

**Northshore  
School District**

**Rights &  
Responsibilities  
Handbook  
Concerning  
Student Conduct**

**ADMINISTRATIVE PROCEDURE  
NO. 3200P**

**2021-2022**



## Northshore School District

### IMPORTANT PARENT AND/OR GUARDIAN SIGNATURE SHEET

Please sign and return this form to your child's school by October 15<sup>th</sup>, 2021.

By signing and returning this page, you acknowledge that you have received and read the 2021-22 *Rights & Responsibilities Handbook Concerning Student Conduct*. This booklet contains information regarding:

- Student Attendance (page #10)
- School Dress Code (page #10)
- Bus Rules (page #11)
- Technology- Responsible Use Procedures (page #12)
- Procedures for Contesting Discipline (page #26)
- Due Process for Students with a 504 Plan or IEP (page #34)
- Discipline Action Levels (page #35-41)

This form will be kept at your child's school.

The undersigned parent or guardian acknowledges receipt of all items listed above.

\_\_\_\_\_  
Parent or Guardian's Signature

\_\_\_\_\_  
Date

To enable us to properly record that you have returned this sheet, please carefully complete the information below.

\_\_\_\_\_  
Student's Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Student Grade Level



***2021-2022 STUDENT RIGHTS AND RESPONSIBILITIES HANDBOOK (R&R)***

Together, students, parents<sup>1</sup>, teachers, staff and administrators share the responsibility in creating and sustaining an environment that enhances student achievement and well-being in the Northshore School District. The Student Rights and Responsibilities (R&R) Handbook addresses:

- The rights and responsibilities of students
- Conduct which may require discipline
- Responsibilities of administrators and teachers to implement discipline, such as evidenced-based frameworks like positive behavior interventions and supports that promote safety and support student success
- Administrative responsibilities for due process

Please read these Rights and Responsibilities and develop a thorough understanding of the details. By following the Rights and Responsibilities, you can help our school district become a safer and more supportive environment for the students and staff.

NSD Board Policies are available for review online at [esbpublic.nsd.org](https://www.nsd.org). Copies of this handbook are available at the Northshore School District Administrative Office, school offices and online at:

<https://www.nsd.org/rights-responsibilities>.

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<sup>1</sup> “Parents” as used throughout this document refers to parents and/or legal guardians

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## SECTION A: PURPOSE

### 1. WHAT ARE THE RIGHTS AND RESPONSIBILITIES AND WHY ARE THEY NEEDED?

Northshore School District is committed to partnering with students to provide an environment that is safe, supportive and conducive to learning. To help promote and maintain that environment, the R&R:

- Specify the rights and responsibilities of students;
- Provide guidance and instruction to help students resolve discipline problems in a manner that supports their development;
- Strive to ensure consistent application of discipline so that students from school to school will receive similar actions for similar behavioral violations;
- Assure the rights of students when discipline is administered;
- Describe conduct, which violates those rights and responsibilities.
- When behavior, in or outside of school, has a direct impact on the educational process.

Discipline must be non-discriminatory, fair, age-appropriate and correspond to the severity of the student's misbehavior and discipline history. When considering responses to behavioral violations, the District strives to keep students in the classroom whenever possible. If discipline is imposed, students will receive due process that includes an opportunity to grieve or appeal the action. Discipline must be paired with meaningful instruction and supportive guidance (e.g. constructive feedback and re-teaching) so students are offered an opportunity to learn from their behavior and, where possible, offered an opportunity to continue to participate in the school community.

### 2. WHEN DO THESE RIGHTS AND RESPONSIBILITIES APPLY?

- On all campuses of the district at all times
- While on the school bus or other District-sanctioned transportation
- At times and places where the principal or other school official or employee is supervising students
- During school or District-related events including field trips, athletic functions and other related activities
- When students are going to and from school, including bus stops
- When behavior, in or outside of school, has a direct impact on the education process

Additionally, the administration is authorized to impose discipline when a student's misconduct away from school has a direct effect on the general welfare of the school. This may include, but is not limited to, circumstances where misconduct affects other students or school staff; is directly connected to prior behavioral violations at school; carries over from conduct at school; or threatens to produce further behavioral violations at school.

***Students who believe they have experienced discrimination, harassment, intimidation, hazing or bullying, may file a complaint directly with any school staff member or through safeschools.net\*. Complaints can be filed anonymously. Complaint forms can be found at every school office or online at <https://www.nsd.org/resources/support/harrasment-intimidation-and-bullying> \*online - <http://1414.alert1.us>; email - [1414@alert1.us](mailto:1414@alert1.us); phone or text to 855-521-2665***

## SECTION B: STUDENT RIGHTS AND RESPONSIBILITIES

NSD believes that educating a student is a collaborative effort with the student and parent. To support this collaboration, we recognize that each party has rights and responsibilities. **The following identification of these rights and responsibilities is a general list to provide guidelines and is not intended to be comprehensive or all-inclusive.**

### 1. STUDENTS HAVE A RIGHT TO:

- a. Learn in a safe and positive climate that is unbiased, nonjudgmental, and free from prejudice, discrimination and verbal or physical threats and abuse.
- b. Receive high quality instruction that is comprehensible and appropriate to their level of academic development.
- c. Be expected to achieve at high levels.
- d. Be taught in ways that are responsive to students' racial, ethnic, linguistic and cultural backgrounds.
- e. Receive appropriate accommodations to meet individual needs, consistent with state and federal law (see Parent and Student Rights Procedural Safeguards).
- f. Express their ideas and perspectives on issues and topics relevant to their education, including school policies and procedures.
- g. Be treated with respect, as unique individuals with differing needs and learning styles and in a manner, that encourages personal and academic growth.
- h. Be treated in a fair and equitable manner by all staff.
- i. Confidentiality when speaking with adults or staff on school property, within limits of state and federal laws.
- j. Due process of law.
- k. Have school rules that are enforced in a consistent, fair and equitable manner.
- l. Be free to request an interpreter or translator at any step of the disciplinary process.
- m. Be free from harassment, intimidation and bullying, including discriminatory and sexual harassment and violence in the form of hazing and intimidation.
- n. Receive fair, equitable, non-discriminatory discipline that is aligned with the R&R.
- o. Have teachers and administrators who will follow all District policies related to known allegations of discrimination, harassment, hazing, bullying, and incidents that require mandatory reporting. Such known allegations/incidents must be reported to school administration immediately.
- p. Full access to opportunities within the educational environment without experiencing discrimination on the basis of age, sex, marital status, genetic information, sexual orientation including gender expression or identity, race, creed, religion, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability.
- q. Access to non-instructional interpretation services when communicating with the school, and in some cases, to translated copies of certain school forms and documents.
- r. Receive a copy of this handbook (R&R).
- s. Have access to and request corrections to their education records, consistent with applicable law.
- t. Administrators who will:
  - model appropriate behavior and expect appropriate behavior from students and teachers
  - hold students and teachers accountable for student learning
  - expect parents to be collaborative partners regarding student discipline and achievements
  - make decisions regarding removing students and/or staff for safety reasons
  - discipline students in accordance with fair and equitable practice as outlined in the R&R
  - consistently and accurately report behavioral violations and discipline consequences for students into the student record keeping system

## **2. STUDENTS HAVE A RESPONSIBILITY TO:**

- a. Attend school daily according to the District's adopted calendar, arrive on time, bring appropriate materials, and be prepared to participate in class and complete assignments.
- b. Strive for academic growth and for their personal best.
- c. Participate fully in the classroom, curriculum and learning process during the entire class period.
- d. Make positive contributions to an environment that allows fellow students to have equitable access to educational opportunities.
- e. Make positive contributions to an environment that allows fellow students to be free from discrimination, harassment, intimidation, and bullying.
- f. Make up work resulting from an absence.
- g. Respect the rights, feelings, and property of fellow students, parents, school staff, visitors, guests, and school neighbors.
- h. Conduct themselves in an appropriate and respectful manner while on school grounds, school buses, at bus stops, at any school-related activity, while using online resources and in the classroom, so as not to interfere with the rights of other students to learn.
- i. Contribute to a safe and orderly environment that is conducive to learning.
- j. Display behavior that does not compromise the safety of other students and/or staff.
- k. Follow the expectations outlined in the Rights and Responsibilities and school handbooks adopted by the District and the school.
- l. Protect and take care of the District's property.
- m. Abide by the District's policies and procedures.
- n. Assist the school staff in running a safe school and help maintain the safety and cleanliness of the school environment.
- o. Read and ask questions to understand the information in the Student Rights and Responsibilities Handbook (R&R) and individual school handbooks.

## **3. PARENTS AND GUARDIANS HAVE A RIGHT TO:**

- a. Receive official reports of the student's academic progress, attendance and behavior.
- b. Request and be granted conferences with teachers, counselors and/or the principal.
- c. Receive explanations from school staff about their students' grades and procedures.
- d. Receive explanations from administrative staff regarding discipline.
- e. Access and review school records pertaining to their student.
- f. Have access to a copy of this handbook (R&R).
- g. Receive notification as soon as reasonably possible any time a student receives discipline which excludes the student from the classroom (including suspensions).
- h. Request an interpreter or translator at any step of the disciplinary process.
- i. Grieve or appeal all discipline related to their student.
- j. Non-instructional interpretation services when communicating with the school and translated copies of certain school forms and documents.
- k. Direct their student's education, upbringing and moral or religious training.
- l. Make healthcare decisions for the minor child, consistent with applicable law.
- m. Express appropriately their ideas and perspectives on issues and topics relevant to their students' education, including school policies and procedures.
- n. Be treated in a manner that is respectful of and responsive to their cultural heritage.

## **4. PARENTS AND GUARDIANS HAVE A RESPONSIBILITY TO:**

- a. Communicate and collaborate with teachers to support student achievement.
- b. Attempt to participate and be active at their student's school.
- c. Be partners with school staff by sharing appropriate ideas for improving student learning and by helping to prevent and/or resolve student conduct problems.
- d. Provide supervision of the student's health and physical and emotional well-being and assume responsibility for the student's timely regular attendance.
- e. Promptly notify the school within 48 hours when their student's absence or tardiness should be excused.
- f. Ensure student compliance with school and district policies and regulations.

- g. Read and ask questions to understand the information in the R&R.
- h. Reinforce the importance of students' adherence to values and behaviors described in the R&R.

## 5. STUDENT AND ATHLETIC LEADERSHIP CODE:

**(Please note that we are currently updating this section to strengthen and sustain a safer environment for student athletes. Additional information will be forthcoming)**

The opportunity to participate in the athletic program or as an elected or appointed school leader in the Northshore School District is a privilege available to all students. Because of the public nature of athletic and activities programs sponsored by the District, students choosing to participate are expected to conduct themselves at all times during their season of participation and between consecutive seasons in a manner that will reflect the high standards and ideals of their school and community. These high personal standards for conduct promote maximum achievement, safe performances, commitment to excellence in health and conditioning, and fulfill responsibilities as student leaders by setting a positive example for other students.

The expectations for being a participant in a school's athletic or activities program, including specific eligibility requirements, training rules, activities expectations and team rules shall be communicated to team/group members at the beginning of the season of participation. All program expectations and team rules shall be in writing.

If students are earning credits from a school that is not one of the District's Secondary Schools or a District alternative program; they are expected to attend all athletic individual and team practices as scheduled by the respective coaching staff. Athletic practices and competitions take precedent over conflicts with non-Northshore credit providers. Sport specific attendance policies will be followed if practices or contests are missed.

On game day, student athletes participating in the competitive sports season must attend, at least, one half of the classes assigned to them, in order to be eligible to compete in the evening's event. An exception can be granted in cases where the student athlete must be absent from school or leave school early in order to participate in the school athletic competition or activity.

It is the highest priority that student athletes meet specific academic benchmarks toward high school graduation in order to continue competing. Student athletes who are credit deficient must confer with their counselor to develop an academic plan to retrieve credits and demonstrate ongoing evidence of meeting the plan. Students must meet the standards for interscholastic eligibility as outlined in Article 18 of the Washington Interscholastic Athletic Association handbook, the KINGCO League and the Northshore School District and specific expectations of their individual school. **Given the unique educational challenges in the 2020-21 school year, the 2.0 GPA minimum previous semester requirements for interscholastic eligibility is waived for the 2021-22 school year. Students must meet all WIAA eligibility requirements.**

Any student who is involved as an athlete or as an appointed or elected school leader who willfully performs any act that substantially interferes with or is detrimental to the orderly operation of the District's athletic or activities programs shall be subject to discipline.

As participants in athletic or activities programs, students are faced with choices. If a student's choices interfere, impede, hinder their personal or group/team performance or render the individual as unfit to serve as a representative(s) of the District's schools, they forfeit the privilege to participate.

### a. **Conduct Rules**

- 1) Athletes and/or student leaders will receive disciplinary consequences for failure to demonstrate courtesy, fairness and respect for other participants, spectators, advisors, coaches, staff members and supervisors; unsportsmanlike conduct; profanity, obscene gestures, hazing, lack of attendance; and/or damage, vandalism to school property, uniform and equipment, another school's and/or district's property. Athletes and/or student leaders are held to all rules of conduct as listed and described in the Rights & Responsibilities Handbook Concerning Student Conduct and will receive disciplinary consequences for failure to follow reasonable

requests, academic dishonesty violations, bullying, misuse of technology and/or behaviors deemed unacceptable by Northshore School District and/or the community.

2) Failure to Follow Building and/or Team Rules:

Each sport/leadership/activity position will have individual team/group rules established by the head coach/advisor. The head coach/advisor shall inform the school Athletic Director/Activity Director and the student's parent(s) or guardian(s) of these specific team and/or leadership rules. When students fail to follow these rules, disciplinary consequences for their actions shall be applied.

