

PROCEDURE: DISCIPLINE FOR STUDENT MISCONDUCT

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DISCIPLINE FOR STUDENT MISCONDUCT

I. 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) a 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 Removal — 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 removal, 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 removals.

II. PROCEDURES FOR IMPOSING CORRECTIVE ACTION

A. Provisions Applicable in General

1. 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/or site-specific rules; and (b) impose classroom exclusion as described in this procedure.
2. The Superintendent has delegated to school administrators "e.g., building principals and assistant principals" the authority to impose suspension and expulsions upon students for misconduct that violates rules of the District.
3. 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 the teacher's 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 corrective action. In addition, in no event will an excluded student be returned during the balance of the particular class or activity period from which the student was initially excluded without the consent of the teacher. 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 removal as described below.
4. 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 WAC.
5. 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.
6. In addition to the foregoing, all certificated staff members have the authority to:

- a. Expect students to comply with student conduct rules.
 - b. Impose other forms of discipline for violations of school rules in accordance with any established building procedures consistent with District policy/procedure.
 - c. Preserve the degree of order necessary for an optimum learning environment.
 - d. Detain a student after school in accordance with the conditions described in Section IX, below.
 - e. Use such reasonable action as is necessary to protect themselves, 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.
7. All certificated staff members will have the responsibility to:
- a. Observe the rights of students.
 - b. Enforce the rules of student conduct fairly, consistently, and without discrimination.
 - c. Document significant or repetitive infractions and/or subsequent interventions when requested by the principal or other administrator.
 - d. 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).
 - e. Maintain accurate attendance records and report all cases of truancy.
 - f. 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

Unless a student's ongoing behavior poses an immediate and continuing danger to other students or school personnel, or an immediate or continuing threat of material and substantial disruption of the education process, staff members must first attempt one or more types of discipline to support students in meeting behavioral expectations before imposing classroom exclusion, short-term suspension, or in-school suspension. Before imposing a long-term suspension or expulsion, the district must first consider other forms of discipline.

Other forms of discipline may include, but is not limited to (based upon professional judgment), behavioral monitoring, mentoring, peer mediation, social skills instruction, de-escalation, and restorative justice practices. Based on exercise of professional judgment, staff members may use other types of other forms of discipline consistent with WAC 392-400-110(1). Staff members are not restricted to this list of ideas and may use other forms of discipline compliant with WAC-392-400-025 (9)

Other forms of discipline, as defined above, may be imposed for behavioral violations (i.e., failure to follow the conduct rules in Procedure 3240P). The District will not administer discipline 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.

C. Classroom Exclusions

1. **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.
2. **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.
3. **Limitations on Classroom Exclusion:**
 - a. **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 removal.
 - b. **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 removal.
 - c. **Assignments and Tests:** The District will provide the student an opportunity to make up any assignments and tests missed during the classroom exclusion.
4. **Notice:** Following a classroom exclusion, the District will provide the following notice:
 - a. **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.
 - b. **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.
5. **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

1. General Requirements

- a. Students may be suspended or expelled for behavioral violations, subject to the following requirements.
- b. 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.
- c. 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.
- d. 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.
- e. 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.
- f. 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.
- g. 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 IV, below.
- h. 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 the student's 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 X, 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)

- 1. 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.
- 2. 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.
- 3. Grade-Level Limitations: The District will not administer a short-term or in-school suspension that exceeds the following limits:

- a. For students in kindergarten through fourth grade, ten (10) cumulative school days during any academic term.
 - b. 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.
4. 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:
- a. Physically in the same location as the student to provide direct supervision during the duration of the in-school suspension; and
 - b. Accessible to offer support to keep the student current with assignments and course work for all of the student's regular subjects or classes.

F. Provisions Applicable to Long-Term Suspensions Only

- 1. 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.
- 2. Behavior Warranting Long-Term Suspension: The District will only administer a long-term suspension when the following criteria are met:
 - a. 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:
 - i. 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.
 - ii. 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.
 - iii. 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).
 - iv. The student's behavior adversely impacts the health or safety of other students or educational staff.
 - b. 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.

3. 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.
4. 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 VIII, below.
5. 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 VII, below.

G. Provisions Applicable to Expulsions Only

1. Other forms of Discipline: Before administering an expulsion, the District will consider other forms of discipline to support the student in meeting behavioral expectations.
2. Behavior Warranting Expulsion: The District will only administer an expulsion when the following criteria are met:
 - a. 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:
 - i. 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.
 - ii. 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.
 - iii. 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).
 - iv. The student’s behavior adversely impacts the health or safety of other students or educational staff.
 - b. 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.

