

**PORT ANGELES SCHOOL DISTRICT  
STUDENT CONDUCT AND CORRECTIVE ACTION HANDBOOK**

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I have read and discussed the contents of the Port Angeles School District Handbook of Student Conduct and Corrective Action with my child. I understand and my child understands the school rules and expectations for student behavior.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Date

**PLEASE RETURN THE SIGNED STATEMENT WITH YOUR STUDENT TO HIS OR HER HOMEROOM TEACHER. PORT ANGELES HIGH SCHOOL STUDENTS ARE TO RETURN THE SIGNED STATEMENT TO THEIR ADVISOR.**

PORT ANGELES SCHOOL DISTRICT NO. 121  
Port Angeles, Washington

August 2009

**TO:** All Principals, Assistant Principals and Patrons

**FROM:** Dr. Jane Pryne, Superintendent

**REGARDING:** Handbook of Student Conduct and Corrective Action

Our schools must be safe and orderly, places where each student is free to fully participate in all educational opportunities. We are committed to creating an environment where people can trust and be trusted, where treating people with dignity and respect is a day-to-day expectation. No one deserves less. These guidelines are aimed at creating a learning environment where everyone can learn successfully, and where we expect high performance and responsible behavior from students.

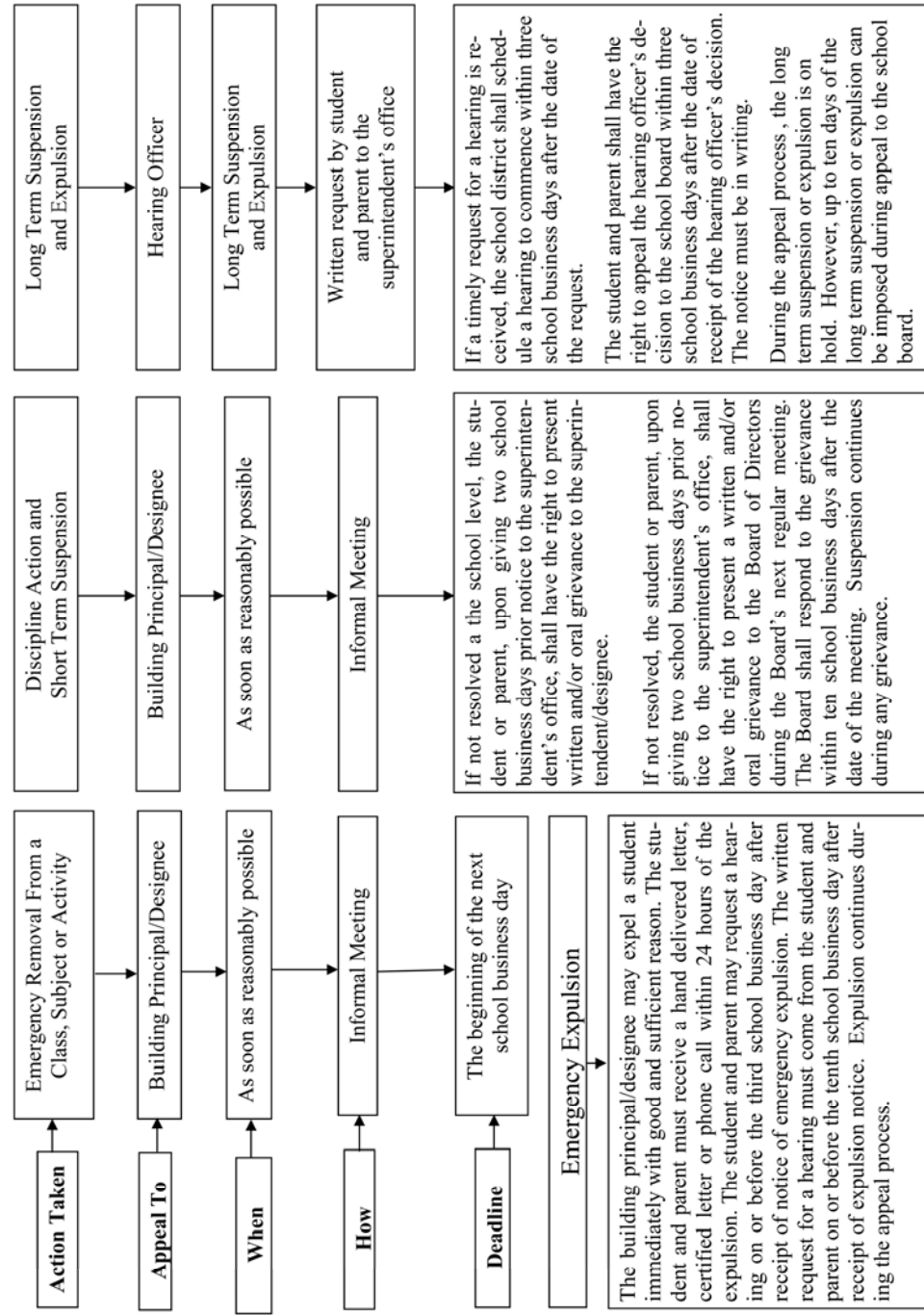
Most students are very serious about taking full advantage of the time they spend in school. Students who come to learn and to participate in extra-curricular activities seldom have problems with school rules.

Port Angeles School District's code of discipline is reasonable, consistent, respectful and progressive. Students who do not respond to various corrective actions may be subject to long-term suspension or expulsion. Students who commit "exceptional misconduct" are subject to immediate suspension or expulsion.

If students are not present, they simply can't learn. The rule we live by is: Respect others - stay in school.

This handbook is to be distributed to all students at the outset of each school year.

**Port Angeles School District Appeals Process for Student Disciplinary Actions**



**INTRODUCTION**

This handbook sets forth the written rules and regulations of the Port Angeles School District regarding student conduct, corrective action and rights, and it indicates the types of misconduct for which discipline, suspension and expulsion may be imposed. In addition to these rules and regulations, each school in the district may provide additional rules and procedures regarding student conduct and the administration of corrective action at that school.

