



SCHOOL BOARD ACTION REPORT

DATE: May 15, 2018
FROM: Dr. Larry Nyland, Superintendent
LEAD STAFF: Erin Romanuk, Program Manager, Discipline, 206-252-0822
Patricia Sander, Executive Director, Coordinated School Health, 206-252-0705
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For Intro: May 23, 2018
For Action: June 6, 2018

1. TITLE

Approval of the *2018-2019 Student Rights & Responsibilities*

2. PURPOSE

The *Students Rights & Responsibilities* document contains rules and regulations for student conduct and is approved by the Board annually. This year's document contains minor editorial changes, detailed information regarding discipline responses and appeal rights for students who possess a firearm, and continues to shift the tone from a compliance document to an aspirational and values-based document. In addition, (within the Discipline Matrix Guide for Administrators) an Expulsion Review Board process has been established.

3. RECOMMENDED MOTION

I move that the Board approve the *2018-2019 Student Rights & Responsibilities* document, as attached to the Board Action Report.

4. BACKGROUND INFORMATION

a. Background:

Every year Seattle Public Schools updates the *Student Rights & Responsibilities (SR&R)* document to reflect changes in District policy and state law. Given the Board's recent focus on eliminating disproportionate discipline and increasing positive school climate, for the last two years Coordinated School Health and the Discipline office have brought substantial changes to the *SR&R* moving the document from one of compliance to one that speaks to the aspirations and values of Seattle Public Schools. Most recently, in December of 2017, the School Board approved a most substantial rewrite of Policy No. 3240 which was retitled *Student Behavior and Disciplinary Response*.

Because of the significant changes to the *SR&R* document in the past two years, it is deemed important to allow time for implementation of updated practices. As a result this year's document's edits are limited and include:

- minor grammatical edits and clarifying language;
- detailed information regarding discipline responses and appeal rights for students who possess a firearm on school property, school provided transportation, or at school sponsored events or activities; and
- establishment of an Expulsion Review Board.

An overview of the proposed changes are attached to this report.

b. Alternatives:

Keeping the SR&R from 2017-2018 is not recommended because the recommended changes are appropriate and necessary, and reflect continued commitment to Superintendent Goal 2, the Formula for Success, and Positive Beliefs, Positive Relationships, Positive Learning, and Positive Partnerships.

c. Research:

Beginning in September 2016, a timeline for feedback was created and throughout the fall months of 2016 and winter months of 2017, meetings were held to gather feedback on the document. During the summer and fall of 2017, the community was actively engaged in the rewrite of School Board Policy No. 3240, *Student Behavior and Disciplinary Responses*. Their work included affirmation and additional feedback relating to changes to this year's SR&R. Stakeholder groups are identified in the Community Engagement section.

The Office of Superintendent of Public Instruction (OSPI) has proposed significant changes, related to discipline, for the 2019-2020 school year. Keeping this year's edits narrow in scope will allow continued implementation of previous year's changes to our response to discipline and will provide the District additional time to understand and better plan for implementation, including community engagement, of OSPI's final rules. In addition, it will allow the new Superintendent to provide vision and direction.

Consideration was also given to the Superintendent's goals, the Seattle School Board Resolution No. 2014/15-35, School Board Policy No. 3240 *Student Behavior and Disciplinary Responses*, and School Board Policy No. 0030 *Ensuring Educational and Racial Equity*, and changes made during the legislative session.

5. **FISCAL IMPACT/REVENUE SOURCE**

Copies of the SR&R and accompanying matrices will be printed and bound for District Administrators at an estimated cost of \$5,625 from the Safe Schools budget.

Translations of the updated SR&R and *Basic Rules of Seattle Schools* into seven (7) languages (Amharic, Chinese, Somali, Spanish, Tagalog, Tigrigna, Vietnamese) are estimated to cost \$12,000 from the Safe Schools budget.

Copies of the *Basic Rules of Seattle Schools* will be printed for the welcome packets each student receives at the beginning of the school year at an estimated cost of \$7,640 from the Safe Schools budget.

Expenditure: One-time Annual Multi-Year N/A

Revenue: One-time Annual Multi-Year N/A

6. **COMMUNITY ENGAGEMENT**

With guidance from the District’s Community Engagement tool, this action was determined to merit the following tier of community engagement:

Not applicable

Tier 1: Inform

Tier 2: Consult/Involve

Tier 3: Collaborate

As a result of community feedback in the fall of 2017, the *Basic Rules of Seattle Public Schools* pamphlet was reformatted to address concerns raised about the placement of student pictures. The online version of the pamphlet was edited and any reprints utilized the edited version.

In addition, during the summer and fall of 2017, community was actively engaged in the rewrite of School Board Policy No. 3240 *Student Behavior and Disciplinary Responses*. Their work included affirmation and additional feedback relating to changes to this year’s *SR&R*.

7. **EQUITY ANALYSIS**

Using extensive community engagement through an equity lens has been a strategy of our District to eliminate disproportionate discipline for African American males and other historically underserved students. Over the last two years this lens has influenced substantial changes to the *SR&R*, adult beliefs and adult practices related to student behavior and disciplinary responses, and a significant rewrite of School Board Policy No. 3240 *Student Behavior and Disciplinary Responses*. Key stakeholders to these efforts included:

students, parents, teachers, administrators, Team Child, the Washington State Governor’s Office of the Education Ombuds, the City of Seattle Race & Social Justice Community Roundtable’s Committee on Racial Disproportionality and Discipline, and participants at the Seattle Alliance for Black School Educators, “My Brother’s Keeper- A White House Initiative event.” This year’s changes continue to reflect and align with the conversations held.

8. **STUDENT BENEFIT**

Student behavior is closely associated with learning. Meaningful learning occurs in environments that are safe, positive, consistent, and predictable. By establishing a positive school climate that includes shared behavioral expectations and a common language for talking about expected behavior, students can focus on learning.

9. WHY BOARD ACTION IS NECESSARY

- Amount of contract initial value or contract amendment exceeds \$250,000 (Policy No. 6220)
- Amount of grant exceeds \$250,000 in a single fiscal year (Policy No. 6114)
- Adopting, amending, or repealing a Board policy
- Formally accepting the completion of a public works project and closing out the contract
- Legal requirement for the School Board to take action on this matter
- Board Policy No. 3200, Written Rules of Student Conduct, provides the Board shall approve this item
- Other: _____

10. POLICY IMPLICATION

Board Policy No. 3200, *Written Rules of Student Conduct*, includes the policy statement: “It is the policy of the Seattle School Board to adopt written rules regarding pupil conduct, discipline, and rights. To accomplish this objective, the Seattle School Board will annually approve a *Student Rights & Responsibilities* document pertaining to student rights, conduct, and corrective actions, updated by the superintendent.” The Policy also requires that “a condensed ‘*Basic Rules of Seattle Public Schools*’ flyer will be provided to all students and their parents at the beginning of each school year and when students newly enroll in Seattle Public Schools.”

Additionally, Board Policy No. 3240, Student Behavior and Disciplinary Responses outlines that “shared behavioral expectations be maintained not only in the classroom, but on school property at all times. Therefore, it is expected that every student and staff shall follow the policies, rules, and regulations of Seattle Public Schools during the school day, during any school-sponsored activity held on or off school property, and on school-provided transportation.”

The policy also states that the foundation of Seattle Public Schools’ discipline policy is one of prevention and measurement of progress. The policy is grounded in the establishment of a positive school climate that is based on shared behavioral expectations and a common language for talking about expected behavior. The shared behavioral expectations are reaffirmed through an inclusive process that involves students, families, teachers, administrators, volunteers, and other staff (within a Positive Behavior Interventions and Supports (PBIS) framework). Should divergence from these shared expectations occur, behaviors will be addressed with a continuum of responses from positive communication through clear pathways for reengagement and reparation of harm.

11. BOARD COMMITTEE RECOMMENDATION

This motion was discussed at the Curriculum and Instruction Policy Committee meeting on May 15, 2018. The Committee reviewed the motion and the item was moved forward to the full Board with a recommendation for approval.

12. TIMELINE FOR IMPLEMENTATION

Upon final approval, the document will be sent to translators to obtain appropriate translations, sent to schools to allow them to include changes in their school documents and student handbooks that are printed over the summer, uploaded on the District's website, and provided to all school administrators during their Summer Leadership Institute.

13. ATTACHMENTS

- SR&R Proposed for 2018-2019 (Clean – for approval)
- Overview of Proposed Changes for 2018-2019 SR&R (for reference)
- SR&R Proposed for 2018-2019 (Redline – for reference)
- Discipline Matrix Guide for Administrators 2018-2019 (Clean - for approval)
- Discipline Matrix Guide for Administrators 2018-2019 (Redline – for reference)
- Discipline Matrix 2018-2019 (Clean – for approval)
- Discipline Matrix 2018-2019 (Redline – for reference)
- Discipline Decision Making Template for Long Term Suspensions and Expulsions 2018-2019 (for reference)
- Reengagement Plan Guideline 2018-2019 (Clean – for approval)
- Reengagement Plan Guideline 2018-2019 (Redline – for reference)
- Reengagement Meeting Plan Template 2018-2019 (Clean for approval)
- Reengagement Meeting Plan Template 2018-2019 (Redline – for reference)



Student Rights & Responsibilities

2018-2019

Seattle Public Schools is committed to making its online information accessible and usable to all people, regardless of ability or technology. Meeting web accessibility guidelines and standards is an ongoing process that we are consistently working to improve.

While Seattle Public Schools endeavors to only post documents optimized for accessibility, due to the nature and complexity of some documents, an accessible version of the document may not be available. In these limited circumstances, the District will provide equally effective alternate access.

For questions and more information about this document, please contact the following:

Erin Romanuk
Program Manager, Discipline
evromanuk@seattleschools.org

"Our Student Rights & Responsibilities sets forth the rules and regulations of Seattle Public Schools regarding student conduct. It is created in compliance with the requirements of State law and aligned with the Seattle Public Schools Strategic Plan. It references sections of the Washington Administrative Code (WAC) that govern use of corrective responses (i.e., discipline, suspension, and expulsion) for any student by a school district. The following is the official document and its predecessor, the 'redline/edit' version."

Seattle Public Schools

Student

Rights & Responsibilities

2018 - 2019



SEATTLE SCHOOL BOARD

Rick Burke

Zachary DeWolf

Jill Geary

Leslie Harris

Eden Mack

Betty Patu

Scott Pinkham

SUPERINTENDENT

To Be Determined



Mission

Seattle Public Schools is committed to ensuring equitable access, closing the opportunity gaps, and excellence in education for every student.

Vision

Every Seattle Public Schools student receives a high-quality, 21st century education and graduates prepared for college, career, and life.

Seattle Public Schools, SPS, provides *Equal Educational Opportunities* and *Equal Employment Opportunities* and does not discriminate in any programs or activities on the basis of sex; race; creed; color; religion; ancestry; national origin; age; economic status; sexual orientation, including gender expression or identity; pregnancy; marital status; physical appearance; the presence of any sensory, mental or physical disability; honorably discharged veteran or military status; or the use of a trained dog guide or service animal. SPS also provides equal access to the Boy Scouts and other designated youth groups.

For students and members of the public, the following employees have been designated to handle questions and complaints of alleged discrimination against and can be reached by at:

Seattle Public Schools,
MS 32-149
PO Box 34165
Seattle, WA 98124-1166

Or by phone or email as specified in the information below:

For sex discrimination concerns, including sexual harassment, contact:

Title IX Grievance Coordinator at title.ix@seattleschools.org

For disability discrimination concerns contact:

ADA/Section 504 Grievance Coordinator at accessibility@seattleschools.org

For all other types of discrimination, contact:

Student Civil Rights Compliance Coordinator at OSCR@seattleschools.org

For employee questions about or requests for disability related accommodations and/or complaints of alleged discrimination, including sexual harassment, contact:

Assistant Superintendent of Human Resources
Seattle Public Schools
MS 33-157
PO Box 34165
Seattle, WA 98124-1166
(206)252-0024
hreeoc@seattleschools.org

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Positive Beliefs, Positive Relationships, Positive Learning, and Positive Partnerships in Seattle Public Schools

Meaningful learning occurs in environments that are safe, positive, consistent, and predictable. When the principles of cultural intelligence, safety, respect, honesty, accountability, and equity are exhibited throughout a system, trusting relationships result and excellence for each and every student can be achieved.

Seattle Public Schools is committed to furthering cultural intelligence that respects and values the diversity in schools and in classrooms across the district. This commitment serves to guide decisions in promoting fair and equitable treatment for all.

A safe and healthy school climate is important in promoting a sense of belonging and supporting excellence for each and every student. Positive school climates include:

In addition to a positive school climate, we understand that students at times may be experiencing emotional and/or physical stressors. During these times, students are encouraged to share with a trusted adult at school and staff are committed to supporting each student so that s/he is fully able to participate in the school day.

Our Student Rights & Responsibilities sets forth the rules and regulations of Seattle Public Schools regarding student conduct. It is created in compliance with the requirements of State law and aligned with the Seattle Public Schools Strategic Plan. It references sections of the

Washington Administrative Code (WAC) that govern use of corrective responses (i.e., discipline, suspension, and expulsion) for any student by a school district.

The foundation of Seattle Public Schools' discipline policy is one of prevention, by establishing a positive school climate that includes shared behavioral expectations and a common language for talking about expected behavior that is inclusive of students, families, teachers, administrators, volunteers, and other staff (within a Positive Behavior Interventions and Supports (PBIS) framework). Discipline procedures and strategies aim to maximize instructional time and reduce out of school consequences for behavior. This document applies to all students and is designed to educate all members of the educational community as to the rules, regulations, and due process procedures. We encourage families to review the Student Rights & Responsibilities with their student. It describes our expectations at school as well as what students can expect from adults at school.

The Seattle Public Schools also publishes "The Basic Rules of Seattle Public Schools" in flyer format and distributes to all students at the beginning of each school year. All discipline documents may be found on the Seattle Public Schools website.

Questions about the Student Rights and Responsibilities may be directed to the Discipline Office at: discipline@seattleschools.org; (206) 252-0820; or

*Seattle Public Schools
MS 31-177
P.O. Box 34165
Seattle, WA 98124-1165*

Inquiries will either be responded to directly or be referred to the appropriate school leader. School Board policies referred to in this document may be accessed at

https://www.seattleschools.org/district/school_board/policies

Student Rights

As a member of the school community, students have the right to:

- An orderly and safe school;
- Courteous and respectful treatment;
- Be listened to and have their voice heard;

- Have equitable access to high quality instruction, services, resources, and extra-curricular activities;
- Be known and cared for at school; and
- Have equity in terms of consequences.



Additionally, as citizens, students have constitutional rights and schools cannot unduly infringe on those rights. Schools may, however, set reasonable limits on those rights in order to meet their obligation to educate.

- Freedom of speech
- Assembly
- Petition
- Press
- No unreasonable search and seizure¹
- Equal educational opportunity²
- Religion

¹ Students should be free from unreasonable search and seizure. For the protection of all, however, the following rules apply:

- General searches of school property, including lockers and desks, may be conducted without prior notice.
- Items such as firearms, other weapons, firecrackers, or anything else that might reasonably be a threat to safety or security, or disruptive to the educational process may be seized and removed from a student's possession.
- In general, searches of students' persons (other than strip searches) or property may be conducted if reasonable suspicion that contraband or other evidence of misconduct is present, so long as the methods used are reasonably related to the objectives of the search and the search is not excessively intrusive in light of the age and sex of the student, the nature of the suspected infraction, and the information upon which the search is based.

Washington law (RCW 28A.600.230(3)) prohibits strip searches of students by school administrators and persons acting under their supervision. "Strip search" is defined broadly:

"[H]aving a person remove or arrange some or all of his or her clothing so as to permit an inspection of the genitals, anus, or undergarments of the person or breasts of a female person."

² Students shall not be unlawfully discriminated against because of national origin, race, religion, economic status, sex, sexual orientation, gender expression or identity, pregnancy, marital status, previous arrest, previous incarceration, or physical, mental, or sensory handicap. Such differences shall not be held against a student or used as a basis for predetermining a student's capabilities.



Student Responsibilities

As a member of the school community, students should take personal responsibility to:

- Share with a trusted adult at the school when they are experiencing emotional and/or physical stressors for the purpose of obtaining resources or support;
- Advocate for their educational, cultural, social, and emotional needs;
- Engage in mutually respectful dialogue with staff and other students;
- Be accountable when failing to meet behavioral expectations and use the opportunity to learn from their mistakes and repair relationships;
- Attend School regularly and be prepared for all classes;
- Contribute to a safe and positive school climate;
- Respect and be mindful of the rights of other people and groups;
- Understand and follow "The Basic Rules of Seattle Public Schools" and individual school rules;
- Dress appropriately for school in ways that will not cause safety or health problems;
- Respond to and follow the instructions of school staff; and
- Respect the property of others and the school.³

³ RCW 28A.635.060 allows Seattle Public Schools to withhold the grades, diploma and transcripts of any student who is responsible for losing or willfully cutting, defacing or injuring any property belonging to Seattle Public Schools, a contractor of Seattle Public Schools, an employee, or another student until the student or the student's parents or guardian has paid for the damages. When the student and parent or guardian are unable to pay for the damages, Seattle Public Schools will provide a program of voluntary work for the student in lieu of the payment of monetary damages. Upon the student's completion of the voluntary work, Seattle Public Schools will release the grades, diploma and transcripts of the students.

Any student, parent or guardian aggrieved by the imposition of the above sanctions shall have the due process rights provided in the section on Grievance Procedure for Discipline, WAC 392-400-240.

School Responsibilities

School staff has a responsibility to:

- Create a safe and positive school climate;
- Know, care for, and establish positive relationships with students;
- Hold all students to high-expectations and provide quality and effective instruction;
- Model courteous and respectful treatment;
- Provide opportunities for student voice to be heard;
- Encourage family participation in the resolution of ongoing problems;
- Encourage the resolution of problems within the school setting;
- Reduce or eliminate the loss of instructional time and out of school consequences;
- Understand that the purpose of discipline is to support behavior change, not to punish; and
- Provide discipline that is intended to teach accountability and repair and restore relationships.



Student Discipline⁴

All students are subject to the policies, rules, and regulations of Seattle Public Schools. The written rules are intended to assure that positive discipline and disciplinary responses are imposed in a fair, equitable, and just manner. Students may receive a disciplinary response if they fail to comply with any of the written rules and regulations while at school, on school grounds, on School District- sponsored transportation, or at any school- sponsored event. Students may also receive a disciplinary response if they fail to comply with any of the written rules and regulations in other settings having a real and substantial relationship to the operation of Seattle Public Schools, including, but not limited to, the preservation of the safety of students and employees and the preservation of an educational process conducive to learning.

Appeal procedures have been established in order to provide an opportunity for disciplinary responses to be reviewed by a neutral third party and to instill confidence among students and families as to the appropriateness of the disciplinary response.

Authority of District Staff

Persons who have authority to discipline students:⁵

1. The School Board authorizes certificated teachers, school administrators, bus drivers, and any other school staff the authority to impose discipline upon a student for conduct that violates the rules of the School District. These persons may also remove a student on an emergency basis from a class, subject, or activity.
2. The School Board authorizes teachers to remove students who create a disruption of the educational process from their classrooms for the rest of the school day or until an administrator and the teacher have discussed the incident, whichever comes first. Except in emergency circumstances, the teacher is expected to first attempt one or more alternative forms of disciplinary responses. In no case will a student be allowed to return for the rest of the class period without the permission of the teacher.
3. The School Board authorizes school principals, assistant principals, and their designees to impose school-based responses, in-school suspensions, short-term suspensions, long-term suspensions, emergency expulsions, and expulsions.

Conditions and limitations for discipline⁶

Discipline imposed on a student who violates the rules of Seattle Public Schools may not include corporal punishment.

Corporal punishment does not include:

- a. The use of reasonable physical force by a school administrator, teacher, school employee or volunteer as necessary to maintain order or to prevent a student from harming him/herself, other students, school staff, or property;
- b. Physical pain or discomfort caused by or resulting from training for or participation in athletic competition or recreational activity voluntarily engaged in by the student;
- c. Physical exertion shared by all students in a teacher directed class activity, which may include but is not limited to physical education exercises, field trips, or vocational education projects; or
- d. Physical restraint or isolation in response to a student when reasonably necessary to control spontaneous behavior that poses an imminent likelihood of serious harm and is carried out according to District procedures in compliance with state regulations.

⁴ WAC 392-400-210

⁵ WAC 392-400-230

⁶ WAC 392-400-235



DRAFT

Seattle Public Schools Commitments

Eliminating opportunity gaps and ensuring educational excellence for each and every student is the issue of our time.

Seattle Public Schools recognizes:

- there is racial disproportionality in disciplinary responses within the district;
- each situation involving discipline may be complex with underlying factors that requires staff to understand the function of students' behaviors;
- mitigating and aggravating factors should influence the disciplinary decision-making process; and
- there is an impact when using exclusionary practices.

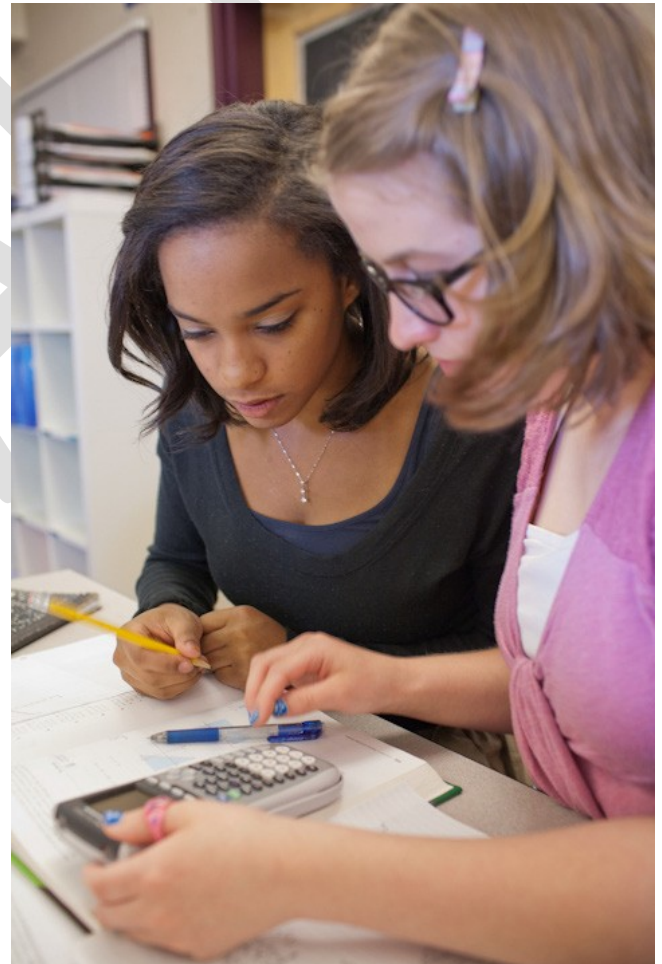
Seattle Public Schools staff are committed to:

- knowing, caring for, and establishing positive relationships with students;
- supporting the whole child;
- holding all students to high-expectations and providing quality and effective instruction
- teaching the development of positive social, emotional, and behavioral skills in students;
- using a variety of ways to shape behavior once harm as occurred, instead of relying on exclusionary practices;
- implementing a disciplinary response that would be the least disruptive to the student-school relationship, which also maximizes instructional time;
- partnering with families, other staff, and community based organizations in the event that a disciplinary response has occurred; and
- examining their own implicit bias, while working from a culturally and trauma responsive lens that utilizes verbal de-escalation skills in an effort to create conditions in our schools that allow students to be successful.

Disclaimers

This document uses words and definitions of words that may be offensive to some persons. Parents/guardians should use discretion in allowing young children to read this document without supervision.

This document is intended to provide information regarding student conduct. Conduct by staff members is governed by many documents, including School Board Policies and Procedures, and applicable collective bargaining agreements. If you have concerns about the actions of a staff member, please contact that person's supervisor.



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Student Behavior (Formerly Code of Prohibited Conduct)

Arson

Intentionally setting a fire or causing an explosion.

Assault (Please see Physical Aggression when determining the severity of the offense.)
Being physically violent, using unwarranted force, or demonstrating the deliberate and immediate intent to be physically violent, toward another person, including domestic violence.

(Physical) Aggression

A physical action that disrupts the school environment in an unsafe manner and/or unintentionally harms another person.

Appropriate for any student in circumstances when emotional regulation or maturity is insufficient to understand the consequences of the behavior.

Bullying, Intimidation, or Harassment ⁷

Engaging in intentional, persistent or pervasive written, verbal, electronic, or physical bullying, intimidating, or harassing conduct that includes, but is not limited to, any of the following:

- is for the purpose of embarrassing or denigrating another person;
- physically harms a person or damages the person's property;
- is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment;
- has the effect of substantially interfering with the student's education or adult's right to teach or manage student behavior; or
- has the effect of substantially disrupting the orderly operation of the school.

(See also Malicious Harassment) The District will respond to off-campus student speech that causes or threatens to cause a substantial disruption on campus or interferes with the right of students to be secure and obtain their education. Substantial disruption includes, but is not limited to, significant interference with instruction, school operations or school activities, violent physical or verbal altercations between students, or a hostile environment that significantly interferes with a student's education.

Conduct that may rise to the level of harassment, intimidation, or bullying may take many forms, including, but not limited to:

- Conducting electronic bullying, intimidation, and harassment, including, but not limited to, cyberbullying, on school grounds, during school activities, on school buses, or during the school day;
- Initiating students into a school, group, grade level, or office through persecuting, harassing, or coercive behaviors that cause or are likely to cause social or emotional harm (See also Hazing).

There is no requirement that the person actually possesses the characteristics that is the basis for the bullying, intimidation, or harassment.

Burglary

Forced entry or remaining unlawfully in a district building or room in the building for the purpose of taking property. ⁸

⁷ See, Malicious Harassment for harassing and intimidating behavior based on protected class or status. Also see, RCW 28A.300.285.

⁸ See, Trespass for other purposes of being unlawfully present on District property or in District buildings.

Computer Trespass, Tampering, and Misuse ⁹

Intentionally violating a school or Seattle Public Schools computer system or database.

Dangerous Weapons ¹⁰

Carrying a dangerous weapon onto, or possessing a dangerous weapon on, school property, school-provided transportation, areas of facilities being used exclusively as school district property, or at school-sponsored events or activities.

Disobedience (Not an exclusionary response for K-5 students)

Flagrantly, purposefully, or repeatedly failing to comply with or follow the instructions of teachers and other school staff.

Disruptive Conduct (Not an exclusionary response for K-5 students)

Flagrantly and substantially interfering with teaching or learning in the classroom, school activities, or extracurricular activities.

Distributing Alcoholic Beverages

Distributing, sharing, or passing around alcoholic beverages, including any beverage with alcohol content.

Distributing Illegal Drugs, Controlled Substances, Prescription or Over-the-Counter Drugs

Distributing, sharing, or passing around illegal drugs, controlled substances, prescription or over-the-counter drugs, and/or drug paraphernalia including but not limited to pipes, handmade devices, electronic vapor devices or products containing an illegal drug.

Distributing Marijuana

Distributing, sharing, or passing around marijuana, including but not limited to medical, home-grown, street or store purchased marijuana, marijuana concentrates, any food item with marijuana in it, and/or drug paraphernalia including but not limited to pipes, handmade devices, and electronic vapor devices or products containing a marijuana substance.

Extortion, Blackmail, Coercion

Obtaining money, property or other consideration by violence or threat of violence, or forcing someone to do something against his or her will by force or threat of violence.

False Alarm

Activating a fire alarm or calling 911 for other than the intended purpose of the alarm.

False Reporting

Knowingly reporting and (maliciously) falsely reporting or falsely corroborating misbehavior of others that did not occur, including spreading a false rumor maliciously.

False Threats

Falsely reporting any type of bomb or person with a firearm in any school building or structure, on school grounds, on school-provided transportation, or at a school-sponsored function.

Fighting

Engaging in or provoking mutual physical contact involving anger or hostility, including deliberately arranging a fight or willingly participating in such an arranged fight that creates substantial risk of serious physical injury to the participants.

⁹ See, [Disruptive Conduct](#) for behavior with computers that is unintentional or otherwise does not rise to the level of Computer Trespass.

¹⁰ See, [Toy Guns and Toy Weapons](#) for toys that do not appear to be real weapons.

Firearms ¹¹

Possessing a firearm on school property, school-provided transportation, areas of facilities being used exclusively as school district property, or at school-sponsored events or activities.

Any student who is determined to have carried a firearm onto, or to have possessed a firearm on, school district property, school-provided transportation, or areas or facilities while being used exclusively by public schools, shall be expelled from school for not less than one year, and law enforcement officials will be notified as required by RCW 28A.600.420 and RCW 9.41.280. Any student disciplined for this offense must be evaluated by the District's Threat Assessment Team prior to placement in an alternative educational environment and prior to any review by the Superintendent. An alternate education environment will be determined for the student to continue his/her education.

Students suspended or expelled have the right to appeal the discipline to a hearing officer, and to appeal the hearing officer's decision to the Discipline Appeals Council (DAC). If the discipline is upheld by the hearing officer and the DAC, students also have the right to appeal directly to the Superintendent at the end of the semester for a modification of the length of the suspension or expulsion. Such appeal to the Superintendent must include evidence that the student has satisfactorily participated in a behavior modification class or program, that the student maintained satisfactory behavior and attendance in their alternative educational environment, and that the student is making reasonable academic progress.

