxes	0	.00	.00		.00	0.00
2000 Local Nontax	2,000	83.88	83.88		1,916.12	4.19
3000 State, General Purpose	0	.00	.00		.00	0.00
4000 State, Special Purpose	400,000	.00	.00		400,000.00	0.00
5000 Federal, General Purpose	0	.00	.00		.00	0.00
6000 Federal, Special Purpose	0	.00	.00		.00	0.00
8000 Other Agencies and Associates	708,126	.00	.00		708,126.00	0.00
9000 Other Financing Sources	0	.00	.00		.00	0.00
A. <u>TOTAL REV/OTHER FIN.SRCS(LESS TRANS)</u>	1,110,126	83.88	83.88		1,110,042.12	0.01
 B. <u>9900 TRANSFERS IN FROM GF</u>	 0	 .00	 .00		 .00	 0.00
C. <u>Total REV./OTHER FIN. SOURCES</u>	1,110,126	83.88	83.88		1,110,042.12	0.01
 <u>D. EXPENDITURES</u>						
Type 30 Equipment	1,350,000	.00	.00	0.00	1,350,000.00	0.00
Type 60 Bond Levy Issuance	0	.00	.00	0.00	.00	0.00
Type 90 Debt	0	.00	.00	0.00	.00	0.00
 <u>Total EXPENDITURES</u>	 1,350,000	 .00	 .00	 0.00	 1,350,000.00	 0.00
 E. <u>OTHER FIN. USES TRANS. OUT (GL 536)</u>	 0	 .00	 .00			
F. <u>OTHER FINANCING USES (GL 535)</u>	0	.00	.00			
G. <u>EXCESS OF REVENUES/OTHER FIN SOURCES</u>						
<u>OVER(UNDER) EXP/OTH FIN USES (C-D-E-F)</u>	239,874-	83.88	83.88		239,957.88	100.03-
H. <u>TOTAL BEGINNING FUND BALANCE</u>	522,359		523,290.11			
I. <u>G/L 898 PRIOR YEAR ADJUSTMENTS(+OR-)</u>	XXXXXXXXX		.00			
J. <u>TOTAL ENDING FUND BALANCE</u>	282,485		523,373.99			
<u>(G+H + OR - I)</u>						



Franklin Pierce Schools

315 129th Street S, Tacoma, WA 98444
253-298-3010, Fax 253-298-3015
www.fpschools.org

MEMORANDUM

TO: Board of Directors
FROM: Carolyn Treleven, Executive Director of Teaching and Learning
DATE: November 10, 2020
SUBJECT: Core Instructional Materials Adoption - *Inspire Literacy ELL*

BACKGROUND INFORMATION

On October 1, 2020, the Instructional Materials Committee reviewed and approved the following for submittal to the School Board:

Title: *Inspire Literacy ELL*

Publisher: Savvas Learning Company

Authors: Elfrieda Hiebert, Sharroky Hollie, et al.

The secondary English language learner teachers are requesting new materials, with a focus on supporting our newcomers and long-term English learners. *Inspire Literacy* (ILitELL) offers a flexible literacy suite to support our core ELA curriculum. ILitELL is designed to give English learners and newcomers high-intensity exposure to the new language using visual, auditory, and interactive structures, with significant vocabulary scaffolding.

RECOMMENDATION

I move that the Board of Directors adopt the core instructional materials, *Inspire Literacy ELL*.

ACTION REQUIRED



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MEMORANDUM

TO: Board of Directors
FROM: Carolyn Treleven, Executive Director of Teaching and Learning
DATE: November 10, 2020
SUBJECT: Core Instructional Materials Adoption - *Evolve, Level for Newcomers*

BACKGROUND INFORMATION

On October 1, 2020, the Instructional Materials Committee reviewed and approved the following for submittal to the School Board:

Title: *Evolve, Level for Newcomers*
Publisher: Cambridge University Press
Authors: Kathryn O'Dell, Leslie A. Hendra, and Mark Ibbotson

The secondary English language learner teachers are requesting new materials, with a focus on supporting our newcomers and long-term English learners. This program from Cambridge University is a consumable material plus digital content that focuses on speaking and listening skills. Particularly for newcomers, speaking and listening are the gateways to language learning. The materials were designed to create relevant speaking topics and discussions, generated by students, to engage learners in using the target language.

RECOMMENDATION

I move that the Board of Directors adopt the core instructional materials, *Evolve, Level for Newcomers*.

ACTION REQUIRED



Franklin Pierce Schools

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MEMORANDUM

TO: Board of Directors
FROM: Carolyn Treleven, Executive Director of Teaching and Learning
DATE: November 10, 2020
SUBJECT: Supplemental Instructional Materials Adoption - *Quaver Music Curriculum*

BACKGROUND INFORMATION

On October 1, 2020, the Instructional Materials Committee reviewed and approved the following for submittal to the School Board:

Title: *Quaver Music Curriculum*, K-5
Publisher: Quaver Company
Author: Dr. David V. Mastran

In light of the current remote teaching situation, our elementary music teachers have been extraordinary in their efforts to continue music instruction to our K-5 students in a new way. To assist them, they are requesting the approval of Quaver, a comprehensive set of curriculum resources that is built on a foundation of standards-based lessons full of interactive elements. Each lesson includes singing, moving, playing instruments, vocabulary, and skill development.

RECOMMENDATION

I move that the Board of Directors adopt the supplemental instructional materials, *Quaver Music Curriculum*.

ACTION REQUIRED



Franklin Pierce Schools

315 129th Street S, Tacoma, WA 98444
253-298-3010, Fax 253-298-3015
www.fpschools.org

MEMORANDUM

TO: Board of Directors
FROM: James Hester, Deputy Superintendent of PK-12
DATE: November 10, 2020
SUBJECT: Policy 3122: Excused and Unexcused Absences

BACKGROUND INFORMATION

Board Policy 3122: Excused and Unexcused Absences is being updated to include both temporary emergency rules and permanent rules related to the definition of an absence. Revisions also outline the requirement of implementing a tiered response system to reduce chronic absenteeism and address barriers to student engagement in learning during the COVID epidemic.

RECOMMENDATION

I move that the Board of Directors adopt revised Board Policy 3122: Excused and Unexcused Absences as presented.

ACTION REQUIRED

EXCUSED AND UNEXCUSED ABSENCES

Definition of Absence

Absence from in-person learning

WAC 392-401-015A states the definition of an absence:

1. A student is absent when they are:
 - a. Not physically present on school grounds; and
 - b. Not participating in the following activities at an approved location:
 - i. Instruction;
 - ii. Any instruction-related activity; or
 - iii. Any other district or school approved activity that is regulated by an instructional/academic accountability system, such as participation in district-sponsored sports.

Absence from remote learning

1. A student is absent from remote learning when the student is not participating in planned instructional activities on a scheduled remote learning day.
2. Evidence of student participation in remote learning may include, but is not limited to:
 - a. Daily logins to learning management systems;
 - b. Daily interactions with the teacher to acknowledge attendance (including messages, emails, phone calls or video chats); or
 - c. Evidence of participation in a task or assignment.

Excused and Unexcused Absences

Educators and administrators have a responsibility to monitor absences to determine if students and families need support. Students are expected to attend all assigned in-person classes each day or participate in all assigned remote instructional activities. Upon enrollment and at the beginning of each school year, the district shall inform students and their parents/guardians of this expectation, the benefits of regular school attendance, the consequences of truancy, the role and responsibility of the district in regard to truancy, and resources available to assist the student and their parents/guardians in correcting truancy. The district will also make this information available online and will take reasonable steps to ensure parents/guardians can request and receive such information in languages in which they are fluent. Parents/guardians will be required to date and acknowledge review of this information online or in writing.

Excused Absences

Regular school attendance is necessary for mastery of the educational program provided to students of the district. At times, students may be absent from class or not able to participate remotely. School staff will keep a record of absence and tardiness, including a record of excuse statements submitted by a parent/guardian, or in certain cases, students, to document a student's excused absences. The following principles will govern the development and administration of attendance procedures within the district.

The following are valid excuses for absences:

1. Illness, health condition, or medical appointment (including, but not limited to, medical, counseling, dental, optometry, pregnancy, and in-patient or out-patient treatment for chemical dependency or mental health) for the student or person for whom the student is legally responsible;
2. Family emergency including, but not limited to, a death or illness in the family;
3. Religious or cultural purpose including observance of a religious or cultural holiday or participation in religious or cultural instruction;
4. Court, judicial proceeding, court-ordered activity, or jury service;
5. Post-secondary, technical school, or apprenticeship program visitation, or scholarship interview;
6. State-recognized search and rescue activities consistent with RCW 28A.225.055;
7. Absence directly related to the student's homeless or foster care/dependency status;
8. Absences related to deployment activities of a parent/guardian who is an active duty member consistent with RCW 28A.705.010;
9. Absences due to suspensions, expulsions or emergency expulsions imposed pursuant to Chapter 392-400 WAC if the student is not receiving educational services and is not enrolled in qualifying "course of study" activities as defined in WAC 392-121-107;
10. Absences due to student safety concerns, including absences related to threats, assaults, or bullying;
11. Absences due to a student's migrant status;
12. An approved activity that is consistent with district policy and is mutually agreed upon by the principal or designee and a parent/guardian, or emancipated youth;
13. Absences related to the student's illness, health condition, or medical appointments due to COVID-19;
14. Absences related to caring for a family member who has an illness, health condition, or medical appointment due to COVID-19;
15. Absences related to the student's employment or other family obligations during regularly scheduled school hours that are temporarily necessary due to COVID-19 until other arrangements can be made, including placement in a more flexible education program;
16. Absences due to the student's parent's work schedule or other obligations during regularly scheduled school hours, until other arrangements can be made;

17. Absences due to the student's lack of necessary instructional tools, including internet broadband access or connectivity; and
18. Other COVID-19 related circumstances as determined between school and parent or emancipated youth.