Every teacher, school administrator, school bus driver and other school employees of the school board shall have the authority to impose discipline on any student for misconduct in accordance with the procedures specified in this handbook; to temporarily remove a student from a class, subject, or activity as provided for herein; and to make recommendations to appropriate school authorities for the discipline, suspension or expulsion of any student. Except as otherwise provided, only a school administrator, the superintendent, or his or her designee may initiate a suspension or expulsion.

This handbook is promulgated and distributed pursuant to Washington Administrative Code ("WAC") Chapter 392-400 which prescribes substantive and procedural due process rights of students. A copy of WAC 392-400 may be obtained from the Office of the Superintendent of the District. In the event of any conflict between a school's rules and this handbook, the terms of this handbook shall control. In the event of a conflict between this handbook and the provisions of Chapter 392-400 WAC, the WAC shall control.

This handbook is also in compliance with Public Law 101-226, Drug-Free Schools and Communities Act Amendments. Compliance with standards of conduct is mandatory.

**FAMILY PRIVACY ACT**

The Family Education Rights and Privacy Act of 1974 requires school districts to notify parents that schools maintain official records regarding their child which include information deemed necessary to the welfare of students and the orderly operation of schools or information required by law and regulation. The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the district receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of a student's education records that the parent or eligible student believes are inaccurate or misleading.

Parents or eligible students may ask the school to amend a record that they believe is inaccurate or misleading. They should write the school principal, (or appropriate official) clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to object to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorized disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement personnel); a person serving on the school board; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-5920.

For an Exemption Request, contact the receptionist at the Central Services Building at 216 East Fourth Street, 360.457.8575.

## **PART I            DEFINITIONS**

### ***Discipline***

Discipline shall mean all forms of corrective action or punishment other than suspension and 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. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or in behalf of a school district, including its athletic program and district transportation. A student may be detained for up to 60 minutes after school, with prior notice to the parents or guardians, provided the student's transportation needs are considered.

### ***Emergency Expulsion***

Emergency Expulsion shall mean the immediate denial of school attendance due to an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of

of the evidence.

7. If the court assumes jurisdiction, the school district shall regularly report to the court any additional unexcused absences by the child.

2. Schedule a conference or conferences with the custodial parent, parents, or guardian and child.
3. Take steps to eliminate or reduce the child's absences.

**PETITION TO JUVENILE COURT FOR VIOLATIONS BY A PARENT OR CHILD**

If the actions taken by a school district under RCW 28A.225.020 are not successful in substantially reducing an enrolled student's absences from school, upon the fifth unexcused absence by a child within any month during the current school year or upon the tenth unexcused absence during the current school year the school district shall file a petition with the juvenile court alleging a violation of RCW 28A.225.010: (1) By the parent; (2) by the child; or (3) by the parent and the child.

If the school district fails to file a petition under this section, the parent of a child with five or more unexcused absences in any month during the current school year or upon the tenth unexcused absence during the current school year may file a petition with the juvenile court alleging a violation of RCW 28A.225.010.

**PETITION TO JUVENILE COURT - COURT ACTION**

1. A petition under RCW 28A.225.030 shall consist of a written notification to the court alleging that:
  - a. The child has five or more unexcused absences within any month during the current school year or ten or more unexcused absences in the current school year.
  - b. Actions taken by the school district have not been successful in substantially reducing the child's absences from school.
  - c. Court intervention and supervision are necessary to assist the school district or parent to reduce the child's absences from school.
2. The petition shall set forth the name, age, school, and residence of the child and the names and residence of the child's parents.
3. The petition shall set forth facts that support the allegations in this section and shall generally request relief available under this chapter.
4. When a petition is filed under RCW 28A.225.030, the juvenile court may:
  - a. Schedule a fact-finding hearing at which the court shall consider the petition.
  - b. Separately notify the child, the parent of the child, and the school district of the fact-finding hearing.
  - c. Notify the parent and the child of their rights to present evidence under chapter 13.32A RCW.
5. The court may require the attendance of both the child and the parents at any hearing on a petition filed under RCW 28A.225.03.
6. The court shall grant the petition and enter an order assuming jurisdiction to intervene for the remainder of the school year, if the allegations in the petition are established by a preponderance

substantial disruption of the educational process.

***Emergency Removal***

Emergency removal shall mean the immediate removal of a student from a class, subject or activity by a teacher or administrator when the student's presence poses an immediate and continuing danger to the student, or school personnel or an immediate and continuing threat of substantial disruption of the class, subject, activity or educational process of the student's school.

***Expulsion***

Expulsion shall mean a denial of attendance at any single subject or class or at any full schedule of subjects or classes for an indefinite period of time. 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.

***Long-Term Suspension***

Long-term suspension shall mean an out-of-school suspension which exceeds a "short-term suspension".

***Parent***

Parent or parents shall mean any natural, adoptive, or custodial parent or guardian. Students of majority age shall enjoy parental rights.

***School Business Day***

School business day shall mean any calendar day except Saturdays, Sundays and state school holidays, upon which the office of the superintendent of the school district is open to the public. Normal office hours are 8:00 a.m. to 5:00 p.m. School business days shall be concluded upon the closure of the superintendent's office for the calendar day.

***Short-Term Suspension***

An out-of-school suspension for any portion of a calendar day up to and not exceeding ten consecutive school days.

***Suspension***

Suspension shall mean denial of attendance, other than for the balance of the immediate class period for "discipline" purposes, at any single subject or class or at any full schedule of subjects or classes for a stated period of time. A suspension also may include a denial or admission to or entry upon real and personal property that is owned, leased, rented, or controlled by the school district.

**PART II STUDENT CONDUCT AND RESPONSIBILITIES**

The Port Angeles School District creates and sustains learning communities that prepare each student to live, work, and learn successfully in a changing world. As a result of the process of education, students should clarify their own basic values and develop a commitment to act upon these values within the framework of their rights and responsibilities as participants in the democratic process.