Fireworks, Explosives, Chemicals, and Incendiary Devices

Possessing or using fireworks, or an explosive, chemical, or incendiary device on school property, school-provided transportation, areas of facilities being used exclusively as school district property, or at school-sponsored events or activities.

Gambling

Playing cards, dice, or games of chance for money or other things of value.

Gang/Hate Group Activity

Belonging to an organized gang, hate group, or similar organization or group and knowingly engaging in gang/hate group activity on school grounds or during school activities or functions.

Graffiti ¹²

Writing, painting, drawing, scratching, or otherwise making any inscription, figure, or mark of any type on any District owned or staff or student property, unless the student has obtained the permission of a school official or staff person.

Hazing ¹³

Initiating or harassing another student through humiliating tasks or unsafe or illegal behaviors that cause, or are likely to cause, physical injury¹⁴ or endangerment. (See also Bullying, Intimidation, or Harassment.)

Inappropriate Language (previously Verbal Assault) ¹⁵

Using words that are hurtful, harmful, demeaning, offensive, or embarrassing, including words that are crude or vulgar, and name-calling.

Inappropriate Sexual Conduct

Engaging in inappropriate sexualized conduct that is not conducive to the learning environment of a school. (See also Inappropriate Touching; Lewd Conduct; Sexual Assault; Sexual Harassment.)

Inappropriate Touching ¹⁶

Unwanted or inappropriate touching of another person's body such that the person is

uncomfortable by the behavior.

Interference with School Authorities

Interfering with the discharge of the official duties of district staff by:

- Using force or violence that is non-deliberate and not focused on the staff person, such as attempting to continue a fight when a staff person is trying to stop the fight and inadvertently striking that person;

¹¹ Mandatory One-Year Expulsion, but will be imposed in a manner consistent with the Individuals with Disabilities Education Act" 20 U.S.C. § 7151(c).

¹² See, Property Damage for graffiti causing more than \$100 damage.

¹³ See, Bullying, Intimidation, and Harassment for less serious behaviors.

¹⁴ See, Assault for hazing behaviors that involve physical assault

¹⁵ See, Threats of Violence for credible, focused threats of violence.

¹⁶ See, Sexual Assault for more serious behavior or inappropriate touching.

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- Disobeying the orders of school officials to leave school property or disperse as instructed; or
- Heckling or harassing school authorities engaged in any lawful task, function, process, or procedure of the school District such that it interferes with their ability to maintain order or complete their lawful duties. This includes, but is not limited to:
 - o Persistent¹⁷ use of abusive or foul language directed at a school District employee;
 - o Use of any electronic means (e.g., cameras, cell phone cameras, videos, or other recording devices) that foreseeably causes school staff to be embarrassed, denigrated, or demeaned; or
 - o Hindering the investigation of an incident by school staff, including but not limited to any of the following: refusing to submit to a reasonable search or respond to reasonable questions, or deliberately lying about, or encouraging others to lie deliberately about, the facts of the incident.

Intimidation of School Authorities

Interfering, or attempting to interfere, with the discharge of the official duties of district personnel by using direct, deliberate, or focused threats, force, or violence, such that the staff person believes his or her safety or the well-being of his or her property is in danger.

Lewd Conduct ¹⁸

Engaging in inappropriate sexual or social behavior, such as sexual acts, either singly or consensually with another person, including, but not limited to, sexual intercourse, oral sex, sexual touching, indecent exposure, or voyeurism. (See also Inappropriate Sexual Conduct; Inappropriate Touching; Sexual Touching; Sexual Assault; Sexual Harassment.)

Malicious Harassment ¹⁹

Maliciously and intentionally committing one of the following acts because of a perception of that person's race, color, religion, ancestry, national origin, gender, sexual orientation, gender identification, gender expression, or mental, physical, or sensory handicap:

- Causing physical injury to the victim or another person.
- Causing physical damage to or destruction of the property of the victim or another person.
- Threatening a specific person or group of persons such that the persons, or members of the specific group of persons, are in reasonable fear of harm to themselves or their property, including their right to an education or their safety at school.

The District will respond to off-campus student speech that causes or threatens to cause a substantial disruption on campus or interference with the right of students to be secure and obtain their education. Substantial disruption includes, but is not limited to, significant interference with instruction, school operations or school activities, violent physical or verbal altercations between students, or a hostile environment that significantly interferes with a student's education.

Violations of this offense must rise to the level of the state definition of Malicious Harassment.

Malicious Harassment may or may not be personal, but occurs primarily because the victim is a member of one of the groups identified above See, RCW 9A.36.080. (See also Bullying, Intimidation, or Harassment.)

¹⁷ See, Inappropriate Language for less than persistent use.

¹⁸ See, Sexual Assault, for behavior using force or physical harm. Also, see Sexual Misconduct for inappropriate sexualized behaviors.

¹⁹ See, Bullying, Intimidation, or Harassment when the harassment is not based on status or personal characteristics.

Malicious Property Damage (Formerly Malicious Mischief)

Intentionally causing damage to any school property, staff, or student property, or school buses. Also, writing, painting, drawing, or otherwise marking graffiti on any school property, staff property, or school bus that is so extensive that the cost of removing it exceeds \$100.²⁰

Misrepresentation

- Forging a parent's, guardian's, or any other person's signatures on any letter to the school, on any school document or form, or on any other document or form used by the school.
- Changing grades or attendance records on official District forms, including attendance reporting sheets and grade books, for any student without authorization of a school official.
- Providing a false name when asked to identify oneself to a school authority.
- Providing false information to school personnel, or impersonating another person verbally or in writing to provide false or misleading information, regarding a student's attendance or absence from school, including, but not limited to, falsely excusing absences or authorizing a student to be excused early from class or school.

Misuse of Computers ²¹

Inappropriately using or tampering with school computers.

Other Exceptional Misconduct

Engaging in any other activity that would constitute a felony, gross misdemeanor, or misdemeanor under city, state, or federal law.

Plagiarism

Cheating, or copying the work of other persons, or turning in another person's papers, projects, computer programs, etc., as your own.

Possession of Stolen Property

Knowingly receiving, retaining, possessing, concealing, or disposing of stolen property.

Possessing or Using Alcoholic Beverages

Possessing, using, or being under the influence of alcohol, including any beverage with alcohol content.

Possessing or Using Illegal Drugs, Controlled Substances, Prescription or Over-the-Counter Drugs

Possessing, using, or being under the influence of illegal drugs, controlled substances, prescription or over-the-counter drugs, and/or drug paraphernalia including but not limited to pipes, handmade devices, electronic vapor devices or products containing an illegal drug.

Possessing or Using Marijuana

Possessing, using, or being under the influence of marijuana, including but not limited to medical, home-grown, street or store purchased marijuana, marijuana concentrates, any food item with marijuana in it, and/or drug paraphernalia including but not limited to pipes, handmade devices, and electronic vapor devices or products containing a marijuana substance..

²⁰ See, School Board Policy No. 3520 Student Fees, Charges, Fines, Restitution, and Damage Deposits

²¹ See, Computer Trespass for computer-related misconduct.

Robbery

Taking another's property by force or threat of force.

Rule-breaking (Not an exclusionary response for K-5 students)

Breaking a specific, published school rule. This includes breaking school bus rules and violating a specific safety or behavior contract.

Selling Alcoholic Beverages

Selling, or intending to sell, alcoholic beverages, including any beverage with alcohol content.

Selling Illegal Drugs, Controlled Substances, Prescription or Over-the-Counter Drugs

Selling, or intending to sell illegal drugs, controlled substances, prescription or over-the-counter drugs, and/or drug paraphernalia including but not limited to pipes, handmade devices, electronic vapor devices or products containing an illegal drug.

Selling Marijuana

Selling or intending to sell marijuana, including but not limited to medical, home-grown, street or store purchased marijuana, marijuana concentrates, any food item with marijuana in it, and/or drug paraphernalia including but not limited to pipes, handmade devices, and electronic vapor devices or products containing a marijuana substance.

Sexual Assault ²²

Sexually assaulting or taking indecent liberties with another person. (See also inappropriate Sexual Conduct; Inappropriate Touching; Lewd Conduct; Sexual Harassment.)

Sexual Harassment

Subjecting another individual to unwelcome conduct of a sexual nature. The conduct can include, but is not limited to deliberately harassing another person for sexual reasons or in a sexualized manner with unwanted attention, touching, or verbal comments such that the targeted person is uncomfortable, intimidated, or threatened by the behavior. (See also Inappropriate Sexual Conduct; Inappropriate Touching; Lewd Conduct; Sexual Assault.)

Small Folding Knives ²³

Bringing or possessing a small folding knife with a blade length of 2-1/2 inches or less and with a blade width 1/2-inch or less on school property, school-provided transportation, areas of facilities being used exclusively as school district property, or at school-sponsored events or activities.

Theft

Stealing school district property or the property of a staff member, student, or school visitor.

Threats of Violence

Communicating credible, focused threats of violence or harm to an individual or group of individuals, directly or indirectly by any means, which cause the other person to believe his or her life, safety, or property is in imminent danger, or which cause a listener to believe that another person's life, safety, or property is in imminent danger. It is not necessary that the threat be communicated to the intended victim.

²² See, Board Policy No. 3208 – Sexual Harassment, and Superintendent Procedure 3208SP.

²³ See, Toy Guns and Toy Weapons for toys that do not appear to be real knives.

A student may be expelled for the first offense without regard to progressive discipline when there is good reason to believe that other forms of disciplinary responses would fail if employed.

Good reason to believe that other forms of disciplinary responses or punishment would fail if employed include:

- a. Threatening to take another student or staff person's life. Students and staff have the right to a safe and non-threatening atmosphere. Seattle Public Schools has no tolerance for threats of violence or harm to others. Before an expulsion may be used for threats of violence or harm, school administrators must request School Threat Assessment Team (STAT) services to determine whether the threat is direct and credible to do lethal harm. The STAT will provide recommendations that administrators are encouraged to follow. ²⁴

Toy Guns and Toy Weapons

Possessing a toy gun or other toy weapon not appearing to be a real gun or weapon; or appearing to be a real gun or weapon, but not used or displayed with malice.

Toys Used as Weapons

Possessing and using with malice (in a threatening manner) objects that appear to be capable of causing bodily harm such that a person believes his or her safety is in danger, including toys that appear to be weapons regardless of size.

Trespass

Entering or remaining unlawfully in a school building or on any part of school grounds or school property for any purpose excluding theft of property.²⁵

Using or Possessing Tobacco Products ²⁶

Using or possessing any tobacco products in or on public school property, on school sponsored transportation, or at school-sponsored activities.

²⁴ See, Appendix A for full STAT definition.

²⁵ See, Burglary for trespass related to theft of property.

²⁶ See, School Board Policy No. 4215- Tobacco Free Environment, and Superintendent Procedure No. 4215SP.

Accomplice Activity

A student may be held responsible for the conduct of another person if the student is an accomplice of such other person's behavior requiring a disciplinary response. A student is an accomplice to another person if, with knowledge that it will promote or facilitate the need for disciplinary response, the student: (1) solicits, commands, encourages, or requests such other person to engage in the behavior, or (2) aids or agrees to aid such other person in planning or committing the behavior. A student may encourage the conduct of another through verbal or nonverbal acts.²⁷

A student is not an accomplice if he or she is the victim of the behavior, or he or she terminates their complicity prior to the commission of the behavior and gives timely warning to school officials that the conduct may occur.²⁸

If a student engages in accomplice activity, the accomplice may be charged with the same behavior of the principal actor with a notation that the student committed the behavior as an accomplice.

Off Campus Behavior

Discipline may be imposed for an off-campus act of misconduct if the disciplinary action is reasonable under the circumstances and closely connected to the educational process. The following criteria should be considered to decide whether an act of misconduct is sufficiently connected to the educational process:

1. Location of the misconduct (proximity to school grounds or to a school activity);
2. Hour and date of the misconduct (during school hours, but off-campus; immediately before or after school hours; on district-sponsored transportation, directly before entering or after leaving district-sponsored transportation, or during school-sponsored activities);
3. Effect on other participants or victims to the misconduct (did the misconduct involve or affect other students or school district personnel);
4. Severity of the misconduct and its likely connection to student or school district personnel safety (e.g., fighting or other violent or destructive acts, the selling of a controlled substance, or possession of a weapon); and
5. Extent to which the off-campus activity affects the environment or safety of the school (e.g., students are afraid to come to school or afraid at school because of it; it is disruptive to the school atmosphere in that special precautions or actions need to be taken to protect students and staff; the arrangements for the activity were made on campus but conducted off campus, such as drug sales, a fight or assault, etc.; or there are likely repercussions such as students from other schools or non-students coming onto the campus to effect retribution.)

²⁷ A student may be an accomplice merely by being present when another student is doing something wrong if they do not attempt to stop the aggressor from continuing the wrongful act or if their presence constitutes silent agreement of the act or is perceived as contributing to intimidation of the victim. For example, persons grouped around a victim while another student bullies or threatens the victim, even though they do not say anything or otherwise participate physically or verbally in the bullying or threatening behavior, could be considered accomplices because just by being there and not saying anything they are perceived by the victim as participating with and agreeing to the bullying or threatening behavior.

²⁸ Students are not accomplices if they merely know about an action planned by another student even if they do not report what they know to an administrator.

The District will respond to off-campus student speech that causes or threatens to cause a substantial disruption on campus or interference with the right of students to be secure and obtain their education. Substantial disruption includes, but is not limited to, significant interference with instruction, school operations or school activities, violent physical or verbal altercations between students, or a hostile environment that significantly interferes with a student's education.

Requirement to Provide Educational Services

School districts may not suspend the provision of educational services to a student as a disciplinary response.

While students may be excluded from classroom and other instructional or activity areas for a period of suspension or expulsion, districts must provide students with an opportunity to receive educational services during that time.

If educational services are provided in an alternative setting, the alternative setting should be comparable, equitable, and appropriate to the regular education services a student would have received without the exclusionary discipline.

Student Reengagement Meeting and Reengagement Plan

For students who are long term suspended or expelled, the purpose of the reengagement meeting is to develop a plan to reengage the student in a school program tailored to the student's individual circumstances (RCW 28A 600.022). The goal of the re-engagement process is to support the student's ability to be successful in school when they return to school following a period of exclusionary discipline.

The reengagement meeting must be held within **three days** of when the Notice of Disciplinary Action (NDA) is created and provided to parents/families.

Re-engagement conference participants should take into account:

- a. The circumstances related to the student's suspension or expulsion,
- b. The student's prior academic and discipline history, and
- c. The severity of the disciplinary incident that led to the student's exclusion.

The purpose of the re-engagement plan is to:

- Allow the family to provide meaningful input, and have the opportunity to participate in a culturally sensitive and culturally responsive reengagement plan;
- Discuss the services available to the student while excluded;
- **Educational services must be offered**
- **Behavioral services must be discussed**
- Define what the student is required to do before returning to school; and
- Identify supports that will be in place when the student returns to school.

While developing a re-engagement plan, school districts should consider:

1. Shortening the length of time that the student is suspended or expelled;

2. Exploring whether or not there are other forms of disciplinary responses that could be more effective;
3. Determine how the plan may aid the student as they take the necessary steps to remedy the situation that led to the suspension or expulsion; and
4. Plan supports that result in academic success, and keep the student engaged and on track to graduate

Reentry Program for High School Students Discipline Case Management Services for Middle School Students

High School Students

A reentry program is provided for high school students who have been long-term suspended or expelled from school. For 2018-19, long-term suspended or expelled high school students will be referred to Interagency Academy's reentry program. Students will attend an orientation at Interagency Academy and will then be assigned to one of several Interagency Academy sites for the remainder of the suspension. District practice at the high school level is to provide free access to behavior modification instruction to the extent possible when it is required for suspensions and expulsions. This generally is when the suspension or expulsion is for offenses that involve violence. This assignment will continue if there is a requirement for behavior modification instruction and such instruction has not been completed by the end of the suspension.

Suspended high school students with a requirement to complete behavior modification may return to their suspending school when the behavior modification instruction is satisfactorily completed. Students whose disciplinary response did not include a behavior modification requirement may return to their suspending school when the suspension is over.

Expelled high school students cannot return to their expelling school. If a student is also long term suspended a referral will be made to Interagency Academy. Expelled students who do not have a long term suspension as part of the disciplinary response must be reassigned to another school within ten (10) school days of the expulsion.

Middle School Students

Middle school students who are eligible for behavior modification, based on the referring behaviors of concern (please see SPS Discipline Matrix for 2018-2019 school year for eligibility), may be short term suspended and the school leader may request Discipline Case Management services through the Discipline Office. If the school chooses to impose a long term suspension, then Discipline Case Management Services will not be provided. The goal of Discipline Case Management Services is to minimize lost instructional time for all students while increasing student success (both academically and behaviorally) by providing long term support (a semester or more) to schools, families, and students in response to significant behaviors.

While the student is suspended, Discipline Case Management services will include a comprehensive behavior and social skill assessment conducted with the student and the family; interviews with school staff; referrals to community based organizations if needed; securing of Releases of Information (ROIs); coordination with community based providers; the development of a school success reentry plan based on the story and strengths of the student and projected needs when they return; and scheduling of a reentry meeting.

When the student returns to school, Discipline Case Management Services will include ongoing weekly and/or biweekly communication with school staff, families, community-based providers, and the student. If the comprehensive assessment indicated a need for direct instruction in skill building, Discipline Case Management Services may also include time limited skill building instruction. Discipline Case Management Services will continue until stability is regained and a transition back to school level case management occurs.

Elementary School Students

Elementary school students may not be long-term suspended from their school. Therefore, there is not a reentry program for elementary students.

Expelled elementary school students are reassigned to another elementary school as quickly as possible after their expulsion to minimize lost instructional time.

Students with Disabilities

Prior to being referred to Interagency Academy (high school) or Discipline Case Management Services (middle school), a Manifestation Determination Team (MDT) meeting must occur.

Adoption of Rules by Seattle School Board

The Seattle School Board adopted these rules in June 2018. The Seattle School District follows the substantive and procedural due process rights guaranteed by the Office of Superintendent of Public Instruction under RCW 28A.600.015. See, WAC 392.400. A copy of the regulations may be requested by contacting the Discipline Appeals Office at 206-252-0820 or downloading the regulation at <http://apps.leg.wa.gov/WAC/default.aspx?cite=392-400>.

School Rules

In addition to the above District rules, each school may adopt and distribute to each student rules that will govern a student's behavior in a particular school. When a student does not follow these school rules, he or she may be disciplined.

Due Process Rights of Students

Seattle Public Schools believes that due process means that students must be treated fairly and with regard for their rights under the law. This means that any disciplinary action of a student who has violated rules must be administered fairly and for good and just cause. Students have the right to tell their side of the incident and receive a fair consequence for their behavior. School officials will take disciplinary action only after a thorough examination of the facts and the facts must always be reasonably related to the nature and circumstances of the violation. Students have the right to appeal a disciplinary response they feel is unjust or unjustly administered.

Seattle Public Schools has adopted and implemented the due process rules found in WAC 392-400. These rules outline the substantive and procedural due process rights of students who are involved in programs or activities within Seattle Public Schools. Additionally, Seattle Public Schools has adopted rules that guarantee the minimum due process standards and protections. Other rules that govern student conduct include WAC 392-145 (school buses).

Short-Term Suspensions

Principals, assistant principals, and their designees may short-term suspend a student for engaging in behavior defined in the Student Behavior section of the Student Rights & Responsibilities. Before principals, assistant principals, and their designees may short-term suspend a student they must follow certain general rules, which are listed below:

1. Principals, assistant principals, and their designees must make a decision to suspend a student by considering mitigating and aggravating factors. Principals, assistant principals, and their designees must reasonably believe a short-term suspension will provide an explicit benefit to the student and the school, and that other classroom and school based options have been exhausted.
2. In grades Pre-school through Grade 4, principals, assistant principals, and their designees may not short-term suspend a student for more than ten (10) consecutive or cumulative school days during a single semester or trimester, depending on the school.
3. In grade five or above, principals, assistant principals, and their designees may not short-term suspend a student for more than fifteen (15) consecutive or cumulative school days during any semester or ten (10) consecutive or cumulative school days during any trimester, depending on the school.
 - a. No loss of grades or credit may be imposed because of a short-term suspension.
4. Any student who has been short-term suspended may request a lesser disciplinary response, including being allowed to return to school immediately. This request is made to the school principal either verbally or in writing, and is considered a Step 1 grievance.
5. Mediation: If the disciplinary response is mediated at this time the student and/or parent/guardian/family agree that by signing the mediation agreement all factual and legal issues related to a particular discipline are finally and fully resolved, and that the student and parent/guardian/family will file no further appeal related to this discipline incident. If mediation is not agreed to by either party, the grievance meeting moves forward and the school administrator makes a decision.
6. A short-term suspension starts immediately, regardless whether the parent or student appeals the disciplinary response.

Notice to Student and Parents/Guardians/Families of Short-term Suspensions

A student is entitled to a conference before he or she is short-term suspended. During the conference, the student must be given orally or in writing:

1. An explanation of the alleged behavior or lists the school rule that was allegedly violated;
2. A review of the evidence that supports the allegations;
3. An explanation of the disciplinary response that will occur; and
4. An opportunity to explain him or herself.

Notwithstanding this entitlement to have a conference prior to being short-term suspended, a student may be short-term suspended without a conference if he or she refuses to participate in, or has made himself or herself unavailable for, a conference.

A **parent/guardian/family** is entitled to verbal and written notice within twenty-four (24) hours of the proposed disciplinary response in the language spoken by the parent/family. A written notice is called a Notice of Disciplinary Action (NDA). Translations of the NDA are available. The NDA should include:

1. The reason for the suspension and the length of the suspension.
2. Conditions relating to the suspension, such as a requirement for completion of a particular activity (e.g., parent/guardian/family conference, drug/alcohol evaluation, or behavior modification requirement, etc.)
3. Their appeal rights and the process for making an appeal.

Within twenty-four (24) hours of the disciplinary decision, all short-term suspensions and the reasons for the suspensions must be entered into PowerSchool and made available for access by the Discipline Appeals Office.

Grievance (Appeal) Procedure: Short-Term Suspensions or Other Discipline Actions

An appeal of a short-term suspension is called a "grievance". Seattle Public Schools has adopted and implemented the grievance procedure found in WAC 392-400-240. This grievance procedure gives the appealing party an opportunity to dispute a school-based disciplinary response and/or a short-term suspension. During a grievance hearing, the appealing party requests that the principal change a disciplinary response because he or she believes a rule was unfairly applied to his or her child or there was something wrong with the way the child was disciplined.

The short-term suspension starts immediately and may not be held in abeyance unless the principal agrees to hear the grievance prior to imposing the short-term suspension. This grievance procedure is not designed for situations involving claims of staff misconduct. If a parent/guardian/family agrees that his/her child was disciplined appropriately, but is concerned that the manner in which the administrator behaved was not appropriate, the complainant may contact the Executive Director for the school.

Any student, parent, or guardian may appeal the discipline of the student. There are three steps for appealing discipline at this level, called a grievance.

1. Parents and/or guardians appealing a discipline sanction have the right to request an informal grievance conference with the building principal or designee **within three business days** of learning of the discipline sanction. The school official who disciplined the student will be told that the discipline is being appealed.

During the informal conference, the principal or designee may question the person appealing, and the person who is appealing may question school staff who were involved in the incident that resulted in discipline. The principal or designee will decide whether the discipline sanction should stand.

2. If the person appealing is dissatisfied with the decision at Step One, he or she may present a written or oral request to the Seattle Public Schools' Disciplinary Appeals Office. This grievance must be received within three (3) school business days of receiving the decision at Step 1. A hearing officer will be assigned by the Disciplinary Appeals Office to hear the Step 2 grievance. The hearing officer will issue a finding within five (5) school business days.
3. If the person appealing is still dissatisfied with the decision at Step Two, he or she may present a written or oral request for an appeal hearing to the Disciplinary Appeals

Council (DAC). This written or oral request must be received within three (3) school business days after receiving the decision from Step Two. The written request is sent to:
Student Discipline Appeals Office
Mail Stop 31-177
PO Box 34165
Seattle, WA 98124-1165.

The DAC will usually schedule this hearing within ten (10) school business days of receiving the written request. After the hearing, the DAC will make its decision and notify the family by a written decision mailed within ten (10) school business days after the hearing.

A student receiving a short-term suspension must begin his or her suspension immediately. The short-term suspension continues even if the suspended student or parent/guardian/family appeals unless the principal waives this requirement. The principal has the discretion to continue or not continue the suspension pending any appeal and the appealing party may not appeal this decision.

Long-Term Suspensions or Expulsions from School

Principals, assistant principals, and their designees may long-term suspend or expel a student for engaging in behavior defined in the Student Behavior section of the Student Rights & Responsibilities. Before principals, assistant principals, and their designees may long-term suspend or expel a student they must follow certain general rules, which are listed below:

1. Principals, assistant principals, and their designees may make a decision to suspend or expel a student by considering mitigating and aggravating factors. Principals, assistant principals, and their designee must reasonably believe must reasonably believe a long-term suspension or expulsion will provide an explicit benefit to the student and the school, and that other classroom and school based options have been exhausted.
2. Principals, assistant principals, and their designees may not long-term suspend or expel a student unless they have used progressive discipline.
3. Mediation: If the disciplinary response is mediated at this time the student and/or parent/guardian/family agree that by signing the mediation agreement³⁵ all factual and legal issues related to a particular disciplinary response is finally and fully resolved, and that the student and parent/guardian/family will file no further appeal related to this discipline incident. If mediation is not agreed to by either party, the long-term suspension moves forward as follows.
4. A long-term suspension or expulsion starts on the fourth (4th) school day after the day of the incident to ensure that parents/guardians are aware of the proposed disciplinary response and to provide them time to appeal the suspension if they wish. Students have a right to attend school while an appeal is in process.
5. An emergency expulsion, starts on the day of the incident and may be as long as ten (10) school days. Emergency expulsions are allowed when the school believes that the student's presence in the school constitutes an immediate and ongoing danger to the student, other students or staff, or the educational process for the school.

6. A long-term suspension is from 11 days to 90 days (the length of an academic term). The student will return to the suspending school at the end of a long-term suspension.
7. An expulsion from a specific school is permanent and the student may not return to that specific school. Even so, there are other schools and educational programs within Seattle Public Schools that are available to a student who has been expelled from a specific high school, including the a reentry program at Interagency Academy. With the exception of expulsion from the District for possession of a firearm, the time a student may be compelled to be unassigned to any school or educational program due to an expulsion from a specific school is limited to ten (10) school days.
8. So that discipline is applied equitably, Seattle Public Schools has published a matrix with a range of disciplinary responses for schools to use in determining when a student may be long-term suspended or expelled.
9. The Seattle School Board has directed that no student be suspended or expelled for non-attendance.
10. In pre-kindergarten through grade five, principals, assistant principals, and their designees may not long-term suspend students, but they may expel students in pre-kindergarten through grade five.
11. In grade six and above, principals, assistant principals, and their designees may long-term or expel students, but those students are entitled to educational services for the duration of the disciplinary response.
12. Students and parents must be notified of the student's right to continue an educational program in the high school reentry program at Interagency Academy, and how to access the program.
13. Students have a right to a reengagement meeting under RCW 28A.600.022, to be scheduled within 20 days of the student's long-term suspension. Seattle Public Schools requires that a reengagement meeting be held within three (3) days of when the Notice of Disciplinary Action (NDA) is created and provided to families. The reengagement meeting will be scheduled with the parent/guardian/family and the notice of the meeting date will be included on the NDA letter.

Exception to progressive discipline rule

Seattle Public Schools may expel for the first offense without regard to progressive discipline when aggravating factors warrant this disciplinary response.

Notice to parents/guardians of long-term suspension or expulsion

Before a student may be long-term suspended or expelled, the student and his/her parent(s) or guardian(s) must receive a written Notice of Disciplinary Action (NDA) that includes information about their right to appeal the long-term suspension or expulsion and the opportunity for a hearing. This notice must be either delivered in person or by certified mail.

1. The written notice will be in the language the parent/guardian/family and student speak and understand, to the extent feasible,
2. The written or verbal notice will explain the alleged misconduct and the school District Student Behavior(s) alleged to have been violated,
3. The written notice will identify the disciplinary response being proposed,
4. The written notice will explain the rights of the student and/or his/her parent(s) or guardian(s) or family to a hearing to appeal the allegation(s), and
5. The written notice will explain how to appeal the allegations and the timeline by which the request for a hearing must be received.

Parents/guardians/family have certain decisions to make after their child has been long-term suspended or expelled. The first decision is whether to appeal the suspension or expulsion from school. This decision should be made as soon as possible because there is a three (3)-day deadline for requesting an appeal, starting from the day parents/guardians/families have been notified in writing that their child has been long-term suspended or expelled.

Parents/guardians of **high school students** who decide not to appeal should contact Interagency Academy to arrange for an assignment to an appropriate reentry program through Enrollment Services. All students are entitled to educational services for the duration of the disciplinary response.

