

A handbook for parents  
with children in  
elementary and secondary  
public schools in the  
State of Washington



Office of the  
Education Ombudsman



**treehouse**<sup>™</sup>  
giving foster kids a childhood and a future



# The Family Guide to Working with Schools

## Educational Advocacy Manual



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This document provides basic information on education law in Washington State. While it provides information on the law, it is not legal advice, and is not in any way intended to be a substitute for legal advice or representation. If you need legal advice, please contact a lawyer who can look at specifics of a particular situation and apply the law.

Keep in mind that laws change and that the law explained in this document may have changed since it was written. Consult with an attorney who knows this area of law to make certain that it still valid. Information on how to find free resources is located in Section 5.

Excerpts from “Make a Difference in a Child’s Life: A Manual for Helping Children Get What They Need in School” (TeamChild, Casey Family Programs, 2008) at [www.teamchild.org](http://www.teamchild.org) appear throughout this manual.

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## INTRODUCTION

*The way schools care about children is reflected in the way schools care about the children's families. If educators see children just as students, they are likely to see families and communities as separate from the school. If educators see students as children, in the context of their families, culture, and communities, they are likely to partner with all stakeholders in education.*

—Joyce Epstein, Ph.D., Johns Hopkins University, Baltimore, MD

Family involvement in schools is an essential component to ensuring educational success for all students. As a parent, family member, or caregiver, your involvement conveys to your child that education is essential and provides him or her with the support and encouragement to learn and excel. Children face new challenges every day as they grow, develop, and learn to navigate our fast-paced world. Research provides strong evidence that family involvement is a key factor in improved academic performance; across all demographics students whose families are involved in their education have higher GPAs, better attendance, enhanced social skills, and more rigorous course selection than those lacking familial support and involvement. You can make a difference for your child.

The education of students is a shared responsibility among teachers, school staff, families, community members, and students themselves. Effective partnerships embrace mutual commitment, responsibility, and respect. Family involvement will differ from family to family depending on a variety of factors—everything from family structure to living arrangements, from work schedules to cultural norms and traditions. In the past, family involvement may have simply meant baking a cake for a bake sale or chaperoning a field trip; today our understanding of the role of the family in a child's education has expanded and evolved to include shared decision-making and home support of learning. You may be surprised to learn that being involved does not necessarily require spending time at school, for example. This manual will provide insight into the basics of participating in your child's education, understanding the public system and its programs, policies, and procedures, and finally the communication skills necessary to establish and maintain a positive partnership with your child's school. We can help you further develop your voice to speak up for your child's learning success.

## CONTRIBUTING ORGANIZATIONS



WASHINGTON STATE

**Office of the Education Ombudsman**

[www.waparentslearn.org](http://www.waparentslearn.org)

The Office of the Education Ombudsman helps solve disputes, problems and conflict between families and elementary and secondary public schools that affect student learning. OEO is part of the Governor's Office and functions independently from the public school system.

Education Ombudsmen help parents and schools examine their roles and responsibilities, ensure that laws and policies are followed and present workable solutions to problems focusing on what is best for the student. They work to prevent similar problems in the future and advocate for fair processes for all students in public education.

Our services are conducted over the telephone and are free and confidential. Call us at (866) 297-2597 and visit our website: [www.waparentslearn.org](http://www.waparentslearn.org).

### **THE OFFICE OF THE EDUCATION OMBUDSMAN**

155 N.E. 100th St. #210

Seattle, WA 98125

Fax: 206-729-3251

Toll-free phone number: 866-297-2597

E-mail: [OEOinfo@gov.wa.gov](mailto:OEOinfo@gov.wa.gov)



**treehouse**<sup>™</sup>  
giving foster kids a childhood and a future

Treehouse provides education services and enrichment opportunities for children living in foster care.

#### GRADUATION SUCCESS

Foster youth face an uphill battle to graduate high school due to school transitions, lack of basis skills, and emotional upheaval. Treehouse's Graduation Success Program addresses the specific education needs of youth in foster care. Treehouse Education Specialist partner with social workers, caregivers, teachers, school counselors, and an in-school mentor to provide and an in-school mentor to provide education planning, coaching and support to help build each youth's engagement and investment in their education and their future. Through weekly monitoring of risk indicators, personalized interventions, building problem solving and self-advocacy skills, proactively removing barriers to school success, and coordinating needed supports, Treehouse paves the way to high school graduation, hope and opportunity. Treehouse provides Graduation Success education support services is high schools and middle schools in 15 King County school districts.

#### EDUCATIONAL ADVOCACY

Treehouse Educational Advocates are experts who work with schools, social workers, foster families, and foster youth to remove barriers to foster kids' school success. Advocates are co-located in Children's Administration officesces a round the state.

#### LITTLE WISHES AND SUMMER OPPORTUNITIES

Treehouse helps pay for the important childhood experiences that every child deserves. Treehouse provides access to extracurricular activities like sports, music, dance and clubs, as well as school activities. Research shows that kids who are positively engaged in school and community have better academic and life outcomes. Treehouse also provides access to the summer opportunity of choice for King County kids in foster care, including overnight camps, day camps, leadership opportunities, summer school, and other summer programs. These summer experiences give kids in foster care a chance to get away from it all, make new friends and just be a kid and gives foster and relative caregivers much-needed time to recharge.

#### THE WEARHOUSE

The Wearhouse ensures that foster youth have access to the items they need to feel confident and ready to learn at school. Kids can shop for free new and like-new clothing, school supplies, books, toys and other essentials to help them feel good and fit in.

Treehouse  
[www.treehouseforkids.org](http://www.treehouseforkids.org)  
2100 24th Avenue S., Suite 200, Seattle, WA 98144-4632 Tel: (206) 767-7000



TeamChild is a non-profit law firm serving youth between the ages of 12 and 18 who are involved in, or at risk for involvement in, the juvenile justice system. TeamChild addresses the underlying causes of juvenile delinquency by helping young people access basic supports in the community, such as safe and stable housing, medical and mental health treatment, and appropriate educational services.

TeamChild serves youth in seven counties in Washington, including King, Pierce, Snohomish, Yakima, Spokane and Benton and Franklin counties.

Substantial portions of this document are based on the TeamChild manual “Make a Difference in a Child’s Life.” TeamChild, in partnership with Casey Family Programs, published an education advocacy manual titled “Make a Difference in a Child’s Life: A Manual for Helping Children Get What They Need in School” in 2000, and it was updated in 2008. For more detailed information about students’ rights in schools and the processes discussed within this document, please consult the TeamChild manual, available at [www.teamchild.org](http://www.teamchild.org).

#### **TEAMCHILD**

King County (Main) Office  
1225 S. Weller, Ste 420  
Seattle, Washington 98144  
(206) 322-2444 or (253) 274-9929  
(206) 381-1742 Fax or (253) 274-1888 Fax  
Visit us online for our other locations: [www.teamchild.org](http://www.teamchild.org)

# Educational Advocacy

## SECTION ONE

### GLOSSARY OF TERMS

**Advocate:** to speak or write in favor of; A supporter, an ally, or someone who stands up for another who maybe can't do it alone.

**Family Involvement:** Another term for parent participation in the education of their children.

**FERPA:** Family Educational Rights and Privacy Act- a federal law that protects the privacy of student education records.

**Policy:** A piece of legislation, norm, or regulation.

**Principal:** The certificated employee hired by the Superintendent to manage the day-to-day business of the school, supervise, and evaluate school staff.

**School Board:** The school board is formed by School Board Directors or members. They set goals and policy, hire and supervise the Superintendent, and manage the finances of the school district.

**School Board Directors:** Citizens who live within a school district and are elected by other citizens to be part of the school board of directors.

**Superintendent:** The person hired by the School Board to manage the day-to-day business of the school district. The superintendent evaluates other district administrators and principals.

**Superintendent of Public Instruction:** The individual elected by the state's voters to lead the Office of the Superintendent of Public Instruction (OSPI).

## BECOMING AN EDUCATIONAL ADVOCATE

### WHAT IS AN EDUCATIONAL ADVOCATE?

*A supporter, an ally, or someone who stands up for another who maybe can't do it alone.*

Most people who have had some level of success in their lives can look back and remember individuals who advocated for them. Maybe it was as simple as a small encouragement in school, a positive review of their work when they were struggling, or words that inspired them to reach beyond what they saw as possible.

*Can I be an advocate for my child?*

*Yes.* For most students their daily advocate is a parent, family member or caregiver who is actively involved in his/her education. National research shows that when families and schools work together as partners, students succeed. This is true for families of all ethnicities, income levels, and education backgrounds, whether in rural or urban schools. But don't forget, other people can be advocates too—like relatives, guardians, family friends, and community members. Remember—a little advocacy can go a long way for a student struggling in school.

You can be an advocate on major, on-going issues, such as the creation of an educational program for a student with severe disabilities, or you can be an advocate for something that might take just one phone call, like making sure a student in a new district gets the chance to take part in sports. In this guide, you will find the advocacy tools to make the biggest impact on a young person's life. Whatever you decide, the most important thing is to act on behalf of a child or youth who needs help to succeed in school.

*Do I need special training to be an "educational advocate"?*

*No.* While it helps to know about education law, you can do a lot for your child without legal training.

Even when you don't have all the answers, you can work with the school district by asking questions, providing information, and urging those working with your child to provide the best possible education. If you cannot get what your child needs, seek help from others who have more experience. Consider contacting other parents, local parent groups that work on education issues or the state Office of the Education Ombudsman toll-free at: (866) 297-2597.

*Can I speak up?*

*Yes.* Knowing when and how makes the difference. There is an old saying that "the squeaky wheel gets the grease." It means that if we speak up, our problems (or our children's problems) can be addressed. Always keep in mind that how we say something is as important as what we have to say.

This might be the most important thing to remember about advocacy—how to make sure we are working in partnership with the schools so that our children get the education they need. Sometimes all that's needed is a conversation with a teacher. Other times what's needed is a change in local school district policy or a state law. Either way, in a democracy it's up to us to speak up for our children, and to be the most effective advocates for them we can be. Their future depends on us.



### 3 KEYS FOR GOOD ADVOCACY

Understand the Public  
School System

Communicate  
Effectively

Support Learning  
at Home while  
Partnering with  
Schools

## FAMILY INVOLVEMENT, RIGHTS, AND RESPONSIBILITIES IN EDUCATION

### YOUR CHILD AND SCHOOL NEED YOU

Children need both good teachers and strong family support to do as well as they can at school. National research consistently demonstrates that when parents and schools work together as partners, students are more successful. This holds true for families of all ethnicities, income levels, and education backgrounds, whether in rural or urban schools.

### STUDENT RIGHTS

A student has a basic right to an equal educational opportunity and cannot be denied an education without due process of law. Washington courts have required that the legislature define what level of “basic education” will be provided to all students and to fund schools to provide this basic level of education.

A school district cannot take away a student’s right to education without providing him or her with an opportunity to dispute the removal from school. School districts must have a very good reason to justify a permanent or indefinite removal of a student from school.

When students stop going to school, or have unexcused absences, school staff have a duty to take steps necessary to address the underlying reasons why they are not in school.

A school district cannot take away a student’s right to education without providing him or her with an opportunity to dispute the removal from school.

**Adolescents** may face situations that a younger child will not. It is important to understand the basic rights and how it may affect an adolescent student in the educational setting.

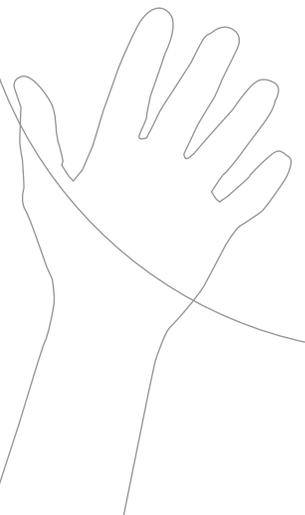
These rights are for ALL STUDENTS:

- Students also have rights of free speech, assembly (gathering with others) and free exercise of religion
- Students also have the right not to have themselves or their possessions *unreasonably* searched or taken. However, this does not mean that students can never be searched or their possessions can’t be taken. Strip or body cavity searches by school staff are never allowed.
- Students who are pregnant cannot be denied access to education based on their pregnancy.
- No student may be denied an equal education because of their previous arrest or incarceration. The only exception to this is a student convicted of a violent or sexual offense against a teacher or another student may not attend the same school.

#### FOSTER CARE FACT

37% of foster youth drop out of high school, compared to 16% of the general population.

Foster Care Fact



## STUDENT RESPONSIBILITY

Although expectations are different from school to school, a student has a responsibility to:

- Attend school and be on time to classes.
- Follow school bus rules, including behavior and following directions from the driver.
- Show respect to students and school staff.
- Not bring drugs, tobacco or alcoholic beverages to school.
- Not have weapons on school property or on the way to and from school.
- Not participate in gangs or gang-related activity.

## KNOW YOUR LEGAL RIGHTS

The Family Educational Rights and Privacy Act (FERPA), a federal law, guarantees:

- Parents and guardians can view their student's educational records. Once students turn 18, they have access to their records.
- If you feel your student's records are inaccurate, you can request that the school correct the problem. If the school refuses, you have the right to a hearing. Even if you lose at the hearing, you can have your own interpretation of the inaccuracies permanently added to the student's records.
- In most cases, the school must get your permission to show your student's records to others.

The Washington Public Records Act allows citizens to request and review most documents produced by schools and school districts—including policies and procedures, budgets, school business correspondence and teachers' lesson plans.

## WHAT IS FAMILY INVOLVEMENT IN EDUCATION?

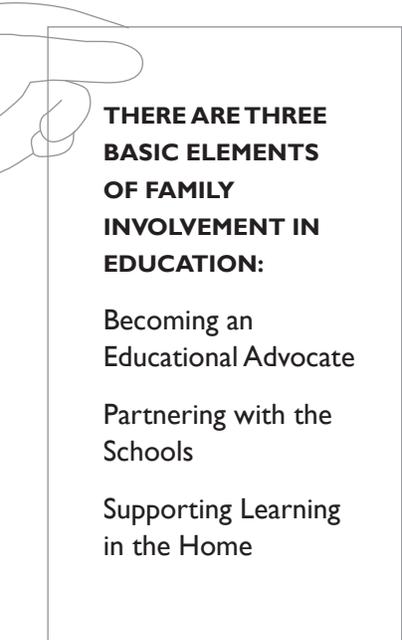
Family Involvement means the active participation by families, caregivers and legal guardians in their children's school lives. Family involvement must be done in partnership with teachers and other school staff. Every parent or family member has different skills, experiences, and life circumstances, so we all have different ways to participate, support, and enrich education for our children.

## PARENT AND FAMILY RIGHTS

Parents have the right to receive information about their child's progress in school. Report cards are required by law to be issued on a regular basis and teachers should be available to discuss any academic concerns that arise. You have the right to read your child's cumulative file located in the office of the school. You may request copies of the contents. Parents have a right to be informed in a timely manner when disciplinary sanctions are imposed on your child. Be sure as a parent you have read and understand the discipline policies of the school AND the district.

## PARENT AND FAMILY RESPONSIBILITY

The most basic kind of family involvement is to make sure that each student attends school every day after getting enough sleep and eating a healthy breakfast; they should



### THERE ARE THREE BASIC ELEMENTS OF FAMILY INVOLVEMENT IN EDUCATION:

Becoming an  
Educational Advocate

Partnering with the  
Schools

Supporting Learning  
in the Home

be dressed appropriately and equipped with appropriate supplies and materials. It is your role to set homework expectations and provide time and space for your child to complete assignments. For parents who have the time and energy, volunteering at school or working with a parent group is a valuable contribution.

Being active in your child's education can be one of the longest-lasting gifts you can give to him or her. Think of your contact with school as building connections between the healthy adults in your child's life. Those connections can become a web of support. Whether you are doing something big or small—the most important thing is just to be involved in the education of your child.

### **HERE ARE SOME WAYS TO BE AN ACTIVE PARTICIPANT IN YOUR CHILD'S EDUCATION:**

- Learn about the school: Read the School Report Card, review the website, and learn names of key people – secretary, principal, teachers, and counselor.
- Start the relationship out right: Be friendly and positive with school staff. Be open to feedback and efforts to address difficulties that might arise.
- Read all school notices including dress code and discipline policies. Keep a copy of the school calendar visible so that you know when there are schedule changes.
- Attend meetings, parent teacher conferences, and school events.
- Check in with teachers regularly, not just when there's a problem. Find out the best time and method to communicate with your child's teacher.
- Know as much as you can about your child's education. Ask for and look over school records and progress notes to better understand how your child is doing and what he or she might need. Keep a file or a notebook documenting your child's educational journey.
- Follow-up on reported problems in a timely manner. Small problems can sometimes become large problems rather quickly. Let the school know you will follow-up on important issues concerning your child.
- Respond to all school communications promptly.
- Ask your child regularly how he or she thinks things are going.
- Look for chances to help your child communicate thoughts and feelings to teachers and others; and to be his or her own advocate.
- If a problem arises, always ask for and listen to the school's side of the issue.
- Make sure the school has all information needed, including medical and any other special needs, to provide the right kind of education. Update the school with this information regularly.

