

Student Behavior, Corrective Actions and/or Interventions

Preamble

The Bellevue School District is committed to ensuring a safe and productive learning environment in which all students are provided every opportunity to learn. In order to ensure that each student has equitable access to educational services and that student behavior does not result in a loss in educational services, the District is committed to reducing out-of-school removals and providing access to educational services during such time. The District is also committed to reducing the disproportional impact of out-of-school removals on any identifiable group of students, including those with disabilities. The District will achieve its commitments by the application of positive behavior supports and principles, while recognizing that there will be times when the application of corrective action is necessary.

When applying corrective action and/or intervention, principals use sound professional judgment to determine appropriate corrective action and/or intervention that is consistent with the District mission and goals, in the best interest of students and anchored in sound theory and practice. Principals will ensure that corrective action and/or intervention is consistent, fair and balanced; culturally competent and racially relevant; progressive in nature; and considers the developmental level of the student and whether the behavior is related to a disability. The application of corrective action and/or intervention is at the discretion of principals and because the context of every situation where disciplinary action is appropriate differs, Exhibit A (Secondary School Discipline Matrix) and Exhibit B (Elementary School Discipline Matrix) provide guidelines.

Definitions

For purposes of all disciplinary policies and procedures, the following definitions will apply:

- **“Behavioral violation”** means a student’s behavior that violates the District’s discipline policies.
- **“Classroom exclusion”** means the exclusion of a student from a classroom or instructional or activity area for behavioral violations, subject to the requirements of WAC 392-400-330 and 392-400-335. Classroom exclusion does not include action that results in missed instruction for a brief duration when:
 - (a) a teacher or other school personnel attempts other forms of discipline to support the student in meeting behavioral expectations; and
 - (b) the student remains under the supervision of the teacher or other school personnel during such brief duration.
- **“Culturally responsive”** has the same meaning as “cultural competency” in RCW 28A.410.270, which states “cultural competency” includes knowledge of student cultural histories and contexts, as well as family norms and values in different cultures; knowledge and skills in accessing community resources and community and parent

outreach; and skills in adapting instruction to students' experiences and identifying cultural contexts for individual students.

- **“Discipline”** means any action taken by a school District in response to behavioral violations.
- **“Disruption of the educational process”** means the interruption of classwork, the creation of disorder, or the invasion of the rights of a student or group of students.
- **“Emergency expulsion”** means the removal of a student from school because the student’s presence poses an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process, subject to the requirements in WAC 392-400-510 through 392-400-530
- **“Expulsion”** means a denial of admission to the student’s current school placement in response to a behavioral violation, subject to the requirements in WAC 392-400-430 through 392-400-480
- **“Length of an academic term”** means the total number of school days in a single trimester or semester, as defined by the Board of directors.
- **“Other forms of discipline” means actions used in response to problem behaviors and behavioral violations, other than classroom exclusion, suspension, expulsion, or emergency expulsion, which may involve the use of best practices and strategies included in the state menu for behavior developed under RCW 28A.165.035.**
- **“Parent” has the same meaning as in** WAC 392-172A-01125, and means (a) a biological or adoptive parent of a child; (b) a foster parent; (c) a guardian generally authorized to act as the child’s parent, or authorized to make educational decisions for the student, but not the state, if the student is a ward of the state; (d) an individual acting in the place of a biological or adoptive parent, including a grandparent, stepparent, or other relative with whom the student lives, or an individual who is legally responsible for the student’s welfare; or a surrogate parent who has been appointed in accordance with WAC 392-172A.05130. If the biological or adoptive parent is attempting to act as the parent and more than one party meets the qualifications to act as a parent, the biological or adoptive parent must be presumed to be the parent unless he or she does not have legal authority to make educational decisions for the student. If a judicial decree or order identifies a specific person or persons to act as the “parent” of a child or to make educational decision on behalf of a child, then that person or persons shall be determined to be the parent for purposes of this policy and procedure.
- **“School Board” means the governing Board of directors of the local school 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 or terminates upon the closure of the Superintendent’s office for the calendar day.