Expelled students should immediately go to Enrollment Services to arrange for assignment to an appropriate educational program because they may not return to the same school unless they are successful with a petition to the school principal to be readmitted.

Once the student has completed the terms of a long-term suspension, including verification that they have completed any program they are required to participate in as part of the disciplinary action, the student will be automatically readmitted to the school that issued the long-term suspension. A student who has been expelled from a school may not be reassigned to that school unless they petition for re-admittance and are approved by the principal to return.

Special rule for re-admittance to same school following an expulsion

Normally, expulsion from a school means that the student may not attend that school again. However, parents/guardians/families and students may petition in writing for a student to return to the same school. The written petition must be addressed and sent to the principal of the school that expelled the student. The student or parent/guardian/family must set out the reasons why the student should be readmitted to the school. The decision whether to re-admit an expelled student is at the discretion of the school principal. The principal's decision may not be appealed.

Appeal Process for Long-Term Suspension and Expulsion

When a student has been long-term suspended or expelled a parent/guardian/family or the student may appeal the long-term suspension or expulsion to the Superintendent. In Seattle Public Schools, the Superintendent has designated that hearing officers will hear appeals as the designee of the Superintendent. Hearing officers are community members who have been trained in state law and school District policy and understand due process rules. Hearing officers may mediate, modify, reverse or affirm the disciplinary response. The following process is used:

A. Timeline of the Appeal Process

1. The appealing party must request an appeal hearing from the Discipline Appeals Office within three (3) school business days after they receive written notice of the disciplinary response or discipline being proposed. The request for an appeal hearing may be either written or oral, including being made by telephone. The Discipline Appeals Office telephone number is 206-252-0820.
2. If the request for an appeal is not received within three (3) school business days after receiving written notice of the disciplinary response or discipline being proposed, the school will impose the proposed long-term suspension or expulsion, and the parent/guardian/family or student will not have any further opportunity to appeal the matter.

3. If the request for a hearing is received within the three-day (3) time limit, the Discipline Appeals Office will schedule a hearing to be held within three (3) school business days from the day the appeal was received.

B. Parent/guardian/family and student rights

Parents/guardians and students have certain due process rights before, during, and after their requested hearing. These rights have been approved by our state legislature and are found in WAC 392-400. These rights include but are not limited to the following:

1. The appealing party has the right to inspect before the hearing any written or physical evidence that the school may be presenting at the hearing, including witness statements. Student names may be removed to protect confidentiality.
2. The appealing party has the right to be represented by an attorney at private, not public, expense. Seattle Public Schools will have its attorney present if the appealing party has an attorney, so the Discipline Office must be notified as soon as possible if the student is represented.
3. The appealing party has the right to question witnesses at the hearing. This right may be limited when Seattle Public Schools has made a reasonable effort to produce a witness and is unable to do so, or when it is not advisable for the student to appear due to an expectation and fear on the part of the administrator that the student might be retaliated against if she or he appears as a witness.
4. The appealing party has the right to present his or her explanation of the alleged misconduct.
5. The appealing party may request that witnesses who saw or have knowledge of the incident in question be allowed to speak at the hearing, including other students, and
6. The appealing party may present any written or physical evidence that supports the student's case.

C. School's rights before the hearing

The school leader or other person presenting the school's case has the right to inspect in advance of the hearing any written or physical evidence that the parent(s) or guardian(s) may be presenting at the hearing. Students and parent/guardian/family must provide sufficient copies for the school leader of any written documentation to be provided to the hearing officer.

D. At the Hearing

1. The participants at the hearing will be limited to those with a relevant interest in the matter at hand, typically the school administrator, the student and his/her parent or guardian, or family and witnesses to the incident. If the student is represented by an attorney, a District attorney also will be present to advise the school leader. Other family members or friends should not expect to attend, although the parent may have a support person present so long as that person is not also a witness. The hearing officer has the authority to determine who may be present.
2. A sign-in sheet will be provided and all person's present must sign in.
3. All persons present at a hearing must maintain respectful behavior. Expectations include refraining from shouting, name-calling, cursing, badgering of witnesses, or other bullying, intimidating or disruptive behavior. The hearing officer may end the hearing should these behaviors be present. The hearing officer will then determine whether to reschedule the hearing for another day or make a decision based on information already presented up to that point in the hearing.
4. If the school leader, student and parent/guardian/family agree to mediate the disciplinary response, a mediation agreement stating all particulars of the changes to be made is prepared and signed. The student and parent/guardian/family agree that

by signing the mediation agreement all factual and legal issues related to a particular disciplinary response is final and fully resolved, and the student and parent/guardian/family will file no further appeal related to this discipline incident. If either party decides that attempting to mediate is not appropriate for whatever reason, the hearing goes forward.

5. Witnesses may not be allowed to be present in the hearing room except at the time they are providing testimony. When they have completed testimony, they may be asked to leave the room.
6. Only the evidence presented at the hearing will be used by the hearing officer to make a decision. No information may be provided to the hearing officer outside of the hearing.
7. The hearing officer will make a decision based on the following due process criteria:
 - a. Preponderance of the evidence: Did the alleged behavior occur?
 - b. Student Behavior discipline: Did the school have the right to discipline the student in the manner chosen, based on the District and school rules?
 - c. Are there mitigating or aggravating factors recognized by the District that the school should have taken into account in deciding whether to discipline the behavior or in choosing the disciplinary response?
8. The hearing officer is neutral. He or she may not be a witness to the incident that resulted in discipline or testify in the hearing.
9. The hearing will be audio recorded.
10. The hearing officer may mediate, modify, reverse, or affirm the disciplinary response. The hearing officer will provide a written decision, which will be sent to the parent or guardian or family by certified mail from the Discipline Appeals Office within five (5) school business days of the hearing date. Translation of the hearing decision into the home language of the family will be provided, at District expense.

Emergency Expulsions

Emergency removal from a class, subject, or activity

A student may be immediately removed from a class or subject or activity by a staff person and sent to the principal, assistant principal, or their designee, provided that there is sufficient reason to believe that the student's presence poses an immediate and continuing danger to students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process of the student's school. This disciplinary response assures safety and/ or order for students, staff, and the school environment. The student's removal will continue only until: (a) the danger or threat is no longer present, or (b) the principal, assistant principal, or their designee acts to convert to another form of disciplinary response. The emergency expulsion may not run concurrently with another disciplinary response.

Emergency Expulsion

A principal, assistant principal, or their designee may emergency expel a student immediately, provided that there is sufficient reason to believe that the student's presence is dangerous and/or it would cause substantial disruption within the school to have the student present in classes, for activities and/or at other related school events. Emergency expulsions

may last no longer than ten (10) school days. Emergency expulsions shall continue through the specified end date unless rescinded by the principal, assistant principal, or their designee or modified at an appeal hearing.

The principal, assistant principal or their designee will meet with the student no later than the next school day following the student's removal and initiate appropriate disciplinary response. The person responsible for removing the student will be notified of the disciplinary response taken before the student returns to the classroom or activity.

Notice to parent/guardian/family of an Emergency Expulsion

Parents or guardians will be orally notified of an emergency expulsion and their hearing rights as soon as possible, but no later than twenty-four (24) hours. In addition, the Notice of Disciplinary Action (NDA) must be either delivered in person or by certified mail within twenty-four (24) hours.

1. The written notice will be in the language the parent/guardian/family and student speak and understand, to the extent feasible,
2. The written notice will explain the alleged misconduct and the school District Student Behavior(s) alleged to have been violated,
3. The written notice will identify the disciplinary response being proposed,
4. The written notice will explain the rights of the student and/or his/her parent(s) or guardian(s) to a hearing to appeal the allegation(s), and
5. The written notice will explain how to appeal the allegations and the timeline by which the request for a hearing must be received.

Appeal procedure for an emergency expulsion

If the emergency expulsion is disciplinary response on the written notice, student(s) and/or parent(s) or guardian(s) have up to ten (10) business days after receiving notice of the emergency expulsion to request an appeal hearing from the Discipline Appeals Office, 206-252-0820.

According to Seattle Public Schools policy, the request for an appeal may be written (including by e-mail) or made by telephone.

A. Timeline of the Appeal Process

1. The appealing party must request an appeal hearing from the Discipline Appeals Office within ten (10) school business days after they receive notice of the disciplinary response or discipline being proposed.
2. If the appeal is not received within ten (10) school business days, the emergency expulsion will continue and the student and parent(s) or guardians(s) will not have further opportunity to appeal the matter. The request for an appeal hearing may be either written or oral, including being made by telephone. The Discipline Appeals Office telephone number is 206-252-0820.
3. When the request for a hearing is received within the ten (10) day time limit, the Discipline Appeals Office will schedule a hearing to be held within three (3) school business days from the day the appeal was received.

B. Parent/guardian/family and student rights

Parents/guardians/family and students have certain due process rights before, during, and after their requested hearing. These rights have been approved by our state legislature and are found in WAC 392-400. Rights include but are not limited to the following:

1. The appealing party has the right to inspect before the hearing any written or physical evidence that the school may be presenting at the hearing, including witness statements. Student names may be covered. Given the short time line for an appeal hearing, copies of written statements may not be available until twenty-four (24) hours before the hearing.
2. The appealing party has the right to be represented by an attorney at private, not public, expense. If an attorney represents the student at the hearing, Seattle Public Schools will have its attorney present, so it is necessary to notify the Discipline Appeals Office as soon as possible if the student becomes represented.
3. The appealing party has the right to question witnesses. This right may be limited when Seattle Public Schools has made a reasonable effort to produce a witness and is unable to do so, or when it is not advisable for the student to appear due to an expectation and fear on the part of the school administrator that the student might be retaliated against if she or he appears as a witness.
4. The appealing party has the right to present his or her explanation of the alleged misconduct.
5. The appealing party may request that witnesses who saw or have knowledge of the incident in question be allowed to speak at the hearing.
6. The appealing party may present any written or physical evidence that supports their case.

C. School's rights before the hearing

The school leader or other person presenting the school's case has the right to inspect in advance of the hearing any written or physical evidence that the parent(s) or guardian(s) may be presenting at the hearing. Students and parent/guardian/family must provide sufficient copies for the school administrator of any written documentation to be provided to the hearing officer.

D. At the Hearing

1. The participants at the hearing will be limited to those with a relevant interest in the matter at hand, typically the school leader, the student and his/her parent or guardian or family, and witnesses to the incident. If the student is represented by an attorney, a District attorney also will be present to advise the school leader. Other family members or friends should not expect to attend, although the parent may have a support person present so long as that person is not also a witness. The hearing officer has the authority to determine who may be present.
2. A sign-in sheet will be provided and all person's present must sign in.
3. All persons present at a hearing must maintain respectful behavior. Expectations include refraining from shouting, name-calling, cursing, badgering of witnesses, or other bullying, intimidating or disruptive behavior. The hearing officer may end the hearing should these behaviors be present. The hearing officer will then determine whether to reschedule the hearing for another day or make a decision based on information already presented up to that point in the hearing.
4. If the school leader, student and parent/guardian/family agree to mediate the disciplinary response, a mediation agreement stating all particulars of the changes to be made is prepared and signed. The student and parent/guardian/family agree that by signing the mediation agreement all factual and legal issues related to a particular disciplinary response is final and fully resolved, and that the student and /family will file no further appeal related to this discipline incident. If either party decides that attempting to mediate is not appropriate for whatever reason, the hearing goes forward.

5. Witnesses may not be allowed to be present in the hearing room except at the time they are providing testimony. When they have completed testimony, they may be asked to leave the room.
6. Only the evidence presented at the hearing will be used by the hearing officer to make a decision. No information may be provided to the hearing officer outside of the hearing.
7. The hearing officer will make a decision based on the following due process criteria:
 - a. Preponderance of the evidence: Did the alleged behavior occur?
 - b. Student Behavior discipline: Did the school have the right to discipline the student in the manner chosen, based on the and school rules?
 - c. Are there mitigating or aggravating factors recognized by the District that the school should have taken into account in deciding whether to discipline the behavior or in choosing the disciplinary response?
8. The hearing officer is neutral. He or she may not be a witness to the incident that resulted in discipline or testify in the hearing.
9. The hearing will be audio recorded.
10. The hearing officer may mediate, modify, reverse, or affirm the disciplinary response. The hearing officer will provide a written decision, which will be sent to the parent or guardian by certified mail within a week of the hearing date. Translation of the hearing decision into the home language of the family will be provided, at District expense.
11. When the emergency expulsion is the only response, a decision will be given within one (1) school business day after the hearing and the student or parent(s)/guardian(s)/families will be notified by U.S. certified mail within one (1) calendar week.

E. Length of Emergency expulsions

A student's emergency expulsion must end or be converted to another form of disciplinary response within ten (10) school days from the date of expulsion.

Appeal to the School Board

Parents/guardians/families have a right to request a review of a hearing officer's decision if the Hearing Officer upholds or modifies the school's disciplinary response for a suspension, expulsion, or emergency expulsion, and the parent/guardian/family is dissatisfied with the decision of the Hearing Officer. The Seattle School Board has delegated its authority to hear and decide long-term suspension and expulsion appeals (reviews) to the Disciplinary Appeals Council (DAC).²⁹ The DAC is appointed by the School Board, and consists of at least three persons who serve fixed terms.

Parents/guardians must provide an oral or written request to the Student Discipline Appeals Office within three (3) school business days after receiving the decision of the hearing officer, requesting that the DAC review the hearing officer's decision. This request should include information about the basis of the appeal (explaining why they wish to have the hearing officer's decision reviewed) and information about what responses they wish the DAC to take in the matter. Parents/guardians/families should contact the Discipline Appeals Office at 206-252-0820 or Mail Stop 31-177, PO Box 34165, Seattle, WA 98124-1165.

It is important to understand that the DAC will conduct a review and hear arguments at the

²⁹ Board Policy No. 3201

hearing based upon the existing record (i.e., the hearing officer's decision). The DAC will not hold a new (de novo) hearing. Therefore, witness testimony is discretionary.

If the appealing party does not request a review of the hearing officer's decision, the long-term suspension or expulsion will be imposed on the calendar day following the expiration of the three-day appeal timeframe.

Appealing parties must request a review within three (3) business days. However, a student's long-term suspension or expulsion may be imposed during the appeal period under the following conditions:

1. A long-term suspension or expulsion may be imposed while the decision is appealed for no more than ten (10) consecutive school days or until the appeal is decided, whichever is shorter;
2. Any days that the student is suspended or expelled before the appeal is decided will be applied to the student's suspension or expulsion and will not extend the term of the suspension or expulsion;
3. A student who is subjected to a suspension or expulsion and who returns to school before the appeal is decided will be given the opportunity, when he or she returns, to make up assignments and tests missed by reason of the suspension.

Disciplinary Appeals Council Procedures

The Seattle School Board has chosen to delegate all appeals at the School Board level to the Disciplinary Appeals Council (DAC). If the student or his or her parent/guardian/family requests, orally or in writing, an appeal with the Discipline Appeals Office within the required three (3) school business days, the DAC will schedule and hold a meeting to review the matter within ten (10) school business days after receiving the notice.

The purpose of the meeting is to meet with the student and/or his or her parent/guardian/family and a representative of the school to review the decision of the hearing officer and determine whether there is additional information that should have been considered that would change the hearing officer's decision. Students with Section 504 Accommodations or those receiving Special Education or English Language Learner services have the right to have a person knowledgeable about their accommodation, disability and/or language/cultural issues present to advise the DAC.

1. Prior to the meeting, members of the DAC will review the written decision of the hearing officer.
2. At the meeting with the DAC, the student or his or her parent/guardian/family (or legal counsel) has the right to be heard and provide additional information that he or she believes is pertinent to the situation. Similarly, the representative from the school also has the right to provide additional information to support the decision to discipline the student. The person knowledgeable about the student's disability or language/cultural issues will also provide information as it applies to their discipline to the DAC.
3. The DAC may affirm, reverse, or modify the imposition of discipline, suspension, or expulsion upon a student. The DAC will send a written decision to the parent or guardian and student within ten (10) business days of the date of the hearing. The decision will be made only by those DAC members who have heard or read the evidence, who have not acted as a witness in the matter, and only at a meeting at

- which a quorum of the DAC is present, and by a majority vote.
4. An appeal from the decision of the Disciplinary Appeals Council is to Superior Court. Whether or not the suspension or expulsion should be imposed while the student or his or her parent/guardian/family is appealing to the courts will be a decision of the DAC, unless a court orders otherwise. The DAC does not need to give any reason for denying a request to waive the suspension or expulsion pending an appeal to the courts.

Discipline of Special Education Students³⁰

The discipline of special education students is generally subject to the same rules under the Seattle Public Schools' Student Rights & Responsibilities as applied to nondisabled students with the modifications required by the federal Individuals with Disabilities in Education Act (IDEA) listed below.³¹

Short-term suspensions and emergency removals

The general procedures relating to school-based discipline, short-term suspension, and emergency removal apply to special education students when the response proposed or taken does not result in a change of placement (i.e., the loss of ten (10) or more consecutive school days or a pattern of exclusion from school) for a special education student, or is not governed by a behavior improvement plan (BIP). If a BIP exists, the responses in the plan should have been followed and have been found to be ineffective before resorting to a short-term suspension or emergency expulsion.

Suspension/Expulsion

When considering disciplining a special education student with a suspension or expulsion, which may constitute a change of placement (i.e., the loss of ten (10) or more consecutive school days or a pattern of exclusion from school), the following procedures must be observed):

- Determine whether the suspension or expulsion will result in a change of placement (i.e., the loss of ten (10) or more consecutive school days or a pattern of exclusion from school). If there is no change in placement, the sanction may be imposed. If there is a change in placement, the school must convene an Manifestation Determination Team (MDT) meeting.
- Notify the parent/guardian/family of the need to conduct a MDT meeting and the procedural safeguards given by law, including the right to contest the disciplinary response in an administrative due process hearing.
- An MDT meeting must be held within 10 days of the change in placement. Participants must include parents/guardians, the student's special and regular education teachers, a school District representative knowledgeable about the student's disability, and the student, when appropriate. This meeting must be fully documented. The purpose of the meeting is to determine whether the student's conduct resulting in discipline is a manifestation of (caused by or a result of) the student's disability or whether the student's conduct is a result of a failure to implement the student's Individualized Education Plan (IEP) (including a behavior intervention plan (BIP)).
- The suspension or expulsion may be imposed if the MDT determines that the conduct was not caused by or a result of the student's disability, or not the result of a failure to implement the student's IEP (including a BIP).
- The discipline may not be imposed if the MDT determines the conduct was a manifestation of the student's disability or a failure to implement the student's IEP (including a BIP). Instead, the meeting should be used to consider what changes

³⁰ This section also applies to students who are eligible for services and/or accommodations under Section 504. The SIT team replaces the MDT with responsibility for determining whether the student's behavior is a manifestation of his/her disability.

³¹ Discipline will be imposed in a manner consistent with the Individuals with Disabilities Education Act" 20 U.S.C. § 7151(c).

in the student's IEP, BIP, and/or Special Education placement are appropriate to address the student's behavior.

Interim Alternative Educational Setting (IAES)

School personnel may remove an eligible student to an interim alternative educational setting (IAES) determined by the student's IEP team, regardless of whether the student's behavior was a manifestation of his or her disability for up to 45 school days if he or she:

1. Carries a weapon to school or has a weapon at school, on school premises, or at a school function under the authority of a school district;
2. Knowingly has or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a school district; or,
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a school district.

Obligations to students to provide educational services

From the time the parents/guardians initiate a due process hearing through the appeal process, Seattle Public Schools is required to continue providing educational services. Seattle Public Schools is also required to provide services to students who have been long-term suspended or expelled because their behavior is not related to their disability, and to students on short-term suspension who have been suspended for more than ten (10) cumulative days in the school year. The principal of the school proposing the disciplinary sanction may instruct the appropriate teacher(s) to assign and monitor homework.

Even where a disciplinary response is imposed, including suspension and expulsion, the special education student must continue to receive the special education and related services required to receive a free, appropriate education.

Behavior Intervention Plans

A behavioral intervention plan (BIP) is a requisite component for the IEP of a child whose behavior impedes his/her learning or that of others. The plan should contain appropriate strategies, including positive behavioral supports and interventions, to address the behavior. When a special education student has a BIP addressing conduct subject to discipline, the plan governs and prescribes the necessary response for that conduct. Conduct not addressed in the behavior plan should be disciplined with attention to the special considerations that apply to special education students as addressed above.

Notice to Students and Parents Required by Federal Drug-Free Schools and Communities Act of 1989

Seattle Public Schools prohibits the unlawful possession, use, or distribution of drugs and alcohol by students on school property, on school sponsored transportation, or as part of school activities. Compliance with this rule is mandatory; students who disregard the prohibition may be suspended or expelled. Seattle Public Schools offers, or can assist in arranging access to, drug and alcohol education, counseling, and recovery support; for further information contact your school's principal or counselor.

Appendix A Definitions

The following are key definitions used in various parts of this document.

Appealing Party: A parent, guardian, or student who is using the appeals procedures found in WAC 392-400 to dispute a disciplinary response that has been assigned to a student.

Change of placement: The removal of a special education student from his/her current educational placement for more than ten (10) consecutive school days; or a series of removals that constitute a pattern of exclusion because the removals cumulate to more than ten (10) school days in a school year. A pattern of exclusion is determined on a case-by-case basis.

Discipline: For the purpose of this document, all forms of disciplinary responses, whether school based or resulting in suspension or expulsion from school.

Emergency Expulsion: Immediate removal of a student from school for misbehavior on the basis that an administrator has good and sufficient reason to believe that the student's presence is a danger to himself/herself or others, or an immediate or continuing threat of substantial disruption to the educational process of the school.

Expulsion: An expulsion is the formal exclusion for misbehavior of a student from ever returning to the specific school in Seattle Public Schools that he or she is attending. If the expulsion is from Seattle Public Schools, the student may not return to any school or program in Seattle Public Schools for a period of up to one calendar year.

In-school Suspension: This is a state reportable action that the school uses as disciplinary response to remove a student from classes or school activities. This response requires a Notice of Disciplinary Action.

Interim alternative educational settings (IAES): In cases that involve weapons as defined by state and federal law, controlled substances, or serious bodily injury, school personnel may order a change in placement of a special education student to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 school days. The interim alternative educational setting is selected by the student's IEP team so as to enable the student to continue to progress in the general curriculum while in another setting, and to continue to receive services and modifications described in the student's current IEP that will enable the student to meet the goals set out in the IEP.

Long-term suspension: A suspension that is anywhere from eleven (11) days to ninety (90) days. A student is entitled to educational services for the duration of the suspension. Elementary students may not be long-term suspended.

Manifestation determination: A review of the relationship between a special education or a Section 504 student's disability and the behavior that led to the disciplinary response. If the result of the review is that the behavior did not occur as a result of his/her disability or the failure to implement the student's current Individual Educational Plan (IEP), the student may be disciplined in the same manner as a non-disabled student would be for the same offense. Manifestation determination for a Special Education student is with an IEP team or Manifestation Determination Team (MDT). Manifestation determination for a student with a Section 504 plan is conducted by the Student Intervention Team (SIT) at the school. Parents/guardians are invited to be members of these teams when the behavior of their student is discussed.

Mediation: An agreement between the school and student or parent /guardian/family that a specific disciplinary response will be changed and how it will be changed. The student and parent/ guardian agree that by signing the mediation agreement all factual and legal issues related to a particular discipline are final and fully resolved, and that the student and parent/guardian/family will file no further appeal related to the discipline incident. The mediation form for Substance Abuse is in Appendix A, and the mediation form for all other disciplinary mediations is in Appendix B.

Notice of Disciplinary Action (NDA): Letter produced in PowerSchool to notify parents/guardians/families about the student behavior resulting in disciplinary response.

Progressive Discipline: The use over time of successively more restrictive disciplinary responses intended to shape behavior. Progression may include classroom-based response(s), school-based response(s), in-school suspension, short-term, and long-term suspension. For the purpose of establishing progressive discipline, schools may not consider offenses that occurred prior to the beginning of the previous school year or 180 school days in the past.

Reasonable Use of Physical Force: The use of sufficient physical force by a school administrator, teacher, school employee, or volunteer as needed to maintain order or to prevent a student from harming himself/herself, other students, school staff and/or property. Such physical force is not considered to be corporal disciplinary response.

Reengagement Meeting: A required meeting for students who are long-term suspended or expelled. Student, parents/guardians/families, and appropriate school staff will be part of this meeting. The reengagement meeting is scheduled at the time of suspension/expulsion and must occur within 3 days of the suspension/expulsion. At the meeting, a written reengagement plan will be developed that identifies the educational services the student will receive while the student is suspended or expelled. The plan must also identify supports that will aid the student in taking the necessary steps to remedy the situation and/or repair and restore relationships that led to the suspension or expulsion.

Reentry Program: A District program for high school students providing behavior modification instruction as well as academic courses for students who have been long-term suspended or expelled from their school for behaviors as noted in the Seattle Public Schools' Discipline Matrix for the 2018-2019 school year.

School business day: Any day when Seattle Public Schools is open to the public for business, except for school holidays.

School Threat Assessment Team (STAT): STAT, part of the Safety and Security Office collaborates with school-based teams and assesses the credibility of threats, assists administrators in identifying and mitigating the circumstances and variables known to correlate with youth violence, develops safety plans and provides case-management services.

School Year Limitation: Discipline sanctions imposed upon a student during one school year generally do not carry over and affect discipline in succeeding years unless the disciplinary response is imposed at the very the end of the school year. For the purpose of establishing progressive discipline, schools may not consider offenses that occurred prior to the beginning of the previous school year or 180 school days in the past, whichever is greater, except in the case of some types of threats of violence.

Short-term suspension: A suspension that is not longer than ten (10) consecutive school days. In the Seattle Public Schools, a student subjected to a short-term suspension normally returns

to the same school at the end of the suspension period. A student with a short-term suspension has the right to educational services for the duration of the suspension.

Special Education Student: A student who meets the eligibility requirements for one or more of the disability categories identified in the WAC, and who is in need of specially designed academic or behavioral instruction.

Special Populations: Special populations include special education and Section 504 students, and students with English Language Learner (ELL).

Suspension: Formal exclusion of a student from attending school for a stated period of time. This does not include an informal removal from a class for “discipline” purposes. However, if a student is removed for more than three (3) hours of instructional time on a given day, the disciplinary response must be recorded in PowerSchool as a state reportable action and a NDA created with notification to the parent/guardian/family. A student suspended from school has the right to educational services for the duration of the suspension.

Threat Assessment Referral: Done in correlation with an emergency expulsion of a student from school when the student has made a credible lethal threat or is displaying sexually provocative or sexually aggressive behavior despite interventions and disciplinary responses. As a result of the referral, a threat assessment will be conducted by the Student Threat Assessment Team. A plan for safely returning and managing the student in the school or District must be in place before the student is allowed to return. An emergency expulsion may be appealed by a student and/or parent/guardian/family in accordance to State law.

DRAFT

DRAFT



Appendix B: DRUG/ALCOHOL MEDIATION

Name _____ ID: _____

This mediation was reached at the conference held with student and parent/guardian as a result of the student being charged with Distributing Illegal Drugs, Controlled Substances, Prescription or Over-the-Counter Drugs, Distributing Alcoholic Beverages, Distributing Marijuana, Possessing or Using Illegal Drugs, Controlled Substances, Prescription or Over-the-Counter Drugs, Possessing or Using Alcoholic Beverages, Possessing or Using Marijuana, Selling Illegal Drugs, Controlled Substances, Prescription or Over-The-Counter Drugs, Selling Alcoholic Beverages, or Selling Marijuana.

1. The school agrees to the following:
 - a. The charges and description in this matter will be as follows:
 - No changes
 - The wording in these areas is changed to be as follows:

 - b. To reduce the Long-term Suspension for violation of _____ to the following number of days upon receiving verification that the student has an appointment to be assessed by a District-approved substance abuse professional and agrees to follow through with recommendations of the assessor:
 - Short-term suspension of _____ days (not allowed for Selling violations)
 - Long-term suspension of _____ days
 - c. The school further agrees to change the incident information screens in PowerSchool to reflect this agreement, and to provide an amended NDA to the parent/guardian/family within 3 days.
2. The student/parent/guardian/family agrees to the following:
 - a) Obtain an assessment by a District-approved substance abuse agency, at parent expense.
 - b) Follow through with recommendations of the assessment.
 - c) Sign releases to allow the school to exchange information with the substance abuse agency
3. In addition, the following conditions may be in place:

The school, student, and parent/guardian/family agree that by signing this mediation agreement all factual and legal issues related to this discipline are finally and fully resolved, and that the student and parent/guardian/family will file no further appeals related to this discipline incident.

If _____ fails to carry out the terms of this mediation, the original charges and discipline will be reinstated.

Administrator

Student

Parent/guardian/family

Date



Appendix C: MEDIATION FOR _____

Student ID: _____

Date: _____

This mediation was reached at the disciplinary appeal hearing held on this date. The parties agree to the following terms of mediation:

1. The school agrees that the charges and description in this matter will be as follows: _____

2. The school agrees to do the following: _____

3. The student agrees to do the following: _____

4. In addition, the following conditions may be in place (check agreed conditions):
 - Student will have a weekly progress report through _____.
 - Student will exhibit good behavior and have no further incidents of similar behavior in class or on the campus.
 - Student will attend all classes and be on time for all classes. Student will be ready to work when class starts. Consequence for violation of this provision will be _____.

