

Student Discipline Rules

[An Introduction]



Why new discipline rules

Washington's discipline rules were created four decades ago. Students and schools are vastly different today.

In 2016, the state Legislature passed a law ([House Bill 1541](#)) to help close opportunity gaps in learning. One area of concern is discipline. Some groups of students are more likely to be suspended than their peers.

The Office of Superintendent of Public Instruction (OSPI) saw the bill's passage as an opportunity to improve the rules' readability, clarify requirements, and support family engagement. After almost two years of collaborative work—including three public comment periods and eight public hearings—OSPI is adopting new discipline rules.

The rules ensure school discipline policies are fair across the state. They require schools to take a "prevention-based" approach, meaning that an attempt is made to correct a behavior before it requires discipline.

Family engagement

The new discipline rules provide more ways for parents and families to engage. They require increased parent communication from schools, and they provide for more collaborative discipline procedures.

School districts are now required to consult with students, families, and the community when developing and updating district discipline policies. OSPI strongly encourages parents and families to work with school districts as they update district policies in response to the new rules.

Student protections

Additional protections now minimize the use of suspensions and expulsions. For example, the new rules prohibit schools from excluding students from school for absences or tardiness. The new rules will further limit the use of exclusionary discipline for behaviors that do not present a threat to school safety and will prohibit the use of expulsion for students in kindergarten through grade four.

Best practices

The new discipline rules emphasize the use of research-based best practices. School districts will be required to identify those practices that school personnel must attempt or consider before or instead of exclusions. The practices may include positive behavioral interventions and supports and other evidence-based practices.

Educational services

State law requires that, when a school district suspends or expels a student, the district must provide the student the opportunity to receive educational services. Under the new rules, the student must be allowed to continue to participate in general education curriculum; meet the standards of the district; and complete subject, grade-level, and graduation requirements.

Discipline Rules Implementation: Effective Dates

For the **2018–19** School Year:

- Classroom Exclusions
- Absences and Tardiness
- Educational Services
- Reengagement

For the **2019–20** School Year:

- Parent Notification Requirements
- Appeal Procedures
- District Grievance Procedures
- Conditions and Limitations

For more information

Learn more about the rules:
k12.wa.us/studentdiscipline/Rules

Learn more about discipline:
k12.wa.us/studentdiscipline/

Do you have concerns about discrimination in discipline? k12.wa.us/equity/

Do you have questions about policies in your area? Contact your school district.



Discipline in Schools: A Parent Guide

What behaviors can result in discipline?

Each school district adopts policies, consistent with state laws, that describe which behaviors are and are not acceptable. Some examples could include fighting, bullying, failure to cooperate, or violating alcohol prohibitions. Students, parents, and families must be involved when districts develop and update their policies, and the policies must be available to the public. If you are not familiar with your district's discipline policy, ask the principal or a school administrator for a copy. If you are interested in changing local discipline policies, consider attending a

school board meeting or contacting the district superintendent to ask how you can get involved.

What actions can a school district take in response to behavioral violations?

- Teaching or re-teaching behavioral expectations
- Oral or written feedback
- Parent notification or conferences
- Increased supervision
- Loss of privileges
- Lunch or afterschool detention
- Behavior monitoring or a behavior contract
- In-school or out-of-school suspension
- Restorative justice practices
- Counseling or behavioral health services
- Community service or restitution
- Student support services

Inflicting physical pain on students or withholding a nutritional meal from students as a discipline action are both prohibited.

Q: When can a teacher remove a student from the classroom, and what happens next?

A teacher can remove a student from class for behaviors that disrupt the learning process. This is called a "classroom exclusion." Before exclusion, the teacher must attempt to help the student meet behavioral expectations. The new discipline rules encourage schools to use positive approaches to behavior and only exclude students as a last resort. But if the student's behavior is a danger to others or a serious threat

Effective Dates of New Discipline Rules

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- New Appeal Procedures
- New District Grievance Procedures
- New Conditions and Limitations

to the learning process, a teacher may exclude the student and notify the principal immediately.

The state's new discipline rules require schools to inform parents about the classroom exclusion as soon as possible. The new rules also require schools to follow procedures for suspension if the student is not allowed back in the classroom by the next school day or if the student is sent home because of the classroom exclusion. Parents and students have a right to disagree with the classroom exclusion and attempt to resolve the disagreement with the school district.

For how long can a school district suspend or expel a student?

Suspensions and expulsions must have an end date and cannot last longer than the number of days in a school's academic term (such as a semester or quarter).

A short-term suspension may not exceed 10 consecutive school days. Also, state law limits the total number of days that a school district can issue short-term suspension to any individual student. Students in kindergarten through fourth grade cannot be suspended for more than 10 total school days during any academic term. Students in grades five through 12 cannot be suspended for more than 10 total school days during any single trimester or fifteen cumulative school days during any single semester.

A long-term suspension cannot continue into the following school year.

An expulsion may not exceed the length of a semester or trimester. The two exceptions are firearms violations and limited cases in which the district superintendent approves a petition to extend the length of the expulsion for public health and safety reasons.

