

Possession of a Firearm = Expulsion from the Seattle School District

Possession of a Firearm Requires an Expulsion from the District

The Seattle School District's weapons policy incorporates important state and federal laws on the possession of firearms at school. These laws require that any student (elementary, middle, or high school) in possession of a firearm on school property, school-provided transportation, or at school-sponsored events or activities must be expelled from the Seattle School District ("District") for one year. See District Policy D80.00. **This requirement may not apply to special education students. Special education students must be disciplined consistent with the IDEA.**

For example, a regular education student who possesses a firearm at a high school, a middle school, or at an elementary school must be expelled from all Seattle School District schools. This means that the regular education student cannot be reassigned to another school, including any District reentry school. The laws are firm and they do not allow for any mitigating circumstances to be taken into account by the principal, the hearing officer, or the School Board. As a reminder, a firearm is a weapon using gunpowder to fire a projectile and includes a pistol, a handgun, a rifle, or a shotgun. A toy gun or weapon propelling a projectile using other means (*e.g.*, air or gas cartridge), however, is not a firearm and does not require the mandatory one-year expulsion. Please review District policy and procedure for more details. D80.00.

Notification Requirements When an Expulsion from the District Is Imposed

When a District student is found to be in possession of a firearm, state law and District policy require that a school principal or his or her designee perform these tasks:

1. The parent or guardian for the student must be promptly notified that their son or daughter was found in possession of a firearm. A Notice of Disciplinary Action (NDA) must be delivered to the parent/guardian by hand or certified mail.
2. District Security and Law enforcement must be promptly notified of the firearm.
3. The District Superintendent must be notified in writing within 24 hours of the expulsion. This is done by sending a copy of the NDA to the Discipline Office.
4. The NDA must also include an "Emergency Expulsion", "District Expulsion" and "School Expulsion".
5. The parent must be notified of the right to appeal, both verbally and in writing on the NDA.

Only the Superintendent Can Modify a District Expulsion When a Firearm Is Involved

State law and District policy permits the Superintendent, on a case-by-case basis, to modify any expulsion related to the possession of a firearm. The decision to modify an expulsion from the District can be based on any mitigating circumstances the Superintendent finds relevant. A principal, a hearing officer, and the school board are not authorized to modify an expulsion from the District, unless the facts do not support a finding that a firearm was possessed at school.

To request readmission, a letter must be submitted to the Superintendent. A letter to the Superintendent requesting readmission cannot take place until all District administrative appeals are exhausted. Procedures for requesting readmission to the District are attached.

Procedure for Requesting Readmission to the Seattle School District Following a District Expulsion

An elementary, middle, or high school student shall be expelled from the Seattle School District (“District”) if the student possesses a firearm on school district property, school-provided transportation, or at school-sponsored events. See Seattle School District Policy D80.00. Expulsion from the District is not the same penalty as an expulsion from a school. Only the Superintendent for the District can modify an expulsion from the District for possessing a firearm. By District practice, a student may appeal to be reinstated in a Seattle Public School no sooner than one-half year after the expulsion was final.

To request readmission to the District following an expulsion from the District, the following procedure is used:

1. A letter requesting readmission to the District must be submitted to the Superintendent for the Seattle School District. The letter must be mailed or delivered to:
 - Dr. Maria L. Goodloe-Johnson, Ph.D.
 - Superintendent, Seattle Public Schools
 - PO Box 34165
 - 2445 Third Ave South
 - Seattle WA 98124-1165
2. The letter should explain the following:
 - a. Any mitigating circumstances surrounding the expulsion from the District. This may include the student’s age, the student’s knowledge and participation in the act causing the District expulsion, and the student’s prior discipline and academic record.
 - b. Remedial actions the student or the parent(s) have taken to ensure that the act or behavior is not repeated.
 - c. Evidence that the student has satisfactorily completed a District-approved behavior modification class or counseling.
 - d. Evidence that the student has made academic progress in an alternative educational setting.
3. The Superintendent will not review the facts surrounding the expulsion to determine if they warranted a District expulsion at this time. Instead, the Superintendent will review the materials submitted and documents in the student’s academic and discipline files. The Superintendent will then make a decision on whether the student should be readmitted to the District and, if so, on what conditions. Unless otherwise agreed upon by the Superintendent, all requests for readmission will be made without a hearing or meeting before the Superintendent. All requests for readmission will be decided as soon as practicable, and normally within thirty days following their submission. The decision of the Superintendent is final.