



SCHOOL BOARD ACTION REPORT

DATE: May 8, 2017
FROM: Dr. Larry Nyland, Superintendent
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For Introduction: May 17, 2017
For Action: June 7, 2017

1. TITLE

Approval of the *2017-2018 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 some content changes and continues to shift the tone away from a compliance document to an aspirational and values-based one.

3. RECOMMENDED MOTION

I move that the Board approve the *2017-2018 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 document to reflect changes in District policy and state law. Given the Board's focus on disproportionate discipline and positive school climate, the Attendance and Discipline office and the Coordinated School Health Department focused on embedding these changes into the manual, attempting to begin the shift from a strict, compliance document to one that speaks to the aspirations and values of Seattle Public Schools. An overview of the proposed changes are attached to this report.

b. Alternatives:

Keeping the SR&R from 2016-2017 is not recommended because the recommended changes are appropriate and necessary, and reflect the Superintendent's commitment to Positive Beliefs, Positive Relationship, 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. Stakeholder groups are identified in the Community Engagement section.

In addition to gathering input from stakeholder groups, the Student Rights & Responsibilities and other discipline documents from the Washington State School Directors' Association, the Bellevue School District, the Kent School District, the Renton School District, Portland Public Schools, Denver Public Schools, St. Louis Public Schools, Montgomery County (Maryland) Public Schools were reviewed and benchmarked against. Staff also attempted to review discipline documents from Tacoma Public Schools and Spokane Public Schools, but neither district makes these specific documents public and neither was responsive to requests.

Consideration was also given to the Superintendent's goals, the Seattle School Board Resolution No. 2014/15-35, 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 Coordinated School Health 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 Attendance and Discipline 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 Attendance and Discipline 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

- Met with the City of Seattle Race and Social Justice Community Roundtable’s Committee on Racial Disproportionality in Discipline on November 15, December 20, January 24, February 28, and March 28.
- Met with representatives from Team Child and the Washington State Governor’s Office of the Education Ombuds on February 3.
- Gathered input from participants at the Seattle Alliance for Black School Educators, My Brother’s Keeper – A White House Initiative Event on January 21
- Met with elementary administrators from Thurgood Marshall Elementary, Lowell Elementary, Maple Elementary, Martin Luther King Jr. Elementary, Pathfinder K- 8, and Van Asselt Elementary on November 29, December 12, January 19, February 17, and March 20.
- Met with secondary administrators from West Seattle High School, Franklin High School, Madison Middle School, Old Van Asselt, Ryther, on November 29, December 13, February 7, February 23, March 3, and April 4.
- Met with a teacher from Thurgood Marshall on February 16
- Met with teachers from Madison Middle School on Marsh 15
- Met with teachers from Lowell Elementary School on March 30
- Met with parents from Thurgood Marshall Elementary School on January 19
- Met with students from Thurgood Marshall Elementary on January 20
- Met with students from Hamilton Middle School on March 14
- Met with students from Lowell Elementary School on March 30

7. EQUITY ANALYSIS

Due to ongoing conversations and meetings regarding updates to the Student Rights & Responsibilities and Discipline policies, a full Equity Analysis was not completed. However, edits and updates were made through an equity lens informed by key stakeholders. Key stakeholders 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.”

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. _____, [TITLE], 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 Conduct and Discipline, outlines that “appropriate student behavior shall be maintained in the classroom, during school activities, and on school property at all times to ensure student and staff safety and maximize student learning.” The policy also states that “positive behavioral supports are used first to ensure that student behavior is appropriate.”

11. BOARD COMMITTEE RECOMMENDATION

This motion was discussed at the Curriculum and Instruction Policy Committee meeting on May 8, 2017. The Committee reviewed the motion and the item was moved forward to the full Board with a recommendation for consideration (as amended).

12. TIMELINE FOR IMPLEMENTATION

Various community groups were engaged through the feedback process. Specific groups and timelines are available on the attached Overview of Proposed Changes for SR&R 2017-18.

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 2017-2018 (Clean – for approval)
- Overview of Proposed Changes for SR&R (for reference)
- SR&R Proposed for 2017-2018 (Redline – for reference)
- Discipline Matrix Guide for Administrators (new)
- Discipline Matrix 2017-2018 (new)

- 2016-2017 Matrices (for reference)
- Discipline Decision Making Template for Long Term Suspensions and Expulsions 2017- 2018 (new)

COVER PAGE

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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.

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Equity and Compliance Policy:

Seattle Public Schools 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 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 mail 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 Officer 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, Mailstop 33-157, PO Box 34165, Seattle WA, 98124-1166, or (206) 252-0024, or hreeoc@seattleschools.org.

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 across the District in schools and in classrooms, and serves to guide decisions in promoting fair and equitable treatment for all.

A positive 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; and
- 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 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 reduce or eliminate loss of instructional time and 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 to all students at the beginning of each school year.

Questions about the *Student Rights & 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 administrator. School Board policies referred to in this document can be accessed at [https://www.seattleschools.org/district/board nav/policies and procedures](https://www.seattleschools.org/district/board_nav/policies_and_procedures).

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Student Rights

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

- An orderly and safe classroom and school;
- A quality, culturally relevant education with high-expectations and appropriate support;
- Courteous and respectful treatment;
- Be listened to and have their voice heard;
- Have equitable access to classes, services, resources, and extra-curricular activities;
- Be known and cared for at school;
- Be given the opportunity to learn from mistakes; and
- Receive support that is intended to teach accountability and repair relationships

Additionally, 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. Students have the right to:

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

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 on 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.

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

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.⁴

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 relationships.

⁴ Note: 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.

Student Discipline⁵

All students 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 are imposed in a fair, equitable, and just manner. Students will receive discipline 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 will also receive discipline if they fail to comply with any of the written rules and regulations in any other setting 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 to be reviewed by a neutral third party and to instill confidence among students and families as to the appropriateness of the disciplinary action.

Authority of District Staff

Persons who have authority to discipline students:⁶

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. 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 actions, in-school suspensions, short-term suspensions, long-term suspensions, emergency expulsions, and expulsions.

Conditions and Limitations for Discipline⁷

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;

⁵ WAC 392-400-210

⁶ WAC 392-400-230

⁷ WAC 392-400-235

- 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.

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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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 disproportionately in disciplinary responses within the district;
- 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; 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 loss of instructional time;
- partnering with families, other staff, and community based organizations in the event that a disciplinary action has occurred; and
- examining their own implicit bias, while working from a culturally responsive, trauma informed lens that utilizes verbal de-escalation skills in an effort to create conditions in our schools that allow students to be successful.

Student Behavior

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 Harassment⁸

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.

⁸ See, **Malicious Harassment** for harassing and intimidating behavior based on protected class or status. Also see, RCW 28A.300.285.

Burglary

Forced entry or remaining unlawfully in a district building or room in the building for the purpose of taking property.⁹

Computer Trespass, Tampering, and Misuse¹⁰

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

Dangerous Weapons¹¹

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 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 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 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 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

⁹ See, **Trespass** for other purposes of being unlawfully present on District property or in District buildings.

¹⁰ See, **Disruptive Conduct** for behavior with computers that is unintentional or otherwise does not rise to the level of Computer Trespass.