Are school districts required to suspend or expel a student for some behaviors?

State law does not require school districts to suspend or expel students for any behavior.

Federal law requires an expulsion for firearms violations. State law allows school districts to use long-term suspension or expulsion only for certain serious behaviors. School districts may adopt policies that allow suspension or expulsion for certain behavioral violations, but state law encourages school districts to consider alternative actions before administering suspension or expulsion.

If there is a behavior incident, do I have to pick my student up early from school or agree to let the school send my student home early?

Sending a student home early or requesting a student stay at home for behavioral violations is a suspension (even if the school calls it an "early dismissal" or "student pick-up" or "day off" or some other term). Before a school can send a student home for the day because of the student's behavior, the school must hold an informal hearing with the student. The hearing gives the student the chance to explain their behavior. This is known as "due process." The hearing also:

1. Notifies the student of the behavior rule that was broken;
2. Explains the evidence of the behavior; and
3. Explains the discipline action.

State law prohibits a school district from sending a student home or telling a parent to keep a student at home for behavioral violations before an informal hearing. Unless the parent can confirm the school provided the student due process for suspension, the parent does not have to agree to pick up the student or allow the school to send the student home.

What happens if the school district removes my student from school because of emergency circumstances?

A school district may immediately remove a student from school without first holding

an informal hearing with the student. This is called an “emergency expulsion.” It is limited to situations in which a school district believes the student’s presence in the building either poses an immediate and continuing:

1. Danger to other students or school staff; or
2. Threat of significant disruption of the educational process.

An emergency expulsion must end or be changed to another discipline action within 10 school days. School districts must notify parents about the emergency expulsion and the right to appeal within 24 hours after the school district removes the student from school.

What happens to schoolwork during a suspension or expulsion?

While a student is suspended, the school district will need to provide the student with any coursework and assigned homework from all of the student’s subjects or classes. The district also will need to provide access to a staff member who can offer support to keep the student current with their subjects or classes. The school district can provide these educational services to a student through an in-school suspension program, at the student’s home, or at another location within the school district or community.

For longer suspensions, a school district could enroll a suspended student in another education program such as an alternative learning experience (ALE).

When a student is expelled or long-term suspended, what is the process for allowing them back into school?

State law requires school districts to meet with the student and parents to develop a reengagement plan. The meeting must be held within 20 days and no later than five days before the end date of the suspension or expulsion. The meeting must be held sooner if the family requests an earlier meeting. When developing

the plan with the family, school districts are required to consider:

- The nature and circumstances of the discipline incident;
- The student’s cultural histories and contexts, family norms and values, and community resources;
- Shortening the length of the suspension or expulsion;
- Academic and nonacademic supports to guide the student’s academic success; and
- Supports that the student, parents, or school personnel may need to prevent a similar incident from happening again

Note that reengagement meetings and plans are different from discipline appeal processes and petitions for readmission.

My student receives special education services—do the same laws apply?

Yes. State and federal laws provide more protections for students receiving special education services. School districts must follow federal and state laws concerning students that receive special education services. More information is available at OSPI’s [Special Education Behavior and Discipline](#) and [Section 504 and Students with Disabilities](#) webpages.

What can I do if I disagree with the school’s story about what my student did or with the school district’s discipline decision?

Challenging a school district’s actions varies with the type of discipline. Generally, students and parents can challenge a discipline decision at three levels:

- Level 1: School level, usually with the building principal
- Level 2: District level, usually with the school district superintendent

- Level 3: School board level, with either the school board or a discipline appeal council

Note: For suspensions, expulsions, and emergency expulsions, students or parents must notify the school district of their intent to challenge the decision within a certain amount of time. When communicating with school districts, students and parents should document all communication and communicate in writing as often as possible.

What is the state doing to support students and families around discipline?

The Office of Superintendent of Public Instruction (OSPI), which oversees public K-12 education, supports students and families in a variety of ways, including:

- 1. Rulemaking.** OSPI is responsible for adopting rules that protect the interests of students and provide procedures that districts must follow. OSPI recently adopted new state rules for student discipline. The new rules simplify language and clarify requirements for families and districts. The new rules also provide students and families more opportunities to be involved in decision-making activities at the local level. OSPI's Student Discipline webpage provides information about the state rules for student discipline.
- 2. Technical support.** OSPI provides information and resources to students and families on a case-by-case basis.

3. Civil rights compliance. OSPI can provide support for families that are concerned about discrimination in the administration of discipline. For example, if you believe the school district treated your student differently because of their race, national origin, sex, disability, or other protected class, OSPI's Office of Equity and Civil Rights can provide information about (1) your rights and (2) how to file a discrimination complaint.

4. Resources. OSPI is developing additional resources for families and school districts, including training modules for educators, to support fair outcomes in student discipline.

For More Information

- OSPI encourages school districts to use practices and strategies included in the [Behavior Menu of Best Practices and Strategies](#).
- [Student discipline at OSPI](#): Additional information about the state's discipline laws, the new discipline rules, and OSPI resources.
- For questions or concerns about discrimination, contact the OSPI Equity and [Civil Rights Office](#).