**b. General Rules**

1) Misconduct by participants in the athletic/activity program at any time, on or off campus, school related and/or non-school activities during the season of participation and between consecutive seasons of participation constitutes denial of participation. Seasons begin with the first turnout, election or appointment to a position and conclude with the season ending recognition/awards program in the individual sport or activity.

2) Student Athletic and Leadership Code violations are accumulative during grades six through eight.

**c. Student Agreement**

1) Any student who is involved as an athlete or as an elected or appointed school leader must adhere to the rules outlined in this code and sign the agreement pledging to do so.

2) Consequences for violations of the Student Athletic & Leadership Code will include any or all of the following:

- Probation is a period of time in which a student may be given time to correct deficiencies that could result in denial of participation for a given period of time or removal from the activities/group participation.
- Denial of participation means that the student is allowed to practice but not compete or perform in games or any leadership activities.
- Loss of eligibility, which may carry over to subsequent sports/activities seasons, means the student will not practice in uniform, or participate in interscholastic competition or leadership activities/groups. Per Northshore School District disciplinary code, a student on suspension from school is not eligible for any form of participation or attendance at any extracurricular school activities or athletic events.

3) Student athletes and school leaders are held to all general rules of conduct as stated previously in the Rights & Responsibilities Handbook Concerning Student Conduct.

d. A student athlete or school leader who forges grade checks to become eligible to participate but is determined ineligible prior to competition in their sport or activity shall be subject to the following penalty:

1) 1<sup>st</sup> Violation - A participant shall be immediately ineligible for interscholastic competition for the remainder of the season. Ineligibility shall continue until the next sports season in which the participant wishes to participate. A participant in a leadership/activity role will be placed on probation or suspended from participation of leadership activities for no less than the remainder of the semester or up to fifty (50) school days, whichever is longer.

2) 2<sup>nd</sup> Violation - A participant, who again violates rule ( d) above, shall be ineligible for interscholastic competition/activity for a period of one (1) calendar year from the date of the second violation.

- 3) 3<sup>rd</sup> Violation – A participant, who violates for a third time rule (d) above, shall be permanently ineligible for interscholastic competition /activity. A student athlete, parent, guardian or school leader who provides false information or documents to become eligible to participate and does participate shall be declared athletically ineligible for a period of one year. The one (1) calendar year penalty begins the day the determination is made that false information was provided subject to penalties outlined in WIAA Regulation 25.4.1.

e. **Use and/or Possession of Alcohol, Marijuana and Illegal Controlled Substances**

Possession, use, under the influence, purchase/sale agreement or intent to sell (whether completed or not), transport, distribution and/or delivery of alcohol, marijuana, controlled substances (e.g. narcotics or inhalants) and/or prescription drugs in a manner inconsistent with the prescribing order or look-a-like, drug paraphernalia or substance carrying devices (including but not limited to vapor, hookah and e-cigarettes) is prohibited. This rule is applicable 24/7 for in-season athletes and student leaders. If a student athlete or leader finds him or herself in the presence of alcohol, marijuana and/or an illegal controlled substance, the student shall take immediate action to remove him or herself from the situation. Being in the presence of alcohol, marijuana and/or an illegal controlled substance includes being at a party or gathering where alcohol, marijuana and/or an illegal controlled substance is being consumed by individuals under the age of 21. Any student athlete/student leader possessing, selling/distributing, consuming and/or using any legend drugs and controlled substances/alcohol, marijuana or sale of legend drugs (drugs obtained through prescription, RCW 69.41.020-050) and controlled substances/alcohol, marijuana (RCW 69.50) shall be subject to disciplinary actions

- f. A participant who seeks and receives treatment or counseling for abuse of or addiction to legend drugs (RCW 69.41.010 identified substances) or controlled substances, alcohol, marijuana and controlled substance analogs (RCW 69.50.101 identified substances), shall be given the opportunity for assistance through the school and/or community agencies. In no instance shall participation in a schooland/or community approved assistance program excuse a student athlete or student leader from subsequent compliance with this regulation. However successful utilization of such an opportunity or compliance with athletic/leadership code by the student may allow him/her to have eligibility reinstated. Should the student or parent/guardian feel aggrieved by the imposition of discipline through the Athletic/Leadership Code, the student and/or parent(s)/guardian(s) would follow the right of review process (*see* subsection (i) below).

Students who violate the athletic/leadership code shall be subjected to the following disciplinary actions:

- 1) 1<sup>st</sup> Violation - A participant shall be immediately ineligible for interscholastic competition in the current interscholastic sports program for the remainder of the season. Ineligibility shall continue until the next sports season in which the participant wishes to participate. A participant in a leadership/activity role will be placed on probation or suspended from participation of leadership activities for no less than the remainder of the semester or up to fifty (50) school days, whichever is greater. Eligibility can only be reinstated through the right of review process (*see* subsection (i) below).
- 2) 2<sup>nd</sup> Violation - A participant who again violates any provision of RCW 69.41.020 through 69.41.050 or of RCW 69.50 shall be ineligible for interscholastic competition for a period of one (1) calendar year from the date of the second violation. A participant in a leadership/activity role is ineligible to participate in the current program for a period of one (1) calendar year.
- 3) 3<sup>rd</sup> Violation - A participant who violates for a third-time RCW 69.41.020 - 69.41.050 or RCW 69.50 shall be permanently ineligible for interscholastic competition. A participant in a leadership/activity role shall be permanently ineligible to participate.

**g. Use and/or Possession Vapes/Substance Delivering Devices**

- 1) See page 42 for disciplinary action

**h. Procedural Due Process for Athletic Leadership Right of Review**

- 1) Consequences assigned from the Student Athletic/Leadership Code are an “other form of discipline”. Athletic/Leadership disciplinary actions are subject to review through an informal grievance process. Requests to review consequences specifically impacting eligibility for current and/or future seasons must adhere to the following process:
  - a. Any student, parent(s) or guardian(s) who is aggrieved by the imposition of Athletic/Leadership Code discipline shall have the right to an informal conference with the school principal or his/her designee for the purpose of resolving the grievance.
  - b. A request to review a disciplinary action must be submitted in writing to the school principal or his/her designee within two (2) school business days after notification of the discipline. After that time, the right to any review is waived.
  - c. During such a conference, the student, parent(s) or guardian(s) shall be subject to questioning by the school principal or his/her designee and shall be entitled to question school personnel involved in the matter being grieved. The review of the grievance will be conducted within two (2) school business days of receipt of a written request to have the action reviewed. The application of the assigned discipline shall continue notwithstanding the grievance process; the student cannot participate until the grievance is resolved. The decision of the principal or his/her designee will be conveyed to the student, parent(s) or guardian(s) within two (2) school business days of concluding the conference. The outcome may result in a decision to sustain, modify or rescind the discipline in cases of extenuating or exceptional circumstances.
- 2) Subsequent to the review with the building principal, the student, parent(s) or guardian(s) upon two (2) school business days’ prior notice, shall have the right to present a written and/or oral grievance to the District Hearings Officer. During the hearing the student and parent(s)/guardian(s) shall be subject to questioning by the District Hearings Officer. The decision of the District Hearings Officer to sustain, modify or rescind the discipline will be conveyed to the student, parent(s) or guardian(s) within three (3) school business days of concluding the hearing. The District’s hearing officer shall have the final authority as to the student’s participation in the interscholastic sports program or the student leader’s participation.

**SECTION C: GENERAL INFORMATION**

- 1. EQUAL EDUCATIONAL OPPORTUNITIES AND DISCRIMINATION (POLICY 3210)** Northshore School District prohibits discrimination on the basis of age, sex, marital status, genetic information, sexual orientation including gender expression or identity, race, creed, religion, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, unless based upon a bona fide occupational qualification, in all its employment procedures, training, programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following employee(s) have been designated to handle questions and complaints of alleged unlawful discrimination: Director of Human Resources, Abel Ghirmai, (Title IX, ADA, and Civil Rights Compliance), Director of Student Services, Rick Ferrell, (Section 504), 3330 Monte Villa Parkway, Bothell, WA 98021, (425) 408-6000.
- 2. SCHOOL RESOURCE OFFICERS AND OTHER LAW ENFORCEMENT PERSONNEL (under review)** School Resource Officers and other law enforcement personnel may be involved during or immediately after an incident to protect students, staff or visitor safety. They may not be required for all level 1 student disciplinary decisions.

### 3. STUDENT ATTENDANCE (POLICY 3122)

Regular attendance is essential for success in school; therefore, absences shall be excused only for necessary and important reasons. Valid excuses for absences are outlined in Policy 3122. A Parent/Guardian should notify the school prior to the absence/tardy with a call, note or email that his/her child is unable to attend or will be late to school. The call, note, or email must address the date/time and reason for the absence. Excused absences shall not be permitted if deemed to cause a serious adverse effect upon the student's educational progress, unless the student is physically or mentally unable to attend school and the parent has provided documentation of the student's inability to attend. WAC 392-401-020. A student may not be suspended or expelled for absences or tardiness.

### 4. HARASSMENT, INTIMIDATION, AND BULLYING (POLICY 3207)

The Northshore School District strives to provide students with optimal conditions for learning by maintaining a school environment where everyone is treated with respect and no one is physically or emotionally harmed. In order to ensure respect and prevent harm, it is a violation of district policy for a student to be harassed, intimidated, or bullied by others in the school community, at school sponsored events, or when such actions create a substantial disruption to the educational process. The school community includes all students, school employees, school board members, contractors, unpaid volunteers, families, patrons, and other visitors. Harassment because of a student's race, color, religion, ancestry, national origin, gender, sexual orientation, including gender expression or identity, mental or physical disability, or other distinguishing characteristics is prohibited. Incidents of bullying, intimidation, or harassment may be reported orally or in writing to any staff member. Any staff member will be able to provide a copy of the district policy, procedure, reporting form and contact information for the district's compliance officer. This information can also be located on the district's web page at: <https://www.nsd.org/resources/support/harassment-intimidation-and-bullying>

Harassment, intimidation, and bullying means any intentionally written message or image - including those that are electronically transmitted - verbal, or physical act, including but not limited to one shown to be motivated by race, color, religion, ancestry, national origin, gender, sexual orientation, including gender expression or identity, mental or physical disability or other distinguishing characteristics, when an act:

- Physically harms a student or damages the student's property.
- Has the effect of substantially interfering with a student's education.
- Is so severe, persistent or pervasive that it creates an intimidating or threatening educational environment.
- Has the effect of substantially disrupting the orderly operation of the school.

### 5. SCHOOL DRESS CODE

The student's attire is primarily the responsibility of the parents or legal guardians. The Northshore School District is responsible for assuring that student attire does not disrupt or interfere with the educational process which includes the health, safety, and emotional well-being of all students. Student attire should not contribute to any hostile or intimidating atmosphere for students.

#### **Students May Wear:**

- Religious headwear
  - Other headwear\* must allow the face to be fully visible to school staff
- Fitted\*\* pants, including leggings, yoga pants and "skinny jeans."
- Pajamas
- Ripped or distressed jeans/shorts that do not expose underwear
- Tank tops, halter tops, one shouldered shirts, and crop tops (including those with spaghetti straps)
- Sunglasses (can be worn outside). Special approval is needed to wear sunglasses in the classroom setting for medical purposes.

\*Headwear is approved to be worn on campus during the school day, unless it is a safety issue. Headwear includes, but is not limited to, hats, visors, bonnets, hoodies, etc. In all circumstances, teachers should attempt to accommodate students who choose to put on headwear.

\*\*The term "fitted" can best be described as form fitting garments that contour the body while providing coverage at the same time.

### **Students May Not Wear Clothing With:**

- Violent language or images
- Images or language that encourages the use of alcohol, tobacco, vaping, or the use of any other drugs.
- Images or language that depicts illegal activity or that creates a hostile environment, such as images or language that are reasonably expected to intimidate others on the basis of protected categories including, but not limited to age, sex, marital status, sexual orientation including gender expression or identity, race, creed, religion, color, national origin, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability (e.g. swastikas, the Confederate flag).
- Hate speech, gang/hate group affiliation, profanity, or pornography
- Bathing suit tops, tube tops, no straps, or sports bras (unless worn underneath another approved article of clothing)
- Visible underwear or boxers
- Masks and headwear that conceal the face (except for religious, medical, and/or health related purposes, or when directed by state, county, or district officials)
- Dangerous or sharp objects that could be used as a weapon, spikes, etc.

### **6. BUS RULES**

Bus rules shall be posted at the front of each school bus and be distributed and reviewed by students at least annually at the beginning of the school year (Policy 8123P). Students will be respectful, responsible and inclusive by following directions of adults, taking their turn to get on/off the bus, being polite, walking and moving carefully, using the sidewalks, waiting behind the yellow safety line on the curb and being aware of other's needs, space and belongings. Remember: if you see something, say something. Cell phones may be used to listen to audio content as long as ear buds are used, and the phone is securely put away. Violations on the bus will be addressed by transportation and communicated to school administration when needed. In the event of a manifestation determination hearing involving a student with a 504 Plan or an IEP, the bus operator involved will make necessary arrangements to attend this meeting.

### **7. STUDENT USE OF CELL PHONES AND ELECTRONIC DEVICES**

Students using cell phones and other electronic devices during the school day may have the electronic device confiscated and be subject to disciplinary action.

If the student is involved in an administration interview or investigation, to maintain integrity throughout the process, a student may be asked to provide their cell phone to an office staff member or the investigating administrator. It will be returned to the student or parent at the conclusion of the interview/investigation.