¹¹ See, **Toy Guns and Toy Weapons** for toys that do not appear to be real weapons.

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.

Firearms¹²

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.

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 Activity¹³

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.

Graffiti¹⁴

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.

Hazing¹⁵

Initiating or harassing another student through humiliating tasks or unsafe or illegal behaviors that cause, or are likely to cause, physical injury¹⁶ or endangerment. (See also Bullying, Intimidation, or Harassment.)

¹² 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).

¹³ The Safety and Security Department must be notified for violations of this offense. If appropriate, Seattle Police will be notified.

¹⁴ See, **Property Damage** for graffiti causing more than \$100 damage.

¹⁵ See, **Bullying, Intimidation, and Harassment** for less serious behaviors.

¹⁶ See, **Assault** for hazing behaviors that involve physical assault.

Inappropriate Language (previously Verbal Assault)¹⁷

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 Touching¹⁸

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;*
- *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:*
 - *Persistent¹⁹ use of abusive or foul language directed at a school District employee;*
 - *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*
 - *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 Conduct²⁰

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.)

¹⁷ See, **Threats of Violence** for credible, focused threats of violence.

¹⁸ See, **Sexual Assault** for more serious behavior or inappropriate touching.

¹⁹ See, **Inappropriate Language** for less than persistent use.

²⁰ See, **Sexual Assault**, for behavior using force or physical harm. Also, see **D-320 Sexual Misconduct** for inappropriate sexualized behaviors.

Malicious Harassment²¹

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.)

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 \$100.²²

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 Computers²³

Inappropriately using or tampering with school computers.

²¹ See, **Bullying, Intimidation, or Harassment** when the harassment is not based on status or personal characteristics.

²² See, School Board Policy No. D83.00 Fines, Restitution, and Damage Deposits for appeals regarding payments and working off fines.

²³ See, **Computer Trespass** for computer-related misconduct.

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, 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, 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.

Robbery

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

Rule-breaking (Not an exclusionary action 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, 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 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

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

Sexual Harassment²⁴

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 Knives²⁵

Carrying onto or possessing a small folding knife with a blade length of 2-1/2 inches or less and with a blade width ½-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.

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 corrective action or punishment would fail if employed.

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

- *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.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.

²⁴ See, **Malicious Harassment** for consideration.

²⁴ See, Board Policy No. 3208 – Sexual Harassment, and Superintendent Procedure 3208SP.

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

²⁶ See, Appendix A for full STAT definition.

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.²⁸

Using or Possessing Tobacco Products²⁹

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

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

²⁹ See, School Board Policy No. 4215 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 disciplinary action. A student is an accomplice to another person if, with knowledge that it will promote or facilitate the need for disciplinary action, 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.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.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 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 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.

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 Conference, Reengagement Plan, and Reentry Program

For students who are long term suspended or expelled, the purpose of the reengagement 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 conference must be held within ***three days*** of when the Notice of Disciplinary Action (NDA) is created and notification is given to parents.

Re-engagement conference 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.

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 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

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 for the 2017-18 school year through *Interagency Academy*. For 2017-18, high school students referred to the Reentry Program will be assigned to one of several *Interagency Academy* sites through the remainder of the semester in which they were suspended or expelled. This assignment may continue into the next semester if there is a requirement for behavior modification instruction and such instruction is unable to be completed satisfactorily in the time remaining in the current semester.

Suspended high school students with a requirement to complete behavior modification may return to their suspending school at the end of the semester in which behavior modification instruction is satisfactorily completed. Students whose behavior does not have a behavior modification requirement may return to their suspending school 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 will be reassigned first to the Reentry Program 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 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 their referring behaviors of concern (please see SPS Discipline Matrix for 2017-2018 school year for eligibility), may be short term suspended and the school administrator may request Discipline Case Management services through the Discipline Office.

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 on Information (ROIs); coordination with community based providers; the development of a school success reentry plan based on the 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 also include time limited skill building instruction. Discipline Case Management Services will continue until stability is regained.

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 so they do not miss academic instruction.

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 will adopt and distribute to each student rules that will govern a student's conduct in a particular school. When a student 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 disciplinary action 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. Any student who receives a short-term suspension is
4. Any student who has been short-term suspended may request a lesser disciplinary action, 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 is mediated at this time the student and/or parent/guardian 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 will

³² WAC 392-400-245

³³ See, Appendix C for a discipline mediation form.

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.

Notice to Student and Parents/Guardians 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 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** is entitled to verbal and written notice within twenty-four (24) hours of the proposed disciplinary action in the language spoken by the parent/guardian. 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 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 and/or a short-term suspension. During a grievance hearing, the appealing party requests that the principal change a disciplinary action 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 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.

³⁴ WAC 392-400-250

³⁵ WAC 392-400-240

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

³⁶ Seattle Public Schools accepts either a written or oral request for a Step 2 Grievance.

³⁷ The Disciplinary Appeals Council accepts only written requests for a Step 3 Grievance.

³⁸ WAC 392-400-255.

³⁹ WAC 392-400-260.

their designee 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 is mediated at this time the student and/or parent/guardian agree that by signing the mediation agreement⁴⁰ all factual and legal issues related to a particular disciplinary action is finally and fully resolved, and that the student and parent/guardian 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 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
6. A long-term suspension 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 school, including the High School Reentry Program at *Interagency Academy*. With the exception of expulsion from the District for possession of a firearm⁴², 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.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 four, principals, assistant principals, and their designees may not long-term suspend students, but they may expel students in pre-kindergarten through grade four.
11. In grade five 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 action.
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

⁴⁰ See, Appendix C for a discipline mediation form.

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

⁴² See, Superintendent's Procedure No. 3248SP

⁴³ WAC 392-400-275

(NDA) is created and provided to families. The reengagement meeting will be scheduled and sent home. Notice of the meeting date will be included on the NDA letter.

Exception to progressive discipline rule

Seattle Public Schools will 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 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 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.

Parents/guardians 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 filing an appeal, starting from the day parents/guardians have been notified their child has been long-term suspended or expelled.

Parents/guardians of **high school students** who decide not to appeal should contact *Interagency Academy*⁴⁵ 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.

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 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.

⁴⁴ WAC 392-400-265 and WAC 392-400-270.

⁴⁵ Interagency contact phone number is 206-743-3930.

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 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 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 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. 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 notice of the disciplinary action 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 notice of the disciplinary action or discipline being proposed, the school will impose the proposed long-term suspension or expulsion, and the parent/guardian 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 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 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/guardians 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 administrator, the student and his/her parent or guardian, 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. 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 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 administrator, student and parent/guardian agree to mediate the disciplinary action, a mediation agreement stating all particulars of the changes to be made is prepared and signed. The student and parent/guardian agree that by signing the mediation agreement all factual and legal issues related to a particular disciplinary action are finally and fully resolved, and that the student and parent/guardian 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?
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. 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. 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 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. The emergency expulsion may not run concurrently with another disciplinary action.

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 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. The person responsible for removing the student will be notified of the disciplinary action taken before the student returns to the classroom or activity.