Students shall comply with all federal, state and local laws, school district policies, school rules, school bus rules (Appendix A), athletic code (Appendix B), parking regulations and with the directions of teachers,

student teachers, substitute teachers, educational assistants, principals or other authorized school personnel when they are properly under the authority of school personnel. Second or repeated violations of various school policies, rules, and regulations, is often of equal or greater concern than single violations. The cumulative effects of these acts may determine the form of corrective action imposed, including suspension and/or expulsion.

Any conduct which materially and substantially interferes with the educational process is prohibited. Such conduct is specifically prohibited on or about school grounds, on or about school-sponsored transportation, and at school events off school grounds. Misconduct is also prohibited off school grounds while en route between home and school and/or when the misconduct is a consequence of or is directly related to causes or events which occurred or originated on school grounds or at a school sponsored event.

The following list of misconduct is not intended to be exclusive. Conduct marked with an asterisk (\*) has been judged following consultation with an ad hoc citizens committee to be so serious in nature and/or so serious in terms of the disruptive effect upon the operation of the school(s), that students may be subject to suspension for a first-time offense, and to expulsion if there is good reason to believe other forms of corrective action would fail if employed. Administrative discretion is allowed on each individual case, and law enforcement may be informed. (WAC 392-400-245 to 260.)

- \*1. Arson - Setting fire to or attempting to set fire to a building or property.
- \*2. Assault - The threatened or attempted use of force or violence upon the person of another.
- \*3. Battery - Unlawful use of force or violence upon the person of another, including the use of a weapon or other instrument for the purpose of inflicting injury.
- \*4. Bomb Threat - Threats to bomb or damage any public school building facility or property.
- \*5. Bullying – Any intentional written, verbal, or physical act to hurt or frighten a person.
- 6. Cheating - Intentional deception in the preparation or completion of any school assignment, examination or project, or in the conduct of any school-related activity.
- \*7. Continual Willful Disobedience - Repeated refusal to follow school rules and regulations.
- \*8. Cruelty to Animals - Causing pain and suffering to an animal.
- \*9. Damage or Destruction of Property - Willfully or negligently cutting, defacing, or otherwise injuring in any way, real or personal property belonging to the school district or another person. Parents shall be liable to the school district for all damages to school district property.
- \*10. Defiance - Open or willful disregard or contempt for lawful authority of a staff member.
- 11. Disobedience - Failure or refusal to obey the lawful instructions of district personnel.

shall be followed.

- 28. Parents or guardians of students damaging school buses shall be responsible for proper reimbursement to the Port Angeles School District.

## **APPENDIX B PORT ANGELES SCHOOL DISTRICT ATHLETIC CODE**

The opportunity to participate in the interscholastic program is a privilege granted to all students of the district. Participants in this voluntary program are expected to conform to specific regulations established by the WIAA, district policy, coaches or advisors, and the specific league in which they are participating ("the league"). A student who violates any rule is subject to suspension or expulsion from the activity. The procedural guidelines to enforce Washington Interscholastic Activity Association (WIAA) regulations, the league rules and Port Angeles School District policies consistently throughout the district, and to provide students certain rights, are available in the Port Angeles School District Student Athletics and Activities Handbook. The Student Athletics and Activities Handbook is available at Port Angeles High School, Stevens Middle School and the Central Services Building.

## **APPENDIX C MANDATORY ATTENDANCE**

In this state all parents of a child eight years of age and under eighteen years of age shall cause such child to attend the public school of the district in which the child resides and such child shall have the responsibility to and therefore shall attend for the full time when such school may be in session unless:

- 1. The child is attending an approved private school for the same time or is enrolled in an extension program as provided in RCW 28A.195.010(4).
- 2. The child is receiving home-based instruction.
- 3. The school district superintendent of the district in which the child resides shall have excused such child from attendance because the child is physically or mentally unable to attend school.
- 4. The child is fifteen years of age or older and:
  - a. The superintendent determines that such child has already attained a reasonable proficiency in the first nine grades of the public schools of this state.
  - b. The child is regularly and lawfully engaged in a useful or remunerative occupation.
  - c. The child has already met graduation requirements in accordance with state board of education rules and regulations.
  - d. The child has received a certificate of educational competence.

## **SCHOOL'S DUTIES UPON CHILD'S FAILURE TO ATTEND SCHOOL**

If a child required to attend school under the laws of the state of Washington fails to attend school without valid justification, the child's school shall:

- 1. Inform the child's custodial parent, parents, or guardian by a notice in writing or by telephone.

8. Students shall not open the windows on a school bus a distance of more than six inches or to the line indicated on the window frame.
9. Students shall not extend any part of their body out of the bus windows while the bus is in motion or standing still.
10. Students shall not have anything in their possession which may cause injury, such as skateboards, sharp objects, breakable containers, any type of weapons, straps or pens extending from their clothing and all other articles which could adversely affect the safety of the bus and passengers.
11. Animals are not permitted on the bus with the exception of seeing eye dogs, hearing and enabler dogs.
12. The bus aisles and emergency exits shall be kept clear of objects at all times.
13. Large objects shall not be transported on the school bus.
14. Unnecessary talking to the bus driver is prohibited.
15. The use of loud, abusive or vulgar language and obscene gestures is prohibited.
16. Students shall observe silence upon the bus driver's request during dangerous situations i.e. railroad crossings, freeway entrances, etc.
17. Students are not permitted to sit in the bus driver's seat at any time.
18. Students shall remain seated while the bus is in motion and until the bus comes to a complete stop.
19. Students shall cross the highway only in front of the bus and upon bus driver's consent.
20. Students shall board and leave the bus in an orderly manner.
21. When the bus is arriving or departing students shall stand clear. A minimum of six (6) feet is recommended.
22. Private and school property at bus stops shall be respected at all times.
23. Students shall not stand or play in the roadway while waiting for the bus.
24. Students are expected to be at the bus stop before the scheduled bus arrival. Bus drivers are instructed not to wait for tardy students. As a general rule, drivers do not honk the horn.
25. Students walking on the roadside should walk facing oncoming traffic whenever possible.
26. Self discipline should be exercised by students at the bus loading area. Students should refrain from pushing and shoving other students.
27. Emergency Exits: Emergency exit doors shall be used only in the case of emergencies and emergency exit drills. In the event of an actual emergency, emergency exit procedures as drilled

