
Classroom Management, Discipline and Corrective Action – 3241P

Definitions

- **Discipline** means all forms of corrective action other than emergency removal, suspension or expulsion. Discipline includes the exclusion of a student from any type of activity conducted by or on behalf of the school District and exclusion of a student from a class by a teacher or administrator for a period of time that does not exceed the balance of the immediate class period, provided the student is in the custody of a school District employee for the balance of such period.
- **Discretionary discipline**, under RCW 28A.600.015 refers to any form of corrective action taken in response to student misconduct that violates the rules, Regulations, or procedures, other than the misconduct listed in one or more of the categories in this procedure ~~set forth specified~~ below in the section entitled “Suspension, Expulsions, and Discretionary Discipline.” Discretionary discipline cannot include long-term suspension or expulsion.
- **Emergency removal** means a student’s immediate removal from a class, subject or activity by a certificated teacher or an administrator or a staff member, or school bus driver and sending of that student to the building principal or designee, when the teacher or administrator has good and sufficient reason to believe that the student’s presence poses an immediate and continuing danger to the student, other students or school staff or an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process of the student’s school.
- **Suspension** means the denial of attendance for any single subject or class or for any full schedule of subjects or classes (including in-school suspensions) for a stated period of time. Suspension may also include denial of admission to, or entry upon, real and personal property that is owned, leased, rented or controlled by the District.
 - **Short-term suspension** means suspension for any portion of a calendar day up to and not exceeding ten (10) consecutive school days.
 - **Long-term suspension** ~~means a suspension that exceeds ten (10) consecutive school days. A long-term suspension may not exceed the length of an academic term, as defined by the school board, from the time of the corrective action and may not be imposed as a form of discretionary discipline, as that term is defined above except for the offenses listed below in the section entitled “Suspension, Expulsions, and Discretionary Discipline.” means a suspension that exceeds ten (10) consecutive school days and ends no later than the last day of the school year during which the student’s misconduct occurred. A long-term suspension cannot cause the student to lose academic grades or credit in excess of one semester or trimester during the same school year.~~
- **Emergency expulsion** means an emergency removal from school for up to, but not exceeding, ten (10) consecutive school days from the student’s current school placement by the Superintendent or designee. ~~An expulsion may not be for an indefinite period of time and may not be imposed as a form of discretionary discipline except for the offenses listed below in the section entitled “Suspension, Expulsions, and Discretionary Discipline.”~~ An emergency expulsion requires the Superintendent or

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designee to have good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to other students or school staff or an immediate and continuing threat of substantial disruption of the educational process. An emergency expulsion must end or be converted to another form of corrective action within ten (10) school days from the date of the emergency expulsion from school. If the District converts the emergency expulsion to another form of corrective action, it must provide notice and an explanation of due process rights to the student and parent/guardian.

- **Expulsion** means a denial of attendance for a period of time up to but no longer than length of an academic term (as defined by the board of directors) from the time the student is removed from his/her current school placement by the District superintendent or designee. An expulsion may not be for an indefinite period of time and may not be imposed as a form of discretionary discipline except for the offenses listed below in the section entitled "Suspension, Expulsions, and Discretionary Discipline." An expulsion may be extended beyond one calendar year the length of an academic term if: 1) the school petitions the superintendent for an extension; and 2) the superintendent authorizes the extension pursuant to the superintendent of public instruction's rules adopted for this purpose (see Petition for Extension of One-Year Length of Expulsion below). An expulsion may also include a denial of admission to, or entry upon, real or personal property that is owned, leased, rented or controlled by the District. means a denial of attendance for a period of time up to but no longer than one calendar year from the time the student is removed from his/her current school placement by a school District Superintendent or designee. An expulsion may not be for an indefinite period of time. An expulsion may be extended beyond one calendar year if: 1) the school petitions the Superintendent for an extension; and 2) the Superintendent authorizes the extension pursuant to the Superintendent of Public Instruction's rules adopted for this purpose (see Petition for Extension of One Year Expulsion below). An expulsion may also include a denial of admission to, or entry
- upon, real or personal property that is owned, leased, rented or controlled by the District.
- **School business day** means any calendar day except Saturdays, Sundays and any federal and school holidays upon which the office of the Superintendent is open to the public for business. A school business day concludes upon the closure of the Superintendent's office for the calendar day.
- **School day** means a calendar day except school holidays on which enrolled students are engaged in educational activity which is planned, supervised and conducted by or under the supervision of certificated staff and on which day all or any portion of enrolled students participate in such educational activity.
- **Reengagement meeting** means a meeting held between the District and the student and parent/guardian to discuss how to return a long-term suspended or expelled student to an educational setting as soon as possible.
- **Reengagement plan** means a written plan tailored to the student's individual circumstances developed between the District and a student and his/her parent or guardian designed to aid the student in taking the necessary steps to remedy the

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situation that led to the student's suspension or expulsion and to return the student to the educational setting as soon as possible. Parents or guardians must be given access to, provide meaningful input on, and have the opportunity to participate in the student's reengagement plan.

Superintendent Authority

The Superintendent will have the authority to discipline, suspend or expel students. The Superintendent will:

- Identify the conditions under which a teacher may exclude a student from his or her class; and
- Designate which staff members have the authority to initiate or to impose discipline, suspensions or expulsions.