Notice to parent/guardian 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 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 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

⁴⁶ WAC 392-400-290

⁴⁷ WAC 392-400-295

⁴⁸ WAC 392-400-300 and WAC 392-400-310.

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 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 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 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. 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 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 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/guardians 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 administrator, the student and his/her parent or guardian, 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. 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 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 administrator, student and parent/guardian agree to mediate the disciplinary action, a mediation agreement⁴⁹ stating all particulars of the changes to be made is prepared and signed. The student and parent/guardian agree that by signing the mediation agreement all factual and legal issues related to a particular disciplinary action are finally and fully resolved, and that the student and parent/guardian 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 action?
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. The hearing officer will provide a written decision, which will be sent to the parent or guardian by certified

⁴⁹ See, Appendix C for a discipline mediation form.

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, a decision will be given within one (1) school business day after the hearing and the student or parent(s)/guardian(s) 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 within ten (10) school days from the date of expulsion.

Appeal to the School Board⁵⁰

Parents/guardians have a right to request a review of a hearing officer's decision if the Hearing Officer upholds the school's disciplinary action for a suspension, expulsion, or emergency expulsion, and the parent/guardian 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).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 a statement about the basis of the appeal (explaining why they wish to have the hearing officer's decision reviewed) and a statement of what action they wish the DAC to take in the matter. Send this letter to the Student Discipline Appeals Office, 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

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;
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

⁵⁰ WAC 392-400-310

⁵¹ Board Policy No. 3201

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 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 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. Special Education and ELL students have the right to have a person knowledgeable about their disability 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 (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 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 Students⁵⁴

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.⁵⁵

⁵² See, WAC 392-400-315 and WAC 392-400-320.

⁵³ See, School Board Policy 3201.

⁵⁴ 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.

⁵⁵ Discipline will be imposed in a manner consistent with the Individuals with Disabilities Education Act" 20 U.S.C. § 7151(c).

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 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 actions 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 of the need to convene an MDT meeting and the procedural safeguards given by law, including the right to contest the disciplinary action 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 is 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 is 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 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 disciplinary action 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 premises or as part of school activities. Compliance with this rule is mandatory; students who disregard the prohibition 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 counseling, rehabilitation, 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 or corrective action that has been 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, 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 action to remove a student from instruction or school activities. This action 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 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. 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 that a specific disciplinary action 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/guardian 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 about the student behavior resulting in disciplinary action.

Progressive Discipline: The use over time of successively more restrictive disciplinary actions needed to shape behavior. Progression may include classroom-based response(s), school-based action(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.

Reengagement Meeting: A required meeting for students who are **long-term suspended or expelled**. Student, parents/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 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 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 2017-2018 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 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. 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 actions . 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 in accordance to State law.

Appendix A: Drug/Alcohol Mediation



Student Name: _____ ID: _____

School: _____

1. 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, or Possessing or Using Marijuana. 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.
 - 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 within 3 days.
2. The student/parent/guardian agrees to the following:
Obtain an assessment by a District-approved substance abuse professional, at parent expense.
 - 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/guardian 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 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

Date

DRAFT

Appendix B: 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:⁵⁶

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 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 will file no further appeal related to this discipline incident.

Administrator

Student

Hearing Officer or other witness

Parent/Guardian

⁵⁶ If the charges and/or comments section of the NDA will remain the same, state "No changes". Changes listed here must be reflected on PowerSchool incident information screens and an amended NDA must be provided to the parent/guardian within 3 days.

Overview of Proposed Changes for SR&R 2017-18

1. Changed titles in the table of contents to accurately reflect revised content
2. Added “Seattle Public Schools Commitments”
 - a. Recognizing that discipline situations are complex with underlying factors that require staff to understand the function of behaviors
 - b. Recognizing that mitigating and aggravating factors should influence the discipline decision making process
 - c. Recognizing that there is an impact on using exclusionary practices
 - d. Implementing a disciplinary response that would be least disruptive to the student school relationship
 - e. Examining implicit bias while working from a culturally responsive, trauma informed lens
3. Removed D (District Offenses language) and E (Exceptional Misconduct language) labels and numbering
4. Alphabetized student behaviors
5. Simplified definitions of student behaviors
6. Changed the definition of Middle School Behavior Modification to reflect the changes to the program and services for the 2017-2018 school year
7. Revised and simplified appeal language
8. Updated definitions in Appendix A to reflect changes in legislation entitling students to educational services while excluded from school

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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.

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Equity and Compliance Policy:

Seattle Public Schools 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 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 mail 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, (206) 252-0367 at title.ix@seattleschools.org.
- For disability discrimination concerns contact:
ADA/Section 504 Grievance Coordinator at accessibility@seattleschools.org.
- ~~(206) 252-0178, or accessibility@seattleschools.org~~

- For all other types of discrimination, contact:
-Student Civil Rights ~~Compliance Officer~~ ~~Coordinator~~, (206) 252-0306, at ~~or~~ 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, Mailstop 33-157, PO Box 34165, Seattle WA, 98124-1166, or (206) 252-0024, or hreeoc@seattleschools.org.

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 across the District in schools and in classrooms, and serves to guide decisions in promoting fair and equitable treatment for all.

A positive 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; ~~and~~.
- 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 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 ~~intervention~~ strategies ~~that~~ aim to reduce or eliminate loss of instructional time and 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 and 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 to all students at the beginning of each school year.

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 administrator. School Board policies referred to in this document can be accessed at https://www.seattleschools.org/district/board_nav/policies_and_procedures www.seattleschools.org.

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Student Rights

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

- An orderly and safe classroom and school;
- A quality, culturally relevant education with high-expectations and appropriate support;
- Courteous and respectful treatment;
- Be listened to and have their voice heard;
- Have equitable access to classes, services, resources, and extra-curricular activities;
- Be known and cared for at school; and
- Be given the opportunity to learn from mistakes; and
- ~~Receive support that is intended to teach accountability and repair relationships reasonable consequences and given opportunity to learn from mistakes.~~
-

Additionally, ~~as citizens~~^[REV1], 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. Students have the right to:

- Freedom of speech
- Assembly
- Petition
- Press
- No unreasonable search and seizure¹

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 on 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.

- Equal educational opportunity²
- Religion³

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 ~~Accept reasonable consequences~~ 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~~ Identify themselves to and follow the instructions of school staff; and
- ~~Respect the property of others and the school.~~⁴

- 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.

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

⁴ Note: 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~~Contribute to 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; ~~and~~
- 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 relationships.~~
- ~~Seek consequences that are fair and natural for the situation.~~

Student Discipline⁵

All students will be subject to the policies, rules, and regulations of Seattle Public Schools. The written rules are intended to assure that positive discipline and ~~corrective disciplinary~~ action are ~~imposed for just cause, and are~~ imposed in a fair, equitable, and just manner. ~~Students will receive discipline be disciplined~~ 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 will also receive discipline be disciplined~~ if they fail to comply with any of the written rules and regulations in any other setting 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.

~~Disciplinary action for the most extreme offenses can include such things as losing the privilege of attending District sponsored activities, losing the privilege of riding District sponsored transportation, or suspension or expulsion~~^[REV2]. Appeal procedures have been established in order to provide an opportunity for ~~corrective disciplinary~~ actions to be reviewed by a neutral third party and to instill confidence among students and families as to the appropriateness of the ~~corrective disciplinary~~ action.