- **“School day”** means any day or partial day that students are in attendance at school for instructional purposes.
- **“Suspension”** means the denial of attendance in response to a behavioral violation from any subject or class, or from any full schedule of subjects or classes, but not including classroom exclusions, expulsions, or emergency expulsions. 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.
 - **In-school suspension means a suspension in which a student is excluded from the student's regular educational setting but remains in the student's current school placement for up to ten consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475.**
 - **Short-term suspension** means a suspension in which a student is excluded from school for up to ten consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475. **Long-term suspension** means a suspension in which a student is excluded from school for more than ten consecutive school days, subject to the requirements in WAC 392-400-430 through 392-400-475.

Misconduct

The following are prohibited on school premises, at school-sponsored events or activities, on school buses or vehicles provided by the District, or if conducted in a manner having a real and substantial relationship to the operation of school or educational programs and shall be cause for discipline and/or intervention. Discipline/intervention for misconduct cannot be cause for short-term suspension. Exhibit A (Secondary School Discipline Matrix) and Exhibit B (Elementary School Discipline Matrix) are guidelines for sanctions and are strongly recommended to ensure consistency and continuity across the District for similar offenses. Discipline should be progressive, in terms of both the level of discipline as well as the number of days. In addition, when considering disciplinary consequences administrators should take into account the developmental level of the student. If extenuating circumstances warrant it, a lesser or greater disciplinary consequence may be used if appropriate. When considering extenuating circumstances for a consequence greater than recommended, administrators will discuss the details with the Supervisor of Pupil Management or their Executive Director of Schools prior to issuing such discipline. Those situations would be deemed to be rare.

A. Cheating including copying the work of other persons, or turning in another person’s papers, projects, computer programs, etc., as your own or having someone else write your paper, program, or project, including asking friends, paying someone, using a paper writing service, or other methods as determined by the teacher or administrator etc. Cheating also includes the aiding and abetting of cheating by others including but not limited to, stealing or providing questions and/or answers to one or more persons prior to any type of assessment (meaning any work that is used to determine a student’s grade or progress).

B. Computer Misuse meaning any use of Bellevue School District computers or network for non-academic use.

- C. Dangerous Activities** meaning any intentional or unintentional act that could potentially harm oneself or others (horseplay, throwing objects that could cause harm, climbing a roof, driving at excessive speed through a school parking lot, etc.).
- D. Disruptive Conduct** meaning substantially interfering with teaching, learning, and/or school operations.
- E. Failure to Attend** any required activity or disciplinary consequence assigned by a teacher, counselor, administrator, or designee.
- F. Failure to Comply** in a passive manner with the instructions of teachers and other school staff. This includes breaking a specific, published school or District rule.
- G. False Reporting** meaning knowingly and maliciously falsely reporting or falsely corroborating misbehavior of others that did not occur, including spreading a false rumor maliciously at school, or school grounds, on school-provided transportation, or at a school-sponsored function, that resulted in a disciplinary and/or legal action for the student(s) who was falsely accused.
- H. Fighting** which means engaging in or provoking mutual contact involving anger or hostility that does not result in physical harm or injury to one or more people.
- I. Forging of any non-District or District Personnel Signature** (including electronic) or **Making of any False Entry or the Alteration of any Document** used or intended to be used in connection with the operation of the school.
- J. Gambling** such as playing cards, dice, or games of chance for money or other things of value.
- K. Leaving Campus** during regular school hours without written or verbal permission from a parent or school official.
- L. Lewd/Obscene Behavior** including inappropriate sexual expressions or behavior.
- M. Look-Alike Weapons** including possessing a toy gun or other toy weapon whether or not appearing to be a real gun or weapon, or any item that can reasonably be considered a firearm, air soft gun, compress air gun, or dangerous weapon that is not used in the commission of an exceptional misconduct act.
- N. Lying** means knowingly not telling the truth to a staff member or volunteer in response to a question related to the safety of the school or the investigation of a disciplinary matter.
- O. Misuse of School Property** including writing on desks, walls, etc. or using school property in a way that it was not intended and has or can do damage to the property.

P. Out-of-School Boundary meaning places that are off limits during the day that is defined by the school such as parking lots, sidewalks around school, parks and open fields etc.

Q. Plagiarism including using another writer's words or ideas without proper citation, or merely rearranging or changing a few of the author's words and presenting the result as your own work, or not using quotation marks when citing a source.