A school principal or designee has the authority to determine if an absence meets the above criteria for an excused absence. Districts may define additional categories or criteria for excused absences.

1. If an absence is excused, the student will be permitted to make up all missed assignments outside of class under reasonable conditions and time limits established by the appropriate teacher; where reasonable, if a student misses a participation-type class, they can request an alternative assignment that aligns with the learning goals of the activity missed.
2. An excused absence will be verified by a parent/guardian or an adult, emancipated, or appropriately aged student, or school authority responsible for the absence. If attendance is taken electronically, either for a course conducted online or for students physically within the district, an absence will default to unexcused until such time as an excused absence may be verified by a parent/guardian or other responsible adult. If a student is to be released for health care related to family planning or abortion, the student may require that the district keep the information confidential. Students thirteen and older have the right to keep information about drug, alcohol, or mental health treatment confidential. Students fourteen and older have the same confidentiality rights regarding HIV and sexually transmitted diseases.
3. Except as provided in subsection (2) of this section, in the event that a child in elementary school is required to attend school under RCW 28A.225.010 or 28A.225.015(1) and has five or more excused absences in a single month during the current school year, or ten or more excused absences in the current school year, the school district shall schedule a conference or conferences with the parent/guardian and child at a time reasonably convenient for all persons included for the purpose of identifying the barriers to the child's regular attendance, and the supports and resources that may be made available to the family so that the child is able to regularly attend school. To satisfy the requirements of this section, the conference must include at least one school district employee such as a nurse, counselor, social worker, teacher, or community human services provider, except in those instances regarding the attendance of a child who has an individualized education program or a plan developed under Section 504 of the Rehabilitation Act of 1973, in which case the reconvening of the team that created the program or plan is required.

This conference is not required if the school has received prior notice or a doctor's note has been provided and an academic plan put in place so that the child does not fall behind.

Unexcused Absences

1. Any absence from school for the majority of hours or periods in an average school day is unexcused unless it meets one of the criteria above for an excused absence.
2. As a means of instilling values of responsibility and personal accountability, a student whose absence is not excused will experience the consequences of his/her absence. A student's grade may be affected if a graded activity or assignment occurs during the period of time when the student is absent.
3. The school will notify a student's parent/guardian in writing or by telephone whenever the student has failed to attend school after one unexcused absence within any month during the current school year. The notification will include the potential consequences of additional unexcused absences. The school will make reasonable efforts to provide this information in a language the parent/guardian understands.
4. The school will hold a conference with the parent/guardian after three unexcused absences within any month during the current school year. The conference will analyze the causes of the student's absences and develop a plan that identifies student, school, and family commitments to reduce the student's absences from school. If the parent/guardian does not attend the conference, the school official may still hold the conference with the student. However, the school will notify the parent/guardian of the steps the district has decided to take to eliminate or reduce the student's absences.
5. Between the student's second and fifth unexcused absence, the school must take the following data-informed steps:
 - a. Middle and high school students will be administered the Washington Assessment of the Risks and Needs of Students (WARNS) or other assessment.
 - b. These steps must include, where appropriate, providing an available approved best practice or research-based intervention, or both, consistent with the WARNS profile or other assessment, if an assessment was applied, adjusting the child's school program or school or course assignment, providing more individualized or remedial instruction, providing appropriate vocational courses or work experience, referring the child to a community truancy board, requiring the child to attend an alternative school or program, or assisting the parent/guardian or child to obtain supplementary services that might eliminate or ameliorate the cause or causes for the absence from school.
 - c. For any child with an existing individualized education plan or 504 plan, these steps must include the convening of the child's individualized education plan or 504 plan team, including a behavior specialist or mental health specialist where appropriate, to consider the reasons for the absences. If necessary, and if consent from the parent/guardian is given, a functional behavior assessment to explore the function of the absence behavior shall be conducted and a detailed behavior plan completed. Time should be allowed for the behavior plan to be initiated and data tracked to determine progress.

Not later than the student's fifth unexcused absence in a month, the district will enter into an agreement with the student and parents/guardians that establishes school attendance

requirements, refer the student to a community truancy board, or file a petition and affidavit with the juvenile court alleging a violation of RCW 28A.225.010.

6. If such action is not successful, the district will file a petition and affidavit with the juvenile court alleging a violation of RCW 28A.225.010 by the parent/guardian, student, or parent/guardian and student no later than the seventh unexcused absence within any month during the current school year or upon the tenth unexcused absence during the current school year.

The superintendent will enforce the district's attendance policies and procedures. Because the full knowledge and cooperation of students and parents/guardians are necessary for the success of the policies and procedures, procedures will be disseminated broadly and made available to parents/guardians and students annually.

Unexcused Absences from Remote Learning

Absences from remote learning must be marked as a "nontruancy remote learning absence" until October 4, 2020. Such absences shall not be marked as excused or unexcused. Beginning October 5, 2020, any absence from remote learning is unexcused unless it meets one of the criteria in WAC 392-401A-020.

Tardies and Disciplinary Actions

1. Students shall not be absent if:
 - a. They have been suspended, expelled, or emergency expelled pursuant to Chapter 392-400 WAC;
 - b. Are receiving educational services as required by RCW 28A.600.015 and Chapter 392-400 WAC; and
 - c. The student is enrolled in qualifying "course of study" activities as defined in WAC 392-121-107.
2. A full day absence is when a student is absent for fifty percent or more of their scheduled day.
3. A school or district shall not convert or combine tardies into absences that contribute to a truancy petition.

A student shall be considered absent if they are on school grounds but not in their assigned setting.

Tiered Response System for Student Absences

WAC 392-401A-045 states:

School districts must implement a tiered response system to reduce chronic absenteeism and address barriers to student engagement in learning during the COVID epidemic. Tiered response systems under this section must include:

1. Monitoring daily attendance data for all students who are absent from remote learning, whether excused or unexcused;

2. A process to contact families and verify current contact information for each enrolled student that includes multiple attempts and modalities in the parent's home language;
3. Daily notification of absences to parents;
4. A process for outreach from the school to determine student needs, such as basic needs, connectivity and hardware, connection with health and social services as necessary;
5. Differentiated supports that address the barriers to attendance and participation that includes universal supports for all students and tiered interventions for students at-risk of and experiencing chronic absence; and
6. When feasible and appropriate, transitioning the students to full-time in-person learning or other program to accommodate the student's needs.

Students Dependent Pursuant to Chapter 13.34 RCW

A school district representative or certificated staff member will review unexpected or excessive absences of a student who has been found dependent under the Juvenile Court Act with that student and adults involved with that student. Adults include the student's caseworker, educational liaison, attorney if one is appointed, parent/guardian, foster parent, and/or the person providing placement for the student. The review will take into consideration the cause of the absences, unplanned school transitions, periods of running from care, in-patient treatment, incarceration, school adjustment, educational gaps, psychosocial issues, and the student's unavoidable appointments that occur during the school day. The representative or staff member must proactively support the student's management of their school work.

Migrant Students

The district, parent/guardian, and student are encouraged to work to create an Extended Absence Agreement with the school to decrease the risk of an adverse effect on the student's educational progress.

Legal References:	Chapter 28A.225 RCW	Compulsory school attendance and admission
	RCW 13.34.300	Relevance of failure to cause juvenile to attend school to neglect petition
	Chapter 392-401A WAC	Statewide definition of absence for the 2020-21 school year

Adoption Date: 6/27/89

Franklin Pierce Schools

Revised: 10/10/95; 11/18/08; 3/13/12; 5/14/13; 12/8/15; 12/12/17; 03/10/20; 11/10/20

Classification: Essential



Franklin Pierce Schools

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MEMORANDUM

TO: Board of Directors
FROM: James Hester, Deputy Superintendent of PK-12
DATE: November 10, 2020
SUBJECT: Policy 3226: Interviews and Interrogations of Students on School Premises

BACKGROUND INFORMATION

Board Policy 3226: Interviews and Interrogations of Students on School Premises is being updated after the passing of Senate Bill (SB) 5497 in 2019. WSSDA's model policy includes guidance developed by Washington's Office of Attorney General for limiting immigration enforcement possible and permissible at public schools.

Revisions also state that while the district values its relationships with law enforcement, the Department of Children, Youth, and Families, and the county health department, the district discourages interviews and interrogations of students on school premises. Rather, interviews and interrogations should take place at the agency or the student's home.

We spoke with legal counsel regarding the suggested changes to Procedure 3226P: Interviews and Interrogations of Students on School Premises. The recommendation from counsel was to leave the procedure as presented, especially if the interest/intent is to restrict access to both buildings and students by federal immigration agents. Legal counsel agreed that there is a difference between entering a building and the district granting access to a building. Legal counsel agrees that the procedure as written would provide us with the ability to deny access to the building and students even if a federal immigration agent was able to initially enter a building.

RECOMMENDATION

I move that the Board of Directors adopt revised Board Policy 3226: Interviews and Interrogations of Students on School Premises as presented.

ACTION REQUIRED

INTERVIEWS AND INTERROGATIONS OF STUDENTS ON SCHOOL PREMISES

Although the district values its relationships with law enforcement, the Department of Children, Youth, and Families (DCYF), and the county health department, the district discourages interviews and interrogations of students on school premises to minimize interruption of the instructional program. As a general rule, interviews and interrogations by any agency, including law enforcement, DCYF, and the county health department(s) should take place at the agency or the student's home, rather than on school premises.

However, there are limited circumstances when an interview of students at school is warranted, for example school-initiated investigations, child abuse investigations, and/or serious crime investigations. When an onsite interview or interrogation is warranted by the circumstances, the district will utilize the procedures and protocols associated with this policy, which were developed in cooperation with these agencies and ensure that students and parent(s)/guardian(s) are afforded all rights under law. The interviews of students as witnesses, victims, and suspects are treated differently.