- \*12. Disruptive Conduct - Use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or any other conduct to cause the substantial and material disruption or obstruction of any lawful mission, process, or function of the school.
- \*13. Disruptive Dress and Appearance - Dress or appearance which is disruptive to the educational process and/or which threatens the health and safety of the student or others.
- \*14. Extortion - The wrongful taking of a person's money or property with that person's consent but by the use of threat or violence.
15. False Accusations/Defamation - Untrue charges of wrongdoing and/or the making of defamatory statements.
- \*16. False Alarm - Activating a fire alarm for other than the intended purpose of the alarm.
- \*17. Falsification/Forgery of Documents - Altering or falsifying times, names, dates, grades, addresses, or other data on school related documents.
- \*18. Fighting - Mutual combat in which both parties have contributed to the situation by verbal or physical action.
- \*19. Gangs, Gang Activity - Generally, any act, omission, speech or gesture, or the wearing, possessing, distributing or displaying of any clothing, jewelry, sign or any other thing on school property or in any place involving a school-related activity in furtherance of or to evidence membership in any group involved in illegal, intimidating or harassing conduct likely to cause a disruption in the school environment or present a threat to the health and safety of students or school personnel. Students shall also refrain from inciting, provoking, soliciting or pressuring others to engage in such conduct.
- \*20. Harassment - To persistently disturb, torment or pester.
- \*21. Hazing - Participating in, or conspiring to engage in, or conspiring for others to engage in harassing acts that injure, degrade or disgrace, or tend to injure, degrade or disgrace other individuals.
- \*22. Inappropriate Discrimination - Harassment or differential treatment of an individual or group of people, on the basis of age, disability, national origin, race, martial status, gender, or socio-economic status by written or spoken word, gestures or action. Unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature constitutes discriminatory harassment and is prohibited when such conduct creates an intimidating, hostile or offensive educational environment or is a threat to the health or safety of students or employees.
23. Intentional Misuse of School Equipment Supplies/Facilities - Deliberate abuse and/or misuse of school equipment, supplies, or facilities, including failure to follow safety rules established for laboratory instructional areas.
- \*24. Interference/Obstruction - Any action taken to attempt to prevent a staff member from exercising

his/her lawfully assigned duties.

- \*25. Intimidation - To force into or deter from some action by inducing fear on a student or staff member.
- \*26. Lewd Behavior/Sexual Misconduct - Indecent or obscene acts or expressions of inappropriate sexual behavior.
- \*27. Occupation of School Property - Occupying a school building or school grounds in order to deprive others of its use, or blocking normal pedestrian or vehicular traffic on school property.
- 28. Occupying Unauthorized Area - Being present in an area(s) without permission of school authorities.
- \*29. Offensive Social Behavior - Activities that violate standards of acceptable social conduct, including, but not limited to spitting in public and dress code violations.
- \*30. Possession or Use of Drugs, Alcoholic Beverages - Possessing, using or being under the influence of any illegal substance, narcotic or hallucinogenic drug, noxious inhalant, alcoholic beverage or other intoxicant, drug paraphernalia, prescription drug prescribed to another, or any item purported to be such. Nor shall a student attempt to do so or knowingly remain in any area where such activity is taking place.
- \*31. Possession or Use of Explosives - Possessing or using anything tending or serving to explode, such as firecrackers, bullets.
- \*32. Possession or Use of Tobacco - Possessing or using any kind of pipe, cigar, cigarette, other lighted smoking equipment or material, any tobacco product, or any product that looks like tobacco. Also, any product that could reasonably be considered a tobacco product.
- \*33. Profanity/Vulgar Language - Language that is disgusting to the senses, repulsive. The use of vulgar or profane language by students whether spoken, written or gestured.
- \*34. Reckless Driving - Driving on or about school property in such a manner as to endanger persons or property.
- \*35. Robbery - The taking of the property of another by violence or intimidation.
- \*36. Sale or Delivery of Drugs or Alcohol - Distributing and/or selling or attempting to distribute and/or sell any illegal substance, narcotic or hallucinogenic drug, noxious inhalant, alcoholic beverage or other intoxicant, drug paraphernalia, prescription drug prescribed to another, or any item purported to be such.
- 37. Self-Identify – Failure to identify himself/herself on request to school district and/or public officials.
- 38. Tardiness - The late arrival to class without an official excuse.
- \*39. Sexual Harassment – Sexual harassment is defined as unwelcome sexual advances that are so severe,

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 the student has been suspended or expelled, the student shall submit a written application to the principal, who shall recommend admission or non-admission to the superintendent. If a student wishes admission to another school, the student 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 or others who may have assisted the student.

The superintendent shall, in writing, advise the parent and student of the decision within seven school days of the receipt of such application.

The superintendent may designate school employees to consider the application and make recommendations concerning the readmission request. Readmission, if appropriate, may be conditioned upon drug/alcohol assessments and such other measures as may be deemed appropriate by the superintendent.

#### **APPENDIX A**

### **PORT ANGELES SCHOOL DISTRICT - RULES FOR STUDENTS RIDING A SCHOOL BUS**

#### **I. General Rules and Regulations**

1. The bus driver is in full charge of the bus and all students will obey the bus driver promptly and willingly.
2. Failure to follow bus rules and regulations and/or other student misconduct on a bus will result in parent contact, corrective action, and possible loss of transportation services.
3. Any exceptions to rules below, where applicable, must be approved by the school authorities.