No student will 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.

No form of discipline will be enforced in such a manner as to prevent a student from accomplishing a specific academic grade, subject or graduation requirements.

Notification of suspensions of students eligible for special education services

The principal will notify special education staff of any suspensions to be imposed on a student who is currently eligible for special education services or any student who might be deemed eligible for special education. To the extent that suspensions may cumulatively or consecutively exceed ten (10) days, the principal will notify relevant special education administrator(s) so that the District can ensure compliance with special education discipline procedures.

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Notification of procedures relating to student behavior

Principals will annually ~~publish and disseminate~~ make available to students, parents, ~~and~~ staff and the community the rules of the District that establish misconduct and the written procedures for administering corrective action. The publication will also define student rights and responsibilities relating to student behavior.

Pursuant to the Drug-Free Schools and Communities Act (Amendments of 1989), students and parents will be given annual notice of the standard of conduct the District requires regarding controlled substance and alcohol use, and a statement of the disciplinary sanctions for violations of that standard.

The District will also, in consultation with staff, students, student's families, and the community, periodically review and update the District's rules, policies, and procedures related to student discipline.

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Procedures for Imposing Corrective Action

Classroom Management, Discipline and Corrective Action – 3241P**A. Provisions Applicable in General**

1. Teachers, school administrators (including administrative assistants, deans of students, administrative interns, and principal designees), and other designated school employees will have the authority to: (1) impose discipline on any student for misconduct in accordance with the procedures specified in this procedure and in the Student Handbook; (2) temporarily remove a student from a class, subject, or activity as provided for herein; and (3) make recommendations to appropriate school authorities for the suspension or expulsion of any student. Except as otherwise provided for, only a building administrator, the Superintendent, or such person's designee may impose a suspension or expulsion.
2. Students with disabilities are subject to the same rules of student conduct and corrective action procedures as other students. However, when a proposed corrective action may constitute a disciplinary removal that is a change in placement, special procedures will be employed as required by law. See Regulation and procedure 2161.
3. Corporal punishment, which generally is defined as any act that willfully inflicts or willfully causes the infliction of physical pain, is prohibited by State law and Board Policy. See WAC 392-400-235 for actions that are not considered corporal punishment.
4. Notwithstanding any other provision of the Student Handbook to the contrary, certificated staff are empowered to exclude any student who creates a disruption of the educational process in violation of building disciplinary standards while under a teacher's immediate supervision from his or her classroom for all or any part of the balance of the school day, or up to the following two school days, or until the principal or designee and teacher have conferred, whichever occurs first. Prior to excluding a student, except in emergency circumstances as provided for in WAC 392-400-290, the teacher must attempt one or more alternative corrective actions. In no case without the consent of the teacher will an excluded student return to the classroom for all or any part of the immediate class or activity period or up to the following two (2) school days, or until the principal or his/her designee and the teacher have conferred.

Alternative forms of corrective action

Alternative forms of correction action will be used when possible and practicable in light of the duty to maintain safe and orderly school environments conducive to student learning. District administrators may consider alternative forms of corrective action—including programs intended to lessen the time of exclusion from class attendance—which have been approved by the superintendent.

~~Except in cases involving exceptional misconduct, District administrators must impose alternative forms of corrective action for incidents of misbehavior prior to imposing a suspension or expulsion for the same type of misbehavior.~~

Student discipline

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Student discipline will be enforced in order to maintain a safe and orderly school environment that is conducive to student learning.

No form of discipline will be enforced in such a manner as to prevent a student from accomplishing specific academic grade, subject or graduation requirements.

Grievance and appeal process for student discipline

Any student or parent/guardian who disagrees with the imposition of discipline has the right to an informal meeting with the building principal/designee for the purpose of resolving the grievance. The employee who imposed the discipline will be notified of the initiation of such a grievance as soon as reasonably possible. During this meeting, the student and parent/guardian will be subject to questioning by the principal/designee and shall be entitled to question school personnel involved in the matter being grieved.

After this school-level grievance meeting, if the issue is not resolved, the student or parent/guardian, upon giving two (2) school business days' prior notice to the Superintendent's office, will have the right to present a written and/or oral grievance to the Superintendent or designee.

If the grievance is not resolved, the parent/guardian and student, upon giving two (2) school business days' prior notice, will have the right to present a written or oral grievance to the board 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 board will notify the parent and student of its response to the grievance within ten (10) school business days after the date when the grievance was presented. The discipline or short-term suspension will continue notwithstanding implementation of the grievance procedure unless the principal, Superintendent or board elects to postpone such action.

Emergency removal

A student may be removed immediately from a class or subject by a certificated teacher or administrator without other forms of corrective action and sent to the principal or a designated school official, without first attempting corrective action, provided that the teacher or administrator has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students or staff or an immediate and continuing threat of substantial disruption of the class, subject, or educational process of the student's school.

Such a removal will continue only until the danger or threat ceases or until the principal/designee acts to impose appropriate discipline.

1. The principal/designee will meet with the student as soon as reasonably possible following the student's removal and take appropriate corrective action. In no case will the student's opportunity for such a meeting be delayed beyond the commencement of the next school day.
2. Prior to or at the time any such student is returned to the class or activity from which the student was removed, the principal/designee will notify the teacher or administrator who removed the student of the action taken.

