



## INSTRUCTIONAL SERVICES

**Lloy Schaaf**  
**Assistant Superintendent of Teaching and Learning**

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### MEMORANDUM

**To:** Stanwood-Camano School Board of Directors  
**Fr:** Lloy Schaaf, Ed.D.  
**Re:** Approval of Second Reading/Adoption of Revised Policy 3241  
**Date:** July 3, 2017

Attached, please find the second reading/adoption of revised Policy 3241, Classroom Management, Discipline and Corrective Actions. Adjustments to the policy are being made based on legal counsel's advice.

District officials who are responsible for components of the policy have reviewed this document.

### **RECOMMENDATION:**

**That the Board approves the first reading of revised Policy 3241, Classroom Management, Discipline and Corrective Actions.**

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## CORRECTIVE ACTIONS

### Rights and Responsibilities of Certificated Staff

The Superintendent shall have the authority to discipline, suspend or expel students. The Superintendent shall identify the conditions under which a teacher may exclude a student for all or any portion of a school day and shall also designate which staff have the authority to initiate or to impose discipline, suspensions or expulsions. The principal shall confer with certificated staff at least once per year to develop and/or review building disciplinary standards and uniform enforcement of those standards, and to establish criteria for determining when certificated staff must complete classes to improve classroom management skills.

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

### Student Discipline

All students shall submit to the reasonable rules of the District. Refusal to comply with written rules and regulations established for the governing of the school shall constitute sufficient cause for discipline, suspension or expulsion. Corrective action for misconduct must reflect good faith effort on the part of the staff. The methods employed in enforcing the rules of the school involve professional judgment. Such judgment should be:

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

As a general rule no student shall be suspended for a short-term or long-term unless other forms of corrective action reasonably calculated to modify his/her conduct have previously been imposed upon the student as a consequence of misconduct of the same nature. However, a student may be suspended for exceptional misconduct, other than absenteeism, when such misconduct is of such frequent occurrence or is so serious in nature and/or is so serious in terms of the disruptive effect upon the operations of the school as to warrant immediate resort to suspension. The District shall not use corporal punishment as a means of discipline. Prior to the imposition of a corrective action upon a special education student that will result in a change in placement, a meeting will be held pursuant to special education regulations to determine if there is a causal relationship between the disability and the misconduct giving rise to the corrective action. When a relationship is found to exist, special education programming procedures shall be employed. Once a student is expelled in compliance with District policy, the expulsion shall be brought to the attention of appropriate local and state authorities, including, but not limited to, the local juvenile authorities acting pursuant to the statutes dealing with the Basic Juvenile Court Act, in order that such authorities may address the student's educational needs. No student shall be expelled, suspended, or disciplined in any manner for the performance of or failure to perform any act not related to the orderly operation of the school or school sponsored activities or any other aspect of the educational process.

Parents and students shall be given notice of the standard of conduct the district requires regarding drug and alcohol use, and a statement of the disciplinary sanctions for violations of that standard.

### Definitions

- 1.—"Discipline" shall mean all forms of corrective action other than emergency removal from a class, subject, or activity, suspension or expulsion and shall include the exclusion of a student from a class by a teacher or administrator for a period of time not exceeding the balance of the immediate class period, provided that the student is in the custody of a District employee for the balance of such period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or on behalf of the District.
- 2.—"Suspension" shall mean denial of the right of attendance (other than for the balance of the

immediate class period for "discipline" purposes) for any single subject or class, or for any full schedule of subjects or classes for a stated period of time. A suspension also may include a denial of admission to entry upon real and personal property that is owned, leased, rented or controlled by the District.