### **WHY NOT LEAVE EDUCATION TO THE SCHOOL?**

#### **It's a partnership!**

The idea of family participation in U.S. Schools began in the late 1800s. While families and schools working together seemed like a good idea for many reasons, people didn't realize that a side benefit would be strong gains in student learning. However, national research in the last 40 years has demonstrated that the more families participate in the education of their children, the better those students achieve in school.

## UNDERSTANDING THE PUBLIC SCHOOL SYSTEM

An involved parent is an informed parent. Understanding the way school districts are structured, including how decisions are made, will help you be an effective advocate.

### WASHINGTON'S BASIC EDUCATION ACT

Education is a basic, constitutional right in Washington. Students cannot be denied an equal educational opportunity because of their race, national origin, disability, pregnancy, or juvenile court involvement. Young people have a right to educational services until they are 21 years old. These services can be provided in a regular high school, an alternative high school, a GED program, or a high school completion program at a local community college.

“The goal of the Basic Education Act . . . shall be to provide students with the opportunity to become responsible citizens, to contribute to their own economic well-being, and to that of their families and communities, and to enjoy productive and satisfying lives. To these ends, the goals of each school district, with the involvement of parents and community members, shall be to provide opportunities for all students to develop the knowledge and skills essential to:

- 1) Read with comprehension, write with skill, and communicate effectively and responsibly in a variety of ways and settings;
- 2) Know and apply the core concepts and principles of mathematics; social, physical and life sciences; civics and history; geography; arts; and health and fitness;
- 3) Think analytically, logically, creatively, and to integrate experience and knowledge to form reasoned judgments and solve problems; and
- 4) Understand the importance of work and how performance, effort, and decisions directly affect future career and educational opportunities.

The Essential Academic Learning Requirements (EALRs) are standards defining what all students should know and be able to do at each grade level.

### INFORMATION ON WASHINGTON STATE LEARNING STANDARDS

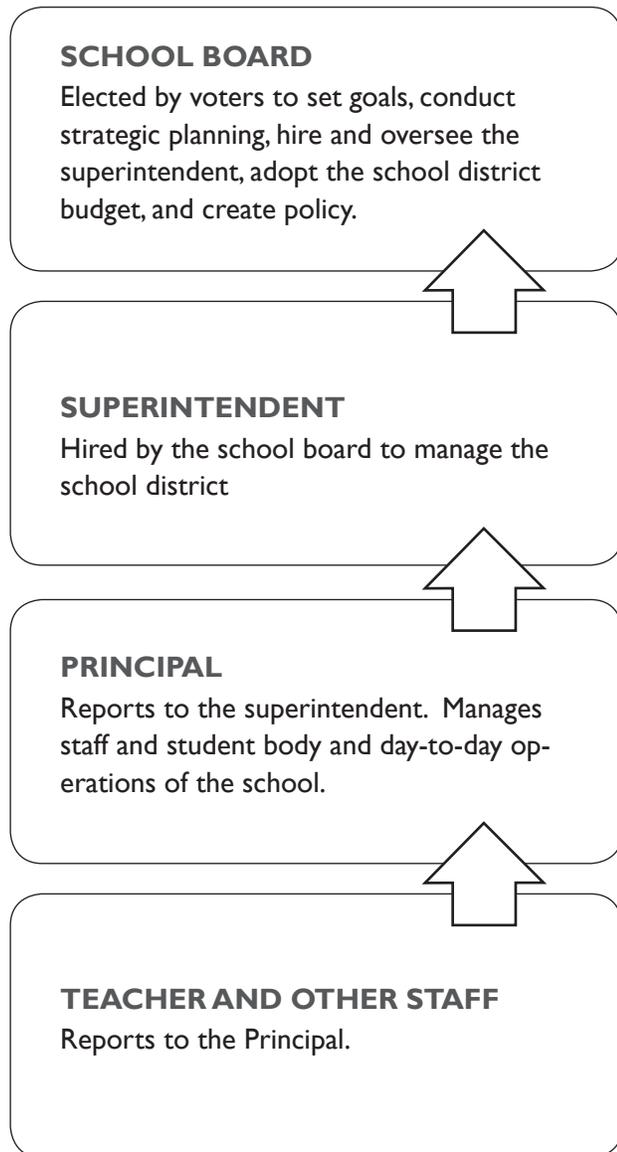
*OSPI website: [www.k12.wa.us/CurriculumInstruct/EALR\\_GLE.aspx](http://www.k12.wa.us/CurriculumInstruct/EALR_GLE.aspx)*

#### **How big is the Washington State Public School system?**

There are 295 school districts and 2,278 school buildings in the state of Washington. School districts can include just one school or, as in the case of the Seattle School District, as many as 100 schools. There were 1,028,319 students enrolled in public schools in the year 2007.

Over 75% of students are enrolled in Western Washington school districts. Nearly one quarter of Washington's public school students are enrolled in King County.

## HOW DOES THE SCHOOL DISTRICT WORK?



### *Reporting Structure*

## SCHOOL BOARD BASICS

School board members (also called Directors) are elected by citizens of their communities. There are five members on a school board except in the state's largest district, Seattle Public Schools, where the board has seven members. School Board positions are unpaid although some Directors are reimbursed for their expenses in some districts.

Together, the Board makes decisions that affect staff and students of their school district such as policies, procedures, and district budget expenditures.

Other important roles include: hiring and evaluating the Superintendent, creating a vision, setting goals for the school district and representing voters of their community.

### SCHOOL BOARD MEMBERS:

- Are elected by the voters in each school district every other year (in odd-numbered years).
- Serve staggered terms. Not all positions are open every election.
- Are paid a small daily fee in some districts, while directors in other districts receive only reimbursement for expenses. This is determined by board policy.
- May be elected "at large," or be elected from specific neighborhoods within a district. Each director represents the interests of students in the whole district.
- Serve four-year terms (except in Spokane, Tacoma, and Everett, where board members serve six-year terms).

### WHO CAN BE A SCHOOL BOARD MEMBER?

*A school director position is open to any person who is a registered voter in the school district.*

The candidate must file financial disclosures and win the school board election.

### WHAT DOES THE SUPERINTENDENT DO?

*He or she runs the school district.*

The Superintendent is hired and evaluated by the School Board. He or she manages the daily operations of the school district, hires and supervises principals, develops the annual budget for School Board approval and oversees staff and academic programs.

### WHAT IS THE PRINCIPAL'S ROLE?

*The school principal is the supervisor of the teachers and other staff.*

Their role includes managing day-to-day operations of the school and all its financial and human resources, providing staff development to increase student performance, evaluating school staff and programs, and building relationships with parents and the community. As a parent, you are welcome to meet with your child's principal.

### TEACHERS AND OTHER SCHOOL STAFF MEMBERS

*The first person you meet at school is likely to be your child's teacher, the person most directly involved in your child's education.*

Classroom teachers instruct and evaluate students to help them meet academic standards.

#### BOARD'S ROLE

Creating a vision and setting goals for the school district.

Strategic planning.

Hiring the superintendent.

Overall policymaking and oversight.

Approving and monitoring the district's budget and education plans.

Representing voters of their community.

School staff may also include assistant principals, a school secretary, teachers' aides, librarians, counselors, bus drivers, family support workers and bilingual aides.

Most teachers and many other school district employees belong to labor unions. Unions negotiate with the school board to create contracts that outline working conditions and pay and set the calendar for school days and school vacations. Employees must be hired or dismissed according to contract provisions.

### **WHAT DOES “LOCAL CONTROL” MEAN?**

*Each school district is different.*

Citizens in each school district elect school board members. School Boards set policies and make decisions on a broad range of education issues within their own particular district. This is called “local control.” This is why policies, procedures, and school programs can vary from one school district to another in the state of Washington.

### **SCHOOL DISTRICT FINANCE**

School district finance is a complicated subject, because money comes from a variety of sources and usually can only be spent for designated purposes. For example, if a school district's voters approve a levy to remodel classrooms, the school board cannot decide to use that money to pay for textbooks or teacher salaries.

The school board approves where the superintendent and staff will spend the district's money. How a school board allocates funds tells you what the board values most. Understanding school district spending can give you insight into what happens in your school district, which will help you make well-informed suggestions to your school board representatives.

### **WHERE DO SCHOOL DISTRICTS GET THEIR MONEY?**

*They access state, federal, local, and private sources.*

Budget percentages in school districts vary. Here is an example:

- 70% from state funds.
- 10% federal funds for special programs such as Title 1 and bilingual education.
- 16% local property taxes as approved by voters.
- 4% other sources such as grants.

### **WHO DECIDES HOW TO SPEND IT?**

*The school board chooses goals and priorities.*

The superintendent and staff make a budget. The school board approves the budget and monitors spending. Voters influence the process through the people they elect to the school board.

### **WHAT IS A LEVY?**

*Levies are approved by voters.*

In addition to state, federal and private sources, school districts raise money for schools by asking local voters to pass school levies. Levies are local property taxes that homeowners in each city approve by vote. These local levies usually make up 15 – 20% of the school district budget.

### WHAT IS A BOND ISSUE?

*A bond issue is a method for a school district to borrow money.*

It must be approved by voters, whose property taxes will repay the loan with interest.

### WHAT IS A GRANT?

Grants are funded by a government department, corporation, foundation, or trust and granted to a nonprofit entity, educational institution, business or an individual.

### WHAT ARE SCHOOL DISTRICT POLICIES?

*You should know and follow district policies.*

Each School Board develops and adopts a set of rules to provide standards for staff and students in the district. District Policies (or Board Policies) cover a number of topics including district operations, academic programs, curriculum, enrollment, attendance, discipline, etc. District policies are public documents and can be viewed by anyone. They are typically available at the district's central offices or on the district's website. Most districts have a clerk that works for the School Board and answers questions from the public.

### WHAT IF MY DISTRICT POLICIES DON'T WORK OR DON'T EXIST?

*You can influence change.*

Only the School Board can create new policies or make changes to existing ones. The voices of parents, family members and voters, in general, are very important in the public education system. You can make a big difference in the quality of children's education by speaking out about what is needed in the school district and why. Make sure you take time to read and understand district policies and procedures before personally or publicly approaching Board members or district administrators.

### BE AN ACTIVE CITIZEN AT SCHOOL BOARD MEETINGS

Understanding more about the system sets you up well to be able to communicate your ideas about your child and his or her education; you can help set policies in your school district by communicating your thoughts to your school board members.

- **Get an agenda.** Agendas are made public at least 24 hours ahead of the school board meeting. You may find the agenda on the school district website.
- **Arrange to speak** at a board meeting. Regular school board meetings usually include opportunities for public comment. Many boards provide a sign-up sheet near the entrance to the boardroom.
- **Represent a community group** to the school board. Report board actions to your group.
- **Look for meeting broadcasts** on cable TV, or ask the district office if there is an email list for people interested in school board news.
- **Write or phone** your school board representative to make your opinions known.



#### CALL YOUR BOARD!

School Board members want to hear from voters.

You can call them with your ideas, concerns, or how particular district policies directly affect your child.

Always send a letter to back-up your phone or in-person conversation with a School Board member.

## PARTNERING WITH SCHOOLS

School-family partnerships are critical for student achievement. There are many ways for families to work together and partner with schools. A simple place to start is by establishing a supportive environment for learning at home, which in turn can help develop and enhance positive lasting relationships with school staff. Below you will find information about what to expect from your child's school as well as actions you can take as a parent, family member, or guardian to do your part.

### WHAT YOU CAN DO...

The Office of the Superintendent of Public Instruction (OSPI) cited research that outlines six types of involvement for the strongest relationships:

- parenting
- communicating
- volunteering
- learning at home
- decision making
- collaborating

### WHAT IS THE SCHOOL'S PART?

*Some schools have adopted family involvement policies while others are more informal about interacting with families.*

Schools that receive federal Title I funds are required by law to have family involvement activities, and some receive special funds to help with those efforts. There is no Washington state law that says schools must involve families, but the most successful schools do.

Schools should design family involvement opportunities that accommodate family circumstances, provide choices, validate the family's culture and values, and explicitly provide strategies to help support learning at home. If English is not the primary language in the home then school communication should be translated for parents to be able to read.

### HERE ARE SOME BASICS THAT YOU SHOULD EXPECT FROM YOUR SCHOOL:

- An atmosphere that is welcoming and encourages you to become a partner in your child's education.
- Respectful, friendly treatment from school staff.
- Timely, thoughtful responses to your concerns.
- Information about how to help students with homework and support learning at home.
- Partnerships with community organizations that help families.
- Information for families translated into languages in addition to English.
- Curriculum that is engaging and rigorous.

### WHEN FAMILIES ARE INVOLVED, STUDENTS ACHIEVE

National research in the last 40 years has demonstrated that the more families participate in the education of their children, the more students succeed.

### OTHER BEST PRACTICE EFFORTS BY THE SCHOOL INCLUDE:

Providing communication between home and school that is regular, two-way and meaningful.

Embracing the role of the parent for assisting student learning.

Welcoming parents into the school and providing meaningful tasks to support classrooms and learning.

Engaging parents as full partners in the decisions that affect children and families.

## EFFECTIVE COMMUNICATION

An open line of communication is probably the most important single element to success in school meetings. Whether it is a special education matter, a parent/teacher conference, or a discipline hearing, here are some ideas to assist you in communicating well with the school system:

- 1) **Use small sentences** – be very concise in what you are saying. Don't use run on sentences, get right to the point.
- 2) **Listening** – Always listen to what is being said. There are three main skills for listening; **Attending** – Giving your physical attention to another person. **Following** – Make sure you are engaged by using eye contact, un-intrusive gestures (such as nodding, saying okay or asking very infrequent questions). **Reflecting** – Paraphrasing, reflect back using the feelings by being empathetic.
- 3) **Let thoughts and statements be completed before commenting on what was being said to you.** Make sure the person or people who are speaking know you are listening.
- 4) **Ask many questions** – Do not make any assumptions. If you are not sure, ask for clarification.
- 5) **Be aware of your body language.** Body language is a non-verbal communication that will definitely be interpreted by others in a positive or negative means. Body language can indicate how you are listening or not listening.

### BARRIERS TO COMMUNICATION

Here is a list of barriers that could interfere in accomplishing the goal of advocating for your child.

- 1) **Criticizing** – Be positive and do not blame
- 2) **Name Calling**
- 3) **Power struggles** – We know some people like to be in charge and in control. To avoid this kind of struggle ask for explanation as to why it has to be a certain way. (“What about this plan will accomplish the goal we are trying to achieve ...” - or – “Can you explain to me how this is helpful”)
- 4) **Giving orders**
- 5) **Threatening**
- 6) **Minimizing** – The issue may not be important in your eyes but may be in theirs. If you minimize you will not be taken seriously.
- 7) **Arguing**
- 8) **Not Listening**



### GET YOUR IDEAS ACROSS!

#### STEP 1:

##### **SIMPLIFY.**

Explain what you need clearly.

#### STEP 2:

##### **GIVE EXAMPLES.**

Give examples that support what you are saying.

#### STEP 3:

##### **REPEAT YOUR POINT.**

State your point again.

#### STEP 4:

##### **ASK QUESTIONS.**

Ask your listener a question to make sure he or she understands the point you are trying to make.

Communication with the school system can be quite frustrating. If possible, always have someone with you (i.e., both parents, a friend) to tag team if you are starting to get so frustrated your skills are compromised.

Here are some things to avoid:

- 1) **Becoming overly emotionally involved** – Control your emotions at all times.
- 2) **Engaging in power struggle**
- 3) **Becoming rigid in the process**
- 4) **Raising your voice, cursing, making threats, and giving ultimatums or demands**
- 5) **Aggressive language** - Including body language
- 6) **Own your thoughts.** Take ownership for what you want to accomplish.

# School Involvement

## SECTION TWO

### GLOSSARY OF TERMS

**Best Practices:** Classroom instructional strategies that have been demonstrated and accepted by the professional community to improve student learning.

**Conflict Resolution:** A defined practice based on an understanding that there are various perspectives to address and solve a problem.

**Enrichment:** Topics and activities that are not considered part of basic education.

**Parent Teacher Conferences:** A meeting where the parents and the teacher of a particular student discuss present and future academic progress.

## WAYS TO GET INVOLVED

### WHAT IS THE FAMILY'S PART?

Below you will find an array of suggestions of ways for you as a parent, family member, or caregiver to establish your role and do your part in maintaining an active healthy partnership together with your child's school.

### PARENT GROUPS AND VOLUNTEERING IN SCHOOLS

At most schools there is an organized group of parents who enrich the learning environment for students and assist the teachers and other school staff members. Parents' group volunteers may work in support roles at the school building, raise funds for school projects, and sponsor events that help families connect with one another. They usually hold regular meetings open to all parents.