**Reasonable efforts will be taken to secure property that has been confiscated (i.e. lock the item in a drawer, take the item to the office to be secured in a locked area, etc.); in order to prevent the loss, damage, or theft of any electronic device as a result of being confiscated.**

## 8. TECHNOLOGY (POLICY 2022 AND PROCEDURE 2022P)

The purpose of the Northshore School District Responsible Use Procedures is to provide the rules, guidelines, personal safety recommendations and the code of conduct in the Northshore School District for the use of technology, the district network and other connected networks including the internet. The Rights & Responsibilities Handbook Concerning Student Conduct prohibits the misuse or inappropriate use of technology (including Web sites and e-mail) that interferes with or disrupts the educational process. The inappropriate use of electronic communication, whether initiated at school or not, that violates district policies against harassment, discrimination, intimidation and bullying is not permitted. It is a violation of student codes of conduct to invade the privacy of or to misrepresent someone through electronic communications. The Northshore School District takes these violations seriously and those who are found to have committed such violations will face disciplinary actions. This Responsible Use Procedure (RUP) applies to staff, students and guests who utilize:

- District-owned technology on the NSD network, on non-school network and offline.
- Non-district technology, including privately owned technology that is connected to the NSD network or using non-district networks while on school property.
- Refer to Policy 2022P for detailed information.

## 9. HAZING

- a. Hazing is any intentional, knowing or reckless act when: (1) the act was committed in connection with an initiation into, an affiliation with, or a maintenance of membership in any organization that is affiliated with the school and (2) the act involves a substantial risk of potential physical injury, mental harm, or personal degradation.
- b. Hazing activities include but are not limited to the following:
  - Use of alcohol/drugs during new member activities;
  - Striking another person whether by use of any object or one's body;
  - Creation of excessive fatigue;
  - Physical and/or psychological shock;
  - Activities that adversely affect another student's long-term mental and physical health;
  - Morally degrading or humiliating games or activities that create a risk of bodily, emotional or mental harm.
- c. Any hazing activity will be determined as Harassment, Intimidation and Bullying and appropriate discipline will be administered.

## 10. SEXUAL HARASSMENT (POLICY 3205)

The Northshore School District is committed to providing students with a positive and productive education free from discrimination, including sexual harassment. This commitment extends to all students involved in academic, educational, extracurricular, athletic, and other programs or activities of the district, whether that program or activity is in a school facility, on school transportation or at a class or school training held elsewhere.

The district prohibits sexual harassment of students by other students, employees, and third parties involved in District programs or activities. Complaints of sexual harassment of students will be investigated by the district even if the alleged harasser is not a district employee or student.

### Definitions

The following definitions apply to this policy and the accompanying procedure:

**“Sexual harassment”** means unwelcome conduct or communication of a sexual nature. Sexual harassment can occur adult to student, student to student or can be carried out by a group of students or adults. Under federal and state law, the term “sexual harassment” includes, but is not limited to:

- acts of sexual violence;
- unwelcome sexual or gender-directed conduct or communication that substantially interferes with a student's educational performance or creates an intimidating, hostile, or offensive environment;
- unwelcome sexual advances;
- unwelcome requests for sexual favors;
- unwelcome sexually motivated physical contact;
- sexual demands when submission is a stated or implied condition of obtaining an educational benefit;
- sexual demands where submission or rejection is a factor in an academic, or other school-related decision affecting a student.

A “**hostile environment**” means the environment created for a student when sexual harassment is sufficiently serious to interfere with or limit the student’s ability to participate in or benefit from the school’s program. The more severe the conduct, the less need there is to demonstrate a repetitive series of incidents. In fact, a single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe, violent, or egregious.

Informal complaints of sexual harassment may be made to any staff member and formal complaints may be made to the Title IX Coordinator, Abel Ghirmai, 3330 Monte Villa Parkway, Bothell, WA 98021, (425) 408-7622.

*A list of resources for victims of sexual abuse and/or sexual harassment can be found at:*  
<https://www.nsd.org/resources/support/harassment-intimidation-and-bullying>

## **11. VIOLENCE FREE ENVIRONMENT (POLICY 4316)**

The Northshore School District is committed to maintaining a school and work environment that is free from acts and/or threats of violence. In order to fully realize the benefit from the education and related services provided at school, every student, staff member, parent/guardian, and patron needs to feel safe and secure; feeling safe is an essential necessity for each individual to be fully productive as they conduct district related business. Any form of violence (including domestic violence) and/or threat of violence at school, or at a school or district activity, or related to district business, erodes the atmosphere of safety.

Any conduct, regardless of the source, that threatens a person’s security and safety will not be tolerated. Abusive or suggestive language will not be tolerated even if it does not create a threatening atmosphere or lead to a threat. The board, administration, and building staff are committed to supporting employees and students confronted with threatening behavior or actual violence, whether the threatening behavior or violence is coming from staff or student or from patrons, a parent or guardian, another adult, or a student-aged individual who is a non-student.

Students and staff are required to treat all individuals with whom they come in contact in a respectful manner and expect to be treated the same in return.

For clarification purposes, a “threat” is any statement (oral or written) that can be reasonably interpreted as being intimidating in tone, content, or language or which places a person or a person’s personal property in reasonable apprehension of harm. “School violence” is any threat of or actual physical assault on district property or directly related thereto and includes bullying, hazing, intimidation, fighting, and harassment as well as the destruction or abuse of property through vandalism, arson, bombing, sabotage, or other destructive means. Individuals who violate this policy shall be dealt with firmly. Legal redress will be sought when the facts warrant such, including notification to law enforcement for possible criminal investigation.

Students and employees are strongly encouraged to report to their teacher or supervisor any threat or act of violence made against them or against others. Anyone who is victimized by any conduct that reasonably infringes upon the individual’s sense of safety and security must bring this to the attention of appropriate school officials so appropriate action can be taken.

## **12. PERSONAL, PROPERTY & CANINE ASSISTED SEARCHES (Policy 3230, 3231 and 3232)**

Law enforcement and/or school officials may perform searches. Searches shall utilize appropriate information collection processes. Such processes would include but not be limited to canine assisted searches, video surveillance cameras, breath analyzers, any drug/alcohol, marijuana detection devices, personal, and property searches.

Contraband or illegal items such as explosives, weapons or any object that can be reasonably considered a firearm or dangerous weapon, controlled substances, or other possessions reasonably considered to be a threat to the safety, health, or security of others will be confiscated and turned over to law enforcement.

### **a. Personal Searches of Students**

All students shall be free from unreasonable searches of their persons. However, a student is subject to a search of their person by school officials, consistent with the limitations described below.

- 1) Any search of a student must be reasonably related to the discovery of contraband items or other evidence of a student's violation of the law or rules governing student conduct.
- 2) Staff shall conduct searches in a manner, which is not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction. No student shall be subject to a strip search or body cavity search by school staff.
- 3) Once reasonable grounds for a search of a student's person has been established:
  - a. The principal or designee shall have an additional administrator or staff member present as a witness during the search.
  - b. Prior to the search of the student's person by the administrators, students will be asked to remove items from pockets.
  - c. If evidence of a violation of school or district rules is suspected and reasonable cause has been established, the administration may conduct searches of students without consent. Reasonable effort will be made to notify parents of the search.
  - d. If evidence of criminal activity is suspected to be present and, if confirmed by the search, law enforcement officials shall be contacted for assistance.

### **b. Searches of Student's Property**

All students shall be free from unreasonable searches of their personal property. However, a student is subject to a search by school officials, consistent with the limitations described below.

- 1) Any search of a student's property must be reasonably related to the discovery of contraband items or other evidence of a student's violation of the law or rules governing student conduct.
- 2) Staff shall conduct searches of the student's property in a manner, which is not excessively intrusive.
- 3) Once reasonable grounds for a search of a student's personal effects or automobile have been established:
  - a. The principal or designee shall have an additional administrator or staff member present as a witness during the search.
  - b. Search of a student's possessions shall be reasonably related to the discovery of a contraband substance or object which is prohibited by law or by the rules of conduct which pose a threat to the health and safety or welfare of the occupants of the school or the building itself.
  - c. The search shall be conducted in the presence of the student, if possible.
  - d. If evidence of criminal activity is suspected to be present and, if confirmed by the search, law enforcement officials shall be contacted for assistance.

### **c. School Property Searches**

General search of school property may be conducted at any time without prior notice and without reasonable suspicion that the search will yield evidence of any particular student's violation of law or rules of student conduct.

- 1) No student may use a locker, desk or storage area as a depository for any contraband substance or object which is prohibited by law or by rules of student conduct which pose a threat to the health, safety or welfare of the occupants of the school building or the building itself. Contraband means items, materials or substances, the possession of which is prohibited by law or rules governing student conduct, including but not limited to controlled substances, alcohol, marijuana beverages, tobacco products or any object that can reasonably be considered a firearm or dangerous weapon.
- 2) If a school official conducting a search of a locker, desk or storage area develops a reasonable suspicion that any container, including but not limited to a purse, backpack, gym bag, or an article of clothing, contains evidence of a student's violation of the law or rules of conduct, the container may be searched.
- 3) Search of a student's possessions shall be reasonably related to the discovery of a contraband substance or object which is prohibited by law or by the rules of conduct which pose a threat to the health and safety or welfare of the occupants of the school or the building itself.
- 4) The search shall be conducted in the presence of the student, if possible.
- 5) If evidence of criminal activity is suspected to be present and, if confirmed by the search, law enforcement officials shall be contacted for assistance.

**d. Canine Assisted Searches**

Canine-assisted searches may be utilized to maintain an effective learning environment that is drug-free. Searches conducted with the assistance of police narcotics canines shall be conducted in a manner that is consistent with constitutional and statutory requirements.

The principal or his/her designee will initiate a written request to the police department to utilize a police narcotics canine unit. Before the first canine-assisted search at the school for the current school year, the principal or his/her designee will schedule a demonstration of the canine-assisted search for the school body.

Prior to a random police narcotics canine-assisted search, students and parents will be advised in writing that classrooms, hallways, lockers, all other public spaces and parking lots on school premises are subject to random searches. As a condition of being granted a permit to park vehicles on school premises, students consent to the search of their vehicles by school officials anytime school officials have reasonable suspicion that the vehicle contains contraband items.

Once approved, random police narcotics canine-assisted searches of school property may be conducted at any time without prior notice to students or parents as to the specific date and time of the search. They may occur without reasonable suspicion that a canine-assisted search will yield evidence of any particular student's violation of law or rules of conduct. Students determined to be in possession of contraband items are subject to administrative disciplinary procedures and possible criminal prosecution at the discretion of police and prosecutorial authorities. Minor drug law infractions and violations detected through random police narcotics canine-assisted searches should, in the exercise of discretion, normally be dealt with administratively as a disciplinary matter by school officials.

Police narcotics canine applications of individual students or groups of students shall not occur.

Police narcotics canine applications of purses, bags, and backpacks shall only occur if the items have been separated from the students' immediate physical custody.

Staff shall be allowed to maintain control of their personal belongings during a police narcotics canine-assisted search. Items controlled by students are the primary object of the canine-assisted search. The canine should not be applied to staff-controlled areas such as teacher desks.

Physical searches of the interior of purses, bags, backpacks, lockers and cars shall only be done by school officials if a positive police narcotics canine application indicator has occurred, leading to reasonable suspicion that the search will yield evidence of a violation of the law or school rules.

## SECTION D: KNOW THE ACTIONS

### 1. DEFINITIONS

**Academic Term** – One semester, which numbers approximately 90 school days.

**Behavioral Violation** — A student’s behavior that violates the District’s rules for student conduct stated in Procedure 3240P.

**Classroom Exclusion** — Exclusion of a student from a classroom or instructional or activity area for behavioral violations for all or any portion of the balance of the school day, provided that the student remains at school. Classroom exclusion does not include actions that result in missed instruction for a brief duration when: (1) teacher or other school personnel attempts other forms of discipline to support the student in meeting behavioral expectations; and (2) the student remains under the supervision of the teacher or other school personnel during such brief duration.

**Discipline** — Any action taken by the District in response to behavioral violations.

**Disruption of the Educational Process** — The interruption of classwork, the creation of disorder, or the invasion of the rights of a student or group of students.

**Emergency Expulsion** — Immediate removal from school for up to 10 consecutive school days 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.

**Expulsion** — A denial of admission to the student’s current school placement in response to a behavioral violation for no longer than the length of one semester.

**In-School Suspension** — A short-term suspension for up to 10 consecutive school days in which a student is excluded from his or her regular educational setting but remains in his or her current school placement.

**Long-Term Suspension** — A suspension in which a student is excluded from school for more than 10 consecutive school days but for no longer than the length of one semester.

**Other Forms of Discipline** — Actions used in response to behavioral violations, other than classroom exclusion, suspension, expulsion, or emergency expulsion, including exclusion from transportation or extra-curricular activities.

**Parent** — In accordance with WAC 392-172A-01125, a biological or adoptive parent of a child; a foster parent; 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; 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; a surrogate parent appointed per state regulations; or an adult student whose rights have transferred to him or her pursuant to state regulations.

**School Business Day** — Any calendar day except Saturdays, Sundays, and federal and state school holidays, upon which the office of the superintendent of the District is open to the public. School business days will be concluded upon the closure of the superintendent’s office for the calendar day.

**School Day** — Any day or partial day that students are in attendance at school for instructional purposes.

**Short-Term Suspension** — A suspension in which a student is excluded from school for up to 10 consecutive school days.