- 3.—"Short-term suspension" shall mean a suspension for any portion of a calendar day up to and not exceeding ten (10) consecutive school days.
- 4.—"Long-term suspension" shall mean a suspension that
  - a.—Exceeds ten (10) consecutive school days;
  - b.—Cannot be imposed in such a manner that causes the student to lose academic grades or credit in excess of one semester during the same school year; and
  - c.—Cannot be imposed beyond the school year in which the alleged misbehavior occurs.
- 5.—"Temporary suspension" shall mean a long-term suspension or non-emergency expulsion that is temporarily imposed by the District after an initial hearing before a hearing officer for no more than ten (10) consecutive school days or until the appeal is decided, whichever is the shortest period.
- 6.—"Emergency Expulsion" shall mean an emergency removal from school for up to and not exceeding, ten (10) consecutive school days from the student's current school placement by the District Superintendent or a designee of the Superintendent. The Superintendent or designee must have good and sufficient reason to believe the student's presence poses an immediate and continuing danger to other students or school staff or an immediate and continuing threat of substantial disruption of the educational process. An emergency expulsion must end or be converted to another form of corrective action within ten (10) school days from the date of the emergency removal from school.
- 7.—"Expulsion" shall mean the denial of the right of attendance for a period of time up to but not longer than one calendar year from the time a student is removed from his or her current school placement by the District Superintendent or a designee of the Superintendent. An expulsion also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented or controlled by the School District.
- 8.—"School day" shall mean calendar day, except school holidays, on which students enrolled in the District are afforded the opportunity to be engaged in educational activity which is planned, supervised, and conducted by or under the supervision of District certificated staff, and on which day all or any portion of the students enrolled in the program actually participate in such educational activity.
- 9.—"Reengagement meeting" shall mean a meeting held between the District and the student and a parent and/or guardian to discuss how to return a long-term suspended or expelled student to an educational setting as soon as possible.
- 10.—"Reengagement plan" shall mean a written plan developed between the District and a student and his/her parent or guardian designed to aid the student in taking the necessary steps to remedy the situation that led to the student's suspension or expulsion and return the student to the educational setting as soon as possible.
- 11.—An ad hoc committee composed of parents and community members has determined that "exceptional misconduct" shall mean student misconduct that is so serious in nature and/or so serious in terms of the disruptive effect upon the operation of the school(s) as to warrant an immediate resort to suspension.

"Exceptional misconduct" includes the following:

  - a.—Possession or use of alcohol or any controlled substance not prescribed by a physician for such possessor or user, or purported controlled substance;
  - b.—Sale or delivery of alcohol or any controlled substance or purported controlled substance to another person;
  - c.—Possession of drug paraphernalia;

- d.—Being under the influence of alcoholic beverages or illegal drugs;
- e.—Use of tobacco products including lighters and matches;
- f.—Falsely reporting a fire or bomb on school property;
- g.—Belonging to a gang and knowingly engaging in gang activity;
- h.—Possessing or displaying an instrument that is or appears to be a firearm;
- i.—Possession, use of, displaying or transmission of a weapon or an object that can be reasonably considered a weapon;
- j.—Commission of any criminal act classified as a felony or misdemeanor under the laws of the State of Washington;
- k.—Assault/battery
- l.—Fighting;
- m.—Harassment, intimidation, bullying;
- n.—Other acts including:
  - i.—arson;
  - ii.—manufacture, purchase, sale, transfer, offer for sale, use, discharge, possession, transport or storage of any pyrotechnics, fireworks, explosives, improvised, devices, or components that are intended to be assembled into an explosive;
  - iii.—theft/burglary/robbery; and
  - iv.—gang intimidation.
- o.—Cheating, alteration of records;
- p.—Inappropriate use of technology; or
- q.—Lewd conduct.

12.—Dangerous weapons include nun-chu-ka sticks, throwing stars, any air gun (BB, pellet or other projectile), metal knuckles, spring blade knife, dagger, dirk or other instruments covered by RCW 9.41.250 or 9.41.280.

#### Emergency Actions

##### Emergency Removal from a Class

A student may be removed immediately from a class, subject or activity by a teacher or administrator without other forms of corrective action and sent to the principal or a designated school authority, provided that the teacher or administrator has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school staff or an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process of the student's school:

The removal shall continue only until:

- 1.—The danger or threat ceases, or
- 2.—The principal or designated school authority acts to impose corrective action. The principal or designated school authority shall meet with the student as soon as reasonably possible following the student's removal and take or initiate appropriate corrective action or punishment. In no case shall the student's opportunity for such meeting be delayed beyond commencement of the next school day following the student's emergency removal from class, subject, or activity. Prior to or at the time any such student is returned to class(es), subject(s), or activity(ies), the principal or school authority shall notify the teacher or administrator who removed the student, there from of the action that has been taken or initiated.

#### Detention

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

Preceding the assignment of such corrective action, the staff member shall inform the student of the nature of the offense charged and of the specific conduct, which allegedly constitutes the violation. The student shall be afforded an opportunity to explain or justify his/her actions to the staff member.