R. Physical Aggression such as hitting, kicking, spitting or the throwing of objects that do not seriously injure another person or rise to the level of assault.

S. Possession, Handling, or Transmission of a Small Folding Knife—a small folding knife is defined as a blade length of 2-1/2 inches or less with a blade width of 1/2-inch or less.

T. Profanity/Obscenity including using vulgar or abusive language and/or cursing or swearing or slurs that do not rise to the level of harassment, intimidation and/or bullying or are not deemed to violate the District's nondiscrimination policy.

U. School Dress that possesses a health or safety hazard or may disrupt, interfere with, disturb, or detract from the school environment or activity and/or educational objectives, including, but not limited to, apparel or items depicting lewd, sexual, drug, tobacco, marijuana (cannabis) or alcohol-related messages.

V. Teasing and/or Taunting such as making fun of individuals and/or groups, calling people names, and/or directing insults toward another individual and/or groups that do not rise to the level of harassment, intimidation and/or bullying or are not deemed to violate the District's nondiscrimination policy.

W. Theft meaning stealing District or personal property.

X. Threat to Cause Bodily Harm that is communicated by any means.

Y. Trespass/Unauthorized Entry onto another school other than student's own school during the school day without administrative permission or the wrongful or unauthorized entry onto District property or facility.

Z. Use of Personal Telecommunication Devices including, but not limited to, pagers, beepers and cellular phones in a manner that poses a threat to academic integrity, disrupts the learning environment or violates the privacy rights of others. Students shall not send, share, view or possess pictures, text messages, emails or other material of a sexually explicit nature or that contributes to harassment, intimidation and/or bullying in electronic or any other form on a cell phone or other electronic device.

AA. Vandalizing and/or Damaging any School or Personal Property, including writing, painting, drawing, or otherwise marking graffiti on any school or personal property resulting in less than \$50 of damage.

BB. Visible Use or Possession of any Tobacco Product or Tobacco Paraphernalia (including, but not limited to, lighters or rolling papers) on or in the immediate vicinity of school property is prohibited. School property includes all buildings, grounds and vehicles owned and used by the District. E-cigarettes are dealt with below in the Drug and Alcohol Conduct.

CC. Wearing, Carrying, Possessing and/or Displaying Gang-Related Apparel, Grooming, or Exhibiting or Implying Behavior or Gesture which Symbolizes Gang Membership or Affiliation by written communication, marks, drawing, painting, design, emblem, etc. upon any school or personal property or one's persons or causing and/or participating in activities which intimidate or affect the attendance of another student or staff member.

Exceptional Misconduct

The types of misconduct that constitute exceptional misconduct are listed in Procedure 3241.1P (Exceptional Misconduct). The types of misconduct that constitute exceptional misconduct were identified by consulting with a representative ad hoc committee.

Alcohol, Drugs, and Other Mood-Altering Substances, to include E-cigarettes:

A. Definitions:

1. **“Drug”** means any controlled substance, as defined by the Uniform Controlled Substances Act (RCW 69.50), any drug that requires a prescription (so-called “legend drugs”), and any “look alike” drug or substance believed to be or represented as being a drug or controlled substance; and any food item with illegal drugs and/or alcohol contained within.
2. **“Alcohol”** includes any beverage, mixture, or preparation containing alcohol.
3. **“Intoxicant”** means any other chemical substance (including industrial chemicals and over-the-counter medications) when used contrary to directions or warnings to affect the user's perception, behavior, or mood, excluding tobacco and caffeine; and
4. **“Drug paraphernalia”** means all equipment, products, materials of any kind which are used, intended for use, or designated for use in introducing into the human body a drug, alcohol, or intoxicant.

B. Discipline

While considering corrective action and/or intervention for a drug/alcohol offense, administrators will contact the Supervisor of Pupil Management or an Executive Director of Schools before imposing corrective action and/or intervention.

C. Paraphernalia without Possession and Possession (first offense):

1. Notify parent/guardian.
2. Require scheduling of a drug and/or alcohol assessment with drug and alcohol counselor within three school days and follow through with assessment and recommendations.

