

Part II

Student Conduct

Student Conduct

3240

The Board acknowledges that conduct and behavior is closely associated to learning. An effective instructional program requires a wholesome and orderly school environment. The Board requires that each student adhere to District and school rules of conduct and submit to corrective action taken as a result of conduct violations. The rules of conduct are applicable during the school day as well as during any school activity conducted on or off campus. In addition, special rules are also applicable while riding on a school bus.

Students are expected to:

- A. Conform to reasonable standards of socially acceptable behavior;
- B. Respect the rights, person and property of others;
- C. Preserve the degree of order necessary for a positive climate for learning; and
- D. Submit to the authority of staff and respond accordingly.

The following acts or commissions by a student while on school property (or in reasonable proximity thereto) or at any school-sponsored activity or event off school property, including school provided transportation, field trips, and out of town athletic events, are prohibited and shall constitute cause for discipline, suspension or expulsion by authorized District authorities. Parents/guardians will be notified in all circumstances.

- A. The commission of any criminal act under the laws of the state of Washington including, but not limited to, the following:
 - 1. ARSON: The intentional setting of a fire or explosion.
 - 2. ASSAULT/BATTERY: Physical threats or violence to persons. (A physical attack upon the body of another person may be made with any instrument including, but not limited to, weapons, body parts, food products, or bodily secretions.)
 - 3. BURGLARY: The act of entering or remaining unlawfully in a building with the intent to commit a crime.
 - 4. EXPLOSIVES, PYROTECHNICS, and FIREWORKS: Manufacture, purchase, sale, transfer, offer for sale, use, discharge, possession, transport or storage of any pyrotechnics, fireworks, explosives, improvised devices, or components that are intended to be assembled into an explosive.
 - 5. EXTORTION OR COERCION: Obtaining or attempting to obtain money, property or services by threats or forcing someone to do something against his/her will by force or threat of force.
 - 6. FIREARMS/AMMUNITION/DANGEROUS WEAPONS: Firearms, ammunition and dangerous weapons are not permitted. Students carrying or possessing a firearm or dangerous weapon shall be expelled for a period of not less than one (1) year. Appropriate law enforcement agencies will be contacted if there are violations of the firearms/dangerous weapons statute.
 - 7. GAMBLING: Risking something of monetary value for the chance to win a prize.
 - 8. THEFT: Stealing from a person or institution.
 - 9. MALICIOUS MISCHIEF: Property damage.
 - 10. ROBBERY: Stealing by force or threat of force.
 - 11. SALE, DELIVERY, USE, OR POSSESSION OF ALCOHOLIC BEVERAGES or ILLEGAL DRUGS.
 - 12. TRESPASS: Being present in an unauthorized place or refusing to leave when ordered to do so.
 - 13. THREATS TO BOMB or INJURE PROPERTY: Falsely reporting a fire or bombing.

14. **GANG INTIMIDATION:** Threatening of another person with bodily injury because the person refuses to join or has attempted to withdraw from a gang.
- B. Being under the influence of alcohol or a controlled substance not prescribed by a physician for the student.
- C. Use or possession of alcohol, a controlled substance not prescribed by a physician for such student, a purported controlled substance, drug paraphernalia, and tobacco products including matches/lighters.
- D. The sale or delivery of alcohol, tobacco, a controlled substance or purported controlled substance, or over-the-counter medications to another person.
- E. Refusal to identify self. All students must, upon request, identify themselves to proper school authorities.
- F. Any act or conduct directly or indirectly causing substantial or material disruption or obstruction of any school function or operation. Continuously and intentionally acting in any manner so as to interfere seriously with the teacher's ability to conduct his/her class.
- G. Failure to comply with District policies or school rules or with the directions of teachers, substitute teachers, school patrolmen, custodians, nurses, counselors, attendants, teacher aides, bus drivers, cooks, secretaries, librarians, lunchroom supervisors, principals, or other authorized personnel during any period of time the student is properly under the authority of school personnel.
- H. The known possession, display, handling or transmission of any object which can reasonably be considered a weapon. Use of a light or laser pen in a manner that could harm another person is also prohibited.
- I. Any lewd, indecent, or obscene conduct or expression.
- J. Belonging to a gang and/or identifiable hate group and/or engaging in gang-related or hate group-related activities.
- K. Sexual, racial or other form of harassment, intimidation or bullying.
- L. Fighting.
- M. Alteration of Records and Cheating. Falsifying, altering, and/or destroying a school record or any communication between home and school. Knowingly submitting the work of others represented as his or her own. Aiding and abetting the cheating of others.
- N. Inappropriate use of technology.
- O. Harassment, Intimidation and Bullying. Any intentional electronic, written, verbal or physical threat to cause bodily injury, physical damage, or physical restraint of another, or maliciously threatening to do any other act intended to substantially harm the physical or mental health of another in any manner, interfere with a student's education, or substantially disrupt the orderly operation of school.
- P. Use or possession of non-authorized over the counter medications is prohibited.