Detention shall not begin until the parent/guardian has been notified (except in the case of the adult student) for the purpose of informing him/her of the basis and reason for the detention and to permit him/her to make arrangements for the necessary transportation of the student when he/she has been detained after school hours for corrective action.

Students detained for corrective action shall be under the direct supervision of the staff member or another member of the professional staff.

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

#### Discipline Grievance Procedure - Informal Conference

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

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

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

#### In-School Suspension

The Board supports efforts to bring about a positive learning climate in the school. The District strives to employ staff who are skilled in the most effective instructional techniques and who are sensitive to the unique needs of each individual student.

The need for order in the school and classroom is basic to learning. Rules are established to preserve the integrity of classroom and school in order to accomplish this need.

Students who are in violation of school rules not only deprive themselves of the opportunity to learn but they interfere with the progress of others.

The District strives to maintain high standards of attendance. Students who are not in school are denied the opportunity to learn. Corrective actions including suspension and expulsion are reserved to those students who actively threaten other students, staff or the overall school environment.

The school, therefore, may create an in-school suspension program that temporarily removes the student from the regular environment but permits the student to maintain his/her educational progress. Students, who are assigned to in-school suspension, are granted this opportunity as a privilege and are expected to comply with the expectations of staff. The Superintendent shall establish guidelines for the operation of the in-school suspension program.

#### Short-Term Suspension

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

A.—An oral or written notice of the charges shall be provided to the student.

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

In the event a short-term suspension is to exceed one calendar day, the parent/guardian of the student shall be notified of the reason for the suspension and the duration of the suspension orally or by U.S. mail as soon as reasonably possible. The notice shall also inform the parent/guardian of the right to an informal conference and that the suspension may possibly be reduced as a result of the conference. Any student subject to a short-term suspension shall be provided the opportunity upon return to make up assignments and tests if:

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

#### Appeal Process for Short-Term Suspension

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

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

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

#### Long-Term Suspension and Expulsion

##### A.—Basis for Long-Term Suspension

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

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

##### B.—Basis for Expulsion

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

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

An expulsion may not be for an indefinite period of time. An expulsion may not exceed one calendar year from the date of the corrective action unless:

- 1.—The school petition the District Superintendent for an extension; and
- 2.—The District Superintendent authorizes the extension in compliance with the superintendent of public instruction's rules adopted for this purpose.
- 3.—The District shall make reasonable efforts to assist students in returning to an educational setting prior to, and no later than, the end date of the corrective action.

Students who carry onto or who possess on school premises, school-provided transportation, or areas of facilities while being used exclusively by public or private schools any firearms, other dangerous weapons, nun-chu-ka sticks, throwing stars, air guns, or other projectiles shall be subject to expulsion. Students who with malice display what appears to be a firearm shall be subject to suspension or expulsion of up to one (1) year. Students carrying or possessing a firearm shall be expelled for a period of one (1) year. Appropriate law enforcement agencies will be contacted when there are firearms/dangerous weapons involved.

#### C.—Notice

- 1.—Prior to the long-term suspension or expulsion of a student, written notice to the student and to his or her parent or guardian shall be delivered by certified mail or in person. The notice shall:
  - a. Be provided in the predominant language of the student and/or parent or guardian who predominantly speak a language other than English, in accordance with Title VI of the Civil Rights Act of 1964;
  - b. Specify the misconduct and the District rule(s) alleged to have been violated;
  - c. Set forth the corrective action proposed;
  - d. Set forth the right of a student and/or parent or guardian to a hearing to contest the allegations, including a statement that a written or oral request for a hearing must be received by the designated school authority on or before the expiration of the third school business day after the receipt of the notice of opportunity for a hearing and, further, that the right to a hearing shall be deemed waived and the proposed long-term suspension or expulsion imposed without further opportunity to contest the matter, if the request is not received within the prescribed period of time; and
  - e. Include a schedule of school business days applicable to the exercise of the right to request a hearing.
- 2.—The student and/or parent or guardian shall reply orally or in writing to the notice within three (3) school business days of receipt, indicating whether a hearing is requested. If such request is not received within three (3) school business days, the student and the parent or guardian shall be deemed to have waived the right to a hearing and the proposed long-term suspension or expulsion shall take effect.
- 3.—Once a student is expelled in compliance with District policy, the expulsion shall be brought to the attention of appropriate local and state authorities, including the local juvenile authorities acting pursuant to the statutes dealing with the Basic Juvenile Court Act, in order that such authorities may address the student's educational needs.