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The principal or designee will meet with the student as soon as reasonably possible following the removal and take or initiate appropriate corrective action. The meeting will take place no later than the beginning of the school day following the student's emergency removal. The teacher or administrator who removed the student will be notified of the action taken or initiated.

Suspensions, Expulsions, and Discretionary Discipline

Short term suspensions (including long-term suspensions) and expulsions may be imposed for any of the following student behaviors and for threats of such behaviors, attempts to engage in such behaviors, and conspiracies to engage in such behaviors. Long term suspensions and expulsions may be imposed for any of the following behaviors and for threats of such behaviors, attempts at such behaviors, and/or conspiracies to engage in such behaviors when such threats, attempts, or conspiracies adversely impact the health or safety of other students or educational staff: :

A. Having a firearm on school property or school transportation in violation of RCW 28A.600.420;

B. Any of the following offenses listed in RCW 13.04.155, including:

1. any violent offense as defined in RCW 9.94A.030, including
 - a. any felony that Washington law defines as a class A felony or an attempt, criminal conspiracy, or solicitation to commit a class A felony;
 - b. manslaughter;
 - c. indecent liberties committed by forcible compulsion;
 - d. kidnapping;
 - e. arson;
 - f. assault in the second degree;
 - g. assault of a child in the second degree;
 - h. robbery;
 - i. drive-by shooting; and
 - j. vehicular homicide or vehicular assault caused by driving a vehicle while under the influence of intoxicating liquor or any drug, or by operating a vehicle in a reckless manner;
2. any sex offense as defined in RCW 9.94A.030, which includes any felony violation of chapter 9A.44 RCW (other than failure to register as a sex offender in violation of 9A.44.132), including rape, rape of a child, child molestation, sexual misconduct with a minor, indecent liberties, voyeurism, and any felony conviction or adjudication with a sexual motivation finding;
3. inhaling toxic fumes in violation of chapter 9.47A RCW;
4. any controlled substance violation of chapter 69.50 RCW;
5. any liquor violation of RCW 66.44.270;
6. any weapons violation of chapter 9.41 RCW, including having a dangerous weapon at school in violation of RCW 9.41.280;
7. any violation of chapter 9A.36 RCW, including assault, malicious harassment, drive-by shooting, reckless endangerment, promoting a suicide attempt, coercion, assault of a child, custodial assault, and failing to summon assistance for an injured victim of a crime in need of assistance;

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8. any violation of chapter 9A.40 RCW, including kidnapping, unlawful imprisonment, custodial interference, luring, and human trafficking;
9. any violation of chapter 9A.46 RCW, including harassment, stalking, and criminal gang intimidation; and
10. any violation of chapter 9A.48 RCW, including arson, reckless burning, malicious mischief, and criminal street gang tagging and graffiti;

C. Two or more violations of the following within a three-year period

1. criminal gang intimidation in violation of RCW 9A.46.120;
2. gang activity on school grounds in violation of RCW 28A.600.455;
3. willfully disobeying school administrative personnel in violation of RCW 28A.635.020; and
4. defacing or injuring school property in violation of RCW 28A.635.060; and

D. Any student behavior that adversely ~~affects~~impacts the health or safety of other students or educational staff.

As used in this Procedure, the District defines the phrase “student behavior that adversely impacts the health or safety of other students or educational staff” as including, but not limited to, the following examples:

- Abusive behavior lewd conduct, harassment and sexual harassment
- Alcoholic beverages, narcotics and stimulant drugs
- Arson
- Assault, threats, extortion, causing physical injury or damage to school property
- Criminal acts
- Dangerous weapons, instruments & activities
- Firearms/facsimiles
- Disruptive conduct, inappropriate dress
- False alarms
- Repeated misconduct

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Unless otherwise required by law, school administrators are not required to impose a long-term suspension or expulsion for the misconduct listed above, and whenever reasonable school administrators should first consider alternative sanctions.

For student behaviors—including specific offenses contained in Regulation 3240 and procedure 3240P—that do not fall within one or more of the categories listed **immediately** above, schools may only impose discretionary discipline as defined in this procedure. Schools may not impose long-term suspension or expulsion as a form of discretionary discipline, but may impose other sanctions up to and including short-term suspension in a manner consistent with this procedure.

Short-term suspension**Conditions and limitations**

The nature and circumstances of the student conduct violation must reasonably warrant a short-term suspension. As a general rule, no student will be suspended for a short 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.

No student in grades kindergarten through fourth grade will be suspended for more than a total of ten (10) school days during any single semester or trimester and no loss of academic grades or credit will be imposed by reason of the suspension.

No student in fifth grade and above will be suspended for more than a total of fifteen (15) school days during any single semester or ten (10) school days during any single trimester.

Any student who has been short-term suspended will be provided the opportunity upon return to make up assignments and tests missed during the suspension if the assignments or tests have a substantial effect upon the student's grades or failure to complete such assignments or tests would result in denial of credit.

The principal will notify special education staff of any short-term suspensions to be imposed for a student who is currently eligible for special education services or those who might be deemed eligible for special education. To the extent that short-term suspensions may cumulatively or consecutively exceed ten school (10) days, (see Procedure 2161P, Special Education and Related Services for Eligible Students, Discipline section) the principal will notify relevant special education staff so that the District can ensure that special education discipline procedures are in place, in addition to general education discipline procedures.