Student Conduct Procedures**3240P****Respect for the Law and the Rights of Others**

The student is responsible as a citizen to observe the laws of the United States, the State of Washington, and/or its subdivisions. While in the school, the student shall respect the rights of others. Students who involve themselves in criminal acts on school property, off school property at school-supervised events, or off school property--and which acts have a detrimental effect upon the maintenance and operation of the schools or the District—are subject to disciplinary action by the school and prosecution under the law. Students with disabilities have certain disciplinary protections. See Policy 3318 for special education students and Procedure 2211 for Section 504 students.

Compliance with Rules

Students shall comply with all rules adopted by the District. Failure to do so shall be cause for corrective action.

Attendance

Regular attendance at school and in classes is essential for student learning success.

A student shall not be absent or tardy from classes without an approved excuse. A student absent or tardy without excuse shall be subject to corrective action or punishment. It is expected that all students will be consistently in class and arrive on time. Students who do not consistently attend will be subject to progressive discipline including up to suspension or expulsion for non-attendance. Furthermore, students from the age of eight (8) to eighteen (18) are subject to compulsory attendance requirements and, thus, Becca proceedings.

Alcohol and Chemical Substances

The District recognizes the dual responsibility to establish disciplinary procedures in relation to student alcohol and other drug use and to support other alternatives for helping students and their families, such as staff training, and community education/awareness activities related to alcohol and other drug education. The district provides Drug and Alcohol Interventionists and school counseling services and referrals to community agencies providing substance abuse testing, monitoring and treatment.

These guidelines are intended to provide a measure of consistency among all schools, while permitting flexibility to impose alternatives as circumstances warrant.

I. First Offense:

Possession of drug paraphernalia, possession and/or use of controlled substances, marijuana, alcohol and/or other substances intended to alter mood, or purported controlled substances, not taken at the direction of a physician, **will be** grounds for an emergency expulsion to be followed by a long-term suspension. At the high school level, long-term suspension will be for the remainder of the semester or not to exceed 90 days, whichever is greater, subject to the limitations of WAC 392-400-260(5). At the middle school level, long-term suspension will be for 90 days, subject to the limitations of WAC 392-400-260(5). At both the high school and middle

school levels, the long-term suspension may be reduced to a short-term suspension of no fewer than five days if the student provides evidence of having scheduled, at the earliest possible date, a drug assessment and having complied with all health care recommendations, and may be accompanied by one or more of the following:

- A. Referral to law enforcement agency.
- B. Referral to in-building care team.
- C. Assignment to community service or alternative learning experience.
- D. Behavioral contracting.
- E. Other appropriate alternatives.

Failure to complete alternatives to suspension and health care recommendations shall be grounds for reinstating original sanctions.

At the elementary level, students will receive an emergency expulsion followed by a short-term suspension or alternative correction plan.

II. Second Offense:

A second offense may result in:

- A. Expulsion.
- B. Short- or long-term suspension.
- C. Referral to law enforcement agency.
- D. Implementation of additional alternatives.
- E. Extension of alternatives for first offense.

III. Sale or delivery of all drugs, alcohol, controlled substances or purported controlled substances shall be cause for referral to a law enforcement agency, emergency expulsion, and recommendation for discipline, up to and including expulsion.

Alteration of Records and Cheating

Alteration of records—Any student who falsifies, alters, destroys a school record or any communication between home and school shall be subject to corrective action.

Cheating—Any student who knowingly submits work of others represented as his/her own shall be considered to have cheated. Cheating also includes the aiding and abetting of cheating by others.

Damage or Theft of Property

A student shall not intentionally or with gross carelessness damage school or private property.

Disruptive Conduct

A student shall not intentionally cause a substantial and material disruption of any school operations. The following illustrate the kinds of offenses that are prohibited:

- A. occupying a school building or school grounds in order to deprive others of its use;
- B. blocking the entrance or exit of any school building or room in order to deprive others of passing through;
- C. setting fire to or substantially damaging school property;
- D. using or threatening to use, firearms, explosives or other weapons, including light or laser pens, on the school premises;
- E. preventing students from attending a class or school activity;
- F. blocking normal pedestrian or vehicular traffic on a school campus;
- G. interfering seriously with the conduct of any class or activity;
- H. gambling or encouraging other students to gamble;
- I. fighting; and
- J. inappropriate use of technology.

Extortion, Assault or Causing Physical Injury

A student shall not extort anything of value, threaten injury or attempt to cause physical injury or intentionally behave in such a way as could reasonably be expected to cause physical injury to any person.

Fragrances

While many students choose to wear fragrances to school, fragrances should be worn in moderation so as not to distract, disrupt, or offend others. In addition, some members of the school community have health conditions that are negatively affected by fragrances worn by others. In those circumstances, students will be asked to refrain from wearing fragrances to school.

Gang Activity

A student shall not engage in gang activity on school grounds. A gang is a group of three or more persons with identifiable leadership which on an ongoing basis, regularly conspires and acts in concert mainly for criminal purposes.