In contrast to the limited circumstances noted above, the work of immigration agents does not overlap with the work or duties of the district. This is because the district's obligation to educate the children residing within its boundaries is not diminished by the children or parents' immigration status. The district supports the federal immigration enforcement policy that directs immigration agents to avoid questioning and arrests at sensitive locations, including schools. Therefore, staff shall not grant information or access to immigration agents unless/until the district superintendent and/or general counsel determine the request complies with *Plyler v. Doe* and other applicable laws according to the criteria in the associated procedure.

Legal References:	RCW 26.44.030	Reports – Duty and authority to make – Duty of receiving agency – Duty to notify – Case planning and consultation – Penalty for unauthorized exchange of information – Filing dependency petitions – Investigations – Interview of children – Records – Risk assessment process
	RCW 26.44.050	Abuse or neglect of child – Duty of law enforcement agency or department of social and health services – Taking child into custody without court order, when
	RCW 26.44.110	Information about rights – Custody without court order – Written statement required – Contents
	RCW 26.44.115	Child taken into custody under court order – Information to parents
	RCW 28A.635.020	Willfully disobeying school administrative personnel or refusing to leave public property, violations, when – Penalty



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MEMORANDUM

TO: Board of Directors
FROM: James Hester, Deputy Superintendent of PK-12
DATE: November 10, 2020
SUBJECT: Policy 4310: District Relationships with Law Enforcement & Other Government Agencies

BACKGROUND INFORMATION

Board Policy 4310: District Relationships with Law Enforcement and Other Government Agencies is being updated after the passing of Senate Bill (SB) 5497 in 2019. WSSDA's model policy includes guidance developed by Washington's Office of Attorney General for limiting immigration enforcement possible and permissible at public schools. Revisions also provide agency definitions as stated in Revised Code of Washington and United States Code.

RECOMMENDATION

I move that the Board of Directors adopt revised Board Policy 4310: District Relationships with Law Enforcement and Other Government Agencies as presented.

ACTION REQUIRED

DISTRICT RELATIONSHIPS WITH LAW ENFORCEMENT AND OTHER GOVERNMENT AGENCIES

The primary responsibility for maintaining proper order and conduct in the schools resides with district staff. Staff will be responsible for holding students accountable for infractions of school rules, which may include minor violations of the law occurring during school hours or at school activities.

However, there are times when district staff will call upon law enforcement, child protective agencies, and the county health department to ensure the safety and protection of students and staff. When there is substantial threat to the health and safety of students or others, such as in the case of bomb threats, threats of violence, or threats of substantial bodily harm, law enforcement will be called upon for assistance. Information regarding major violations of the law will be communicated to the appropriate law enforcement agency.

The district will strive to develop and maintain cooperative working relationships with law enforcement, child protective authorities, and health department officials. The superintendent will confer with representatives of these agencies to establish agreed upon procedures. Such procedures should address the handling/reporting of child abuse and neglect allegations/investigations; communicable disease allegations/investigations; criminal allegations/investigations, including bomb threats/other threat assessments, and arrests by law enforcement officers on school premises; the availability of law enforcement personnel for crowd control; and other matters where the work and duties of the district overlap with these agencies. Such procedures include FPS Procedure 3432P: Emergencies and FPS Procedure 3226P: Interviews and Interrogations of Students on School Premises. The district will revise the procedures as necessary and make them available to affected staff members.

If the district engages with a school resource officer (SRO), the district will clarify its relationship with the SRO, including the SRO's purpose, role, supervisory structure, and limitations on access to student information in a written memorandum of understanding (MOU).

In contrast to the working relationships noted above, the work of immigration agents does not overlap with the work or duties of the district. This is because the district's obligation to educate the children residing within its boundaries is not diminished by the children or parents' immigration status. Further, the district supports the federal immigration enforcement policy that directs immigration agents to avoid questioning and arrests at sensitive locations, including schools. Therefore, staff shall not grant information or access to immigration agents unless/until the district superintendent and/or general counsel determine the request complies with *Plyler v. Doe* and other applicable laws according to the criteria in FPS Procedure 3226P: Interviews and Interrogations of Students on School Premises.

Child Protective Services or agencies and law enforcement are defined as stated in RCW 26.44.020. County health department means a local entity defined in RCW 70.05.010. "Immigration agent" shall mean an agent of U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, any individuals authorized to conduct enforcement of civil immigration laws under 8 U.S.C. §1357(g) or any other federal law, other federal agents charged with enforcement of civil immigration laws, and any successors.

Legal References:	RCW 26.44.030	Interviews of children
	RCW 26.44.050	Abuse or neglect of child — Duty of law enforcement agency or department of social and health services — Taking child into custody without court order, when
	RCW 26.44.110	Information about rights — Custody without court order — Written statement required — Contents
	RCW 26.44.115	Child taken into custody under court order — Information to parents
	RCW 28A.635.020	Willfully disobeying school administrative personnel or refusing to leave public property, violations, when — Penalty
	20 U.S.C. 1232g	Family Education Rights and Privacy Act



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MEMORANDUM

TO: Board of Directors
FROM: Brandy Marshall, Director of Human Resources
DATE: November 10, 2020
SUBJECT: Policy 5404: Family, Medical, Maternity, and Military Caregiver Leave

BACKGROUND INFORMATION

The district proposes to update Board Policy 5404: Family, Medical, Maternity, and Military Caregiver Leave to add language related to Washington Paid Family and Medical Leave. A few minor changes were made to the final attached policy since the first reading on October 13, 2020. You will see those changes printed in red. These changes ensure that the policy can be applied accurately to all our work groups.

RECOMMENDATION

I move that the Board of Directors adopt revised Board Policy 5404: Family, Medical, Maternity, and Military Caregiver Leave as presented.

ACTION REQUIRED

FAMILY, MEDICAL, MATERNITY, AND MILITARY CAREGIVER LEAVE

I. State Paid Family and Medical Leave (PFML)

Paid family and medical leave are benefits administered by the Washington State Employment Security Department. Employees interested in applying for these benefits must follow the process described in Chapter 192-610 WAC. Employees who have questions regarding the application process may contact the Employment Security Department or visit its website at paidleave.wa.gov. The district will post notices made available by the Employment Security Department that provide pertinent information regarding paid family and medical leave benefits.

A brief description of the paid family and medical leave benefits program is provided below. The description is not meant to capture every aspect of the program; rather, it is meant to give a general overview.

Employees who have worked 820 hours during the first four of the last five completed calendar quarters or the last four completed calendar quarters are eligible for paid family and medical leave.

Family leave means leave taken by an employee from work for the following reasons:

- A. To participate in providing care, including physical or psychological care, for a family member made necessary by a serious health condition of the family member;
- B. To bond with the employee's child during the first 12 months after the child's birth, or the first 12 months after the placement of a child under the age of eighteen with the employee;
or
- C. Because of any qualifying exigency as permitted under the federal Family and Medical Leave Act for family members as defined by RCW 50A.05.010(10).

Medical leave means any leave taken by an employee from work made necessary by the employee's own serious health condition as defined by RCW 50A.05.010(20).

Amount of Leave

Employees may take up to 12 weeks of paid family leave during a period of 52 consecutive calendar weeks.

Employees may take up to 12 weeks of paid medical leave during a period of 52 consecutive calendar weeks. Paid medical leave may be extended by two weeks if the employee experiences a serious health condition with a pregnancy that results in incapacity.

Employees may take a combined 16 weeks of paid family and paid medical leave during a period of 52 consecutive calendar weeks. The combined total may be extended to 18 weeks if the employee experiences a serious health condition with a pregnancy that results in incapacity.

Employee Notice to District

An employee must provide the district at least 30 days' written notice before paid family or medical leave is to begin if the need for the leave is foreseeable based on an expected birth, placement of a child, or planned medical treatment for a serious health condition.

An employee must provide the district written notice as soon as practicable when 30 days' notice is not possible because of a lack of knowledge of approximately when leave will be required to begin, because of a change in circumstances, or because of a medical emergency.

An employee must provide the district written notice as soon as is practicable for foreseeable leave due to a qualifying military exigency, regardless of how far in advance such leave is foreseeable.

The notice must be in writing and contain at least the anticipated timing and duration of the leave.

District Notice to Employee

Whenever the district becomes aware that an employee is absent from work for more than seven consecutive days to take family or medical leave, the district must provide the employee with a written statement provided by the Employment Security Department of the employee's rights.

The notice will be sent by the fifth business day after the employee's seventh consecutive missed day of work due to family or medical leave or by the fifth business day after the employer becomes aware that the employee's absence is due to family or medical leave, whichever is later.

Employment Restoration

Upon return from paid family or medical leave, an employee ~~is~~may be entitled to be restored to the position of employment held by the employee when the leave commenced or to be restored to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. If the same, or an equivalent position is not available, the employee rights to a position will be determined by that employee's collective bargaining agreement.

As a condition of restoration for employees who have taken medical leave, the district may require those employees to receive certification from their health care provider that they are able to resume work.

The district may deny restoration to any salaried employee who is among the highest paid ten percent of its employees if the following apply:

- A. Denial is necessary to prevent substantial and grievous economic injury to the operations of the employer;
- B. The district notifies the employee of its intent to deny restoration on such basis at the time the district determines the injury would occur; and
- C. The leave has commenced and the employee elects not to return to employment after receiving the notice.

The district may also deny restoration if the employee would not otherwise have been employed at the time of reinstatement.

If the district chooses to deny restoration, it will provide written notice of such denial in person or by certified mail. The notice will include a statement that the district intends to deny employment restoration when the leave has ended, the reasons behind the decision to deny restoration, an explanation that health benefits will still be paid for the duration of the leave, and the date on which eligibility for employer-provided health benefits ends.

The rights described above only apply in the following circumstances: the district has 50 or more employees; the employee has been employed by the district for 12 months or more; and the employee has worked for the district for at least 1,250 hours during the 12 months immediately preceding the date on which leave will commence.