Authority of District Staff

Persons who have authority to discipline students:⁶

⁵ WAC 392-400-210

⁶ WAC 392-400-230

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 corrective disciplinary action. In no case will a student be allowed to return for the rest of the class period without the permission of the teacher.
 3. ^[REV3] The School Board authorizes school principals, assistant principals, and their designees to impose school-based actions, in-school suspensions, short-term suspensions, long-term suspensions, emergency expulsions, and expulsions.
- 3.

Conditions and Limitations for Discipline⁷

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;
- 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.

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.

⁷ WAC 392-400-235

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Seattle Public Schools Commitments

Code of Conduct^[SP4]

District Offenses

~~Standard discipline for District Offenses include modification to the student's environment, family conference, skills training, development of a Positive Behavioral Intervention Plan (PBIP), referral to counseling or other outside resources, mediation, and on rare occasion, short-term suspension.~~

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 disproportionately in disciplinary responses within the district;
- 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; 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 loss of instructional time;
- partnering with families, other staff, and community based organizations in the event that a disciplinary action has occurred; and
- examining their own implicit bias, while working from a culturally responsive, trauma informed lens that utilizes verbal de-escalation skills in an effort to create conditions in our schools that allow students to be successful.

D-100-Student Behavior [SP5]8

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 Harassment⁹

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).

⁸ ~~Note: D-1XX Offenses cannot be used for in-school and out-of-school suspension of elementary students.~~

⁹ See, **Malicious Harassment** for harassing and intimidating behavior based on protected class or status. Also see, RCW 28A.300.285.

•
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.-¹⁰

Computer Trespass, Tampering, and Misuse¹¹

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

Dangerous Weapons¹²

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 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 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 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 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

¹⁰ See, **Trespass** for other purposes of being unlawfully present on District property or in District buildings.

¹¹ See, **Disruptive Conduct** for behavior with computers that is unintentional or otherwise does not rise to the level of Computer Trespass.

¹² See, **Toy Guns and Toy Weapons** for toys that do not appear to be real weapons.

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

[SP6]

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.

Firearms¹³

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.

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 Activity¹⁴

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.

¹³ 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).

¹⁴ The Safety and Security Department must be notified for violations of this offense. If appropriate, Seattle Police will be notified.

Graffiti¹⁵

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.

Hazing¹⁶

Initiating or harassing another student through humiliating tasks or unsafe or illegal behaviors that cause, or are likely to cause, physical injury¹⁷ or endangerment. (See also Bullying, Intimidation, or Harassment.)

Inappropriate Language (previously Verbal Assault)¹⁸

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 Touching¹⁹

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;
- 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:
 - Persistent²⁰ use of abusive or foul language directed at a school District employee;
 - 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
 - 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.

¹⁵ See, **Property Damage** for graffiti causing more than \$100 damage.

¹⁶ See, **Bullying, Intimidation, and Harassment** for less serious behaviors.

¹⁷ See, **Assault** for hazing behaviors that involve physical assault.

¹⁸ See, **Threats of Violence** for credible, focused threats of violence.

¹⁹ See, **Sexual Assault** for more serious behavior or inappropriate touching.

²⁰ See, **Inappropriate Language** for less than persistent use.

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 Conduct²¹

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 Harassment²²

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.)

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 \$100.²³

Misrepresentation

²¹ See, **Sexual Assault**, for behavior using force or physical harm. Also, see **D-320 Sexual Misconduct** for inappropriate sexualized behaviors.

²² See, **Bullying, Intimidation, or Harassment** when the harassment is not based on status or personal characteristics.

²³ See, School Board Policy No. D83.00 Fines, Restitution, and Damage Deposits for appeals regarding payments and working off fines.

- 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 Computers²⁴

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, 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, 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.

Robbery

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

²⁴ See, Computer Trespass for computer-related misconduct.

Rule-breaking- (Not an exclusionary action 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, 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 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

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

Sexual Harassment²⁵

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 Knives²⁶

Carrying onto 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.

²⁵ See, **Malicious Harassment** for consideration.

²⁵ See, Board Policy No. 3208 – Sexual Harassment, and Superintendent Procedure 3208SP.

²⁶ 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 corrective action or punishment would fail if employed.

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

- 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 can 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.²⁷

Toy Guns and Toy Weapons

Possessing a toy gun²⁸ 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.²⁹

Using or Possessing Tobacco Products³⁰

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

²⁷ See, Appendix A for full STAT definition.

²⁹ See, **Burglary** for trespass related to theft of property.

³⁰ See, School Board Policy No. 4215 and Superintendent Procedure No. 4215SP.

Accomplice Activity

~~D-110 — Disruptive Conduct~~

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

~~Disruptive conduct includes, but is not limited to:~~

- ~~• Engaging in behavior that passes beyond the limits of mutual teasing or normal age or developmentally appropriate “horse playing”, including name-calling and “play fighting”.~~
- ~~• An incident of non-credible threatening language.~~
- ~~• Blocking building entrances, hallways, or stairways by individual action or the congregation of individuals for the purpose of intimidating or deliberately disrupting normal passage of others.~~
- ~~• Deliberately using any electronic device, including cellular telephones, in a disruptive manner in classrooms, on school grounds, or at school events.~~
- ~~• Lighting a flame or setting a fire in any school location and immediately extinguishing the flame, whether in play or through carelessness.~~

~~Evidence must show that this affected the ability of the staff member to establish or maintain order, or that this behavior had a real and substantial relationship to student safety and/or the operation of the school.~~

~~D-120 — Rule-breaking~~

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

~~School and school bus rules must be published and students must have a reasonable expectation for knowing these rules. Statement of the rule broken must be written on the Notice of Disciplinary Action.~~

~~D-130 — Disobedience~~

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

~~Evidence must show that this affected the ability of the staff member to establish or maintain order, or that this behavior had a real and substantial relationship to the operation of the school.~~

~~D-200 Prohibited Conduct~~

~~D-230 Gambling~~

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

~~D-240 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.~~

~~D-245 Plagiarism~~

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

~~Plagiarism includes:~~

- ~~• Using another writer's words or ideas without proper citation, or merely rearranging or changing a few of the author's words and presenting the result as your own work, or not using quotation marks when citing a source;~~

- ~~Having someone else write your paper, program, or project, including asking friends, paying someone, using a paper writing service, or taking information verbatim off the Internet.~~
- ~~Copying another student's work during a test, lab, or classroom activity and turning it in as your own. This is "cheating".~~

~~D-250 Using or Possessing Tobacco Products²¹~~

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

~~The term "tobacco products" shall include, but is not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, nicotine, electronic smoking or vapor devices of any type, unapproved nicotine delivering devices including, but not limited to, any electronic vaporizing devices, chemicals or devices that produce the same flavor or physical effect of nicotine substances; and any other smoking equipment, material, or tobacco innovation.~~

~~Procedures²²~~

~~First Violation:~~

- ~~Administrator informs parent/guardian of student's violation.~~
- ~~Administrator provides parent/guardian with "Tobacco Free Schools, Fact Sheet for Parents/Guardians".~~

~~Second Violation:~~

- ~~Administrator informs parent/guardian of student's violation.~~
- ~~Student must complete 2-page essay on the way the tobacco industry targets a certain group, and how it applies to his/her own life.~~
- ~~Submit essay, with parent/guardian signature, to school administrator.~~

²¹ See, School Board Policy No. 4215 and Superintendent Procedure No. 4215SP.