If _____ fails to carry out the terms of this mediation, the original charges and discipline will be reinstated. The student and parent/guardian/family agree that by signing this mediation agreement all factual and legal issues related to this discipline are finally and fully resolved, and that the student and parent/guardian/family will file no further appeal related to this discipline incident.

Administrator

Hearing Officer or other witness

Student

Parent/guardian/family







SEATTLE
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Overview of Proposed Changes for SR&R 2018-19

1. Aligned language in SR&R to reflect changes made to School Board Policy No. 3240 – Student Behavior and Disciplinary Responses (Approved December 6th, 2017).
 - a. “Disciplinary action” changed to “disciplinary response”
 - b. “Parent/guardian” changed to “parent/guardian/family”
 - c. “School administrator” changed to “school leader”
 - d. Added “high quality instruction” to “Every student has the right to...”
2. Updated website referenced on how to access School Board Policies, School Board Members’ names, and Superintendent name.
3. Added detailed information regarding the disciplinary response and appeal rights for a student who possess a firearm on school property, school provided transportation, or areas of facilities being used exclusively as school district property, or at school-sponsored events or activities.
4. Removed footnotes that referenced WAC and RCW information not contained in the SR&R. Confirmed that WAC 392-400 (Pupils – Student Rights and Responsibilities, Discipline, and Appeals) was still referenced in the body of the document (page 16)

Revised Supporting Discipline Documents for 2018-2019

1. Discipline Matrix (slight changes to Drug/Alcohol offense wording)
2. Discipline Matrix Guide for Administrators (added Expulsion Review Board process)
3. Discipline Decision Making Template for Long Term Suspensions and Expulsions (no changes)
4. Reengagement Plan Guideline (changed from “conference” to “meeting”)
5. Reengagement Meeting Plan Template (changed from “conference” to “meeting”)

Seattle Public Schools

Student

Rights & Responsibilities

20187 - 20198



SEATTLE SCHOOL BOARD

~~Stephan Blanford~~
Rick Burke

Zachary DeWolf
Jill Geary
Leslie Harris
Eden Mack
Betty -Patu
~~Sue Peters~~
Scott Pinkham

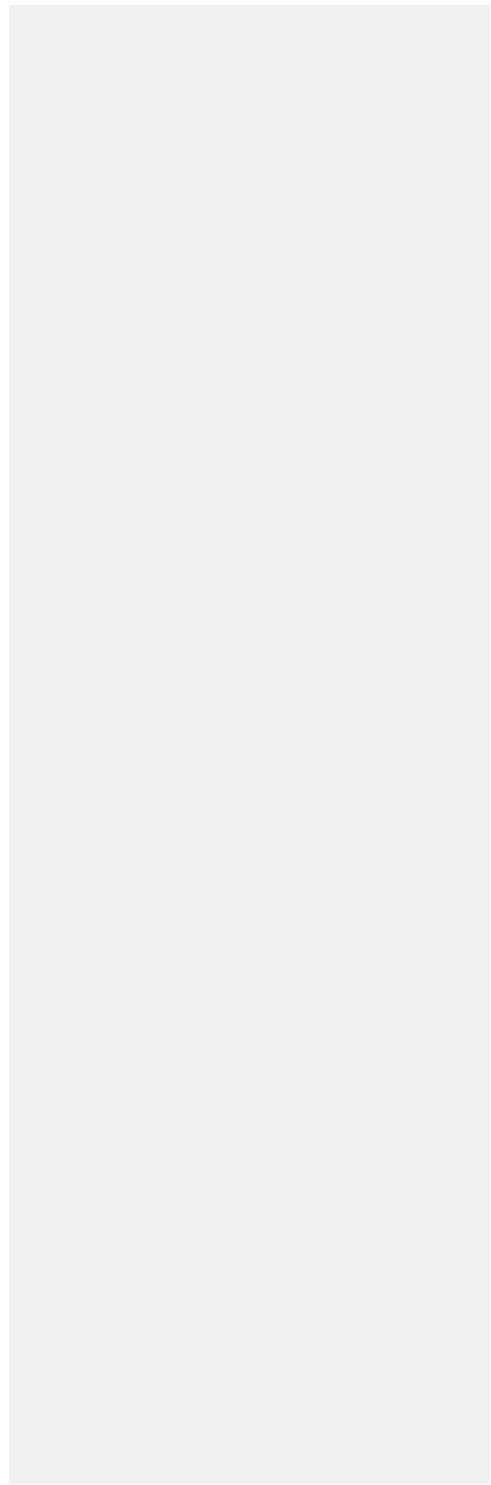


SUPERINTENDENT

~~Dr. Larry Nyland~~

To Be Determined

SEATTLE
PUBLIC
SCHOOLS



Mission

Seattle Public Schools is committed to ensuring equitable access, closing the opportunity gaps, and excellence in education for every student.

Vision

Every Seattle Public Schools student receives a high-quality, 21st century education and graduates prepared for college, career, and life.

Seattle Public Schools, SPS, provides *Equal Educational Opportunities* and *Equal Employment Opportunities* and does not discriminate in any programs or activities on the basis of sex; race; creed; color; religion; ancestry; national origin; age; economic status; sexual orientation, including gender expression or identity; pregnancy; marital status; physical appearance; the presence of any sensory, mental or physical disability; honorably discharged veteran or military status; or the use of a trained dog guide or service animal. SPS also provides equal access to the Boy Scouts and other designated youth-groups.

For students and members of the public, the following employees have been designated to handle questions and complaints of alleged discrimination against and can be reached by at:

Seattle Public Schools,
MS 32-149
PO Box 34165
Seattle, WA 98124-1166

Or by phone or email as specified in the information below:

For sex discrimination concerns, including sexual harassment, contact:

Title IX Grievance Coordinator at title.ix@seattleschools.org

For disability discrimination concerns contact:

ADA/Section 504 Grievance Coordinator at accessibility@seattleschools.org

For all other types of discrimination, contact:

Student Civil Rights Compliance Coordinator at OSCR@kschmidt@seattleschools.org

For employee questions about or requests for disability related accommodations and/or complaints of alleged discrimination, including sexual harassment, contact:

Assistant Superintendent of Human Resources
Seattle- Public Schools
MS 33-157
PO Box 34165
Seattle, WA 98124-1166
(206)252-0024
hreeoc@seattleschools.org

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Positive Beliefs, Positive Relationships, ~~and~~ Positive Learning, and Positive Partnerships in Seattle Public Schools

Meaningful learning occurs in environments that are safe, positive, consistent, and predictable. When the principles of cultural intelligence, safety, respect, honesty, accountability, and equity are exhibited throughout a system, trusting relationships result and excellence for each and every student can be achieved.

Seattle Public Schools is committed to furthering cultural intelligence that respects and values the diversity ~~across the District~~ in schools and in classrooms across the district. This ~~commitment~~, and serves to guide decisions in promoting fair and equitable treatment for all.

A positive safe and healthy school climate is important in promoting a sense of belonging and supporting excellence for each and every student. Positive school climates include:

- A vision based on shared beliefs, values, rituals, and stories that grow as part of the culture.
- Collaborative relationships and respectful interactions between students, families, and staff.
- Fair and equitable treatment that respects and values all cultures.
- A physical environment that is welcoming, safe, and accessible to all.
- Regular assessment and review of school climate survey by students, families, staff, and stakeholders.

In addition to a positive school climate, we understand that students at times may be experiencing emotional and/or physical stressors. During these times, students are encouraged to share with a trusted adult at school and staff are committed to supporting each student so that s/he is fully able to participate in the school day.

Our Student Rights & Responsibilities sets forth the rules and regulations of Seattle Public Schools regarding student conduct. It is created in compliance with the requirements of State law and aligned with the Seattle Public Schools Strategic Plan. It references sections of the

Washington Administrative Code (WAC) that govern use of corrective ~~responses~~ action (i.e., discipline, suspension, and expulsion) for any student by a school district.

The foundation of Seattle Public Schools' discipline policy is one of prevention, by establishing a positive school climate that includes shared behavioral expectations and a common language for talking about expected behavior that is inclusive of students, families, teachers, administrators, volunteers, and other staff (within a Positive Behavior Interventions and Supports (PBIS) framework). Discipline procedures and strategies aim to maximize ~~reduce or eliminate loss of~~ instructional time and reduce out of school consequences for behavior. This document applies to all students and is designed to educate all members of the educational community as to the rules, regulations, and due process procedures. We encourage families to review the Student Rights & Responsibilities with their student. It describes our expectations at school as well as what students can expect from adults at school.

The Seattle Public Schools also publishes ~~and distributes~~ "The Basic Rules of Seattle Public Schools" in flyer format and distributes to all students at the beginning of each school year. All discipline documents may be found on the Seattle Public Schools website.

Questions about the Student Rights and Responsibilities may be directed to the Discipline Office at: discipline@seattleschools.org; (206) 252-0820; or

Seattle Public Schools
MS 31-177
P.O. Box 34165
Seattle, WA 98124-1165

Inquiries will either be responded to directly or be referred to the appropriate school ~~leader~~ administrator. School Board policies referred to in this document ~~may~~ can be accessed at https://www.seattleschools.org/district/board_nav/policies_and_procedures.

https://www.seattleschools.org/district/school_board/policies

Student Rights

As a member of the school community, students have the right to:

- An orderly and safe school;
- Courteous and respectful treatment;
- Be listened to and have their voice heard;

- Have equitable access to classes, high quality instruction, services, resources, and extra-curricular activities;
- Be known and cared for at school; and
- Have equity in terms of consequences.



Additionally, as citizens, students have constitutional rights and schools cannot unduly infringe on those rights. Schools may, however, set reasonable limits on those rights in order to meet their obligation to educate.

- Freedom of speech
- Assembly
- Petition
- Press
- No unreasonable search and seizure¹
- Equal-educational opportunity²
- Religion³

Commented [CCS1]: What does, "Have equity in terms of consequences" mean? Could we perhaps say, "mitigating and aggregating factors will influence the disciplinary decisions making process."?

¹ Students should be free from unreasonable search and seizure. For the protection of all, however, the following rules apply:

- General searches of school property, including lockers and desks, may be conducted without prior notice.
- Items such as firearms, other weapons, firecrackers, or anything else that might reasonably be a threat to safety or security, or disruptive to the educational process may be seized and removed from a student's possession.
- In general, searches of students' persons (other than strip searches) or property may be conducted if a reasonable suspicion that contraband or other evidence of misconduct is present, so long as the methods used are reasonably related to the objectives of the search and the search is not excessively intrusive in light of the age and sex of the student, the nature of the suspected infraction, and the information upon which the search is based.

² Students shall not be unlawfully discriminated against - because of national origin, race, religion, economic status, sex, sexual orientation, gender expression or identity, pregnancy, marital status, previous arrest, previous incarceration, or physical, mental, or sensory handicap. Such differences shall not be held against a student or used as a basis for predetermining a student's capabilities.

³ WAC 392-400-227 and School Board Policy No. 3240.



Washington law (RCW 28A.600.230(3)) prohibits strip searches of students by school administrators and persons acting under their supervision. "Strip search" is defined broadly:

"[H]aving a person remove or arrange some or all of his or her clothing so as to permit an inspection of the genitals, anus, or undergarments of the person or breasts of a female person."

Student Responsibilities

As a member of the school community, students should take personal responsibility -to:

- Share with a trusted adult at the school when they are experiencing emotional and/or physical stressors for the purpose of obtaining resources or support;
- Advocate for their educational, cultural, social, and emotional needs;
- Engage in mutually respectful dialogue with staff and other students;
- Be accountable when failing to meet behavioral expectations and use the opportunity to learn from their mistakes and repair relationships;
- Attend School regularly and be prepared for all classes;
- Contribute to a safe and positive school climate;
- Respect and be mindful of the rights of other people and groups;
- Understand and follow "The Basic Rules of Seattle Public Schools" and individual school rules;
- Dress appropriately for school in ways that will not cause safety or health problems;
- Respond to and follow the instructions of school staff; and
- Respect the property of others and the school.³⁴

³⁴Note: RCW 28A.635.060 allows Seattle Public Schools to withhold the grades, diploma and transcripts of any student who is responsible for losing or willfully cutting, defacing or injuring any property belonging to Seattle Public Schools, a contractor of Seattle Public Schools, an employee, or another student until the student or the student's parents or guardian has paid for the damages. When the student and parent or guardian are unable to pay for the damages, Seattle Public Schools will provide a program of voluntary work for the student in lieu of the payment of monetary damages. Upon the student's completion of the voluntary work, Seattle Public Schools will release the grades, diploma and transcripts of the students.

Any student, parent or guardian aggrieved by the imposition of the above sanctions shall have the due process rights provided in the section on Grievance Procedure for Discipline, WAC 282.400.2 - 240.

School Responsibilities

School staff has a responsibility -to:

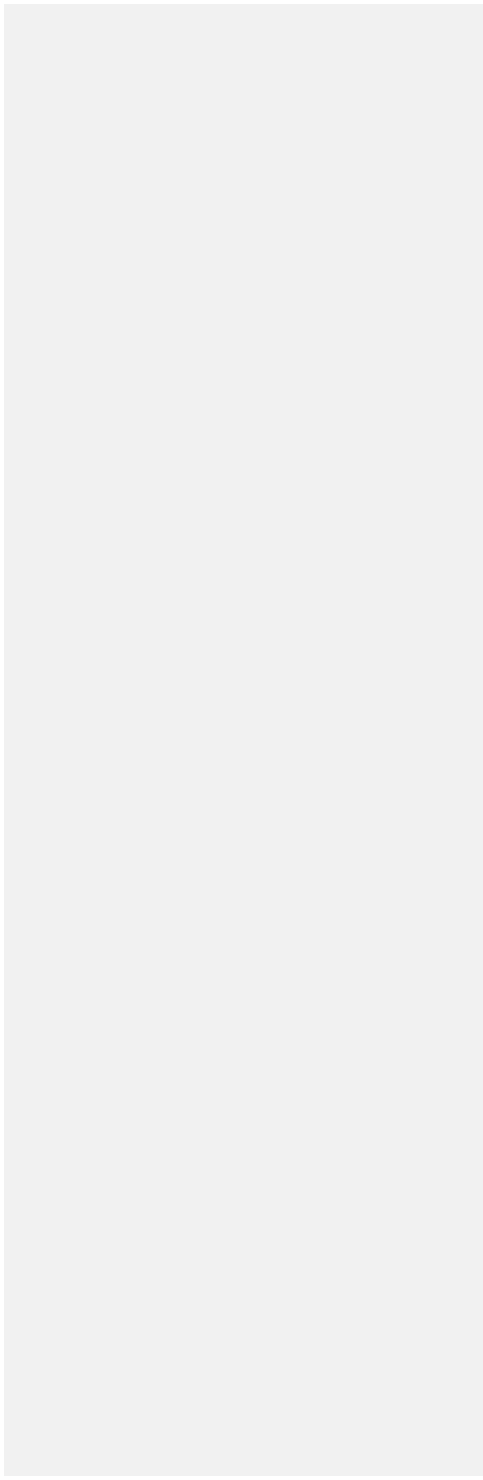
- Create a safe and positive school climate;
- Know, care for, and establish positive relationships -with students;
- Hold all students to high-expectations and provide quality and effective instruction;
- Model courteous and respectful treatment;
- Provide opportunities for student voice to be heard;
- Encourage family participation in the resolution of ongoing problems;
- Encourage the resolution of problems within the school setting;
- Reduce or eliminate the loss of instructional time and out of school consequences;
- Understand that the purpose of discipline is to support behavior change, not to punish; and
- Provide discipline that is intended to teach accountability and repair and restore - relationships.

Commented [CCS2]: Restorative Justice?





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Student Discipline⁴⁵

All students ~~are will be~~ subject to the policies, rules, and regulations of Seattle Public Schools. The written rules are intended to assure that positive discipline and disciplinary ~~action responses~~ are imposed in a fair, equitable, and just manner. Students ~~may will~~ receive a disciplinary response if they fail to comply with any of the written rules and regulations while at school, on school grounds, on School District- sponsored transportation, or at any school- sponsored event. Students ~~may will~~ also receive a disciplinary response if they fail to comply with any of the written rules and regulations in ~~any~~ other settings having a real and substantial ~~relationship~~.

to the operation of Seattle Public Schools, including, but not limited to, the preservation of the safety of students and employees and the preservation of an educational process ~~which is~~ conducive to learning.

Appeal procedures have been established in order to provide an opportunity for disciplinary ~~actions responses~~ to be reviewed by a neutral third party and to instill confidence among students and families as to the appropriateness of ~~the~~ disciplinary ~~action response~~.

Authority of District Staff

Persons who have authority to discipline- students:⁵⁶

1. The School Board authorizes certificated teachers, school administrators, bus drivers, and any other school staff the authority to impose discipline upon a student for conduct that violates the rules of the School District. These persons may also remove a student on an emergency basis from a ~~class~~, subject, or activity.
2. The School Board authorizes teachers to remove students who create a disruption of the educational process from their classrooms for the rest of the school day—
or
until an administrator and the teacher have discussed the incident, whichever comes first. Except in emergency circumstances, the teacher is expected to first attempt one or more alternative forms of disciplinary ~~action responses~~. In no case will a student be allowed to return for the rest of the class period without the permission of the teacher.
3. The School Board authorizes school principals, assistant principals, and their designees to impose school-based ~~action responses~~, in-school suspensions, short- term suspensions, long-term

Conditions and limitations for discipline⁶⁷

Discipline imposed on a student who violates the rules of Seattle Public Schools may not include ~~corporal punishment~~.

Corporal punishment does not include:

- a. The use of reasonable physical force by a school administrator, teacher, school employee or volunteer as necessary to maintain order or to prevent a student from harming him/herself, other students,

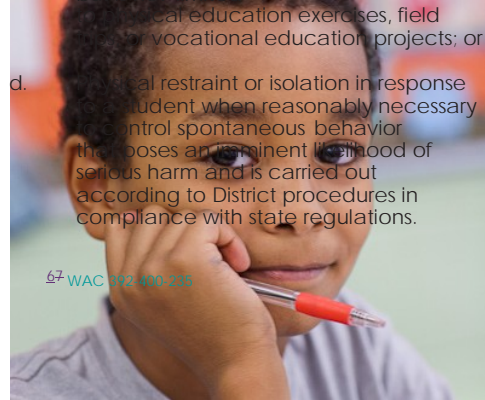
suspensions, emergency expulsions, and ~~expulsions~~.

school staff, or property,

but is not limited to:

- b. Physical pain or discomfort caused by or resulting from training for or participation in athletic competition -or recreational activity voluntarily engaged in by the student;
- c. Physical exertion shared by all students in a teacher directed class activity, which may include

⁴⁵ WAC 392-400-210
⁵⁶ WAC 392-400-230



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Seattle Public Schools Commitments

Eliminating opportunity gaps and ensuring educational excellence for each and every student is the issue of our time.

Seattle Public Schools recognizes:

- there is racial disproportionality in disciplinary responses within the ~~district~~;
- each situation involving discipline ~~may~~ be complex with underlying factors that requires staff to understand the function of students' behaviors;
- mitigating and aggravating factors should influence the disciplinary decision-making process; and
- there is an impact when using exclusionary practices.

Seattle Public Schools staff are committed -to:

- knowing, caring for, and establishing positive relationships -with students;
- supporting the whole child;
- holding all students to high-expectations and providing quality and effective -instruction
- teaching the development of positive social, emotional, and behavioral skills in -students;
- using a variety of ways to shape behavior once harm as occurred, instead of relying on exclusionary practices;
- implementing a disciplinary response that would be the least disruptive to the student-school relationship, which also ~~minimizes the less of~~ maximizes instructional time;
- partnering with families, other staff, and community based organizations in the event that a disciplinary ~~action~~ response has occurred; and
- examining their own implicit ~~basis~~ bias, while working from a culturally ~~responsive and~~ trauma ~~informed~~ responsive lens that utilizes verbal de-escalation skills in an effort to create conditions in our schools that allow students to be successful.

Disclaimers

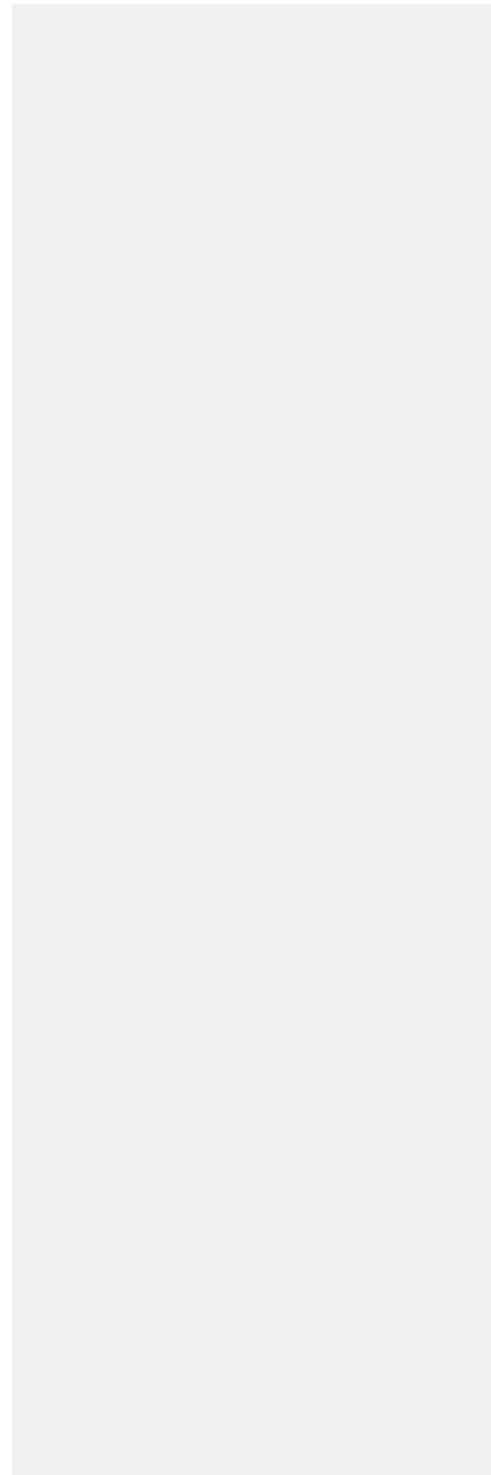
This document uses words and definitions of words that may be offensive to some persons. Parents/guardians should use discretion in allowing young children to read this document without supervision.

This document is intended to provide - information regarding student conduct. Conduct by staff members is governed by many documents, including School Board -Policies and Procedures, and applicable collective bargaining agreements. If you have concerns about the actions of a staff member, please contact that person's supervisor.





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Student Behavior (Formerly Code of Prohibited -Conduct)

Arson

Intentionally setting a fire or causing an -explosion.

Assault (Please see Physical Aggression when determining the severity of the offense.)
Being physically violent, using unwarranted force, or demonstrating the deliberate and immediate intent to be physically violent, toward another person, including domestic violence.

(Physical) Aggression

A physical action that disrupts the school environment in an unsafe manner and/or unintentionally -harms another person.

Appropriate for any student in circumstances when emotional regulation or maturity is insufficient to understand the consequences of the -behavior.

Bullying, Intimidation, or Harassment ⁷⁸

Engaging in intentional, persistent or pervasive written, verbal, electronic, or physical bullying, intimidating, or harassing conduct that includes, but is not limited to, any of the following:

- is for the purpose of embarrassing or denigrating another person;
- physically harms a person or damages the person's -property;
- is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment;
- has the effect of substantially interfering with the student's education or adult's right to teach or manage student behavior; or
- has the effect of substantially disrupting the orderly operation of the school.

(See also Malicious Harassment) The District will respond to off-campus student speech that causes or threatens to cause a substantial disruption on campus or interferes with the right of students to be secure and obtain their education. Substantial disruption includes, but is not limited to, significant interference with instruction, school operations or school activities, violent physical or verbal altercations between students, or a hostile environment that significantly interferes with a student's education.

Conduct that may rise to the level of harassment, intimidation, or bullying may take many forms, including, but not limited to:

- Conducting electronic bullying, intimidation, and harassment, including, but not limited to, cyberbullying, on school grounds, during school activities, on school buses, or during the school day;
- Initiating students into a school, group, grade level, or office through persecuting, harassing, or coercive behaviors that cause or are likely to cause social or emotional harm (See also Hazing).

There is no requirement that the person actually possesses the characteristics that is the basis for the bullying, intimidation, or harassment.

Burglary

Forced entry or remaining unlawfully in a district building or room in the building for the purpose of taking property. ⁸

⁷ See, Malicious Harassment for harassing and intimidating behavior based on protected class or status. Also see, RCW 28A.300.285.

⁸ See, Trespass for other purposes of being unlawfully present on District property or in District buildings.

Computer Trespass, Tampering, and Misuse ²¹⁰

Intentionally violating a school or Seattle Public Schools computer system or database.

Dangerous Weapons ¹⁰¹

Carrying a dangerous weapon onto, or possessing a dangerous weapon on, school property, school-provided transportation, areas of facilities being used exclusively as school district property, or at school-sponsored events or -activities.

Disobedience -(Not an exclusionary response action for K-5 -students)

Flagrantly, purposefully, or repeatedly failing to comply with or follow the instructions of teachers and other school staff.

Disruptive Conduct -(Not an exclusionary action response for K-5 students)

Flagrantly and substantially interfering with teaching or learning in the classroom, school activities, or extracurricular activities.

Distributing Alcoholic Beverages

Distributing, sharing, or passing around alcoholic beverages, including any beverage with alcohol content.

Distributing Illegal Drugs, Controlled Substances, Prescription or Over-the-Counter Drugs

Distributing, sharing, or passing around ~~illegal drugs, controlled substances, prescription or over-the-counter drugs, and/or drug paraphernalia including but not limited to pipes, handmade devices, electronic vapor devices or products containing an illegal drug, illegal drugs or controlled substances, including but not limited to, prescription or over the counter drugs, any food item with illegal drugs in it, and electronic vapor devices or products containing a controlled substance.~~

Distributing Marijuana

Distributing, sharing, or passing around ~~marijuana, including but not limited to medical, home-grown, street or store purchased marijuana, marijuana concentrates, any food item with marijuana in it, and/or drug paraphernalia including but not limited to pipes, handmade devices, and electronic vapor devices or products containing a marijuana substance, marijuana, including but not limited to, medical, home-grown, street or store-purchased marijuana, marijuana concentrates, any food item with marijuana in it, and electronic vapor devices or products containing any marijuana substance.~~

Extortion, Blackmail, Coercion

Obtaining money, property or other consideration by violence or threat of violence, or forcing someone to do something against his or her will by force or threat of violence.

False Alarm

Activating a fire alarm or calling 911 for other than the intended purpose of the alarm.

False Reporting

Knowingly reporting and (maliciously) falsely reporting or falsely corroborating misbehavior of others that did not occur, including spreading a false rumor maliciously, ~~at school, or school grounds, on school-provided transportation, or at a school-sponsored function.~~

False Threats

Falsely reporting any type of bomb or person with a firearm in any school building or structure, on school grounds, on school-provided transportation, or at a school-sponsored function.

Fighting

Engaging in or provoking mutual physical contact involving anger or hostility, including deliberately arranging a fight or willingly participating in such an arranged fight that creates



substantial risk of serious physical injury to the participants.

⁹ See, Disruptive Conduct for behavior with computers that is unintentional or otherwise does not rise to the level of Computer Trespass.

¹⁰ See, Toy Guns and Toy Weapons for toys that do not appear to be real weapons.

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Firearms ¹¹²

Possessing a firearm on school property, school-provided transportation, areas of facilities being used exclusively as school district property, or at school-sponsored events or activities.

Any student who is determined to have carried a firearm onto, or to have possessed a firearm on, school district property, school-provided transportation, or areas of facilities while being used exclusively by public schools, shall be expelled from school for not less than one year, and law enforcement officials will be notified as required by RCW 28A.600.420 and RCW 9.41.280. Any student disciplined for this offense must be evaluated by the District's Threat Assessment Team prior to placement in an alternative educational environment and prior to any review by the Superintendent. An alternate education environment will be determined for the student to continue his/her education.

Students ~~so~~ suspended or expelled have the right to appeal the discipline to a hearing officer, and to appeal the hearing officer's decision to the Discipline Appeals Council (DAC). If the discipline is upheld by the hearing officer and the DAC, students also have the right to appeal directly to the Superintendent at the end of the semester for a modification of the length of the suspension or expulsion. Such appeal to the Superintendent must include evidence that the student has satisfactorily participated in a behavior modification class or program, that the student maintained satisfactory behavior and attendance in their alternative educational environment, and that the student is making reasonable academic progress.

Fireworks, Explosives, Chemicals, and Incendiary -Devices

Possessing or using fireworks, or an explosive, chemical, or incendiary device on school property, school-provided transportation, areas of facilities being used exclusively as school district property, or at school-sponsored events or -activities.

Gambling

Playing cards, dice, or games of chance for money or other things of value.

Gang/Hate Group Activity ¹³

Belonging to an organized gang, hate group, or similar organization or group and knowingly engaging in gang/hate group activity on school grounds or during school activities or functions.

Graffiti ¹⁴¹²

Writing, painting, drawing, scratching, or otherwise making any inscription, figure, or mark of - any type on any District owned or staff or student property, unless the student has obtained the permission of a school official or staff person.