A student shall not claim membership in, association with, affiliation with, or participation in a gang or in gang-related activities at school or during school-related functions. A gang is a self-formed association of peers with one or more of the following characteristics:

- a gang name and recognizable symbols
- identifiable leadership
- a geographic territory
- a regular or recurrent meeting pattern
- identification by law enforcement as a gang
- collective actions to engage in serious criminal or violent behavior

The type of dress, apparel, activities, acts, behavior, or manner of grooming displayed, reflected, or participated in by a student shall not:

- lead school officials to reasonably believe that such behavior, apparel, activities, acts, or other attributes are gang-related, and

- would disrupt or interfere with the school environment or activity, and/or educational objectives
- present a safety hazard to self, students, or staff
- create an atmosphere in which a student, or other person's well-being is hindered by undue pressure, behavior, intimidation, overt gesture, or threat of violence
- imply gang membership or affiliation by written communication, marks, drawings, tattoos, painting, design, and/or emblem upon any school or personal property, or one's person

Harassment, Intimidation and Bullying

A student shall not harass, intimidate or bully another student through verbal, nonverbal, or physical conduct on school property (or in reasonable proximity thereto), school transportation, or at school-sponsored activities off school property.

A student shall not harass another student, staff member, volunteer, parent or guardian through verbal or physical conduct.

Leaving Campus During School Hours

A student shall not leave the school campus during the school day unless excused by the school office or in accordance with school procedures regarding lunch time authorizations.

Loitering

A student shall be expected to leave school property and grounds in reasonable proximity thereto, at the official close of the school day unless permission to do otherwise has been granted.

Medications

Students in grades K-5 must submit all prescribed and over the counter medications to the school Health Room with the required parent permission and documentation. Students in grades 6-12 are allowed to bring to school and carry on their person over the counter medications such as Tylenol, Advil, Motrin, Pamprin, cough drops, etc. for their personal use only. Students who bring such medications to school must have it accompanied by a note from the parent indicating the student has permission to bring the medication to school. The student must provide the parent permission note to the school health room staff.

Students are prohibited from dispensing over the counter medications to other students. **Violations of this rule will result in progressive discipline.**

Tobacco Products

Student use of tobacco products is prohibited in District facilities or vehicles or on District property at all times. Tobacco includes, but is not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, nicotine delivering devices, chemicals or devices that produce the same flavor or physical effect of nicotine substances; and any other tobacco innovation. Students will be subject to progressive discipline for violations of this policy.

Vulgar or Lewd Conduct

Any lewd, indecent or obscene act or expression is prohibited.

Weapons, Ammunition and Dangerous Instruments

A student shall not possess or transmit any object that can reasonably be considered a firearm, air gun, ammunition or a dangerous weapon. An appropriate law enforcement agency will be contacted if there are violations of the firearms/dangerous weapons statute.

Part III

Policies for Handling Violations of School Rules

Corrective Actions or Punishment

3300

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. The methods employed in enforcing the rules of the school involve professional judgment. Such judgment should be:

- A. consistent from day to day and student to student;
- B. balanced against the severity of the misconduct;
- C. appropriate to the student and the student's prior behavior;
- D. fair; and
- E. effective.

As a general rule no student shall be suspended for a short or long term unless other forms of corrective action or punishment 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 such frequent occurrence or is so serious in nature and/or so serious in terms of the disruptive effect upon the operations of the school as to warrant immediate resort to suspension. The District shall not use corporal punishment as a means of discipline.

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 disability will determine if there is a causal relationship between the disability 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. The principal shall confer with certificated staff at least once per year to develop and/or review building disciplinary standards and uniform enforcement of those standards, and to establish criteria for determining when certificated staff must complete classes to improve classroom management skills.

A teacher shall have the authority to exclude a student from his/her classroom and instructional or activity area for all or any portion of the balance of the school day, or up to the following two days, or until the teacher has conferred with the principal or designee, whichever occurs first. Prior to excluding a student, except in emergency circumstances, the teacher shall have attempted one or more corrective actions. In no case without the consent of the teacher may an excluded student be returned for the balance of that class or activity period or up to the following two days, or until the principal or designee and the teacher have conferred.

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.

Definitions

3309

As used in Policies 3240, 3300 through 3331, the term:

1. "Discipline" shall mean all forms of corrective action or punishment other than expulsion and suspension and shall include the exclusion of a student from a class by a teacher or administrator for a period of time not exceeding the balance of the immediate class period, provided that the student is in the custody of a District employee for the balance of such period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or in behalf of the District.