²² Resources to accompany these procedures are on the district website for Discipline.

~~Third Violation:~~

- ~~• Administrator informs parent/guardian of student's violation.~~
- ~~• Student must participate in intervention or cessation counseling.~~
- ~~• Submit documentation of completion to administrator.~~

~~Subsequent Violations:~~

~~Administrator may repeat the procedures for second and third violation, or take other actions as they deem appropriate.~~

~~D-270 Misuse of Computers³³~~

~~*Inappropriately using or tampering with school computers.*~~

~~This includes, but is not limited to, the following:~~

- ~~• Viewing or downloading material that is obscene, lewd, profane, vulgar, offensive, sexually oriented, or material that is wholly inconsistent with the fundamental values of public school education (including pornography).~~
- ~~• Installing, storing, or distributing copyrighted software or materials on District computers without authorization.~~
- ~~• Inappropriately using e-mail or other Internet communications from District computers, such as to harass or harm others.~~

~~The use of computers belonging to Seattle Public Schools and access to Internet service from district provided computers are privileges that may be revoked by school or District administrators at any time for abusive conduct or violation of Seattle Public Schools policies.~~

~~D-280 Graffiti³⁴~~

~~*Writing, painting, drawing, scratching, or otherwise making any inscription, figure, or mark of any type on any District owned or staff or student property,*~~

³³ See, ~~E-720 Computer Trespass~~ for exceptional computer-related misconduct.

³⁴ See, ~~E-450 Malicious Property Damage~~ for graffiti causing more than \$100 damage.

~~unless the student has obtained the permission of a school official or staff person.~~

~~D-300 Harassment²⁵~~

~~D-310 Bullying, Intimidation, and Harassment²⁶~~

~~Engaging in intentional, persistent and 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.~~

~~There is no requirement that the person actually possesses the characteristic that is the basis for the bullying, intimidation, or harassment. This includes, but is 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 (formerly D-210 Hazing).~~

²⁵ See, Board Policy No. 3207—Prohibition of Harassment, Intimidation & Bullying, and Superintendent Procedure 3207SP.

²⁶ See, **E-610 Malicious Harassment** for harassing and intimidating behavior based on protected class or status. Also see, RCW 28A.300.285.

~~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.~~

~~D-315 Sexual Harassment³⁷~~

~~*Deliberately harassing another person for sexual reasons or in a sexualized manner with unwanted attention, touching, or verbal comments such that the person is uncomfortable, intimidated, or threatened by the behavior.*~~

~~Sexual harassment includes using words that are obscene or indecent for the purpose of harassing another person, or sharing printed materials of a sexual nature, or sharing electronic photos of a nude student or a student's exposed intimate body parts with others at school regardless of where the photos were created or uploaded.~~

~~D-320 Inappropriate Sexual Conduct~~

~~*Engaging in inappropriate sexualized conduct that is not conducive to the learning environment of a school.*~~

~~Sexualized conduct includes, but is not limited to, such behavior as kissing or mutual sexualized communication or touching.~~

~~D-330 Inappropriate Touching (Generally for elementary students)³⁸~~

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

~~D-340 Inappropriate Language (previously Verbal Assault)³⁹~~

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

~~D-400 Other Offenses~~

³⁷ For more serious cases, refer to E-610.

³⁷ See, Board Policy No. 3208 – Sexual Harassment, and Superintendent Procedure 3208SP.

³⁸ See, ~~E-215 Sexual Assault~~ for more serious behavior or inappropriate touching behavior for older students.

³⁹ See, ~~E-240 Threats of Violence~~ for credible, focused threats of violence.

~~D-410 Toy Guns and Toy Weapons⁴⁰~~

~~Possessing a toy gun⁴¹ 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.~~

~~D-420 False Reporting~~

~~Knowingly reporting or corroborating misbehavior of others that did not occur.~~

~~Students are urged to report dangerous situations that affect the health and safety of others, even though that reporting is sometimes considered to be tattling, snitching, or later is determined to have been unknowingly inaccurate. This offense is focused on deliberate lies.~~

~~Exceptional Misconduct~~

~~When appropriate, The Safety and Security Department may be notified for violations of offenses in this section. If appropriate, Seattle Police Department will be notified.~~

~~E-100 Controlled Substances~~

~~E-111 Selling Illegal Drugs, Controlled Substances, Prescription or Over the Counter Drugs~~

~~(See E-113 for Marijuana violations.)~~

~~Selling, or intending to sell, 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.~~

~~High school violators will be long term suspended for at least the remainder of the semester and middle school violators will be long term suspended no more~~

⁴⁰ See, E-300 for violations with real guns or weapons, or toys used with malice.

⁴¹ BB guns and other pellet guns are Dangerous Weapons. See, E-320 for violations with these weapons.

~~than 15 days. Students suspended under this offense will be required to obtain an assessment by a District approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent expense⁴² before returning to any regular school. Violators are not eligible for a reduction in suspension time through participation in an approved drug treatment program. Possessing a substantial amount (more than an amount considered to be only for personal use) of a prohibited/controlled substance or possessing multiple individual packages of a prohibited or controlled substance may be considered evidence of intent to sell.~~

~~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 corrective action would fail if employed. Students who are expelled will also be required to obtain an evaluation by a District approved substance abuse professional and maintain compliance with recommendations of the assessor at parent expense before returning to any regular school. Good reason to believe that other forms of corrective action would fail if employed include:~~

- ~~• Causing a student to be seriously injured or psychologically or emotionally harmed, even unintentionally.~~
- ~~• Selling to a student two or more years younger.~~
- ~~• Selling drugs in a manner that creates a material and substantial disruption to the school or educational environment.~~

~~E-112 Selling Alcoholic Beverages~~

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

~~High school violators will be long term suspended for at least the remainder of the semester and middle school violators will be long term suspended no more than 15 days. Students suspended under this offense will be required to obtain~~

⁴²The school will be able to provide information about low or no-cost options for appropriate services available in the community.

~~an assessment by a District approved substance abuse professional and maintain compliance with recommendations of the assessor at parent expense ⁴³ before returning to any regular school. Violators are not eligible for a reduction in suspension time through participation in an approved alcohol treatment program. Possessing a substantial amount (more than an amount considered to be only for personal use) of alcohol may be considered evidence of intent to sell.~~

~~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 corrective action would fail if employed. Students who are expelled will also be required to obtain an evaluation by a District approved substance abuse professional and maintain compliance with recommendations of the assessor at parent expense before returning to any regular school. Good reason to believe that other forms of corrective action would fail if employed include:~~

- ~~• Causing a student to be seriously injured or psychologically or emotionally harmed, even unintentionally.~~
 - ~~• Selling to a student two or more years younger.~~
- ~~• Selling alcohol in a manner that creates a material and substantial disruption to the school or educational environment.~~

~~E-113 Selling Marijuana~~

~~*Selling or intending to sell 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.*~~

~~High school violators will be long term suspended for at least the remainder of the semester and middle school violators will be long term suspended no more~~

⁴³The school will be able to provide information about low or no-cost options for appropriate services available in the community.