**Suspension** — 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.

## 2. PROCEDURES FOR IMPOSING DISCIPLINE

### a) Provisions Applicable in General

- i) Each certificated teacher, school administrator, school bus driver, and any other school employee designated by the Board of Directors has the authority to: (a) impose other forms of discipline upon a student for misconduct that violates rules of the District established in Procedure 3240P and provided to students and parents in the annual Rights and Responsibilities Handbook; and (b) impose classroom exclusion as described in this procedure.
- ii) The Board has delegated to the superintendent and/or his or her designee(s) the authority to impose suspensions and expulsions upon students for misconduct that violates rules of the District. Each building administrator has the authority to recommend suspensions and expulsions for such misconduct.
- iii) Each classroom teacher may exclude any student who creates a disruption of the educational process in violation of the building disciplinary standards while under the teacher's immediate supervision from his or her individual classroom or instructional or activity area for all or any portion of the balance of the school day or until the principal or designee and teacher have conferred, whichever occurs first, in accordance with RCW 28A.600.020. Except in emergency circumstances as provided for in the section on "Classroom Exclusion," below, the teacher will have first attempted one or more alternative forms of discipline. If a student is excluded from the classroom or instructional or activity area for more than the balance of the school day, the District will follow the procedures for a suspension, expulsion, or emergency expulsion as described below.
- iv) The District will not administer corporal punishment, including any act that willfully inflicts or willfully causes the infliction of physical pain on a student. Exceptions are defined in Chapter 392-400-825 WAC.
- v) All students will remain free from unreasonable restraint, restraint devices, isolation, and other uses of physical force, as provided in Policy 3246 and Procedure 3246P.
- vi) In addition to the foregoing, all certificated staff members have the authority to:
  - (1) Expect students to comply with student conduct rules.
  - (2) Impose other forms of discipline for violations of school rules in accordance with any established building procedures consistent with District policy/procedure.
  - (3) Preserve the degree of order necessary for an optimum learning environment.
  - (4) Detain a student after school in accordance with the conditions described in Section 9, below.
  - (5) Use such reasonable action as is necessary to protect himself or herself, a student, or others from physical abuse or injury, consistent with the District's Policy 3246 and Procedure 3246P governing restraint, isolation, and other uses of reasonable force.
- vii) All certificated staff members will have the responsibility to:
  - (1) Observe the rights of students.
  - (2) Enforce the rules of student conduct fairly, consistently, and without discrimination.
  - (3) Document significant or repetitive infractions and/or subsequent interventions when requested by the principal or other administrator.

- (4) Maintain good order in the classroom, in the hallways, and on the playgrounds or other common areas of the school, or while riding on school buses or other forms of transportation (including field trips).
- (5) Maintain accurate attendance records and report all cases of truancy.
- (6) Set an appropriate example of personal conduct and avoid statements that may be demeaning or personally offensive to any student or group of students.

**b) Provisions Applicable to Other Forms of Discipline**

Other forms of discipline, as defined above, may be imposed for behavioral violations (i.e., failure to follow the conduct rules in Procedure 3240P). No form of discipline will be administered in a manner that would prevent a student from completing subject, grade-level, or graduation requirements. The District will not suspend the provision of educational services to a student as a form of other disciplinary action. Other forms of discipline included but may not be limited to the following:

<ul style="list-style-type: none"> <li>• Community Service</li> <li>• Confiscation of Inappropriate Items</li> <li>• Contract (Academic, Attendance, Behavior)</li> <li>• Detention</li> <li>• Intervention Group</li> <li>• Meeting with School Counselor</li> <li>• Mentoring</li> <li>• Parent Notification and Conference</li> </ul>	<ul style="list-style-type: none"> <li>• Peer Mediation</li> <li>• Personal Reflection</li> <li>• Positive Behavioral Support Plan</li> <li>• Privileges Suspended</li> <li>• Reassignment to Different Class/Programs</li> <li>• Request Student Conference</li> <li>• Restitution</li> <li>• Restorative Circles</li> </ul>	<ul style="list-style-type: none"> <li>• Restorative Conferences</li> <li>• Saturday School</li> <li>• Student Verbal Apology</li> <li>• Student Written Apology</li> <li>• Threat Assessment</li> <li>• Warning</li> <li>• Other Action (consistent with other Level 1 interventions).</li> </ul>
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**c) Classroom Exclusions**

- i) Authority to Administer: A teacher may exclude a student from the teacher’s classroom or instructional or activity area for behavioral violations that disrupt the educational process while the student is under the teacher’s immediate supervision, subject to the requirements of this procedure. The District may also authorize other school personnel to exclude a student from a classroom or instructional or activity area for behavioral violations of the District’s rules for student conduct stated in Procedure 3240P, subject to the requirements of this procedure.
- ii) Other Forms of Discipline: Before using a classroom exclusion, the teacher or other school personnel will first attempt one or more other forms of discipline to support the student in meeting behavioral expectations, unless 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.
- iii) Limitations on Classroom Exclusion:
  - (1) Duration: A classroom exclusion may be administered for all or any portion of the balance of the school day in which the student was excluded from the student’s classroom or instructional or activity area. When a student is excluded from the student’s classroom or instructional or activity area for longer than the balance of the school day, the District will provide notice and due process for a suspension, expulsion, or emergency expulsion.

- (2) Removal from School: A student may not be removed from school during a classroom exclusion unless the District provides notice and due process for a suspension, expulsion, or emergency expulsion.
  - (3) Assignments and Tests: The District will provide the student an opportunity to make up any assignments and tests missed during the classroom exclusion.
- iv) Notice: Following a classroom exclusion, the District will provide the following notice:
- (1) To Principal: The teacher or other school personnel will report the classroom exclusion, including the behavioral violation that led to the classroom exclusion, to the principal or designee as soon as reasonably possible.
  - (2) To Parents: The teacher, principal, or designee will notify the student's parents regarding the classroom exclusion as soon as reasonably possible. The District will ensure that this notification is in a language the parents understand.
- v) Emergency Circumstances: When a teacher or school personnel administers a classroom exclusion on the grounds that 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 will immediately notify the principal or designee; and (b) the principal or designee will meet with the student as soon as reasonably possible and administer appropriate discipline.

**d) Provisions Applicable to All Suspensions and Expulsions**

- i) General Requirements
- (1) Students may be suspended or expelled for behavioral violations, subject to the following requirements.
  - (2) Parent Involvement: The District will provide for early involvement of parents in efforts to support students in meeting behavioral expectations. The District will make every reasonable attempt to involve the students and parents in the resolution of behavioral violations.
  - (3) Considerations: Before administering any suspension or expulsion, the District will consider the student's individual circumstances and the nature and circumstances of the behavioral violation to determine whether the suspension or expulsion, and the length of the exclusion, is warranted.
  - (4) Access to District Property: Suspensions and expulsions may include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by the District. A student may also be excluded from a particular classroom or instructional or activity area for the period of suspension or expulsion.
  - (5) Educational Services: The District will not suspend the provision of educational services to a student in response to behavioral violations or administer discipline in a manner that would prevent a student from completing subject, grade-level, or graduation requirements. Students will be provided with an opportunity to receive educational services during a period of suspension or expulsion.
  - (6) Reporting: The principal or designee will report all suspensions and expulsions, and the behavioral violation that led to each suspension or expulsion, to the District superintendent or designee within twenty-four (24) hours after the administration of the suspension or expulsion.
  - (7) Reentry: 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. The District will also allow the student to petition for readmission at any time, as described in Section 4, below.

(8) Educational Setting: If the District enrolls a student in another program or course of study during suspension or expulsion, the District will not preclude the student from returning to his or her regular educational setting following the end date of the suspension or expulsion unless: (i) the superintendent or designee grants a petition to extend the student's expulsion, as described below; (ii) the student is excluded from his or her regular educational setting under Section 10, below; or (iii) state law otherwise prohibits the student from returning to his or her regular educational setting.

## 2. Initial Hearing with Student

- a. Before administering any suspension or expulsion, the principal or designee will conduct an informal initial hearing with the student for the purpose of hearing the student's perspective.
- b. Scope of Initial Hearing: At the initial hearing, the principal or designee will provide the student with: (i) notice of the student's violation of the rules for student conduct in Procedure 3240P; (ii) an explanation of the evidence regarding the behavioral violation; (iii) an explanation of the discipline that may be administered; and (iv) an opportunity for the student to share his or her perspective and provide explanation regarding the behavioral violation.
- c. Parent Participation:
  - i. When the principal or designee is considering administering a short-term or in-school suspension, the student will have an opportunity to contact his or her parents at the initial hearing.
  - ii. When the principal or designee is considering administering a long-term suspension or expulsion, the principal or designee will make a reasonable attempt to contact the student's parents to provide an opportunity for the parents to participate in the initial hearing in person or by telephone.
- d. Decision: Following the initial hearing, the principal or designee will inform the student of the decision regarding the discipline to be imposed for the behavioral violation, if any, including the date on which any suspension or expulsion will begin and end.
- e. Language Assistance: The District will ensure that the initial hearing is held in a language the student and parents understand, which may require language assistance for students and parents with limited-English proficiency.

## 3. Notice to Student and Parents

- a. Pre-Discipline Notice: Before administering any suspension or expulsion, the District will attempt to notify the student's parents as soon as reasonably possible regarding the behavioral violation.
- b. Post-Discipline Notice: No later than one (1) school business day following the initial hearing with the student, the District will provide written notice of the suspension or expulsion to the student and parents in person, by mail, or by email. The written notice will include:
  - i. A description of the student's behavior and how it violated the rules for student conduct in Procedure 3240P.
  - ii. The duration and conditions of the suspension or expulsion, including the dates on which the suspension or expulsion will begin and end;
  - iii. The other forms of discipline that the District considered or attempted, and an explanation of the decision to administer the suspension or expulsion;
  - iv. The opportunity to receive educational services during the suspension or expulsion;

- v. The student's and parents' right to an informal conference with the principal or designee;
  - vi. The student's and parents' right to appeal the suspension or expulsion, including where and to whom the appeal must be requested; and
  - vii. For a long-term suspension or expulsion only, the opportunity for the student and parents to participate in a reengagement meeting.
- c. Language Assistance: The District will ensure that the initial and written notices required under this section are provided in a language the student and parents understand, which may require language assistance for students and parents with limited-English proficiency.

4. Optional Conference with Principal

- a. Requesting a Conference: If the student or parents disagree with the District's decision to suspend or expel the student, the student or parents may request an informal conference with the principal or designee to resolve the disagreement. The request for an informal conference may be made orally or in writing.
- b. Time Limit: The principal or designee will hold the conference within three (3) school business days after receiving the request, unless otherwise agreed to by the student and parents.
- c. Conference: During the informal conference, the principal or designee will provide the student and parents the opportunity to: (i) share the student's perspective and explanation regarding the behavioral violation; (ii) confer with the principal or designee and school personnel involved in the incident that led to the suspension or expulsion; and (iii) discuss other forms of discipline that may be administered.
- d. Language Assistance: The District will ensure that the conference is held in a language the student and parents understand, which may require language assistance for students and parents with limited-English proficiency.
- e. Right to Appeal: An informal conference will not limit a student's or parents' right to appeal the suspension or expulsion, participate in a reengagement meeting, or petition for readmission.

**e) Provisions Applicable to Short-Term Suspensions Only (Including In-School Suspensions)**

- i) Other Forms of Discipline: Before administering a short-term or in-school suspension, the District will first attempt one or more other forms of discipline to support the student in meeting behavioral expectations.
- ii) Length of Exclusion: A short-term or in-school suspension will be for no more than ten (10) consecutive school days. The District will not administer a short-term or in-school suspension beyond the school year in which the behavioral violation occurred.
- iii) Grade-Level Limitations: The District will not administer a short-term or in-school suspension that exceeds the following limits:
  - (1) For students in kindergarten through fourth grade, ten (10) cumulative school days during any academic term.
  - (2) For students in grades five through twelve, fifteen (15) cumulative school days during any single semester or ten (10) cumulative school days during any single trimester.
- iv) In-School Suspension: If a school chooses to offer in-school suspension, the principal will establish guidelines for the operation of the in-school suspension program, consistent with District policies and procedures. In addition, when administering an in-school suspension, the District will ensure school personnel are:

- (1) Physically in the same location as the student to provide direct supervision during the duration of the in-school suspension; and
- (2) Accessible to offer support to keep the student current with assignments and coursework for all of the student's regular subjects or classes.

**f) Provisions Applicable to Long-Term Suspensions Only**

- i) Other Forms of Discipline: Before administering a long-term suspension, the District will consider other forms of discipline to support the student in meeting behavioral expectations.
- ii) Behavior Warranting Long-Term Suspension: The District will only administer a long-term suspension when the following criteria are met:
  - (1) The long-term suspension is “non-discretionary discipline,” meaning it is in response to behavioral violations that meet one or more of the descriptions in RCW 28A.600.015(6)(a)-(d), which are summarized below:
    - (a) The student carried a firearm onto, possessed a firearm on, and/or acted with malice and displayed an instrument that appears to be a firearm on public school premises, public school-provided transportation, or areas of facilities while being used exclusively by public schools, as prohibited by RCW 28A.600.420.
    - (b) The student's conduct would constitute a violent offense, sex offense, inhaling toxic fumes, controlled substances violation, liquor violation, or certain other crimes listed in RCW 13.04.155.
    - (c) Within a three-year period, the student has committed two or more violations of RCW 9A.46.120 (criminal gang intimidation), RCW 9A.41.280 (possessing dangerous weapons on school facilities), RCW 28A.600.455 (gang activity), RCW 28A.635.020 (willfully disobeying school administrative personnel or refusing to leave public property), or RCW 28A.635.060 (defacing or injuring school property).
    - (d) The student's behavior adversely impacts the health or safety of other students or educational staff.
  - (2) The District has determined that, if the student returned to school before completing a long-term suspension, the student would pose an imminent danger to students or school personnel or an imminent threat of material and substantial disruption of the educational process.
- iii) Length of Exclusion: A long-term suspension may not exceed the length of one (1) academic term. The District will not administer a long-term suspension beyond the school year in which the behavioral violation occurred.
- iv) Grade-Level Limitations: The District will not administer a long-term suspension for any student in kindergarten through fourth grade, unless the student has committed a Firearm Violation, discussed in Section 8, below.
- v) Reengagement: When a student is long-term suspended, the District will timely hold a reengagement meeting and create a reengagement plan, as described in Section 7, below.