Hazing ¹⁵¹³

Initiating or harassing another student through humiliating tasks or unsafe or illegal behaviors that cause, or are likely to cause, physical injury¹⁴¹⁶ or endangerment. (See also Bullying, Intimidation, or Harassment.)


Inappropriate Language (previously Verbal Assault) ¹⁵¹⁷

Using words that are hurtful, harmful, demeaning, offensive, or embarrassing, including words that are crude or vulgar, and name-calling.

Inappropriate Sexual Conduct

Engaging in inappropriate sexualized conduct that is not conducive to the learning environment of a school. (See also Inappropriate Touching; Lewd Conduct; Sexual Assault; Sexual Harassment.)

Inappropriate Touching ¹⁵¹⁹



Unwanted or inappropriate touching of another person's body such that the person is uncomfortable by the behavior.

Interference with School Authorities

Interfering with the discharge of the official duties of district staff by:

- Using force or violence that is non-deliberate and not focused on the staff person, such as attempting to continue a fight when a staff person is trying to stop the fight and inadvertently striking that person;

¹¹ Mandatory One-Year Expulsion, but will be imposed in a manner consistent with the Individuals with Disabilities Education Act" 20 U.S.C. § 7151(c).

¹² ~~The Safety and Security Department must be notified for violations of this offense. If appropriate, Seattle Police will be notified.~~

¹³~~12~~ See, Property Damage for graffiti causing more than \$100 damage.

¹⁴~~13~~ See, Bullying, Intimidation, and Harassment for less serious behaviors.

¹⁵~~14~~ See, Assault for hazing behaviors that involve physical assault

¹⁶~~15~~ See, Threats of Violence for credible, focused threats of violence.

¹⁷~~16~~ See, Sexual Assault for more serious behavior or inappropriate touching.

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- Disobeying the orders of school officials to leave school property or disperse as instructed; or
- Heckling or harassing school authorities engaged in any lawful task, function, process, or procedure of the school District such that it interferes with their ability to maintain order or complete their lawful duties. This includes, but is not limited to:
 - o Persistent¹⁷ use of abusive or foul language directed at a school District employee;
 - o Use of any electronic means (e.g., cameras, cell phone cameras, videos, or other recording devices) that foreseeably causes school staff to be embarrassed, denigrated, or demeaned; or
 - o Hindering the investigation of an incident by school staff, including but not limited to any of the following: refusing to submit to a reasonable search or respond to reasonable questions, or deliberately lying about, or encouraging others to lie deliberately about, the facts of the incident.

Intimidation of School Authorities

Interfering, or attempting to interfere, with the discharge of the official duties of district personnel by using direct, deliberate, or focused threats, force, or violence, such that the staff person believes his or her safety or the well-being of his or her property is in danger.

Lewd Conduct ¹⁸²⁰

Engaging in inappropriate sexual or social behavior, such as sexual acts, either singly or consensually with another person, including, but not limited to, sexual intercourse, oral sex, sexual touching, indecent exposure, or voyeurism. (See also Inappropriate Sexual Conduct; Inappropriate Touching; Sexual Touching; Sexual Assault; Sexual Harassment.)

Malicious Harassment ¹⁹²¹

Maliciously and intentionally committing one of the following acts because of a perception of that person's race, color, religion, ancestry, national origin, gender, sexual orientation, gender identification, gender expression, or mental, physical, or sensory handicap:

- Causing physical injury to the victim or another person.
- Causing physical damage to or destruction of the property of the victim or another person.
- Threatening a specific person or group of persons such that the persons, or members of the specific group of persons, are in reasonable fear of harm to themselves or their property, including their right to an education or their safety at school.

The District will respond to off-campus student speech that causes or threatens to cause a substantial disruption on campus or interference with the right of students to be secure and obtain their education. Substantial disruption includes, but is not limited to, significant interference with instruction, school operations or school activities, violent physical or verbal altercations between students, or a hostile environment that significantly interferes with a student's education.

Violations of this offense must rise to the level of the state definition of Malicious Harassment.

Malicious Harassment may or may not be personal, but occurs primarily because the victim is a member of one of the groups identified above. See, RCW 9A.36.080. (See also Bullying, Intimidation, or Harassment.)

¹⁷—See, Inappropriate Language for less than persistent use.

¹⁸—See, Sexual Assault, for behavior using force or physical harm. Also, see [D-320](#) Sexual Misconduct for inappropriate sexualized behaviors.

²⁰—See, Bullying, Intimidation, or Harassment when the harassment is not based on status or personal characteristics.

Malicious -Property Damage -(Formerly Malicious Mischief)

Intentionally causing damage to any school property, staff, or student property, or school buses. Also, writing, painting, drawing, or otherwise marking graffiti on any school property, staff property, or school bus that is so extensive that the cost of removing it exceeds \$100.²⁰²²

Misrepresentation

- Forging a parent's, guardian's, or any other person's signatures on any letter to the school, on any school document or form, or on any other document or form used by the school.
- Changing grades or attendance records on official District forms, including attendance reporting sheets and grade books, for any student without authorization of a school official.
- Providing a false name when asked to identify oneself to a school authority.
- Providing false information to school personnel, or impersonating another person verbally or in writing to provide false or misleading information, regarding a student's attendance or absence from school, including, but not limited to, falsely excusing absences or authorizing a student to be excused early from class or -school.

Misuse of Computers ²¹²³

Inappropriately using or tampering with school computers.

Other Exceptional Misconduct

Engaging in any other activity that would constitute a felony, gross misdemeanor, or misdemeanor under city, state, or federal law.

~~Appropriate for any student in circumstances when emotional regulation or maturity is insufficient to understand the consequences of the behavior.~~

Plagiarism

Cheating, or copying the work of other persons, or turning in another person's papers, projects, computer programs, etc., as your own.

Possession of Stolen Property

Knowingly receiving, retaining, possessing, concealing, or disposing of stolen property.

Possessing or Using Alcoholic Beverages

Possessing, using, or being under the influence of alcohol, including any beverage with alcohol content.

Possessing or Using Illegal Drugs, Controlled Substances, Prescription or Over-the-Counter Drugs

Possessing, using, or being under the influence of illegal drugs, controlled substances, prescription or over-the-counter drugs, and/or drug paraphernalia including but not limited to pipes, handmade devices, electronic vapor devices or products containing an illegal drug, illegal drugs, controlled substances, or any food item with illegal drugs in it, and/or possessing drug paraphernalia, including, but not limited to, electronic vapor devices or products containing a controlled substance, pipes, and hand-made devices.

Possessing or Using Marijuana

Possessing, using, or being under the influence of marijuana, including but not limited to medical, home-grown, street or store purchased marijuana, marijuana concentrates, any food item with marijuana in it, and/or drug paraphernalia including but not limited to pipes, handmade devices, and electronic vapor devices or products containing a marijuana substance marijuana, whether medical, home-grown, street or store purchased marijuana, marijuana concentrates, or any food item with marijuana in it, and/or possessing drug paraphernalia, including, but not limited to, electronic vapor devices and products containing

~~a marijuana substance, pipes, and hand made devices.~~

²¹~~See, School Board Policy No. D83-003520 Student Fees, Charges, Fines, Fines, Restitution, and Damage Deposits for appeals regarding payments and working~~

²⁰~~off fines.~~

²²~~21~~ See, Computer Trespass for computer-related misconduct.

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Robbery

Taking another's property by force or threat of force.

Rule-breaking (Not an exclusionary ~~action response~~ for K-5 students)

Breaking a specific, published school rule. This includes breaking school bus rules and violating a specific safety or behavior contract.

Selling Alcoholic Beverages

Selling, or intending to sell, alcoholic beverages, including any beverage with alcohol content.

Selling Illegal Drugs, Controlled Substances, Prescription or Over-the-Counter Drugs

Selling, or intending to sell ~~illegal drugs, controlled substances, prescription or over-the-counter drugs, and/or drug paraphernalia including but not limited to pipes, handmade devices, electronic vapor devices or products containing an illegal drug, drugs or controlled substances, including but not limited to, prescription or over the counter drugs for recreational purposes, any food item with drugs in it, and electronic vapor devices or products containing a prohibited substance.~~

Selling Marijuana

Selling or intending to sell ~~marijuana, including but not limited to medical, home-grown, street or store purchased marijuana, marijuana concentrates, any food item with marijuana in it, and/or drug paraphernalia including but not limited to pipes, handmade devices, and electronic vapor devices or products containing a marijuana substance, marijuana of any kind, including but not limited to, medical, home-grown, street or store purchased marijuana, marijuana concentrates, any food item with marijuana in it, and electronic vapor devices or products containing any marijuana substance.~~

Sexual Assault ²⁴²²

Sexually assaulting or taking indecent liberties with another person. (See also inappropriate Sexual Conduct; Inappropriate Touching; Lewd Conduct; Sexual -Harassment.)

Sexual Harassment

Subjecting another individual to unwelcome conduct of a sexual nature. The conduct can include, but is not limited to deliberately harassing another person for sexual reasons or in a sexualized manner with unwanted attention, touching, or verbal comments such that the targeted person is uncomfortable, intimidated, or threatened by the behavior. (See also Inappropriate Sexual Conduct; Inappropriate Touching; Lewd Conduct; Sexual Assault.)

Small Folding Knives ²³²⁵

~~Carrying onto~~ Bringing or possessing a small folding knife with a blade length of 2-1/2 inches or less and with a blade width 1/2-inch or less on school property, school-provided transportation, areas of facilities being used exclusively as school district property, or at school-sponsored events or activities.

Theft

Stealing school district property or the property of a staff member, student, or school-visitor.

Threats -of Violence

Communicating credible, focused threats of violence or harm to an individual or group of individuals, directly or indirectly by any means, which cause the other person to believe his or her life, safety, or property is in imminent danger, or which cause a listener to believe that another person's life, safety, or property is in imminent danger. It is not necessary that the threat be communicated to the intended victim.



²³ See, Malicious Harassment for consideration.

²² See, Board Policy No. 3208 - Sexual Harassment, and Superintendent Procedure 3208SP.

²⁵ ²³ See, Toy Guns and Toy Weapons for toys that do not appear to be real knives.

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A student may be expelled for the first offense without regard to progressive discipline when there is good reason to believe that other forms of ~~disciplinary corrective action responses or punishment~~ would fail if employed.

Good reason to believe that other forms of ~~disciplinary corrective action responses~~ or punishment would fail if employed include:

- ~~a~~ Threatening to take another student or staff person's life. Students and staff have the right to a safe and non-threatening atmosphere. Seattle Public Schools has no tolerance for threats of violence or harm to others. Before an expulsion may be used for threats of violence or harm, school administrators must request School Threat Assessment Team (STAT) services to determine whether the threat is direct and ~~redible~~ credible to do lethal harm. The STAT will provide recommendations that administrators are encouraged to follow. ²⁴~~26~~

Toy Guns and Toy Weapons

Possessing a toy gun²⁷ or other toy weapon not appearing to be a real gun or weapon; or appearing to be a real gun or weapon, but not used or displayed with malice.

Toys Used ~~a~~As Weapons

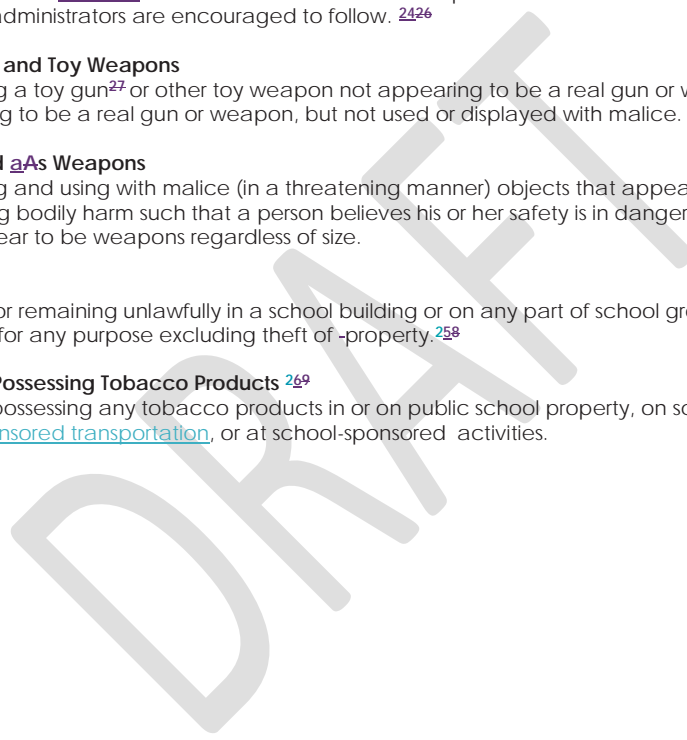
Possessing and using with malice (in a threatening manner) objects that appear to be capable of causing bodily harm such that a person believes his or her safety is in danger, including toys that appear to be weapons regardless of size.

Trespass

Entering or remaining unlawfully in a school building or on any part of school grounds or school property for any purpose excluding theft of ~~property~~.²⁵~~8~~

Using or Possessing Tobacco Products ²⁶~~9~~

Using or possessing any tobacco products in or on public school property, on school ~~buses~~ sponsored transportation, or at school-sponsored activities.



²⁶ ²⁴ See, Appendix A for full STAT definition.

²⁸ ²⁵ See, ~~Burglary~~ for trespass related to theft of property.

²⁹ ²⁶ See, School Board Policy No. 4215-Tobacco Free Environment, and Superintendent Procedure No. 4215SP.

Accomplice Activity

A student may be held responsible for the conduct of another person if the student is an accomplice of such other person's behavior requiring a disciplinary ~~action~~ response. A student is an accomplice to another person if, with knowledge that it will promote or facilitate the need —for disciplinary ~~action~~ response, the student: (1) -solicits, commands, encourages, or requests such -other person to engage in the behavior, or (2) aids or agrees to aid such other person in planning or committing the behavior. A student may encourage the conduct of another through verbal or nonverbal acts. ²⁷~~30~~

A student is not an accomplice if he or she is the victim of the behavior, or he or she terminates their complicity prior to the commission of the behavior and gives timely warning to school officials that the conduct may occur. ²⁸~~31~~

If a student engages in accomplice activity, the accomplice may be charged with the same behavior of the principal actor with a notation that the student committed the behavior as an accomplice.

Off Campus Behavior

Discipline may be imposed for an off-campus act of misconduct if the disciplinary action is reasonable under the circumstances and closely connected to the educational process. The following criteria should be considered to decide whether an act of misconduct is sufficiently connected to the educational process:

1. Location of the misconduct (proximity to school grounds or to a school activity);
2. Hour and date of the misconduct (during school hours, but off-campus; immediately before or after school hours; on district-sponsored transportation, directly before entering or after leaving district-sponsored transportation, or during school-sponsored activities);
3. Effect on other participants or victims to the misconduct (did the misconduct involve or affect other students or school district personnel-);
4. Severity of the misconduct and its likely connection to student or school district personnel safety (e.g., fighting or other violent or destructive acts, the selling of a controlled substance, or possession of a weapon); and
5. Extent to which the off-campus activity affects the environment or safety of the school (e.g., students are afraid to come to school or afraid at school because of it; it is disruptive to the school atmosphere in that special precautions or actions need to be taken to protect students and staff; the arrangements for the activity were made on campus but conducted off campus, such as drug sales, a fight or assault, etc.; or there are likely repercussions such as students from other schools or non-students coming onto the campus to effect -retribution.)

³⁰ ²⁷ A student may be an accomplice merely by being present when another student is doing something wrong if they do not attempt -to stop the aggressor from continuing the wrongful act or if their presence constitutes silent agreement of the act or is perceived as contributing to intimidation of the victim. For example, persons grouped around a victim while another student bullies or threatens the victim, even though they do not say anything or otherwise participate physically or verbally in the bullying or threatening behavior, could be considered accomplices because just by being there and not saying anything they are perceived by the victim as participating with and agreeing to the bullying or threatening behavior.

³¹ ²⁸ Students are not accomplices if they merely know about an action planned by another student even if they do not report what they know to an administrator.

The District will respond to off-campus student speech that causes or threatens to cause a substantial disruption on campus or interference with the right of students to be secure and obtain their education. Substantial disruption includes, but is not limited to, significant interference with instruction, school operations or school activities, violent physical or verbal altercations between students, or a hostile environment that significantly interferes with a student's education.

~~Standard Disciplinary Actions~~

~~Standard disciplinary actions for Student Behavior incorporate School Board Policy No. 3240 regarding the use of progressive discipline.~~

Requirement to Provide Educational Services

School districts may not suspend the provision of educational services to a student as a disciplinary ~~action~~ response.

While students may be excluded from classroom and other instructional or activity areas for a period of suspension or expulsion, districts must provide students with an opportunity to receive educational services during that time.

If educational services are provided in an alternative setting, the alternative setting should be comparable, equitable, and appropriate to the regular education services a student would have received without the exclusionary discipline.

Student Reengagement ~~Meeting Conference and~~ Reengagement Plan, ~~and Reentry~~ Program

For students who are long term suspended or expelled, the purpose of the reengagement ~~meeting conference~~ is to develop a plan to reengage the student in a school program tailored to the student's individual circumstances (RCW 28A 600.022). The goal of the re-engagement process is to support the student's ability to be successful in school when they return to school following a period of exclusionary discipline.

The reengagement ~~meeting conference~~ must be held within **three days** of when the Notice of Disciplinary Action (NDA) is created and ~~provided to notification is given to parents/families~~.

Re-engagement conference participants should take into account:

- ~~1.a.~~ The circumstances related to the student's suspension or expulsion,
- ~~2.b.~~ The student's prior academic and discipline history, and
- ~~3.c.~~ The severity of the disciplinary incident that led to the student's exclusion.

The purpose of the re-engagement plan is to:

- Allow the family to provide meaningful input, and have the opportunity to participate in a culturally sensitive and culturally responsive reengagement plan;
- Discuss the services available to the student while excluded;
- **Educational services must be offered**
- **Behavioral services must be discussed**
- Define what the student is required to do before returning to school; and
- Identify supports that will be in place when the student returns to school.

While developing a re-engagement plan, school districts should consider:

1. Shortening the length of time that the student is suspended or expelled;

2. Exploring whether or not there are other forms of disciplinary action responses that could be more effective;
3. Determine how the plan may aid the student as they take the necessary steps to remedy the situation that led to the suspension or expulsion; and
4. Plan supports that result in academic success, and keep the student engaged and on track to graduate

Reentry Program for High School Students Discipline Case Management Services for Middle School Students

~~District practice at the secondary level is to provide free access to behavior modification instruction to the extent possible when it is required for suspensions and expulsions. This generally is when the suspension or expulsion is for offenses that involve violence. The reentry program may include academic instruction as well as courses that meet District expectations for behavior modification instruction.~~

Students with Disabilities

~~Prior to being referred to a Reentry Program or Discipline Case Management Services, a Manifestation Determination Team (MDT) meeting must occur.~~

High School Students


~~A Reentry Program is provided for high school students who have been long-term suspended or expelled from school for the 2017-18 school year through Interagency Academy. For 2018-19, long-term suspended or expelled high school students will be referred to Interagency Academy's to the Reentry Program. Students will attend an orientation at Interagency Academy and will then be assigned to one of several Interagency Academy sites for through the remainder of their suspension semester in which they were suspended or expelled. District practice at the high school level is to provide free access to behavior modification instruction to the extent possible when it is required for suspensions and expulsions. This generally is when the suspension or expulsion is for offenses that involve violence. This assignment will may continue into the next semester if there is a requirement for behavior modification instruction and such instruction has not been completed is unable to be completed satisfactorily in the time remaining by the end of their suspension.~~

~~in the current semester.~~

~~Suspended high school students with a requirement to complete behavior modification may return to their suspending school when at the end of the semester in the which behavior modification instruction is satisfactorily completed. Students whose disciplinary response did not behavior does not include at have a behavior modification requirement may return to their suspending school when their suspension in over at the end of the same semester as they were suspended.~~

~~Expelled high school students cannot return to their expelling school for the duration of their expulsion and if a student is also long term suspended a referral will be referred made to Interagency Academy, assigned first to the Reentry Program if a long term suspension is also part of the disciplinary response, until the end of the semester, and then to another appropriate regular school as specified in Enrollment Procedures. They must be allowed to enroll in the Reentry Program within ten (10) school days of their expulsion from school. Expelled students who do not have a long term suspension as part of their disciplinary response must be reassigned to another school within ten (10) school days of their expulsion whose behavior includes the requirement that they satisfactorily complete a behavior modification course will be assigned to another appropriate regular school as specified in Enrollment Procedures at the end of the semester when they satisfactorily complete the behavior modification requirement.~~

Middle School Students



Middle school students who are eligible for behavior modification, based on the# referring behaviors of concern (please see SPS Discipline Matrix for 2018-2019 school year for eligibility), may be short term suspended and the school ~~leader-administrator~~ may request Discipline Case Management services through the Discipline -Office. If the school chooses to impose a long-term suspension, then Discipline Case Management Services will not be provided. The goal of Discipline Case Management Services is to minimize lost instructional time for all students while increasing student success (both academically and behaviorally) by providing long term support (a semester or more) to schools, families, and students in response to significant behaviors.

While the student is suspended,

~~While the student is suspended,~~ Discipline Case Management services will include a comprehensive behavior and social skill assessment conducted with the student and the family; interviews with school staff; referrals to community based organizations if needed; securing of Releases of Information (ROIs); coordination with community based providers; -the development of a school success reentry plan based on the story and strengths of the student and projected needs when they return; and scheduling of a reentry meeting. _____

When the student returns to school, Discipline Case Management Services will include ongoing weekly and/or biweekly communication with school staff, families, community-based providers, and the student. If the comprehensive assessment indicated a need for direct instruction in skill building, Discipline Case Management Services ~~can~~may also include time limited skill building instruction. Discipline Case Management Services will continue until stability is regained ~~and a transition back to school level case management occurs.~~

Elementary School Students

Elementary school students may not be long-term suspended from their school. Therefore, there is not a reentry program for elementary students.

Expelled elementary school students are reassigned to another elementary school as quickly as possible after their expulsion ~~to minimize lost instructional time, so they do not miss academic instruction.~~

Students with Disabilities

Prior to being referred to Interagency Academy (high school) or Discipline Case Management Services (middle school), a Manifestation Determination Team (MDT) meeting must occur.

Adoption of Rules by Seattle School Board

The Seattle School Board adopted these rules in June 2017. The Seattle School District follows the substantive and procedural due process rights guaranteed by the Office of Superintendent of Public Instruction under RCW 28A.600.015. See, WAC 392.400. A copy of the regulations may be requested by contacting the Discipline Appeals Office at 206-252-0820 or downloading the regulation at <http://apps.leg.wa.gov/WAC/default.aspx?cite=392-400>.

School Rules

In addition to the above District rules, each school ~~may~~will adopt and distribute to each student rules that will ~~govern a student's behavior~~ govern a student's conduct in a particular school. When a student ~~does not follow~~ breaks these school rules, he or she may be - disciplined.

Due Process Rights of Students

Seattle Public Schools believes that due process means that students must be treated fairly and with regard for their rights under the law. This means that any disciplinary action of a student who has violated rules must be administered fairly and for good and just cause. Students have the right to tell their side of the incident and receive a fair consequence for their behavior. School officials will take disciplinary action only after a thorough examination of the facts and the facts must always be reasonably related to the nature and circumstances of the violation. Students have the right to appeal ~~a disciplinary action~~ a disciplinary response ~~that~~ they feel is unjust or unjustly administered.

Seattle Public Schools has adopted and implemented the due process rules found in WAC 392-400. These rules outline the substantive and procedural due process rights of students who are involved in programs or activities within Seattle Public Schools. Additionally, Seattle Public Schools has adopted rules that guarantee the minimum due process standards and protections. Other rules that govern student conduct include WAC 392-145 (school buses).

Short-Term Suspensions³²

Principals, assistant principals, and their designees may short-term suspend a student for engaging in behavior defined in the Student Behavior section of the Student Rights & Responsibilities.—Before principals, assistant principals, and their designees may short-term suspend a student they must follow certain general rules, which are listed below:

1. Principals, assistant principals, and their designees must make a decision to suspend —a student by considering mitigating and aggravating factors. Principals, assistant principals, and their designees must reasonably believe ~~that~~ a short-term suspension will provide an explicit benefit to the student and the school, and that other classroom and school based options have been exhausted.
2. In grades Pre-school through Grade 4, principals, assistant principals, and their designees may not short-term suspend a student for more than ten (10) consecutive or cumulative school days during a single semester or trimester, depending on the school.
3. In grade five or above, principals, assistant principals, and their designees may not short-term suspend a student for more than fifteen (15) consecutive or cumulative school days during any semester or ten (10) consecutive or cumulative school days during any trimester, depending on the school.
 - a. No loss of grades or credit may be imposed because of a short-term suspension.
4. Any student who has been short-term suspended may request a lesser disciplinary ~~action~~ response, including being allowed to return to school immediately. This request is made to the school principal either verbally or in writing, and is considered a Step 1 grievance.
5. Mediation: If the disciplinary ~~action~~ response is mediated at this time the student and/or ~~parent/guardian~~ parent/guardian/family agree that by signing the mediation agreement³³ all factual and legal issues related to a particular discipline are finally and fully resolved, and that the student and ~~parent/guardian~~ parent/guardian/family will file no further appeal related to this discipline incident. If mediation is not agreed to by either party, the grievance meeting moves forward and the school administrator makes a decision.
6. A short-term suspension starts immediately, regardless whether the parent or student appeals the ~~action~~ disciplinary response.

Notice to Student and Parents/Guardians/~~Families~~ of Short-term -Suspensions³⁴

A student is entitled to a conference before he or she is short-term suspended. During the conference, the student must be given orally or in writing:

1. An explanation of the alleged behavior or lists the school rule that was allegedly violated;
2. A review of the evidence that supports the allegations;
3. An explanation of the disciplinary ~~action~~ response that will occur; -and
4. An opportunity to explain him or herself.

Notwithstanding this entitlement to have a conference prior to being short-term suspended, a student may be short-term suspended without a conference if he or she refuses to participate in, or has made himself or herself unavailable for, a conference.

³² WAC 392-400-245

³³ See, Appendix C for a discipline mediation form."

³⁴ WAC 392-400-250

A ~~parent/guardian~~parent/guardian/family is entitled to verbal and written notice within twenty-four (24) hours of the proposed disciplinary ~~action~~response in the language spoken by the parent/familyguardian. A written notice is called a Notice of Disciplinary Action (NDA). Translations of the NDA are available. The NDA should include:

1. The reason for the suspension and the length of the suspension.
2. Conditions relating to the suspension, such as a requirement for completion of a particular activity (e.g., ~~parent/guardian~~parent/guardian/family conference, drug/alcohol evaluation, or behavior modification requirement, etc.)
3. Their appeal rights and the process for making an appeal.

Within twenty-four (24) hours of the disciplinary decision, all short-term suspensions and the reasons for the suspensions must be entered into PowerSchool and made available for access by the Discipline Appeals Office.

Grievance (Appeal) Procedure: Short-Term Suspensions or Other Discipline Actions³⁵

An appeal of a short-term suspension is called a "grievance". Seattle Public Schools has adopted and implemented the grievance procedure found in WAC 392-400-240. This grievance procedure gives the appealing party an opportunity to dispute a school-based disciplinary ~~action~~response and/or a short-term suspension. During a grievance hearing, the appealing party requests that the principal change a disciplinary ~~action~~response because he or she believes ~~that~~ a rule was unfairly applied to his or her child or ~~that~~ there was something wrong with the way the child was disciplined.

The short-term suspension starts immediately and may not be held in abeyance unless the principal agrees to hear the grievance prior to imposing the short-term suspension. This grievance procedure is not designed for situations involving claims of staff misconduct. If a ~~parent/guardian~~parent/guardian/family agrees that his/her child was disciplined appropriately, but is concerned that the manner in which the administrator behaved was not appropriate, the complainant may contact the Executive Director for the school.

Any student, parent, or guardian may appeal the discipline of the student. There are three steps for appealing discipline at this level, called a grievance.

1. Parents and/or guardians appealing a discipline sanction have the right to request an informal grievance conference with the building principal or designee **within three business days** of learning of the discipline sanction. The school official who - disciplined the student will be told that the discipline is being appealed.

During the informal conference, the principal or designee may question the person appealing, and the person who is appealing may question school staff who were involved in the incident that resulted in discipline. The principal or designee will decide whether the discipline sanction should stand.

2. If the person appealing is dissatisfied with the decision at Step One, he or she may present a written ~~and/or~~ oral ~~request~~grievance³⁶ to the Seattle Public Schools' Disciplinary Appeals Office. This grievance must be received within three (3) school business days of receiving the decision at Step 1. A hearing officer will be assigned by the Disciplinary Appeals Office to hear the Step 2 grievance. The hearing officer will issue a finding within five (5) school business -days.
3. If the person appealing is still dissatisfied with the decision at Step Two, he or she may present a written or oral request for an appeal hearing³⁷-to the Disciplinary Appeals

³⁶Seattle Public Schools accepts either a written or oral request for a Step 2 Grievance. ³⁷The Disciplinary Appeals Council accepts only written requests for a Step 3 Grievance.