Continuation of educational services

The District will not suspend the provision of educational services during a period of short-term suspension and will provide the student the opportunity to receive such services. Educational services may be provided in an alternative setting, provided that

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such setting is comparable, equitable, and appropriate to the regular educational services a student would have received in the absence of a short-term suspension. Examples of alternative settings may include, but not be limited to, alternative schools or classrooms, one-on-one tutoring when available, and online learning.

Exceptional misconduct

A student may be short-term suspended for exceptional misconduct, other than absenteeism, when such misconduct is of such frequent occurrence or is so serious in nature and/or is so serious in terms of disruption to the operation of the school that immediate suspension is warranted. With respect to short-term suspension, the term exceptional misconduct shall include, but not be limited to, all of the offenses identified in the section titled "Suspension, Expulsion, and Discretionary Discipline." In addition, a student may be short-term suspended for other violations of the code of conduct that are considered discretionary discipline.

In cases of exceptional misconduct, a short-term suspension may be imposed without first attempting alternative forms of corrective action. ~~Exceptional misconduct is that judged by the District, following consultation with an ad hoc citizens' committee, to warrant an immediate resort to suspension or expulsion.~~ An exception may be granted by an administrator when warranted by extenuating circumstances.

Prior notice and conference

Prior to the short-term suspension of a student, the principal or designee will conduct a conference with the student and provide:

- An oral or written notice of the charges;
- An oral or written explanation of the evidence in support of the allegation(s); AND
- An oral or written explanation of the short-term suspension which may be imposed.

The student will be provided an opportunity to present his/her explanation of the allegation(s).

If the short-term suspension is to exceed one (1) calendar day, the principal or designee will notify the student's parent/guardian of the reason for the suspension and its duration either orally or by U.S. mail as soon as reasonably possible. The notice will also address the parent/guardian's right to an informal conference pursuant to WAC 392-400-255 and the fact that the suspension may be reduced as a result of such conference.

Grievance and appeal process for short-term suspension

Any parent/guardian or student who is aggrieved by the imposition of a short-term suspension will have the right to an informal conference with the principal or designee for the purpose of resolving the grievance. At such conference the student and parent will be subject to questioning by the principal and will be entitled to question staff involved in the matter being grieved.

The parent/guardian and student after exhausting this remedy will have the right, upon two (2) school business days' prior notice, to present a written and/or oral grievance to the Superintendent.

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If the grievance is not resolved, the parent/guardian and student, upon two (2) school business days' prior notice, will have the right to present a written or oral grievance to the board at 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 board will notify the parent/guardian and student of its response to the grievance within ten (10) school business days after the date when the grievance was presented. The short-term suspension will continue notwithstanding implementation of the grievance procedure unless the principal, superintendent or board elects to postpone such action.

Readmission

Any student who has been short-term suspended will be allowed to make application for readmission at any time in accordance with District Regulation and procedure. (See also Exceptional Misconduct)

Readmission Application Process, (below)**Reporting**

Principals will report all short-term suspensions and the reasons therefor to the Superintendent or designee within twenty-four (24) hours after the imposing the short-term suspension.

Emergency expulsion**Conditions and limitations**

Schools may not impose an emergency expulsion for an immediate and continuing danger or threat of substantial disruption unless the student's misconduct falls within one or more of the categories listed in this procedure above ("Suspension, Expulsions, and Discretionary Discipline"). If the student's behavior falls within one or more of such categories, a student may be emergency expelled based on the conditions below. An emergency expulsion may not be imposed as a form of discretionary discipline, as defined in this procedure.

~~A student may be immediately removed from school prior to a hearing without other forms of corrective action if the Superintendent or designee has good and sufficient reason to believe that the student poses:~~

- ~~• An immediate and continuing danger to other students or school staff; OR~~
- ~~• An immediate and continuing threat of substantial disruption of the educational process.~~

Such emergency expulsion must end or be converted to another form of corrective action within ten (10) school days of the date of the expulsion. If the emergency expulsion is converted to another form of corrective action, the District will provide the student and/or parents/guardians with notice and due process rights applicable to the corrective action imposed by such a conversion.

Continuation of educational services

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The District will not suspend the provision of educational services during a period of emergency expulsion and will provide the student the opportunity to receive such services. Educational services may be provided in an alternative setting, provided that such setting is comparable, equitable, and appropriate to the regular educational services a student would have received in the absence of an emergency expulsion. Examples of alternative settings may include, but not be limited to, alternative schools or classrooms, one-on-one tutoring when available, and online learning.

Notice of hearing

The District will notify the student and his/her parents/guardians of the emergency expulsion and of their opportunity for a hearing by:

- Hand-delivery of written notice within twenty-four (24) hours of expulsion (school Districts must document delivery of the notice by obtaining the signature of the student's parents/guardians acknowledging receipt or the written certification of the person making the delivery); OR
- Certified letter mailed within twenty-four (24) hours of the expulsion (reasonable attempts to contact the parents/guardians by phone or in person will also be made as soon as reasonably possible).