II. Federal Family and Medical Leave (FMLA)

Every employee of the district who has worked for the district at least one year and for at least 1,250 hours in the preceding year is entitled to 12 work weeks of family leave during any 12-month period to:

- A. Care for a newborn child, an adopted child of the employee who is under the age of eighteen at the time of placement for adoption, or a newly placed foster child; or
- B. Care for a spouse, parent, or child of the employee who has a serious health condition, or the employee may obtain leave for a personal health condition if it renders the employee unable to perform his or her job.
- C. Respond to a qualifying exigency occurring because the employee's spouse, son or daughter, or parent is on active duty or has been notified of pending active duty in support of a contingency operation.

Leave taken for newborn, adopted, or foster childcare will be completed within one year after the date of birth or placement for adoption or foster care.

Family leave authorized under this policy must be taken full-time and consecutively unless an alternative schedule is approved by the superintendent or where intermittent or reduced leave is medically necessary. Instructional staff may not take reduced or intermittent leave when it would constitute 20% of the number of working days in the period during which the leave would extend without the approval of the superintendent. An instructional employee may be transferred to an alternative equivalent position that would accommodate reduced or intermittent leave if such a position is available.

A period of family leave is in addition to any sick leave taken due to the employee's temporary disability attributable to pregnancy ~~or prior to~~ childbirth.

If both parents of a newborn or newly adopted child are employed by the school district, they will be entitled to a total of 12 work weeks of family leave during any 12-month period, and leave will

be granted to only one parent at a time. There is no pooling effect for spouses if the family leave is related to a serious health condition.

The superintendent may require written verification from the employee's health care provider.

The district may obtain the opinion of a second health care provider, at district expense, concerning any information pertinent to the employee's leave request. If the opinions of the health care providers differ on any matter determinative of the employee's eligibility for family leave, the two health care providers will select a third provider, whose opinion, obtained at the employer's expense, will be conclusive.

The district will maintain group health plan benefits for an employee during his or her FMLA leave, paying the same portion of the premium as it did while the employee was working.

FMLA leave is unpaid except to the extent that employees are able to use accrued paid leave concurrently with FMLA leave. Employees will be required to use accrued vacation and personal leave for any otherwise unpaid FMLA leave. Additionally, employees will be required to use sick leave for any otherwise unpaid leave needed to care for a family member with a serious health condition or for the employee's serious health condition to the extent the leave meets the requirements for use of sick leave. Employees covered by collective bargaining agreements should refer to their agreements to determine qualifying circumstances for the use of accrued leave.

III. Military Caregiver Leave

An employee who is the spouse, son or daughter, parent, or next of kin of a service member who is recovering from a serious illness or injury sustained while on active duty is entitled to 26 weeks of unpaid leave in a 12-month period to care for the service member.

Return to Work

Any employee returning from an authorized family leave ~~will~~may be entitled to the same position held by the employee when the leave commenced, ~~or~~ to a position with equivalent benefits and pay, or according to the terms in the collective bargaining agreement.

Reinstatement of an employee returning from family leave need not occur if a) the specific job is eliminated by a bona fide restructuring or reduction-in-force resulting from lack of funds or lack of work; b) an employee on family leave takes a position with another employer outside the home; or c) the employee fails to provide the required notice of intent to take family leave or fails to return on the established ending date of leave. If an employee fails to return from family leave, the district may recover the costs of the employee's health benefits paid during the leave.

Instructional staff may be required to delay their return from family leave to the beginning of the next semester under the following circumstances:

- A. The employee began leave five or more weeks before the end of the semester, the leave is for more than three weeks, and the employee would otherwise return to work within three weeks of the end of the semester.

- B. The employee began family leave (except for a personal health condition) less than five weeks before the end of the semester, the leave is for more than two weeks, and the employee would otherwise return to work within two weeks of the end of the semester.
- C. The employee began family leave (except for a personal health condition) three or fewer weeks before the end of the semester and the period of leave is more than five working days.

IV. Maternity Leave

A staff member may use accumulated, paid sick leave for the period of actual disability attributable to pregnancy or childbirth. This period will extend from the date of birth for a period of not more than 60 days, unless an actual period of disability which begins prior to the date of birth or continues beyond 60 days is otherwise verified in writing by the employee's physician.

If the employee's accumulated sick leave is exhausted during the period of maternity, the district will grant a leave of absence without pay or fringe benefits, upon the staff member's request, for the remainder of the period of actual disability due to pregnancy or childbirth.

During any unpaid portion of such leave of absence, the staff member may pay the premiums for any district insurance plans to keep coverage in effect for the employee and her family.

Notice

A pregnant staff member is requested to notify her immediate supervisor and the superintendent by the beginning of the fifth month of pregnancy.

At the time of such notice the staff member will submit a written request to her immediate supervisor and the superintendent for one or more of the following:

- A. Maternity leave for the period of her actual disability due to pregnancy or childbirth;
- B. Family leave for a period of up to 12 weeks, in addition to any period of maternity disability leave, the district will extend the employee's health benefit during this period of unpaid leave;
- C. Leave of absence for a period of up to the beginning of the next school term or school year. Such extended leave of absence may be approved at the discretion of the superintendent based upon consideration of educational program needs and the desires of the staff member, together with the recommendation of her personal physician or licensed practitioner; or
- D. Termination of employment by resignation.

The notice to the district will include the approximate beginning and ending dates for the leave.

Employment Conditions

A pregnant staff member may continue working as long as she is capable of performing her normal duties, with the written approval of her physician or licensed practitioner.

The staff member may return to work when physically able to perform her duties. If the employee intends to return to work within 60 days of childbirth, her personal physician or licensed practitioner must certify that the staff member is in good health and ready to resume her duties.

No later than 30 days after the date of birth, the staff member is requested to notify the superintendent of the specific date when she will return to work. Unless the superintendent approves an earlier date of return, the employee will give at least 14 days advance notice of the actual date of return.

The staff member will return to her duties following an extended leave of absence on the date approved by the superintendent. If the employee is still experiencing a disability due to pregnancy, miscarriage, abortion, childbirth or recovery which prevents the employee from performing her duties on the scheduled date of return, an additional period of unpaid leave of absence may be approved at the discretion of the superintendent based upon consideration of educational program needs and the recommendation of the employee's personal physician or licensed practitioner.

Assignment upon Return

An employee who has taken a leave of absence only for the actual period of disability relating to pregnancy or childbirth or up to 12 weeks of family leave will return to the same assignment, or a similar position for which she is qualified with at least the same pay and benefits, as she held prior to the maternity leave or family leave.

Upon return from an extended maternity leave, a staff member will be entitled to a position in the district subject to the availability of a position for which she is qualified. An effort will be made to place the staff member in her original position or in a comparable position.

Legal References: RCW 28A.400.300

Title 50A RCW
WAC 162-30-020

Ch. 192, 500-800 WAC
29 USC Sec 2601
29 CFR 825

Hiring and discharging of employees – Written leave policies – Seniority and leave benefits of employees transferring between school districts and other educational employers

Family and Medical Leave

Pregnancy, childbirth, and pregnancy related conditions

Paid Family and Medical Leave

Family and Medical Leave Act of 1993

Family and Medical Leave Act of 1993

Adoption Date: 12/9/97

Franklin Pierce Schools

Revised: 11/18/08; 8/18/09; 2/14/12; 11/10/20

Classification: Essential



Franklin Pierce Schools

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MEMORANDUM

TO: Board of Directors
FROM: Tammy Bigelow, Director of Business Services
DATE: November 10, 2020
SUBJECT: Resolution 20-R-18: 2021 Educational Programs & Operations Excess Levy Adjustment

BACKGROUND INFORMATION

On February 23, 2018, voters of Franklin Pierce Schools approved a four-year Replacement Educational Programs and Operations Excess Levy. This voter-approved levy could have generated up to \$21,000,000 in 2021 tax revenue; however, due to the new state limit of \$2.50 per \$1,000 of assessed value and best estimates of property values, we projected 2021 levy tax revenue of \$13,000,000.

As part of Pierce County's regular process, a preliminary assessed value calculation is done each October to determine actual property values. Due to higher than expected October 2020 assessed property values, our levy collection is projected to be \$14,432.883. To allow for maximum revenue collection, we suggest increasing the levy collection budget to the original \$21,000,000.

RECOMMENDATION

I move that the Board of Directors adopt Resolution 20-R-18: 2021 Educational Programs & Operations Excess Levy Adjustment.

ACTION REQUIRED



Franklin Pierce Schools

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RESOLUTION 20-R-18 **2021 EDUCATIONAL PROGRAMS AND OPERATIONS EXCESS LEVY ADJUSTMENT**

A resolution of the Board of Directors of Franklin Pierce School District #402, Pierce County, Washington, to remove the rollback in the Replacement Educational Programs and Operations Excess Levy Collections for the 2021 tax year.

WHEREAS, on February 23, 2018, the voters of Franklin Pierce School District #402 approved a four-year Replacement Educational Programs and Operations Excess Levy that included tax collections for calendar year 2021 in the amount of \$21,000,000; and

WHEREAS, the actual Replacement Educational Programs and Operations Excess Levy authority of Franklin Pierce School District #402 for 2021 tax collections was initially determined to be approximately \$13,000,000, according to RCW 84.52.0531;

WHEREAS, the October 2020 assessed property values have increased and the Replacement Educational Programs and Operations Excess Levy authority of Franklin Pierce School District #402 for 2021 tax collections are now projected to be over \$14,400,000;

NOW, THEREFORE BE IT RESOLVED, that the Replacement Educational Programs and Operations Excess Levy for calendar year 2021 be increased from \$13,000,000 to \$21,000,000 to allow maximum levy revenue collection.

Adopted by majority of the Board of Directors of the Franklin Pierce School District No. 402 at the regular meeting held on Tuesday, November 10, 2020.