2. "Suspension" shall mean denial of the right of attendance (other than for the balance of the immediate class period for "discipline" purposes) at any single subject or class, or any full schedule of subjects or classes for a stated period of time. A suspension also may include a denial of admission to entry upon real and personal property that is owned, leased, rented or controlled by the District.
3. "Short-term suspension" shall mean a suspension for any portion of a calendar day up to and not exceeding ten (10) consecutive school days.
4. "Long-term suspension" shall mean a suspension which exceeds ten (10) consecutive school days.
5. "Temporary suspension" shall mean a long-term suspension or non-emergency expulsion that is temporarily imposed by the District after an initial hearing before a hearing officer for no more than ten (10) consecutive school days or until the appeal is decided, whichever is the shortest period.
6. "Expulsion" shall mean the denial of the right of attendance at any single subject or class or any full schedule of subjects or classes for an indefinite time period. An expulsion also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented or controlled by the School District.
7. "School business day" shall mean any calendar day, exclusive of Saturdays, Sundays, and any federal and school holidays, upon which the office of the Superintendent is open to the public for the conduct of business. A school business day shall be concluded or terminated upon the closure of said office for the calendar day.
8. An ad hoc committee composed of parents and community members has determined that "exceptional misconduct" shall mean student misconduct which is so serious in nature and/or so serious in terms of the disruptive effect upon the operation of the school(s) as to warrant an immediate resort to suspension. "Exceptional misconduct" includes the following:
 - a. Possession or use of alcohol or any controlled substance not prescribed by a physician for such possessor or user, or purported controlled substance;
 - b. Sale or delivery of alcohol or any controlled substance or purported controlled substance to another person;
 - c. Possession of drug paraphernalia;
 - d. Being under the influence of alcoholic beverages or illegal drugs;
 - e. Use of tobacco products including lighters and matches. Tobacco includes, but is not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, nicotine delivering devices, chemicals or devices that produce the same flavor or physical effect of nicotine substances; and any other tobacco innovation;
 - f. Falsely reporting a fire or bomb on school property;
 - g. Belonging to a gang and knowingly engaging in gang activity;
 - h. Possessing or displaying an instrument that is or appears to be a firearm;
 - i. Possession, use of, displaying or transmission of a weapon or an object that can be reasonably considered a weapon and/or ammunition;
 - j. Commission of any criminal act classified as a felony or misdemeanor under the laws of the State of Washington;
 - k. Assault/battery
 - l. Fighting;
 - m. Harassment, intimidation, bullying;

- n. Other acts including:
 - i. arson;
 - ii. manufacture, purchase, sale, transfer, offer for sale, use, discharge, possession, transport or storage of any pyrotechnics, fireworks, explosives, improvised, devices, or components that are intended to be assembled into an explosive;
 - iii. theft/burglary/robbery; and
 - iv. gang intimidation.
 - o. Cheating, alteration of records; or
 - p. Inappropriate use of technology.
9. Dangerous weapons include nun-chu-ka sticks, throwing stars, any air gun (BB, pellet or other projectile), metal knuckles, spring blade knife, dagger, dirk or other instruments covered by RCW 9.41.250 or 9.41.280.

Victims of Criminal Offenses**3310**

Pursuant to federal law, a student who is a victim of a violent criminal offense while in or on the grounds of the District school that the student attends will be offered the opportunity to attend another District school. The Superintendent is directed to develop procedures to implement this policy.

Emergency Actions**3311**Emergency Removal from a Class

A student may be removed immediately from a class, subject or activity by a teacher or administrator without other forms of corrective action and sent to the principal or a designated school authority, 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 school personnel or an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process of the student's school.

The removal shall continue only until:

1. The danger or threat ceases, or
2. Principal or designated school authority acts to impose discipline, impose a short-term suspension, initiate a long-term suspension or an expulsion, or impose an emergency expulsion.

The principal or designated school authority shall meet with the student as soon as reasonably possible following the student's removal and take or initiate appropriate corrective action or punishment. In no case shall the student's opportunity for such meeting be delayed beyond commencement of the next school day. The teacher or administrator who removed the student shall be notified of the action which has been taken or initiated.

Detention**3312**

For minor infractions of school rules or regulations, or for minor misconduct, staff may detain students.

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/guardian 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 or assistant principal shall be responsible for seeing that the time which the student spends for corrective action shall be used constructively.

Discipline Grievance Procedure- Informal Conference**3313**

Any student, parent or guardian who is aggrieved by the imposition of discipline shall have the right to an informal conference with the building principal or designee for the purpose of resolving the grievance. The employee whose action is being grieved shall be notified of the initiation of a grievance as soon as reasonably possible. At such conference the student and parent or guardian shall be subject to questioning by the building principal or designee and shall be entitled to question school personnel involved in the matter being grieved.

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

If the grievance is not resolved, the student, parent or guardian, upon two (2) school business days' prior notice, shall have the right to present a written and/or oral grievance to the Disciplinary Appeal Council at a meeting held within 30 days. Said grievance shall be heard in a closed session. The Council shall notify the student, parent or guardian of its response to the grievance within ten (10) school business days after the date of the meeting in which the grievance was presented. The discipline shall continue notwithstanding implementation of the grievance procedure unless a principal or designee elects to postpone such action.

In-School Suspension**3314**

The Board 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 school, therefore, may create 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.

Suspensions for Unexcused Absences**3315**

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. 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/guardian that the student failed to attend without valid justification;
- B. Scheduled a conference with the parent/guardian and the student at a convenient time 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 another special program; and
- C. Taken steps to reduce the student's absence which include, when appropriate to all parties, adjusting the student's school program, providing more individualized instruction, preparing the student for employment with specific vocational courses or work experience, or both, changing schools, and assisting the student to obtain supplementary services that might eliminate or ameliorate the causes of absence.