Council (DAC). This written or oral [request/grievance](#) must be received within three (3) school business days after receiving the decision from Step Two. The written request is sent to:

Student Discipline Appeals Office
Mail Stop 31-177
PO Box 34165
Seattle, WA 98124-1165.

The DAC will usually schedule this hearing within ten (10) school business days of receiving the written request. After the hearing, the DAC will make its decision and notify the family by a written decision mailed within ten (10) school business days after the hearing.

A student receiving a short-term suspension must begin his or her suspension immediately. The short-term suspension continues even if the suspended student or [parent/guardianparent/guardian/family](#) appeals unless the principal waives this requirement. The principal has the discretion to continue or- not continue the suspension pending any appeal and the appealing party may not appeal this decision.³⁸

Long-Term Suspensions or Expulsions from School³⁹

Principals, assistant principals, and their designees may long-term suspend or expel a student for engaging in behavior defined in the Student Behavior section of the Student Rights & Responsibilities. Before principals, assistant principals, and their designees may long-term suspend or expel a student they must follow certain general rules, which are listed below:

1. Principals, assistant principals, and their designees may make a decision to suspend or expel a student by considering mitigating and aggravating factors. Principals, assistant principals, and their designee must reasonably believe must reasonably believe ~~that~~ a long-term suspension or expulsion will provide an explicit benefit to - the student and the school, and that other classroom and school based options have been exhausted.
2. Principals, assistant principals, and their designees may not long-term suspend or expel a student unless they have used progressive discipline.
3. Mediation: If the disciplinary [action/response](#) is mediated at this time the student and/or [parent/guardianparent/guardian/family](#) agree that by signing the mediation agreement³⁵⁴⁰ all factual and legal issues related to a particular disciplinary [action/response](#) is finally and fully resolved, -and that the student and [parent/guardianparent/guardian/family](#) will file no further appeal related to this discipline incident. If mediation is not agreed to by either party, the long-term suspension moves forward as follows.
4. A long-term suspension or expulsion starts on the fourth (4th) school day after the day of the incident to ensure that parents/guardians are aware of the proposed disciplinary [action/response](#) and to provide them time to appeal the suspension if they wish. Students have a right to attend school while an appeal is in process.
5. An emergency expulsion, starts on the day of the incident and may be as long-as ten (10) school days. Emergency expulsions are allowed when the school believes that the student's presence in the school constitutes an immediate and ongoing danger to the student, other students or staff, or the educational process for the school.⁴¹

³⁸ WAC 392-400-255.

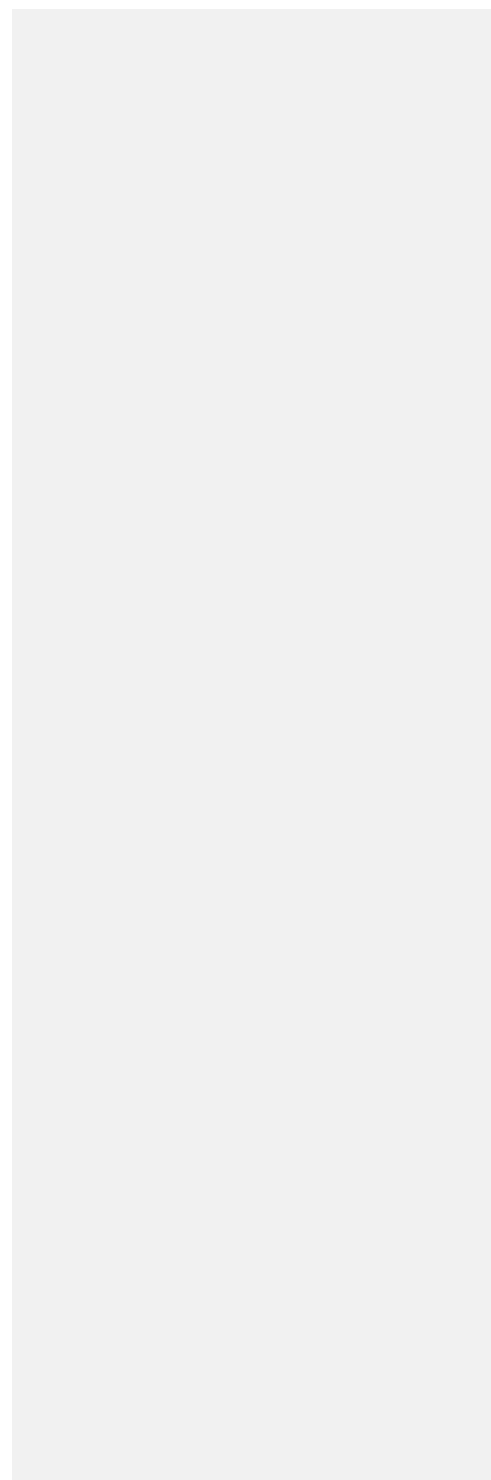
³⁹ WAC 392-400-260.

⁴⁰ See, Appendix C for a discipline mediation form.

⁴¹ Long-term suspensions may be imposed with an emergency expulsion.



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6. A long-term suspension ~~is may be~~ from 11 days to 90 days (the length of an academic term)-. The student will return to the suspending school at the end of a long-term suspension.
7. An expulsion from a specific school is permanent and the student may not return to that specific school. Even so, there are other schools and educational programs within Seattle Public Schools that are available to a student who has been expelled from a specific ~~high school/school~~, including the ~~a High School Reentry p Program~~ at Interagency Academy. With the exception of expulsion from the District for possession of a firearm,⁴² the time a student may be compelled to be unassigned to any school or educational program due to an expulsion from a specific school is limited to ~~ten (10) school days.~~
~~ten (10) school days.~~⁴³
8. So that discipline is applied equitably, Seattle Public Schools has published a matrix with a range of disciplinary responses for schools to use in determining when a student may be long-term suspended or ~~expelled~~.
9. The Seattle School Board has directed that no student be suspended or expelled for non-attendance-.
10. In pre-kindergarten through grade ~~fivefour~~, principals, assistant -principals, and their designees may not long-term suspend students, but they may expel students in pre-kindergarten through grade ~~fivefour~~.
11. In grade ~~sixfive~~ and above, principals, assistant principals, and their designees may long-term or expel students, but those students are entitled to educational services for the duration of the disciplinary ~~-actionresponse~~.
12. Students and parents must be notified of the student's right to continue an educational program in the ~~hHigh sSchool rReentry pProgram~~ at Interagency Academy, and how to access the program.
13. Students have a right to a reengagement meeting under RCW 28A.600.022, to be scheduled within 20 days of the student's long-term suspension. Seattle Public Schools requires that a reengagement meeting be held within three (3) days of when the Notice of Disciplinary Action (NDA) is created and provided to families. The reengagement meeting will be scheduled ~~with the parent/guardian/family and the and sent home -n~~Notice of the meeting date will be included on the -NDA letter.

Exception to progressive discipline -rule

Seattle Public Schools ~~will~~^{may} expel for the first offense without regard to progressive discipline when ~~-aggravating factors warrant this disciplinary response.~~

Notice to parents/guardians of long-term suspension or expulsion⁴⁴

Before a student may be long-term suspended or expelled, the student and his/her parent(s) or guardian(s) must receive a written Notice of Disciplinary Action (NDA) that includes information about their right to appeal the long-term suspension or expulsion and the opportunity for a hearing. This notice must be either delivered in person or by certified mail.

1. The written notice will be in the language the ~~parent/guardian~~^{parent/guardian/family} and student speak and understand, to the extent feasible,
2. The written or verbal notice will explain the alleged misconduct and the school District Student Behavior(s) alleged to have been violated,
3. The written notice will identify the disciplinary ~~actionresponse~~ being ~~-proposed~~,
4. The written notice will explain the rights of the student and/or his/her parent(s) or guardian(s) ~~or family~~ to a hearing to appeal the allegation(s), and
5. The ~~verbal or~~ written notice will explain how to appeal the allegations and the timeline by which the request for a hearing must be received.

Parents/guardians/family have certain decisions to make after their child has been long-term suspended or expelled. The first decision is whether to appeal the suspension or expulsion from school. This decision should be made as soon as possible because there is a three (3)-day deadline for requesting filing an appeal, starting from the day parents/guardians/families have been notified in writing that their child has been long-term suspended or -expelled.

Parents/guardians of high school students who decide not to appeal should contact Interagency Academy⁴⁶ to arrange for an assignment to an appropriate reentry-educational program through Enrollment Services. All students are entitled to educational services for the duration of the disciplinary action response.

Expelled students should immediately go to Enrollment Services to arrange for assignment to an appropriate educational program because they may not return to the same school unless they are successful with a petition to the school principal to be readmitted.

Once the student has completed the terms of a long-term suspension, including verification that they have completed any program they are required to participate in as part of the disciplinary action, the student will be automatically readmitted to the school that issued the long-term suspension. A student who has been expelled from a school may not be reassigned to that school unless they petition for re-admittance and are approved by the principal to return.

Special rule for re-admittance to same school following an expulsion

Normally, expulsion from a school means that the student may not attend that school again. However, parents/guardians/families and students may petition in writing for a student to return to the same school. The written petition must be addressed and sent to the principal of the school that expelled the student. The student or parent/guardianparent/guardian/family must set out the reasons why the student should be readmitted to the school. The decision whether to re-admit an expelled student is at the discretion of the school principal. The principal's decision may not be appealed.

Appeal Process for Long-Term Suspension and -Expulsion

When a student has been long-term suspended or expelled a parent/guardianparent/guardian/family or the student may appeal the long-term suspension or expulsion to the Superintendent. In Seattle Public Schools, the Superintendent has designated that hearing officers will hear appeals as the designee of the Superintendent. Hearing officers are community members who have been trained in state law and school District policy and understand due process rules. Hearing officers may mediate, modify, reverse or affirm the disciplinary action response. The following process is used:

A. Timeline of the Appeal Process

1. The appealing party must request an appeal hearing from the Discipline Appeals - Office within three (3) school business days after they receive written notice of the disciplinary action response or discipline being proposed. The request for an appeal hearing may be either written or oral, including being made by telephone. The Discipline Appeals Office telephone number is 206-252-0820.
2. If the request for an appeal is not received within three (3) school business days after receiving written notice of the disciplinary action response or discipline being proposed, the school will impose the proposed long-term suspension or expulsion, and the parent/guardianparent/guardian/family or student will not have any further

opportunity to appeal the matter.

⁴⁶ <http://www.interagencyacademy.org/>

3. If the request for a hearing is received within the three-day (3) time limit, the Discipline Appeals Office will schedule a hearing to be held within three (3) school business days from the day the appeal was received.

B. ~~Parent/guardian~~Parent/guardian/family and student rights

Parents/guardians and students have certain due process rights before, during, and after their requested hearing. These rights have been approved by our state legislature and are found in WAC 392-400. These rights include but are not limited to the following:

1. The appealing party has the right to inspect before the hearing any written or physical evidence that the school may be presenting at the hearing, including witness statements. Student names may be removed to protect confidentiality.
2. The appealing party has the right to be represented by an attorney at private, not public, expense. Seattle Public Schools will have its attorney present if the appealing party has an attorney, so the Discipline Office must be notified as soon as possible if the student is represented.
3. The appealing party has the right to question witnesses at the hearing. This right may be limited when Seattle Public Schools has made a reasonable effort to produce a witness and is unable to do so, or when it is not advisable for the student to appear due to an expectation and fear on the part of the administrator that the student might be retaliated against if she or he appears as a witness.
4. The appealing party has the right to present his or her explanation of the alleged misconduct.
5. The appealing party may request that witnesses who saw or have knowledge of the incident in question be allowed to speak at the hearing, including other students, and
6. The appealing party may present any written or physical evidence that supports the student's case.

C. School's rights before the hearing

The school ~~administrator~~ leader or other person presenting the school's case has the right to inspect in advance of the hearing any written or physical evidence that the parent(s) or guardian(s) may be presenting at the hearing. Students and ~~parent/guardian~~parent/guardian/families must provide sufficient copies for the school leader~~administrator~~ of any written documentation to be provided to the hearing officer.

D. At the Hearing

1. The participants at the hearing will be limited to those with a relevant interest in the matter at hand, typically the school administrator, the student and his/her parent -or guardian, or family and witnesses to the incident. If the student is represented by an attorney, a District attorney also will be present to advise the school ~~administrator~~leader.

Other family members or friends should not expect to attend, although the parent -may have ~~one~~ support person present so long as that person is not also a witness. The hearing officer has the authority to determine who may be -present.

2. A sign-in sheet will be provided and all ~~persons~~person's present must sign in.
3. All persons present at a hearing must maintain respectful behavior. Expectations include refraining from shouting, name-calling, cursing, badgering of witnesses, or other bullying, intimidating or disruptive behavior. The hearing officer may end the hearing should these behaviors be present. The hearing officer will then determine whether to reschedule the hearing for another day or make a decision based on information already presented up to that point in the hearing.
4. If the school ~~administrato~~leader, student and ~~parent/guardian~~parent/guardian/family agree to mediate the disciplinary ~~system~~process, a mediation agreement stating all particulars of the changes to be made is prepared and signed. The student and ~~parent/guardian~~parent/guardian/family agree that

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by signing the mediation agreement all factual and legal issues related to a particular disciplinary ~~action response are~~ finally and fully resolved, and ~~that~~ the student and ~~parent/guardian~~ parent/guardian/family will file no further appeal related to this discipline incident. If either party decides that attempting to mediate is not appropriate for whatever reason, the hearing goes forward.

5. Witnesses may not be allowed to be present in the hearing room except at the time they are providing testimony. When they have completed testimony, they may be asked to leave the room.
6. Only the evidence presented at the hearing will be used by the hearing officer to make a decision. No information may be provided to the hearing officer outside of the hearing.
7. The hearing officer will make a decision based on the following due process criteria:
 - a. Preponderance of the evidence: Did the alleged behavior occur?
 - b. Student Behavior discipline: Did the school have the right to discipline the student in the manner chosen, based on the District and school rules?
 - c. Are there mitigating or aggravating factors recognized by the District that the school should have taken into account in deciding whether to discipline the behavior or in choosing the disciplinary ~~action response~~?
8. The hearing officer is neutral. He or she may not be a witness to the incident that resulted in discipline or testify in the hearing.
9. The hearing will be audio recorded.
10. The hearing officer may mediate, modify, reverse, or affirm the disciplinary ~~action response~~. The hearing officer will provide a written decision, which will be sent to the parent or guardian ~~or family~~ by certified mail ~~from the Discipline Appeals Office within five (5) school business days within a week~~ of the hearing date. Translation of the hearing decision into the home language of the family will be provided, at District expense.
- ~~11. The hearing officer will provide a written decision. This written decision will be sent to the student and/or parent(s) or guardian(s) from the Discipline Appeals Office within five school business days.~~

Emergency Expulsions

Emergency removal from a class, subject, or -activity⁴⁶

A student may be immediately removed from a class or subject or activity by a staff person and sent to the principal, assistant principal, or their designee, provided that there is sufficient reason to believe that the student's presence poses an immediate and continuing danger to students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process of the student's school. This disciplinary ~~action response~~ assures safety and/ or order for students, staff, and the school environment. The student's removal will continue only until: (a) the danger or threat is no longer present, or (b) the principal, assistant principal, or their designee acts to convert to another form of disciplinary ~~action response~~. The emergency expulsion may not run concurrently with another disciplinary ~~action response~~.

Emergency Expulsion⁴⁷

A principal, assistant principal, or their designee may emergency expel a student immediately, provided that there is sufficient reason to believe that the student's presence is dangerous and/or it would cause substantial disruption within the school to have the student present in classes, for activities and/or at other related school events. Emergency expulsions

⁴⁶ WAC 392-400-290

may last no longer than ten (10) school days. Emergency expulsions shall continue through the specified end date unless rescinded by the principal, assistant principal, or their designee or modified at an appeal hearing.

The principal, assistant principal or their designee will meet with the student no later than the next school day following the student's removal and initiate appropriate disciplinary ~~action~~ response. The person responsible for removing the student will be notified of the disciplinary ~~action~~ response -taken before the student returns to the classroom or activity.

Notice to ~~parent/guardian~~ parent/guardian/family of an Emergency -Expulsion⁴⁸

Parents or guardians will be orally notified of an emergency expulsion and their hearing rights as soon as possible, but no later than twenty-four (24) hours. In addition, the Notice of Disciplinary Action (NDA) must be either delivered in person or by certified mail within twenty-four (24) hours.

1. The written notice will be in the language the ~~parent/guardian~~ parent/guardian/family and student speak and understand, to the extent feasible,
2. The written ~~or verbal~~ notice will explain the alleged misconduct and the school District Student Behavior(s) alleged to have been violated,
3. The written notice will identify the disciplinary ~~action~~ response being -proposed,
4. The written notice will explain the rights of the student and/or his/her parent(s) or guardian(s) to a hearing to appeal the allegation(s), and
5. The ~~verbal or~~ written notice will explain how to appeal the allegations and the timeline by which the request for a hearing must be received.

Appeal procedure for an emergency -expulsion

If the emergency expulsion is ~~the only action~~ disciplinary response on the written notice, student(s) and/or parent(s) or guardian(s) have up to ten (10) business days after receiving notice of the emergency expulsion to request an appeal hearing from the Discipline Appeals Office, 206-252-0820.


~~The ten day appeal period applies only when an emergency expulsion is the only action imposed. When it is combined with any sanctions (expulsion or long term suspension), the normal three day appeal period applies.~~ According to Seattle Public Schools policy, the request for an appeal may be written (including by e-mail) or made by telephone.

A. Timeline of the Appeal Process

1. The appealing party must request an appeal hearing from the Discipline Appeals Office within ten (10) school business days after they receive notice of the disciplinary ~~action~~ response or discipline being -proposed.
2. If the appeal is not received within ten (10) school business days, the emergency expulsion will continue and the student and parent(s) or guardians(s) will not have further opportunity to appeal the matter. The request for an appeal hearing may be either written or oral, including being made by telephone. The Discipline Appeals Office telephone number is -206-252-0820.
3. When the request for a hearing is received within the ten (10) day time limit, the Discipline Appeals Office will schedule a hearing to be held within three (3) school business days from the day the appeal was -received.

B. ~~Parent/guardian~~ Parent/guardian/family and student rights


Parents/guardians/~~family~~ and students have certain due process rights before, during, and after their requested hearing. These rights have been approved by our state legislature and are found in WAC 392-400. Rights include but are not limited to the following:

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1. The appealing party has the right to inspect before the hearing any written or physical evidence that the school may be presenting at the hearing, including witness statements. Student names may be covered. Given the short time line for an appeal hearing, copies of written statements may not be available until twenty-four (24) hours before the hearing.
 2. The appealing party has the right to be represented by an attorney at private, not public, expense. If an attorney represents the student at the hearing, Seattle Public Schools will have its attorney present, so it is necessary to notify the Discipline Appeals Office as soon as possible if the student becomes represented.
 3. The appealing party has the right to question witnesses. This right may be limited when Seattle Public Schools has made a reasonable effort to produce a witness and is unable to do so, or when it is not advisable for the student to appear due to an expectation and fear on the part of the school administrator that the student might be retaliated against if she or he appears as a witness.
 4. The appealing party has the right to present his or her explanation of the alleged misconduct.
 5. The appealing party may request that witnesses who saw or have knowledge of the incident in question be allowed to speak at the hearing.
 6. The appealing party may present any written or physical evidence that supports their case.

C. School's rights before the hearing

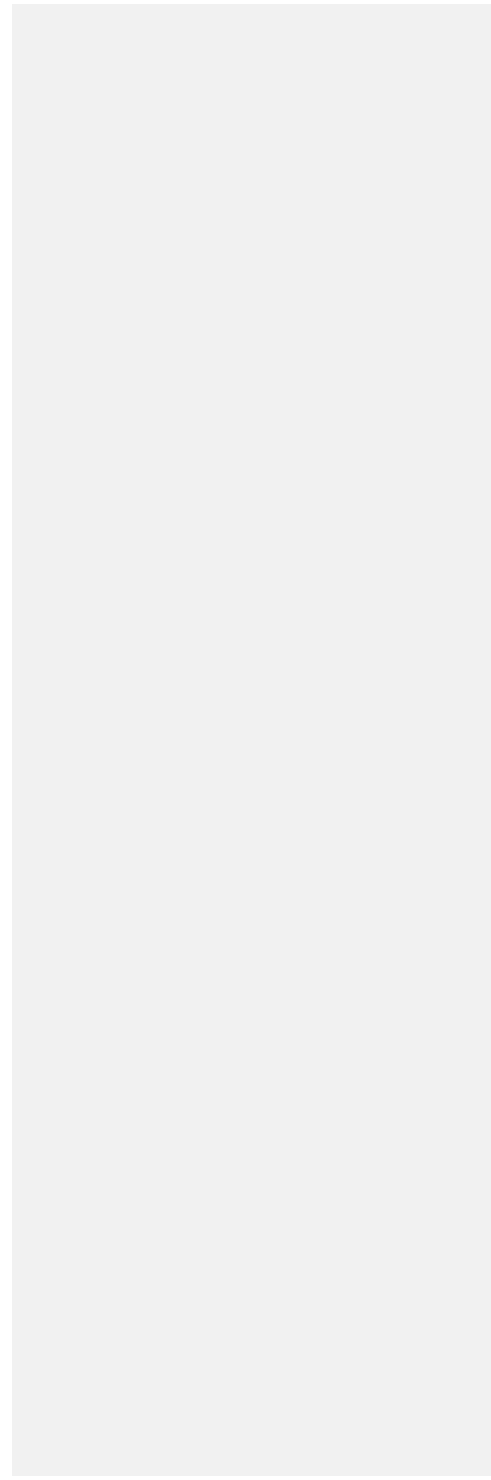
The school leader/administrator or other person presenting the school's case has the right to inspect in advance of the hearing any written or physical evidence that the parent(s) or guardian(s) may be presenting at the hearing. Students and parent/guardian/parent/guardian/family must provide sufficient copies for the school administrator of any written documentation to be provided to the hearing officer.

D. At the Hearing

1. The participants at the hearing will be limited to those with a relevant interest in the matter at hand, typically the school leader/administrator, the student and his/her parent or guardian or family, and witnesses to the incident. If the student is represented by an attorney, a District attorney also will be present to advise the school leader/administrator. Other family members or friends should not expect to attend, although the parent may have one support person present so long as that person is not also a witness.
The hearing officer has the authority to determine who may be present.
 2. A sign-in sheet will be provided and all persons/person's present must sign in.
 3. All persons present at a hearing must maintain respectful behavior. Expectations include refraining from shouting, name-calling, cursing, badgering of witnesses, or other bullying, intimidating or disruptive behavior. The hearing officer may end the hearing should these behaviors be present. The hearing officer will then determine whether to reschedule the hearing for another day or make a decision based on information already presented up to that point in the hearing.
 4. If the school leader/administrator, student and parent/guardian/parent/guardian/family agree to mediate the disciplinary action/response, a mediation agreement stating all particulars of the changes to be made is prepared and signed. The student and parent/guardian/parent/guardian/family agree that by signing the mediation agreement⁴⁹ all factual and legal issues related to a particular disciplinary action/response are finally/finally and fully resolved, and that the student and parent/guardian/family will file no further appeal related to this discipline incident. If either party decides that attempting to mediate is not appropriate for whatever reason, the hearing goes forward.
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5. Witnesses may not be allowed to be present in the hearing room except at the time they are providing testimony. When they have completed testimony, they may be asked to leave the room.
6. Only the evidence presented at the hearing will be used by the hearing officer to make a decision. No information may be provided to the hearing officer outside of the hearing.
7. The hearing officer will make a decision based on the following due process criteria:
 - a. Preponderance of the evidence: Did the alleged behavior occur?
 - b. Student Behavior discipline: Did the school have the right to discipline the student in the manner chosen, based on the school rules?
 - c. Are there mitigating or aggravating factors recognized by the District that the school should have taken into account in deciding whether to discipline the behavior or in choosing the disciplinary [action response](#)?
8. The hearing officer is neutral. He or she may not be a witness to the incident that resulted in discipline or testify in the hearing.
9. The hearing will be audio recorded.
10. The hearing officer may mediate, modify, reverse, or affirm the disciplinary [action response](#). The hearing officer will provide a written decision, which will be sent to the parent or guardian by certified mail within a week of the hearing date. Translation of the hearing decision into the home language of the family will be provided [at District expense](#).
11. When the emergency expulsion is the only [action response](#), a decision will be given within one (1) school business day after the hearing and the student or parent(s)/guardian(s)/[families](#) will be notified by U.S. certified mail within one (1) calendar week.

E. Length of Emergency expulsions

A student's emergency expulsion must end or be converted to another form of disciplinary [action response](#) within ten (10) school days from the date of expulsion.

Appeal to the School Board⁵⁰

Parents/guardians/[families](#) have a right to request a review of a hearing officer's decision if the Hearing Officer upholds or [modifies](#) the school's disciplinary [action response](#) for a suspension, expulsion, or emergency expulsion, and the [parent/guardian/parent/guardian/family](#) is dissatisfied with the decision of the Hearing Officer. The Seattle School Board has delegated its authority to hear and decide long-term suspension and expulsion appeals (reviews) to the Disciplinary Appeals Council (DAC).^{29, 51} The DAC is appointed by the School Board, and consists of at least three persons who serve fixed terms.

Parents/guardians must provide an oral or written request to the Student Discipline Appeals Office within three (3) school business days after receiving the decision of the hearing officer, requesting that the DAC review the hearing officer's decision. This ~~written~~ request should include [informational statement](#) about the basis of the appeal (explaining why they wish to have the hearing officer's decision reviewed) and [information about a statement of what action responses](#) they wish the DAC to take in the matter. [Parents/guardians/families should contact the Student Discipline Appeals Office at 206-252-0820 or Mail Stop 31-177, PO Box 34165, Seattle, WA 98124-1165.](#)

It is important to understand that the DAC will conduct a review and hear arguments at the

hearing based upon the existing record (i.e., the hearing officer's decision). The DAC- will not hold a new (de novo) hearing. Therefore, witness testimony is discretionary.

If the appealing party does not request a review of the hearing officer's decision, the long-term suspension or expulsion will be imposed on the calendar day following the expiration of the three-day [appeal timeframe](#).

Appealing parties must request a review within three (3) business days. However, a student's long-term suspension or expulsion may be imposed during the appeal period under the following conditions:

1. A long-term suspension or expulsion may be imposed while the decision is appealed for no more than ten (10) consecutive school days or until the appeal is decided, whichever is shorter;
2. Any days that the student is ~~temporarily~~ suspended or expelled before the appeal is decided will be applied to the student's suspension or expulsion and will not ~~limit or~~ extend the term of the suspension or- expulsion;
- ~~2-3.~~ 3. A student who is subjected to a ~~temporary~~ suspension or expulsion and who returns to school before the appeal is decided will be given the opportunity, when he or she returns, to make up assignments and tests missed by reason of the suspension. ~~if the assignments or tests have a substantial effect on the student's semester or trimester grade or grades; or failure to complete the assignments or tests would prevent the student from receiving credit for the class or -classes.~~

Disciplinary Appeals Council Procedures⁵²

The Seattle School Board has chosen to delegate all appeals at the School Board level to the Disciplinary Appeals Council (DAC).⁵³—If the student or his or her ~~parent/guardian~~[parent/guardian/family](#) requests, orally or in writing, an appeal with the Discipline Appeals Office within the required three (3) school business days, the DAC will schedule and hold a meeting to review the matter within ten (10) school business days after receiving the notice.

The purpose of the meeting is to meet with the student and/or his or her ~~parent/guardian~~[parent/guardian/family](#) and -a representative of the school to review the decision of the hearing officer and determine whether there is additional information that should have been considered that would change the hearing officer's decision. [Students with Section 504 Accommodations or those receiving Special Education or English Language Learner services](#)~~Special Education and ELL students~~ have the right to have a person knowledgeable about their [accommodation](#), disability ~~and/or~~ language/cultural issues present to advise the DAC.

1. Prior to the meeting, members of the DAC will review the written decision of the hearing officer.
2. At the meeting with the DAC, the student or his or her ~~parent/guardian~~[parent/guardian/family](#) (or legal counsel) has the right to be heard and provide additional information that he or she believes is pertinent to the situation. Similarly, the representative from the school also has the right to provide additional information to support the decision to - discipline the student. The person knowledgeable about the student's disability or language/cultural issues will also provide information as it applies to their discipline to the DAC.
3. The DAC may affirm, reverse, or modify the imposition of discipline, suspension, or expulsion upon a student. The DAC will send a written decision to the parent or guardian and student within ten (10) business days of the date of the hearing. The decision will be made only by those DAC members who have heard or read the evidence, who have not acted as a witness in the matter, and only at a meeting at

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- which a quorum of the DAC is present, and by a majority vote.
4. An appeal from the decision of the Disciplinary Appeals Council is to Superior Court. Whether or not the suspension or expulsion should be imposed while the student or - his or her ~~parent/guardian~~parent/guardian/family is appealing to the courts will be a decision of the DAC, unless a court orders otherwise. The DAC does not need to give any reason for denying a request to waive the suspension or expulsion pending an appeal to the courts.