The District's written and oral notice of emergency expulsion and opportunity for hearing will:

- Be provided in a the predominant language ~~of~~ the student and/or a parent/guardian can understand, if other than English, ~~if feasible~~;
- Specify the reasons that the student's presence poses an immediate and continuing danger to students, school staff, or poses an immediate and continuing threat of substantial disruption of the educational process.
- Set forth the date on which the emergency expulsion began and when it will end;
- Set forth the right of the student and/or his or her parents/guardians to a hearing for purposes of contesting the allegations as soon as is reasonably possible; and
- Set forth the facts that:
 - A written or oral request for hearing must be received by a designated school employee or his or her office on or before the end of the third school business day after receipt of the notice of opportunity for hearing; AND
 - If the request is not received within three (3) school business days, then the right to a hearing may be deemed waived and the emergency expulsion may be continued, if deemed necessary, for up to ten (10) school days from the date of the student's emergency expulsion from school without any further opportunity for the student or his or her parent/guardian to contest it.

The student and/or his or her parents/guardians must request a hearing within three (3) school business days after receipt of the notice of opportunity for hearing. The request may be provided in writing or orally, but must be provided to the District employee

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specified in the notice or their office. If a request for hearing is not received within the required period, the District may deem the right to hearing waived and the emergency expulsion may be imposed for up to ten (10) school days from the date of the expulsion from school.

Prehearing and hearing

If a request for hearing is received within three (3) school business days after receipt of notice, the school District will immediately schedule and give notice of a hearing to commence as soon as reasonably possible and no later than the second school business day after receipt of the request for hearing.

The student and his/her parents/guardians have the right to:

- Be represented by legal counsel;
- Inspect in advance of the hearing any documentary and physical evidence that the District intends to introduce at hearing;
- Question and confront witnesses (see WAC 392-400-305 for procedure if a school District witness does not appear);
- Explain the alleged misconduct;
- Present relevant affidavits, exhibits, and witnesses.

The District and/or its representative have the right to inspect in advance of the hearing evidence that the student and his/her parents/guardians intend to introduce at the hearing.

The hearing will be conducted before a hearing officer appointed by the Superintendent. Such hearing officer will not be a witness to the alleged conduct. Either a tape-recorded or verbatim record of the hearing will be made.

The hearing officer will determine, based solely on the evidence presented at hearing, and set forth in his/her written decision:

- Findings of fact as to whether the student has been afforded appropriate procedural due process (e.g., notice, opportunity to inspect evidence prior to hearing);
- Findings of fact as to the alleged misconduct;
- A conclusion as to whether the student's immediate and continuing danger to students and/or school staff OR immediate and continuing threat of substantial disruption of the educational process giving rise to the emergency expulsion has terminated; AND
- A conclusion as to whether the emergency expulsion shall be converted to another form of corrective action or stand as imposed.

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Within one (1) school business day after the date upon which the hearing concludes, the hearing officer will issue the decision and the District will provide notice of such decision to the student and the student's parents/guardians and legal counsel, if any, by depositing a letter in certified U.S. mail.

If the hearing officer concludes in his/her decision that the emergency expulsion shall be converted to another form of corrective action, the District must provide notice of due process rights to the student and parent/guardian applicable to the corrective action imposed by such a conversion. For appeals from a hearing officer decision regarding an emergency expulsion, see **Appeals of long-term suspension and expulsion**, below.

Long-term suspension**Conditions and limitations**

Schools may not impose long-term suspension unless the student's misconduct falls within one or more of the categories listed in this procedure above ("Suspension, Expulsions, and Discretionary Discipline.") If the student's behavior falls within one or more of these categories, a A-student may be long-term suspended for violation of school District rules provided that the long-term suspension does not exceed the length of an academic term, as defined by the school board, from the date of the corrective action. A long-term suspension may not be imposed as a form of discretionary discipline, as defined in this procedure.

The nature and circumstances of the violation must reasonably warrant a long-term suspension. As a general rule, no student will be long-term suspended 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, the District may immediately resort to long-term suspension for any offense that constitutes exceptional misconduct, as defined below. An exception may be granted by an administrator and/or hearing officer when warranted by extenuating circumstances.

No student in grades kindergarten through fourth grade will be long-term suspended during any single semester or trimester and no loss of academic grades or credit will be imposed by reason of the suspension.

No student in fifth grade and above will be long-term suspended in a manner that causes the student to lose academic grades or credit for longer than one semester or trimester during the same school year.

The principal will notify special education staff of any long-term suspension to be imposed for a student who is currently eligible for special education services or those who might be deemed eligible for special education. To the extent that suspensions may cumulatively or consecutively exceed ten (10) days, the principal will notify relevant special education staff so that the District can ensure that special education discipline procedures are in place, in addition to general education discipline procedures.

Exceptional misconduct

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A student may be long-term suspended for exceptional misconduct, as that term is defined in this Procedure. ~~other than absenteeism, when such misconduct is of such frequent occurrence or is so serious in nature and/or is so serious in terms of disruptive effect on the operation of the school that an immediate resort to a long-term suspension is warranted.~~ In cases of exceptional misconduct, a long-term suspension may be imposed without first attempting alternative forms of corrective action.