If such action is not successful, upon the seventh unexcused absence by a student within a month during the current school year or upon the tenth unexcused absence during the current school year, the district shall petition the juvenile court to assume jurisdiction of the alleged violation by the student and/or parent/guardian, unless the student is at least 16, employed, and the parent agrees the student should not be required to attend school.

Suspensions for Unexcused Absences (cont.)**3315**

The attendance officer shall report to the ESD twice yearly: (1) the number of petitions filed by the District or by a parent/guardian, (2) the frequency of each intervention attempted prior to filing of a petition, (3) the frequency of supplemental services, and (4) the disposition of cases filed with the juvenile court, including the number of contempt orders issued.

Discipline of Special Education Students**3318**

Notwithstanding any other provision of Policies 3300-3331, no discipline, suspension, or expulsion shall be imposed upon any special education student for any behavior related to the student's disability unless provision for such discipline has been included in the individualized education program (IEP), except when the student's conduct falls within Policies 3311 or 3331.

If the behavior of a special education student is likely to lead to a recommendation of suspension or non-emergency expulsion or is of a recurring nature leading to the imposition of repeated discipline, a meeting is to be held within three (3) school days in the manner provided for in the fourth paragraph of Policy 3318. The purpose of such meeting is to determine if the student's recurring behavior warrants disciplinary action or indicates a need for a change of placement or a reassessment.

If a special education student is suspended or expelled, the principal imposing the suspension or expulsion shall promptly notify the Coordinator of Special Services in writing.

No special education student shall be subject to a long-term suspension or non-emergency expulsion from school until a meeting has been held with the principal, the student's primary teacher, and district special educational personnel knowledgeable about placement options and about the particular student who is the subject of the contemplated action. The meeting shall take place within three (3) school days after the parents receive notice of the infraction believed to have been committed by the student.

The purpose of the meeting shall be to determine whether the student's behavior for which long-term suspension or expulsion is being considered is related to the student's disability, or whether the student's behavior for which the long-term suspension or expulsion is being considered indicates a need for a change of placement or a reassessment. If the staffing process leads to the conclusion that the behavior which the student is alleged to have engaged in is not related to the student's disability and that the student is not in need of a change of placement or reassessment, Policies 3300-3331 shall apply. The meeting shall be fully documented, and a written report of the results of the meeting shall be submitted promptly to the Coordinator of Special Services, the student's primary building administrator, and the student's parent or guardian. The report of the meeting shall include the date, time, and place of the meeting; the participants in the meeting; the sources of information used in reaching the decision(s); and the decisions regarding the relationship of the alleged behavior to the student's disability and whether a reassessment or change of placement is recommended.

If, following all of the procedures set forth in the preceding paragraph, the District determines that a long-term suspension or non-emergency expulsion should be imposed upon a special education student, the student and parent or guardian shall be notified of such long-term suspension or expulsion by a written statement which indicates that such long-term suspension or expulsion is a change of placement and which conforms to the requirements of WAC 392-172-306. The notice shall also advise of hearing rights available under Policy 3323, paragraph C and any hearing rights available under WAC 392-172-350 through -364.

Special Education Timeout: Safe Room**3319**

The special education classroom for the most severely behaviorally disabled students is designed for students unable to function satisfactorily in a less restrictive setting. Students in this classroom frequently exhibit behaviors that are aggressive, potentially dangerous to themselves or others, physically destructive, or significantly disruptive of educational programming. Specialized interventions are necessary to reduce the frequency with which these behaviors occur, and to preserve the safety and educational integrity of the classroom for both students and staff while students learn more constructive and socially appropriate behaviors. Among these interventions is a set of procedures known collectively as timeout, which share the following features:

1. The timeout is made contingent on the occurrence of a specific problematic behavior.
2. The timeout setting is less rewarding or desirable to the student than the time-in environment.
3. The timeout is ended either when the student ceases the problematic behavior or after a fixed length of time.

The most restrictive timeout, use of the specifically designated Safe Room is limited by procedure and site to the most severely behaviorally disabled students.

The Board of Directors delegates its authority to hear and decide discipline and short-term suspension grievance appeals to a disciplinary Appeal Council. The Council shall include a board member at large; other members of the Council shall be recommended by the Superintendent for consideration and appointed by the Board of Directors on a yearly basis.

Any decision by the Disciplinary Appeal Council to impose or to affirm, reverse, or modify the imposition of discipline or a short-term suspension shall be made:

1. only by those Council members who have heard or read the evidence;
2. only by those Council members who have not acted as a witness in the matter; and
3. only at a meeting at which a quorum of the Council is present and by majority vote.

The Council shall notify the student and parent or guardian of its response to the grievance within ten (10) school business days after the date of the meeting.

The Superintendent will provide a report to the board on an annual basis on the number and types of appeals heard by the Disciplinary Appeal Council.