### SUPPORTING LEARNING IN THE HOME

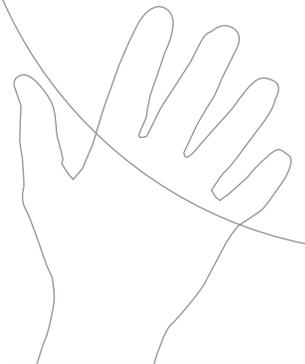
The first teacher that your child has is you. Taking time to talk with your child about their day, including their time at school, their friends, and their other activities keeps you connected. Scheduling an outing or special time with your child can make a big impact on your relationship. Taking a walk in the park, attending an outdoor market or festival, or visiting a skate park are all inexpensive ways to stay involved.

### CREATE A LEARNING ENVIRONMENT

- o Have a quiet place to work on homework every night. This could be a desk, table, or spot on the floor.
- o Create a routine that includes time for homework, skill building, and learning games daily
- o Have school supplies available and make sure your child knows where they are
- o Check your child's backpack regularly for homework or school information. Your child may also have a planner or assignment sheet to review.
- o Log on to your school's online system if your child isn't sure what homework assignments are missing. This is a good opportunity to help your child learn how to manage time and be organized
- o Talk with your child about their current assignment and any upcoming projects. Model how to use a planner or calendar.
- o Ask your child to teach you how to do their math. Putting kids in the role of teacher reinforces their understanding and gives them an opportunity to feel proud of what they know.

### FOSTER CARE FACT

Foster children are, on average, one to three years behind their peers in learning readiness and score 16-20% lower on standardized tests.



**SET ACADEMIC GOALS  
WITH YOUR CHILD**

### GET PREPARED

- o Have a designated spot for your child to keep his/her backpack and school books. Be sure it is ready to go in the morning
- o Make sure your child has a good breakfast and is well rested before school. Many schools have breakfast and lunch program available. Be sure to fill out any necessary paperwork.
- o Have a designated bedtime for all ages and have some rituals for winding down before bed. This helps them get organized for the next day and ensures that everyone is prepared. Sleep is key to success in school.
- o Help your kids set out their clothes for the next day.
- o Be sure to talk with your kids about good hygiene.

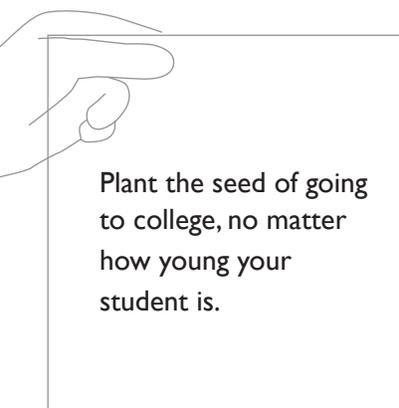
### READ WITH YOUR CHILD

Read with your child every day. Set aside a time in your schedule dedicated to reading and discussing books together. For older kids, set a timer for 30 minutes of sustained silent reading time. Most schools require 30 minutes of silent reading as part of their homework policy. Check with your child and see if they have a reading log that needs to be signed.

### TIPS FOR READING EFFECTIVELY WITH YOUR CHILD

- Set aside a regular time every evening to read with your child
- Have a comfortable place to read together
- Have a variety of interesting books available for your child to choose from. Go to the public library together regularly. Make sure your child is using the school library and make sure to keep them separate from community library materials.
- Take turns reading so that your child can hear what good reading sounds like. Reading with your child helps build a good relationship with them and aids in their comprehension.
- If the child is a beginning reader, do a “picture walk” before you start. Go through each page and ask the child to tell you what is happening on each page. This helps the child get ready for reading and can get very young children engaged in books.
- Ask questions about the story as you read to check for understanding, such as:
  - o What do you think will happen next?
  - o Where is this story taking place?
  - o What has happened so far in this story?
  - o Can you summarize what happened in the beginning, middle, and end of the story (once you have completed the book)?

Your child’s education doesn’t stop when the last bell rings. Getting children involved in additional programs keeps them engaged, allows them to learn about their own interests, gives them additional opportunities, and sets them up for success in life. Learning outside of school can include after-school activities, enrichment programs, tutoring in or outside of the school, and learning at home.



Plant the seed of going to college, no matter how young your student is.

## PROGRAMS AND ENRICHMENT ACTIVITIES AFTER SCHOOL

Many schools offer free academic and enrichment programs after school. Most schools offer tutoring and homework help as well as programs such as cooking, dance, technology, photography, music, and sports activities. Transportation or bus tokens may be available to students if they are enrolled in these programs. Check with the school to find out details about when and where these programs occur. This is a great way to keep kids safe and involved in their school communities.

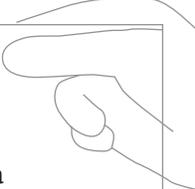
## ENRICHMENT PROGRAMS IN THE COMMUNITY

Enrichment programs outside of school are available through community and cultural centers. Private organizations also offer programming in dance, music, karate, arts, etc. These programs offer your child an opportunity to develop new skills, which may also include self-discipline, communication, and teamwork.

Scholarships are often available to help supplement the costs of these programs. Be sure to inquire about scholarships at the time of enrollment, as often they are in limited quantities.

## MORE WAYS TO GET INVOLVED WITH THE SCHOOL COMMUNITY

- Go in to your child's school and meet the staff. Make an appointment with the principal or administrative staff to introduce yourself and your child.
- Attend school orientation/back to school event. Meet the teacher or teachers at the beginning of the school year to facilitate good communication early. This is also an opportunity to meet other parents.
- Get involved with the PTA/PTSA at your school. Information often goes home in a packet given out on the first day of school.
- Attend Open House. It's a great opportunity to meet the teachers, hear about the curriculum, and get involved in the school.
- Many schools offer additional evening events, such as math night, science fairs, music concerts, and talent shows. Attending these events allows you to support the school, your child, and the community.
- Volunteer to work at the school. You can help in the office, in the library, on the playground, in a school garden, on safety patrol, for field trips, or in the lunchroom. You may also be able to help in after school programs as well.
- Many schools have sports teams that could use coaches, computer labs that could use assistance, and tutoring programs that could use support.
- School classrooms and after school programs often offer snacks and school supplies paid for by the teachers. You can host a drive through the PTSA or just donate directly to the school.
- Most schools have a safety committee and plans in case of a disaster. You can get involved by helping schools stay current with their supplies and plans.
- If you speak another language, talk to the office staff about volunteering as a language interpreter.



If you have a special interest or expertise, offer your talents to the school. There are ways for artists, storytellers, actors, and others to get involved.

## EFFECTIVE PARENT-TEACHER CONFERENCES

### MAKE THE MOST OF PARENT-TEACHER CONFERENCES

A conference is a time for parents and teachers to share information, solve problems, and form a relationship that will help the student succeed. Most schools invite families to a formal parent-teacher conference at least once a year, usually in October or November. However, you can request a meeting with your child's teacher to discuss academic progress or any other issue at any time.

The teacher needs to hear from you and you need to hear from the teacher. You know more about your child than anyone at school does. Talking with the teacher about your child will help pave the way for your student to do well in class and will help you understand what is being taught in the classroom. Conferences are usually short and to the point, so having a plan about what you want to discuss with the teacher will help you be prepared.

If your child has specific medical, emotional, or educational needs, be sure to meet with the teacher at the beginning of the school year.

### PREPARE FOR A SUCCESSFUL CONFERENCE

#### BEFORE THE CONFERENCE

- Find out your child's questions and concerns about school.
- Check progress reports, report cards and work your child has brought home.
- Write a list of questions you want to ask the teacher. Start with the form in this brochure and add to it. Bring your list to the meeting with you.
- Write down information about your child that the teacher should know, such as a family death, divorce, changed finances, illness or a new home.
- If you need a ride, childcare or a different time or day for the conference, the school can help. Call the school office and ask.
- If English is not your first language, have someone contact the school before the parent-teacher conference and request an interpreter to assist you during the meeting.

#### AT THE CONFERENCE

- Let the teacher begin the meeting but be sure to ask the questions on your list before time runs out.
- Ask the teacher what your child should know and be able to do by the end of the school year. Make a plan for how you and the teacher will work with your child to reach those goals.
- Find out the best way (notes, phone calls, e-mail) and the best time to communicate with the teacher throughout the school year.

## PREPARATION FOR MEETINGS

### PREPARE YOURSELF

Advocacy for a student involves attending meetings at the school. It is always a good idea to be prepared for meetings particularly in the event of a formal hearing such as for truancy and special education situations. If attending school meetings is new to you or if you are not familiar with the issue, seek help as needed from a friend, other caregivers, an advocate, or an attorney, when necessary, to prepare for a meeting.

### DEVELOP SKILLS

As you work to involve yourself in your child's education, you can put your communication skills to work whenever you attend a meeting at the school. The best way to make sure you are ready is to do a few things in advance to prepare.

### HOW CAN I BE PREPARED AND MAKE THE MOST OF MEETINGS?

- 1. Make sure you have what you need before you go.**  
Ask for any relevant documents and/or records before the meeting so you have a chance to read them.
  - Take the time to write down any questions you have.
  - Find out who will be at the meeting, and what their roles are.

Ask certain people to be there if you think they will help get things done. For example, has the counselor been especially helpful to your child? Does your child's teacher from last year have good insights into what your child needs? If needed, request an interpreter.
- 2. Write down your questions and the points you want to make.** Take a little time before the meeting to write down the questions you would like answered. Outline the points you would like to make. Refer to your notes while in a meeting. Even great speakers use notes to keep them on track.
- 3. Take notes during meetings and other conversations.** Don't be shy about taking notes during meetings or while you're on the phone or having conversations with school personnel or others. Your notes will later remind you of what happened and when. It's okay to let the conversation slow down while you catch up on your notes. When a conversation is over and you're alone, read over your notes and see if you missed anything. Check to see if you can read your own writing. Fill in your notes if you have missed things. Keep the notes in your child's education file. Get name and title of each person attending.  
  
If you don't get a chance to take notes during the conversation or meeting, be sure to write things down right after the meeting when the discussion is still fresh in your mind.
- 4. Make sure you get a chance to be heard.**  
You may have one perspective about the purpose of a meeting, and school district personnel may have another. Listen and learn what the school's issues are. However, don't forget to say what *you* think is important.



#### TIPS FOR P/T CONFERENCES:

Parents know their  
child best

Involve the child

Be prepared



**WHILE SHARING  
INFORMATION IS  
VITAL FOR SCHOOL  
SUCCESS**

There are guidelines on information sharing for students in out-of-home care. Please talk to your social worker.

Family guide to information sharing:  
[www.dshs.wa.gov/pdf/publications/22-1210.pdf](http://www.dshs.wa.gov/pdf/publications/22-1210.pdf)

**5. Silence is okay, take a deep breath.**

A moment of silence during the conversation can give you time to collect your thoughts. Let the empty air just hang there for a minute, and it will give you a chance to make a bigger impact because what you ultimately say will likely be clearer.

What's the worst thing that can happen? The other person might jump in and say something. Often, he or she will clarify a position or even concede a point because you haven't immediately reacted. On the other hand, after not getting an immediate response, a person could say, "Do you understand what I said?" Your response can be as simple as, "Yes, I am just taking a minute to think about it before I respond."

**6. Set concrete goals, and assign tasks during meetings.**

A problem will get resolved only if people agree to start acting on it. Figure out as a group what tasks need to be done, who should do the tasks, and a time by which the tasks will be done.

**7. Take a break.**

Don't sign papers or agree to a resolution of the issue unless you feel it's the right thing. Ask to take a break. Tell the people at the meeting that you would like to think things over for a few minutes, overnight, or for a week. If you are thinking about waiting for more than a day, consider what your child loses by delaying things, and balance those concerns against how helpful it might be to have the time to think things through or talk with someone else.

**8. Re-cap at the end of a meeting.**

Clarify what you have discussed using the notes you have taken. Make sure everyone is aware of what they are supposed to do next. If it makes sense, set a time to meet again before the meeting ends.

**9. Make a follow-up call to ensure things are being done.**

If someone has promised to get something done by a certain date, call him or her and ask if it has been done. There may be a good reason for not accomplishing a task. By following up, you make sure your priority has not been lost. Be sure to follow through on tasks you said you would take care of yourself.

## KEEPING RECORDS

School records include academic, attendance, discipline, special education, testing, or other information pertaining to a specific student. Federal law defines records to include anything that is recorded in any way, including, but not limited to, handwriting, print, tape, film, microfilm, and microfiche. You have the right to see student files at school, and you should keep a copy of any official documents sent home pertaining to your child.

*How can I organize student records and keep notes to help me be an effective educational advocate?*

**1) Keep everything you get.**

Don't toss those papers! If you feel like you're being buried in paper, you'll feel better if you put it all in one place. Start by using a big envelope or box labeled

“School Papers” and then go on to #2 below.

2) **Get organized with a separate education file.**

Keep a separate education file for each of your children. If you have many papers, organize them in different categories: letters and correspondence, special education, grades and attendance, discipline notices, etc.

3) **Copy everything you send.**

Keep copies of all letters, notes, or other written communication with the school.

4) **Put things in writing.**

Even if you have asked for something during an in-person or telephone conversation, follow it up with a note. It doesn't have to be typed and it doesn't have to be perfect. It is a good reminder to the other person, and you'll be happy that you have the note if there's some kind of problem down the road.

Even more important is the fact that some things require that a request be made in writing if special legal protections are to fall into place. For example, a request for school records doesn't have to be in writing, but if the district is slow in getting the records to you or ultimately refuses to give them to you, the timelines that apply are triggered only by a written request.

5) **Keep a log.**

When you are working on a particular issue with a school district, keep a special pad of paper in your child's file that lists what's happening. A sample blank log sheet is included at the end of this publication.

## ORGANIZING AN EDUCATION NOTEBOOK

If you organize your child's school records into an “education notebook,” you can spend your time thinking about more important things than where a particular piece of paper might be. Create the notebook as soon as possible. It will help to have everything in one place as you prepare for meetings with school officials or a hearing. The more you are comfortable using it, the easier it will be for you to be prepared.

### START BY DIVIDING THE RECORDS INTO PILES

Take all of the records and group together similar items in different piles. Divide them into logical groups.

Example:

Attendance records

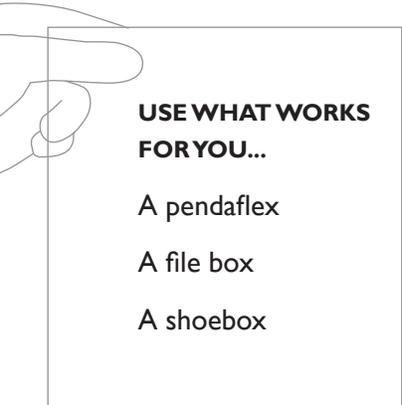
Discipline records

Medical records

Notes from teachers

IEP

School Pictures



**USE WHAT WORKS  
FOR YOU...**

- A pendaflex
- A file box
- A shoebox

This isn't a complete list, just some suggestions. You need to look carefully at what kinds of records you have, and what groupings will make the most sense.

You can divide some into smaller subgroups.

- Discipline records
- Notes from teachers
- Reports to the principal
- Suspension notices
- Statement of victim of assault
- Police report

**USE A THREE-RING BINDER**

A notebook is better than a file because all of the papers are held in place. It just means you'll avoid the disaster of papers flying everywhere if you drop your stuff. A binder also allows you to move papers easily from one section to another.

**MAKE DIVIDERS FOR EACH SECTION OF THE NOTEBOOK**

Make dividers to put between sections. You can use something simple like different colored pieces of paper, but dividers with tabs sticking out are easiest to use. Label each section so you can quickly see what is in it.

If you are involved in a hearing (such as a special education due process hearing or a school discipline hearing), your notebook should contain:

- Notes of conversations and meetings you've had on this issue
- A summary of the case.
- An outline/summary of the facts
- An outline/summary of laws or policies
- List of records you want the hearing examiner or judge to review

*If you need help, contact the Office of the Education Ombudsman at (866) 297-2597 or Treehouse Educational Advocacy Program at (206) 767- 7000.*

# Educational Issues

## SECTION THREE

### GLOSSARY OF TERMS

**Becca Bill:** A Washington state law that requires school districts to take specific actions when students are absent.

**Child Find** is a component of Individuals with Disabilities Education Act (IDEA) that requires states to identify, locate, and evaluate all children with disabilities, aged birth to 21, who are in need of early intervention or special education services.

**Conflict Resolution:** A defined practice based on an understanding that there are various perspectives to address and solve a problem.

**Expulsion:** Removal of a student from school, class, or sometimes district property for an indefinite period of time.

**IEP:** Individualized Education Program

**IDEiA:** Individuals with Disabilities Education Improvement Act also called the Individuals with Disabilities Education Act

**McKinney-Vento Act:** Federal legislation that provides educational services to homeless students that are equal to all other enrolled students, and ensures that homeless children and youth have equal opportunities to enroll in, attend, and be successful in school.

**OSPI:** Office of the Superintendent of Public Instruction

**School of Origin:** School of origin is defined as the school the student attended when permanently housed, or the school in which the student was last enrolled.