In consultation with the ad hoc citizens committee, the District has defined exceptional misconduct for the purposes of long-term suspension as all of the offenses identified in the section above titled "Suspensions, Expulsions, and Discretionary Discipline." ~~Exceptional misconduct is that judged by the District, following consultation with an ad hoc citizens' committee, to warrant an immediate resort to suspension or expulsion.~~

An exception may be granted by an administrator and/or hearing officer when warranted by extenuating circumstances.—

Continuation of educational services

The District will not suspend the provision of educational services during a period of long-term suspension and will provide the student the opportunity to receive such services. Educational services may be provided in an alternative setting, provided that such setting is comparable, equitable, and appropriate to the regular educational services a student would have received in the absence of a long-term suspension. Examples of alternative settings may include, but not be limited to, alternative schools or classrooms, one-on-one tutoring when available, and online learning.

Notice of hearing

Prior to imposing a long-term suspension, the District will provide the student and/or his/her parents/guardians a written notice of opportunity for hearing. The notice will be delivered in person or by certified mail. The notice will:

- Be provided in ~~the predominant a~~ language ~~of~~ the student and his or her parents/guardians can understand, if other than English, ~~if feasible~~;
- Specify the alleged misconduct and the school District rule(s) alleged to have been violated;
- Set forth the proposed long-term suspension;
- Set forth the right to a hearing for the purpose of contesting the allegation(s);
AND
- Set forth the facts that:
 - A written or oral request for hearing must be received by *(insert designated staff member)* or their office on or before the end of the third school business day after the notice is received; and
 - If such a request is not received within that period, the hearing will be deemed waived and the proposed long-term suspension may be imposed without further opportunity for the student and/or their parent/guardian to contest it.

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The student and/or his or her parents/guardians must request a hearing within three (3) school business days after receipt of the notice of opportunity for hearing. The request may be provided in writing or orally, but must be provided to the District employee specified in the notice or their office. If a request for hearing is not received within the required period, the District may deem the right to hearing waived and the long-term suspension may be imposed.

Pre-hearing and hearing

If a request for hearing is received within three (3) school business days after receipt of notice, the school District will schedule a hearing to begin within three (3) school business days after the date of receiving the request.

The student and parent/guardian have the right to:

- Be represented by legal counsel;
- Inspect in advance of the hearing any documentary and physical evidence that the District intends to introduce at hearing;
- Question and confront witnesses (see WAC 392-400-305 for procedure if a school District witness does not appear);
- Explain the alleged misconduct; and
- Present relevant exhibits, and witnesses.

The District and/or its representative have the right to inspect in advance of the hearing evidence that the student and his/her parents/guardians intend to introduce at the hearing. Either a tape-recorded or verbatim record of the hearing will be made.

The hearing will be conducted before a hearing officer appointed by the Superintendent. Such hearing officer will not be a witness to the alleged conduct.

When students are charged with violating the same rule and have acted in concert and the facts are essentially the same for all students, a single hearing may be conducted for them if the hearing officer believes that the following conditions exist:

- A single hearing will not likely result in confusion; AND
- No student will have his/her interest substantially prejudiced by a group hearing.

If the hearing officer finds that during the hearing a student's interests will be substantially prejudiced by the group hearing, he/she may order a separate hearing for that student. The parent and student have the right to petition for an individual hearing.

The hearing officer will determine, based solely on the evidence presented at hearing, and set forth in his/her written decision:

- Findings of fact; AND

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- A conclusion as to whether the nature and duration of the proposed long-term suspension is appropriate or whether a lesser form of corrective action should be imposed.

The hearing officer will issue the decision and the District will provide notice of such decision to the student's legal counsel, or, if none, to the student's and his/her parents/guardians.

If the hearing officer decides that a long-term suspension is appropriate, the parent/guardian and student will have the right to appeal that decision to the school board or school District disciplinary appeal council by filing a written or oral notice of appeal at the office of the Superintendent or the hearing officer within three (3) school business days after the date of receipt of the decision.

If a timely notice of appeal is not provided to the District, the long-term suspension may be imposed as of the calendar day following expiration of the three (3) school business day period (see **Appeal Process for Long-Term Suspension or Expulsion**, below).

Readmission

Any student who has been long-term suspended will be allowed to make application for readmission at any time in accordance with District Regulation and procedure. (See also ~~below~~)

Readmission Application Process ~~below~~**Reporting**

Principals will report all long-term suspensions and the reasons therefor to the superintendent or designee within twenty-four (24) hours after the imposing the suspension.

Expulsion**Conditions and limitations**

Schools may not expel a student unless the student's misconduct falls within one or more of the categories listed in this procedure above ("Suspension, Expulsions, and Discretionary Discipline"). If the student's behavior falls within one or more of such categories, a student may be expelled for a violation of school district rules, provided that the expulsion does not exceed the length of an academic term, as defined by the school board, from the time of the corrective action. An emergency expulsion may not be imposed as a form of discretionary discipline, as defined in this procedure.

The nature and circumstances of the alleged violation must reasonably warrant the harshness of expulsion. No student will be expelled unless other forms of corrective action reasonably calculated to modify his or her conduct have failed or there is good reason to believe that other forms of corrective action would fail if used.

The District will make reasonable efforts to assist students in returning to an educational setting prior to, and no later than, the end date of the expulsion.