Short-Term Suspension**3321**

A principal or an assistant principal may impose a short-term suspension. In the event the proposed corrective action of a student is to include the denial of the right of school attendance from any single class or full schedule of classes for more than one (1) and up to ten (10) consecutive school days, a conference shall first be conducted with the student as follows:

- A. An oral or written notice of the charges shall be provided to the student.
- B. An oral or written explanation of the evidence in support of the charges shall be provided to the student.
- C. An oral or written explanation of the suspension which may be imposed shall be provided to the student.
- D. The student shall be provided the opportunity to present his/her explanation.
- E. No student in grades kindergarten through four shall be subjected to short-term suspensions for more than ten (10) school days during any single semester, and no loss of academic grades or credit shall be imposed by reason of the suspension of such student.
- F. No student in grades five and above shall be subjected to short-term suspensions for more than a total of fifteen (15) school days during any single semester.
- G. All short-term suspensions and the reasons therefor shall be reported in writing to the Superintendent of the District or designee within twenty-four (24) hours after the imposition of the suspension.

The parent/guardian of the student shall be notified of the reason for the suspension and the duration of the suspension orally or by U.S. mail as soon as reasonably possible. Any student subject to a short-term suspension shall be provided the opportunity upon return to make up assignments and tests if:

- A. Such assignments or tests have a substantial effect upon the student's semester grade or grades; or
- B. Failure to complete such assignments or tests would preclude the student from receiving credit for the course or courses.

Appeal Process for Short-Term Suspension**3322**

Any student, parent or guardian who is aggrieved by the imposition of a short-term suspension shall have the right to an informal conference with the building principal or designee for the purpose of resolving the grievance. The employee whose action is being grieved shall be notified of the initiation of a grievance as soon as reasonably possible. At such conference the student and parent or guardian shall be subject to questioning by the building principal or designee and shall be entitled to question school personnel involved in the matter being grieved.

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

If the grievance is not resolved, the student, parent or guardian, upon two (2) school business days' prior notice, shall have the right to present a written and/or oral grievance to the Disciplinary Appeal Council. Said grievance shall be heard in a closed session. The Council shall notify the student, parent or guardian of its response to the grievance within ten (10) school business days after the date of the meeting in which the grievance was presented.

The short-term suspension shall continue notwithstanding implementation of the grievance procedure unless the principal or designee elects to postpone such action.

Long-Term Suspension and Expulsion**A. Basis for Long-Term Suspension**

A principal or assistant principal may impose a long-term suspension in cases of exceptional misconduct as defined in Policy 3309, where allowed by law, or where:

1. The nature and circumstances of the student's violation have been considered and reasonably warrant a long-term suspension; and
2. Another form of corrective action or punishment reasonably calculated to modify the student's conduct has been imposed upon the student as a consequence of misconduct of the same nature.

B. Basis for Expulsion

A principal or assistant principal may expel a student in cases where allowed by law or:

1. The nature and circumstances of the violation reasonably warrant the harshness of expulsion; and
2. Other forms of corrective action or punishment reasonably calculated to modify the student's conduct have failed, or there is good reason to believe that other forms of corrective action would fail if employed.

Students who carry onto or who possess on school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools any firearms, other dangerous weapons, nun-chu-ka sticks, throwing stars, air guns, or other projectiles shall be subject to expulsion. Students who with malice display what appears to be a firearm shall be subject to suspension or expulsion of up to one (1) year. Students carrying or possessing a firearm shall be expelled for a period of not less than one (1) year.

Appropriate law enforcement agencies will be contacted when there are firearms/dangerous weapons involved.

C. Notice

1. Prior to the long-term suspension or expulsion of a student, written notice to the student and to his or her parent or guardian shall be delivered by certified mail or in person. The notice shall:
 - a. Be provided in the predominant language of the student and/or parent or guardian who predominantly speak a language other than English, to the extent feasible;
 - b. Specify the misconduct and the District rule(s) alleged to have been violated;
 - c. Set forth the corrective action or punishment proposed;
 - d. Set forth the right of a student and/or parent or guardian to a hearing to contest the allegations, including a statement that a written request for a hearing must be received by the designated school authority on or before the expiration of the third school business day after the receipt of the notice of opportunity for a hearing and, further, that the right to a hearing shall be deemed waived and the proposed long-term suspension or expulsion imposed without further opportunity to contest the matter, if the request is not received within the prescribed period of time; and
 - e. Include a schedule of school business days applicable to the exercise of the right to request a hearing.
2. The student and/or parent or guardian shall reply in writing to the notice within three (3) school business days of receipt, indicating whether a hearing is requested. If such request is not received within three (3) school business days, the student and the parent or guardian shall be deemed to have waived the right to a hearing and the proposed long-term suspension or expulsion shall take effect.

3. 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 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.

D. Pre-Hearing and Hearing Process

1. Scheduling the Hearing

If a hearing is timely requested, it shall be scheduled to commence within three (3) school business days after the request for hearing was received.