**Special Education Services:** Instruction provided for students with disabilities according to the requirements of the federal Individuals with Disabilities Education Improvement Act (IDEiA)

**Suspension:** A disciplinary action that removes a student from school for a definite period of time.

**Truancy Petition:** Paperwork submitted by a school district to juvenile court that requests the court to enter a finding that the student has been truant. The petition contains information such as listing the number of school days missed by the student and the actions taken by the district to help the student return to school.

## ENROLLMENT AND MCKINNEY-VENTO

### WHAT IS NEEDED TO ENROLL MY CHILD IN SCHOOL?

Your child should be enrolled as soon as possible and several basic steps are required to accomplish this.

1. Contact the school district office or local school to pick up an “enrollment packet” containing necessary forms, etc. If you expect any problems or are otherwise curious, also request a copy of the district’s written enrollment or admissions policies.
2. For a first-time enrollment in Washington public schools, the school district may request a copy of a student’s birth certificate (although birth certificates are NOT required under state law, except for Kindergarten students, or students entering 1st grade who cannot demonstrate completion of K). If a student has previously been enrolled in another school district in the state, the district will ask for the names of prior school districts, information about the student’s disciplinary history, special educational needs, and any health conditions.
3. Proof of immunization is required before beginning school. Immunization means shots or vaccinations that children get to prevent illnesses such as measles.

Records that show a student has completed all of his or her vaccinations will satisfy the requirement of proof of immunization. A student can also satisfy the requirement by showing that he or she has started a schedule for immunizations.

A student will then need to show that the immunizations were completed by the first day of school the following year. If you don’t have proof of immunization for your child, then call the local public health department.

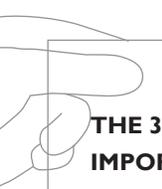
### WHAT IF I DON’T YET HAVE ALL OF THE PAPERWORK FOR MY CHILD BECAUSE WE ARE HOMELESS?

Enroll the student right away even if you don’t have everything you think you need.

Schools are required by state and federal law to take steps to help enroll homeless students.

The McKinney-Vento Homeless Assistance Act is the federal law that protects homeless students. Under the McKinney–Vento Act, a student is homeless if he or she:

- Lacks a fixed, regular, and adequate nighttime residence
- Lives in shared housing due to loss or hardship
- Lives in a hotel, motel, trailer home, campground, emergency or transitional shelter, is abandoned in a hospital,
- Is awaiting foster care,
- Has a primary nighttime residence not designated or ordinarily used as a regular sleeping accommodation,
- Lives in a car, park, public space, abandoned building, substandard housing, or a bus or train station,
- Is an unaccompanied youth, i.e. not living with his or her parent or guardian,



#### THE 3 MOST IMPORTANT THINGS TO REMEMBER ABOUT ENROLLMENT

1. Children have the right to attend public school in the district where they live, even if they are homeless, have just moved to the area, or will live in the area for only a short time
2. Schools must make prompt decisions regarding enrollment
3. Schools may make exceptions to their usual rules or take other special steps needed to provide equal educational opportunities to out-of-home care students

- Is a migrant child who qualifies as homeless because of his or her living situation,
- Is a foster child who has run from his/her placement,
- Is living in a runaway or homeless youth shelter

## DOES THE MCKINNEY-VENTO ACT APPLY TO CHILDREN IN OUT-OF-HOME CARE?

*In some cases, yes.*

The McKinney-Vento Act applies to children and youth living in a wide variety of unstable or inadequate situations. The McKinney-Vento Act's protections are invaluable in helping children in out-of-home care to succeed in school, as well as contributing to success and stability in the home placement.

The McKinney-Vento Act specifically applies to children who are considered to be "awaiting foster care placement." Although the Act does not define this term, many state and local child welfare agencies and education agencies have developed definitions of who is considered to be awaiting foster care placement in their state or locality.

The definition adopted by OSPI (March 2012) identifies "awaiting foster care" as the period of time between the initial placement of the child or youth into state care and the 30-day shelter care hearing.

## WHAT PROTECTIONS MUST THE SCHOOLS PROVIDE UNDER THE MCKINNEY-VENTO ACT?

Schools must give homeless students special protections, such as:

- Allowing a homeless youth to stay in his or her prior school—or move to a new school—and provide transportation even if it is not usually made available by the school.
- Enrolling a homeless student or a student without any legal residence.
- Waiving the requirement for parental signatures.
- Arranging for vaccinations at community clinics instead of requiring a written record of immunization.
- Providing the student with free lunch immediately and without an application.
- Ensuring that the student has right to the full array of academic, extra-curricular and social opportunities afforded non-homeless students.

## HOW DO I ENROLL MY STUDENT UNDER THE MCKINNEY-VENTO ACT?

Don't delay enrolling your child because you don't know something or lack some paperwork. Take your child to the school and fill out as much of the paperwork as possible. Explain the reasons for any missing documents or information. Ask that your child be enrolled right away and make arrangements for providing additional paperwork if it can be obtained later.

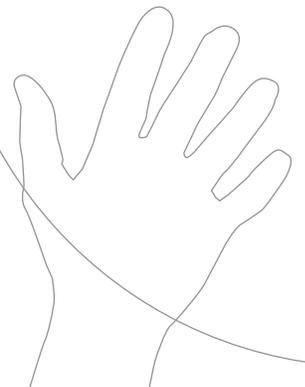
Under the McKinney-Vento Act, students who are homeless have the right to remain in one school, even if their temporary living situation is located in another school

When you enroll an out-of-home youth in school, you could add the social worker's name and phone number as the second contact.

The social worker will receive information from the school, saving time.

### FOSTER CARE FACT

With every school change, a foster child loses 4 to 6 months of academic progress.



district or attendance area, as long as remaining in that school is in their best interest.

The school is known as the school of origin (defined as the school in which the student was last enrolled or where the student attended when permanently housed. Attending the school of origin ends at the end of the school year after a student is in a permanent residence).

As part of the enrollment process for any student in a homeless situation, contact the McKinney-Vento Homeless Liaison in the school district-- every district has one.

Some school districts call the Liaison a “coordinator” or use another name. Families and youth can call the school district’s central office or the Washington State Homeless Coordinator to get the Liaison’s name. The Washington State Homeless Coordinator can be reached at (360) 725-6050.



**5 MOST IMPORTANT  
ASPECTS OF  
MCKINNEY-VENTO**

1. School Access
2. School Stability
3. Support for Academic Success
4. Child-centered, best interest decision-making
5. Critical role of local liaison

**IF I STILL HAVE PROBLEMS GETTING MY STUDENT ENROLLED IN SCHOOL, WHAT CAN I DO?**

If you still have difficulty enrolling your student, contact the Office of Superintendent of Public Instruction (360) 725-6000.

You can also contact the Homeless Education Office at the Office of Education Ombudsman at (360) 725-6050. More detailed policies and facts about McKinney Vento can be found at their website: <http://www.k12.wa.us/HomelessEd/default.aspx>

Finally, all districts should have a grievance policy. Consider filing a grievance if a school is not responding, is very slow in acting, or is not following its own or OSPI’s policies. Schools are required to provide services to students while the grievance is being resolved.

Whenever there is a disagreement between the school and a parent or guardian with a child or youth in a homeless situation, the school must:

- Immediately enroll the student in the school the youth (and/or his/her parent or guardian) chooses;
- Send the parent, guardian, or youth to the Liaison to settle the disagreement quickly.
- Keep the student at that school until the disagreement is settled;
- Provide transportation to the school, or the school of origin, if the parent, guardian or Liaison requests it;
- Explain, in writing, its decision and the right to appeal the decision
- Liaisons support and help students in homeless situations in many ways. They must:
  - Make sure students are enrolled in school immediately, even if they do not have the papers they would normally need;
  - Give school nutrition officials a list of students who are in homeless situations so that these students immediately qualify for free lunch;

- Help families and youth get immunizations, immunization records or other medical records, if a student needs them;
- Tell parents and youth about all transportation services available and help set up transportation for the student;
- Inform parents and guardians about all the programs and services the school has for their children, such as vocational and technical education, before and after school programs, programs for the gifted and talented, and alternative education programs;
- Make sure students get all the school services they need including English language classes and special education evaluations;
- Coordinate with social services and housing agencies to ensure access to education; and
- Make sure students have a full and equal chance to do well in school.

### **WHAT IS CONSIDERED MY CHILD’S “RESIDENT” DISTRICT?**

*Where he or she lives most of the time.*

A school district must enroll any student of school age who resides in that district. A student’s “residence” is defined as the location where the student lives the majority of the time. This may be different from the student’s mailing address or different from his or her parent’s address, and the student may be a “resident” of a district even if he or she has no mailing address at all.

*So, for example, If a student stays with his aunt four of the seven nights in a week, that’s a majority of the time. The school district where the aunt’s house is located is the student’s district.*

No proof of residency is required for enrollment, but if you anticipate any problems, consider providing copies of any documents that support your claim of residency.

Children and youth in homeless situations have the right to go to the local school where they are living, if they do not want to go to their school of origin. Students have the right to go to the local school whether or not they live with their parents. The local school must let students who are homeless go to classes and participate fully in school activities as soon as they come to the school. The school must call the student’s last school to get records. The school Liaison usually does this for the student.

### **CAN MY CHILD ATTEND SCHOOL IN A DISTRICT OTHER THAN THE ONE IN WHICH HE OR SHE RESIDES?**

*Yes, but both the “resident” and “non-resident” districts must agree.*

If a student wants to attend a district other than his or her home district, the student must get permission from the home district to be released AND be approved for admission by the new district. Home districts usually allow students to transfer to another district. On the other hand, districts don’t always admit non-resident students.

All districts must have a written, non-discriminatory policy about whether to admit non-resident students. A district may refuse to enroll students who do not live within its boundaries. For example, a district can deny non-resident students admission if those students are serving a suspension or expulsion from their home district, all the classes in the district are full, or it's the middle or end of the semester. If either the resident or non-resident school district refuses the student's transfer, the student can appeal the denial to OSPI. You should request and review the non-resident district's enrollment policies for such situations.

Keep in mind that there are special considerations regarding readmission of students who have been suspended or expelled from either their resident district or a non-resident district.

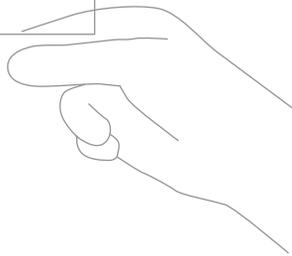
**WHERE YOU CAN  
HAVE AN IMPACT...**

Know as much as possible about your child's personal and educational history, special abilities and needs, educational goals, and preferences. Tell school officials about these issues at every contact. Communicate key points firmly and respectfully in writing.

**WHAT SCHOOL WITHIN THE DISTRICT WILL MY CHILD ATTEND?**

*For the most part, the district will decide, but there are guidelines that the district must follow.*

School districts may draw lines within their boundaries to determine which school a student will attend. In addition, a district may use other criteria to determine what is a "home school" for a student. Some schools allow open enrollment in any of the district's schools; others allow transfers between schools only for special circumstances or needs. If you want your student to attend a school other than the one to which he or she is assigned, request the district's policies and forms for enrollment in another school within the same district.



## ATTENDANCE AND TRUANCY

### DO ALL CHILDREN AND YOUTH HAVE TO GO TO SCHOOL?

*Yes, but there are several exceptions to this rule.*

All children ages 8 through 17 must attend school in the district where they live unless excused for one of the following reasons:

- 1) They are in an approved private, home school, or other education program.
- 2) They are at least 16, lawfully employed, are either emancipated or have parental permission, and have already met graduation requirements or received a certificate of educational competence.
- 3) They are excused from attendance by the Superintendent of the district in which they reside because they are physically or mentally unable to attend school, are incarcerated in an adult facility, or are attending a DSHS residential school.
- 4) They are temporarily excused upon the request of their parents for purposes agreed upon by school authorities and the parents.

If a child ages 6 or 7 attends school, the same attendance rules apply unless the child is formally removed from enrollment.

### WHAT IS TRUANCY?

*A student is considered to be truant if he or she has any unexcused absences, or a number of unexcused tardies.*

Each school or school district's policy may be different, so be sure to check your local school rules to see what it means to have an unexcused absence.

If the district does not have a definition of unexcused absences, then *unexcused absence* means the student was absent "the majority of the day without school or parental permission."

### WHAT IS THE "BECCA BILL?"

The Becca Bill is a Washington State law regarding truancy and the truancy petition process that a school must follow regarding repeated absences by a student. The school is obligated to inform the caregiver in writing regarding absences and the school shall schedule a conference with the caregiver and take steps to reduce absences. If school-based interventions don't work, then the school refers the matter to Truancy Court.

### WHAT CAN I DO IF THE SCHOOL REPORTS THAT MY CHILD HAS UNEXCUSED ABSENCES?

*There are many things you can do if your child starts missing school.*

- Make sure you stay in contact with the school about your child's absences. An open dialogue with the school can lead to many creative solutions to address your child's absences at an early stage.

- If the school contacts you about your child’s absences, ask in writing that the school assist you by identifying and responding appropriately to the underlying causes of your child’s absences.
- Special transportation services may be available.

If your student has missed a lot of school, credit retrieval programs, summer school, alternative education programs or vocational programs may be available to help your child get caught up or to become more interested in school.

Students may be absent for many reasons. If you suspect that your child has a disability that is contributing to his/her absences, he or she should be referred for a special education evaluation. A referral must be made in writing. This simple written request can be called a *focus of concern* or referral, the school district has the duty to consider the request for special education services.

See the Office of the Education Ombudsman’s publication about protecting *the Educational Rights of Students with Disabilities*, available on the OEO website. For more information on special education and how to make a referral for your child to be tested to see if he or she has a disability, see the Specialized Education Services section of this manual.

#### **CAN MY CHILD BE DISCIPLINED OR SUSPENDED FOR NON-ATTENDANCE?**

While students may be disciplined at school for unexcused absences, they cannot be suspended or expelled for having unexcused absences unless the school can show that it took several steps to try to help the student’s absences before it imposed the suspension.

“**At school discipline**” may include such things as meeting with the principal, the student going to a designated location during lunch or breaks to work on missed assignments, consideration of an alternative education program, writing an essay on “The Value of Education,” or apologizing to teachers whose classes were missed. To be able to suspend a student for excessive unexcused absences, the school must first have imposed lesser discipline, and must show that the school:

- Gave the parent or guardian written notice of the student’s absences in the primary language of the parent.
- Scheduled a conference with the parent at a time and place that is convenient to the parent to discuss the student’s absences and determine whether the student should be evaluated for special education services or another special program or services.
- Took steps to reduce or eliminate absences.

#### **WHAT IF MY CHILD HAS DISABILITIES OR IS IN SPECIAL EDUCATION AND HAS UNEXCUSED ABSENCES?**

*A student with disabilities may struggle with attendance for reasons related to their disability.*

If the school has not addressed absences related to a student’s disability, then taking the student to court for a truancy matter may not be an appropriate solution or approach to solve the student’s problems with attending school.

If your child is currently receiving special education services that are not appropriate, you may be able to show a connection between your child's unexcused absences and problems with your child's special education program. Problems with a student's special education plan that may have an effect on his or her ability to go to school include:

- A student's IEP is out of date
- A student has not received a three year re-evaluation
- The student's class schedule or school placement is inappropriate
- The IEP does not address the behavior or cause of the problem.

You and your child can try to work with the school to improve your child's special education program before the school takes any other steps, such as disciplining your child or taking him or her to truancy court.

Students with disabilities cannot be disciplined in school for behavior that is related to or the result of a disability. School districts must follow specific rules when seeking to discipline a disabled student. Notice of the intent to discipline must be given, the behavior must be examined and planned for, and a team of people must determine whether the behavior was related to the disability.

Even if the problem behavior is not related to the disability, there are significant limits on how a student with a disability can be disciplined. Students with disabilities have strong protections under the law that ensure they will not unnecessarily lose their right to education.

#### **IF MY CHILD HAS UNEXCUSED ABSENCES, DOES THE SCHOOL HAVE TO DO ANYTHING BEFORE TAKING MY CHILD TO JUVENILE COURT?**

*Yes.* The school must look carefully at why a student is having problems getting to school. The truancy law requires schools to take steps to address the problems that are causing the student's truancy.

A school is required by law to:

- 1) Tell the custodial parent, parents or guardian in writing or by telephone whenever there has been **even one** unexcused absence.
- 2) Call a meeting with the custodial parent, parents, or guardian and the student at a time that is convenient for everyone whenever there have been **two or more unexcused absences**. The purpose of the meeting is to figure out what is causing the student's absences, and to discuss ways to address and prevent these absences from occurring.
- 3) Prior to the **fifth unexcused absence**, the district must enter into an agreement with the student and parent that establishes school attendance requirements.
- 4) At no later than the **seventh unexcused absence** during any month, or **tenth unexcused absence** within the school year, the school district must file a truancy case in juvenile court.

Take steps to stop the absences, or at least reduce the number of absences. The steps are to include:

- Providing more individualized instruction or other help to catch up in school
- Adjusting or changing the student's schedule

- Providing vocational courses or work experience
- Sending the student to a truancy board, if available in your area
- Requiring the student to attend an alternative school
- Helping the family obtain services that might address the cause of the absences.



