

STUDENTS

Corrective Actions or Punishment

All students shall submit to the reasonable rules of the district. Refusal to comply with written rules and regulations established for the governing of the school shall constitute sufficient cause for discipline, suspension, or expulsion. Corrective action and/or punishment for misconduct must reflect good faith effort on the part of the staff. For the purposes of the district's policies relating to corrective action or punishment:

- A. "Expulsion" is the exclusion from school or individual classes for a specific period of time, after which the student has a right to return.
- B. "Suspension" is the exclusion from school, or individual classes for a specific period of time, after which the student has a right to return.
 - 1. A suspension is "short term" if it is for a period of 10 consecutive school days or less. Separate short-term suspensions shall not total more than 10 school days in a semester for any student in grades K-4. Separate short-term suspensions shall not total more than 15 days in a semester for a student in any other grade. Students' grades shall not be affected substantially as a result of a short-term suspension.
 - 2. Suspensions which exceed 10 consecutive school days are long-term suspensions.
- C. "Discipline" constitutes all other forms of corrective action or punishment, including brief exclusions from a class for not more than the remainder of the class period, including exclusion from any other type of activity conducted by or for the district. Discipline shall not adversely affect specific academic grade, subject, or graduation requirements, so long as all required work is performed.

As a general rule no student shall be suspended for a short or long term unless other forms of corrective action or punishment reasonable calculated to modify his/her conduct have previously been imposed upon the student as a consequence of misconduct of the same nature. However, a student may be suspended for exceptional misconduct, other than absenteeism, when such misconduct is of frequent occurrence or is serious in nature and/or is disruptive to the operation of the school. The superintendent, following consultation with a representative ad hoc citizens' committee, shall recommend for board approval, the nature and extent of the corrective actions and/or punishments which may be imposed as a consequence of prescribed misconduct. An exception may be granted by an administrator and/or hearing officer when warranted by extenuating circumstances. Suspensions or expulsions shall be used only for instances of serious student misconduct.

Prior to the imposition of a corrective action or punishment upon a special education student, the school principal and special education staff who have knowledge of the student's handicapping

condition will determine if there is a causal relationship between the handicapping condition and the misconduct giving rise to the corrective action or punishment. When a relationship is found to exist, special education programming procedures shall be employed.

Once a student is expelled in compliance with district policy, the expulsion shall be brought to the attention of appropriate local and state authorities, including, but not limited to, the local juvenile authorities acting pursuant to the statutes dealing with the Basic Juvenile Court Act, in order that such authorities may address the student's educational needs.

No student shall be expelled, suspended or disciplined in any manner for the performance of or failure to perform any act not related to the orderly operation of the school or school-sponsored activities or any other aspect of the educational process.

The superintendent shall have the authority to discipline, suspend or expel students. The superintendent shall identify the conditions under which a teacher may exclude a student for all or any portion of a school day and shall also designate which staff have the authority to initiate or to impose discipline, suspensions or expulsions.

Parents and students shall be given notice of the standard of conduct the district requires regarding drug and alcohol use, and a statement of the disciplinary sanctions for violations of that standard.

A disciplinary appeal council is established. The board shall appoint three members to the council to serve one, two and three year terms, respectively. All future appointments to the council shall be for two year terms and shall be made by the board. The disciplinary appeal council is charged with hearing and deciding discipline grievances and appeals of long-term suspensions and expulsions.

Cross References: Board Policy 2161 (Education of Students with Disabilities)

Legal References:	RCW 9.41.280	Carrying dangerous weapons on school facilities
	28A.225.030	Petition to juvenile court
	28A.600.010	Government of schools, pupils, employees, rules and regulations for-Due process guarantees-Enforcement
	28A.600.020	Government of schools, pupils, employees, rules and regulations for-To insure optimum learning atmosphere
	28A.600.040	Pupils to comply with rules and regulations
	28A.600.420	Firearms on school premises, transportation, or facilities-Penalty-Exemptions
	P.L. 101-226	Drug-Free Schools and Communities Act
	WAC 180-40-205	Definitions (Pupils)

program in a student's individual education program which has been signed by the parent and is carried out according to district procedures in compliance with WAC 392-171-800-830.