3. Require signing of Authorization for Release of Records form by relevant parties to confirm whether follow through with assessment and recommendations occurred.
4. Failure to follow through with scheduled assessment and/or recommendations will result in an in-school suspension and/or learning center for up to three school days, with emphasis on identifying and addressing primary issues (outcome for Use, first offense).
5. Notify law enforcement.
6. Consider safety/behavior plan that includes accessing of applicable support services.

B. Use (first offense):

1. Notify parent/guardian.
2. Emergency expulsion for a minimum of one day provided there is a safety issue to oneself or others and/or incident causes substantial disruption to the school environment. Consider in-school suspension and/or learning center for up to three school days, as applicable, with emphasis on identifying and addressing primary issues.
3. Require scheduling of drug and/or alcohol assessment with a drug and alcohol counselor within three school days and follow through with assessment and recommendations.
4. Require signing of Authorization for Release of Records form by relevant parties to confirm whether follow through with assessment and recommendations occurred.
5. Failure to follow through with scheduled assessment and/or assessment recommendations results in one or more of the corrective actions and/or interventions for second offense.
6. Notify law enforcement.
7. Consider safety/behavior plan, to include accessing of applicable support services.

C. Intent to Distribute or Distribution (first offense):

1. Notify parent/guardian.
2. Emergency expulsion for a minimum of one day provided there is a safety issue to oneself or others and/or causes substantial disruption to the school environment.
3. Require scheduling of a drug and/or alcohol assessment with a drug and alcohol counselor within three school days and follow through with appointment and recommendations.
4. Require signing of Authorization for Release of Records form by relevant parties to confirm whether follow through with assessment and recommendations occurred.
5. Long-term suspension requiring consultation with Supervisor of Pupil Management or an Executive Director of Schools.
6. Notify law enforcement.
7. Require safety/behavior plan, to include accessing of applicable support services.

Any second or greater offense for drug and/or alcohol throughout a student's grade 6-12 enrollment in a District school, would take into consideration the original offense. While considering corrective action and/or intervention for a second or greater drug/alcohol offense, administrators will contact the Director of Pupil Management or an Executive Director of Schools. The following list is a menu of possible corrective actions and/or interventions to be taken. The corrective action and/or intervention taken will depend on the circumstances and the number of previous alcohol, drug or other mood-altering substances offenses a student has on their discipline record. Multiple actions may be taken for any one offense. Examples follow:

- Parent/guardian conference,
- Required drug/alcohol assessment and follow-through with the recommendations,
- Secure consent of applicable parties on Authorization for Release of Records form,
- Development and implementation of a safety and/or behavior plan,
- Modification and implementation of a safety and/or behavior plan,
- Implementation of one or more restorative practices,
- Referral to Guidance Team Referral to Multi-disciplinary Team,
- Require psychological evaluation,
- Law enforcement as appropriate,
- CPS notification as appropriate,
- In-school suspension and/or Learning Center,
- Emergency Expulsion,
- Long-term suspension,
- Expulsion, and/or
- District Determination of Placement

Engaging with Families & Language Assistance

The District must provide for early involvement of parents/guardians in efforts to support students in meeting behavioral expectations (general guidelines for school environments, supported activities and/or those that have a direct causal effect on the school environment). Additionally, the District must make every reasonable attempt to involve the student and parent/guardian in the resolution of behavioral violations. Unless an emergency circumstance exists, providing opportunity for this parental engagement is required before administering a suspension or expulsion.

The District must ensure that it provides all discipline-related communications [oral and written] required in connection with this policy and procedure in a language the student and parent/guardian understand. These discipline related communications include notices, hearings, conferences, meeting, plans, proceedings, agreements, petitions, and decisions. This effort may require language assistance for students and parents/guardians with limited-English proficiency under Title VI of the Civil Rights Act of 1964. For parents/guardians who are unable to read any language, the District will provide written material orally.

Supporting Students with Other Forms of Discipline

Unless a student's presence poses an immediate and continuing danger to others, or a student's presence poses an immediate and continuing threat to the educational process, staff members must first attempt one or more forms of other forms of discipline to support students in meeting behavioral expectations before imposing classroom exclusion, or in-school suspension. Before imposing a long-term suspension or expulsion, the District must first consider other forms of discipline, such as in-school suspension, restorative practices, drug and/or counselor assessment, and/or mental health evaluation.