BOARD OF DIRECTORS
FRANKLIN PIERCE SCHOOL DISTRICT

ATTEST:

Secretary of the Board



Franklin Pierce Schools

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MEMORANDUM

TO: Board of Directors
FROM: Carolyn Treleven, Director of Teacher and Learning
DATE: November 10, 2020
SUBJECT: 2020-2021 School Improvement Plans

BACKGROUND INFORMATION

Board Policy 2005: School Improvement Plans requires each school to develop and adopt a school improvement plan or process (SIP). These plans are used during the annual review for progress and necessary changes at the end of the school year. As required, written SIPs were delivered to the Board of Directors and schools shared additional details with the Board during October work sessions. We now ask you to approve these plans for the 2020-2021 school year.

RECOMMENDATION

I move that the Board of Directors approve the 2020-2021 School Improvement Plans.

ACTION REQUIRED



Franklin Pierce Schools

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www.fpschools.org

MEMORANDUM

TO: Board of Directors
FROM: James Hester, Deputy Superintendent of PK-12
DATE: November 10, 2020
SUBJECT: Policy 4300: Limiting Immigration Enforcement in Schools

BACKGROUND INFORMATION

New Board Policy 4300: Limiting Immigration Enforcement in Schools is being presented after the passing of Senate Bill (SB) 5497 in 2019. WSSDA's model policy includes guidance developed by Washington's Office of Attorney General for limiting immigration enforcement possible and permissible at public schools.

RECOMMENDATION

None.

ACTION REQUIRED

None. This policy is being presented for first reading.

LIMITING IMMIGRATION ENFORCEMENT IN SCHOOLS

Applicability of Policies to Immigration Enforcement

- Franklin Pierce School District adheres to all requirements of federal and state law.
- The provisions of this policy shall apply to Franklin Pierce School District and all school district facilities, which include (but are not limited to) adjacent sidewalks, parking areas, sports facilities, playgrounds, and entrances and exits from said building spaces.
- Franklin Pierce School District's policies prohibiting participation or aid in immigration enforcement shall apply for enforcement activity against students and their families, staff, and volunteers.
- Franklin Pierce School District shall presume that activities by federal immigration authorities, including surveillance, constitute immigration enforcement.

Access to Schools

- Franklin Pierce School District has a responsibility to ensure that all students who reside within their boundaries can safely access a free public K-12 education.
- Franklin Pierce School District does not exclude students from receiving an education or unlawfully discriminate against anyone because of their race, color, national origin, age, disability, gender identity, immigration or citizenship status, sex, creed, use of a trained dog guide or service animal by a person with a disability, sexual orientation, or on any other basis prohibited by federal, state, or local law.
- Franklin Pierce School District will uphold its responsibility to all students and ensure that all staff and volunteers are aware of the rights of immigrant students to an education.

Immigration Enforcement on School Campus

1. Franklin Pierce School District does not grant permission for any person engaging in, or intending to engage in, immigration enforcement, including surveillance, to access the nonpublic areas of Franklin Pierce School District facilities, property, equipment, databases, or otherwise on school grounds or their immediate vicinity. District staff shall direct anyone engaging in, or intending to engage in, immigration enforcement, including federal immigration authorities with official business that must be conducted on district property, to the school principal or designee prior to permitting entrance to school grounds. District staff shall presume that activities by federal immigration authorities, including surveillance, constitute immigration enforcement.
2. If anyone attempts to engage in immigration enforcement on or near Franklin Pierce School District grounds, including requesting access to a student, employee, or school property:

- a. District staff shall immediately alert and direct the person to the school principal or designee, who shall: verify and record the person's credentials (at least, name, agency, and badge number), record the names of all persons they intend to contact, collect the nature of the person's business at the school, request a copy of the court order or judicial warrant, log the date and time, and forward the request to the superintendent and/or legal counsel for review.
- b. District staff shall request that any person desiring to communicate with a student, enter school grounds, or conduct an arrest first produce a valid court order or judicial warrant.
- c. The district superintendent or designee and/or legal counsel shall review the court order or judicial warrant for signature by a judge and validity. For Franklin Pierce School District to consider it valid, any court order or judicial warrant must state the purpose of the enforcement activity, identify the specific search location, name the specific person to whom access must be granted, include a current date, and be signed by a judge.
- d. The district superintendent or designee and/or legal counsel shall review written authority signed by an appropriate level director of an officer's agency that permits them to enter Franklin Pierce School District property, for a specific purpose. If no written authority exists, the district superintendent or designee and/or legal counsel shall contact the appropriate level director for the officer's agency to confirm permission has been granted to enter district property for the specific purpose identified.
- e. Upon receipt and examination of the required information, the district superintendent or designee and/or legal counsel will determine whether Franklin Pierce School District shall allow access to contact or question the identified individual and will communicate that decision to the school principal or designee.
- f. The district superintendent or designee and/or legal counsel shall make a reasonable effort, to the extent allowed by the Family Educational Rights and Privacy Act (FERPA), to notify the parent/guardian of any immigration enforcement concerning their student, including contact or interview.
- g. The district superintendent or designee and/or legal counsel shall request the presence of a Franklin Pierce School District representative to be present during any interview. The district shall not permit access to information, records, or areas beyond that specified in the court order, judicial warrant, or other legal requirement.

Gathering Immigration Related Information

1. Franklin Pierce School District staff may review, but shall not inquire about, request, or collect any information about the immigration or citizenship status or place of birth of any person. District staff shall not seek or require, to the exclusion of other sufficient and permissible information, information regarding a student's or his/her parent or guardian's citizenship or immigration status.
2. Franklin Pierce School District policies and procedures for gathering and handling student information during enrollment or other relevant periods shall be delineated in writing and made available to students and their parent or guardian(s) at least once per

school year in a manner for households with individuals that have limited English proficiency (LEP) to understand.

3. If the district is required to collect information related to a student's national origin (e.g., information regarding a student's birthplace, or date of first enrollment in a U.S. school) to satisfy certain federal reporting requirements for special programs, district staff shall:
 - a. If feasible, consult with legal counsel to seek alternatives, including alternatives to the specific program or documents accepted as adequate proof for the program;
 - b. Explain to the student and student's parent(s) and/or guardian(s), in their requested language, the reporting requirements, including possible immigration enforcement impact;
 - c. Provide notice to the student's parent(s) and/or guardian(s); and
 - d. Mitigate deterring school enrollment of immigrants or their children by collecting this information separately from the school enrollment process.

The district superintendent or designee and/or legal counsel shall request the presence of a district representative during any interview. Franklin Pierce School District shall not permit access to information, records, or areas beyond that specified in the court order, judicial warrant, or other legal requirement.

Responding to Requests for Information

1. District staff shall not share, provide, or disclose personal information about any person for immigration enforcement purposes without a court order or judicial warrant requiring the information's disclosure or approval by school principal or designee. Requests by federal immigration authorities shall be presumed to be for immigration enforcement purposes.
2. District staff shall immediately report receipt of any information request relating to immigration enforcement to school principal or designee who shall document the request and refer the request to the superintendent or designee and/or legal counsel.
3. Franklin Pierce School District shall, to the extent allowed by FERPA, notify an affected student's parent(s) and/or guardian(s) immediately of any request for information relating to immigration enforcement unless advised otherwise by legal counsel.

Use of School Resources

1. Franklin Pierce School District resources shall not be used for immigration enforcement.
2. Franklin Pierce School District's resources and policies regarding immigration enforcement shall be published and distributed to parent(s) and/or guardian(s) on an annual basis. These resources shall include, at minimum:
 - a. The right of immigrant students to receive an education, including accommodations for limited English proficiency and special education programs;

- b. General information policies including the types of records maintained by the Franklin Pierce School District and a list of the circumstances or conditions under which the district might release student information to third parties, including limitations under FERPA and other relevant law;
- c. Policies regarding the retention and destruction of personal information;
- d. The process of establishing notice and/or consent from parent(s) and/or guardian(s), as permitted under federal and state law, prior to releasing a student's personal information for immigration enforcement purposes;
- e. Name and contact information for the district's designated point of contact on immigration related matters; and
- f. "Know Your Rights" resources and emergency preparedness forms to have completed in the event of a family separation.

Legal References: RCW 43.10.310 Immigration enforcement model policies



Franklin Pierce Schools

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www.fpschools.org

MEMORANDUM

TO: Board of Directors
FROM: Brandy Marshall, Director of Human Resources
DATE: November 10, 2020
SUBJECT: Procedure 4040P: Public Access to District Records

BACKGROUND INFORMATION

This district proposes to update Procedure 4040P: Public Access to District Records to clean up language and clarify the internal appeal process. The revision clarifies that the public records officer's supervisor is the person that reviews a denial, not the public records officer who made the initial determination to deny the request or part of the request.

RECOMMENDATION

None.

ACTION REQUIRED

None. This item is an information item only.

PUBLIC ACCESS TO DISTRICT RECORDS

Purpose of these Procedures and General Principles

These procedures have been established by the superintendent and published pursuant to Board Policy 4040 and RCW 42.56.040 to explain the process for public access to school district records and to provide guidance in how the district will respond to such requests.

School district records relating to the conduct of operations and functions of the district that have been prepared, owned, used, or retained by the district in any format are, in fact, public records to which members of the public may request access consistent with this procedure.

When processing such requests, the district will provide the fullest assistance to the requestor and provide a response in the most timely manner possible.

District Public Records Officer

Public Records Officer

For the most timely and efficient response, requests for school district records should be directed in writing to the Public Records Officer listed below, whose responsibilities include serving as a point of contact for members of the public in this process and overseeing the district's compliance with the Washington Public Records Act, Chapter 42.56 RCW, and Policy 4040.

The current Public Records Officer of the district may be reached at the district's central administrative building as follows:

Brandy Marshall, ~~Assistant~~ Director of Human Resources
Franklin Pierce Schools
315 129th Street South
Tacoma, WA 98444
Phone: 253-298-3000
Fax: 253-298-3016
Email: bmarshall@fpschools.org

Information regarding contacting the Public Records Officer is also available on the district website at www.fpschools.org.