~~than 15 days. They will be required to obtain an assessment by a District approved substance abuse professional and maintain compliance with recommendations of the assessor at parent expense⁴⁴ before returning to any regular school. Violators are not eligible for a reduction in suspension time through participation in an approved drug treatment program. Possessing a substantial amount (more than an amount considered to be only for personal use) of marijuana or possessing multiple individual packages of marijuana may be considered evidence of intent to sell.~~

~~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 corrective action would fail if employed. Students who are expelled will also be required to obtain an evaluation by a District approved substance abuse professional and maintain compliance with recommendations of the assessor at parent expense before returning to any regular school. Good reason to believe that other forms of corrective action would fail if employed include:~~

- ~~• Causing a student to be seriously injured or psychologically or emotionally harmed, even unintentionally.~~
- ~~• Selling to a student two or more years younger.~~
- ~~• Selling marijuana in a manner that creates a material and substantial disruption to the school or educational environment.~~

~~**E-121 Distributing Illegal Drugs, Controlled Substances, Prescription or Over the Counter Drugs (See E-123 for Marijuana violations.)**~~

~~*Distributing, sharing, or passing around 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.*~~

⁴⁴The school will be able to provide information about low or no-cost options for appropriate services available in the community.

~~High school violators will be long term suspended for at least the remainder of the semester and middle school violators will be long term suspended no more than 15 days, although an administrator may mediate the action by reducing this to an 11 day long term suspension after the student obtains an assessment by a District approved substance abuse professional and maintains compliance with recommendations of the assessor, at parent expense.⁴⁵ The student and parent/guardian who accepts the mediation and conditions for any reduction in sanction agrees 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 will file no further appeal related to this discipline incident. The mediation form for Substance Abuse is in Appendix B.~~

~~For a second violation high school students will be long term suspended for at least the remainder of the semester and middle school violators will be long term suspended no more than 15 days. Students must obtain an assessment by a District approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent expense. The third violation will result in an expulsion and students must obtain an assessment by a District approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent expense before returning to any regular school.~~

~~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 corrective action would fail if employed. Students who are expelled will also be required to obtain an assessment by a District approved substance abuse professional and maintain compliance with any recommendations of the assessor at parent expense before returning to any regular school.~~

⁴⁵The school will be able to provide information about low or no cost options for appropriate services available in the community.

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

- ~~• Causing a student to be seriously injured or psychologically or emotionally harmed, even unintentionally.~~
- ~~• Distributing or sharing drugs to a student who is two or more years younger.~~
- ~~• Sharing drugs in a manner that creates a material and substantial disruption to the school or educational environment.~~

~~E-122 Distributing Alcoholic Beverages~~

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

~~High school violators will be long term suspended for at least the remainder of the semester and middle school violators will be long term suspended no more than 15 days, although an administrator may mediate⁴⁶ the action by reducing this to an 11 day long term suspension after the student obtains an assessment by a District approved substance abuse professional and maintains compliance with recommendations of the assessor, at parent expense.⁴⁷ The student and parent/guardian who accepts the mediation and conditions for any reduction in sanction agrees that by signing the mediation agreement that all factual and legal issues related to a particular discipline are finally and fully resolved, and that the student and parent/guardian will file no further appeal related to this discipline incident. The mediation form for Substance Abuse is in Appendix B.~~

~~For a second violation, high school students will be long term suspended for at least the remainder of the semester and middle school students will be long-~~

⁴⁶ See, Appendix AB for a substance abuse mediation form.

⁴⁷ The school will be able to provide information about low or no-cost options for appropriate services available in the community.

~~term suspended no more than 15 days. Students must obtain an assessment by a District approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent expense. The third violation will result in expulsion and the student must obtain an assessment by a District approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent expense before returning to any regular school.~~

~~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 corrective action would fail if employed. Students who are expelled will also be required to obtain an assessment by a District approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent expense before returning to any regular school.~~

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

- ~~• Causing a student to be seriously injured or psychologically or emotionally harmed, even unintentionally.~~
- ~~• Distributing or sharing alcohol to a student who is two or more years younger.~~
- ~~• Sharing alcohol in a manner that creates a material and substantial disruption to the school or educational environment.~~

~~E-123 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 electronic vapor devices or products containing any marijuana substance.*~~

~~High school violators will be long term suspended for at least the remainder of the semester and middle school violators will be long term suspended no more than 15 days, although an administrator may mediate⁴⁸ the action by reducing this to an 11 day long term suspension after the student obtains an assessment by a District approved substance abuse professional and maintains compliance with recommendations of the assessor, at parent expense. The student and parent/guardian who accepts the mediation and conditions for any reduction in sanction agrees that by signing the mediation agreement that all factual and legal issues related to a particular discipline are finally and fully resolved, and that the student and parent/guardian will file no further appeal related to this discipline incident. The mediation form for Substance Abuse is in Appendix B.~~

~~A second violation will result in a long term suspension until the end of the semester and the student must obtain an assessment by a District approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent expense.⁴⁹ The third violation will result in an expulsion and the student must obtain an assessment by a District approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent expense before returning to any regular school.~~

~~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 corrective action would fail if employed. Students who are expelled will also be required to obtain an assessment by a District approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent expense before returning to any regular school.~~

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

⁴⁸ See, Appendix AB for a substance abuse mediation form.

⁴⁹ The school will be able to provide information about low or no-cost options for appropriate services available in the community.

- ~~• Causing a student to be seriously injured or psychologically or emotionally harmed, even unintentionally.~~
- ~~• Distributing or sharing marijuana with a student who is two or more years younger.~~
- ~~• Sharing marijuana in a manner that creates a material and substantial disruption to the school or educational environment.~~

~~E-131 Possessing or Using Illegal Drugs, Controlled Substances, Prescription or Over-the-Counter Drugs (See E-133 for Marijuana violations.)~~

~~*Possessing, using, or being under the influence of 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.*~~

~~Students may be disciplined for being under the influence of a controlled substance based on their behavior or appearance as determined by an administrator, school nurse, or other properly trained official regardless of whether they have a controlled substance or drug paraphernalia in their possession. Coming “high” to school or a school event is not allowed.~~

~~A urinalysis to determine whether a student has recently used drugs is not the same as an assessment by a District-approved substance abuse professional. Violations of this offense require such an assessment by a District-approved substance abuse professional to determine whether a student has a drug or alcohol problem and is in need of services to address that problem.~~

~~High school violators will be long-term suspended for at least the remainder of the semester and middle school violators will be long-term suspended no more~~

~~than 15 days, although an administrator may mediate⁵⁰ the action by reducing this to a three-day short-term suspension after the student obtains an assessment by a District-approved substance abuse professional and maintains compliance with recommendations of the assessor, at parent expense.⁵¹ The student and parent/guardian who accepts the mediation and conditions for any reduction in sanction agrees that by signing the mediation agreement that all factual and legal issues related to a particular discipline are finally and fully resolved, and that the student and parent/guardian will file no further appeal related to this discipline incident. The mediation form for Substance Abuse is in Appendix B.~~