The types of behaviors for which the staff members may use other forms of discipline include any violation of the rules of conduct, as developed annually by the Superintendent or designee. In connection with the rules of conduct, school principals and certificated building staff will confer at least annually to develop and/or review student conduct standards and the uniform enforcement of those standards as related to the established student handbooks. During that review, staff should address the differences in perception of subjective behaviors and reduce the effect of implicit or unconscious bias.

These other forms of discipline may involve the use of best practices and strategies included in the state menu for behavior available online at: <https://www.k12.wa.us/student-success/support-programs/learning-assistance-program-lap/menus-best-practices-strategies/behavior-menu-best-practices-strategies>.

The District has identified the following as examples of other forms of discipline, corrective action and/or intervention for use:

- Restorative practices
- Social skills instruction
- Behavior monitoring
- Peer mediation
- Safety and/or behavior plans

Staff members are not restricted to the above list and may use any other form of discipline compliant with WAC 392-400-025(9).

Additionally, staff may use after-school detention as another form of discipline for not more than 30 minutes on any given day. Before assigning after-school detention, the staff member will inform the student of the specific behavior prompting the detention and provide the student with an opportunity to explain or justify the behavior. At least one professional staff member will directly supervise students in after-school detention. Prior to issuing an after-school detention, the staff member or designee must notify the parent/guardian.

Administering other forms of discipline cannot result in the denial or delay of the student's nutritionally adequate meal or prevent a student from accomplishing a specific academic grade, subject, or graduation requirements.

Students and parents may challenge the administration of other forms of discipline, including the imposition of after-school detention using the grievance process below.

Staff Authority and Exclusionary Discipline

District staff members are responsible for supervising students immediately before and after the school day; during the school day; during school activities (whether on or off campus); on school grounds before or after school hours when a school group or school activity is using school grounds; off school grounds, if the actions of the student materially or substantially affect or interferes with the educational process; and on the school bus.

Staff members will seek early involvement of parents in efforts to support students in meeting behavioral expectations. The Superintendent has general authority to administer discipline, including all exclusionary discipline. If the District wants other staff members to have exclusionary discipline authority, the procedure must identify by title. The Superintendent designates disciplinary authority to impose in-school suspensions to certificated administrators and to impose long-term suspension, expulsions or emergency expulsions to certificated administrators (with consultation with Director of Pupil Management or Executive Director of Schools).

In consultation with the Executive Director of Schools and the Supervisor of Pupil Management, a threat assessment may be conducted in the event of a student-based threat, or behavioral indicators of potential harm to self, others, or property. The threat assessment shall be administered by a member of the Safety and Security Department in participation with applicable District staff members and others who are knowledgeable of the student, the nature of the threat and/or precipitating event. The results of the threat assessment help guide the District's response to the threat, to include possible intervention services, support(s), and/or discipline to ensure consistency and fairness and a safe learning and school environment.

Classroom exclusions

After attempting at least one other form of discipline, as set forth above, teachers have statutory authority to impose classroom exclusion. Classroom exclusion means the exclusion of a student from the classroom or instructional activity area based on a behavioral violation that disrupts the educational process. Additionally, the District authorizes certificated administrators to impose classroom exclusion with the same authority and limits of authority as classroom teachers.

Classroom exclusion may be for all or any portion of the balance of the school day. Classroom exclusion does not encompass removing a student from school, including sending a student home early or telling a parent/guardian to keep a student at home, based on a behavioral violation.

Removing a student from school constitutes a suspension, expulsion, or emergency expulsion and must include the notification and due process as stated in the section below.

The school will provide the student an opportunity to make up any assignments and tests missed during a classroom exclusion. The District will not administer any form of discipline, including classroom exclusions, in a manner that would result in the denial or delay of a nutritionally adequate meal to a student or prevent a student from accomplishing a specific academic grade, subject, or graduation requirements.

Following the classroom exclusion of a student, the teacher (or other school personnel as identified) must report the classroom exclusion, including the behavioral violation that led to the classroom exclusion, to the principal or the principal's designee as soon as reasonably possible. The principal or designee must report all classroom exclusions, including the behavioral violation that led to it, to the Superintendent or designee. Reporting of the behavioral violation that led to the classroom exclusion as "other" is insufficient.