The filing of a truancy petition begins the process to ask the court to intervene and take over the supervision of a student who is missing a lot of school.

### WHAT IS A TRUANCY PETITION?

A truancy petition is a formal legal document that the school district must file in juvenile court when a student reaches a certain number of unexcused absences. Both a student and/or his or her parent or guardian can be named on a truancy petition.

The school must also provide the following information in a truancy petition:

- Allegations that the student had unexcused absences during the school year
- A statement that the school district took actions to reduce the amount of absences the student had from school, but those actions have been unsuccessful
- An indication that the school district feels the court's intervention and supervision are necessary to assist the school district or the parent to reduce the student's absences from school
- The name, birth date, address, gender, race or ethnicity of the student
- The name of the school the student attends
- The name and address of the student's parent(s) or guardian(s)

### POSSIBLE CONSEQUENCES OF TRUANCY COURT INVOLVEMENT

Truancy court is intended to be the last resort for a school or parent who has tried to help a student decrease their number of unexcused absences. Involvement in truancy court is intended to help encourage the student to attend school regularly. However, the court is limited in what it can order or provide for a student. Parents and youth need to be aware that involvement in truancy court is a serious matter that can have significant consequences, such as:

- Additional missed school when the student has to go to court
- Hours of work missed by the parent when he or she has to go to court
- Consequences for any unexcused absence, tardy or school discipline
- Additional requirements that need to be completed beyond going to school and doing school work
- Spending time in detention with youth who may be involved in delinquent activity

### HOW WILL I KNOW IF A TRUANCY PETITION HAS BEEN FILED?

The school must deliver the truancy petition to a student either by certified mail with return receipt or by in person delivery. The school must also deliver the petition to the student's parents if they are also named on the petition. Be sure to read the truancy petition carefully and note any important dates and deadlines. There are on-going changes happening to the truancy system here in Washington State. In addition to reviewing the truancy petition carefully and noting any deadlines, you should consult with an attorney or knowledgeable person in your community about how the truancy process works in your local juvenile court.

## ADDRESSING BULLYING

### WHAT IS BULLYING?

Bullying is repeated negative behavior toward a less powerful person. Hitting, name-calling, shunning, and shaming are all forms of bullying. Spreading rumors, gossiping and making threats online are also forms of bullying.

### WHAT DOES THE STATE LAW SAY ABOUT BULLYING IN THE SCHOOLS?

In 2002, Washington adopted a law prohibiting harassment, intimidation, and bullying in Washington Schools. In 2007, Washington amended the law to include electronic forms of harassment, intimidation, and bullying. Schools are required to take action if students report they are being bullied. Beginning in August 2011, each school district will be required to adopt an anti-bullying policy and procedure model.

### BULLYING IS ALWAYS SERIOUS

It's important to take bullying seriously and not just brush it off as something that kids have to "tough out." The effects can be serious and affect kids' sense of self-worth and future relationships. In severe cases, bullying has contributed to tragedies, such as school shootings. Studies show that people who are abused by their peers are at risk for mental health problems, such as low self-esteem, stress, depression, or anxiety. They may also think about suicide more.

### BAD NEWS ON BOTH SIDES

Kids bully for a variety of reasons. Sometimes they pick on kids because they need a victim — someone who seems emotionally or physically weaker, or just acts or appears different in some way — to feel more important, popular, or in control. Although some bullies are bigger or stronger than their victims, that's not always the case.

Bullies are at risk for problems, too. Bullying is violence, and often leads to more violent behavior as the bully grows up. Some teen bullies end up being rejected by their peers and lose friends as they grow older.

### SIGNS OF BULLIES

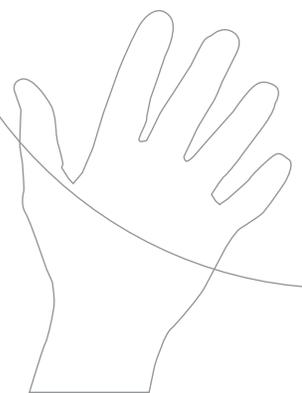
Unless your child tells you about bullying — or has visible bruises or injuries — it can be difficult to figure out if it's happening.

However, there are some warning signs. You might notice your child acting differently or seeming anxious, or not eating, sleeping well, or doing the things that he or she usually enjoys. When kids seem moodier or more easily upset than usual, or when they start avoiding certain situations, like taking the bus to school, it may be because of a bully.

If you suspect bullying but your child is reluctant to open up, find opportunities to bring up the issue in a more roundabout way.

### FOSTER CARE FACT

It's estimated that 1 out of 4 elementary-school bullies will have a criminal record by the time they are 30.



## WHO BULLIES?

Both guys and girls can be bullies. Bullies may be outgoing and aggressive. On the other hand, a bully can appear reserved on the surface, but may try to manipulate people in subtle, deceptive ways, like anonymously starting a damaging rumor just to see what happens.

Many bullies share some common characteristics. They like to dominate others and are generally focused on themselves. They often have poor social skills and poor social judgment. Sometimes they have no feelings of empathy or caring toward other people.

Although most bullies think they're hot stuff and have the right to push people around, others are actually insecure. They put other people down to make themselves feel more interesting or powerful. And some bullies act the way they do because they've been hurt by bullies in the past — maybe even a bullying figure in their own family, like a parent or other adult.

Some bullies actually have personality disorders that don't allow them to understand normal social emotions like guilt, empathy, compassion, or remorse. These people need help from a mental health professional like a psychiatrist or psychologist.

*(From: [www.Kidshealth.org](http://www.Kidshealth.org))*

## ADVICE FOR KIDS

The key to helping kids is providing strategies that deal with bullying on an everyday basis and also help restore their self-esteem and regain a sense of dignity.

It may be tempting to tell a kid to fight back. After all, you're angry that your child is suffering and maybe you were told to "stand up for yourself" when you were young. And you may worry that your child will continue to suffer at the hands of the bully.

But it's important to advise kids not to respond to bullying by fighting or bullying back. It can quickly escalate into violence, trouble, and someone getting injured. Instead, it's best to walk away from the situation, hang out with others, and tell an adult.

Here are some other strategies to discuss with kids that can help improve the situation and make them feel better:

- Avoid the bully and use the buddy system. Find your true friends.
- Hold the anger.
- Act brave, walk away, and ignore the bully.
- Tell an adult and talk about it.
- Remove the incentives.
- Practice confidence

### WHAT IS THE PROCESS FOR DEALING WITH BULLYING?

- The building principal or a designee will conduct the initial investigation.
- If the parent disagrees with the investigation findings, the parent can appeal the school district compliance officer.
- If still unhappy, than the appeal would go to the district superintendent.
- The superintendent is required to conduct an investigation.
- If you still feel that the superintendent has not adequately addressed the issues, file a complaint with a school board member.

*If you still feel that the issues have not been adequately addressed, you may contact your Educational Service District Superintendent, OEO, or Treehouse.*

## DISCIPLINE, SUSPENSION, AND EXPULSION

Every child and young person has a right to education. The right to education is an important one that is protected by Washington's laws. Along with those rights, students have responsibilities, including following rules. If rules get broken, school districts can impose discipline to try to correct the behavior or to prevent it from happening again. Schools must make sure that students have a chance to tell their side of the story and voice an opinion about whether the discipline is fair. Below is information about the ways that a school district can try to correct or discipline behavior. It also has tools for you to challenge the disciplinary action when it is not fair or right for your child.

### HOW DOES MY CHILD KNOW WHAT BEHAVIOR IS EXPECTED?

*All students, including your child, should receive a copy of the school rules.*

If your child didn't get one, ask for it from the school office. Read the school rules together. If they are confusing, ask the school Principal for clarification.

### WHAT HAPPENS IF MY CHILD MISBEHAVES AT SCHOOL?

It is generally expected that minor discipline infractions be handled at the classroom level. Your child's teacher will have a management "system" designed to maintain a safe and orderly classroom. This will include rules and routines. The teacher will likely explain his/her classroom procedures at back to school night or in a letter sent home to the parents at the start of school. If you do not receive this information or it is not clear contact the teacher to find out how behavior concerns will be addressed.

### WHAT SHOULD A PARENT DO WHEN A CHILD GETS INTO TROUBLE AT SCHOOL?

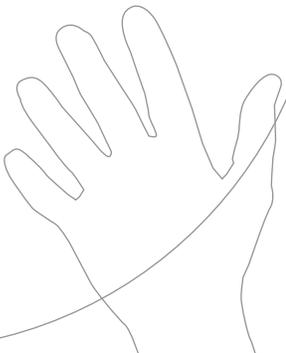
Children misbehave for a variety of reasons. The most common reasons for misbehavior are a desire for attention or power, revenge in social situations, or a lack of self-confidence.

### IF YOUR STUDENT GETS INTO TROUBLE:

- Contact the classroom teacher or school counselor as soon as you become aware that your child had a discipline incident.
- Request to know what happened and what the outcome was.
- Ask if the incident was a onetime event or if there is a developing pattern of behavior.
- Let your child explain what happened and how they felt. Listen carefully to their answers.
- They may provide you insights about the behavior. If it is an isolated incident, help your child to problem solve and make a plan for the next time they are in a similar situation.
- Ask the teacher to let you know if any more incidents occur.

#### FOSTER CARE FACT

Foster youth who move through many home placements are **5 to 10** times more likely to become involved with the juvenile justice system than their peers in the general population.



## WHAT IF MY CHILD IS HAVING A CONTINUING PATTERN OF ACTING OUT AT SCHOOL?

Effective intervention strategies depend on a good partnership with the school in order to successfully address the concerning behavior(s):

- Ask for documentation that provides information about when and where the behavior occurs and what events precede the incidents.
- Look for patterns and possible causes of the behavior.
- Avoid feeling defensive or blameful and examine all possible causes for the behavior.
- Be willing to consider that there might be conditions at home triggering the behavior as well as things happening at school.
- Share the information with your health care provider and explore all health and wellness avenues including vision and hearing.

There are times when involving the services of a child therapist can be useful. Partner with the school to develop a written positive behavior plan.

A good plan will include:

- Regular communication between home and school
- Consistent exchange of information
- The plan should be adjusted depending on changes in behavior

## WHAT ABOUT INTERVENTION BEFORE DISCIPLINE?

*We can teach appropriate behavior skills to children!*

To do so, we need to understand problem behaviors, such as where they occur and what purpose they serve for a child. The process of learning about how children develop problem behaviors is called functional behavioral assessment (FBA). If we learn about the behaviors and know when and where they are likely to happen, we can plan positive strategies to teach new behaviors. These strategies are called positive behavioral interventions. Teachers and parents will use the information from an FBA to help a child learn new skills. The goal is to teach children how to manage their own behaviors.

If your child has an Individualized Education Program, the IEP Team shall, in the case of a child whose behavior impedes the child's learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior.

Positive behavioral interventions are used before problem behaviors occur. Many different strategies can be used to reduce problem behaviors in school:

- changing where a child sits in the classroom
- adjusting the schoolwork
- rewarding the child for positive behaviors

The goal is to stop or reduce the problem behaviors so that punishment does not become necessary.

For more information on functional behavioral assessment, visit OSPI's website: <http://www.pacer.org/parent/php/PHP-c79.pdf>.

### **TEACHERS AND SCHOOL ADMINISTRATORS CAN USE A VARIETY OF METHODS TO DISCIPLINE STUDENTS.**

Methods that can be used are:

- Send a student home early
- Require a conference with the teacher or Principal
- Impose an in-school suspension or detention that separates the student from other students
- Refer the student for outside help such as counseling or a drug and alcohol evaluation
- Immediately remove the student from school on an emergency expulsion
- Suspend the student for a certain number of days
- Expel the student for an indefinite number of days
- Call the police or make a referral to juvenile court if a crime is alleged to have been committed.



#### **DISCIPLINE SHOULD BE PROGRESSIVE**

If a school sends a child home early, or suspends or expels a student, they must provide documentation outlining the discipline to the student and caregiver.

### **ARE THERE LIMITS TO THE DISCIPLINE THAT A SCHOOL DISTRICT CAN IMPOSE ON MY CHILD?**

*Yes. Teachers and other school staff may not verbally or physically abuse students.*

All students and caregivers are also entitled to an opportunity to challenge the discipline.

### **WHAT IS CORPORAL PUNISHMENT, AND IS IT ALLOWED IN SCHOOLS?**

*Corporal punishment means intentionally causing physical pain to a student.*

It has not been allowed in Washington State since September 1, 1994. The ban on corporal punishment does not include situations where a school staff person uses physical force necessary to maintain order or to prevent a student from harming himself or herself, other students, school staff, or property.

### **WHAT ARE MY CHILD'S RIGHTS IF HE OR SHE IS KICKED OUT OF SCHOOL?**

*The school administrator (usually a Principal or Vice Principal) must:*

1. Tell your child that he or she will be suspended or expelled;
2. Give reasons for kicking your child out;
3. Explain which rule was broken; and
4. Give your child a chance to tell his or her side of the story.

**FOR A STUDENT IN SPECIAL EDUCATION, WHAT ARE HIS OR HER BASIC RIGHTS WITH A SHORT-TERM SUSPENSION?**

When it comes to discipline, special education students are entitled to unique protections. Some of these protections are outlined below. Keep in mind that special education students also have all of the procedural rights of non-special education student as well.

A special education student can be suspended for up to ten days in a school year without receiving services during the period of disciplinary exclusion. However, if a student receives a pattern of short-term suspensions that over time exceed ten school days in a school year, a Manifestation Determination Meeting must be held to address whether the behavior was related to the student's disability and the same process outlined above takes place.

**FOR A STUDENT IN SPECIAL EDUCATION, WHAT ARE HIS OR HER BASIC RIGHTS WITH A LONG-TERM SUSPENSION OR EXPULSION?**

When a student will be suspended or expelled for more than ten school days, the school must convene a manifestation determination meeting within ten school days of the date of removal from school. Relevant members of the IEP team attend this meeting.

At the manifestation determination meeting, the team considers whether the student's behavior is related to his or her disability.

If there is a relationship between the disability and the behavior, then the student cannot be disciplined. The student must be allowed to return to the educational placement he or she attends prior to the disciplinary removal unless special circumstances exist. These special circumstances include incidents involving weapons, drugs, serious bodily injury, and dangerous behavior. In these cases, school or hearing officer may remove a special education student to an interim alternative educational setting for up to 45 school days.

If it is determined that there is no relationship between the disability and the behavior, then the normal disciplinary procedures can be applied and the student can be suspended or expelled. However, the school must provide education services to the student during the exclusion. The services must be provided in a setting that allows the student to participate in the general education curriculum and progress toward achieving the goals set out in the IEP.

With any of these disciplinary incidents, the IEP team must create or recreate the Functional Behavioral Assessment, which allows for the production of the Behavior Intervention Plan.

## SHORT-TERM SUSPENSION

### WHAT IS A SHORT-TERM SUSPENSION?

A suspension for 10 school days or less is called a short-term suspension.

### WHAT ARE MY CHILD'S BASIC RIGHTS IF SHORT-TERM SUSPENDED?

*Schools must try other ways to correct problem behavior before using a short-term suspension.*

A student serving a short-term suspension must be allowed to make up missed school-work if the suspension will have a substantial effect on grades or prevent the student from getting credit for the course.

Kindergarten to 4th-graders can be short-term suspended for a total of up to 10 days in a term. Students in grades 5 and above can be short-term suspended for a total of up to 15 days in a semester or 10 days in a trimester.

### WHAT IS THE PROCESS?

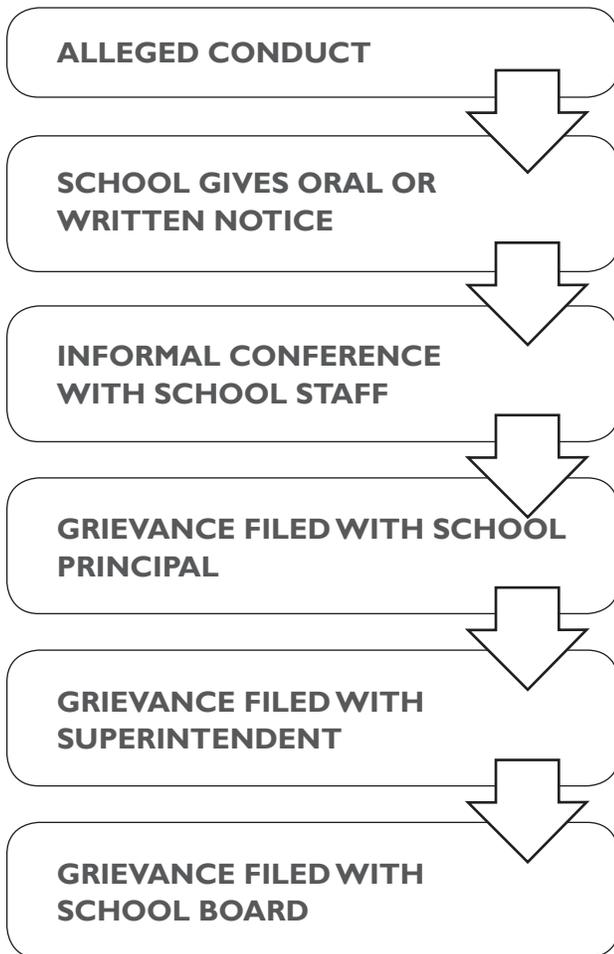
Students have the right to an informal conference with school district administration before serving the suspension. The student has a right to give his or her side of the story at the informal conference.