#### **II. Specific Rules and Regulations**

1. Students shall give their proper identity when requested by the bus driver.
2. Students shall ride their regularly assigned bus.
3. Students shall board and leave the bus at their regularly assigned stops.
4. Students shall be seated at all times in seats as may be assigned by the bus driver.
5. Students shall refrain from throwing refuse or other objects in or outside the bus.
6. Students are not permitted to eat or drink on the bus.
7. Students shall not smoke or light any combustible materials on or around the bus.

conclusion that the student continues to impose an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process of the student's school.

### ***Hearing with the School Board***

If a timely notice of appeal to the school board is received, the board shall schedule and hold an informal conference to review the matter within ten school business days after the date of receipt of such appeal notice.

The purpose of this meeting shall be to meet and confer with the parties in order to decide the most appropriate means of disposing of the appeal.

At that meeting, the student, parent, or legal counsel shall be given the right to be heard and shall be granted the opportunity to present such witnesses and testimony as the board deems reasonable. The board shall agree to one of the following procedures prior to adjournment or recess:

1. Study the hearing record or other materials submitted and render its decision within ten school business days after the date of the informal conference; or
2. Schedule and hold a hearing to hear further arguments based on the record before the board and render its decision within 15 school business days after the date of the informal conference; or
3. Schedule and hold a meeting within ten school business days after the date of the informal conference for the purpose of hearing the case de novo.

In the event the school board elects to hear the appeal de novo, the following rights and procedures shall govern the proceedings:

At the de novo hearing, the student and parent shall have the right to inspect in advance of the hearing any documentary or other physical evidence the school district intends to introduce at the hearing, to be represented by legal counsel, to question and confront witnesses, to present an explanation of the alleged misconduct, and to make such relevant showings by way of witnesses or the introduction of evidence as desired.

The school district representative assigned to present the district's case shall have the right to inspect in advance of the hearing any documentary or other physical evidence the student or parent intends to introduce at the hearing.

Either a tape-recorded or verbatim record of the hearing shall be made.

Any decision by the school board to impose or to affirm, reverse or modify the imposition of discipline, suspension or expulsion upon a student shall be made only by those board members who have heard or read the evidence, and only by board members who have not acted as witnesses in the matter and only by a majority vote at a meeting at which a quorum of the board is present.

## **PART VII APPLICATION FOR READMISSION**

pervasive and objectively offensive that they deny or limit the student's ability to participate in or benefit from the school's program. Sexual Harassment includes conduct by adult to student, by student to student, by male to female, by female to male, by male to male and by female to female. Sexual harassment occurs when:

- a. Submitting to the harasser's sexual demands is a stated or implied condition of obtaining an education or work opportunity or other benefit;
- b. Submission to or rejection of sexual demand is a factor in an academic, work or other school-related decision affecting an individual; or
- c. Unwelcome sexual or gender-directed conduct or communication interferes with an individual's performance or creates an intimidating, hostile or offensive environment.

\*40. Theft - The unauthorized carrying away of the personal goods or property of another person or the school district. Parents shall be liable to the school district for the failure to return school property loaned to a student upon demand of an employee of the district authorized to make the demand.

\*41. Trespass - Unauthorized entry into or upon the property of the school district.

42. Truancy - The absence from class without an official excuse, or the violation of a closed campus rule.

43. Unauthorized Gatherings - The assembly or meeting of students and/or non-students on school property without permission of school authorities.

44. Unauthorized Use of Cellular Phones or other communication devices - Using cellular phones or other communications devices in an unapproved manner.

\*45. Unauthorized Use of School Property - The unauthorized or illegal use of school property for non-school sponsored activities.

\*46. Verbal Abuse - Disrespectful and/or threatening language to a staff member.

\*47. Violation of Suspension - Physical presence on a school campus or at a school activity while on suspension.

\*48. Weapons - The possession, use, transferring or transporting of any object that is, or that could reasonably be considered to be, a firearm, air gun, mace or pepper spray, nun-chu-ka stick, throwing star, club, dagger, spring blade knife, or any knife the blade of which is automatically released by a spring mechanism or other mechanical device, or any knife having a blade which opens, or falls, or is ejected into position by gravity, or by an outward, downward or centrifugal thrust or movement, any other illegal knife, taser, or any other dangerous weapon; and the possession of any exploding item or device that would be capable or producing bodily harm, damage or property or disruption of the educational process.

Students over eighteen years of age and students between fourteen and eighteen years of age with prior written parental permission may possess personal protection spray devices on school property. No one under eighteen

years may transfer such devices, nor may they be used other than in self-defense as defined by state law. Possession, transfer or use of personal protection spray devices under any other circumstances will be treated like dangerous weapons, including the possibility of expulsion.

49. Weapons-Firearm - As defined in RCW 9.41.010 and for the purposes of mandatory expulsion from school and reporting requirements, the terms firearm and/or weapon are defined by state and federal law in partially overlapping terms, as follows:
  1. RCW 9.41.010(1) defines a firearm as "[A] weapon or device from which a projectile may be fired by an explosive such as gunpowder."
  2. The federal definition of a firearm and/or weapon includes firearms as defined by state law and, in addition, certain firearm parts and various explosive devices.
    - a. Any weapon which will, or is designed to, or may readily be converted to, expel a projectile by the action of an explosive.
    - b. The frame or receiver of any weapon described above.
    - c. Any firearm muffler or firearm silencer.
    - d. Any explosive, incendiary, or poison gas:
50. Violation of an internet use agreement - The violation of an internet usage agreement between the student and the school district

### **PART III CONSEQUENCES FOR STUDENT MISCONDUCT**

Corrective action is a logical consequence for student conduct in violation of building disciplinary standards. All corrective action will be administered in accordance with the rules and regulations appearing in Part IV of this handbook. For minor infractions, teachers will use a progressive discipline system in their rooms. When a student has exceeded the last step in the teacher's system, or when a student's conduct is serious enough to warrant immediate attention by other school authorities, the student will be referred to a building administrator for school-wide corrective action.

The following guidelines are in effect for students to establish a range of corrective actions which may be imposed as a consequence of exceptional misconduct. The range of corrective actions may be mitigated at the discretion of the principal or designee when extenuating conditions such as counseling courses or anger management are available. An ad hoc committee and/or parent organization officers have met to define the areas of misconduct and the range of action to be taken. The appeal process for short and long-term suspensions shall remain in effect for short and long-term suspensions imposed as a result of this procedure.