The teacher, principal, or the principal's designee must notify the student's parent/guardian regarding the classroom exclusion as soon as reasonably possible. As noted above, the District must ensure that this notification is in a language and form (i.e. oral or written) the parent/guardian understand.

When the teacher or other authorized school personnel administers a classroom exclusion because the student's presence poses an immediate and continuing danger to other students or school personnel, or an immediate and continuing threat of material and substantial disruption of the educational process:

- (a) The teacher or other school personnel must immediately notify the principal or the principal's designee; and
- (b) The principal or the principal's designee must meet with the student as soon as reasonably possible and administer appropriate discipline.

The District will address student and parent/guardian grievances regarding classroom removals and other forms of discipline, such as after-school detention, removal or suspension from athletic activity or participation, removal or suspension from school-provided transportation through the grievance procedures outlined in Policy 4220, Complaints Concerning Staff or Programs.

Suspension and expulsion – general conditions and limitations

The District's use of suspension and expulsion will have a real and substantial relationship to the lawful maintenance and operation of the school District, including, but not limited to, the preservation of the health and safety of students and employees and the preservation of an educational process that is conducive to learning. The District will not expel, suspend, or discipline in any manner for a student's 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 preserving the educational process. The District will not administer any form of discipline in a

manner that would prevent a student from accomplishing a specific academic grade, subject, or graduation requirements.

As stated above, the District must have provided the parent/guardian opportunity for involvement to support the student and resolve behavioral violations before administering suspension or expulsion. Additionally, the Superintendent or designee must consider the student's individual circumstances and the nature of the violation before administering an in-school suspension.

The Board recognizes that when a student's behavior is subject to disciplinary action, a review by a panel of the student's peers may positively influence the student's behavior. The Board has discretion to authorize the establishment of one or more student disciplinary boards, which may also include teachers, administrators, parents/guardians, or any combination thereof. If so authorized, the District will ensure that the student disciplinary board reflects the demographics of the student body. The student disciplinary board may recommend to the appropriate school authority other forms of discipline that might benefit the student's behavior and may also provide input on whether exclusionary discipline is needed. The school authority has discretion to set aside or modify the student disciplinary board's recommendation.

The principal or designee at each school must report all suspensions and expulsions, including the behavioral violation that led to the suspension or expulsion, to the Superintendent or designee within twenty-four (24) hours after the administration. Reporting the behavioral violation that led to the suspension or expulsion as "other" is insufficient.

An expulsion or suspension of a student may not be for an indefinite period and must have an end date.

After suspending or expelling a student, the District will make reasonable efforts to return the student to the student's regular educational setting as soon as possible. Additionally, the District must allow the student to petition for readmission at any time. The District will not administer any form of discipline in a manner that prevents a student from completing subject, grade-level, or graduation requirements.

When administering a suspension or expulsion, the District may deny a student admission to, or entry upon, real and personal property that the District owns, leases, rents, or controls. The District must provide an opportunity for students to receive educational services during a suspension or expulsion (see below). The District will not suspend or expel a student from school for absences or tardiness.

If during a suspension or expulsion the District enrolls a student in another program or course of study, the District may not preclude the student from returning to the student's regular educational setting following the end of the suspension or expulsion, unless one of the following applies:

The Superintendent or designee grants a petition to extend a student’s expulsion under WAC 392-400-480; the change of setting is to protect victims under WAC 392-400-810; or other law precludes the student from returning to his or her regular educational setting.

In accordance with RCW 28A.600.420, a school District must expel a student for no less than one year if the District has determined that the student has carried or possessed a firearm on school premises, school-provided transportation, or areas of facilities while being used exclusively by public schools. The Superintendent or designee may modify the expulsion on a case-by-case basis.

A school District may also suspend or expel a student for up to one year if the student acts with malice (as defined under RCW 9A.04.110) and displays an instrument that appears to be a firearm on school premises, school-provided transportation, or areas of facilities while being used exclusively by public schools. These provisions do not apply to students while engaged in a District authorized military education; a District authorized firearms convention or safety course; or District authorized rifle competition.