The school must give the student and caregiver an oral or written notice describing:

1. The alleged bad behavior
2. The school district rule that was broken
3. An explanation of the facts showing that the bad behavior really happened
4. An explanation of the corrective action or discipline that the school district wants to impose

If the suspension is going to last more than one calendar day, the district must provide written and/or oral notice to the student's family.

## SHORT-TERM SUSPENSION PROCESS



### WHAT IF MY CHILD IS STILL UNHAPPY WITH THE SHORT-TERM SUSPENSION AFTER AN INFORMAL CONFERENCE?

*Contact Office of the Education Ombudsman at (866) 297 2597. For children in foster care, contact the Treehouse Educational Advocacy Program at (206) 767- 7000.*

## LONG-TERM SUSPENSION

### WHAT IS A LONG-TERM SUSPENSION?

*An exclusion from school for a definite period of time that lasts more than 10 school days in a row is a long-term suspension.*

Students in Kindergarten through 4th grade cannot be given long-term suspensions.

Students in 5th grade or above cannot be given a long-term suspension if it will cause a loss of academic grades or credit for more than one semester or trimester during the same school year.

### WHAT ARE MY CHILD'S BASIC RIGHTS IF LONG-TERM SUSPENDED?

The nature and circumstance of the rule violation must warrant a long-term suspension. This means that the discipline must be appropriate for the bad behavior.

The school must first try other ways to address the behavior, unless the rule violation is "exceptional misconduct." Exceptional misconduct is a category of bad behavior that can be disciplined more harshly.

Examples of Exceptional Misconduct from the School Board:

- Selling or possessing illegal drugs
- Assault or threats of violence
- Firearms and dangerous weapon possession
- Robbery, theft, or burglary
- Gang activity

School districts should have a list of what falls into the exceptional misconduct category. If it is not listed in your school rules, ask the school district for a copy.

A student and his/her family have the right to:

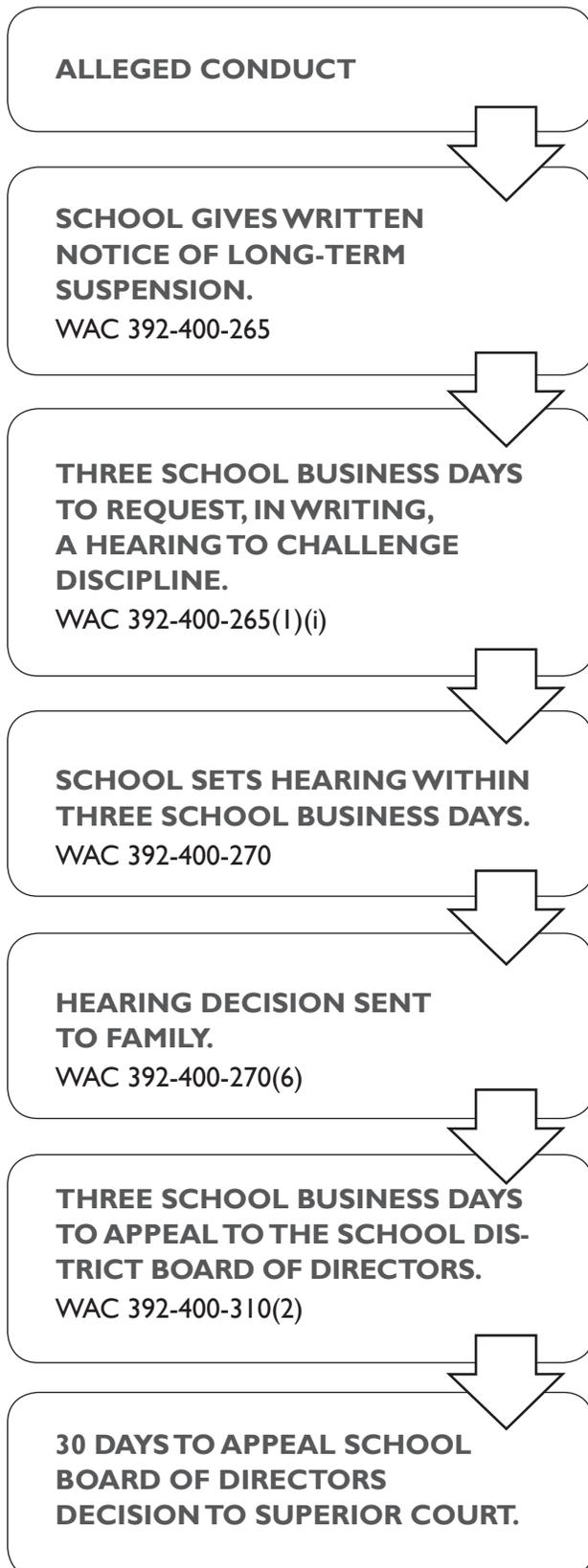
- Request a hearing no later than 3 days after a written request for the hearing has been made, if this request is made within 3 days of the incident;
- Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing;
- Be represented by legal counsel (at family's expense);
- Question and confront witnesses, with a few exceptions;
- Present his or her explanation of the alleged misconduct;
- Introduce witnesses or evidence to support his/her position.
- Students may be entitled to some kind of alternative schooling while suspended or expelled.



#### SPECIAL EDUCATION

No matter how or why the student is removed from school, special education students must continue to get educational services if they are removed from school for more than 10 days.

**LONG-TERM  
SUSPENSION  
PROCESS AND  
TIMELINE**



### WHAT IS THE PROCESS?

- Schools must give written notice to you and your child before imposing the long-term suspension.
- The notice must be delivered in person or by certified mail
- The notice must:
  - o Be in the predominant language of your family
  - o Describe the things your child is supposed to have done wrong
  - o Identify the rule that was broken
  - o Describe the discipline
  - o Explain the right to a hearing, how to request a hearing, and the timelines for making a request.

*Students have three school business days to request a hearing to challenge the long-term suspension.*

### CHALLENGING A LONG-TERM SUSPENSION

- Request a hearing as soon as you receive notice. Timelines are very short, in this case three school business days. If you miss the timeline, you may lose your chance to challenge the suspension.
- Put the hearing request in writing.
- Deliver it to the school or board office, whichever is specified in the notice.
- Keep a copy of your request. Ask the person receiving it to stamp or write the date and his or her initials on your copy.
- Expect the hearing to be scheduled within 3 days.

## EXPULSION

### WHAT IS AN EXPULSION?

An expulsion is an exclusion from school for an indefinite period of time. An expulsion can also include a denial of admission to or entry onto property owned, leased, rented, or controlled by a school district.

### WHAT ARE MY CHILD'S BASIC RIGHTS IF EXPELLED?

The nature and circumstance of the rule violation must warrant the harshness of an expulsion. Expulsions are usually used for very serious violations of school rules.

The school must try other ways to address the behavior first, unless other ways have been tried and failed or there is good reason to believe that other forms of corrective action or discipline wouldn't change the student's behavior.

A student and his/her family have the right to:

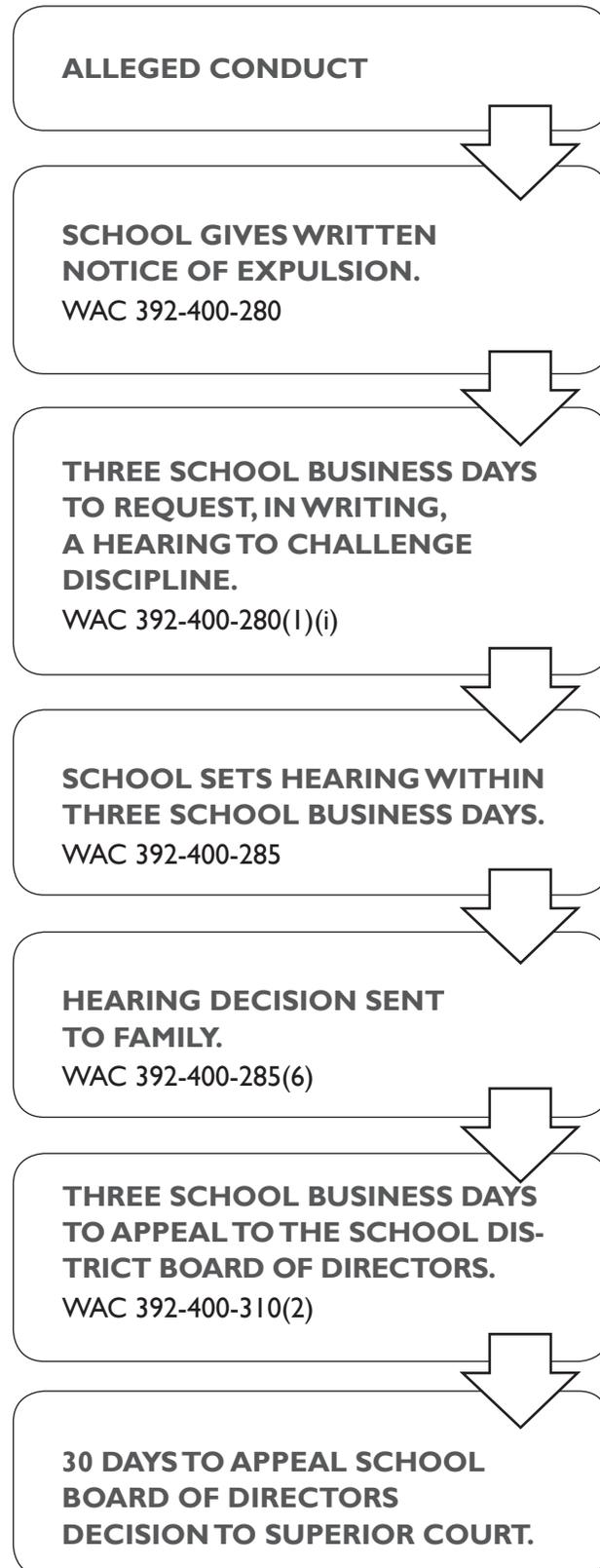
- Request a hearing no later than 3 days after a written request for the hearing has been made, if this request is made within 3 days of the incident;
- Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing;
- Be represented by legal counsel (at the family's expense);
- Question and confront witnesses, with a few exceptions;
- Present his or her explanation of the alleged misconduct;
- Introduce witnesses or evidence to support his/her position.
- Students may be entitled to some kind of alternative schooling while suspended or expelled.
- No matter how or why the student is removed from school, special education students must continue to get educational services if they are removed from school for more than 10 days.

### WHAT IS THE PROCESS?

- Schools must give written notice to you and your child before imposing the expulsion.
- The notice must be delivered in person or by certified mail.
- The notice must:
  - o Be in the predominant language of your family
  - o Describe the things your child is said to have done wrong
  - o Identify the rule that was broken
  - o Describe the discipline
  - o Explain the right to a hearing, how to request a hearing, and the timelines for making a request.

Students have three school business days to request a hearing to challenge the expulsion.

**EXPULSION  
PROCESS AND  
TIMELINE**



## EMERGENCY EXPULSION

### WHAT IS AN EMERGENCY EXPULSION?

An emergency expulsion is an immediate removal from the school for an indefinite period of time when there is a good reason to believe that the student is unsafe to him/herself or others. There are specific rules the school must follow in these cases as well.

### CAN A SCHOOL EXPEL A STUDENT WITHOUT FOLLOWING THE EXPULSION PROCESS?

Districts can order an emergency expulsion if a student's presence presents an immediate and continuing threat of substantial disruption to the education process.

Emergency expulsions have no definite ending time. They continue until the school district says that the "emergency" is over or until a hearing officer changes it as a result of a hearing.

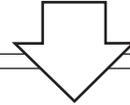
### WHAT ARE MY CHILD'S BASIC RIGHTS IF EMERGENCY EXPELLED?

A student and his/her family have the right to:

- Request a hearing within 10 school business days of the incident;
- Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing;
- Be represented by legal counsel (at the family's expense);
- Question and confront witnesses, with a few exceptions;
- Present his or her explanation of the alleged misconduct;
- Introduce witnesses or evidence to support his/her position.
- Students may be entitled to some kind of alternative schooling while suspended or expelled.
- No matter how or why the student is removed from school, **special education students** must continue to get educational services if they are removed from school for more than 10 days.

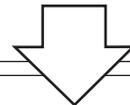
**EMERGENCY  
EXPULSION  
PROCESS AND  
TIMELINE**

**ALLEGED CONDUCT**



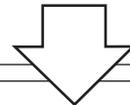
**SCHOOL GIVES WRITTEN NOTICE  
OF EXPULSION, EITHER BY HAND  
WITHIN 24 HOURS, OR BY CERTI-  
FIED LETTER.**

WAC 392-400-300



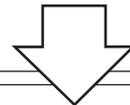
**TEN SCHOOL BUSINESS DAYS TO  
REQUEST, IN WRITING,  
A HEARING TO CHALLENGE  
DISCIPLINE**

WAC 392-400-300(1)(i)



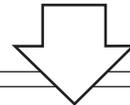
**SCHOOL SETS HEARING WITHIN  
TEN SCHOOL BUSINESS DAYS.**

WAC 392-400-305



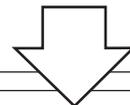
**HEARING DECISION WITHIN ONE  
SCHOOL BUSINESS  
DAY, DECISION SENT BY  
CERTIFIED MAIL TO FAMILY  
OR REPRESENTATIVE.**

WAC 392-400-305(6)



**THREE SCHOOL BUSINESS DAYS  
TO APPEAL TO THE SCHOOL DIS-  
TRICT BOARD OF DIRECTORS.**

WAC 392-400-310(2)



**30 DAYS TO APPEAL SCHOOL  
BOARD OF DIRECTORS  
DECISION TO SUPERIOR COURT.**

### WHAT IS THE PROCESS?

- Schools must give written notice to you and your child.
- The notice must be hand-delivered or sent by certified mail within 24 hours of the expulsion.
- In addition to the written notice, the school must try to notify you and your child by telephone or in person as soon as reasonably possible.
- The written and oral notice must:
  - o Be in the predominant language of your family
  - o Describe the things your child is said to have done wrong
  - o Identify the rule that was broken
  - o Describe the discipline
  - o Explain the right to a hearing, how to request a hearing, and the timelines for making a request.

### WHAT SHOULD I KNOW ABOUT DISCIPLINE HEARINGS?

A discipline hearing is an opportunity for your child to challenge the claims that he or she did something wrong. Even if your child admits to the wrongdoing, the hearing can be used to make sure that the discipline is fair. This may be a situation where a parent or caregiver should seek outside help, but this does not have to be an attorney – it could be an advocate or a peer support.

### WHEN WILL IT BE SCHEDULED?

*Once a hearing is requested, the school district must schedule it within 3 school business days.*

If you need to, ask the school district for more time to prepare or to find an attorney.

### WHEN WILL I RECEIVE RESULTS?

*You will receive a written hearing decision.*

It will tell you whether you won or lost the case. Read it and decide if you want to have another decision-maker review it. This is called an appeal. Both parents and students have a right to appeal a hearing officer's decision. **The appeal must be requested within 3 school business days of receiving the hearing officer's decision.** The hearing decision should give you instructions about when and how to appeal.

## TIPS TO RESOLVING CONFLICT WITH SCHOOLS

Being involved in your child's education is the most effective tool for preventing conflicts—being an educational advocate, partnering with the school, and supporting learning from home all greatly reduce the chance of there being a conflict that cannot be addressed with effective communication. Nevertheless, with that said, in spite of good intentions all around, conflicts do in fact arise, and below are some concrete steps you can take to resolve them.

### STEPS TO RESOLVING CONFLICT WITH SCHOOLS

Many disagreements can be resolved by following the steps listed below. Try the first step, and if you're not satisfied, move on to the next step. Try as many more steps as you need. If you need help along the way, contact the Office of the Education Ombudsman at (866) 297-2597. For children in foster care, contact the Treehouse Educational Advocacy Program at (206) 767-7000.

1. Speak to the school staff member you are in conflict with. If you are uncomfortable alone or if speaking up is not part of your culture, you may bring an advocate or a family member. If English is not your first language, request that the school provide an interpreter.
2. Speak with that school staff member's supervisor or the school principal.
3. Speak with the principal's supervisor at the school district main office. In a small district, the Principal may report to the Superintendent. In a large school district, the supervisor might be the Assistant Superintendent, the Education Director, Chief of Staff, or Chief Academic Officer.
4. Speak directly with the Superintendent, the top employee in the school district, if you haven't already done so.
5. If the problem is with the system as a whole, you can also speak with a School Board member in your district. Your School Board members are elected officials and together they hire and oversee the Superintendent.
6. Parents of students in special education and bilingual programs should follow complaint procedures set by federal law, which districts are required to explain.