#### D.—Pre-Hearing and Hearing Process

- 1.—Scheduling the Hearing

If a hearing is timely requested, it shall be scheduled to commence within three (3) school business days after the date upon which the request for hearing was received.
- 2.—Conduct of the Hearing
  - a. The student and parent or guardian shall have the right to:
    - 1.—Inspect in advance of the hearing any documentary and other physical

- evidence which the District intends to introduce at the hearing;
- 2.—Be represented by legal counsel;
- 3.—Question and confront witnesses;
- 4.—Present his or her explanation of the alleged misconduct; and
- 5.—Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.
- b.—The designee(s) of the District assigned to present the District's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence which the student and parent or guardian intend to introduce at the hearing.
- c.—A tape-recording of the hearing shall be made.
- d.—The hearing officer shall not be a witness.
- e.—The final decision regarding the imposition of corrective action of the student shall be determined solely on the basis of the evidence presented at the hearing.
- f.—A written decision setting forth the findings of fact, conclusions, and the nature and duration of the corrective action to be imposed, if any, shall be provided to the student's legal counsel or, if none, to the student and parent or guardian.
- g.—If the hearing officer imposes a long-term suspension or expulsion, the student and parent or guardian shall have the right to appeal such decision to the district disciplinary appeal council by providing a written or oral notice of appeal at either the office of the Superintendent or the office of the hearing officer within three (3) school business days after the date of receipt of the decision.
- h.—If a timely appeal is not taken, the long-term suspension or expulsion shall take effect on the calendar day following the expiration of the three (3) school business day period.
- i.—If timely appeal is taken to the Board or district disciplinary appeal council, the long-term suspension or non-emergency expulsion may be imposed during the appeal period subject to the following conditions and limitations:
  - 1.—A long-term suspension or non-emergency expulsion may be temporarily imposed by the District during the appeal period for no more than ten (10) consecutive school days or until the appeal is decided, whichever is the shortest period;
  - 2.—Any days that a student is temporarily suspended or expelled before the appeal is decided shall be applied to the term of the student's suspension or expulsion and shall not limit or extend the term of the student's suspension or expulsion.
  - 3.—Any student subjected to a temporary suspension who returns to school before the appeal is decided shall be provided the opportunity upon his or her return to make up assignments and tests missed by reason of the suspension if:
    - i.—Such assignments or test have a substantial effect upon the student's semester or trimester grade or grades; or
    - ii.—Failure to complete such assignments or test would preclude the student from receiving the credit for the course or courses

#### E.—Multiple Suspensions

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

#### F.—Report to Superintendent

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

#### G.—Readmission



Any student who has been suspended or expelled shall be allowed to make application for readmission at any time. If a student desires to be readmitted to the school from which he/she has been suspended/expelled, the student shall submit a written application to the principal, who shall recommend admission or nonadmission.

If a student wishes admission to another school, he/she shall submit the written application to the Superintendent. The application shall include:

- 1.—Reasons the student wants to return and why the request should be considered;
- 2.—Evidence which supports the request; and
- 3.—A supporting statement from the parent/guardian or others who may have assisted the student.

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

#### H.—Reengagement meetings and plans

- 1.—The District will convene a meeting with the student and the student's parents or guardians within twenty days of the student's long-term suspension or expulsion, but no later than five days before the student's reentry or enrollment to discuss a plan to reengage the student in a school program.
- 2.—In developing a reengagement plan, the District will consider shortening the length of the time that the student is suspended or expelled, other forms of correction action and supportive interventions that aid in the student's academic success and keep the student engaged and on track to graduate. The District must create a reengagement plan tailored to the student's individual circumstances, including consideration of the incident that led to the student's long-term suspension or expulsion. The plan should aid the student in taking the necessary steps to remedy the situation that led to the student suspension or expulsion.

#### I.—Appeal for extension of a one-year expulsion

When warranted because of risk to the public health and safety, the principal or designee may petition the Superintendent of the District for authorization to exceed the one-calendar-year limitation on an expulsion. The Superintendent may exercise his/her discretion to grant the petition in limited circumstances, on a case-by-case basis, so long as there is evidence that, if the student were to return at or before one-calendar year, he/she would pose a risk to public health or safety.