Legal References: RCW 9A.16.100 Washington Criminal Code
 WAC 180-40-235 Discipline-Conditions and limitations

3. **Detention** (WSSDA Reference 3312)

For minor infractions of school rules or regulations, or for minor misconduct, staff may detain students after school hours for not more than 75 minutes on any given day.

Preceding the assignment of such corrective action, the staff member shall inform the student of the nature of the offense charged and of the specific conduct which allegedly constitutes the violation. The student shall be afforded an opportunity to explain or justify his/her actions to the staff member

Detention shall not begin until the parent has been notified (except in the case of the adult student) for the purpose of informing him/her of the basis and reason for the detention and to permit him/her to make arrangements for the necessary transportation of the student when he/she has been detained after school hours for corrective action.

Students detained for corrective action shall be under the direct supervision of the staff member or another member of the professional staff.

The principal shall be responsible for seeing that the time which the student spends for corrective action shall be used constructively.

4. **Appeal Process for Disciplinary Action** (WSSDA Reference 3313)

Any parent or student who is aggrieved by the imposition of discipline shall have the right to an informal conference with the principal for the purpose of resolving the grievance. At such conference the student and parent shall be subject to questioning by the principal and shall be entitled to question staff involved in the matter being grieved.

The parent and student after exhausting this remedy, shall have the right, upon 2 school business days' prior notice, to present a written and/or oral grievance to the superintendent. If the grievance is not resolved, the parent and student, upon 2 school business days' prior notice, shall have the right to present a written grievance to the disciplinary appeal council during its next regular meeting, or at a meeting held within 30 days, whichever is earlier. A closed meeting may be held for the purpose of considering the grievance. The council shall notify the parent and student of its response to the grievance within 10 school business days after the date when the grievance was presented. The disciplinary action shall continue notwithstanding implementation of the grievance procedure unless the principal, superintendent or board elects to postpone such action.

Legal References WAC 180-40-240 Discipline-Grievance Procedures
 WAC 180-40-317 Appeals-Discipline and short-term suspension

5. **In-School Suspension**

(WSSDA Reference 3314)

The board of directors supports efforts to bring about a positive learning climate in the school. The district strives to employ staff who are skilled in the most effective instructional techniques and who are sensitive to the unique needs of each individual student.

The need for order in the school and classroom is basic to learning. Rules are established to preserve the integrity of classroom and school in order to accomplish this need. Students who are in violation of school rules not only deprive themselves of the opportunity to learn but they interfere with the progress of others.

The district strives to maintain high standards of attendance. Students who are not in school are denied the opportunity to learn. Corrective actions including suspension and expulsion are reserved to those students who actively threaten other students, staff or the overall school environment.

The district, therefore, has created an in-school suspension program which temporarily removes the student from the regular environment but permits the student to maintain his/her educational progress.

Students, who are assigned to in-school suspension, are granted this opportunity as a privilege and are expected to comply with the expectations of staff. The superintendent shall establish guidelines for the operation of the in-school suspension program.

Legal References: WAC 180-40-245 Short-term suspension-Conditions and Limitations

6. **Suspensions or Expulsions**

(WSSDA Reference 3320)

The nature and circumstances of the student conduct violation must reasonably warrant a suspension or expulsion. As a general rule no student shall be suspended for a short or long term unless other forms of corrective action reasonably calculated to modify his/her conduct have previously been imposed upon the student as a consequence of misconduct of the same nature. However, a student may be suspended for exceptional misconduct, other than absenteeism, when such misconduct is of frequent occurrence or is serious in nature and/or is disruptive to the operation of the school. The superintendent, following consultation with a representative ad hoc citizens' committee, shall recommend for board approval, the nature and extent of the corrective actions and/or punishments which may be imposed as a consequence of prescribed misconduct. An exception may be granted by an administrator and/or hearing officer when warranted by extenuating circumstances. No student shall be suspended or expelled because of one or more unexcused absence(s) unless the district has first:

- A. Provided written notice to the parent in his/her primary language that the student failed to attend without valid justification;
- B. Scheduled a conference with the parent and the student at a convenient time and place to analyze the cause for the student's absence to determine by appropriate means whether the student should be made a "focus of concern" for placement in special education or

have been violated, (2) the recommended corrective action or punishment, (3) the right to a hearing, (4) the notice that if a written request for a hearing is not received by the staff member named in the notice within 3 school business days after the notice is received, the hearing shall be waived and the recommended corrective action or punishment shall take effect, and (5) the date by which the request for a hearing must be received.

If a hearing is requested, the superintendent shall schedule the matter for a hearing within 3 school business days of such request.

The parent and student and the district or representatives shall be permitted to inspect in advance of such hearing any affidavits or exhibits which are to be submitted at the hearing. The parent and student shall have the opportunity to be represented by counsel, to explain the alleged misconduct and to present affidavits, exhibits, and such witnesses as desired, as well as the opportunity to question witnesses.

The hearing shall be conducted before a hearing officer appointed by the superintendent. Such hearing officer shall not be a witness and shall determine the facts of each case solely on the evidence presented at the hearing. The hearing officer shall state in writing the findings as to the facts, conclusions, and disposition to be made. The decision shall be provided to the parent and student or counsel.

If the hearing officer imposes a long-term suspension or expulsion, the parent and student shall have 3 school business days after receiving the hearing decision to appeal that decision to the disciplinary appeal council. The long-term suspension or expulsion may be imposed during the appeal period for no more than 10 consecutive school days or until the appeal is decided, whichever is the shortest period. Any of the days that a student is temporarily suspended or expelled before the appeal is decided shall be applied to the term of the student's suspension or expulsion and shall not limit or extend the term of the student's suspension or expulsion.

Prior to imposing a long-term suspension or expulsion due to the misconduct of a disabled student, the principal shall call a meeting of selected staff to:

- A Determine whether the student's misconduct has a causal relationship to the student's disability,
- B Determine whether the student's misconduct is the result of an inappropriate placement,; and
- C. Consider the sanction or action to be taken and whether the sanction will deny the student a fee and appropriate public education.

Staff involved in this meeting shall be familiar with the:

- B. Individual student's file;
- C. Assessment data and the IEP that has been developed accordingly;
- D. Placement options that are available to the student.

If the misconduct is not related to the disability; is not the result of an inappropriate placement and will not result in denial to a free and appropriate public education (FAPE), then written notice of the proposed action shall be sent to the parents. This notice shall be sent by certified mail and include:

- A. Date, time, place and participants at the meeting;
- B. Information an/or data used in reaching the decision;
- C. The decision regarding the causal relationship of the disability to the misconduct, the appropriateness of the placement, and the corrective action or punishment to be imposed.
- E. The right to a due process hearing regarding the causal relationship of the disability and the misconduct, and,
- F. The right to a due process hearing regarding the imposition of a corrective action or punishment.

If no request for a hearing is received within three (3) school business days after the notice is received, the hearing shall be waived and the action shall take effect. If the proposed school action is challenged as a substantial change in placement through a request for a hearing, special education policies and procedures shall be applicable. If the disabled student is being disciplined for drug or alcohol offenses and is a current use of drugs or alcohol. the extra due process requirements involving change of placement do not apply.