Discipline of Special Education Students³⁰⁵⁴

The discipline of special education students is generally subject to the same rules under the Seattle Public Schools' Student Rights & Responsibilities as applied to nondisabled students with the modifications required by the federal Individuals with Disabilities in Education Act (IDEA) listed below.³¹⁵⁵

Short-term suspensions and emergency removals

The general procedures relating to school-based discipline, short-term suspension, and emergency removal apply to special education students when the ~~action response~~ proposed or taken does not result in a change of placement (i.e., the loss of ten (10) or more consecutive school days or a pattern of exclusion from school) for a special education student, or is not governed by a behavior improvement plan (BIP). If a BIP exists, the ~~action responses~~ in the plan should have been followed and have been found to be ineffective before resorting to a short-term suspension or emergency expulsion.

Suspension/Expulsion

When considering disciplining a special education student with a suspension or expulsion, -which may constitute a change of placement (i.e., the loss of ten (10) or more consecutive school days or a pattern of exclusion from school), the following procedures must be observed¹:-

- Determine whether the suspension or expulsion will result in a change of placement - (i.e., the loss of ten (10) or more consecutive school days or a pattern of exclusion from school). If there is no change in placement, the sanction may be imposed. If there is a change in placement, the school must convene an Manifestation Determination Team (MDT), meeting.
- Notify the ~~parent/guardian~~parent/guardian/family of the need to conduct ~~a~~convene an MDT meeting and the procedural safeguards given by law, including the right to contest the disciplinary ~~action response~~ in an administrative due process ~~hearing~~.
- An MDT meeting must be held within 10 days of the change in placement. Participants must include parents/guardians, the student's special and regular education teachers, a school District representative knowledgeable about the student's disability, and the student, when appropriate. This meeting must be fully documented. The purpose of the meeting is to determine whether the student's conduct resulting in discipline is a manifestation of (caused by or a result of) the student's disability or whether the student's conduct is a result of a failure to implement the student's Individualized Education Plan (IEP) (including a behavior intervention plan (BIP)).
- The suspension or expulsion may be imposed if the MDT determines that the conduct was not caused by or a result of the student's disability, or not the result of a failure to implement the student's IEP (including a BIP).
- The discipline may not be imposed if the MDT determines ~~that~~ the conduct was a manifestation of the student's disability or a failure to implement the student's IEP (including a BIP). Instead, the ~~IEP~~ meeting should be used to consider what changes

⁵⁴ ³⁰ This section also applies to students who are eligible for services and/or accommodations under Section 504. The SIF team replaces

²⁸ the tier with responsibility for determining whether the student's behavior is a manifestation of his/her disability

³¹ Discipline will be imposed in a manner consistent with the Individuals with Disabilities Education Act, 20 U.S.C. § 7151(c)

in the student's IEP, BIP, and/or Special Education placement are appropriate to address the student's behavior.

Interim Alternative Educational Setting (IAES)

School personnel may remove an eligible student to an interim alternative educational setting (IAES) determined by the student's IEP team, regardless of whether the student's behavior was a manifestation of his or her disability for up to 45 school days if he or she:

1. Carries a weapon to school or has a weapon at school, on school premises, or at a school function under the authority of a school district;
2. Knowingly has or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a school district; or,
3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a school district.

Obligations to students to provide educational services

From the time the parents/guardians initiate a due process hearing through the appeal process, Seattle Public Schools is required to continue providing educational services ~~which may not have to be provided within the school setting.~~ Seattle Public Schools is also required to provide services to students who have been long-term suspended or expelled because their behavior is not related to their disability, and to students on short-term suspension who have been suspended for more than ten (10) cumulative days in the school year. The principal of the school proposing the disciplinary sanction may instruct the appropriate teacher(s) to assign and monitor homework.

Even where ~~a disciplinary action~~ response is imposed, including suspension and expulsion, the special education student must continue to receive the special education and related services required to receive a free, appropriate education.

Behavior - Intervention Plans

A behavioral intervention plan (BIP) is a requisite component for the IEP of a child whose behavior impedes his/her learning or that of others. The plan should contain appropriate strategies, including positive behavioral supports and interventions, to address the behavior. When a special education student has a BIP addressing conduct subject to discipline, the plan governs and prescribes the necessary response for that conduct. Conduct not addressed in the behavior plan should be disciplined with attention to the special considerations that apply to special education students as addressed above.

Notice to Students and Parents -Required by Federal Drug-Free Schools and Communities Act of 1989

Seattle Public Schools prohibits the unlawful possession, use, or distribution of ~~illicit~~ drugs and alcohol by students on school ~~property, on school sponsored transportation, premises~~ or as part of school activities. Compliance with this rule is mandatory; students who disregard the prohibition ~~may will~~ be ~~long term~~ suspended or expelled. ~~The possession and use of illegal drugs and the unlawful possession and use of alcohol are wrong and harmful to health and education.~~ Seattle Public Schools offers, or can assist in arranging access to, drug and alcohol ~~education, counseling, rehabilitation and recovery support, and re-entry programs~~; for further information contact your school's principal or counselor.

Appendix A Definitions

The following are key definitions used in various parts of this document.

Appealing Party: A parent, guardian, or student who is using the appeals procedures found in WAC 392-400 to dispute a disciplinary ~~response or corrective action~~ that has been assigned to a given to a Seattle Public School student.

Change of placement: The removal of a special education student from his/her current educational placement for more than ten (10) consecutive school days; or a series of removals that constitute a pattern of exclusion because the removals cumulate to more than ten (10) school days in a school year. A pattern of exclusion is determined on a case-by-case basis.

Discipline: For the purpose of this document, all forms of disciplinary ~~action responses~~, whether school based or resulting in suspension or expulsion from school.

Emergency Expulsion: Immediate removal of a student from school for misbehavior on the basis that an administrator has good and sufficient reason to believe that the student's presence is a danger to himself/herself or others, or an immediate or continuing threat of substantial disruption to the educational process of the school.

Expulsion: An expulsion is the formal exclusion for misbehavior of a student from ever returning to the specific school in Seattle Public Schools that he or she is attending. If the expulsion is from Seattle Public Schools, the student may not return to any school or program in Seattle Public Schools for a period of up to one calendar year.

In-school Suspension: This is a state reportable ~~action action~~ that the school uses as disciplinary- ~~response action~~ to remove a student from ~~classes instruction~~ or school activities. This ~~action response requires~~ requires a Notice of Disciplinary Action.

Interim alternative educational settings (IAES): In cases that involve weapons as defined by state and federal law, controlled substances, or serious bodily injury, school personnel may order a change in placement of a special education student to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 school days. The interim alternative educational setting is selected by the student's IEP team so as to enable the student to continue to progress in the general curriculum while in another setting, and to continue to receive services and modifications described in the student's current IEP that will enable the student to meet the goals set out in the IEP.

Long-term suspension: A suspension that is anywhere from eleven (11) days to ninety (90) days, longer than ten (10) days and generally less than ninety (90) days. A student is entitled to educational services for the duration of the suspension. Elementary students may not be long-term suspended.

Manifestation determination: A review of the relationship between a special education - or a Section 504 student's disability and the behavior that led to the disciplinary ~~action response~~. If the result of the review is that the behavior did not occur as a result of his/her disability or the failure to implement the student's current Individual Educational Plan (IEP), the student may be disciplined in the same manner as a non-disabled student would be for the same offense. Manifestation determination for a Special Education student is with an IEP team or Manifestation Determination Team (MDT). Manifestation determination for a student with a Section 504 plan is conducted by the Student Intervention Team (SIT) at the school. Parents/guardians are invited to be members of these teams when the behavior of their student is discussed.

Mediation: An agreement between the school and student or parent /family/guardian/family that a specific disciplinary ~~action response~~ will be changed and how it will be changed. The student and parent/ guardian agree that by signing the mediation agreement all factual and legal issues related to a particular discipline are finally and fully resolved, and that the student and ~~parent/guardianparent/guardian/family~~ will file no further appeal related to the discipline incident. The mediation form for Substance Abuse is in Appendix A, and the mediation form for all other disciplinary mediations is in Appendix B.

Notice of Disciplinary Action (NDA): Letter produced in PowerSchool to notify parents/~~guardians/families-guardians~~ about the student behavior resulting in disciplinary ~~action response~~.

Progressive Discipline: The use over time of successively more restrictive disciplinary ~~action responses intended needed~~ to shape behavior. Progression may include classroom-based response(s), school-based ~~action response(s)~~, in-school suspension, short-term, and long-term suspension. For the purpose of establishing progressive discipline, schools may not consider offenses that occurred prior to the beginning of the previous school year or 180 school days in the -past.

Reasonable Use of Physical Force: The use of sufficient physical force by a school administrator, teacher, school employee, or volunteer as needed to maintain order or to prevent a student from harming himself/herself, other students, school staff and/or property. Such physical force is not considered to be corporal disciplinary ~~action response~~.

Reengagement Meeting: A required meeting for students who are long-term suspended or expelled. Student, parents/~~guardians/families-guardians~~, and appropriate school staff will be part of this meeting. The reengagement meeting is scheduled at the time of suspension/expulsion and must occur within 3 -days of the suspension/expulsion. At the meeting, a written reengagement plan ~~will be developed that identifies the educational services the student will receive while~~ ~~will be developed that identifies the educational services the student will receive while~~ the student is suspended or expelled. The plan must also identify supports that will aid the student in taking the necessary steps to remedy the situation and/or repair ~~and restore~~ relationships that led to the suspension -or expulsion.

Reentry Program: A District program for high school students providing behavior modification instruction as well as academic courses for students who have been long-term suspended or expelled from their school for behaviors as noted in the Seattle Public Schools' Discipline Matrix for the 201~~87~~-201~~98~~ school year.-

School business day: Any ~~calendar~~ day when Seattle Public Schools is open to the public for business, except for school holidays.

School Threat Assessment Team (STAT): STAT, part of the Safety and Security Office collaborates with school-based teams and assesses the credibility of threats, assists administrators in identifying and mitigating the circumstances and variables known to correlate with youth violence, develops safety plans and provides case-management services.


School Year Limitation: Discipline sanctions imposed upon a student during one school year generally do not carry over and affect discipline in succeeding years unless the disciplinary ~~action response~~ is imposed at the very the end of the school year. For the purpose of establishing progressive discipline, schools may not consider offenses that occurred prior to the beginning of the previous school year or 180 school days in the past, whichever is greater, except in the case of some types of threats of violence.

Short-term suspension: A suspension that is not longer than ten (10) consecutive school days.



In the Seattle Public Schools, a student subjected to a short-term suspension normally returns

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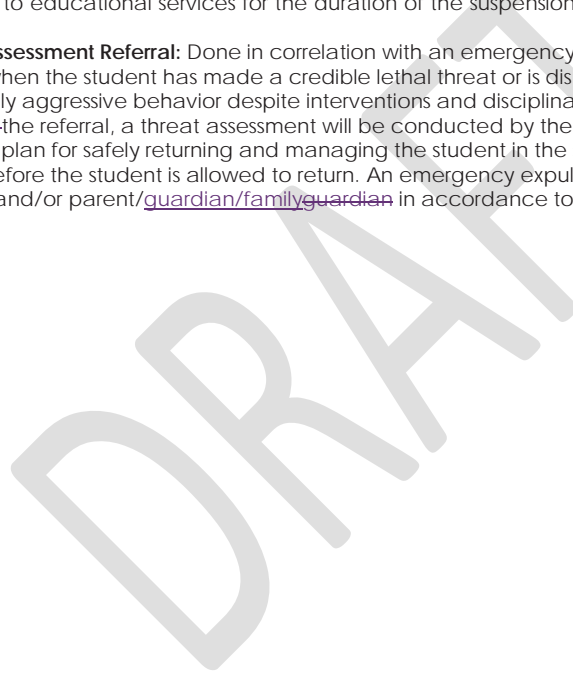
to the same school at the end of the suspension period. A student with a short-term suspension has the right to educational services for the duration of the suspension.

Special Education Student: A student who meets the eligibility requirements for one or more of the disability categories identified in the WAC, and who is in need of specially designed academic or behavioral instruction.

Special Populations: Special populations include special education and Section 504 students, and students with English Language Learner (ELL).

Suspension: Formal exclusion of a student from attending school for a stated period of time. This does not include an informal removal from a class for “discipline” purposes. However, if a student is removed for more than three (3) hours of instructional time on a given day, the disciplinary response must be recorded in PowerSchool as a state reportable action and a NDA created with notification to the parent/guardian/family. A student suspended from school has the right to educational services for the duration of the suspension.

Threat Assessment Referral: Done in correlation with an emergency expulsion of a student from school when the student has made a credible lethal threat or is displaying sexually provocative or sexually aggressive behavior despite interventions and disciplinary action responses. As a result of the referral, a threat assessment will be conducted by the Student Threat Assessment Team. A plan for safely returning and managing the student in the school or District must be in place before the student is allowed to return. An emergency expulsion may be appealed by a student and/or parent/guardian/family guardian in accordance to State law.



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Appendix B: DRUG/ALCOHOL MEDIATION



Name _____ ID: _____

School _____

This mediation was reached at the conference held with student and parent/guardian/family as a result of the student being charged with Distributing Illegal Drugs, Controlled Substances, Prescription or Over-the-Counter Drugs, Distributing Alcoholic Beverages, Distributing Marijuana, Possessing or Using Illegal Drugs, Controlled Substances, Prescription or Over-the-Counter Drugs, Possessing or Using Alcoholic Beverages, or Possessing or Using Marijuana, Selling Illegal Drugs, Controlled Substances, Prescription or Over-The-Counter Drugs, Selling Alcoholic Beverages, or Selling Marijuana.

1. The school agrees to the -following:

- a. The charges and description in this matter will be as follows:
 - No changes
 - The wording in these areas is changed to be as follows:

- b. To reduce the Long-term Suspension for violation of _____ to the following number of days upon receiving verification that the student has an appointment to be assessed by a District-approved substance abuse professional and agrees to follow through with recommendations of the assessor:

- Short-term suspension of _____ days (not allowed for Selling violations)-
- Long-term suspension of _____ days-

- c. The school further agrees to change the incident information screens in PowerSchool to reflect this agreement, and to provide an amended NDA to the parent/guardian/family within 3 days.

2. The student/parent/guardian/family agrees to the -following:

- a) Obtain an assessment by a District-approved substance abuse professional/agency, at parent expense.
- b) Follow through with recommendations of the assessor/ment.
- c) Sign releases to allow the school to exchange information with the assessor substance abuse agency.

- ~~Follow through with recommendations of the assessor.~~
- ~~Sign releases to allow the school to exchange information with the assessor.~~

3. In addition, the following conditions may be in place:

The school, student, and parent/guardianparent/guardian/family agree that by signing this mediation agreement all factual and legal issues related to this discipline are finally and fully resolved, and that the student and parent/guardianparent/guardian/family will file no further appeals related to this discipline incident.

If _____ fails to carry out the terms of this mediation, the original charges and discipline will be -reinstated.

Administrator _____

Student _____

Parent/GuardianParent/guardian/family

Date

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Appendix C: MEDIATION FOR _____

Student ID: _____

Date: _____



This mediation was reached at the disciplinary appeal hearing held on this date. The parties agree to the following terms of mediation:

1. The school agrees that the charges and description in this matter will be as follows: _____

2. The school agrees to do the following: _____

3. The student agrees to do the following: _____

4. In addition, the following conditions may be in place (check agreed conditions):
 - Student will have a weekly progress report through _____.
 - Student will exhibit good behavior and have no further incidents of similar behavior in class or on the -campus.
 - Student will attend all classes and be on time for all classes. Student will be ready to work when class starts. Consequence for violation of this provision will be _____.

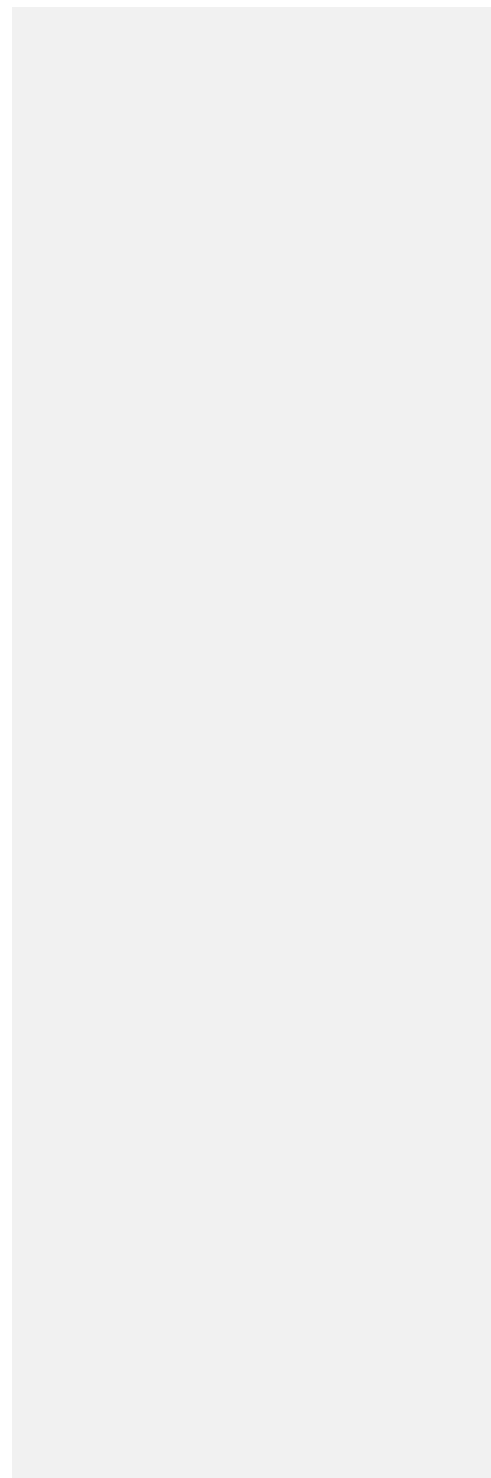
If _____ fails to carry out the terms of this mediation, the original charges and discipline will be reinstated. The student and ~~parent/guardian~~parent/guardian/family agree that by signing this mediation agreement all factual and legal issues related to this discipline are finally and fully resolved, and that the student and ~~parent/guardian~~parent/guardian/family will file no further appeal related to this discipline -incident.

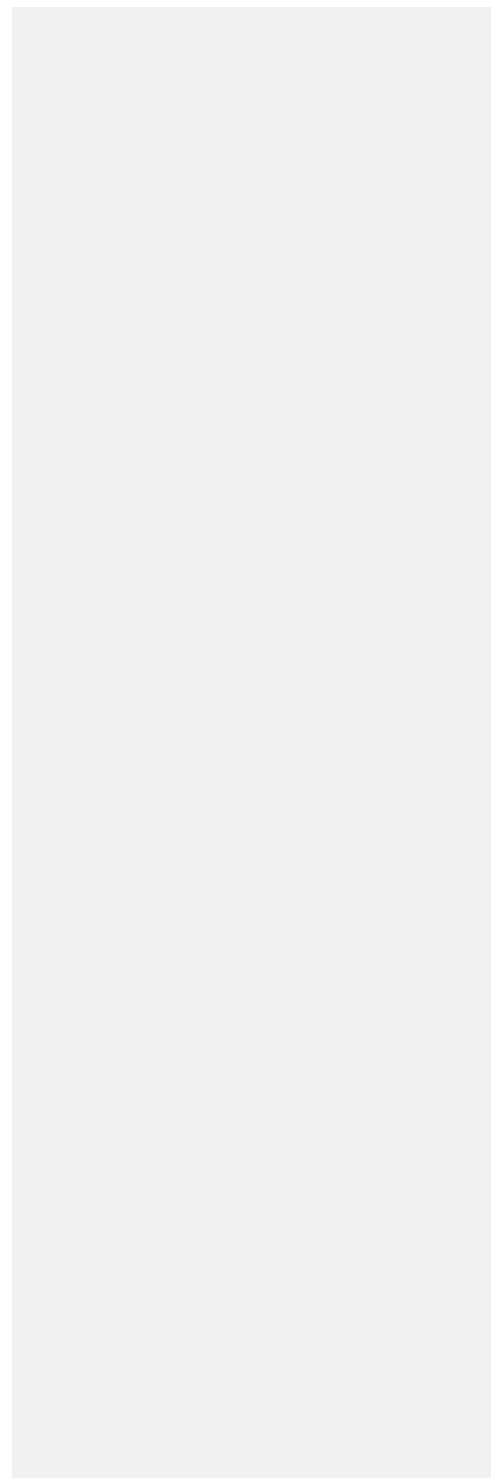
Administrator

Hearing Officer or other witness

Student

~~Parent/Guardian~~Parent/guardian/family







SEATTLE
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SCHOOLS

Seattle Public Schools
2018-2019
Discipline Matrix Guide for Administrators

Eliminating opportunity gaps and ensuring educational excellence for each and every student is the issue of our time.

Seattle Public Schools recognizes:

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- each situation involving discipline can be complex with underlying factors that requires staff to understand the function of students' behaviors;
- mitigating and aggravating factors should influence the disciplinary decision-making process;
- there is an impact when using exclusionary practices.

Seattle Public Schools staff are committed to:

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- supporting the whole child;
- teaching the development of positive social, emotional, and behavioral skills to students;
- using a variety of ways to shape behavior once harm as occurred, instead of relying on exclusionary practices;
- partnering with families, other staff, and community based organizations in the event that a disciplinary action has occurred;
- examining their own implicit bias, while working from culturally and trauma responsive, lenses that utilize verbal de-escalation skills in an effort to create conditions in schools that allow students to be successful.

When considering disciplinary responses:

1. Determine the goal of the disciplinary response. What do you want the student to learn as a result of this behavior of concern?
2. What disciplinary action would be the least disruptive to the student-school relationship, which also minimizes the loss of instructional time?
3. What mitigating/aggravating factors were present? (see page 2)
4. What supports/interventions have been previously implemented?
5. What supports/interventions are available? (see page 3)

When considering what an appropriate disciplinary response might be for a particular behavior, please consider the following factors:

<u>Possible Mitigating Factors</u>	<u>Possible Aggravating Factors</u>
<ul style="list-style-type: none"> - Little or no prior documented misconduct - Minimal damage - No injury or damaged caused - Little potential of harm - No evidence that student intended to display or use the weapon - Student offers credible evidence that they had the weapon for legitimate purposes away from school and unintentionally brought the object to school - The weapon was a small pocket knife with a blade of 2.5 inches or less - Student was primarily acting defensively - Student’s intent or purpose - Student’s age and/or inability to understand potential consequences of the conduct - Admitted or self-reported conduct - Student attempted, but failed to or was prevented from, carrying out the conduct - Subsequent remedial steps, including restitution to district or victim of misconduct - Subsequent action taken by student to make amends for misconduct with school staff - Property returned to victim - Cultural or linguistic factors that may have played a role in the misconduct - Appropriateness of student’s academic placement - Student’s willingness to repair the harm 	<ul style="list-style-type: none"> - Pattern of similar misconduct - Significant impact of incident on overall school community - Substantial disruption to learning of others caused by student’s defiance - Student attempts to solicit or incite others to engage in behavior - Significant damage (in extent or cost) - Potential of serious harm - Intent or purpose in setting fire - Serious actual or potential injury - Use of an object or weapon - Premeditated conduct - Multiple students assaulting a single student - Prior assault(s), threat(s), harassment, or bullying by the student against the same victim - Exceptional severity or cruelty - Previous discipline record of student warranting progressive discipline - Student’s presence on campus is determined to be a threat to the safety of others - Conduct is motivated by perceived race, color, national origin, gender, sexual orientation, gender expression, disability, or any similar actual or perceived characteristic of the victim - Student used the weapon in furtherance of an assault, to intimidate another, cause injury and/or to cause physical damage to property - Student displayed, activated or discharged the weapon in a reckless manner - Evidence of premeditation - Threats of serious injury - Pattern of similar misconduct against the same victim - The weapon is a firearm - The object appears to be a firearm and the student displaying or using the object does so with malice

When considering what an appropriate disciplinary response would be for a particular behavior, please consider the following alternatives to suspensions in addition to exclusionary practices:

<u>Possible Classroom Responses</u>	<u>Possible School Based Responses</u>
<ul style="list-style-type: none"> - Student tells their side of the story - Student determines how to repair the harm - Self-reflection activity - Reteach behavioral expectations - Behavior agreement with recognition system - Change in environment (special seating, providing a distraction, removal of triggers, use of a break system) - Increased proximity when discussing the situation - Student spends extra time in classroom where harm occurred to repair the relationship(s) with staff/students - Loss of classroom privileges - Offer leadership opportunities in classroom to highlight strengths - Teach replacement skills directly related to behavior of concern - Model replacement skills directly related to behavior of concern - Teacher or designated staff counsels with student in private - School leaders take over instruction, allowing the teacher to step out of the classroom to problem solve with the student in private - Teacher or designated staff notifies parent/guardian - Teacher or designated staff counsels with student and if possible, the parent/guardian 	<ul style="list-style-type: none"> - Family conference with teacher, school staff and administrator - Creation of Positive Behavior Intervention Plan (PBIP) - Reevaluate support/safety plans that are currently in place - Peer mediation - Restorative practices - Referral to school level support staff (counselor, social worker, nurse, Health Center) - Mediation - Restitution of damages or stolen property - Loss of computer privileges - Loss of credit - Community service - Class schedule change - Informal/formal check ins with designated staff - Development of support/safety/crisis plan - Detention (before school, after school, Saturday, or free period for a set period of time) - Referral to Student Intervention Team (SIT) - If the student has a disability, reviewing and revising IEP (Individualized Education Plan) or 504 plan - Pair student with a mentor - Referral to community agency for support with identified needs (housing, food stability, leadership development, mental health counseling, social skill development, drug and alcohol assessment/treatment, etc.)

When referencing the Discipline Matrix on the following pages, please refer to the following key for additional information:

Key	
Behavior Modification Eligible	Behavior Modification can be considered, can be concurrent or completion required before a student returns to their comprehensive school
OSCR/HIB	Office of Student Civil Rights, Harassment, Intimidation or Bullying 206-252-0858
Drug/Alcohol (D/A) Mediation Eligible - General	Students may be disciplined for using or being under the influence based on their behavior or appearance as determined by an administrator, school nurse, or other properly trained official regardless of whether they have a substance in their possession. Duration of suspension may be reduced with D/A Mediation Agreement that requires student to receive an assessment by a District approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian/family expense. Secure Release of Information (ROI) for provider.
D/A Mediation Eligible - Possession	Long term suspension, may reduce to short term or in school suspension with D/A Mediation Agreement
D/A Mediation Eligible - Distribution	Long term suspension, may reduce to short term or in school suspension with D/A Mediation Agreement
D/A Meidation Eligible - Selling	Long term suspension, may reduce number of suspension day with D/A Mediation
OSCR/Title IX	Office of Student Civil Rights, 206-252-0367
STAT/Safety & Security	Student Threat Assessment Team, 206-252-0707
Safety & Security	Safety and Security Office, 206-252-0707
Short Term Suspension	1-10 days
Long Term Suspension	11 - 90 days
Emergency Expulsion	Can only be used in situations, provided that there is sufficient reason to believe that the student's presence is dangerous and/or would cause substantial disruption within the school.
Expulsion from School	Expulsion from school, may only be used in consultation with the Expulsion Review Board. The Expulsion Review Board is comprised of current School Leaders and Executive Directors of Schools who have volunteered to be a part of the board. When a School Leader is considering an expulsion from school for a student, the School Leader will need to:

<p>Expulsion from District</p>	<ol style="list-style-type: none"> 1. Call the Discipline/Behavior office and ask for a hearing. From there, the Discipline/Behavior office will coordinate the hearing, assign a group of 5 School Leaders to hear the case and then collectively, they will make a decision on whether or not the student situation warrants an expulsion from school. 2. The School Leader must submit written information, electronically, to the Discipline/Behavior Office regarding the incident, impact to their school environment, supports and interventions attempted and outcomes, aggravating factors present, and the goal of the expulsion from school (please use the Discipline Decision Making Template). <p>The Expulsion Review Board hearing will take place telephonically and a decision will be provided within 24 hours of telephonic hearing and receipt of supporting documents. Given School Leaders and Executive Directors of Schools demanding schedules, the expelling school must electronically submit written documents, as soon as possible, for review. Electronic submission will allow the Expulsion Review Board to access documentation, review, and submit a decision without having to attend a meeting in person.</p> <p>If an expulsion from school is granted, the School Leader must coordinate the transition from the expelling school to the reassignment school. Steps to take:</p> <ol style="list-style-type: none"> 1. Notify the Enrollment Office 2. Notify the School Leader at the Reassignment School 3. Participate in the development of a success reentry plan and arrange to have a representative attend the reentry meeting at the reassignment school. <p style="text-align: center;">May only be used when a student possesses a firearm on school property, school-provided transportation, areas of facilities being used exclusively as school district property, or at school-sponsored events or activities.</p> <p>Any student who is determined to have carried a firearm onto, or to have possessed a firearm on, school district property, school-provided transportation, or areas of facilities while being used exclusively by public schools, shall be expelled from school for not less than one year, and law enforcement officials will be notified as required by RCW 28A.600.420 and RCW 9.41.280. Any student disciplined for this offense must be evaluated by the District’s Threat Assessment Team prior to placement in an alternative educational environment and prior to any review by the Superintendent. An alternate education environment will be determined for the student to continue his/her education.</p>
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Seattle Public Schools
20187-20198
Discipline Matrix Guide for Administrators

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<p><u>Expulsion from District</u></p>	<p>representative at the reentry meeting at the reassignment school</p> <p><u>Can</u>May only be used when a student possesses a firearm on school property, school-provided transportation, areas of facilities being used exclusively as school district property, or at school-sponsored events or activities.</p> <p><u>Any student who is determined to have carried a firearm onto, or to have possessed a firearm on, school district property, school-provided transportation, or areas of facilities while being used exclusively by public schools, shall be expelled from school for not less than one year, and law enforcement officials will be notified as required by RCW 28A.600.420 and RCW 9.41.280. Any student disciplined for this offense must be evaluated by the District's Threat Assessment Team prior to placement in an alternative educational environment and prior to any review by the Superintendent. An alternate education environment will be determined for the student to continue his/her education.</u></p> <p>4.</p>
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Discipline Matrix

2018-2019

Seattle Public Schools is committed to making its online information accessible and usable to all people, regardless of ability or technology. Meeting web accessibility guidelines and standards is an ongoing process that we are consistently working to improve.