(1) The petition to exceed the one-year limit shall include the following:

- (a) A detailed description of the student's misconduct, the school rules which were violated, and the public health and/or safety concerns of the District;
- (b) A detailed description of the student's academic, attendance, and discipline history, if any;
- (c) A description of the lesser forms of corrective actions which were considered and reasons why those were rejected;
- (d) A description of all alternative learning experiences, vocational programs, and/or other educational services which may be available to the student;
- (e) The proposed extended length of the expulsion;
- (f) Identification of special education services or accommodations pursuant to Section 504 of the Rehabilitation Act of 1973, if appropriate; and
- (g) A proposed date for the reengagement meeting.

(2) Designated staff shall submit the petition at any time after final imposition of a one-year expulsion and prior to the end of that expulsion.

(3) A copy of the petition shall be delivered in person or by certified mail to the student and his/her parent(s)/guardian(s).

(4) The petition shall be provided in the predominant language of the student and/or parent(s)/guardian(s) who speak a language other than English in accordance with Title VI of the Civil Rights Act of 1964.

(5) The student and/or parent(s)/guardian(s) may submit a written or verbal response to the petition within ten school business days of the recorded receipt of the petition.

(6) Within eleven (11) school business days, but no later than twenty (20) school business days of the date of the petition's recorded delivery to the student/parent(s)/guardian(s), the Superintendent of the District shall issue a written decision indicating whether the petition is granted or denied. The written decision shall also include a description of all rights and procedures for appeal.

(7) If the petition is granted, within ten (10) school business days of the receipt of the decision, the student and/or parent(s)/guardian(s) may appeal the decision to the District's school board in accordance with the appeal procedures for long term suspensions and expulsions.

Annually, the District shall report the number of petitions submitted, approved and denied to the office of the superintendent of public instruction.

#### Appeal Process for Long-Term Suspension and Expulsion

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

The Board or district disciplinary appeal council shall schedule and hold an informal conference to review the matter within ten (10) school business days from receipt of such appeal. The purpose of the meeting shall be to meet and confer with the parties in order to decide upon the most appropriate means of handling the appeal. At that time the student, parent/guardian, and/or counsel shall be given the right to be heard and shall be granted the opportunity to present such witnesses and testimony as the Board or council deems reasonable. Prior to adjournment, the Board or council shall agree to one of the following procedures:

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

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

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

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

#### Emergency Expulsion

A student may be excluded from school prior to a hearing without other forms of corrective action if

a principal or assistant principal good and sufficient reason to believe the student's presence poses an immediate and continuing danger to students, school staff, or poses an immediate and continuing threat of substantial disruption to the educational process of the District. An emergency expulsion must end or be converted to another form of corrective action within ten (10) school days from the date of the expulsion. The District must provide notice and due process rights if it converts the emergency expulsion to another form of corrective action.

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

- A.—Written notice of the emergency expulsion shall be sent by certified letter deposited in the U. S. mail within twenty-four (24) hours of the expulsion or by hand delivery to the student's parent(s) or guardian(s) within twenty-four hours of the expulsion and documenting delivery of the notice by obtaining his or her signature acknowledging receipt or the written certification of the person making the delivery.
  - 1.—If the notice is by certified letter, reasonable attempts shall be made to notify the student and his other parent(s) or guardian(s) by telephone or in person as soon as reasonably possible.
  - 2.—Notice must specify the alleged reasons that the student's presence poses an immediate and continuing danger to students, school staff, or poses an immediate and continuing threat of substantial disruption of the education process.
  - 3.—Notice must set forth the date on which the emergency expulsion began and will end.
- B.—The parent/guardian and student shall have three (3) school business days after receipt of the notice during which to request a hearing. A schedule of "school business days" potentially applicable to the exercise of such hearing right should be included with the notice; and
- C.—If a request for a hearing within the required three (3) school business days is received, the District shall immediately schedule and give notice of a hearing to commence as soon as reasonably possible and in no case later than the second school business day after receipt of the request for hearing.
- D.—The hearing officer shall render the decision regarding whether the emergency expulsion shall continue within one (1) school business day after the conclusion of the hearing.
  - 1.—The District shall provide notice of the decision to the student and the student's parent(s), guardian(s), and legal counsel, if any, by depositing a certified letter in the United States mail.
  - 2.—The decision shall set forth the findings of fact, the conclusions (including a conclusion as to whether the immediate and continuing danger to students, school staff, or poses an immediate and continuing threat of substantial disruption of the educational process, giving rise to the emergency expulsion has terminated), and whether the emergency expulsion shall be converted to another form of corrective action.