Public Records Officer Training

Consistent with state law, the Public Records Officer shall complete trainings related to the Washington Public Records Act and public records retention no later than ninety (90) days after assuming the responsibilities of the Public Records Officer. After the initial training(s), the Public Records Officer must complete refresher training at intervals of no more than four years as long as he or she remains the district's Public Records Officer. Training must address particular issues related to the retention, production, and disclosure of electronic documents, including updating and improving technology information services.

Availability of Public Records

Hours for Inspection

Public records are available for inspection and copying during normal business hours of the district, Monday through Friday, 8:00 a.m. to 4:00 p.m., excluding legal holidays and occasional closures for other reasons, such as those necessitated by inclement weather or emergencies. Records must be inspected at the offices of the district.

Organization of Records

The district will maintain its records in a reasonable, organized manner and take reasonable actions to protect records from damage and disorganization. A requestor shall not take district records from district offices without the permission of the Public Records Officer or designee. During the inspection of records, a district employee will typically be present to protect records from damage or disorganization.

The district will also maintain a log of public records requests that have been submitted to and processed by the district. This log shall include, but not be limited to, the following information for each request: the identity of the requestor, the date the request was received, the text of the original request, a description of the records produced in response to the request, a description of the records redacted or withheld and the reasons therefor, and the date of the final disposition of the request.

Information Online

A variety of records and information are available on the district website at www.fpschools.org. Requestors are encouraged to view the documents available on the website prior to submitting a records request.

Making a Request for Public Records

Request to Public Records Officer

Any person wishing to inspect or copy public records of the district shall make the request in person during the district's normal office hours, or in writing by letter, fax, or email addressed to the Public Records Officer and include the following information:

- Name, address, telephone number, and email address of requestor;
- Identification of the public records adequate for the Public Records Officer or designee to locate the records; and
- The date the request is submitted to the district.

The district recommends using its Public Records Request Form when submitting a request for records. This form is available for use by requestors at the district's central office and online at www.fpschools.org.

Identifiable Records

A request under the Washington Public Records Act, Chapter 42.56 RCW, and district Policy 4040 must seek an identifiable record or identifiable records. A request for all or substantially all of the records prepared, owned, used, or retained by the district is not a valid request for

identifiable records. General requests for information from the district that do not seek identifiable records are also not covered by Policy 4040. A request for all records discussing a particular topic or containing a particular keyword or name will not be considered a request for all of the district's records.

Requesting Electronic Records

The process for requesting electronic public records is the same as for requesting paper public records. However, to assist the district is-in responding to a request for electronic records, a requestor should provide specific search terms that will allow the Public Records Officer or designee to locate and assemble identifiable records responsive to the request.

Creating New Records

The district is not obligated by law to create a new record to satisfy a records request for information. The district may choose to create a record depending on the nature of the request and the convenience of providing the information in a new document, such as when data from multiple locations is requested and can be more easily combined into a single new record.

Copies of Records

If the requestor wishes to have copies of the records made instead of inspecting them, he or she shall make this clear in the request and make arrangements to pay for copies of the records or a deposit.

Requests Not in Writing

The Public Records Officer or designee may accept informal requests for public records by telephone or in person. To avoid any confusion or misunderstanding, however, requestors should be mindful that a request reduced to writing is always the preferred method. If the Public Records Officer or designee receives a request by telephone or in person, the Public Records Officer will confirm his or her understanding of the request with the requestor in writing.

Processing of Public Records Requests

Order of Processing Requests

The district will typically process requests in the order received. However, requests may also be processed out of order if doing so allows the most requests to be processed in the most efficient manner.

Central Review

Records requests not made to the Public Records Officer of the district will be forwarded by building level administrators, program administrators, or other staff receiving the request to the Public Records Officer for processing.

Five-Day Response

Within five (5) business days of receipt of a request, the Public Records Officer will do one or more of the following:

1. Provide copies of the record(s) requested or make the record available for inspection — or, in the alternative, provide an internet address and link to the

- district's website where the specific record can be accessed (provided that the requestor has not notified the district that he or she cannot access the records through the internet); or
2. Acknowledge that the district has received the request and provide a reasonable estimate of the time it will require to fully respond; or
3. Acknowledge that the district has received the request, and ask the requestor to provide clarification for a request that is unclear, while providing to the greatest extent possible a reasonable estimate of the time the district will require to respond to the request if it is not clarified; or
4. Deny the request (although no request will be denied solely on the basis that the request is overbroad).

If the requestor fails to respond to the district's request for clarification within 30 days and the entire request is unclear, the district may close the request and not further respond ~~further to it~~ the request. If the requestor fails to respond to the district's request for clarification within 30 days, and part of the request is unclear, the district will respond to the portion of the request that is clear and may close the remainder of the request. In unusual circumstances, the district may also seek a court order enjoining disclosure pursuant to law.

The district may deny a bot request that is one of multiple requests from the requestor within a twenty-four hour period if the district establishes that responding to the multiple bot requests would cause excessive interference with the district's other essential functions. The district may deem a request to be a bot request when the district reasonably believes the request was automatically generated by a computer program or script.

If the district does not respond in writing within five business days of receipt of the request for disclosure, the requestor should contact the Public Records Officer to determine the reason for the failure to respond.

Purpose of Request

The District may inquire into the purpose for which a record is requested and may use the answer to aid in gathering responsive records and determining whether the public has a legitimate interest in obtaining the information. However, a requester is not required to provide a purpose and the district may not decline to furnish the records solely because the requester refuses to furnish a purpose for the request.

Protecting Rights of Others

~~If~~ In the event that the requested records contain information that may affect rights of others and may be arguably exempt from disclosure, the Public Records Officer may, prior to providing the records, give notice to such others. The notice may make it possible for the others to contact the requestor and ask him or her to revise the request, or, if necessary, seek a court order to prevent or limit the disclosure. The notice to the affected persons may also include a copy of the request.

Records Exempt from Disclosure

Some records are exempt from disclosure, in whole or in part, under a specific exemption contained in chapter 42.56 RCW or another statute which exempts or prohibits disclosure of specific information or records.

If the district believes that a record is exempt from disclosure and should be withheld, the Public Records Officer will state in writing the specific exemption (and statutory section) which applies and provide a brief explanation of how the exemption applies to the record being withheld or redacted. This information-exemption and explanation will generally be provided to the requestor in the form of a withholding index or log.

If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the Public Records Officer will redact the exempt portions, provide the nonexempt portions, and indicate to the requestor why portions of the record are being redacted. This information should be contained in the withholding index or log, or in an equally effective or compliant manner.

List of Laws Exempting or Prohibiting Disclosure

Pursuant to RCW 42.56.070 (2), these rules contain a list of laws — other than those specifically listed in the Washington Public Records Act, Chapter 42.56 RCW — which may exempt disclosure of certain public records or portions of records. The district has identified the following laws:

- The Family Educational and Privacy Rights Act (FERPA), 20 USC § 1232g (regarding student educational records);
- Washington State Student Education Records Law, RCW 28A.605.030;
- The Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400 et. seq. and 34 C.F.R. Part 300 (protecting the confidentiality of personally identifying information contained in student records of students with disabilities);
- Criminal Records Privacy Act (CRPA), Chapter 10.97 RCW;
- Privileged communications and attorney work product, such as set forth in Chapter 5.60 RCW;
- ~~Criminal Records Privacy Act (PRPACRPA), Chapter 10.97, RCW;~~
- Information on students receiving free or reduced lunch, 42 USC § 1758(b)(6);
- Health Insurance Portability and Accountability Act (HIPAA), 45 CFR parts 160-164 (regarding health care information privacy and security);
- Abuse of Children – Protection and Procedure, RCW 26.44.010; RCW 26.44.030(9);
- ~~Child Abuse Prevention and Treatment Act (CAPTA), 42 U.S.C. Chapter 67;~~
- Notification of Juvenile Offenders, RCW 13.04.155(3);
- Examination question for teachers or pupils prior to the examination, Questions, RCW 28A.635.040;
- Public Law 98-24, Section 527 of the Public Health Services Act, 41 USC § 290dd-2 (confidentiality of alcohol and drug abuse patient records); and
- United States and Washington Constitutional provisions including, but not limited to, the right of privacy and freedom of association.

In addition to these exemptions, RCW 42.56.070 (9) prohibits providing access to lists of individuals requested for commercial purposes, and the district may not do so unless specifically authorized or directed by law.

The above list is for informational purposes only and is not intended to cover all possible exemptions from the public records law. The above list includes only exemptions which may be in addition to those set forth in Chapter 42.56 RCW. Under appropriate circumstances, the district may rely upon other legal exemptions which are not set forth above or contained within the public disclosure law.

Inspection of Records

Consistent with other demands, and without unreasonably disrupting district operations, the district shall promptly provide for the inspection of nonexempt public records. No member of the public may remove a document from the viewing area without the permission of the Public Records Officer, nor may he or she disassemble or alter any document. The requestor shall indicate which documents he or she wishes the district to copy. There is no cost to inspect district records ~~unless such a charge shall be authorized by the Legislature.~~

Providing Copies of Non-Electronic Records

After inspection is complete, the Public Records Officer or designee shall make the requested copies or arrange for copying.

Providing Electronic Records

When a requestor request records in an electronic format, the Public Records Officer or designee will provide the nonexempt records or portions of such records that are reasonably locatable in an electronic format that is used by the district and is generally commercially available, or in a format that is reasonably translatable from the format in which the district keeps the record.

Providing Records in Installments

When the request is for a large number of records, the Public Records Officer or designee has the right to provide access for inspection and copying in installments. If, within thirty (30) days, the requestor fails to inspect the entire set of records or one or more of the installments, the Public Records Officer or designee may stop searching for the remaining records and close the request as discussed further below.