#### **Safe and Drug Free School**

Under NCLB (No Child Left Behind) and Safe/Drug Free Schools requirements, it is important that all parents, staff and students are clear that by district policy, and the law, no firearms/dangerous weapons are permitted on any school facility (including buses, or school sponsored events). Possession of firearms on school property will result in a one year mandatory expulsion, subject to appeal, with notification to parents and law enforcement.  
(RCW 28A.600.420)

At this hearing the student and parent shall have the right to inspect in advance of the hearing any documentary or other physical evidence the school district intends to introduce at the hearing, to be represented by legal counsel, to question and confront witnesses, to present an explanation of the alleged misconduct, and to make such relevant showings by way of witnesses and the introduction of evidence as desired.

The school district representative assigned to present the district's case shall have the right to inspect in advance of the hearing any documentary or other physical evidence the student or parent intend to introduce at the hearing.

The hearing officer assigned to hear the case shall not be a witness, and the truth of the allegations shall be determined solely on the basis of the evidence presented at the hearing. Either a tape-recorded or verbatim record of the hearing shall be made.

Within one school business day after the date upon which the hearing concludes, a decision as to whether the expulsion shall be continued shall be rendered by the hearing officer. The student's legal counsel, or if none, the student and parent shall be notified of the decision thereof by depositing a certified letter in the United States mail. The decision shall set forth the findings of fact, the conclusions (including a conclusion as to whether or not the emergency situation giving rise to the emergency expulsion still exists), and whether or not the emergency expulsion shall be continued or a lesser form of corrective action is to be imposed.

An emergency expulsion may be continued following the hearing on the basis that the emergency situation continues and/or as corrective action for the actions giving rise to the emergency expulsion in the first instance.

### **PART VI APPEALS TO SCHOOL BOARD**

#### *Notice*

Appeals from hearing officer decisions imposing either a long-term suspension or an expulsion shall be governed as follows:

1. The student and parent shall have the right to appeal the hearing officer's decision to the school board. Notice indicating that the student and parent desires to appeal the hearing officer's decision shall be made to the office of the school district superintendent within three school business days after the date of receipt of the hearing officer's decision. Such notice of appeal must be in writing.
2. If such an appeal is not taken, the long-term suspension or expulsion decided upon may be imposed as of the calendar day following the expiration of the three-school-business-day appeal period.
3. If a timely appeal is taken to the board of directors, the imposition of a suspension or a non-emergency expulsion shall be continued; provided, that a nonemergency expulsion or a long term suspension shall only be in effect during the appeal period for ten consecutive school days, or until the board makes a decision, whichever period is shorter. An emergency expulsion that is continued by the hearing officer need not be interrupted or stayed if the decision rendered includes a

A student may be expelled immediately by the principal in emergency situations if the principal 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 personnel or the immediate and continuing threat of substantial disruption to the educational process. An emergency expulsion shall continue until rescinded by the principal or until modified or reversed pursuant to the hearing process set forth below or the appeal process set forth in Part VI.

***Emergency Expulsion Notice of Hearing***

The student and parent shall be notified of the emergency expulsion of a student and of their opportunity for a hearing as follows:

1. By hand delivering a written notice to the student's parent within 24 hours of the expulsion and by documenting same with either a signed acknowledgement of receipt or a written certification by the person making the delivery, or by a certified letter deposited in the mail within 24 hours of the expulsion. If the notice is by certified letter, reasonable attempts shall be made to notify the student and parent by telephone or in person as soon as is reasonably possible.
2. If the emergency expulsion is based on a failure to comply with the state immunization law, WAC 180-38, the notice must be received by the student's parent prior to the emergency expulsion regardless of the method of delivery.

Such written or oral notice shall:

1. Be in the primary language of the student and parent to the extent feasible;
2. Specify the alleged reason(s) for the emergency expulsion;
3. Set forth the corrective action taken and proposed;
4. Set forth the right of the student and parent to a hearing for the purpose of contesting the allegations as soon as reasonably possible;
5. Set forth the fact that a request for a hearing must be received by the district on or before the tenth school business day after receipt of the notice;
6. State that if such a timely request is not received, that the right to a hearing may be considered waived and the emergency expulsion may be continued as deemed necessary without any further opportunity for the student or parent to contest the matter.

A schedule of school business days potentially applicable to the exercise of such hearing right should be included with the notice.

***Emergency Expulsion Hearing Process***

If a timely request for a hearing is received, the school district shall immediately schedule and give notice of a hearing to commence as soon as reasonably possible, but not later than the third school business day after the district's receipt of the request for the hearing.

**THE DISTRICT MAY INFORM LAW ENFORCEMENT FOR SERIOUS VIOLATION OF THE DISCIPLINE CODE**

<b><u>Exceptional Misconduct</u></b>	<b><u>Range of Corrective Action</u></b>	
Arson or Attempted Arson	5-day suspension	Expulsion
Assault	10-day suspension	
Expulsion		
Assault of a staff member	10-day suspension	
Expulsion		
Assault with a deadly weapon	Semester suspension	Expulsion
Battery	10-day suspension	
Expulsion		
Battery of a staff member	10-day suspension	
Expulsion		
Bomb Threat	Expulsion	Expulsion
Bullying	3-day suspension	Expulsion
Cheating	Probation	3-day suspension
Continual Willful Disobedience	3-day suspension	Expulsion
Cruelty to Animals	Probation	Expulsion
Damage or Destruction of Property/Vandalism	Probation	Expulsion
Defiance	5-day suspension	Expulsion
Disobedience	Probation	5-day suspension
Disruptive Conduct	Probation	5-day suspension
Disruptive Dress and Appearance	Probation	5-day suspension
Extortion	5-day suspension	Expulsion
False Accusations or Defamations	Probation	5-day suspension
False Alarm	3-day suspension	Expulsion
Falsification/Forgery of Documents	Probation	Expulsion
Fighting	10-day suspension	
Expulsion		
Gangs, Gang Activity or Association	Probation	
Expulsion		
Harassment	Probation	5-day suspension
Hazing	Probation	5-day suspension
Inappropriate Discrimination	Probation	Expulsion
Intentional Misuse of School Equipment		
Supplies/Facilities	3-day suspension	Expulsion
Interference/Obstruction	Probation	Expulsion
Intimidation	Probation	Expulsion
Lewd Behavior/Sexual Misconduct	Probation	Expulsion
Occupation of School Property	3-day suspension	Expulsion
Occupying Unauthorized Area	Probation	5-day suspension
Offensive Social Behavior	Probation	5-day suspension
Possession or Use of Drugs, Alcoholic Beverages	60-day suspension	