#### Suspensions for Unexcused Absences

Students with one or more unexcused absences may be subject to corrective action reasonably calculated to modify the student's conduct. If the District imposes corrective action on a student for one or more unexcused absences, the District must:

- A.—Provided written notice to the parent/guardian that the student failed to attend without valid justification. The notice must be provided in writing, in English or, if different, the primary language of the parent(s) or guardian(s) or by other means reasonably necessary to achieve notice;
- B.—Schedule a conference with the parent/guardian and the student at a convenient time and place to analyze the cause for the student's absence, and to determine by appropriate means whether the student should be made a "focus of concern" for placement in special education or another special program designed for his or her educational success; and

- C.—Taken steps to reduce the student's absence which include, when appropriate to all parties, adjusting the student's school program, providing more individualized instruction, preparing the student for employment with specific vocational courses or work experience, or both, changing schools, and assisting the student to obtain supplementary services that might eliminate or ameliorate the causes of absence.

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

A student's academic grade or credit in a particular subject or course may be adversely affected by reason of tardiness or absences only to the extent and upon the basis that:

- A.—The student's attendance or participation is related to the instructional objectives or goals of the particular subject or course;
- B.—The student's attendance or participation has been identified by the teacher pursuant to policy of the District as a basis for grading, in whole or in part, in the particular subject or course; and
- C.—The circumstances pertaining to the student's inability to attend school have been taken into consideration, including whether the tardiness or absences are directly related to the student's disability under Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, or the Individuals with Disabilities Education Act.

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

Cross References: — Board Policy 3207 Prohibition of Harassment, Intimidation and Bullying  
Board Policy 3240 Student Conduct

Legal References: — RCW 28A.225.020 — School's duties upon child's failure to attend school  
RCW 28A.225.030 — Petition to juvenile court for violations by a parent or child—School district responsibilities  
RCW 28A.400.110 — Principal to assure appropriate student discipline—building discipline standards—Classes to improve classroom management skills  
RCW 28A.600.010 — Enforcement of rules of conduct—Due process guarantees—Computation of days for short-term and long-term suspensions  
RCW 28A.600.015 — Rules incorporating due process guarantees of pupils—Informal due process procedures for short-term suspension of students  
RCW 28A.600.020 — Exclusion of student from classroom—Written disciplinary procedures—Long-term suspension or expulsion  
RCW 28A.600.040 — Pupils to comply with rules and regulations  
RCW 28A.600.410 — Alternatives to suspension—Encouraged  
RCW 28A.600.415 — Alternatives to suspension—Community service encouraged—Information provided to school districts  
RCW 28A.600.420 — Firearms on school premises, transportation, or

	facilities—Penalty—Exemptions
RCW 28A.600.455	Gang activity—Suspension or expulsion
RCW 28A.600.460	Classroom discipline—Policies—Classroom placement of student offenders—Data on disciplinary actions
RCW 28A.600.475	Exchange of information with law enforcement and juvenile court officials—Notification of parents and students
RCW 28A.600.480	Reporting of harassment, intimidation or bullying—Retaliation prohibited—Immunity
RCW 28A.645.010	Appeals – Notice of Scope – Time limitation
	WAC 392-400-205
WAC 392-400-233	Unexcused absences and tardiness
RCW 9.41.280	Possessing dangerous weapons on school facilities—Penalty—Exceptions
WAC 392-400-290	Emergency removal from class, subject or activity
WAC 392-400-205	Pupils –Definitions RCW 9.41.250 Dangerous weapons—Penalty
WAC 392-400-235	Discipline—Conditions and limitations
WAC 392-400-240	Discipline—Grievance
WAC 392-400-245	Short-term suspension—Conditions and limitations
WAC 392-400-250	Short-term suspension—Prior conference required—Notice to parent
WAC 392-400-255	Short-term suspension—Grievance procedure
WAC 392-400-260	Long-term suspension—Conditions and limitations
WAC 392-400-265	Long-term suspension—Notice of hearing—Waiver of hearing
WAC 392-400-270	Long-term suspension—Pre-hearing and hearing process
WAC 392-400-275	Expulsion—Conditions and limitations
WAC 392-400-280	Expulsion—Notice of hearing—Waiver of hearing
WAC 392-400-285	Expulsion—Pre-hearing and hearing process
WAC 392-400-290	Emergency removal from a class, subject or activity
WAC 392-400-300	Emergency expulsion- Notice of hearing-Waiver of hearing right
WAC 392-400-295	Emergency expulsion—Limitations
WAC 392-400-305	Emergency expulsion—Pre-hearing and hearing process
WAC 392-400-310	Appeals—Long-term suspension and expulsion
WAC 392-400-317	Appeals—Discipline and short-term suspension grievances
WAC 392-400-320	School board or disciplinary appeal council decisions
WAC 392-400-315	Appeals—Hearing before school board or disciplinary appeal council—Procedures
RCW 28A.600.015	Rules incorporating due process guarantees of pupils with regard to expulsions and suspensions.
RCW 28A.600.022	Suspended or expelled students- Reengagement plan