**g) Provisions Applicable to Expulsions Only**

- i) Other forms of Discipline: Before administering an expulsion, the District will consider other forms of discipline to support the student in meeting behavioral expectations.
- ii) Behavior Warranting Expulsion: The District will only administer an expulsion when the following criteria are met:

- (1) The expulsion is “non-discretionary discipline,” meaning it is in response to behavioral violations that meet one or more of the descriptions in RCW 28A.600.015(6)(a)-(d), which are summarized below:
  - (a) The student carried a firearm onto, possessed a firearm on, and/or acted with malice and displayed an instrument that appears to be a firearm on public school premises, public school-provided transportation, or areas of facilities while being used exclusively by public schools, as prohibited by RCW 28A.600.420.
  - (b) The student’s conduct would constitute a violent offense, sex offense, inhaling toxic fumes, controlled substances violation, liquor violation, or certain other crimes listed in RCW 13.04.155.
  - (c) Within a three-year period, the student has committed two or more violations of RCW 9A.46.120 (criminal gang intimidation), RCW 9A.41.280 (possessing dangerous weapons on school facilities), RCW 28A.600.455 (gang activity), RCW 28A.635.020 (willfully disobeying school administrative personnel or refusing to leave public property), or RCW 28A.635.060 (defacing or injuring school property).
  - (d) The student’s behavior adversely impacts the health or safety of other students or educational staff.
- (2) The District has determined that, if the student returned to school before completing an expulsion, the student would pose an imminent danger to students or school personnel.
- iii) Length of Exclusion: An expulsion may not exceed the length of one (1) academic term, unless the principal or designee petitions the District superintendent for extension of an expulsion, and the petition is granted.
- iv) Grade-Level Limitations: The District will not administer an expulsion for any student in kindergarten through fourth grade, unless the student has committed a Firearm Violation, discussed in Section 8, below.
- v) Reengagement: When a student is expelled, the District will timely hold a reengagement meeting and create a reengagement plan, as described in Section 7, below.
- vi) Petition for Extension: The building principal or designee may petition the superintendent to extend an expulsion beyond the length of one (1) academic term, where such an extension is warranted because of risk to public health and safety.
  - (1) Time Limit: The petition may be submitted only after the development of a reengagement plan under Section 7, below, and before the end of the expulsion, except that the principal or designee may petition to extend an expulsion at any time when a student has committed a firearm violation, as described in Section 8, below.
  - (2) Contents: The petition will include those elements listed in WAC 392-400-480.
  - (3) Notice: The District will provide written notice of the petition to the student and parents in person, by mail, or by email within one (1) school business day from the date the superintendent or designee received the petition. The notice will include a copy of the petition; the student’s and parents’ right 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 parents; and the student’s and parents’ right to respond to the petition orally or in writing to superintendent or designee within five (5) school business days from the date the District provided written notice.
  - (4) Basis for Granting Extension: The superintendent or designee may grant the petition only if there is substantial evidence that, if the student were to return to his or her previous school

placement after the length of an academic term, the student would pose a risk to public health or safety.

- (5) Duration of Extension: An extension of an expulsion may not exceed the length of an academic term.
- (6) Written Decision: The superintendent or designee will deliver a written decision to the principal, the student, and the student's parents in person, by mail, or by email within ten (10) school business days after receiving the petition. If the petition is granted, the written decision will include: (i) the date on which the extended expulsion will end; (ii) 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 (iii) notice of the student's or parents' right to request review and reconsideration of the extension decision described below, including where and to whom to make the request. If the petition is not granted, the written decision will identify the date on which the expulsion will end.
- (7) Review and Reconsideration:
  - (a) Requesting Review: The student or parents may request that the Board of Directors review and reconsider the decision to extend the student's expulsion. The request may be made orally or in writing.
  - (b) Time Limit: The student or parents must request review within ten (10) school business days from the date the superintendent or designee provides the written decision to the student and parents.
  - (c) Review Procedure: The Board of Directors may request to meet with the student or parents or the principal to hear further arguments and gather additional information. The decision of the Board may be made only by members who were not involved in the behavioral violation, the decision to expel the student, or any appeal decision on the student's expulsion by a hearing officer on behalf of the District.
  - (d) Decision: The Board of Directors will provide a written decision to the student and parents in person, by mail, or by email within ten (10) school business days after receiving the request for review and reconsideration. The written decision will identify: whether the Board affirms, reverses, or modifies the decision to extend the student's expulsion; and the date on which the extended expulsion will end.
- (8) Language Assistance: The District will ensure that any petition proceedings, notices, and decisions are provided in a language the student and parents understand, which may require language assistance for students and parents with limited-English proficiency.
- (9) Annual Reporting: The District will annually report the number of petitions approved and denied to the Office of Superintendent of Public Instruction.

#### **h) Provisions Applicable to Emergency Expulsions Only**

- i) Sufficient Cause: A student may be expelled immediately in emergency situations by the superintendent or designee if there is sufficient cause to believe that 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 to the educational process. An immediate and continuing threat of material and substantial disruption of the educational process means:
  - (1) The student's behavior results in an extreme disruption of the educational process that creates a substantial barrier to learning for other students across the school day; and
  - (2) School personnel have exhausted reasonable attempts at administering other forms of discipline to support the student in meeting behavioral expectations.

- ii) Time Limit: An emergency expulsion will end or be converted to another form of discipline within ten (10) school days.
- iii) Conversion: If the District converts an emergency expulsion to a suspension or expulsion, the District will: (a) apply any days that the student was emergency expelled before the conversion to the total length of the suspension or expulsion; and (b) provide the student and parents notice and due process otherwise required by this procedure for the type of suspension or expulsion imposed.
- iv) Reporting: All emergency expulsions, including the reason the student's presence poses an immediate and continuing danger to other students or school personnel, will be reported to the District superintendent or designee within twenty-four (24) hours after the start of the emergency expulsion.
- v) Initial Notice: After an emergency expulsion, the District will attempt to notify the student's parents as soon as reasonably possible regarding the reason the District believes 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.
- vi) Subsequent Written Notice: Within twenty-four (24) hours after an emergency expulsion, the District will provide written notice of the emergency expulsion to the student and parents in person, by mail, or by email. The written notice will include:
  - (1) The reason the student's presence poses an immediate and continuing danger to other students or school personnel, or poses an immediate and continuing threat of material and substantial disruption of the educational process;
  - (2) The duration and conditions of the emergency expulsion, including the dates on which the emergency expulsion will begin and end;
  - (3) The opportunity to receive educational services during the emergency expulsion;
  - (4) The students' and parents' right to an informal conference with the principal or designee;
  - (5) The student's and parents' right to appeal the emergency expulsion, including where and to whom the appeal must be requested.
- vii) Language Assistance: The District will ensure the initial and subsequent written notices are provided in a language the student and parents understand, which may require language assistance for students and parents with limited-English proficiency.
- viii) Optional Conference with Principal:
  - (1) Requesting a Conference: If the student or parents disagree with the District's decision to emergency expel the student, the student or parents may request an informal conference with the principal or designee to resolve the disagreement. The request for an informal conference may be made orally or in writing.
  - (2) Time Limit: The principal or designee will hold the conference within three (3) school business days after receiving the request, unless otherwise agreed to by the student and parents.
  - (3) Conference: During the informal conference, the principal or designee will provide the student and parents the opportunity to share the student's perspective and explanation regarding the events that led to the emergency expulsion.
  - (4) Language Assistance: The District will ensure that the conference is held in a language the student and parents understand, which may require language assistance for students and parents with limited-English proficiency.

- (5) Right to Appeal: An informal conference will not limit a student's or parents' right to appeal the emergency expulsion.

**i) Provisions Applicable to Discipline for Unexcused Absences and Tardiness, School Meals**

- i) The District will not suspend or expel a student from school for absences or tardiness.
- ii) The District will not administer discipline in a manner that would result in the denial or delay of a nutritionally adequate meal to the student.

**3. PROCEDURES FOR CONTESTING DISCIPLINE**

**a) Grievance Procedure for Classroom Exclusion and Other Forms of Discipline**

A student or parent who disagrees with the imposition of classroom exclusion or other form of discipline under this procedure (including exclusion from transportation or extra-curricular activities) may request an informal meeting with the principal or designee for the purpose of attempting to resolve the grievance. This grievance procedure does not apply to suspensions, expulsions, or emergency expulsions, which have separate appeal procedures, described below.

The student or parent must request the meeting within two (2) school business days of imposition of the classroom exclusion or other form of discipline at issue. The request must be made orally at the office of the principal or by email contact directly to the principal's District email address. The employee whose action is being grieved may be notified of the initiation of such a grievance and given the opportunity to participate in the meeting. During the meeting, the student and parents may be subject to questioning by the principal or designee and will have an opportunity to share the student's perspective and explanation regarding the behavioral violation.

The principal or designee will issue written notice of his or her decision in person, by mail, or by email no later than five (5) school business days after the meeting. The classroom exclusion or other form of discipline will continue during the grievance procedure unless the principal or designee elects to postpone the action.

**b) Appeal of Short-Term and In-School Suspensions**

- i) Submission of Appeal: A student or parents may appeal a short-term suspension (including an in-school suspension) to the Student Services department. Such appeal may be made orally (in person or by phone) or in writing (by hand-delivery, mail, or email) to the Student Services department within five (5) school business days from the date the District provides written notice of the short-term suspension to the student and parents. The superintendent or designee will provide the student and parents the opportunity to share the student's perspective and explanation regarding the behavioral violation orally or in writing.
- ii) Decision: The Student Services department will deliver a written appeal decision to the student and parents in person, by mail, or by email within two (2) school business days after receiving the appeal. The written decision will include:
  - (1) The decision to affirm, reverse, or modify the suspension;
  - (2) The duration and conditions of the suspension, including the dates on which the suspension will begin and end;
  - (3) The educational services the District will offer to the student during the suspension; and
  - (4) Notice of the student's and parents' right to request review and reconsideration of the appeal decision, including where and to whom to make the request.

**c) Appeal of Long-Term Suspensions, Expulsions, and Emergency Expulsions**

- i) Request for Appeal: A student or parents may appeal a long-term suspension, expulsion, or emergency expulsion to the Student Services department. Such appeal request may be made orally (in person or by phone) or in writing (by hand-delivery, mail, or email) at the Student Services department.
- ii) Time Limits: An appeal request must be received by the District within the following periods:
  - (1) For long-term suspensions and expulsions, within five (5) school business days from the date the District provides written notice of the long-term suspension or expulsion to the student and parents.
  - (2) For emergency expulsions, within three (3) school business days from the date the District provides written notice of the emergency expulsion to the student and parents.
- iii) Notice of Hearing: Within one (1) school business day after receiving the appeal request, unless otherwise agreed to by the student and parents, the Student Services department will provide the student and parents written notice in person, by mail, or by email of the following:
  - (1) The time, date, and location of the appeal hearing;
  - (2) The name(s) of the official(s) presiding over the appeal;
  - (3) The students' and parents' rights to inspect the student's education records described in Section 7.b, below;
  - (4) The student's and parents' rights to inspect any documentary or physical evidence and a list of any witnesses that will be introduced at the hearing;
  - (5) The student's and parents' rights described in Section 8, below; and
  - (6) For long-term suspensions and expulsions only (but not emergency expulsions), whether the District will offer to hold a reengagement meeting before the appeal hearing.
- iv) Reengagement Opportunity: For long-term suspensions and expulsions only (but not emergency expulsions), before the appeal hearing, the student, parents, and District may agree to hold a reengagement meeting and develop a reengagement plan. The student, parents, and District may mutually agree to postpone the appeal hearing while participating in the reengagement process.
- v) Appeal Hearing: The District will hold an appeal hearing within the following periods, unless otherwise agreed to by the student and parents:
  - (1) For long-term suspensions and expulsions, within three (3) school business days from the date the superintendent or designee received the appeal request.
  - (2) For emergency expulsions, as soon as reasonably possible, but within two (2) school business days after the date the superintendent or designee received the appeal request.
- vi) Presiding Official: A hearing officer (who may be a District employee or contractor) will hear and decide appeals. The hearing officer may not be involved in the student's behavioral violation or decision to long-term suspend, expel, or emergency expel the student and will be knowledgeable about state discipline rules and the District's discipline policies and procedures.
- vii) Evidence and Witnesses:
  - (1) Upon request, the student, parents, and District may inspect any documentary or physical evidence and a list of any witnesses that will be introduced at the appeal hearing. The District, student, or parents must make the information available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.