Each time you decide to take the question to a new level, let the last person know, and keep the discussion open to find ways to create a solution.

### HEARINGS

There may be situations where you can't resolve an issue for your child at an informal meeting. In some situations, like when there is a disagreement over special education services for your child or you disagree with disciplinary action that a school is imposing, you may request a hearing. You may be asked to attend a hearing and find yourself at a place where you need to advocate for your child in front of a hearing officer or administrative law judge.



#### DISCRIMINATION

If parents or students believe they were treated differently than others based on race, gender, disability, religion, or another reason, they have a right to file a discrimination complaint.

If you need help, contact the Office of the Education Ombudsman at (866) 297-2597. For children in foster care, contact the Treehouse Educational Advocacy Program at (206) 767- 7000.

For parents seeking legal assistance, information can be obtained by contacting OSPI, Special Education at (360) 725-6075 or to view the Legal Assistance List visit: [http://www.k12.wa.us/SpecialEd/pubdocs/legal\\_referral\\_list.pdf](http://www.k12.wa.us/SpecialEd/pubdocs/legal_referral_list.pdf)

### ADVOCATE SO PEOPLE WILL LISTEN

- **Be organized.** Prepare to discuss the problem by making a list of questions or points to bring up. Know what's most important and keep the conversation on track.
- **Stay calm.** Take a deep breath. Focus on the problem, not the person. Talk about facts and be clear. Don't attack.
- **Be positive.** Even if you're not satisfied with the situation, let people know you appreciate their work to resolve the problem.
- **See the other side.** Try to fully understand the other person's view of the situation and solutions they might propose. Ask questions about anything that is unclear.
- **Use the right language.** Say "I believe," "I feel," or "We can" rather than "You should." Try "I understand that money is limited ..." or "I know that you have a lot of priorities to balance ..." Use the word "and" instead of "but."
- **Stay flexible.** Recognize that problems can be solved in more than one way. Be open to creative solutions.
- **Keep records.** Save copies of letters, completed forms, and other written materials. Keep dated notes about who you talked to, what was said, and the results of that communication.

For information on special education dispute resolution processes, contact:

- **Superintendent of Public Instruction Special Education Section**  
Phone: (360) 725-6075  
TTY: (360) 586-0126.  
Email: [speced@ospi.wednet.edu](mailto:speced@ospi.wednet.edu)
- **Special Education Ombudsman**  
Phone: (360) 725-6075 TTY: (360) 586-0126
- **Treehouse Educational Advocates** (For children in foster care)  
Phone: (206) 767-7000
- **U.S. Department of Education Office for Civil Rights (OCR)**  
Seattle Office: (206) 220-7900
- **Washington State Human Rights Commission**  
Toll-free: (800) 233-3247

# Beyond the Basics

## SECTION FOUR

### SPECIAL EDUCATIONAL SERVICES

#### WHAT IS SPECIAL EDUCATION SERVICES?

All children of school age in Washington State are entitled to public education; some of these youth have disabilities. Some disabilities affect a child's ability to benefit from a standard education. For many of these children, a specially designed educational plan helps provide a beneficial education. For others, a set of accommodations can be created to remove many of the difficulties they face.

#### YOUR CHILD IS ENTITLED TO:

**Free Appropriate Public Education (FAPE);** FAPE is defined as an educational program that is individualized to a specific child, designed to meet that child's unique needs. It provides access to the general curriculum, meets the grade-level standards established by the state, and ensures the child receives educational benefit at no cost to you.

#### WHAT ARE THE 3 MOST IMPORTANT THINGS TO REMEMBER ABOUT SPECIAL EDUCATIONAL SERVICES?

- A problem that interferes with a child or youth's ability to learn may be considered a disability under the law
- Every child and youth with a disability that affects learning has a right to instruction that is specially designed to meet his or her needs, in a school environment that is as much like a regular classroom as possible.
- There are strict timelines and requirements that school districts must follow in providing students with special education services.

No student is too disabled to receive a public education.

#### WHAT IS IDEiA?

*Individuals with Disabilities Education Improvement Act is a federal law is to ensure children with disabilities receive an appropriate education.*

It requires:

- Every school district to identify, locate and evaluate children who may be in need of special education.
- Once a child is identified and located, the school district must find him or her eligible for special education through an evaluation and IEP process before specific programs and services can be provided.
- Your child's school district must conduct the initial evaluation to determine whether your child is eligible for special education within 60 school days of receiving your referral as a parent or guardian (25 school days to decide whether or not to evaluate and then another 35 school days to complete the evaluation once consent is provided).

### WHO IS A PARENT UNDER IDEIA? (WAC 392-172A-01125)

- 1) Parent means:
  - a) A biological or adoptive parent of a child;
  - b) A foster parent;
  - c) A guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the student, but not the state, if the student is a ward of the state;
  - d) An individual acting in the place of a biological or adoptive parent including a grandparent, stepparent, or other relative with whom the student lives, or an individual who is legally responsible for the student's welfare; or
  - e) A surrogate parent who has been appointed in accordance with WAC 392-172A-05130.
- 2)
  - a) Except as provided in (b) of this subsection, if the biological or adoptive parent is attempting to act as the parent under this chapter, and when more than one party meets the qualifications to act as a parent, the biological or adoptive parent must be presumed to be the parent unless he or she does not have legal authority to make educational decisions for the student.
  - b) If a judicial decree or order identifies a specific person or persons under subsection (1)(a) through (d) of this section to act as the "parent" of a child or to make educational decisions on behalf of a child, then that person or persons shall be determined to be the "parent" for purposes of this section.
- 3) The use of the term, "parent," includes adult students whose rights have transferred to them pursuant to WAC 392-172A-05135.

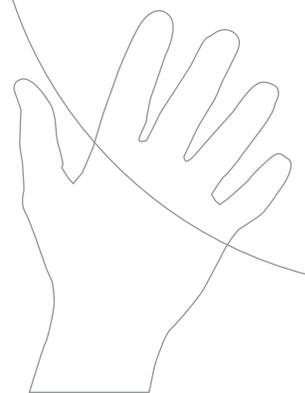
It is the school's burden to contact the biological parent for consent and participation as an IEP team member. The parent should be a part of this team UNLESS – the parental rights are terminated; the parent cannot be located or the parent presents a danger or threat to the child.

### WARD OF THE STATE (WAC 392-172A-01200)

Ward of the state means a student within the jurisdiction of the department of social and health services, children's administration through shelter care, dependency or other proceedings to protect abused and neglected children, except that it does not include a foster child who has a foster parent who meets the definition of a parent in WAC 392-172A-01125.

#### FOSTER CARE FACT

Students in foster care are six times more likely to need Special Education services than other youth.



## THE DEFINITION OF DISABILITY

### THE IDEiA

There are 14 specific primary terms included in IDEiA under the lead definition of “child with a disability.” These federal terms and definitions guide how States define disability and who is eligible for a free appropriate public education under special education law:

1. Autism
2. Deaf-Blindness (WAC)
3. Deafness
4. Developmental Delay
5. Emotional Disturbance
6. Hearing Impairment
7. Mental Retardation
8. Multiple Disabilities (WAC)
9. Orthopedic Impairment
10. Other Health Impairment
11. Specific Learning Disability
12. Speech or Language Impairment
13. Traumatic Brain Injury
14. Visual Impairment Including Blindness

### SECTION 504

Section 504 defines “children with disabilities” as individuals between the ages of three and 22 who have a physical or mental impairment that substantially limits a major life activity. “Major life activities” includes:

- Learning
- Walking
- Seeing
- Hearing
- Speaking
- Breathing
- Eating
- Sleeping
- Reading
- Standing
- Lifting
- Bending
- Concentrating
- Thinking
- Communicating
- Caring for oneself
- Performing manual tasks

*Note: 504 Accommodations should extend beyond school to employment for youth 15 and older.*

## WHAT ARE THE DIFFERENCE BETWEEN AN INDIVIDUALIZED EDUCATION PROGRAM (IEP) AND A 504 PLAN?

An IEP offers specially designed instruction. It differs for each students and offers curriculum, class work, services and/or behavioral support as it fits each student's unique needs. A 504 Plan provides a student with modifications and accommodations within the general education setting, and can include special instruction and related services.

## WHAT IF I SUSPECT MY CHILD HAS A DISABILITY?

If you suspect that your child has a disability, he or she should be referred for special education or 504 evaluations. A referral must be made in writing. This simple written request can be called a focus of concern or referral, the school district has the duty to consider the request for special education or 504 services. \*

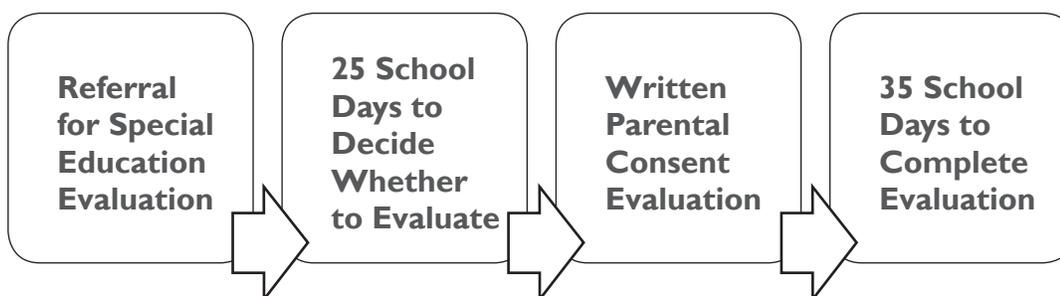
See the Office of the Education Ombudsman's publication about protecting the *Educational Rights of Students with Disabilities* for more information on special education and how to make a referral for your child to be tested to see if he or she has a disability. <http://www.governor.wa.gov/oeol/publications/default.asp>

To conduct a special education evaluation, the district must decide whether to evaluate a student, and then get permission or consent from the student's parent to perform the evaluation. School districts must evaluate a student in every area related to his or her suspected disability. The evaluation must be done at no cost to the student or family. There are three basic steps to make an evaluation happen:

- Step 1*      *Someone makes a request that the student be evaluated.*
- Step 2*      *The district decides that an evaluation is necessary.*
- Step 3*      *Consent to evaluate is given to the district.*

\* While there are no formal timelines for a 504 evaluation, requesting an evaluation for both Special Education and 504 allows you and the school to consider all service options.

## WASHINGTON STATE TIMELINES FOR EVALUATION



**Response to Intervention (RTI)** is a multi-level prevention system to maximize student achievement and to reduce behavior problems.

With RTI, schools identify students at risk for poor learning outcomes, monitor student progress, provide evidence-based interventions and adjust the intensity and nature of those interventions depending on a student's responsiveness, and identify students with learning disabilities.

Through this process, ongoing data collection is used to recognize students with learning disabilities much earlier than in the past. This allows students to be provided with the help they need before further learning disabilities develop.

In this way RTI is an alternative to the "discrepancy model" that has traditionally been used by schools to identify students with specific learning disabilities. The discrepancy model requires that a significant discrepancy exists between a student's cognitive ability and his or her academic achievement in order for that student to qualify for special education services. If a significant discrepancy does not exist the student will not receive services.

The general principal behind RTI is to identify youth before they are failing and provide interventions to address the deficits. By doing this, the need for special education services will be reduced.

Many schools are trying to move towards an RTI model. If your school is using RTI and you request a special education evaluation, the school will probably want to try some interventions first. Remember that all interventions should be scientifically research based, that there should be a clear start and end dates for the intervention, and there should be a plan to review the data and adjust the intervention based on the student's responsiveness.

For more information about RTI, visit OSPI's website:

<http://www.k12.wa.us/RTI/default.aspx>.

### **WHAT IS AN IEP?**

*The Individualized Education Program, or IEP,* is a document that describes the specific special education services that a child will receive if they are found eligible for special education. An IEP is a legal document and students are entitled to receive all of the services outlined in the IEP. An IEP should be tailored to a child and his or her educational needs, and it can include creative strategies for delivering services

The IEP creates an opportunity for a team made up of teachers, parents, school administrators, related services personnel, and students (when appropriate) to work together to improve educational results for children with disabilities.

### **WHAT'S INVOLVED IN DEVELOPING MY CHILD'S IEP?**

Developing your child's IEP involves two main things:

- 1) The IEP meeting(s), where you, your child (at times), and school staff members together decide on an educational program for your son or daughter; and
- 2) The IEP document, which puts the decisions from that meeting in writing. Among other things, this document lists the services and supports your child will receive.

The entire IEP process is a way for you and the school to talk about your child's needs and to create a plan to meet those needs.

### **HOW DOES THE IEP ADDRESS BEHAVIOR ISSUES?**

*The IEP should include a Functional Behavior Assessment (FBA) and a Behavior Intervention Plan (BIP) if behavior problems exist.*

For a student whose behavior gets in the way of his or her learning or that of other students, the IEP should provide goals and objectives for improving behavior and strategies for addressing the problem. It is important to remember that a student's behavior may be related to his or her disability. The IEP should anticipate behavior problems and create effective ways to respond to those problems before they occur.

### **WHEN DOES AN IEP GET REVIEWED OR REVISED?**

*At least once a year, but more frequently if an IEP Team member requests it.*

The IEP can also be reviewed at any time at the request of a team member or when circumstances have changed.

### **WHAT HAPPENS IF A STUDENT WITH AN IEP MOVES DURING THE SCHOOL YEAR?**

The new school district must provide the student with services comparable to those outlined in the IEP from the former district until the new district either adopts the old IEP or develops a new IEP.

### **WHAT ARE TRANSITION SERVICES IN THE IEP?**

Youth at age 16 must have a Transition Plan in their IEPs. These services are designed to promote movement from school to post-school activities, such as college, trade or vocational school, work and even independent living. Districts must plan for any necessary connections with outside agencies to provide these services. For youth who are eligible, this could include the Department of Developmental Disabilities (DDD) or the Division of Vocational Rehabilitation (DVR). If services are supposed to be provided by outside agencies, the district has the responsibility to make sure the services are delivered and to make arrangements for other agencies to provide them if they are not. Any outside agencies involved must be also invited to IEP meetings.

Beginning not later than the first IEP to be in effect when the student is 16, the IEP must include appropriate, measurable post-secondary goals related to training, education, employment, and, where appropriate, independent living skills and outline the transition services, including courses of study, the student will need to reach these goals. Transition services should take into account the student's interests, preferences and the skills he or she needs to acquire. Internships, community service, and job shadowing are all strategies for a Transition Plan.

### **WHAT IS SECTION 504?**

Section 504 of the Rehabilitation Act of 1973 is a federal civil rights law that prohibits discrimination against individuals with disabilities. It applies to any school that receives federal funds. The intent of this law is to provide students with disabilities equal access to educational programs, services, and activities. Students with disabilities may not be denied participation in school programs and activities solely based on disability.

### **WHAT IS CONSIDERED A “DISABILITY”?**

Students who meet the definition of a person with a disability under Section 504 are those who:

- have a physical or mental impairment which substantially limits one or more major life activities;
- have a record of such an impairment; or
- are regarded as having such an impairment.

### **INDIVIDUALS LIMITED BY “MAJOR LIFE ACTIVITIES” MAY INCLUDE:**

Individuals with AD/HD, dyslexia, cancer, diabetes, severe allergies, chronic asthma, Tourette’s syndrome, digestive disorders, cardiovascular disorders, depression, conduct disorder, oppositional defiant disorder, HIV/AIDS, behavior disorders and temporary disabilities (e.g., broken writing arm, broken leg, etc.). Also covered are conditions that are episodic or in remission if they create a substantial limitation in one or more major life activity when they are active. Students who are currently using illegal drugs or alcohol are not covered or eligible under Section 504.

### **HOW DOES A CHILD QUALIFY FOR A 504 PLAN?**

Determining whether a youth is a “qualified disabled student” under Section 504 begins with an evaluation process. A parent, caregiver, social worker or anyone who knows and works with the child may request an evaluation. It is recommended the request be made in writing and that it include the specific concerns that are prompting the request. Provide any accompanying documentation from doctors, counselors or therapists. A team consisting of school personnel, care providers and other involved parties will meet to review the concerns and determine if the child is eligible. There are no required timelines for scheduling meetings. If there is not a timely response from the school, the parent or caregiver should follow up with an inquiry about when a meeting will be scheduled.

### **IF A STUDENT IS ELIGIBLE, HOW ARE SERVICES PROVIDED?**

A written 504 Plan will be prepared that details the accommodations that will be made to ensure that the student has access to programs and activities. Copies will be provided to all school staff who are directly involved in the student’s school program. The plan should be reviewed at least annually if not sooner depending on the nature of the disability. It is subject to revision as changing conditions dictate.