~~A second violation will result in a long-term suspension until the end of the semester, although an administrator may mediate by reducing this to an 11-day long-term suspension if the student receives an assessment by a District-approved substance abuse professional and maintains compliance with recommendations of the assessor, at parent expense. The student and parent/guardian who accepts the mediation and conditions for any reduction in sanction agrees that by signing the mediation agreement that all factual and legal issues related to a particular discipline are finally and fully resolved, and that the student and parent/guardian will file no further appeal related to this discipline incident. The mediation form for Substance Abuse is in Appendix B.~~

~~A third violation will result in a long-term suspension until the end of the semester and the student must obtain an assessment by a District-approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent expense. The school will be able to provide information about low or no-cost options for appropriate services available in the community.~~

~~E-132 Possessing or Using Alcoholic Beverages~~

⁵⁰ See Appendix AB for a substance abuse mediation form.

⁵¹ The school will be able to provide information about low or no-cost options for appropriate services available in the community.

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

~~Students may be disciplined for using alcohol or being under the influence of alcohol based on their behavior or appearance as determined by an administrator, school nurse, or other properly trained official regardless of whether they have alcohol in their possession. Coming to school or a school event with alcohol on your breath or in your body is not allowed.~~

~~A urinalysis to determine whether a student has recently used alcohol is not the same as an assessment by a District approved substance abuse professional. Violations of this offense require such an assessment by a District approved substance abuse professional to determine whether a student has an alcohol problem and is in need of services to address that problem.~~

~~High school violators will be long term suspended for at least the remainder of the semester and middle school violators will be long term suspended no more than 15 days, although an administrator may mediate⁵² the action by reducing this to a three day short term suspension after the student obtains an assessment by a District approved substance abuse professional and maintains compliance with recommendations of the assessor, at parent expense.⁵³ The student and parent/guardian who accepts the mediation and conditions for any reduction in sanction agrees that by signing the mediation agreement that all factual and legal issues related to a particular discipline are finally and fully resolved, and that the student and parent/guardian will file no further appeal related to this discipline incident. The mediation form for Substance Abuse is in Appendix B.~~

⁵² See, Appendix B for a substance abuse mediation form.

⁵³ The school will be able to provide information about low or no-cost options for appropriate services available in the community.

~~A second violation will result in a long-term suspension until the end of the semester, although an administrator may mediate⁵⁴ by reducing this to an 11-day long-term suspension if the student receives an assessment by a District approved substance abuse professional and maintains compliance with recommendations of the assessor, at parent expense.⁵⁵ The student and parent/guardian who accepts the mediation and conditions for any reduction in sanction agrees that by signing the mediation agreement that all factual and legal issues related to a particular discipline are finally and fully resolved, and that the student and parent/guardian will file no further appeal related to this discipline incident. The mediation form for Substance Abuse is in Appendix B.~~

~~A third violation will result in a long-term suspension until the end of the semester and the student must obtain an assessment by a District approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent expense. The school will be able to provide information about low or no-cost options for appropriate services available in the community.~~

~~E-133 Possessing or Using Marijuana~~

~~*Possessing, using, or being under the influence of 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.*~~

~~Students may be disciplined for being under the influence of marijuana based on their behavior or appearance as determined by an administrator, school nurse, or other properly trained official regardless of whether they have marijuana or drug paraphernalia in their possession. Students with a legitimate medical condition requiring the use of marijuana for pain control may not be~~

⁵⁴ See, Appendix AB for a substance abuse mediation form.

⁵⁵ The school will be able to provide information about low or no-cost options for appropriate services available in the community.

~~eligible to attend school while they are under THC influence. Coming “high” to school or a school event is not allowed.~~

~~A urinalysis to determine whether a student has recently used marijuana is not the same as an assessment by a District approved substance abuse professional. Violations of this offense require such an assessment by a District approved substance abuse professional to determine whether a student has a drug or alcohol problem and is in need of services to address that problem.~~

~~For a first violation high school students will be long term suspended for at least the remainder of the semester and middle school students will be long term suspended no more than 15 days, although an administrator may mediate⁵⁶ the action by reducing this to a three day short term suspension after the student obtains an assessment by a District approved substance abuse professional and maintains compliance with recommendations of the assessor, at parent expense.⁵⁷ The student and parent/guardian who accepts the mediation and conditions for any reduction in sanction agrees that by signing the mediation agreement that all factual and legal issues related to a particular discipline are finally and fully resolved, and that the student and parent/guardian will file no further appeal related to this discipline incident. The mediation form for Substance Abuse is in Appendix B.~~

~~A second violation will result in a long term suspension until the end of the semester, although an administrator may mediate by reducing this to an 11 day long term suspension if the student receives an assessment by a District approved substance abuse professional and maintains compliance with recommendations of the assessor, at parent expense. The student and parent/guardian who accepts the mediation and conditions for any reduction in sanction agrees that by signing the mediation agreement that all factual and legal issues related to a particular discipline are finally and fully resolved, and~~

⁵⁶ See, Appendix B for a substance abuse mediation form.

⁵⁷ The school will be able to provide information about low or no cost options for appropriate services available in the community.

~~that the student and parent/guardian will file no further appeal related to this discipline incident. The mediation form for Substance Abuse is in Appendix B.~~

~~A third violation will result in a long-term suspension until the end of the semester and the student must obtain an assessment by a District-approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent expense. The school will be able to provide information about low or no-cost options for appropriate services available in the community.^[SP7]~~

~~E-200 Violence⁵⁸~~

~~E-210 Assault (Please see E-211 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.*~~

~~Intent is defined as taking deliberate actions toward physically harming another person such that the person has an immediate expectation that his/her personal safety is in jeopardy, even if physical violence is averted. It is more than mere gestures at a distance (e.g., a raised fist).~~

⁵⁸All offenses in this category require enrollment in and satisfactory completion of an appropriate District-approved behavior program, primarily involving learning skills for anger and conflict management. Seattle Public Schools provides this instruction for secondary students in the Reentry Program.