Expulsion		
Possession or Use of Explosives	3-day suspension	Expulsion
Possession or Use of Tobacco Products	3-day suspension	5-day suspension
Profanity or Vulgar Language	Probation	5-day suspension
Reckless Driving	Probation	5-day suspension
Robbery	5-day suspension	Expulsion
Sale or Delivery of Drugs or Alcohol	60-day suspension	
Expulsion		
Self Identify	Probation	3-day suspension
Sexual Harassment	Probation	Expulsion
Tardiness	Probation	3-day suspension
Theft	5-day suspension	Expulsion
Trespass	3-day suspension	5-day suspension
Truancy	Probation	3-day suspension
Unauthorized Use of Cellular Phones or Other Communication Devices	Probation	5-day suspension
Unauthorized Gatherings	Probation	3-day suspension
Unauthorized Use of School Property	Probation	5-day suspension
Verbal Abuse	3-day suspension	Expulsion
Violation of an Internet Use Agreement	Probation	5-day suspension
Violation of Suspension	3-day suspension	Expulsion
Weapons	5-day suspension	Expulsion
Weapons-Firearm	Expulsion	

**PART IV GENERAL CORRECTIVE ACTION**

As a general rule corrective action is a progressive process. District staff members are expected to use corrective action that is reasonably calculated to modify inappropriate student behavior. If student behavior is not then modified in an appropriate fashion, staff may employ actions or sanctions not previously imposed in order to correct behavior.

***Students with Disabilities***

Students with disabilities are subject to the same rules of student conduct and corrective action procedures as other students. However, when a proposed action constitutes a significant change in placement, the procedures outlined in Board Policy 2161 shall be followed.

***Discipline***

Discipline may be imposed upon a student for violation of the rules of the school district, subject to the following limitations:

1. No form of discipline shall be enforced in such a manner as to prevent a student from accomplishing specific academic grade, subject, or graduation requirements.
2. 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 the student's attendance

included with the notice.

The student or parent must request such a hearing within three school business days after the date of their receipt of the expulsion notice. If a timely request for a hearing is not received, the school district may consider the student and parent to have waived the right to a hearing and the proposed expulsion may be imposed.

***Hearing Process for Long-Term Suspension or Expulsion***

If a timely request for a hearing is received, the school district shall schedule a hearing to commence within three school business days after the date upon which the hearing request was received by the superintendent. The student and parent shall have the right to inspect in advance of the hearing any documentary and other physical evidence the school district intends to introduce at the hearing.

The student and parent shall have the right to be represented by legal counsel, to question and confront witnesses, to present an explanation of the alleged misconduct, and to make such relevant showings by way of witnesses and the introduction of evidence as desired.

The school district's representative 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 or parent intends to introduce at the hearing.

The hearing officer assigned by the superintendent to hear the case shall not be a witness in the case, and the truth of the allegations shall be determined solely on the basis of the evidence presented at the hearing. Either a tape recorded or verbatim record of the hearing shall be made. A written decision by the hearing officer setting forth the findings of fact, conclusions and the nature and duration of the long-term suspension/expulsion or lesser form of corrective action to be imposed, if any, shall be provided to the student's legal counsel or if none, to the student and parent.

**PART V EMERGENCY ACTIONS**

***Emergency Removal from a Class, Subject or Activity***

A student may be removed immediately from a class, subject or activity by a certificated employee and sent to the designated school authority if there is good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the class, subject, activity or educational process of the student's school. Such a removal shall continue only until the danger or threat ceases or until the principal/designee acts to impose appropriate discipline. The principal/designee shall meet with the student as soon as reasonably possible following the student's removal and take appropriate corrective action. In no case shall the student's opportunity for such a meeting be delayed beyond the commencement of the next school day. Prior to or at the time any such student is returned to the class or activity from which the student was removed, the principal/designee shall notify the certificated employee who removed the student of the action which has been taken.

***Emergency Expulsion***

2. No student shall be expelled unless other forms of corrective action reasonably calculated to modify his or her conduct have failed or unless there is good reason to believe that other forms of corrective action would fail if employed.
3. No student shall be expelled by reason, in whole or in part, of one or more unexcused absences unless the school district has also first:
  - a. Provided notice to the student's parent in the primary language of the parent that the student has failed to attend school without valid justification.
  - b. Scheduled a conference with the parent and the student at a time and place reasonably convenient to all involved to analyze the cause of the student's absence and to determine whether the student shall be made a focus of concern for placement in a special education or other special program designed for the student's educational success.
  - c. Taken steps to reduce the student's absence which include, where appropriate in the judgment of school officials and after discussion with the parent and student, adjustment of the student's school program or school course assignment or by assisting the student or parent to obtain supplementary services that might reduce the cause for the student's absence.
4. All expulsions and the reasons therefore must be reported in writing to the superintendent within 24 hours after the imposition of the expulsion.
5. Any student who has been suspended shall be allowed to make application for re-admission at any time (see Part VII).