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An expulsion may not exceed the length of an academic term, as defined by the school board, be imposed for an indefinite period of time, and may not exceed one calendar year from the date-time of corrective action unless:

- The school petitions the Superintendent for an extension; AND
- The Superintendent authorizes the extension in compliance with the Superintendent of public instruction's rules adopted for this purpose (see **Petition for Extension of One Year Expulsion** below).

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

Any elementary or secondary school student who is determined to have carried a firearm onto, or to have possessed a firearm on, public elementary or secondary school premises, public school-provided transportation, or areas of facilities while being used exclusively by public schools, will be expelled from school for not less than one calendar year pursuant to RCW 28A.600.420 with notification to parents/guardians and law enforcement.

Continuation of educational services

The District will not suspend the provision of educational services during a period of expulsion and will provide the student the opportunity to receive such services. Educational services may be provided in an alternative setting, provided that such setting is comparable, equitable, and appropriate to the regular educational services a student would have received in the absence of an expulsion. Examples of alternative settings may include, but not be limited to, alternative schools or classrooms, one-on-one tutoring when available, and online learning.

Notice of hearing

Prior to the expulsion of a student, the District will provide the student and/or his/her parents/guardians a written notice of opportunity for hearing. The notice will be delivered in person or by certified mail.

The notice will:

- Be provided in a the predominant language of the student and his or her parents/guardians can understand, if other than English, if feasible;
- Specify the alleged misconduct and the school District rule(s) alleged to have been violated;
- Set forth the proposed expulsion;
- Set forth the right to a hearing for the purpose of contesting the allegation(s); AND
- Set forth the facts that:

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- A written or oral request for hearing must be received by (*insert designated staff member*) or their office on or before the end of the third school business day after the notice is received; and
- If such a request is not received within that period, the hearing will be deemed waived and the proposed long-term suspension may be imposed without further opportunity for the student and/or their parent/guardian to contest it.

Prehearing and hearing

If a request for hearing is received within three (3) school business days after receipt of notice, the school District will schedule a hearing to begin within three (3) school business days after the date of receiving the request.

The student and parent/guardian have the right to:

- Be represented by legal counsel;
- Inspect in advance of the hearing any documentary and physical evidence that the District intends to introduce at hearing;
- Question and confront witnesses (see WAC 392-400-305 for procedure if a school District witness does not appear);
- Explain the alleged misconduct;
- Present relevant exhibits, and witnesses.

The District and/or its representative have the right to inspect in advance of the hearing evidence that the student and his/her parents/guardians intend to introduce at the hearing. Either a tape-recorded or verbatim record of the hearing will be made.

The hearing will be conducted before a hearing officer appointed by the Superintendent. Such hearing officer will not be a witness to the alleged conduct.

The hearing officer will determine, based solely on the evidence presented at hearing, and set forth in his/her written decision:

- Findings of fact; AND
- A conclusion as to whether the expulsion is appropriate OR whether a lesser form of corrective action should be imposed.

The hearing officer will issue the decision and the District will provide notice of such decision to the student's legal counsel, or, if none, to the student's and his/her parents/guardians.

The student and parent/guardian will have the right to appeal the hearing officer's decision to the school board or school District disciplinary appeal council by filing a written or oral notice of appeal at the office of the Superintendent or the hearing officer

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within three (3) school business days after the date of receipt of the decision. If a timely notice of appeal is not provided to the District, the expulsion may be imposed as of the calendar day following expiration of the three (3) school business day period.

If a timely notice of appeal is received, see **Appeal Process for Long-Term Suspension or Expulsion**, below.

Readmission

Any student who has been expelled will be allowed to make application for readmission at any time in accordance with District Regulation and procedure. (See also **Readmission Application Process**, below)

Reporting

Principals will report all long-term suspensions and the reasons therefor to the Superintendent or designee within twenty-four (24) hours after the imposing the expulsion.

Petition for extension of one-year expulsion

The principal or designee may petition the Superintendent for authorization to exceed the ~~length of an academic term one-year calendar limitation on for a student's an~~ expulsion when warranted because of a perceived risk to public health and safety. The petition may be submitted any time after final imposition of the expulsion and prior to the end of the expulsion.

The petition will include:

- A detailed description of the student's misconduct, the school rules that were violated, and the public health or safety concerns of the District;
- A detailed description of the student's academic, attendance and discipline history, if any;
- A description of the lesser forms of corrective action that were considered and the reasons why they were rejected;
- A description of all alternative learning experiences, vocational programs and/or other educational services that may be available to the student;
- The proposed extended length of the expulsion;
- Identification of special education services or accommodations pursuant to Section 504 of the Rehabilitation Act of 1973, if appropriate;
- A proposed date for the reengagement meeting.

A copy of the petition will be delivered in person or by certified mail to the student and his/her parents/guardians in ~~the predominant language of the student and/or his/her parents/guardians~~ a language they can understand, if other than English, ~~, if feasible; Rights Act of 1964.~~ The student and/or parents/guardians may submit a written or oral response to the petition within ten (10) school business days of receipt of the petition.

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Within eleven (11) school business days, but no later than twenty (20) school business days from delivery of the petition to the student and parent/guardians, the Superintendent will issue a written decision granting or denying the petition. The Superintendent, in his/her discretion, may grant the petition if evidence exists that if a student was to return at or before one calendar year, he/she would pose a risk to public health or safety. The written decision will include a description of rights and procedures for appeal.