- (2) Upon request, the student and parents may review the student's education records. The District will make the records available as soon as reasonably possible, but no later than the end of the school business day before the appeal hearing.
  - (3) If a witness for the school district cannot or does not appear at the appeal hearing, the hearing officer may excuse the witness' nonappearance if the District establishes that: (i) the District made a reasonable effort to produce the witness; and (ii) the witness' failure to appear is excused by fear of reprisal or another compelling reason.
- viii) **Student and Parent Rights:** During the appeal hearing, the student and parents have the right to:
- (1) Be represented by legal counsel;
  - (2) Question witnesses;
  - (3) Share the student's perspective and provide explanation regarding the behavioral violation; and
  - (4) Introduce relevant documentary, physical, or testimonial evidence.
- ix) **Hearing Record:** The appeal hearing will be recorded by manual, electronic, or other type of recording device. The District will provide the recording to the student or parents upon request.
- x) **Appeal Decision:** The hearing officer will base the decision solely on the evidence presented at the hearing. The hearing officer will provide a written decision to the student and parents in person, by mail, or by email within the following time limits: for long-term suspensions and expulsions, within three (3) school business days after the appeal hearing; and for emergency expulsions, within (1) school business day after the appeal hearing. The written decision will include:
- (1) Findings of fact;
  - (2) For long-term suspensions and expulsions only (but not emergency expulsions):
    - (a) A determination whether: the student's behavior violated the rules of student conduct described in Procedure 3241P; the behavioral violation reasonably warrants the suspension or expulsion and the length of the suspension or expulsion; and the suspension or expulsion is affirmed, reversed, or modified.
    - (b) The duration and conditions of the suspension or expulsion, including the dates on which the suspension or expulsion will begin and end;
    - (c) Notice of the opportunity to participate in a reengagement meeting and the contact information for the person who will coordinate scheduling of the reengagement meeting.
  - (3) For emergency expulsions only:
    - (a) A determination whether the student's presence continues to pose: an immediate and continuing danger to students or school personnel; or an immediate and continuing threat of material and substantial disruption of the educational process.
    - (b) Whether the District will end the emergency expulsion or convert it to a suspension or expulsion. If the District converts the emergency expulsion to a suspension or expulsion, the District will provide the student and parents notice and due process otherwise required by this procedure for the type of suspension or expulsion imposed.
  - (4) Notice of the student's and parents' right to request review and reconsideration of the appeal decision, including where and to whom to make the request;
- xi) **Language Assistance:** The District will ensure that the notice, appeal proceedings, and decision are provided in a language the student and parents understand, which may require language assistance for students and parents with limited-English proficiency.

#### **d) Pending Appeal**

- i) If the student or parents request an appeal of a long-term suspension or expulsion, the District may temporarily continue to administer the suspension or expulsion during the appeal period subject to the following requirements:
  - (1) The District may temporarily continue to administer the suspension or expulsion for no more than ten (10) consecutive school days from the initial hearing or until the appeal is decided, whichever is earlier;
  - (2) Any days that the student is temporarily suspended or expelled before the appeal is decided will be applied to the term of the student's suspension or expulsion and may not extend the term of the student's suspension or expulsion;
  - (3) If the student who is temporarily suspended or expelled returns to school before the appeal is decided under this section, the District will provide the student an opportunity to make up assignments and tests missed during the suspension or expulsion upon the student's return.

#### **e) Review and Reconsideration**

- i) Review and Reconsideration of Suspensions and Non-Emergency Expulsions
  - (1) Request for Review: The student or parents may request that the Board of Directors review and reconsider the hearing officer's decision. The student or parents may request the review orally or in writing.
  - (2) Time Limit: The appeal must be received by the Student Services department within ten (10) school business days from the date the District provides the written appeal decision to the student and parents.
  - (3) Review Procedure:
    - (a) In reviewing the hearing officer's decision, the Board will consider all documentary and physical evidence related to the behavioral violation, any records from the appeal, relevant state law, and the District's discipline policy.
    - (b) The Board may request to meet with the student or parents, the principal, witnesses, or school personnel to hear further arguments and gather additional information.
    - (c) The decision of the Board will be made only by members who were not involved in the behavioral violation, the decision to suspend or expel the student, or the hearing officer's decision.
  - (4) Decision: The Board will provide a written decision to the student and parents in person, by mail, or by email within ten (10) school business days after receiving the request for review and reconsideration. The written decision will identify:
    - (a) Whether the Board affirms, reverses, or modifies the suspension or expulsion;
    - (b) The duration and conditions of the suspension or expulsion, including the dates on which the suspension or expulsion will begin and end; and
    - (c) For long-term suspensions or expulsions only, notice of the opportunity to participate in a reengagement meeting.
  - (5) Language Assistance: The District will ensure that any review proceedings and decision are in a language the student and parents understand, which may require language assistance for students and parents with limited-English proficiency.
- ii) Review and Reconsideration of Emergency Expulsions

- (1) Request for Review: The student or parents may request that the Board of Directors review and reconsider the hearing officer's appeal decision. The student or parents may request the review orally or in writing.
- (2) Time Limit: The appeal must be received by the Student Services department within five (5) school business days from the date the District provides the written appeal decision to the student and parents.
- (3) Review Procedure:
  - (a) In reviewing the hearing officer's decision, the Board will consider all documentary and physical evidence related to the behavioral violation, any records from the appeal, relevant state law, and the District's discipline policy.
  - (b) The Board may request to meet with the student or parents, the principal, witnesses, or school personnel to hear further arguments and gather additional information.
  - (c) The decision of the Board will be made only by members who were not involved in the behavioral violation, the decision to suspend or expel the student, or the hearing officer's decision.
- (4) Decision: The Board will provide a written decision to the student and parents in person, by mail, or by email within five (5) school business days after receiving the request for review and reconsideration. The written decision will identify:
  - (a) Whether the Board affirms or reverses the District's decision that the student's presence posed an immediate and continuing danger to students or school personnel or an immediate and continuing threat of material and substantial disruption of the educational process.
  - (b) If the emergency expulsion has not yet ended or been converted, whether the District will end the emergency expulsion or convert the emergency expulsion to a suspension or expulsion. If the District converts the emergency expulsion to a suspension or expulsion, the District will provide the student and parents notice and due process otherwise required by this procedure for the type of suspension or expulsion imposed.
- (5) Language Assistance: The District will ensure that any review proceedings and decision are in a language the student and parents can understand, which may require language assistance for students and parents with limited-English proficiency.

#### 4. READMISSION PROCEDURES

The purpose of the readmission process is not to appeal the disciplinary action, but to request readmission to school prior to the end of the suspension or expulsion.

If a student desires to be readmitted to the school from which he/she has been suspended/expelled, the parent and student shall submit a written request to the Director of Student Services.

- a. The request for readmission should include the following:
  - Any mitigating circumstances surrounding the long-term suspension or expulsion from the District. This may include: the student's age, the student's knowledge and participation in the act(s) leading to the long-term suspension or expulsion, the student's prior discipline and academic record, remedial actions the student or the parent(s) have taken to ensure that the act or behavior is not repeated, evidence that the student has satisfactorily completed a District-approved behavior modification class or counseling, if applicable, or evidence that the student has made academic progress in an alternative educational setting, if applicable.
  - Why the student believes readmittance at this time is appropriate.
  - New evidence, if any, which would support the student's request.

- Supporting references, if any, such as statements from the parent or guardian or agencies or private practitioners who may have assisted the student.
  - Documentation, if any, of what has been done to address the behavior that caused the long-term suspension or expulsion.
- b. The superintendent will designate a school official to consider the application and conduct an investigation of all pertinent information concerning the application for admission, including possible behavioral conditions upon which the student may be admitted. The designee will make a decision either approving or denying the request for admission.
  - c. If the application is approved, a written behavior agreement clearly outlining specific behavioral conditions for admission may be established by the receiving school's principal and agreed upon by the student and parent(s) before the student is admitted to school.
  - d. If the application for admission is denied, the long-term suspension or expulsion shall continue as originally imposed. Upon the student's further efforts at behavioral change, a new application may be submitted.

## **5. BEHAVIOR AGREEMENTS**

The District may enter into behavior agreements with students and parents in response to behavioral violations, including agreements to reduce the length of a suspension, conditioned on the participation in treatment services, made in lieu of suspension or expulsion, or holding a suspension or expulsion in abeyance. The District will ensure that a behavior agreement does not waive a student's opportunity to participate in a reengagement meeting or receive educational services under this procedure. The duration of behavior agreements will not exceed the length of an academic term.

Nothing precludes the District from administering discipline for behavioral violations that occur after it enters into an agreement with the student and parents.

The District will ensure any behavior agreement under this section is provided in a language the student and parents understand.

## **6. EDUCATIONAL SERVICES**

- a) During the suspension, expulsion, or emergency expulsion of a student, the District will provide him or her the opportunity to receive educational services. The educational services must enable the student to continue to participate in the general educational curriculum; meet the educational standards established by the District; and complete subject, grade-level, and graduation requirements.
- b) When providing a student, the opportunity to receive educational services, the District will consider:
  - i) Meaningful input from the student, parents, and the student's teachers;
  - ii) 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
  - iii) Access to any necessary technology, transportation, or resources the student needs to participate fully in the educational services.
- c) The District may provide educational services to the student in an alternative setting or modify the suspension or expulsion on a case-by-case basis. An alternative setting should be comparable, equitable, and appropriate to the regular education services a student would have received without the exclusionary discipline. Example alternative settings include alternative high schools, one-on-one tutoring, and any of the following approved (OSPI) online course providers listed on the OSPI website:
 

<https://www.k12.wa.us/student-success/learning-alternatives/online-learning/approved-online-course-providers>
- d) As soon as reasonably possible after administering a suspension or expulsion, the District will provide written notice to the student and parents about the educational services the District will provide. The

District will provide the written notice in person, by mail, or by email. The notice will include a description of the educational services that will be provided and the name and contact information for the school personnel who can offer support to keep the student current with assignments and coursework.

- e) For student's subject to suspension or emergency expulsion for up to five (5) consecutive school days, the District will provide at least the following:
  - i) Coursework, including any assigned homework, from all of the student's regular subjects or classes.
  - ii) Access to school personnel who can offer support to keep the student current with assignments and coursework for all of the student's regular subjects or classes.
  - iii) An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency expulsion.
- f) For student's subject to suspension or emergency expulsion for six (6) to ten (10) consecutive school days, the District will provide at least the following:
  - i) Coursework, including any assigned homework, from all of the student's regular subjects or classes.
  - ii) Access to school personnel who can offer support to keep the student current with assignments and coursework for all of the student's regular subjects or classes. School personnel will make a reasonable attempt to contact the student or parents 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:
    - (1) Coordinate the delivery and grading of coursework between the student and the student's teacher(s) at a frequency that would allow the student to keep current with assignments and coursework for all of the student's regular subjects or classes; and
    - (2) Communicate with the student, parents, and the student's teacher(s) about the student's academic progress.
  - iii) An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency expulsion.
- g) For student's subject to expulsion or suspension for more than ten (10) consecutive school days, the District will provide educational services in accordance with WAC 392-121-107.
- h) The District will ensure that notices and communications required above are provided in a language the students and parents understand.

## **7. REENGAGEMENT**

- a) Reengagement Meetings: When the District long-term suspends or expels a student, it will convene a reengagement meeting with the student and parents to discuss a plan to reengage the student, subject to the following requirements:
  - i) The District will communicate with the student and parents to schedule the meeting time and location before convening the meeting.
  - ii) The meeting will occur either (i) within twenty (20) calendar days of the start of the long-term suspension or expulsion, but no later than five (5) calendar days before the student returns to school, or (ii) as soon as reasonably possible, if the student or parents request a prompt reengagement meeting.
  - iii) Reengagement meetings do not replace an appeal hearing or a petition for readmission.

- b) Reengagement Plans: The District will collaborate with the student and parents 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 will consider:
  - i) The nature and circumstances of the incident that led to the student’s suspension or expulsion;
  - ii) As appropriate, the student’s cultural history and context, family cultural norms and values, community resources, and community and parent outreach;
  - iii) Shortening the length of time that the student is suspended or expelled;
  - iv) Providing academic and nonacademic supports that aid in the student’s academic success and keep the student engaged and on track to graduate; and
  - v) Supporting the student, parents, or school personnel in taking action to remedy the circumstances that resulted in the suspension or expulsion and preventing similar circumstances from recurring.
- c) Documentation: The District will document the reengagement plan and provide a copy of the plan to the student and parents.
- d) Language assistance: The District will ensure that the reengagement meeting and plan are in a language the student and parents understand, which may require language assistance for students and parents with limited-English proficiency.

## **8. FIREARM VIOLATIONS**

- a) Pursuant to state law (RCW 28A.600.420), the following rules apply when a student commits a firearm violation, which is defined below:
  - i) The District will expel a student for no less than one (1) year if it 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 District superintendent may modify the expulsion on a case-by-case basis.
  - ii) The District may suspend or expel a student for up to one (1) 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.
- b) The following are exceptions not constituting firearm violations:
  - i) Any student while engaged in military education authorized by the District in which rifles are used;
  - ii) Any student while involved in a convention, showing, demonstration, lecture, or firearms safety course authorized by the District in which the rifles of collectors or instructors are handled or displayed; or
  - iii) Any student while participating in a rifle competition authorized by the District.

## **9. DETENTION**

For minor infractions of school rules, regulations, or for minor misconduct, staff may detain students during lunch or after school for not more than two (2) hours without seeking prior parent permission (as an “other form of discipline,” as defined above). Detention will not begin until the parents have been notified (except in the case of an adult student) for the purpose of informing the parents of the reason for the detention and to permit the parents to make arrangements for the necessary transportation of the student when he or she has been detained after school hours for discipline.

Preceding the assignment of such discipline, the staff member will inform the student of the nature of the offense charged and of the specific conduct that allegedly constitutes the violation. The student will be afforded an opportunity to explain or justify his or her actions to the staff member. Students detained for discipline will be under the direct supervision of the staff member or another member of the professional staff. The time that the student spends for such discipline will be used constructively.

## **10. VICTIM PROTECTION**

In accordance with RCW 28A.600.460, the District may preclude a student from returning to the student's regular educational setting following the end date of a suspension or expulsion for the purpose of protecting victims of certain offenses, as follows:

- a) A student committing an offense under RCW 28A.600.460(2), when the activity is directed toward the teacher, will 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.
- b) 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.