2. Conduct of the Hearing

- a. The student and parent or guardian shall have the right to:
 - i. Inspect in advance of the hearing any documentary and other physical evidence which the District intends to introduce at the hearing;
 - ii. Be represented by legal counsel;
 - iii. Question and confront witnesses;
 - iv. Present his or her explanation of the alleged misconduct; and
 - v. Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.
- b. The designee(s) of the District assigned to present the District's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence which the student and parent or guardian intend to introduce at the hearing.
- c. A tape-recording of the hearing shall be made.
- d. The hearing officer shall not be a witness.
- e. The guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.
- f. A written decision setting forth the findings of fact, conclusions, and the nature and duration of the corrective action or punishment to be imposed, if any, shall be provided to the student's legal counsel or, if none, to the student and parent or guardian.
- g. If the hearing officer imposes a long-term suspension or expulsion, the student and parent or guardian shall have the right to appeal such decision to the Board or the district disciplinary appeal council by filing a written notice of appeal at either the office of the Superintendent or the office of the hearing officer within three (3) school business days after the date of receipt of the decision.
- h. If a timely appeal is not taken, the long-term suspension or expulsion shall take effect on the calendar day following the expiration of the three (3) school business day period.
- i. If timely appeal is taken to the Board or district disciplinary appeal council pursuant to Policy 3324 or Policy 3325, the long-term suspension or non-emergency expulsion may be imposed during the appeal period subject to the following conditions and limitations:
 1. A long-term suspension or non-emergency expulsion may be temporarily imposed by the District during the appeal period for no more than ten (10) consecutive school days or until the appeal is decided, whichever is the shortest period;
 2. If, at the time of the hearing before a hearing officer, the student is in an emergency expulsion status, the emergency expulsion may be continued by the hearing officer if the student continues to pose an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process of the student's school; and
 3. Any 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.

E. Multiple Suspensions

1. No student in grades kindergarten through four shall be subjected to long-term suspensions.
2. No student in grades five and above shall be subjected to a single long-term suspension in a manner which causes the student to lose academic grades or credit in excess of one semester during the same school year.

F. Report to Superintendent

All long-term suspensions and the reasons therefor shall be reported in writing to the Superintendent of the District or designee within twenty-four (24) hours after the imposition of the suspension.

G. Readmission

Any student who has been suspended or expelled shall be allowed to make application for readmission at any time. If a student desires to be readmitted to the school district, the student shall submit a written application to the Superintendent's designee, who shall recommend admission or non-admission to the Superintendent. The application shall include:

1. Reasons the student wants to return and why the request should be considered;
2. Evidence which supports the request;
3. Actions taken to address the issue and to ensure the student's academic and behavioral success; and
4. A supporting statement from the parent/guardian or others who may have assisted the student.

The Superintendent shall, in writing, advise the parent/guardian and student of the decision within seven (7) school business days of the receipt of such application.

Appeal Process for Long-Term Suspension

If a long-term suspension is imposed, the parent/guardian and student shall have the right to appeal the hearing officer's decision by filing a written notice of appeal at either the office of the school district superintendent or at the office of the hearing officer within three (3) school business days after the date of receipt of the decision.

The Board or district disciplinary appeal council shall schedule and hold an informal conference to review the matter within ten (10) school business days from receipt of such appeal. The purpose of the meeting shall be to meet and 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 shall be given the right to be heard and shall be granted the opportunity to present such witnesses and testimony as the Board or council deems reasonable. Prior to adjournment, the Board or council shall agree to one of the following procedures:

- A. Study the hearing record or other materials submitted and render its decision within ten (10) school business days;
- B. Schedule and hold a special meeting to hear further arguments based on the record before the board or council and render its decision within fifteen (15) school business days; or
- C. Hear and try the case anew before the Board or council within ten (10) school business days.

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

- A. Those Board or council members who have heard or read the evidence,
- B. Those Board or council members who have not acted as a witness in the matter, and
- C. A majority vote at a meeting at which a quorum of the Board or council is present.

An appeal from any decision of a school board or disciplinary appeal council to impose or to affirm the imposition of a long-term suspension or an expulsion shall be to the courts. Whether or not the decision of a school board or disciplinary appeal council shall be postponed pending an appeal to superior court shall be discretionary with the school board or disciplinary appeal council except as ordered otherwise by a court.

If an expulsion is imposed, the parent/guardian and student shall have the right to appeal the hearing officer's decision by filing a written notice of appeal at either the office of the school district superintendent or at the office of the hearing officer within three (3) school business days after the date of receipt of the decision.

The Board or district disciplinary appeal council shall schedule and hold an informal conference to review the matter within ten (10) school business days from receipt of such appeal. The purpose of the meeting shall be to meet and 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 shall be given the right to be heard and shall be granted the opportunity to present such witnesses and testimony as the Board or council deems reasonable. Prior to adjournment, the Board or council shall agree to one of the following procedures:

- A. Study the hearing record or other materials submitted and render its decision within ten (10) school business days;
- B. Schedule and hold a special meeting to hear further arguments based on the record before the board or council and render its decision within fifteen (15) school business days; or
- C. Hear and try the case anew before the Board within ten (10) school business days.