For specific information regarding:

- in-school suspensions and appeals for in-school suspensions please go to Procedure 3241P.2
- long-term suspensions and appeals for long-term suspensions please go to Procedure 3241P.3
- expulsions and appeals for expulsions please go to Procedure 3241P.4
- emergency expulsions and appeals for emergency expulsions please go to Procedure 3241P.5

Petition to Extend an Expulsion

When risk to public health or safety warrants extending a student’s expulsion, the principal or designee may petition the Superintendent or designee for authorization to exceed the academic term limitation on an expulsion. The petition must inform the Superintendent or designee of:

- The behavioral violation that resulted in the expulsion and the public health or safety concerns;
- The student’s academic, attendance, and discipline history;
- Any nonacademic supports and behavioral services the student was offered or received during the expulsion;
- The student’s academic progress during the expulsion and the educational services available to the student during the expulsion;
- The proposed extended length of the expulsion; and
- The student’s reengagement plan.

The principal or designee may petition to extend an expulsion only after the development of a reengagement plan under WAC 392-400-710 and before the end of the expulsion. For violations

of WAC 392-400-820 involving a firearm on school premises, school-provided transportation, or areas of facilities while being used exclusively by public schools, the principal or designee may petition to extend an expulsion at any time.

Notice

The District will provide written notice of a petition to the student and parent/guardian in person, by mail, or by email within one (1) school business day from the date the Superintendent or designee received the petition. The written notice must include:

- A copy of the petition;
- The right of the student and parent/guardian to an informal conference with the Superintendent or designee to be held within five (5) school business days from the date the District provided written notice to the student and parent/guardian; and
- The right of the student and parent/guardian to respond to the petition orally or in writing to the Superintendent or designee within five (5) school business days from the date the District provided the written notice.

The Superintendent or designee may grant the petition only if there is substantial evidence that, if the student were to return to the student's previous school of placement after the length of an academic term, the student would pose a risk to public health or safety. The Superintendent or designee must deliver a written decision to the principal, the student, and the student's parent/guardian in person, by mail, or by email within ten (10) school business days after receiving the petition.

If the Superintendent or designee does not grant the petition, the written decision must identify the date when the expulsion will end.

If the Superintendent or designee grants the petition, the written decision must include:

- The date on which the extended expulsion will end;
- The reason that, if the student were to return before the initial expulsion end date, the student would pose a risk to public health or safety; and
- Notice of the right of the student and parent/guardian to request a review and reconsideration. The notice will include where and to whom to make such a request;

Review and Reconsideration of extension of expulsion

The student and/or parent/guardian may request that the school Board (or discipline appeal council, if established by the Board) review and reconsider the decision to extend the student's expulsion. The student and/or parent/guardian may request the review orally or in writing within ten (10) school business days from the date the Superintendent or designee provides the written decision.

The school Board (or discipline appeal council) may request to meet with the student and/or parent/guardian or the principal to hear further arguments and gather additional information.

The decision of the school Board (or discipline appeal council) may be made by only the school Board or discipline appeal council members who were not involved in the behavioral violation, the decision to expel the student, or the appeal decision.

The school Board (or discipline appeal council) will provide a written decision to the student and parent/guardian in person, by mail, or by email within ten (10) school business days after receiving the request for review and reconsideration. The written decision must identify:

- Whether the school Board or discipline appeal council affirms, reverses, or modifies the decision to extend the student’s expulsion; and
- The date when the extended expulsion will end.

Any extension of an expulsion may not exceed the length of an academic term.

The District will annually report the number of petitions approved and denied to the Office of Superintendent of Public Instruction.

Educational Services

The District will offer educational services to enable a student who is suspended or expelled to:

- Continue to participate in the general education curriculum;
- Meet the educational standards established within the District; and
- Complete subject, grade-level, and graduation requirements.

When providing a student the opportunity to receive educational services during exclusionary discipline, the school must consider:

- Meaningful input from the student, parent/guardian, and the student’s teachers;
- Whether the student’s regular educational services include English language development services, special education, accommodations and related services under Section 504 of the Rehabilitation Act of 1973, or supplemental services designed to support the student’s academic achievement; and
- Access to any necessary technology, transportation, or resources the student needs to participate fully in the educational services.

After considering the factors and input described above, the District will determine a student’s educational services on a case-by-case basis. The types of educational services the District will consider include, though are not limited to, one-on-one tutoring, online learning, home tutoring, and/or program placement. Any educational services in an alternative setting should be comparable, equitable, and appropriate to the regular educational services a student would have received in the absence of exclusionary discipline.