*Please note: Special Education can be a complicated process – do not hesitate to ask for help. If you feel you need additional support, please contact an Advocate, an Education Ombudsman or even an attorney. For more detailed information on Special Education, please go to “Make a Difference in a Child’s Life: A Manual for Helping Children Get What They Need in School” (TeamChild, Casey Family Programs, 2008) at [www.teamchild.org](http://www.teamchild.org).*

## EARLY LEARNING

Early childhood generally applies to children from the time of their birth through entering kindergarten. There is a strong connection between the development a child undergoes early in life and the level of success that the child will experience later in life.

### HOW EARLY SHOULD I PREPARE MY CHILD FOR SCHOOL?

*You are the first teacher and your home is the first school.*

Every experience a child has is a learning moment. For example, an infant is learning to trust his or her needs will be met. Those experiences are helping to develop neurological pathways in the brain. These pathways support functions like; seeing, hearing, speech, movement, and behavior.

### HOW DO I PROVIDE POSITIVE LEARNING MOMENTS FOR MY CHILD?

The Foundation for Early Learning developed the booklet

#### TEN SIMPLE WAY TO ENCOURAGE LEARNING.

Listed below are the basic 10 ways:

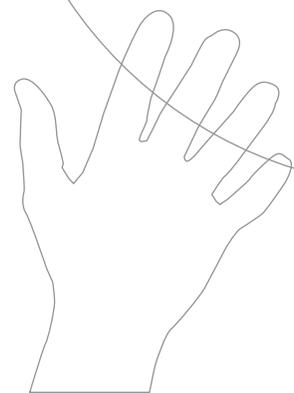
- 1) Be warm, loving and responsive
- 2) Respond to the child's cues and clues
- 3) Talk, read, and sing to your child
- 4) Establish routines
- 5) Encourage safe exploration and play
- 6) Make TV watching selective\*
- 7) Use discipline as an opportunity to teach
- 8) Recognize that each child is unique
- 9) Choose high-quality child care and stay involved
- 10) Take care of yourself

### I'M CONCERNED ABOUT MY CHILD'S DEVELOPMENT, WHAT CAN I DO?

The Birth to Six Growth and Developmental Chart gives caregivers and other providers a quick, organized way of helping to recognize possible problem areas in a child's vision, hearing, and development. The chart will help look at the whole child and will help to recognize areas that deserve a second look by a professional who can do further screening and evaluation. ([www.del.wa.gov/development/esit/faq.aspx](http://www.del.wa.gov/development/esit/faq.aspx))

#### FOSTER CARE FACT

The American Academy of Pediatrics (AAP) does not recommend television for children age 2 or younger. For older children, the Academy recommends no more than 1 to 2 hours per day of educational, non-violent programs.



### **WHAT SERVICES MAY BE PROVIDED THROUGH THE EARLY INTERVENTION PROGRAM?**

- Family training, counseling, and home visits
- Special instruction
- Speech-language therapy
- Occupational or physical therapy
- Psychological services
- Service coordination services
- Medical services for diagnostic or evaluation purposes
- Early identification, screening and assessment services
- Social work services
- Vision services
- Assistive technology devices and services

(Department of Early Learning: [www.del.wa.gov](http://www.del.wa.gov))

### **HOW DOES A CHILD UNDER 3 BECOME ELIGIBLE FOR EARLY INTERVENTION SERVICES?**

Every child can get screened for early intervention services. If you think a young child in your care may be eligible, make a referral for evaluation. You can request an evaluation from a Family Resource Counselor, a public health organization or from your school district. To find out who the Family Resource Counselor in your area is, call the Within Reach Hotline: (800) 322-2588.

### **WHAT IF MY CHILD RECEIVES EARLY INTERVENTION SERVICES BUT IS TURNING 3?**

At least six months before a child turns three, the Family Resources Coordinator (FRC) will assist the family in planning for transition out of early intervention services. Any child who qualified for Early Intervention Services must be reevaluated for a disability before age 3 to be eligible for special education.

Before transition planning occurs, the FRC will get the family's consent. The FRC will schedule a meeting with the family, service providers, and local school district staff to develop the transition plan.

The school district determines if the child is eligible for preschool special education services. If a child is eligible, their services will be provided through an Individualized Education Program (IEP).

## STATE AND FEDERAL EARLY CHILDHOOD PROGRAMS

ECEAP and Head Start are comprehensive preschool programs that provide free services and support to eligible children and their families. The goal of both programs is to help ensure all Washington children enter kindergarten ready to succeed.

The programs include:

- Early learning preschool
- Family support and parent involvement
- Child health coordination and nutrition

**ECEAP:** The Early Childhood Education and Assistance Program (ECEAP) is a whole-child, family-focused preschool program designed to help low-income and at-risk children and their families succeed in school and life. Because many factors affect a child's learning ability and development, ECEAP has four interactive components: education; health and nutrition; family support and parent involvement. Services include learning in a preschool setting, health screening and assistance with follow-up medical and dental care, healthy snacks and meals and family support including help accessing resources and social service.

**Head Start:** Head Start provides grants to local public and private agencies to provide comprehensive child development programs to children and families. Intended primarily for preschoolers from low-income families, Head Start promotes school readiness. Head Start children also receive comprehensive health services, including immunizations, physical and dental exams and treatment, and nutritional services. The average Head Start program provides part-day services for eight or nine months out of the year. A new trend, however, is to serve children in full-day, full-year programs to help meet the child care needs of parents who are either working or in job training.

**Early Head Start:** Early Head Start's mission is to promote healthy prenatal care for pregnant women, enhance the development of very young children, and promote healthy families.

**Migrant and Seasonal Head Start** provides consistent and high quality services in support of healthy child development.

**Tribal Head Start** (American Indian-Alaska Native Program Branch) provides American Indian and Alaska Native children and families with comprehensive health, educational, nutritional and other developmental services promoting school readiness. These services are directed primarily toward economically disadvantaged preschool children (ages 3 to 5) and infants and toddlers (birth through age 3.)

For more information:

**Washington Department of Early Learning:** [www.del.wa.gov/ecaep/index.shtml](http://www.del.wa.gov/ecaep/index.shtml)

**Early Support for Infants and Toddlers (ESIT):** (360) 725-3500

**Family Health Line:** (800) 322-2588

**Educational Service District:** [www.k12.wa.js.maps/ESDmaps.aspx](http://www.k12.wa.js.maps/ESDmaps.aspx)

**ChildFind:** <http://www.childfindidea.org>

## POST-SECONDARY EDUCATION

A youth's educational experience shouldn't end the day he or she graduates from high school or receives a GED. There are many educational resources and opportunities available to help students pursue their post-secondary education. Post Secondary Education includes 2-year community colleges, 4-year colleges and universities, and vocational and career programs.

### WHY IS THERE A NEED FOR POST-SECONDARY EDUCATION ADVOCACY?

A 2010 report by the EPE Research Center indicates that three out of every 10 students in America's public schools fail to finish high school with a diploma. That amounts to 1.3 million students falling through the cracks of the high school pipeline every year, or more than 7,200 students lost every day.

According to the National Working Group on Foster Care and Education, 37% of foster youth drop out of high school, compared to 16% of the general population.

### WASHINGTON BASIC EDUCATION ACT

Education is a basic, constitutional right in Washington. Students cannot be denied an equal educational opportunity because of their race, national origin, disability, pregnancy, or juvenile court involvement. Young people have a right to educational services until they are 21 years old. These services can be provided in a regular high school, an alternative high school, a GED program, or a high school completion program at a local community college.

### WHAT ARE THE 3 MOST IMPORTANT THINGS TO REMEMBER ABOUT EDUCATIONAL SERVICES FOR YOUNG ADULTS?

- 1) Young people have a right to free public education until they are 21 years old.
- 2) Start planning early to prepare a young person for independent living. Research suggests that by age 14, youth should be involved in planning for their transition to independence (this is especially true for youth in out of home care).
- 3) There are a lot of resources available to help youth attend post-secondary, especially youth in out of home care or from low-income or first generation college bound families.

**Detailed College Prep Checklists** are available for youth in each grade as they prepare for post-secondary. Below is a sample checklist – to see all of the checklists, go to [www.independence.wa.gov/education](http://www.independence.wa.gov/education)

## SAMPLE CHECKLIST

### Students:

Meet with your guidance/college counselors to review your four-year academic plan. Request to be placed in challenging courses to expand your knowledge and stretch your mind and that satisfy college admission requirements.

Choose elective courses that interest you and that meet college admission requirements such as music, art or theater. Continue your study of a world language.

Focus on your class work, homework and school projects. Continue to build upon the study skills that you used in middle school.

Participate in school orientation to learn about the different activities available at your high school. Academics should be your focus, but it is important to have a balanced high school experience.

Get involved in your new academic community by participating in student organizations, athletics and community service events.

### Families:

Continue to support and encourage your student by staying involved in their education.

Attend school meetings and events with your student.

Maintain regular contact with your student's teachers and guidance/college counselor.

Review your student's four-year academic plan to make sure that you both understand and agree to the courses that have been planned.

Information on the sample checklist was provided by the *College Success Foundation*.

### THE FOLLOWING ARE THREE PROGRAMS FOR FIRST GENERATION PROSPECTIVE COLLEGE STUDENTS, COMMONLY CALLED TRIO PROGRAMS.

These programs are designed to promote academic achievement among disadvantaged populations.

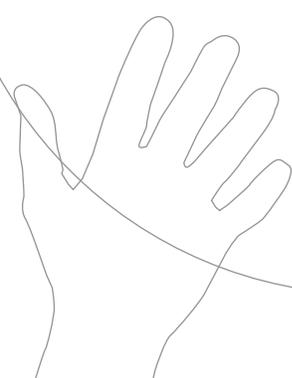
- **Talent Search** Provides academic, career, and financial counseling to its middle and high school participants and encourages them to graduate from high school and continue on to the post-secondary school of their choice. Talent Search also serves high school dropouts by encouraging them to reenter the educational system and complete their education. For description: [www.ed.gov/programs/triotalent/index.html](http://www.ed.gov/programs/triotalent/index.html)

### 5 IMPORTANT THINGS TO REMEMBER ABOUT ADOLESCENTS AND POST SECONDARY PLANNING:

1. Start early
2. Set goals and make a plan
3. Take college entry tests and classes required for admission
4. Research financial aid and other scholarships
5. Have HIGH EXPECTATIONS

### FOSTER CARE FACT

Foster youth are half as likely as their peers to enroll in college preparatory courses, even when they have similar test scores and grades.



- **Upward Bound**  
Provides fundamental support to high school participants in their preparation for college entrance. The program provides opportunities for participants to succeed in pre-college performance and ultimately in higher education pursuits. For description: [www.ed.gov/programs/trioupbound/index.html](http://www.ed.gov/programs/trioupbound/index.html)
- **Student Support Services**  
Provides opportunities to college students for academic development, assists students with basic college requirements, and serves to motivate students towards the successful completion of their post-secondary education. For description: [www.ed.gov/programs/triostudsupp/index.html](http://www.ed.gov/programs/triostudsupp/index.html)

#### ADDITIONAL PROGRAMS FOR YOUTH WHO HAVE NOT EARNED THEIR HIGH SCHOOL DIPLOMA:

- **High School Completion Programs, through local community colleges.**  
These programs can help youth pursue their high school completion while also pursuing academic and/or vocational studies.
- **Job Corps** offers young people ages 16-24 the opportunity to earn their GED, High School Diploma, a career, and find and keep a good job.
- **GED (General Education Development) Plus.** Research shows that, although a GED offers a modest improvement in labor market value, access to higher education and improved self-esteem, a high school diploma provides greater economic, academic and social benefits. If a student does choose to pursue a GED, the GED Plus path is much stronger one. GED plus includes a vocational, technical or Associate in Arts degree alongside a GED completion.

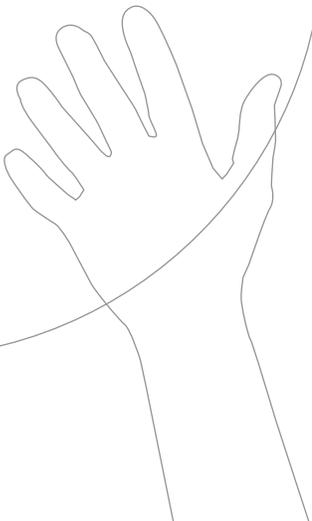
While most postsecondary colleges and programs accept the GED for admission, many four-year colleges may also require the ACT, SAT or a college placement test.

For general information about the GED, go to [www.acenet.edu](http://www.acenet.edu). (Point to Program & Services and then click GED testing service)

For additional information for youth in out of home care especially around funding opportunities and support programs, visit: [www.independence.wa.gov](http://www.independence.wa.gov)

#### FOSTER CARE FACT

Nationally, only 3% of former foster kids complete a bachelor's degree, compared to 28% of the general population.



# State and Regional Resources

## SECTION FIVE



WASHINGTON STATE  
**Office of the Education Ombudsman**

[www.waparentslearn.org](http://www.waparentslearn.org)

### THE OFFICE OF THE EDUCATION OMBUDSMAN

155 N.E. 100th St. #210  
Seattle, WA 98125  
Fax: 206-729-3251  
Toll-free phone number: 866-297-2597  
E-mail: [OEOinfo@gov.wa.gov](mailto:OEOinfo@gov.wa.gov)  
[www.waparentslearn.org](http://www.waparentslearn.org)



### TEAMCHILD

King County (Main) Office  
1225 S. Weller, Ste 420  
Seattle, Washington 98144  
(206) 322-2444  
(206) 381-1742 Fax  
(253) 274-9929  
(253) 274-1888 Fax  
[www.teamchild.org](http://www.teamchild.org)  
Visit us online for our other locations.



## OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION

Office Hours: 8:00am - 5:00pm

(360) 725-6000

TTY (360) 664-3631

<http://www.k12.wa.us/>

Headquarters:

Old Capitol Building

600 Washington St. S.E.

Olympia, WA 98504-7200

Mailing Address: Mail stop: 47200

Old Capitol Building

P.O. Box 47200

Olympia, WA 98504-7200

## WHOM DO I CONTACT AT OSPI?

If you feel that bullying is not being adequately addressed by the school system, there are a number of state partners that may be able to assist you. The Office of Superintendent of Public Instruction (OSPI) has not been given the authority to enforce local rules that are adopted by each individual school board. However, if you believe that your student is being discriminated against through bullying you may contact one of the OSPI offices.

- **OSPI's Equity & Civil Rights Office** will hear a complaint of sexual discrimination. (360) 725-6162 [equity@k12.wa.us](mailto:equity@k12.wa.us)
- **OSPI's Special Education Ombudsman Office** can assist with Special Education complaints. There are federal guidelines to follow when a student who is being harassed is enrolled in a Special Education program. (360) 725-6075
- **OSPI's Office of Professional Practices** will hear a complaint of misconduct against a school district employee. (360) 725-6130 or [opp@k12.wa.us](mailto:opp@k12.wa.us)
- **OSPI's School Safety Center** provides parents and districts with technical assistance regarding bullying.
  - o Phone: (360) 725-6044
  - o **Programs Available:**
    - Washington State School Safety Center
    - School Safety and Security Programs
    - School Emergency Management
    - Safe and Drug Free Schools and Communities Program; Weapons Report;
    - Student Behavior Report; Unexcused Absences/Truancy Report

## WHAT RESOURCES ARE AVAILABLE OUTSIDE OF THE OSPI?

**The Washington State Office of the Education Ombudsman** is also able to address parent-school conflicts with regionally sited investigators. (866) 297-2597

**The U.S. Department of Education, Office of Civil Rights** accepts complaints based on race, color, national origin, sex, disability and age and has a regional office in Seattle. (206) 607-1600

**Team Child Advocacy for Youth** helps youth gain access to appropriate educational programs so they can find success in school. They have offices in five counties. (206) 322-2444

**Northwest Justice Project** provides free civil legal services to low-income people from 13 offices and 4 satellite locations throughout the state of Washington. (360) 533-2282 or (888) 201-1014

**The Safe Schools Coalition** addresses homophobia and harassment in school based on real or perceived sexual orientation. (877) 723-3723

**Washington State Parent-Teacher Association (PTA)** has regional offices and the **National PTA** provides guidance on bullying.

WA PTA: (800) 562-3804 or (253) 565-2153

**Community Relations Service**, an arm of the U.S. Department of Justice, provides conciliation services to help prevent and resolve racial and ethnic conflict. Northwest Regional Office, (206) 220-6704.









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giving foster kids a childhood and a future

2100 24th Avenue S., Suite 200  
Seattle, WA 98144-4632  
Tel: (206) 767-7000  
Fax: (206) 767-7773  
[www.treehouseforkids.org](http://www.treehouseforkids.org)

#### **EDUCATIONAL ADVOCACY WORKSHOPS**

The Educational Advocacy Workshops are community-based workshops presented throughout Washington State designed to help caregivers with educational advocacy issue, particularly for youth in out of home care.

*The Educational Advocacy Workshops are made possible by a generous grant from The Stuart Foundation.*

#### **SPECIAL TOPIC WORKSHOPS:**

Understanding Public  
School System

School Involvement  
Effective Communication

Educational Rights/  
Resolving Issues

Special Education  
Services

Bullying and Discipline  
McKinney Vento

Early Learning

Post-secondary  
Education