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

- A. Those Board or council members who have heard or read the evidence,
- B. Those Board or council members who have not acted as a witness in the matter, and
- C. A majority vote at a meeting at which a quorum of the Board or council is present.

An appeal from any decision of a school board or disciplinary appeal council to impose or to affirm the imposition of a long-term suspension or an expulsion shall be to the courts. Whether or not the decision of a school board or disciplinary appeal council shall be postponed pending an appeal to superior court shall be discretionary with the school board or disciplinary appeal council except as ordered otherwise by a court.

Emergency Expulsion

A student may be excluded from school prior to a hearing without other forms of corrective action if a principal or assistant principal reasonably believes the student is an immediate and continuing danger to himself/herself, other students, staff, or administrators or is a substantial disruption to the educational process of the District. Such emergency expulsion shall continue until rescinded by a principal or assistant principal, converted to a short-term suspension or lesser form of discipline by a principal or assistant principal, or modified or reversed by the appeal process. The hearing officer may continue the emergency expulsion if he/she finds that the emergency situation continues and/or as corrective action or punishment for the action giving rise to the emergency expulsion in the first instance.

The provisions governing notice and hearing of regular long-term suspensions or expulsions shall apply except:

- A. Written notice of the emergency expulsion shall be sent by certified letter deposited in the U. S. mail within twenty-four (24) hours of the expulsion or by hand delivery to the student's parent(s) or guardian(s) within twenty-four hours of the expulsion and documenting delivery by obtaining his or her signature acknowledging receipt or the written certification of the person making the delivery;
- B. The parent/guardian and student shall have ten (10) school business days after receipt of the notice during which to request a hearing. A schedule of "school business days" potentially applicable to the exercise of such hearing right should be included with the notice;
- C. The hearing officer shall render the decision within one (1) school business day after the conclusion of the hearing.
- D. In the event the principal or assistant principal converts a student's emergency expulsion to a short-term suspension or lesser form of discipline prior to hearing, the grievance procedures governing short-term suspensions, Policy 3322, or review of discipline, Policy 3313, shall apply.

Part IV

Teacher Responsibilities and Rights

Teacher Responsibilities and Rights

3332

General Provisions

- A. It is recognized that every teacher has the right and responsibility to expect acceptable behavior in the maintenance of a sound learning environment on the part of all students.
- B. Discipline shall be enforced fairly and consistently regardless of race, creed, sex or status.
- C. A teacher may use such appropriate action as is necessary to protect a student, himself/herself, or others from physical abuse or injury.
- D. The administration, Board, and teachers shall be mutually cooperative in their use of prudent disciplinary measures to maintain discipline and protect the safety and well-being of students, employees and others.
- E. Each teacher shall maintain good order and discipline in the classroom, in the hallways, and on the playgrounds or other common areas of the school.
- F. Each teacher assigned to classroom duties shall keep and maintain accurate attendance records of students.
- G. Each teacher shall set an appropriate example of personal conduct and shall avoid making any statements to any student which may be demeaning or personally offensive to any student or group of students.

Procedures

- A. The teacher shall have the right and it shall be his/her responsibility to maintain good order and discipline in the classrooms at all times. It is recognized that under most circumstances, methods to maintain good order and discipline should be utilized within the classroom setting which cause the least disruption of the educational process for the student and others.
- B. Emergency Removal of Student: The teacher has the right to temporarily remove a student from a classroom in accordance with Policy 3300.
- C. When a teacher deems it necessary, he/she may recommend to the principal a pupil's suspension or expulsion from school and/or removal from that teacher's class on either a temporary or a permanent basis.

Part V

Principal Responsibilities and Rights

Principal Responsibilities and Principal and Assistant Principal Authority and Rights

3333

Principal Responsibilities

- A. Each principal shall be responsible for the enforcement of the prescribed School District rules for student conduct and for the compliance with School District and building guidelines relating to the discipline of students.
- B. Each principal may develop such building guidelines relating to student discipline as may be appropriate. Such building guidelines shall be consistent with School District policies and procedures relating to student discipline.
- C. At the beginning of each school year, principals shall make available to each certificated staff member, student, and parent or guardians of students a copy of this policy (or summary thereof) together with any building guidelines.
- D. Each principal shall set an appropriate example of personal conduct and shall avoid making any statement to any student which may be demeaning or personally offensive to any student or group of students.
- E. The administration, Board, and teachers shall be mutually cooperative in their use of prudent disciplinary measures to maintain discipline and protect the safety and well-being of students and employees.

Principal and Assistant Principal Authority

Subject to the limitations set forth in these policies, all principals and assistant principals shall have the authority to discipline, suspend or expel any student for any violation of rules for student conduct. In the absence of the principal and assistant principal, the authority to suspend or expel a student may be delegated to another certificated administrator in the district by the superintendent or superintendent's designee.

Principal and Assistant Principal Rights

Each principal and assistant principal shall be promptly advised of any complaint made to any other school District administrator regarding the principal's or assistant principal's discipline of students. The principal or assistant principal shall be given the opportunity to present his/her version of the incident and to meet with the complaining party in the event that a conference with the complaining party is arranged.