## **11. DUE PROCESS FOR STUDENTS WITH A 504 PLAN OR IEP**

**Students with disabilities pursuant to Section 504 or the IDEA may be removed from school for up to 10 cumulative school days per school year by following the discipline procedures applicable to all students. If a suspension beyond 10 cumulative days is contemplated, special procedures must be followed; a manifestation determination conference must be held.**

If the manifestation determination conference concludes that the student's behavior is a manifestation of the student's disability, the student must be returned to the placement from which he or she was removed, and the 504 team or IEP team should convene to discuss whether development or modification of a behavior plan for the student is warranted. If the manifestation determination conference concludes that the student's behavior is not a manifestation of the student's disability, the District may impose discipline in the same manner as discipline would be imposed upon a non-disabled student. Please refer to NSD Procedure 2161P for specific procedures.

A student with a disability under IDEA may be removed to an Interim Alternative Educational Setting in circumstances involving the use or possession of drugs, weapons or serious bodily injury. Refer to NSD Procedure 2161P for specific procedures.

**SECTION E: ACTION LEVELS**

<b>GUIDANCE</b>	<p>When considering discipline, the District strives to keep students in their classroom whenever possible. Disciplinary actions must be non-discriminatory, fair, age-appropriate and correspond to the severity of the student’s misbehavior.</p> <p>The chart below lists forms of discipline that school administration should consider as the result of a behavioral violation. <b>Administrators must consider the student's individual circumstances and the nature and circumstances of the behavioral violation to determine what level of discipline is warranted. *</b></p>		
<b>LEVEL 1</b>	<ul style="list-style-type: none"> <li>• Community Service</li> <li>• Confiscation of Inappropriate Items</li> <li>• Contract (Academic, Attendance, Behavior)</li> <li>• Detention</li> <li>• Intervention Group</li> <li>• Meeting with School Counselor</li> <li>• Mentoring</li> <li>• Parent Notification and Conference</li> <li>• Peer Mediation</li> </ul>	<ul style="list-style-type: none"> <li>• Personal Reflection</li> <li>• Positive Behavioral Support Plan</li> <li>• Privileges Suspended</li> <li>• Reassignment to Different Class/Programs</li> <li>• Request Student Conference</li> <li>• Restitution</li> <li>• Restorative Circles</li> </ul>	<ul style="list-style-type: none"> <li>• Restorative Conferences</li> <li>• Saturday School</li> <li>• Student Verbal Apology</li> <li>• Student Written Apology</li> <li>• Threat Assessment</li> <li>• Warning</li> <li>• Other Action (consistent with other Level 1 interventions).</li> </ul>
<b>LEVEL 2</b>	<p>Any Action from the prior level(s) may also be imposed.</p> <p><b>In School Suspension</b>  <b>Short Term Suspension and/or Abeyance (1-10 days)</b></p>		
<b>LEVEL 3</b>	<p>Any Action from the prior level(s) may also be imposed.</p> <p><b>Long Term Suspension and/or Abeyance (11 or more days)</b></p>		
<b>LEVEL 4</b>	<p>Any Action from the prior level(s) may also be imposed</p> <p><b>Expulsion</b></p>		

## SECTION F: CODE OF CONDUCT

**The Northshore School District has identified the following behavioral violations for which discipline may be imposed:** behaviors/activities that are prohibited on campus, on school transportation, at all school-sponsored activities, and off campus when the conduct is connected to or affects the school environment. Attempting to commit a violation, assisting another person in committing a violation, or forcing another person to commit a violation is also a violation of the code of conduct.

**The Action Level identifies maximum action for behavioral violations assigned to that level. Multiple actions may be applied to a single behavioral violation. Subsequent offenses will result in a move up in the level system.**

Behavioral Violation	Definition	Action Level
Academic Dishonesty/Plagiarism	Knowingly submitting the work of others represented as the student's own, assisting another student in doing so, enabling such misrepresentation to occur, or using unauthorized sources.	1
Alcohol †	Use or possession of alcohol.	2
	Manufacturing, sale, purchase, transportation or distribution of intoxicating alcoholic beverages or substances represented as alcohol or the violation of district alcohol policy. Suspicion of being under the influence of alcohol may be included if it results in disciplinary action.	3
Arson	Causing a fire or explosion in order to injure another person or to damage or destroy property.	3
Attendance	Failure to regularly be in attendance, remain on school grounds from the time of arrival and attend regularly scheduled classes, unless officially excused.	1
Bullying	Intentional, unwanted, aggressive behavior that (1) involves a real or perceived power imbalance, and (2) is repeated, or has the potential to be repeated, over time. For behavior that does not meet both criteria (1) and (2), see other behavior codes: Discriminatory Harassment; Threat to Other; or Intimidation/Non-Sexual Harassment.	2
Disruptive Items	The possession, use, trade, purchase or distribution of any item that is capable of causing disruption is strictly prohibited. Examples include, but are not limited to: toys, tools, lighters, laser pointers, pagers, handcuffs, shock pens, and matches.	2
Dangerous Items and/or explosive devices	The possession, use, trade, purchase or distribution of any item that in such a manner that adversely impacts the health or safety of other students or staff is strictly prohibited. Examples include, but are not limited to: firecrackers, artillery shells, and gunpowder.	3

**The Action Level identifies maximum action for behavioral violations assigned to that level. Multiple actions may be applied to a single behavioral violation. Subsequent offenses will result in a move up in the level system.**

<b>Behavioral Violation</b>	<b>Definition</b>	<b>Action Level</b>
Destruction of Property/Vandalism	Intentional damage of school property or the property of others.	3
Discriminatory Harassment	Unfair or unequal treatment or harassment of a person because they are part of a group, defined by law, as a protected class. A protected class is a group of people who share common characteristics and are protected from discrimination and harassment under federal and state law. These groups are protected classes under Washington state law: race and color, sexual orientation, national origin, gender expression, religion and creed, gender identity, sex, veteran or military status, disability, use of a trained dog guide or service animal.	3
Disruptive Conduct	Conduct that materially and substantially interferes with the educational process.	1
Driving /parking violation	Failure to obey all applicable driving and parking regulations, whether adopted by the school or by law.	1
Failure to Cooperate	Failure to comply with or follow reasonable, lawful directions or requests of teachers or staff. This includes, but is not limited to non-compliance, defiance and disrespect.	1
Failure to submit to discipline	Failure to submit to lawful discipline imposed by the District or its authorized employees.	2
Fighting <u>Without</u> Major Injury	Mutual participation by two or more students in an incident involving physical violence, where there is no major injury. (Do not include verbal confrontations, tussles, or other minor confrontations). A major injury is when one or more students, school personnel, or other persons on school grounds require professional medical attention. Examples of major injuries include stab or bullet wounds, concussions, fractured or broken bones, or cuts requiring stitches.	2
Gambling	Playing cards, dice, or games of chance for money or other things of value; or betting money or other things of value.	1
Gang/Hate Group activity or affiliation	Displaying gang/hate group membership or affiliation through behavior, gestures, apparel, activities, or other attributes that lead or reasonably could lead to disruption of the educational process. A "gang" means a group, organization or association which (i) consists of three or more persons; (ii) has identifiable leadership; and (iii) on an ongoing basis conspires and acts in conduct mainly for criminal or disruptive purposes.	2
Hate Speech	Any abusive or threatening speech intended to demean or express prejudice against a particular group based on membership in a social group such as race, religion, or sexual orientation. Speech can be verbal or electronically transmitted.	3

**The Action Level identifies maximum action for behavioral violations assigned to that level. Multiple actions may be applied to a single behavioral violation. Subsequent offenses will result in a move up in the level system.**

Behavioral Violation	Definition	Action Level
Hazing	Any perceived action taken, or situation created intentionally, that causes embarrassment, harassment or ridicule; risks emotional and/or physical harm to members of the group or team; whether new or not; regardless of the person's willingness to participate.	2
Horseplay	Rough play or mischief	1
Rough Housing	Physical acts that endanger the health and safety of others, including minor aggressive acts that do not rise to the level of fighting without major injury.	2
Illicit Drug †	Use or possession of any controlled drug or narcotic substance, Include the use or possession of any prescription or over-the-counter medication (e.g., aspirin, cough syrups, caffeine pills, nasal sprays).	2
Illicit Drug Purchase or intent to purchase or sell †	Unlawful cultivation, manufacture, distribution, sale, solicitation, purchase, transportation, or importation of any controlled drug or narcotic substance or violation of the district drug policy. Include the distribution of any prescription or over-the-counter medication (e.g., aspirin, cough syrups, caffeine pills, nasal sprays).	3
Inappropriate language	Swearing or other use of language in an inappropriate way	1
Intimidation	Behavior that includes non-violent/non-sexual offensive contact with another person, publicly insulting another person with abusive words or gestures, subjecting another person to alarm by conveying a false report that the student knows to be false, or use of electronic or telephonic means to convey false or embarrassing information about another person. (Note: if the behavior meets the definition of Bullying, Discriminatory or Sexual Harassment refer to that behavior)	2
Marijuana †	Use or possession of marijuana in any form.	2
	Purchase, intent to purchase, sale, intent to sell (whether completed or not), transport, distribution, and/or delivery of cannabis/marijuana in any form.	3
Misrepresentation	Acts of misrepresentation, including dishonesty, hindering a school investigation, falsifying the authorization of another person, identity theft, or impersonating another person in any format.	2
Misuse of technology	Use of school network, computers, or other technology for non-instructional or prohibited purposes. (Policy 2022)	1
Multiple Minor Accumulated Incidents	Discipline for culmination of multiple minor infractions that both occurred throughout the school year and individually would not rise to the severity of meriting a short-term or long-term suspension or expulsion.	2
Pornography	Possession or transfer of written material or images depicting a person or persons in a sexually explicit manner.	2

**The Action Level identifies maximum action for behavioral violations assigned to that level. Multiple actions may be applied to a single behavioral violation. Subsequent offenses will result in a move up in the level system.**

Behavioral Violation	Definition	Action Level
Possession of a Weapon	<p><b>CATEGORY 1 – Possessing Dangerous Weapons on School Facilities</b></p> <p>Any firearm, slingshot, sand club, metal knuckles, spring blade knife (RCW 9.41.250) 28A.600.420, dagger, dirk, pistol, spring blade knife, nun-chu-ka sticks, throwing stars, air gun (including air pistol or air rifle, designed to propel a BB, pellet, or other projectile by the discharge of compressed air, carbon dioxide, or other gas), stun gun (including a projectile stun gun which projects wired probes that are attached to the device that emit an electrical charge designed to administer an electric shock, charge or impulse), any device, object or instrument which is used or intended to be used as a weapon with the intent to injure a person by an electric shock, charge or impulse or other dangerous weapon. Uses any contrivance or device for suppressing the noise of any firearm (RCW9.41.280, RCW9.41.250)</p> <p>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. (RCW28A.600.420)</p>	4
	<p><b>CATEGORY 2 - Other Weapon violations</b></p> <p><i>(Without finding of intent, malice or threat)</i></p> <p>Possession, use, transfer or transportation of all objects that may be considered a dangerous weapon (see category 1-with the exception of firearms) but the presence and circumstances of possession do not present a material danger to self, other students or staff by use or intent. The administrator may exercise discretion when interpreting use and intent with such objects. Where circumstances do not support a finding of dangerous intent, malice or threat to students and/or staff, a lesser sanction may be imposed.</p>	2
	<p><b>CATEGORY 3 - Other Items</b></p> <p>The possession, use, or transfer of any object when there is no reasonable purpose for possessing the item except to use it as a weapon and/or represent it as a weapon.</p> <p>Category 3 applies to any instrument, toy, “dummy” or look-a-like object that appears to be a firearm, or which looks or acts like a weapon. Category 3 weapons include nuisance items, toys, tools, look-alike firearms, toy firearms, small pocketknives or other unauthorized items, or when there is no other reasonable purpose for possessing the object except to use it or represent it as a weapon, whether or not specifically defined as a dangerous weapon. The possession, use, transfer of any Category 3 object is considered a disruption to the educational process and potentially dangerous to the safety and welfare of students and staff.</p>	2

**The Action Level identifies maximum action for behavioral violations assigned to that level. Multiple actions may be applied to a single behavioral violation. Subsequent offenses will result in a move up in the level system.**

<b>Behavioral Violation</b>	<b>Definition</b>	<b>Action Level</b>
Public displays of intimate affection	Open displays of intimate affection, including prolonged embraces or kissing, fondling, or dancing in a lewd or suggestive manner.	1
Reckless burning	Careless or negligent burning of property.	2
Recklessness	Reckless damage to or destruction of another's property; behavior that may pose a risk to the health and safety of others; false alarms.	2
Sexual Harassment	<p>The district prohibits sexual harassment of students by other students, employees, and third parties involved in District programs or activities. Complaints of sexual harassment of students will be investigated by the district even if the alleged harasser is not a district employee or student.</p> <ul style="list-style-type: none"> <li>• acts of sexual violence;</li> <li>• unwelcome sexual or gender-directed conduct or communication that substantially interferes with a student’s educational performance or creates an intimidating, hostile, or offensive environment;</li> <li>• unwelcome sexual advances;</li> <li>• unwelcome requests for sexual favors;</li> <li>• unwelcome sexually motivated physical contact;</li> <li>• sexual demands when submission is a stated or implied condition of obtaining an educational benefit; and</li> <li>• sexual demands where submission or rejection is a factor in an academic, or other school-related decision affecting a student.</li> </ul>	3
Sexually Inappropriate Conduct	Obscene acts or expressions, whether verbal or nonverbal, including indecent exposure.	2
Theft or Possession of Stolen Property	Taking or knowingly being in possession of district property or property of others without permission.	2