While Seattle Public Schools endeavors to only post documents optimized for accessibility, due to the nature and complexity of some documents, an accessible version of the document may not be available. In these limited circumstances, the District will provide equally effective alternate access.

For questions and more information about this document, please contact the following:

Erin Romanuk
Program Manager, Discipline
evromanuk@seattleschools.org

"This document displays the range of responses to consider based on Mitigating and Aggravating factors for Administrators deciding appropriate discipline. The following is the official document and its predecessor, the 'redline/edit' version."

Behavior Code	Disciplinary Response							Additional Information
		Classroom Response	School Based Response	In School Suspension	Short Term Suspension	Long Term Suspension	Expulsion	
Arson	Elementary		✓	✓	✓		✓	Referral to Fire Stoppers (206-386-1338), Behavior Modification Eligible
	Middle School		✓	✓	✓	✓	✓	
	High School		✓	✓	✓	✓	✓	
Assault	Elementary		✓	✓	✓			See Physical Aggression, Behavior Modification Eligible
	Middle School		✓	✓	✓	✓	✓	
	High School		✓	✓	✓	✓	✓	
(Physical)Aggression	Elementary		✓	✓	✓			Appropriate to Consider Pre K-12
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Bullying, Intimidation, and Harassment	Elementary	✓	✓					Consult with OSCR/HIB, 206-252-0858
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
Burglary	Elementary		✓	✓	✓			
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Computer Trespass, Tampering, and Misuse	Elementary	✓	✓	✓	✓			
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
Dangerous Weapons	Elementary		✓	✓	✓		✓	Consult with Safety & Security (206-252-0707), Behavior Modification Eligible
	Middle School		✓	✓	✓	✓	✓	
	High School		✓	✓	✓	✓	✓	
Disobedience	Elementary	✓	✓					Pre K -5 Not Eligible for Suspension
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
Disruptive Conduct	Elementary	✓	✓					Pre K -5 Not Eligible for Suspension
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
	Elementary			✓	✓		✓	

Behavior Code	Disciplinary Response							Additional Information
		Classroom Response	School Based Response	In School Suspension	Short Term Suspension	Long Term Suspension	Expulsion	
Distributing Alcoholic Beverages	Middle School			✓	✓	✓	✓	Drug/Alcohol Mediation Eligible
	High School			✓	✓	✓	✓	
Distributing Illegal Drugs, Controlled Substances, Prescription or Over the Counter Drugs	Elementary			✓	✓		✓	Drug/Alcohol Mediation Eligible
	Middle School			✓	✓	✓	✓	
	High School			✓	✓	✓	✓	
Distributing Marijuana	Elementary			✓	✓		✓	Drug/Alcohol Mediation Eligible
	Middle School			✓	✓	✓	✓	
	High School			✓	✓	✓	✓	
Extortion, Blackmail, Coercion	Elementary		✓	✓	✓		✓	Behavior Modification Eligible
	Middle School		✓	✓	✓	✓	✓	
	High School		✓	✓	✓	✓	✓	
False Alarm	Elementary		✓	✓	✓			
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
False Reporting	Elementary	✓	✓	✓	✓			
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
False Threats	Elementary		✓	✓	✓			
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Fighting	Elementary		✓	✓	✓			Behavior Modification Eligible
	Middle School		✓	✓	✓	✓		
	High School		✓	✓	✓	✓		
Firearms	Elementary						✓	Mandatory Expulsion from SPS for One Year, Behavior Modification Eligible
	Middle School						✓	

Behavior Code	Disciplinary Response							Additional Information
		Classroom Response	School Based Response	In School Suspension	Short Term Suspension	Long Term Suspension	Expulsion	
	High School						✓	
Fireworks, Explosives, Chemicals, and Incendiary Devices	Elementary		✓	✓	✓		✓	Behavior Modification Eligible
	Middle School		✓	✓	✓	✓	✓	
	High School		✓	✓	✓	✓	✓	
Gambling	Elementary	✓	✓					
	Middle School	✓	✓					
	High School	✓	✓	✓	✓			
Gang/Hate Group Activity	Elementary		✓	✓	✓			Behavior Modification Eligible
	Middle School			✓	✓	✓	✓	
	High School			✓	✓	✓	✓	
Graffiti	Elementary	✓	✓	✓				
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
Hazing	Elementary			✓	✓		✓	Consult with OSCR/HIB (206-252-0858), Behavior Modification Eligible
	Middle School			✓	✓	✓	✓	
	High School			✓	✓	✓	✓	
Inappropriate Language	Elementary	✓	✓					Consult with OSCR/Title IX (206-252-0367)
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
Inappropriate Sexual Conduct	Elementary	✓	✓					Consult with OSCR/Title IX (206-252-0367)
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
Inappropriate Touching	Elementary	✓	✓					Consult with OSCR/Title IX (206-252-0367)
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
Interference with School Authorities	Elementary		✓	✓	✓			Behavior Modification Eligible
	Middle School		✓	✓	✓	✓		
	High School		✓	✓	✓	✓		
Intimidation of School	Elementary		✓	✓	✓		✓	

Behavior Code	Disciplinary Response							Additional Information
		Classroom Response	School Based Response	In School Suspension	Short Term Suspension	Long Term Suspension	Expulsion	
Authorities	Middle School		✓	✓	✓	✓	✓	Behavior Modification Eligible
	High School		✓	✓	✓	✓	✓	
Lewd Conduct	Elementary		✓	✓	✓			Consult with OSCR/Title IX (206-252-0858)
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Malicious Harassment	Elementary		✓	✓	✓		✓	Consult with OSCR/HIB (206-252-0858), Behavior Modification Eligible
	Middle School		✓	✓	✓	✓	✓	
	High School		✓	✓	✓	✓	✓	
Malicious Property Damage	Elementary		✓	✓	✓			
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Misrepresentation	Elementary		✓	✓				
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Misuse of Computers	Elementary	✓	✓					
	Middle School	✓	✓					
	High School	✓	✓					
Other Exceptional Misconduct	Elementary		✓	✓	✓			Must meet criteria for a felony, gross misdemeanor, or misdemeanor
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Plagiarism	Elementary	✓	✓					
	Middle School	✓	✓					
	High School	✓	✓					
Possession of Stolen Property	Elementary		✓	✓	✓			
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			

Behavior Code	Disciplinary Response							Additional Information
		Classroom Response	School Based Response	In School Suspension	Short Term Suspension	Long Term Suspension	Expulsion	
Possessing or Using Alcoholic Beverages	Elementary			✓	✓			Drug/Alcohol Mediation Eligible
	Middle School			✓	✓	✓		
	High School			✓	✓	✓		
Possessing or Using Illegal Drugs, Controlled Substances, Prescription or Over the Counter Drugs	Elementary			✓	✓			Drug/Alcohol Mediation Eligible
	Middle School			✓	✓	✓		
	High School			✓	✓	✓		
Possession or Using Marijuana	Elementary			✓	✓			Drug/Alcohol Mediation Eligible
	Middle School			✓	✓	✓		
	High School			✓	✓	✓		
Robbery	Elementary			✓	✓		✓	Behavior Modification Eligible
	Middle School			✓	✓	✓	✓	
	High School			✓	✓	✓	✓	
Rule Breaking	Elementary	✓	✓					Pre K -5 Not Eligible for Suspension
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
Selling Alcoholic Beverages	Elementary				✓		✓	Drug/Alcohol Mediation Eligible
	Middle School					✓	✓	
	High School					✓	✓	
Selling Illegal Drugs,	Elementary				✓		✓	

Behavior Code	Disciplinary Response							Additional Information
		Classroom Response	School Based Response	In School Suspension	Short Term Suspension	Long Term Suspension	Expulsion	
Controlled Substances, Prescription or Over the Counter Drugs	Middle School					✓	✓	Drug/Alcohol Mediation Eligible
	High School					✓	✓	
Selling Marijuana	Elementary				✓		✓	Drug/Alcohol Mediation Eligible
	Middle School					✓	✓	
	High School					✓	✓	
Sexual Assault	Elementary				✓		✓	Consult with OSCR/Title IX (206-252-0367), Consider referral to outside agency for assessment of needs
	Middle School					✓	✓	
	High School					✓	✓	
Sexual Harassment	Elementary	✓	✓					Consult with OSCR/Title IX (206-252-0367)
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
Small Folding Knives	Elementary		✓	✓	✓		✓	Consult with Security (206-252-0707), Behavior Modification Eligible
	Middle School		✓	✓	✓	✓	✓	
	High School		✓	✓	✓	✓	✓	
Theft	Elementary		✓	✓	✓			
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Threats of Violence	Elementary			✓	✓		✓	Consult with STAT/Safety & Security (206-252-0707), Behavior Modification Eligible
	Middle School			✓	✓	✓	✓	
	High School			✓	✓	✓	✓	
Toy Guns and Toy Weapons	Elementary	✓	✓					
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			

Below are a Range of Responses to Consider based on Mitigating and Aggravating Factors

Behavior Code	Disciplinary Response							Additional Information
		Classroom Response	School Based Response	In School Suspension	Short Term Suspension	Long Term Suspension	Expulsion	
Trespass	Elementary		✓	✓	✓			
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Using/Possession of Tobacco	Elementary		✓					Provide with Tobacco or Vape Fact Sheet
	Middle School		✓					
	High School		✓					

Behavior Code	Disciplinary Response							Additional Information
		Classroom Response	School Based Response	In School Suspension	Short Term Suspension	Long Term Suspension	Expulsion	
Arson	Elementary		✓	✓	✓		✓	Referral to Fire Stoppers (206-386-1338), Behavior Modification Eligible
	Middle School		✓	✓	✓	✓	✓	
	High School		✓	✓	✓	✓	✓	
Assault	Elementary		✓	✓	✓			See Physical Aggression, Behavior Modification Eligible
	Middle School		✓	✓	✓	✓	✓	
	High School		✓	✓	✓	✓	✓	
(Physical)Aggression	Elementary		✓	✓	✓			Appropriate to Consider Pre K-12
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Bullying, Intimidation, and Harassment	Elementary	✓	✓					Consult with OSCR/HIB, 206-252-0858
	Middle School	✓	✓					
	High School	✓	✓					
Burglary	Elementary		✓					
	Middle School		✓					
	High School		✓					
Computer Trespass, Tampering, and Misuse	Elementary	✓	✓	✓	✓			
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
Dangerous Weapons	Elementary		✓	✓	✓		✓	Consult with Safety & Security (206-252-0707), Behavior Modification Eligible
	Middle School		✓	✓	✓	✓	✓	
	High School		✓	✓	✓	✓	✓	
Disobedience	Elementary	✓	✓					Pre K -5 Not Eligible for Suspension
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
Disruptive Conduct	Elementary	✓	✓					Pre K -5 Not Eligible for Suspension
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
	Elementary			✓	✓		✓	

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Behavior Code	Disciplinary Response							Additional Information
		Classroom Response	School Based Response	In School Suspension	Short Term Suspension	Long Term Suspension	Expulsion	
Distributing Alcoholic Beverages	Middle School			✓	✓	✓	✓	Drug/Alcohol Mediation Eligible
	High School			✓	✓	✓	✓	
Distributing Illegal Drugs, Controlled Substances, Prescription or Over the Counter Drugs	Elementary			✓	✓		✓	Drug/Alcohol Mediation Eligible
	Middle School			✓	✓	✓	✓	
	High School			✓	✓	✓	✓	
Distributing Marijuana	Elementary			✓	✓		✓	Drug/Alcohol Mediation Eligible
	Middle School			✓	✓	✓	✓	
	High School			✓	✓	✓	✓	
Extortion, Blackmail, Coercion	Elementary		✓	✓	✓		✓	Behavior Modification Eligible
	Middle School		✓	✓	✓	✓	✓	
	High School		✓	✓	✓	✓	✓	
False Alarm	Elementary		✓	✓	✓			
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
False Reporting	Elementary	✓	✓	✓	✓			
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
False Threats	Elementary		✓	✓	✓			
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Fighting	Elementary		✓	✓	✓			Behavior Modification Eligible
	Middle School		✓	✓	✓	✓		
	High School		✓	✓	✓	✓		
Firearms	Elementary						✓	Mandatory Expulsion from SPS for One Year, Behavior Modification Eligible
	Middle School						✓	

Behavior Code	Disciplinary Response							Additional Information
		Classroom Response	School Based Response	In School Suspension	Short Term Suspension	Long Term Suspension	Expulsion	
	High School						✓	
Fireworks, Explosives, Chemicals, and Incendiary Devices	Elementary		✓	✓	✓		✓	Behavior Modification Eligible
	Middle School		✓	✓	✓	✓	✓	
	High School		✓	✓	✓	✓	✓	
Gambling	Elementary	✓	✓					
	Middle School	✓	✓					
	High School	✓	✓	✓	✓			
Gang/Hate Group Activity	Elementary		✓	✓	✓			Behavior Modification Eligible
	Middle School			✓	✓	✓	✓	
	High School			✓	✓	✓	✓	
Graffiti	Elementary	✓	✓	✓				
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
Hazing	Elementary			✓	✓		✓	Consult with OSCR/HIB (206-252-0858), Behavior Modification Eligible
	Middle School			✓	✓	✓	✓	
	High School			✓	✓	✓	✓	
Inappropriate Language	Elementary	✓	✓					Consult with OSCR/Title IX (206-252-0367)
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓				
Inappropriate Sexual Conduct	Elementary	✓	✓					Consult with OSCR/Title IX (206-252-0367)
	Middle School	✓						
	High School	✓						
Inappropriate Touching	Elementary	✓						Consult with OSCR/Title IX (206-252-0367)
	Middle School	✓			✓			
	High School	✓			✓			
Interference with School Authorities	Elementary		✓	✓	✓			Behavior Modification Eligible
	Middle School		✓	✓	✓	✓		
	High School		✓	✓	✓	✓		
Intimidation of School	Elementary		✓	✓	✓		✓	

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Behavior Code	Disciplinary Response							Additional Information
		Classroom Response	School Based Response	In School Suspension	Short Term Suspension	Long Term Suspension	Expulsion	
Authorities	Middle School		✓	✓	✓	✓	✓	Behavior Modification Eligible
	High School		✓	✓	✓	✓	✓	
Lewd Conduct	Elementary		✓	✓	✓			Consult with OSCR/Title IX (206-252-0858)
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Malicious Harassment	Elementary		✓	✓	✓		✓	Consult with OSCR/HIB (206-252-0858), Behavior Modification Eligible
	Middle School		✓	✓	✓	✓	✓	
	High School		✓	✓	✓	✓	✓	
Malicious Property Damage	Elementary		✓	✓	✓			
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Misrepresentation	Elementary		✓	✓				
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Misuse of Computers	Elementary	✓	✓					
	Middle School	✓	✓					
	High School	✓	✓					
Other Exceptional Misconduct	Elementary		✓	✓	✓			Must meet criteria for a felony, gross misdemeanor, or misdemeanor
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Plagiarism	Elementary	✓	✓					
	Middle School	✓	✓					
	High School	✓	✓					
Possession of Stolen Property	Elementary		✓	✓	✓			
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			

Behavior Code	Disciplinary Response							Additional Information
		Classroom Response	School Based Response	In School Suspension	Short Term Suspension	Long Term Suspension	Expulsion	
Possessing or Using Alcoholic Beverages	Elementary			✓	✓			Drug/Alcohol Mediation Eligible
	Middle School			✓	✓	✓		
	High School			✓	✓	✓		
Possessing or Using Illegal Drugs, Controlled Substances, Prescription or Over the Counter Drugs	Elementary			✓	✓			Drug/Alcohol Mediation Eligible
	Middle School			✓	✓	✓		
	High School			✓	✓	✓		
Possession or Using Marijuana	Elementary			✓	✓			Drug/Alcohol Mediation Eligible
	Middle School			✓	✓	✓		
	High School			✓	✓	✓		
Robbery	Elementary			✓	✓		✓	Behavior Modification Eligible
	Middle School			✓	✓	✓	✓	
	High School			✓	✓	✓	✓	
Rule Breaking	Elementary	✓	✓					Pre K -5 Not Eligible for Suspension
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
Selling Alcoholic Beverages	Elementary				✓		✓	Drug/Alcohol Mediation Eligible
	Middle School					✓	✓	
	High School					✓	✓	
Selling Illegal Drugs,	Elementary				✓		✓	

Behavior Code	Disciplinary Response							Additional Information
		Classroom Response	School Based Response	In School Suspension	Short Term Suspension	Long Term Suspension	Expulsion	
Controlled Substances, Prescription or Over the Counter Drugs	Middle School					✓	✓	Drug/Alcohol Mediation Eligible
	High School					✓	✓	
Selling Marijuana	Elementary				✓		✓	
	Middle School					✓	✓	
	High School					✓	✓	
Sexual Assault	Elementary				✓		✓	
	Middle School					✓	✓	
	High School					✓	✓	
Sexual Harassment	Elementary	✓	✓					Consult with OSCR/Title IX (206-252-0367)
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
Small Folding Knives	Elementary		✓	✓	✓		✓	Consult with Security (206-252-0707), Behavior Modification Eligible
	Middle School		✓	✓	✓		✓	
	High School		✓	✓			✓	
Theft	Elementary		✓					
	Middle School		✓					
	High School		✓					
Threats of Violence	Elementary				✓		✓	Consult with STAT/Safety & Security (206-252-0707), Behavior Modification Eligible
	Middle School			✓	✓	✓	✓	
	High School			✓	✓	✓	✓	
Toy Guns and Toy Weapons	Elementary	✓	✓					
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			

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Below are a Range of Responses to Consider based on Mitigating and Aggravating Factors

Behavior Code	Disciplinary Response							Additional Information
		Classroom Response	School Based Response	In School Suspension	Short Term Suspension	Long Term Suspension	Expulsion	
Trespass	Elementary		✓	✓	✓			
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Using/Possession of Tobacco	Elementary		✓					Provide with Tobacco or Vape Fact Sheet
	Middle School		✓					
	High School		✓					



Discipline Decision Making Template for LTS and Expulsions 2018-2019

**Eliminating opportunity gaps and ensuring educational excellence for each and every student
is the issue of our time.**

School staff will implement the disciplinary action that is the least disruptive to the student-school relationship, which also minimizes the loss of instructional time.

Incident entered into PowerSchool? Y/N	Reengagement plan needed (for LTS/Expulsion)? Y/N Date scheduled _____
Notice of Disciplinary Action (NDA) given to parent within 24 hours? Y/N	Staff notified of student absence and plan for return? Y/N
Manifestation Determination Review (MDT) required? Y/N Date scheduled? _____	

1. Describe the behaviors of concern and impact on the school environment:

2. What do the witnesses describe (staff and students)?

3. What happened prior to the behaviors of concern?

4. Has the family received information on the expected behavior and been involved in planning supports for the student?
5. What previous classroom/school based supports and interventions have been attempted/implemented?
6. Have any previous exclusionary discipline been imposed?
7. Teacher input on student strengths, concerns, and how to reengage once harm has occurred.
8. Does student have a 504 or IEP? Y/N (If yes, please review prior to making a decision)
9. Do you want/need to consult with other school leaders, Ed Director, Discipline, OCR, Legal, Security, etc.? Y/N
10. Discipline decision (Classroom based, school based, In School, STS, LTS, EE, Expulsion) and justification based on mitigating factors, aggravating factors, prior supports/interventions, etc.
11. Goal of the discipline decision/corrective action? What do you want the student to learn?

Student Reengagement Meeting Plan and Guidelines (Required for LTS and Expulsion, Optional for In School and STS)



School districts may not suspend the provision of educational services to a student as a disciplinary action (RCW 28A.600.015). This law applies to all forms of discipline (in school, short term, long term, emergency expulsion, and expulsion from school).

While students may be excluded from classroom and other instructional or activity areas for a period of suspension or expulsion, districts ***must*** provide students with an opportunity to receive educational services during that time.

If educational services are provided in an alternative setting, the alternative setting should be ***comparable, equitable, and appropriate to the regular education services*** a student would have received without the exclusionary discipline.

Reengagement Meeting

The purpose of the reengagement meeting is to develop a plan to reengage the student in a school program tailored to the student's individual circumstances (RCW 28A 600.022). The goal of the re-engagement process is to support the student's ability to be successful in school when they return to school following a period of exclusionary discipline.

District or school staff initiate the reengagement process as soon as the incident is entered into PowerSchool.

1. The reengagement meeting should be held within ***three days*** of when the Notice of Disciplinary Action (NDA) is created and notification is given to parents.
2. Staff should enter the reengagement meeting date into PowerSchool.
3. Beginning with the 2016-2017 school year, the Notice of Disciplinary Action (NDA) will print to include the reengagement meeting date.

Re-engagement meeting participants should take into account:

1. The circumstances related to the student's suspension or expulsion,
2. The student's prior academic and discipline history, and
3. The severity of the disciplinary incident that led to the student's exclusion.

Re-engagement Plan

The purpose of the re-engagement plan is to:

- Allow the family to provide meaningful input, and have the opportunity to participate in a culturally sensitive and culturally responsive reengagement plan.
- Discuss the services available to the student while excluded,
 - ***Educational services must be offered***
 - ***Behavioral services must be discussed***
- Define what the student is required to do before returning to school, and
- Identify supports and/or interventions that will be in place when the student returns to school.

While developing a re-engagement plan, school districts should consider:

1. Shortening the length of time that the student is suspended or expelled;
2. Exploring whether or not there are other responses that may be more effective;
3. Determine how the plan may aid the student as they take the necessary steps to remedy the situation that led to the suspension or expulsion; and
4. Plan supports and/or interventions that support academic success, and keep the student engaged and on track to graduate

Examples of Actions to Include in the Plan

Academic

- Complete academic work as outlined in the conference
- Receive tutoring (e.g., after school, at alternative site, etc.)
- Partial-day schedule
- Meet with counseling, guidance, or other reengagement staff
- Enroll in an alternative education program
- Read a book and write a summary of learning, essay about the message, etc.
- Earn physical education credit for developing a fitness plan and tracking fitness hours.
- Credit Recovery/Completion of assignments for credit
- Navigation 101 lessons

Behavioral

- Complete identified behavioral assessments
- Creation of a Safety Plan, Positive Behavioral Intervention Plan (PBIP), or other success plan
- Research the school district policy and procedure that were the grounds for the disciplinary action. Write a paper that explains the rationale for the policy, and how the student will comply upon return to school
- Implement a partial school schedule to phase in transition
- Structured mentoring
- Other, at administrator's discretion

Other

- Engage in community service
- Job shadow
- Student log of pre-determined activities
- Letter of apology
- Restitution
- Restorative practices

Communication

- Upon completion of developing the re-entry plan, the school will develop a communication plan to notify appropriate staff about the student's readmission and expectations
- Meet with appropriate school staff (SRO, campus security, counselors, etc.)

Resources for Students:

- Child/Youth/Young Adult Programs:
- Counseling:
- Programs & Support Groups:
- School/Training/Employment:

Resources for Families to Support Students:

- Behavioral/Mental Health:
- Behavioral Assessments:
- District Departments:

Student Reengagement ~~Meeting~~Conference Plan and Guidelines (Required for LTS and Expulsion, Optional for In School and STS)



School districts may not suspend the provision of educational services to a student as a disciplinary action (RCW 28A.600.015). This law applies to all forms of discipline (in school, short term, long term, emergency expulsion, and expulsion from school).

While students may be excluded from classroom and other instructional or activity areas for a period of suspension or expulsion, districts **must** provide students with an opportunity to receive educational services during that time.

If educational services are provided in an alternative setting, the alternative setting should be **comparable, equitable, and appropriate to the regular education services** a student would have received without the exclusionary discipline.

Reengagement Meeting

The purpose of the reengagement ~~conference~~meeting is to develop a plan to reengage the student in a school program tailored to the student's individual circumstances (RCW 28A 600.022). The goal of the re-engagement process is to support the student's ability to be successful in school when they return to school following a period of exclusionary discipline.

District or school staff initiate the reengagement process as soon as the incident is entered into PowerSchool.

1. The reengagement ~~conference~~meeting should be held within **three days** of when the Notice of Disciplinary Action (NDA) is created and notification is given to parents.
2. Staff should enter the reengagement ~~conference~~meeting date into PowerSchool.
3. Beginning with the 2016-2017 school year, the Notice of Disciplinary Action (NDA) will print to include the reengagement ~~conference~~meeting date.

Re-engagement meeting participants should take into account:

1. The circumstances related to the student's suspension or expulsion,
2. The student's prior academic and discipline history, and
3. The severity of the disciplinary incident that led to the student's exclusion.

Re-engagement Plan

The purpose of the re-engagement plan is to:

- Allow the family to provide meaningful input, and have the opportunity to participate in a culturally sensitive and culturally responsive reengagement plan.
- Discuss the services available to the student while excluded,
 - **Educational services must be offered**
 - **Behavioral services must be discussed**
- Define what the student is required to do before returning to school, and
- Identify support ~~give~~an/or interventions that will be in place when the student returns to school.

While developing a re-engagement plan, school districts should consider:

1. Shortening the length of time that the student is suspended or expelled;
2. Exploring whether or not there are other ~~forms of corrective action~~responses that ~~could~~may be more effective;
3. Determine how the plan ~~can~~may aid the student as they take the necessary steps to remedy the situation that led to the suspension or expulsion; and

4. Plan supports ive and/or interventions that support academic success, and keep the student engaged and on track to graduate

Examples of Actions Strategies to Include in the Plan

Academic

- Complete academic work as outlined in the conference
- Receive tutoring (e.g., after school, at alternative site, etc.)
- Partial-day schedule
- Meet with counseling, guidance, or other reengagement staff
- Enroll in an alternative education program
- Read a book and write a summary of learning, essay about the message, etc.
- Earn physical education credit for developing a fitness plan and tracking fitness hours.
- Credit Recovery/Completion of assignments for credit
- Navigation 101 lessons

Behavioral

- Complete identified behavioral assessments
- Creation of a Safety Plan, Positive Behavioral Intervention Plan (PBIP), or other success plan
- Research the school district policy and procedure that were the grounds for the disciplinary action. Write a paper that explains the rationale for the policy, and how the student will comply upon return to school
- Implement a partial school schedule to phase in transition
- Structured mentoring
- Other, at administrator's discretion

Other

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Reengagement Meeting and Plan (Required for LTS and Expulsion, Optional for In School and STS)

Student Name:	Student ID#:	School:	Type of Behavior/Incident:
Date of Behavior/Incident:	Date of Notice of Disciplinary Action:	Date of Reengagement Meeting: (REQUIRED)	Expected Return Date:
<input type="checkbox"/> Short Term Suspension Number of days: _____	<input type="checkbox"/> Long Term Suspension Number of days: _____	<input type="checkbox"/> Emergency Expulsion Number of days: _____	<input type="checkbox"/> Expulsion
When was the family notified of the incident, disciplinary action, and the reengagement meeting?			
1.	2.	3.	4.
Student/family/staff in attendance at the meeting:			
1.	2.	3.	4.
What are the goals for this meeting? (Please choose all that apply)			
<input type="checkbox"/> Access to educational and behavioral services for the student	<input type="checkbox"/> Repair and rebuild relationships between all involved	<input type="checkbox"/> Safety planning <input type="checkbox"/> Develop a PBIP	<input type="checkbox"/> Other
What is the student's perspective on what happened?			
What is the school's perspective on what happened?			
How might school staff support repairing and rebuilding relationships between all involved?			
How might the student make amends and/or provide restitution?			

What educational services will be offered to the student while suspended or expelled from school? (REQUIRED)

Were educational services offered? Yes No

Were educational services accepted? Yes No

What behavioral services will be offered to the student while suspended or expelled from school (if needed)? (REQUIRED)

Were behavioral services offered? Yes No

Were behavioral services accepted? Yes No

What is the plan for the future that support the needs of the student, school, and family?

Safety Plan

PBIP

Other

Reengagement Plan Development — Pre-Reentry/Post-Reentry Actions

Follow Up Actions	Person	Date Due	Date Completed
Educational Services Plan (Did the student participate?)			
Behavioral Services Plan (If needed – Did the student participate?)			
Follow up with student and family			

Student Signature

Parent/Guardian Signature

Administrator Signature

Other Staff Signature



**Reengagement ~~Meeting~~Conference and Plan
(Required for LTS and Expulsion, Optional for In School and STS)**

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