3. 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.
4. 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 VIII, below.
5. Reengagement: When a student is expelled, the District will timely hold a reengagement meeting and create a reengagement plan, as described in Section VII, below.
6. 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.
 - a. Time Limit: The petition may be submitted only after the development of a reengagement plan under Section VII, 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 VIII, below.
 - b. Contents: The petition will include those elements listed in WAC 392-400-480.
 - c. 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.
 - d. 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.
 - e. Duration of Extension: An extension of an expulsion may not exceed the length of an academic term.
 - f. 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.

g. Review and Reconsideration:

- i. 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.
 - ii. 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.
 - iii. 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.
 - iv. 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.
- h. 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.
- i. 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 Removals Only

1. Sufficient Cause: A student may be removed 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:
 - a. 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
 - b. School personnel have exhausted reasonable attempts at administering other forms of discipline to support the student in meeting behavioral expectations.

2. **Time Limit:** An emergency removal will end or be converted to another form of discipline within ten (10) school days.
3. **Conversion:** If the District converts an emergency removal to a suspension or expulsion, the District will: (a) apply any days that the student was emergency removed 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.
4. **Reporting:** All emergency removals, 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 removal.
5. **Initial Notice:** After an emergency removal, 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.
6. **Subsequent Written Notice:** Within twenty-four (24) hours after an emergency removal, the District will provide written notice of the emergency removal to the student and parents in person, by mail, or by email. The written notice will include:
 - a. 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;
 - b. The duration and conditions of the emergency removal, including the dates on which the emergency expulsion will begin and end;
 - c. The opportunity to receive educational services during the emergency removal;
 - d. The student's and parents' right to an informal conference with the principal or designee;
 - e. The student's and parents' right to appeal the emergency removal, including where and to whom the appeal must be requested.
7. **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.
8. **Optional Conference with Principal:**
 - a. **Requesting a Conference:** If the student or parents disagree with the District's decision to emergency remove 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 share the student's perspective and explanation regarding the events that led to the emergency removal.
- 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 emergency removal.

I. Provisions Applicable to Discipline for Unexcused Absences and Tardiness, School Meals

- 1. The District will not suspend or expel a student from school for absences or tardiness.
- 2. 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.

III. 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 removals, 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 in person at the office of the principal or by email 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

- 1. Submission of Appeal: A student or parents may appeal a short-term suspension (including an in-school suspension) to the superintendent or designee. Such appeal may be made orally (in person or by phone) or in writing (by hand-delivery, mail, or

- email) to the superintendent's office 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.
2. Decision: The superintendent or designee 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:
 - a. The decision to affirm, reverse, or modify the suspension;
 - b. The duration and conditions of the suspension, including the dates on which the suspension will begin and end;
 - c. The educational services the District will offer to the student during the suspension; and
 - d. 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 Removals

1. Request for Appeal: A student or parents may appeal a long-term suspension, expulsion, or emergency removal to the superintendent or designee. Such appeal request may be made orally (in person or by phone) or in writing (by hand-delivery, mail, or email) to the superintendent's office.
2. Time Limits: An appeal request must be received by the District within the following periods:
 - a. 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.
 - b. For emergency removals, within three (3) school business days from the date the District provides written notice of the emergency removal to the student and parents.
3. Notice of Hearing: Within one (1) school business day after receiving the appeal request, unless otherwise agreed to by the student and parents, the superintendent or designee will provide the student and parents written notice in person, by mail, or by email of the following:
 - a. The time, date, and location of the appeal hearing;
 - b. The name(s) of the official(s) presiding over the appeal;
 - c. The students' and parents' rights to inspect the student's education records described in Section 7.b, below;
 - d. 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;

- e. The student's and parents' rights described in Section 8, below; and
 - f. For long-term suspensions and expulsions only (but not emergency removals), whether the District will offer to hold a reengagement meeting before the appeal hearing.
4. **Reengagement Opportunity:** For long-term suspensions and expulsions only (but not emergency removals), 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.
 5. **Appeal Hearing:** The District will hold an appeal hearing within the following periods, unless otherwise agreed to by the student and parents:
 - a. For long-term suspensions and expulsions, within three (3) school business days from the date the superintendent or designee received the appeal request.
 - b. For emergency removals, as soon as reasonably possible, but within two (2) school business days after the date the superintendent or designee received the appeal request.
 6. **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 remove the student and will be knowledgeable about state discipline rules and the District's discipline policies and procedures.
 7. **Evidence and Witnesses:**
 - a. 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.
 - b. 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.
 - c. 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.
 8. **Student and Parent Rights:** During the appeal hearing, the student and parents have the right to:
 - a. Be represented by legal counsel;
 - b. Question witnesses;

- c. Share the student's perspective and provide explanation regarding the behavioral violation; and
 - d. Introduce relevant documentary, physical, or testimonial evidence.
- 9. **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.
- 10. **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 removals, within (1) school business day after the appeal hearing. The written decision will include:
 - a. Findings of fact;
 - b. For long-term suspensions and expulsions only (but not emergency removals):
 - i. 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.
 - ii. The duration and conditions of the suspension or expulsion, including the dates on which the suspension or expulsion will begin and end;
 - iii. 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.
 - c. For emergency removals only:
 - i. 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.
 - ii. Whether the District will end the emergency removal or convert it to a suspension or expulsion. If the District converts the emergency removal 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.
 - d. 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;
- 11. **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