Completion of Inspection

When the inspection of the requested records is complete and all requested copies are provided, the Public Records Officer or designee will indicate that the district has completed a diligent search for the requested records and made any located nonexempt records available for inspection.

Closing Withdrawn or Abandoned Request

The requestor must claim or review the assembled records within thirty (30) days of the district's notification to him or her that the records are available for inspection or copying. The district should notify the requestor in writing of this requirement and inform the requestor that he or she should contact the district to make arrangements to claim or review the records. If the requestor or a representative of the requestor fails to claim or review the records within the thirty-day period or make other arrangements, the district may close the request and refile the assembled records.

When the requestor either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the Public

Records Officer will close the request and indicate to the requestor that the district has closed the request.

Later Discovered Documents

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

Costs of Providing Records, Waiver of Costs, and Agreements Regarding Costs

Cost of Printed Copies and Mailing

The cost of providing photocopies or printed copies of electronic records is 15 cents per page. Alternatively, if the district determines and documents that the fees allowed under this procedure are clearly equal to, or more than, two dollars, the district may instead charge a flat fee of two dollars to provide the records. If the district charges a flat fee for the first installment, the district will not charge an additional flat fee or a per page fee for any subsequent installments. Payment may be made by cash, check, or money order payable to the district.

The district may also charge actual costs of mailing, including the cost of the shipping container or envelope.

The Public Records Officer or designee may require the payment if the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment.

If requested, the district will provide a summary of the applicable charges before any copies are made. The requestor will be allowed to revise the request in order to reduce the applicable charges.

Customized Service Charge

A customized service charge may be imposed if the district estimates that the request would require the use of information technology expertise to prepare ~~the~~ data compilations, or to provide customized electronic access services when such compilations and customized access services are not used ~~in~~ by the district for other district purposes. The customized service charge may reimburse the district up to the actual cost of providing the services in this paragraph.

The district will not assess a customized service charge unless it has notified the requestor of the customized service charge to be applied to the request, including an explanation of why the ~~customizable~~ customized service charge applies, a description of the specific expertise, and a reasonable estimate cost of the charge. The notice will also provide the requestor the opportunity to amend his or her request in order to avoid or reduce the cost of a customized service charge.

Cost for Electronic Records

The cost for providing electronic records is as follows:

1. Ten cents per page for public records scanned into an electronic format or for the use of district equipment to scan the records;
2. Five cents per each four electronic files or attachment uploaded to email, cloud based data storage service, or other means of electronic delivery;
3. Ten cents per gigabyte for the transmission of public records in an electronic format or for the use of district equipment to send the records electronically; and
4. The actual cost of any digital storage media or device provided by the district, the actual cost of any container or envelope used to mail the copies to the requestor, and the actual postage or delivery charge.

The district will take reasonable steps to provide the records in the most efficient manner available to the district in its normal operations.

Alternatively, if the district determines and documents that the fees allowed under this procedure clearly equal to, or more, than two dollars, the district may instead charge a flat fee of two dollars to provide the records. If the district charges a flat fee for the first installment, the district will not charge an additional flat fee or a per page fee for any subsequent installments.

The Public Records Officer or designee may also require the payment of the remainder of the copying costs before providing all the records, or the payment of the costs of copying an installment before providing that installment.

If requested, the district will provide a summary of the applicable charges before charges are imposed under this procedure. The requestor will be allowed to revise the request in order to reduce the applicable charges.

The district will not impose copying charges for access to or downloading of records that the district routinely posts on its website prior to the receipt of ~~the~~ a request, unless the requestor has specifically requested that the district provide copies of such records through other means.

Deposits

Before beginning to make the copies, the Public Records Officer or designee may require a deposit of up to ten percent of the estimated costs of copying all the records selected by the requestor, including the cost of a customized service charge according to the provision above.

Waiver

The Public Records Officer may waive any charge ~~accessed-assessed~~ for a request. On behalf of the district, the Public Records Officer ~~or designee~~ may also enter into a contract, memorandum of understanding, or other agreement with a requestor that provides an alternative fee arrangement to the charges authorized in this Procedure, or in response to a voluminous or frequently occurring request.

Internal Review of Denials of Public Records

Petition for Internal Administrative Review of Denial of Access

Any person who objects to the initial denial or partial denial of a records request may petition in writing (including email) to the Public Records Officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the Public Records Officer or designee denying the request.

Consideration of Petition for Review

The Public Records Officer shall ~~have two business days to review the requestor's petition, or such other time period as the district and the requestor mutually agree to. If the Public Records Officer does not reverse the denial within two business days or a mutually agreed to time period, the denial shall be considered final action by the district.~~ promptly provide the petition and any other relevant information to the Deputy Superintendent. The Deputy Superintendent will immediately consider the petition and either affirm or reverse the denial within two business days following the district's receipt of the petition, or within such other time, which the district and the requestor mutually agree.

Reporting Costs of Producing Public Records

The district will provide the information specified in RCW Chapter 40.14 to the Joint Legislative Audit and Review Committee as required by law.

Date: 8/21/12

Revised: 4/4/17; 5/9/17; 11/10/20



Franklin Pierce Schools

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MEMORANDUM

TO: Board of Directors
FROM: James Hester, Deputy Superintendent of PK-12
DATE: November 10, 2020
SUBJECT: Procedure 4300P: Limiting Immigration Enforcement in Schools

BACKGROUND INFORMATION

New Board Procedure 4300P: Limiting Immigration Enforcement in Schools is being presented with Policy 4300 after the passing of Senate Bill (SB) 5497 in 2019. The procedure includes definitions for the guidance developed by Washington's Office of Attorney General for limiting immigration enforcement possible and permissible at public schools.

RECOMMENDATION

None.

ACTION REQUIRED

None. This is an information item only.

Schools are not the place for immigration enforcement

In 2019, our Legislature passed Senate Bill (SB) 5497—Establishing a Statewide Policy Supporting Washington’s Economy and Immigrants’ Role in the Workplace, also known as the Keep Washington Working Act. **The purpose of SB 5497 is to ensure the state of Washington “remains a place where the rights and dignity of all residents are maintained and protected in order to keep Washington working.”**

SB 5497 required Washington’s Office of Attorney General (AGO) to develop guidance for limiting immigration enforcement to the fullest extent possible and permissible at courthouses, publicly operated health facilities, shelters, and of particular note, public schools. Washington’s public schools are recognized as special institutions—and with good reason. Public schools have a legal and moral obligation to ensure that no one is denied the opportunity to succeed because of where they were born.

The legislation also took the unusual step of requiring the AGO to develop model policies for those same entities, including public schools. This past May, the AGO finalized its model policy limiting immigration enforcement and issued [Guidance, Model Policies, and Best Practices for Public Schools](#), which as the name suggests, includes guidance as well as a model policy for public schools. SB 5497 requires public schools to take one of two steps. The first option is to adopt changes to existing policies to make them consistent with the model developed by the AGO. The second option is to notify the AGO that no changes in policy will be adopted while giving the AGO the reasons for not adopting changes plus a copy of the district’s policies.

As you might be aware, there are existing WSSDA model policies that have similar provisions to those in the AGO’s



new model, such as not allowing immigration enforcement immediate access, checking for a valid warrant, and contacting the superintendent if immigration enforcement arrives at school. These pre-existing model policies include Model Policy/Procedure 3226—Interview and Interrogations of Students on School Premises; Model Policy 4310—District Relationships with Law Enforcement and Other Government Agencies; and Model Policy 4311—School Resource Officer.

However, after carefully reviewing the AGO’s model policy, we found a number of instances in which the AGO model policy and procedure provide more detailed and proscriptive information about the boundaries separating public schools and immigration enforcement. For example, the AGO’s model included additional information about legal obligations not to cooperate with immigration enforcement officials and more directly express the district’s affirmative obligation to alert students and families about their rights.

Given these important differences, WSSDA is issuing new **Model Policy and Procedure 4300—Limiting Immigration Enforcement**, which exactly reproduces the AGO model in its entirety. Importantly, there is no conflict between this new policy and the pre-existing WSSDA model policies listed above. This means that there is no need to retire or revise any of these existing policies your board may have already adopted. Instead, by adding Model Policy 4300 to your policy manual, you will better protect the rights of your students and community and ensure your district fully complies with the law.

LIMITING IMMIGRATION ENFORCEMENT IN SCHOOLS

Definitions:

- **“Civil immigration warrant”** means any warrant for a violation of federal civil immigration law issued by a federal immigration authority. A “civil immigration warrant” includes, but is not limited to, administrative warrants entered in the national crime information center database, warrants issued on ICE Form I-200 (Warrant for Arrest of Alien), Form I-205 (ICE Administrative Warrant), or prior or subsequent versions of those forms, which are not court orders.
- **“Court order”** and **“judicial warrant”** mean a directive issued by a judge or magistrate under the authority of Article III of the United States Constitution or Article IV of the Washington Constitution or otherwise authorized under the Revised Code of Washington. A “court order” includes, but is not limited to, judicially authorized warrants and judicially enforced subpoenas. Such orders, warrants, and subpoenas do not include civil immigration warrants, or other administrative orders, warrants or subpoenas that are not signed or enforced by a judge or magistrate as defined in this section.
- **“De-identified”** means information that does not identify an individual and with respect to which there is no reasonable basis to believe that the information can be used to identify an individual.
- **“F-1 Visa”** is a United States (U.S.) visa for foreign national students who wish to attend educational institutions in the U.S., of these levels:
 - Private elementary school (non-U.S. citizens are not allowed to attend U.S. public elementary schools on an F-1 visa);
 - High school;
 - Seminary;
 - Conservatory;
 - University and college; and
 - Other institutions, such as a language training program.
- **“Federal immigration authority”** means any on-duty officer, employee, or person otherwise paid by or acting as an agent of the United States Department of Homeland Security (DHS) including, but not limited to, its sub-agencies, Immigration and Customs Enforcement (ICE), Customs and Border Protection (CBP), United States Citizenship and Immigration Services (USCIS), and any present or future divisions thereof charged with immigration enforcement. “Federal immigration authority” includes, but is not limited to, the Enforcement & Removal Operations (ERO) and Homeland Security Investigations (HSI) of ICE, or any person or class of persons authorized to perform the functions of an immigration officer as defined in the Immigration and Nationality Act.
- **“Immigration or citizenship status”** means as such status as has been established to such individual under the Immigration and Nationality Act.