As soon as reasonably possible after administering a suspension or expulsion, the District will provide written notice to the student and parent/guardian about the educational services the District will provide. The notice will include a description of the educational services and the

name and contact information of the school personnel who can offer support to keep the student current with assignments and course work.

For students subject to suspension or emergency expulsion up to five (5) days, a school must provide at least the following:

- Course work, including any assigned homework, from all of the student’s regular subjects or classes;
- Access to school personnel who can offer support to keep the student current with assignments and course work for all of the student’s regular subjects or classes; and
- An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency expulsion.

For students subject to suspension or emergency expulsion for six (6) to ten (10) consecutive school days, a school must provide at least the following:

- Course work, including any assigned homework, from all of the student’s regular subjects or classes;
- An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency expulsion; and
- Access to school personnel who can offer support to keep the student current with assignments and course work for all of the student’s regular subjects or classes. School personnel will make a reasonable attempt to contact the student or parent/guardian within three (3) school business days following the start of the suspension or emergency expulsion and periodically thereafter until the suspension or emergency expulsion ends to:
 - Coordinate the delivery and grading of course work between the student and the student’s teacher(s) at a frequency that would allow the student to keep current with assignments and course work for all of the student’s regular subjects or classes; and
 - Communicate with the student, parent/guardian, and the student’s teacher(s) about the student’s academic progress.

For students subject to expulsion or suspension for more than ten (10) consecutive school days, a school will make provisions for educational services in accordance with the “Course of Study” provisions of WAC 392-121-107.

Readmission

Readmission application process

The readmission process is different from and does not replace the appeal process. Students who have been suspended or expelled may make a written request for readmission to the District at any time. If a student desires to be readmitted at the school from which the student 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, the student will submit the written application to the Superintendent or designee. The application will include:

- The reasons the student wants to return and why the request should be considered;
- Any evidence that supports the request; and
- A supporting statement from the student’s parent/guardian 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.

Reengagement

Reengagement Meeting

The reengagement process is distinct from a written request for readmission. The reengagement meeting is also distinct from the appeal process, including an appeal hearing, and does not replace an appeal hearing. The District must convene a reengagement meeting for students with a long-term suspension or expulsion.

Before convening a reengagement meeting, the District will communicate with the student and parent/guardian to schedule the meeting time and location. The purpose of the reengagement meeting is to discuss with the student and parent(s)/guardian(s) a plan to reengage the student.

The reengagement meeting must occur:

- Within twenty (20) calendar days of the start of the student’s long-term suspension or expulsion, but no later than five (5) calendar days before the student’s return to school; or
- As soon as reasonably possible, if the student and/or parent/guardian request a prompt reengagement meeting.

Reengagement plan

The District will collaborate with the student and parent/guardian to develop a culturally-sensitive and culturally-responsive reengagement plan tailored to the student’s individual circumstances to support the student in successfully returning to school. In developing a reengagement plan, the District must consider:

- The nature and circumstances of the incident that led to the student’s suspension or expulsion;
- As appropriate, students’ cultural histories and contexts, family cultural norms and values, community resources, and community and parent outreach;
- Shortening the length of time that the student is suspended or expelled;
- Providing academic and nonacademic supports that aid in the student’s academic success and keep the student engaged and on track to graduate; and
- Supporting the student parent/guardian, or school personnel in taking action to remedy the circumstances that resulted in the suspension or expulsion and preventing similar circumstances from recurring.

The District must document the reengagement plan and provide a copy of the plan to the student and parent/guardian. The District must ensure that both the reengagement meeting and the reengagement plan are in a language the student and parent/guardian understand.

Exceptions for protecting victims

The District may preclude a student from returning to the student’s regular educational setting following the end date of a suspension or expulsion to protect victims of certain offenses as follows:

- A student committing an offense under RCW 28A.600.460(2), when the activity is directed toward the teacher, shall not be assigned to that teacher’s classroom for the duration of the student’s attendance at that school or any other school where the teacher is assigned;

A student who commits an offense under RCW 28A.600.460(3), when directed toward another student, may be removed from the classroom of the victim for the duration of the student's attendance at that school or any other school where the victim is enrolled.

Date: 01.20