1. 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:
 - a. 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;
 - b. 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;
 - c. 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

1. Review and Reconsideration of Suspensions and Expulsions (excluding Emergency Removals)
 - a. 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.
 - b. Time Limit: The appeal must be received by the superintendent's office within ten (10) school business days from the date the District provides the written appeal decision to the student and parents.
 - c. Review Procedure:
 - i. 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.
 - ii. 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.
 - iii. 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.
 - d. 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:
 - i. Whether the Board affirms, reverses, or modifies the suspension or expulsion;
 - ii. The duration and conditions of the suspension or expulsion, including the dates on which the suspension or expulsion will begin and end; and

- iii. For long-term suspensions or expulsions only, notice of the opportunity to participate in a reengagement meeting.
 - e. 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.
2. Review and Reconsideration of Emergency Removals
- a. 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.
 - b. Time Limit: The appeal must be received by the superintendent's office within five (5) school business days from the date the District provides the written appeal decision to the student and parents.
 - c. Review Procedure:
 - i. 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.
 - ii. 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.
 - iii. 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.
 - d. 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:
 - i. 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.
 - ii. If the emergency removal has not yet ended or been converted, whether the District will end the emergency removal or convert the emergency removal to a suspension or expulsion. If the District converts the emergency removal 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.
 - e. 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.

IV. READMISSION DURING SUSPENSION OR EXPULSION

Any student who has been suspended or expelled will be allowed to make application for readmission at any time. The application must be submitted to the principal of the school which the student wishes to attend. The application will include:

- An essay stating the reasons the student wants to return and why the request should be considered;
- Evidence that supports the request;
- A supporting statement from the parent or others who may have assisted the student;
- Evidence the student has made an effort to keep up with his or her studies;
- Documentation of volunteer work and other efforts to make amends; and
- If the expulsion was drug or alcohol-related, a copy of a drug and alcohol assessment and evidence of follow-up to the recommendations in that assessment.

The principal will consider the application, consult with their district supervisor, and advise the parent and student of his or her decision in writing within five (5) school business days of receipt of such application. Readmission may be contingent upon any reasonable condition proposed by the principal, subject to the limits on behavior agreements, below.

The readmission process is separate and distinct from any reengagement meetings conducted by the District as required by state law, Chapter 28A.600 RCW. (See Section VII, below.)

V. 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.

VI. EDUCATIONAL SERVICES

During the suspension, expulsion, or emergency removal of a student, the District will provide the student 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. Examples of services for consideration: tutoring, online programs, after-school programs, and alternative placements (services will be considered on a case-by-case basis).

When providing a student the opportunity to receive educational services, the District will consider:

1. Meaningful input from the student, parents, and the student's teachers;
2. 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
3. Access to any necessary technology, transportation, or resources the student needs to participate fully in the educational services.

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. Example alternative settings include alternative high schools, one-on-one tutoring, and online learning.

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 course work.

For students subject to suspension or emergency removal for up to five (5) consecutive school days, the District will provide at least the following:

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

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

1. Course work, including any assigned homework, from all of the student's regular subjects or classes.
2. Access to school personnel who can offer support to keep the student current with assignments and course work for all of the student's regular subjects or classes. School personnel will make a reasonable attempt to contact the student or parents within three (3) school business days following the start of the suspension or emergency removal and periodically thereafter until the suspension or emergency removal ends to:
 - a. 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 course work for all of the student's regular subjects or classes; and

- b. Communicate with the student, parents, and the student's teacher(s) about the student's academic progress.
3. An opportunity for the student to make up any assignments and tests missed during the period of suspension or emergency removal.

For students 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.

The District will ensure that notices and communications required above are provided in a language the students and parents understand.

VII. 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:

1. The District will communicate with the student and parents to schedule the meeting time and location before convening the meeting.
2. 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.
3. 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:

1. The nature and circumstances of the incident that led to the student's suspension or expulsion;
2. As appropriate, the student's cultural history and context, family cultural norms and values, community resources, and community and parent outreach;
3. Shortening the length of time that the student is suspended or expelled;
4. Providing academic and nonacademic supports that aid in the student's academic success and keep the student engaged and on track to graduate; and
5. 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.

VIII. FIREARM VIOLATIONS

Pursuant to state law (RCW 28A.600.420), the following rules apply when a student commits a firearm violation, which is defined below:

1. 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.
2. 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.

The following are exceptions not constituting firearm violations:

3. Any student while engaged in military education authorized by the District in which rifles are used;
4. 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
5. Any student while participating in a rifle competition authorized by the District.

IX. DETENTION

For minor infractions of school rules, regulations, or for minor misconduct, staff may detain students after school hours (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 corrective action.

X. 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:

1. 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.
2. 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.

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