The student and/or parents/guardians may appeal the decision within ten (10) school business days of receipt of the decision to the school board.

The District will report the number of petitions submitted, approved and denied to the office of the Superintendent of public instruction annually.

Appeal process for long-term suspension and expulsion

If a timely notice of appeal is received, the long-term suspension or expulsion may be imposed during the appeal period if:

- The long-term suspension or **nonemergency** expulsion is imposed for no more than ten (10) consecutive school days or until the appeal is decided, whichever is the shortest period.
- Any days that the student is suspended or expelled before the appeal is decided are applied to the term of suspension or expulsion and will not limit or extend the term of the suspension or extend the term of suspension or expulsion; and
- A suspended student who returns to school before the appeal is decided will be provided the opportunity upon return to make up assignments and tests missed by reason of suspension if:
 - Such assignments or tests have a substantial effect on the student's semester or trimester grade or grades; OR
 - Failure to complete such assignment or tests would result in denial of course credit.

The board will schedule and hold a meeting to informally review the matter within ten (10) school business days from receipt of such appeal. The purpose of the meeting will 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/guardian, and/or counsel will be given the right to be heard and will be granted the opportunity to present such witnesses and testimony as the board deems reasonable.

Prior to adjournment, the board will agree to one of the following procedures:

- Study the hearing record or other materials submitted and record its findings within ten (10) school business days; OR

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- Schedule and hold a special meeting to hear further arguments on the case and record its findings within fifteen (15) school business days; OR
- Hear and try the case de novo before the board within ten (10) school business days.

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

- Those board members who have heard or read the evidence;
- Those board members who have not acted as a witness in the matter; AND
- A majority vote at a meeting at which a quorum of the board is present.

Within thirty (30) days of receipt of the board's final decision, any parent and student desiring to appeal any action upon the part of the board regarding the suspension or expulsion may serve a notice of appeal upon the board and file such notice with the Superior Court Clerk of the County.

Reengagement Meeting and Plan

A reengagement meeting ~~should~~ shall be convened with the student and their parent(s)/guardian(s) within twenty (20) days of a long-term suspension or expulsion but no later than five (5) days before the student's reentry or reenrollment to school. ~~The purpose of the meeting is to discuss a reengagement plan with the parent/guardian and the student.~~

Reengagement Plan

The District must create a plan tailored to the student's individual circumstances that, including consideration of the incident that led to the student's long-term suspension or expulsion. The plan should aid the student in taking the necessary steps to remedy the situation that led to the suspension or expulsion. Additionally, the District will take reasonable steps to develop the plan with the participation and input of the student and their parent(s)/guardian(s) to ensure that it is culturally sensitive and culturally responsive.

In developing the reengagement plan, the District should consider shortening the length of time that the student is suspended or expelled, other forms of corrective action and supportive interventions that aid in the student's academic success and keep the student engaged and on track to graduate.

A reengagement meeting conducted by the District involving the student and his/her parents/guardians is not intended to replace a petition for readmission.

Readmission Application Process

Any student who has been suspended or expelled will be allowed to make application for readmission at any time. If a student desires to be readmitted to the school from which he/she has been suspended/ expelled, the student will submit a written application to the principal, who will recommend admission or non-admission. If a student wishes admission to another school, he/she will submit the written application to the Superintendent. The application will include:

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- Reasons the student wants to return and why the request should be considered;
- Evidence which supports the request and addresses reasonable requirements established by the District as part of the reengagement process; AND
- A supporting statement from the parent or others who may have assisted the student.

The Superintendent will advise the student and parent/guardian of the decision within seven (7) school days of the receipt of such application.

Delegation of Authority

In accordance with WAC 392-400-230, authority is given to the staff listed below to administer these WACs. When authority is given to certificated principals in this policy, that authority is also extended to his/her administrative designee or any district administrator who has direct control over student programs.

1. All certificated teachers, administrators, aides, and school bus drivers may administer discipline in accordance with WAC 392-400-235.
2. All certificated principals, certificated deans of students and a transportation supervisor may administer short-term suspension in accordance with WAC 392-400-245.
3. All certificated principals and certificated deans of students may administer long-term suspension in accordance with WAC 392-400-260.
4. All certificated teachers, certificated deans of students and administrators may administer emergency removal from a class, subject, or activity in accordance with WAC 392-400-290.
5. All principals and certificated deans of students, with the approval of the superintendent or the superintendent's designee, may administer an emergency expulsion in accordance with WAC 392-400-295.
6. All principals may recommend expulsion of a student to the superintendent who will administer the expulsion in accordance with WAC 392-400-275.
7. Each teacher is empowered to exclude any student who creates a disruption of the educational process in violation of the building disciplinary standards while under the teacher's immediate supervision from his or her individual classroom and instructional or activity area for all or any portion of the balance of the school day or until the principal or his/her designee and the teacher have conferred, whichever occurs first; provided, that except in emergency circumstances as provided for in WAC 392-400-290, the teacher shall have first attempted one or more alternative forms of corrective action; provided further, that in no event without the consent of the teacher shall any excluded student be returned to the balance of the particular class or activity period from which the student was initially excluded.

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