Chapter 392-172A WAC Rules for the Provision of Special Education to Special Education Students

34 CFR Part 300 Individuals with Disabilities Education Act

## CLASSROOM MANAGEMENT, DISCIPLINE AND CORRECTIVE ACTION

Rules of student conduct are essential to maintain a school environment conducive to learning. A student's refusal to comply with written rules and regulations established for the governing of the school will constitute sufficient cause for discipline or corrective action.

Staff are responsible for supervising student behavior, employing effective classroom management methods and enforcing the rules of student conduct in a fair, consistent and non-discriminatory manner. Corrective action must be reasonable and necessary under the circumstances and reflect the district's priority to maintain a safe and positive learning environment for all students and staff.

The district will distribute its discipline policy and procedure to students, their parents/guardians, and the community on an annual basis. Students and/or their parents/guardians will be provided all required substantive and procedural due process in regard to grievances, hearings and/or appeals of corrective action. The district will also strive to provide trainings regarding policies and procedures related to student discipline for appropriate school and district staff whose duties require them to interact with students and enforce or implement components of student discipline.

The district will assist long-term suspended and expelled students in returning to school as soon as possible by providing them with a reengagement plan tailored to the student's individual circumstances, including consideration of the incident that led to the student's long-term suspension or expulsion.

The district will annually collect and review data on disciplinary actions taken against students within each school. The data will be disaggregated into subgroups as required by RCW 28A.300.042 and will, include students protected by the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973. The review must include short-term suspensions, long-term suspensions and expulsions. In reviewing the data, the district will determine whether it has disciplined a substantially disproportionate number of students within any of the disaggregated categories. If disproportionality is found, the district will take action to ensure that it is not the result of discrimination.

In consultation with school district staff, students, families and the community, the district will periodically review and update this policy and its accompanying procedure.

### Cross References:

2121 - Substance Abuse Program  
2161 - Special Education and Related Services for Eligible Students  
2162 - Education of Students With Disabilities Under Section 504 of the Rehabilitation Act of 1973  
3122 - Excused and Unexcused Absences  
3210 - Nondiscrimination  
3240 - Student Conduct Expectations and Reasonable Sanctions  
3244 - Prohibition of Corporal Punishment  
3520 - Student Fees, Fines, or Charges  
4210 - Regulation of Dangerous Weapons on School Premises  
4218 - Language Access Plan

### Legal References:

RCW 9A.16.100 Use of force on children — Policy —

Actions presumed unreasonable

RCW 9.41.280 Possessing dangerous weapons on school facilities — Penalty — Exceptions

RCW 28A.150.240 Certificated teaching and administrative staff as accountable for classroom teaching — Scope — Responsibilities — Penalty

Chapter 28A.225, RCW Compulsory school attendance and admission

Chapter 28A.320, RCW Provisions applicable to all districts

RCW 28A.400.100 Principals and vice principals — Employment of — Qualifications — Duties

RCW 28A.400.110 Principal to assure appropriate student discipline — Building discipline standards — Classes to improve classroom management skills

Chapter 28A.600 RCW, Students

WAC 392-190-048 Access to course offerings – Student discipline

Chapter 392-400, WAC Pupils

34 CFR Part 100.3 Regulations implementing Civil Rights Act of 1964

42 U.S.C. 2000d et seq. Civil Rights Act of 1964

Management Resources:

2016 - July Issue

2014 - December Issue

2014 - August Issue

2010 - June Issue

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