***Notice of Expulsion***

Prior to the expulsion of a student, a written notice of an opportunity for a hearing shall be delivered in person or by certified mail to the student and to parent. This notice shall be in the primary language of the student and parent and it shall:

1. Specify the student's alleged misconduct and the school district rule alleged to have been violated;
2. Set forth the corrective action proposed by the district and the right of the student and parent to a hearing for the purpose of contesting the allegations;
3. Inform the student and parent that a written request for such a hearing must be received by a designated school district employee on or before the expiration of the third school business day after their receipt of the notice
4. Indicate that if such a timely request is not received, that the right to a hearing may be deemed waived and the proposed expulsion may be imposed without further opportunity for the student or parent to contest the matter.

A schedule of "school business days" potentially applicable to the exercise of such a hearing should be

and/or participation is related to the instructional objectives or goals of the particular course and the student's attendance has been identified by the teacher pursuant to policy of the school district as a basis for grading, in whole or in part, in the particular subject or course.

***Corporal Punishment***

Corporal punishment is not authorized in the public schools of Washington State.

***Suspension***

A suspension may be imposed upon a student for violation of school district rules, subject to the following limitations:

1. The nature and circumstances of the violation must be considered and must reasonably warrant a suspension and the length of the suspension imposed.
2. Except for those rule violations that have been designated exceptional misconduct (see Part II), as a general rule no student will be suspended unless another form of corrective action reasonably calculated to modify his or her conduct has previously been imposed upon the student as a consequence of misconduct of the same nature.
3. No student subject to compulsory attendance shall be suspended for unexcused absences unless the school has first imposed an alternative corrective action reasonably calculated to modify his or her conduct and in addition.
  - a. Provided notice to the student's parent in writing (in the primary language of the parent) that the student has failed to attend school without valid justification.
  - b. Scheduled a conference with the parent and the student at a reasonably convenient time and place to analyze the causes for the student's absence to determine whether the student should be made a focus of concern for placement in special education or other special program designed for the student's educational success.
  - c. Taken steps to reduce the student's absences which includes, where appropriate in the judgment of school officials and after discussion with the parent and student, adjustments to the student's school program, or school or course assignment or assisting the student or parent to obtain supplementary services that might reduce the cause for the student's absences.
4. No student in grades kindergarten through four shall be subject to short-term suspension for more than a total of ten school days during any single semester. No loss of academic grade or credit shall be imposed by reason of suspensions to such students.
5. No student in grades five and above shall be subject to short-term suspensions for more than a total of fifteen school days during any single semester and no single long-term suspension shall be imposed in a manner which causes the student to lose academic grades or credit for in excess of one semester during the same school year.
6. Any student subject to short-term suspension shall be provided the opportunity upon return to school to make up assignments or tests missed by reason of the suspension if such assignments or tests have

a substantial effect on the student's semester grade or failure to complete such assignments or tests would preclude the student from receiving credit for the course(s). Arrangements may be made to get assignments. Contact your school.

7. Any student who has been suspended shall be allowed to make application for re-admission at any time (see Part VII).
8. All suspensions and the reasons therefore must be reported in writing to the superintendent within 24 hours after the imposition of the suspension.
9. Notwithstanding any other provision of this handbook to the contrary, certificated staff members are empowered to exclude any student who creates a disruption of the educational process in violation of building disciplinary standards from their classroom for all or any part of the school day or until the certificated staff member has conferred with the principal, whichever occurs first. Prior to excluding a student, except in emergency circumstances, the teacher shall have attempted one or more corrective actions. In no case shall an excluded student be returned for the balance of a period without the consent of the teacher.

#### ***Short-Term Suspension Prior Conference Required***

Prior to the short-term suspension of any student, a conference must be conducted with the student. At this conference:

1. An oral or written explanation of the alleged misconduct and rule violations must be provided to the student;
2. An oral or written explanation of the evidence in support of the allegations must be provided to the student;
3. An oral or written explanation of the corrective action which may be imposed shall be provided to the student;
4. The student shall be provided the opportunity to present an explanation regarding the alleged misconduct.

In the event a short-term suspension is to exceed one calendar day, the parent of the student must be notified of the reason for the student's suspension and the duration of the suspension orally and/or by letter deposited in the mail as soon as reasonably possible. This notice shall also inform the parent of the right to an informal conference and that the suspension may possibly be reduced as a result of such a conference.

#### ***Grievance Procedure for Discipline Action and Short-Term Suspension***

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

After this school-level grievance meeting, if the issue is not resolved, the student or parent, upon giving two school business days' prior notice to the superintendent's office, shall have the right to present a written and/or oral grievance to the superintendent or designee.

If the issue is not resolved, the student or parent, upon giving two school business days' prior notice to the superintendent's office, shall have the right to present a written and/or oral grievance to the board of directors during the board's next regular meeting. The board shall notify the student and parent of its response to the grievance within ten school business days after the date of the meeting.

The discipline or short-term suspension shall continue during the grievance procedure unless the principal or designee elects to postpone the action.

#### ***Notice of Long-Term Suspension***

Prior to the long-term suspension of a student, a written notice of an opportunity for a hearing shall be delivered in person or by certified mail to the student and parent. This notice shall be in the primary language of the student and parent and it shall:

1. Specify the student's alleged misconduct and the school district rule alleged to have been violated;
2. Set forth the corrective action proposed by the district and the right of the student or parent to a hearing for the purpose of contesting the allegations;
3. Inform the student and parent that a written request for such a hearing must be received by a designated school district employee on or before the expiration of the third school business day after their receipt of the notice;
4. Indicate that if such a timely request is not received, that the right to a hearing may be deemed waived and the proposed long-term suspension may be imposed without further opportunity for the student or parent to contest the matter.

A schedule of "school business days" potentially applicable to the exercise of such a hearing right should be included with the notice.

The student or parent must request such a hearing within three school business days after the date of their receipt of the long-term suspension notice. If a timely request for a hearing is not received, the school district may consider the student and parent to have waived the right to a hearing and the proposed long-term suspension may be imposed.

#### ***Expulsion***

A student may be expelled for violation of school district rules subject to the following limitations:

1. The nature and the circumstances of the violation must reasonably warrant the harshness of expulsion.