- **“J-1 Visa”** is the visa designated for students and exchange program participants who belong to: Au Pairs, Camp Counselor, Government Visitors, Interns, International Visitors, Physicians, Professors and Research Scholars, Short-term Scholars, specialists in different areas, university students, secondary school students, teachers, trainees, work and travel participants. Those who come to the U.S. under this visa program cannot bring dependents to the U.S.
- **“Language services”** includes but is not limited to translation, interpretation, training, or classes. “Translation” means written communication from one language to another while preserving the intent and essential meaning of the original text. “Interpretation” means transfer of an oral communication from one language to another.
- **“Law enforcement agency”** or **“LEA”** means any agency of the state of Washington (state) or any agency of a city, county, special district, or other political subdivision of the state (local) that is a “general authority Washington law enforcement agency,” as defined by RCW 10.93.020, or that is authorized to operate jails or maintain custody of individuals in jails; or to operate juvenile detention facilities or to maintain custody of individuals in juvenile detention facilities; or to monitor compliance with probation or parole conditions.
- **“Local government”** means any governmental entity other than the state, federal agencies, or an operating system established under Chapter 43.52 RCW. It includes, but is not limited to, cities, counties, school districts, and special purpose districts. It does not include sovereign tribal governments.
- **“Notification request”** means a federal immigration authority’s request for affirmative notification from a state or local law enforcement agency of an individual’s release from the LEA’s custody. **“Notification request”** includes, but is not limited to, oral or written requests, including DHS Form I-247A, Form I-247N, or prior or subsequent versions of those forms.
- **“M-1 Visa”** is designed for students enrolled in vocational and non-academic education, excluding language courses. This includes, but is not limited to, technical courses, cooking classes, flight school, cosmetology, etc.
- **“Personal information”** means names, dates of birth, addresses, GPS [global positioning system] coordinates or location, telephone numbers, email addresses, social media handles or screen names, social security numbers, driver’s license numbers, parents’ or affiliates’ names, biometric data, or other personally identifiable information. “Personal information” does not include immigration or citizenship status.
- **“Public schools”** or **“Local education agency”** means any and all public elementary and secondary schools under the jurisdiction of local governing boards or a charter school board and all institutions of higher education as defined in RCW 28B.10.016.
- **“Sensitive location”** refers to the 2011 U.S. Immigration and Customs Enforcement (ICE) and 2013 Customs and Border Enforcement (CBP) policies which categorize certain locations as sensitive locations that should generally be avoided for immigration

enforcement purposes. Accordingly, “**sensitive location**” includes health facilities, places of worship, and schools.

- “**School resource officer**” means a commissioned law enforcement officer in the state of Washington with sworn authority to uphold the law and assigned by the employing police department or sheriff’s office to work in schools to ensure school safety. By building relationships with students, school resource officers work alongside public school administrators and staff to help students make good choices. School resource officers are encouraged to focus on keeping students out of the criminal justice system when possible and not impose criminal sanctions in matters that are more appropriately handled within the educational system.
- “**State agency**” has the same meaning as provided in RCW 42.56.010.



Franklin Pierce Schools

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MEMORANDUM

TO: Board of Directors
FROM: Brandy Marshall, Director of Human Resources
DATE: November 10, 2020
SUBJECT: Procedure 5202P: Federal Motor Carrier Safety Administration Mandated Drug and Alcohol Testing Program

BACKGROUND INFORMATION

The proposed update to Procedure 5202P: Drug and Alcohol Testing Program includes language notifying drivers and driver-applicants of drug and alcohol testing information reported to the Commercial Driver's License and Alcohol Clearinghouse. The procedure title is changed to Federal Motor Carrier Safety Administration Mandated Drug and Alcohol Testing Program, and to maintain consistency between policy and procedure, the title of the policy will be updated to match the procedure. No other changes to the policy will occur.

RECOMMENDATION

None.

ACTION REQUIRED

None. This item is an information item only.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION **MANDATED DRUG AND ALCOHOL TESTING PROGRAM**

Testing Requirements

The superintendent ~~/~~ or designee is responsible for the development and implementation of procedures for conducting the tests and administering the exemptions consistent with federal rules. The following identify the occasions on which a CDL driver will be subject to alcohol or controlled substances testing.

1. **Pre-employment testing:** Prior to the first time a driver performs a safety-sensitive function for the district, the driver will undergo testing for controlled substances. This testing requirement may be waived under Federal Motor Carrier Safety Administration (FMCSA) rules for CDL drivers recently employed elsewhere for whom testing records are available from their previous employers.
2. **Post-accident testing:** Each surviving driver of an accident, as defined by the FMCSA, will be tested for alcohol and controlled substances.
3. **Random testing:** Annually, the district will arrange for the unannounced random alcohol and controlled substances testing of its drivers. Fifty percent (50%) of the district's drivers must be randomly selected for controlled substances testing each year, and ten percent (10%) of its drivers for alcohol testing (or whatever level of testing is required in a given year by the FMCSA). Alcohol testing under this program will take place just prior to, during, or immediately after the driver engages in a safety-sensitive function for the district.
4. **Reasonable suspicion testing:** A driver must submit to alcohol or controlled substance testing whenever a trained supervisor has a reasonable suspicion of alcohol misuse or controlled substance use based on specific, contemporaneous, and articulable observations concerning the appearance, behavior, speech, or bodily odors of the driver. Observations related to using alcohol must be made just prior to, during, or immediately after the driver engages in a safety-sensitive function for the district, and the alcohol test must be given within eight hours following the determination of reasonable suspicion.
5. **Return-to-duty testing:** If a driver is to be returned to performing safety-sensitive functions for the district after violating this policy or the federal regulations, the driver will be evaluated by a substance abuse professional (SAP) who will determine what assistance, if any, the driver needs in resolving problems associated with alcohol misuse and use of controlled substances. SAPs must require education and/or treatment in all such cases. If a driver is to be returned to performing safety-sensitive functions for the district following a violation of this policy or the federal regulations, the driver will first be evaluated by a SAP to determine that the driver has properly followed any rehabilitation ~~pre~~ rescribed. Before a driver could be returned to performing safety-sensitive functions for the district following a violation of this policy and/or the federal regulations, the driver will undergo a return-to-duty alcohol and/or controlled substances test resulting in an alcohol concentration below 0.02 alcohol concentration and/or a negative controlled substances

test. The district retains the right to solely determine whether an employee who has violated this policy will be returned to performing safety-sensitive functions.

6. **Follow-up testing:** Any driver who continues performing safety-sensitive functions for the district, following a ~~violation~~determination of the alcohol or controlled substances prohibited conduct, will be subject to a follow-up testing.

Record Retention and Reporting

Records collected under this policy will be secured and retained with controlled access and for the time periods established by the federal regulations. The data collected under this policy will be reported as required by the federal regulations.

Education, Training, and Referral Services

Educational materials that explain the requirements of this policy and the federal program will be distributed to each driver prior to the start of the testing program and to each driver subsequently hired or transferred into a position covered by this policy. Each driver, after receiving a copy of the materials, will sign a certificate of receipt and the district will maintain the original of the receipt. The collective bargaining representative of the drivers, if any, will be notified of the availability of this information. The educational materials will include:

1. A copy of this procedure and ~~its corresponding~~the accompanying policy;
2. The name of the person designated to answer questions about the materials;
3. The categories of employees covered by the policy;
4. A description of safety-sensitive functions, so that drivers will know which part of their tasks will be covered by this policy ~~and procedure~~;
5. A specific description of conduct prohibited by this policy ~~and procedure~~ and the federal program;
6. The circumstances under which a driver is subject to testing;
7. The procedures used in the testing program, especially those that protect the driver and the integrity of the testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct driver;
8. The requirement that drivers must submit to testing required by this policy and the federal program, and a description of what constitutes refusal to submit to required testing and the consequences of refusal;
9. The consequences for drivers who violate this policy and the federal program, including immediate removal from conducting safety-sensitive functions;
10. The consequences for drivers found to have alcohol concentrations between 0.02 and 0.04; and

11. Information about the effects of alcohol and controlled substances on an individual's health, work, and personal life and methods of intervening when a problem with alcohol or a controlled substance is suspected, including confrontation, referral to the staff assistance program, and referral to management.

12. The requirement that the following personal information collected and maintained under this part shall be reported to the Commercial Driver's License and Alcohol Clearinghouse:

- a. A verified positive, adulterated, or substituted drug test result;
- b. An alcohol confirmation test with a concentration of 0.04 or higher;
- c. A refusal to submit to any required test under this procedure;
- d. An employer's report of actual knowledge of on-duty alcohol use, pre-duty alcohol use, alcohol use following an accident, and controlled substance use;
- e. A SAP report of the successful completion of the return-to-duty process;
- f. A negative return-to-duty test; and
- g. An employer's report of completion of follow-up testing.

Supervisors designated to determine if reasonable suspicion exists that a driver is under the influence of alcohol or controlled substances must have at least ~~sixty~~60 minutes of training on alcohol misuse and at least ~~sixty~~60 minutes of training on use of controlled substances. The training ~~will~~shall cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

The employed driver who violates this policy or the federal regulations will be informed of resources available for evaluation and resolving problems associated with the misuse of alcohol and use of controlled substances, including the names, addresses, and telephone numbers of SAPs and counseling and treatment programs. Costs incurred by the driver for evaluation and/or rehabilitation are the driver's responsibility (other policies may apply).