Cross References:	Board Policy 2161	Education of Students with Disabilities
Legal References:	WAC 180-40-265	Long-term suspension-Notice of hearing-Waiver of hearing
	WAC 180-40-270	Long-term suspension-Prehearing and hearing process
	WAC 180-40-280	Expulsion-Notice of hearing-Waiver of hearing
	WAC 180-40-285	Expulsion-Prehearing and hearing process

10. **Process for long-term Suspension or Expulsion** (WSSDA Reference 3324)

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Appeal Process for Long-Term Suspension or Expulsion

If a long-term suspension or expulsion is imposed, the parent and student shall have the right to appeal the hearing officer’s decision by filing a written notice of appeal at the office of the hearing officer within 3 school business days after the date of receipt of the decision.

The disciplinary appeal council shall schedule and hold a meeting to informally review the matter within 10 school business days from receipt of such appeal. The purpose of the meeting shall be to confer with the parties in order to decide upon the most appropriate means of handling the appeal. At that time the student, parent, and/or counsel shall be given the right to be heard and shall be granted adjournment, the council shall agree to one of the following procedures:

- A. Study the hearing record or other materials submitted and record its findings within 10 school business days;
- B. Schedule and hold a special meeting to hear further arguments on the case and record its findings within 15 school business days; or
- C. Hear and try the case de novo before the council with 10 school business days.

Any decision by the council to impose or to affirm, reverse or modify the imposition of suspension or expulsion upon a student shall be made only by:

<u>Exceptional Misconduct</u>	<u>Range of Corrective Action</u>	<u>Action That May Be Taken</u>
Processing and/or using alcohol, illegal chemical substances	Minimum	Short-term suspension, prosecution referral
	Maximum	Expulsion (90 day), prosecution referral
Threatening or verbal abuse, fighting or fighting words	Minimum	Short-term suspension
	Maximum	Long-term suspension (90 day)
Setting fire or damaging school property devices	Minimum	Short-term suspension
	Maximum	Long-term suspension (90 day)
Possessing and/or using weapons or explosive devices	Minimum	Expulsion for one calendar year, notification to law enforcement
	Maximum	Indefinite expulsion, notification to law enforcement
Possessing/Using tobacco products	Minimum	Short-term suspension
	Maximum	Indefinite expulsion, notification to law enforcement
Disrupting the educational process	Minimum	Short-term suspension
	Maximum	Long-term suspension (90 day)
Refusing to follow reasonable directions of staff	Minimum	Short-term suspension
	Maximum	Long-term suspension (90day)

1. **In-School Suspension**

(WSSDA Ref. 3314 P)

Guidelines for the in-school suspension program are as follows:

- A. A student who is afforded the opportunity to be assigned to the in-school suspension program as an option to suspension shall agree to the conditions specified by the school principal. Unless the student is of majority age, concurrence from the parent or guardian is necessary.
- B. The in-school suspension program is designed to encourage learning. Students will be expected to work on their classroom assignments at all times.
- C. Any act of inappropriate conduct may result in denial of this alternative to other corrective actions.

- D. A student shall remain isolated from other students throughout the school day and will be denied the opportunity of participating in any school activities while in the in-school suspension program.
- E. An assignment to the in-school suspension program shall not exceed five days. As such, the appeal process for a short-term suspension shall be in effect.
- F. The student shall develop a behavior contract while in the in-school suspension program. The student, his/her parent or guardian and a staff member shall sign the contract which defines the expected future behavior of the student.
- G. After a student is placed back into the regular classroom(s), the principal will monitor the student's progress on a daily basis. The student will be encouraged to maintain a relationship with the school counselor as a means of dealing with any problems that arise.
- H. Specific rules and building procedures shall be developed by the building principal.

2. **Long-Term Suspension or Expulsion** (WSSDA Ref. 3323P)

In the event a hearing is requested, the superintendent shall appoint the hearing officer, who may be any certificated staff member who is not involved in the incident giving rise to the hearing. The hearing officer shall:

- A. Schedule the hearing for a specified date, time and place and may postpone the date and time and change the place for good cause or upon the mutual agreement of the parties;
- B. Give written notice of the date, time, and place of the hearing to the principal and the parent and student;