**The Action Level identifies maximum action for behavioral violations assigned to that level. Multiple actions may be applied to a single behavioral violation. Subsequent offenses will result in a move up in the level system.**

<b>Behavioral Violation</b>	<b>Definition</b>	<b>Action Level</b>
Tobacco /Smoking/Vaping	Possession, use, distribution or sale of tobacco products/paraphernalia, including e-cigarettes or other vapor products, or the violation of school district tobacco policy.	1
Threats to others	Spoken, written or electronic statements or actions conveying a threat to cause bodily injury, or to cause the physical confinement or restraint of the person threatened, or any other act causing substantial harm to the physical or mental health of the person threatened. (Note: if the behavior doesn't meet the above definition please use the behavioral violation of Bullying, Discriminatory Harassment, Intimidation or Sexual Harassment.)	4
Trespass/loitering	Entering or remaining upon school district property without authorization.	2
Unauthorized transportation	Possessing or utilizing scooters, shoes with wheels, skates, roller blades, skateboards, go carts, mini-bikes, motorized wheel devices other than automobiles, or horses on school district property.	1
Vapes/Substance Delivering Devices †	Student is in possession of a vaping paraphernalia, but no evidence of being under the influence. (without finding of being under the influence) <i>Repeat offenses will result in progressive discipline. See page 45</i>	1
	Possession, use, transfer and/or sharing of a vape <b>with</b> suspicion of being under the influence of any drug, or illegal substance. Vapor, hookah, e-cigarettes, mods, substance-carrying devices, and liquids or oils for use with these devices, are considered drug paraphernalia. See “ALCOHOL, MARIJUANA, or ILLICIT DRUGS.” (with finding of being under the influence, or reasonable suspicion)	3
Verbal confrontations, taunting, provoking	Challenging, mocking, insulting, and behavior that provokes or may provoke a physical confrontation, including encouraging or inciting others to fight.	2
Violence with Major Injury	Any violent incident that results in an injury for which another person requires professional medical attention.	4
Violence <u>Without</u> Major Injury	Any violent incident that does not result in an injury for which another person requires professional medical attention.	2

**\*Under RCW 28A.600.015**, a long term suspension can be imposed for a first offense if **(1)** staff have first “considered” other forms of discipline to support the student in meeting behavioral expectations, **(2)** the student commits a behavioral violation listed at RCW 28A.600.015(6)(a)-(d), which includes, for example, certain violations related to firearms, alcohol, controlled substances, violent offenses, alcohol, felony sex offenses, inhaling toxic fumes, or any behaviors that adversely impacts the health or safety of other students or educational staff; **AND (3)** it is determined that returning the student to school before the end of the suspension would pose an “imminent danger to students or school personnel” or an “imminent threat of material and substantial disruption of the educational process”. Long term suspensions can be imposed for a first offense, so long as each of these conditions have been satisfied. Long term suspension may be used for students in kindergarten through fourth grade only in cases of firearms.

†**The use of alcohol, marijuana and other drugs** by students is serious and can be life threatening. Students' use of alcohol, marijuana, and other drugs (including but not limited to: vapor, hookah and e-cigarettes) may impair their health, self-esteem, dignity, quality of life, learning ability and potential contribution to society. Substance use has a disruptive and negative influence on school, its programs and activities. Prompt intervention can be an effective deterrent against the abuse of controlled substances, thus helping the student user and protecting the general school population.

Discipline for behavioral violations is progressive but offers abeyance contracts for students who receive a drug and alcohol assessment and complete all of the recommendations. Chemical dependency is treatable and early identification, assessment and intervention are conducive to successful treatment. The school district can assist in arranging access to drug and alcohol counseling, treatment and re-entry programs, however, parents have the primary responsibility to seek assistance and resolve alcohol and other drug use problems that their children experience. The Northshore School District will not be responsible for payment of any associated costs of treatment including any additional urinalysis assessment (UA) testing. For further information, contact your school principal or counselor.

Possession, use, purchase, sale, or intent to sell or intent to purchase (whether completed or not), transport, distribution, and/or delivery, of alcohol, marijuana, any food or beverage containing alcohol, marijuana, controlled substances, (e.g., narcotics or inhalants) prescription drugs, or other chemical substances, in a manner inconsistent with its intended use, the prescribing order or look-a-likes including but not limited to drug paraphernalia or substance carrying devices (including but not limited to: vapor, hookah and e-cigarettes) is prohibited. Being under the influence, use, possession, distribution, purchase, sale, trade, or consumption at any time on Northshore School District property is prohibited. This rule is applicable to the school day and during any school-related functions or activities whether during the school day or not. Violators will be suspended or expelled, and police may be contacted. The district will randomly conduct canine searches with the assistance of local law enforcement.

The District has adopted a specific set of progressive disciplinary guidelines for the use, possession, or transfer of alcohol, marijuana, illicit drugs or vaping devices. These recommended actions may be increased in severity, up to and including expulsion, or reduced suspension, based upon the specific circumstances of the behavioral violation as provided for herein.

### **Use or possession of alcohol, marijuana or illicit drugs**

1. **1<sup>st</sup> Violation** – Any student in violation of this rule for the first time shall be excluded from classes for the remainder of the school day (if the behavioral violation justifies a classroom exclusion, as explained above) and attend a 4-hour Saturday school.
  - a. The student shall also register for ATOD class within 72 hours (parent must attend) or be assigned another form of education to inform students of the dangers of associated with alcohol, marijuana, or illicit drug use. (Please see exception below\*)
2. **2<sup>nd</sup> Violation** – Any student in violation of these rules for the second time shall be short-term suspended for ten (10) school days. This suspension may be reduced to a minimum of five (5) school days contingent upon student's participation in the suspension reduction process outlined below.
  - a. If the student and parent agree, and the student undergoes an assessment performed by a state certified chemical dependent treatment agency qualified to perform drug and alcohol assessments, the suspension will be reduced to the minimum school days, subject to the student's successful completion of; a drug and alcohol assessment, any follow-up treatment recommendations and student and parent/guardian attendance at the district drug/alcohol information class. The suspension will not be reduced, and the student will not be

readmitted to school during the suspension period until the counselor from the approved program provides the principal or his/her designee with a written description of the counseling program developed for the student and a written statement that the student is enrolled in the program. The remaining days of suspension will be held in abeyance and, as determined by the building administrator, may be imposed if the student fails to complete the assessment and/or subsequent program recommendations in a timely manner. During a short-term suspension, a student may not attend school or participate in any school related activities which may include and affect graduation and companion activities.

3. **3rd Violation** – Any student in violation of this rule for the third time may be suspended for ninety (90) school days. This suspension may be reduced to a minimum twenty (20) school days. Same as 2.a. above, for suspension reduction.
4. **4th Violation** – If there is a fourth offense, the student may be suspended a minimum of ninety (90) school days with the student’s successful completion of an alcohol and drug assessment and any follow-up recommendations.

**Exception**

\*Any student in violation of this rule for the 1st or 2nd occurrence may be long term suspended for 11 days or more if (1) staff have first “considered” using other forms of discipline to support the student in meeting behavioral expectations, (2) the student commits a behavioral violation listed at:

RCW 28A.600.015(6)(b): An offense listed in RCW 13.04.155, which includes inhaling toxic fumes, a controlled substance, or a liquor violation,

RCW 28A.600.015(6)(d): Behavior that adversely impacts the health or safety of other students or educational staff; AND (3) it is determined that returning the student to school before the end of the suspension would pose an “imminent danger to students or school personnel” or an “imminent threat of material and substantial disruption of the educational process”. **Long term suspensions can be imposed for a first offense, so long as each of these conditions have been satisfied.**

**Recommendation:**

1st Violation	11 days Out of School Suspension
2nd Violation	20 Days Out of School Suspension

**Transfer and/or distribution (whether completed or not):**

**Students who attempt to provide alcohol, marijuana, or illicit drugs to another will receive the following discipline:**

1a. 1<sup>st</sup> Violation – Any student in violation of this rule for the first time shall be excluded from classes for the remainder of the school day and be assigned a Saturday School. The student shall also register for ATOD class within 72 hours (parent must attend) or be assigned another form of education to inform students of the dangers of associated with alcohol, marijuana, or illicit drugs use.

OR

1b. 1<sup>st</sup> Violation – Any student in violation of this rule for the first time may be long term suspended for up to 90 school days with day and credit loss limitations if (1) staff have first “considered” using other forms of discipline to support the student in meeting behavioral expectations, (2) the student commits a behavioral violation listed at:

RCW 28A.600.015(6)(b): An offense listed in RCW 13.04.155, which includes inhaling toxic fumes, a controlled substance, or a liquor violation,

RCW 28A.600.015(6)(d): Behavior that adversely impacts the health or safety of other students or educational staff; AND (3) it is determined that returning the student to school before the end of the suspension would pose an “imminent danger to students or school personnel” or an “imminent threat of material and substantial disruption of the educational process. **Long term suspensions can be imposed for a first offense, so long as each of these conditions have been satisfied.**

2. 2<sup>nd</sup> Violation Any student in violation of this rule for the second time may be long-term suspended for up to ninety (90) school days with day and credit loss limitations. The student should also obtain and comply with recommended treatment. Suspension may be reduced based on complying with treatment recommendations.

**Reasonable Suspicion**

Reasonable suspicion shall mean specific observable facts that can be described and that indicate a particular student is in the possession of, or has used alcohol, illegal drugs, drug paraphernalia, or mind-altering substances, or that which purports to be, within the school day and/or to or from school, on adjacent to school property or at school sponsored activities. Possession for the purpose of delivering or selling to others will result in more severe discipline.

**Under the Influence**

For purposes of this policy, “under the influence” shall include any consumption or ingestion of controlled substances by a student. The school nurse will perform a Student Substance Abuse Evaluation. A local paramedic or EMT may also be called to examine the student. If based on the student's behavior, medical symptoms, vital signs or other observable factors, an administrator has “reasonable suspicion” that a student is under the influence of a controlled substance, the student may be suspended.

**If the student is suspected to be under the influence,** Administration may require participation in drug counseling, rehabilitation, testing, or other programs as a condition of reinstatement into the school's educational, extracurricular, or athletic programs resulting from violations of this policy.

## VAPING DEVICES

Vaping devices: <http://lcb.wa.gov/vape/vapor-products-law>

Vapor Product Laws: [Chapter 70.345 RCW](#) It is illegal for anyone under the age of 18 to purchase, attempt to purchase, possess, or obtain vapor products. A person under 18 possessing vapor products may face an infraction penalty. Over 18 – Adults may be cited with a gross misdemeanor for furnishing vapor products to minors.

- Vaping and substance carrying devices (including, but not limited to: vapor, hookah, e-cigarettes, and mods) are considered drug paraphernalia. All Northshore schools prohibit students from using, possessing, distributing, and being under the influence of any controlled substances during school hours, at any time while on school property, at any school-sponsored activity, and during the time spent traveling to and from school and school-sponsored activities. Violators will face disciplinary action and police may be contacted.
- A number of different illegal substances can be used in vaping devices from flavored oils and nicotine to marijuana, cannabis oil, synthetic drugs, or crack cocaine. These devices all produce an odorless vapor that resembles smoke, but no flame. A person smoking marijuana or any other illegal substance in an electronic smoking/vaping device can too easily disguise the substance being inhaled.
- A student's suspension may be reduced by attending the District's Alcohol, Tobacco, & Other Drugs 4- hour class; and by completing a drug assessment prior to re-entry – see Student/Parent Information regarding terms for suspension reduction.

### Vaping Discipline (non-drug related)

- 1st Violation - Any student in violation of this rule for the first time will be assigned the Vapeducate course or be assigned another form of education to inform students of the dangers of vaping.
- 2nd Violation - Any student in violation of this rule for the 2nd time may be suspended for one (1) day. Each student's individual circumstances must be taken into consideration per WAC 392-400-430(2).
  - The student shall also register for ATOD class within 72 hours (parent must attend) or be assigned another form of education to inform students of the dangers of associated with alcohol, marijuana, or illicit drug use.
  - If a student has already completed the ATOD course, the student can be assigned the Vapeducate course for the 2nd violation.
- 3rd Violation: Will follow drug and alcohol protocol
  - For every violation, regardless of category:
    - Confiscate all vaping product(s) and/or device(s)
    - Notify parent/guardian of incident
    - Student and parent must register and attend Center for Human Services Alcohol, Tobacco, and Other Drugs (ATOD) informational class (a free class contracted by the NSD)
    - Student and parent will be provided a copy of school policy and a fact sheet to parents/guardians re: dangers of vaping
    - Identify and refer to other resources as necessary
    - Repeat offenses will result in progressive discipline.

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**Northshore School  
District**

**IMPORTANT  
PARENT AND/OR GUARDIAN SIGNATURE SHEET**

**Please sign and return this form to your child’s school by October 15th, 2021.**

By signing and returning this page, you acknowledge that you have received and read the 2021-22 *Rights & Responsibilities Handbook Concerning Student Conduct*. This booklet contains information regarding:

- Student Attendance (page #10)
- School Dress Code (page #10)
- Bus Rules (page #11)
- Technology- Responsible Use Procedures (page #12)
- Procedures for Contesting Discipline (page #26)
- Due Process for Students with a 504 Plan or IEP (page #34)
- Discipline Action Levels (page #35-41)

This form will be kept at your child’s school.

The undersigned parent or guardian acknowledges receipt of all items listed above.

\_\_\_\_\_  
Parent or Guardian’s Signature

\_\_\_\_\_  
Date

**To enable us to properly record that you have returned this sheet, please carefully complete the information below.**

\_\_\_\_\_  
Student’s Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Student Grade Level