~~Domestic violence as E-210 Assault includes physically harming, threatening, physically restraining, or stalking a romantic or dating partner.~~

~~Assault does not include incidental touching unless it is flagrant, purposeful, repeated, or results in life-threatening injury.~~

~~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 corrective action would fail if employed. Good reason to believe that other forms of corrective action would fail if employed include:~~

- ~~• Prolonged attack on a student such that the student suffers injury.~~
- ~~• Causing life-threatening injury to another person by any means of physical violence.~~
- ~~• Multiple assaulters physically harming a single student.~~
- ~~• Assaulting a school staff person by hitting, roughly touching, pushing, shoving, restraining, kicking, or poking the staff person such that the staff person is afraid for his/her personal safety. The size and weight of the staff person and the student will be a contributing factor. No serious injury need have occurred.~~

~~Self-defense or defense of someone else who is being assaulted may be a mitigating circumstance resulting in no discipline for the defending student, as long as the defensive behavior occurs while an assault is being inflicted on oneself or another, and is not more forceful than absolutely needed to deflect the violence suffered and prevent continuing injury or harm to oneself or the other person.~~

~~Examples of self-defense include, but are not limited to, deflecting blows without returning them and holding or holding back an attacker to keep~~

~~him/her from continuing to assault. Defensive behavior that is considerably more forceful than needed for legitimate self-defense may be considered assault or fighting.⁵⁹~~

E-211 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.~~

E-215 Sexual Assault⁶⁰

~~Sexually assaulting or taking indecent liberties with another person.~~

~~Sexual assault includes flagrant, purposeful, or repeated unwanted touching or grabbing of sexual parts, indecent exposure, using force to engage in intercourse, oral sex, or other sexual contact, engaging in intercourse or oral sex whether or not the other person clearly refuses or does not have the mental or physical ability to consent.~~

~~A student who is long-term suspended for violation of Sexual Assault will be required to participate in appropriate counseling for sexual misbehavior, at parent expense, at an agency providing such counseling or therapy. This is not the same as behavior modification curriculum that is offered as part of the Reentry Program.~~

⁵⁹ See, **E-240 Fighting** for physical altercations involving mutual anger or hostility.

⁶⁰ Violation of this offense may require enrollment in another appropriate District-approved program.

~~E-220 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.~~

~~E-240 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.~~

~~Fighting includes, but is not limited to, the following:~~

- ~~• Engaging in mutual physical contact involving anger or hostility.~~
- ~~• Teasing, harassing, threatening or intimidating others resulting in physical contact involving anger or hostility.~~
- ~~• Retaliating physically for teasing, harassing, threatening, or intimidating behavior.~~
- ~~• Verbally inciting or physically supporting a fight by one's encouragement or presence, including but not limited to posturing, making verbal accusations or threats, using electronic or other means of communication to set up, or instigate, or benefit from the fight, or drawing spectator attention to a fight.~~
 - ~~• Recording a fight for any purpose, except for providing immediate evidence to a school administrator or Security.~~

~~Students engaged in fighting will be required to participate in mediation, restorative practices, or other school-based positive intervention strategies for resolving conflict upon their return to school.~~

~~Strong mitigating circumstances may warrant no discipline in a situation that outwardly appears to be a fight. Self-defense or defense of someone else who is being assaulted may be a mitigating circumstance, as long as the behavior used in self-defense is not more forceful than absolutely needed to deflect the violence suffered and prevent continuing injury or harm to oneself or the other person. Examples of self-defense are deflecting blows without returning them and holding or holding back an attacker to keep him/her from continuing to assault. Defensive behavior that is considerably more forceful than needed for legitimate self-defense may be considered assault.~~

~~E-250 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 danger, or which cause a listener to believe that another person's life, safety, or property is in danger. It is not necessary that the threat be communicated to the intended victim.~~

~~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 corrective action or punishment would fail if employed.~~

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

- ~~• 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 can 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.⁶¹~~

~~E-260 Hazing⁶²~~

~~Initiating or harassing another student through humiliating tasks or unsafe or illegal behaviors that cause, or are likely to cause, physical injury⁶³ or endangerment.~~

~~In hazing situations, appropriate club advisors, coaches, and administrators likely have not been told what will occur and have not given their approval to the activity. Initiates may not feel that they have the choice to volunteer for this activity or the opportunity to quit at any time. Evidence of hazing that falls into this category may include, but is not limited to, activities with any of the following components:~~

- ~~• Physical restraints.~~
- ~~• Reckless endangerment or life-threatening stunts, e.g., being forced to jump off a bridge or structure, or ingest substances that may cause an allergic reaction.~~
- ~~• Unsafe activities, such as being left alone to get out of a harmful situation at the end of the activity, e.g., in a park at night or from a locked room.~~
- ~~• Property damage.~~
- ~~• Illegal activity.~~

⁶¹ See, Appendix A for full STAT definition.

⁶² See, D-310 Bullying, Intimidation, and Harassment for less serious behaviors.

⁶³ See, E-210 Assault for hazing behaviors that involve physical assault.

~~E-300 Weapons⁶⁴~~

~~E-310 Firearm⁶⁵~~

~~*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. Seattle Public Schools has a policy of no tolerance for weapons.*⁶⁶~~

~~Firearm is defined as a weapon from which a projectile or projectiles may be fired by an explosive such as gunpowder. This includes starter guns or pistols, including those that are only capable of firing “blanks”. This charge also applies to an explosive, incendiary, or poison gas bomb, grenade, rocket, missile, or mine as defined by state and federal law.⁶⁷~~

~~Violators will be expelled from the District for not less than one calendar year. See, RCW 28A.600.420. Satisfactory completion of a behavior modification or anger management program is required. The Superintendent or his or her designee may modify the expulsion on a case-by-case basis.⁶⁸~~

~~E-320 Dangerous Weapons⁶⁹~~

~~*Carrying a dangerous weapon onto, or possessing a dangerous weapon on, school property, school-provided transportation, areas of facilities being used*~~

⁶⁴All offenses in this category require enrollment in and satisfactory completion of a District-approved behavior modification program, primarily involving learning skills for anger and conflict management. Seattle Public Schools provides this instruction for secondary students in the Reentry Program.

⁶⁵Mandatory One-Year Expulsion, but will be imposed in a manner consistent with the Individuals with Disabilities Education Act” 20 U.S.C. § 7151(c).

⁶⁶See, Superintendent Procedure 3248SP for exceptions to this policy.

⁶⁷See, RCW 9.41.010 and 18 U.S.C. § 921 for a complete definition of firearm.

⁶⁸See, Superintendent’s Procedure No. 3248SP for procedures related to violations of this charge.

⁶⁹See, **D-410 Toy Guns and Toy Weapons** for toys that do not appear to be real weapons.

~~exclusively as school district property, or at school-sponsored events or activities. Seattle Public Schools has a policy of no tolerance for weapons.⁷⁰~~

~~State-defined dangerous weapons include: nunchuck sticks; throwing stars; air gun; slung shot; sand club; metal knuckles; any knife having a blade which opens, or falls, or is ejected into position by the force of gravity, or by an outward, downward, or centrifugal thrust or movement; or any dagger or dirk furtively carried,⁷¹ or any portable device manufactured to function as a weapon and which is commonly known as a stun gun, including a projectile stun gun, that emits an electrical shock, charge, or impulse.~~

~~District-defined dangerous weapons include: BB gun of any type, pellet gun of any type, “soft air” gun, slingshot, hand club, sandbag, chaco sticks, metal pipe or bar used or intended for use as a club, billy club, black jack, switchblade knife, fixed blade knife (e.g., kitchen knife, steak knife, and hunting and military-type knives that do not fold), large folding knife with a blade over 2-1/2 inches long; any knife with a blade that locks open; any knife with more than one blade; razor blade; box cutter; blowgun, taser gun, bullets, and pepper gas/spray.⁷² The definition of a dangerous weapon also includes any object that can reasonably be used to inflict serious bodily injury when a student uses such an object with the intent to harm or intimidate someone, or when there is no other reasonable purpose for possessing the object except to use it as a weapon.~~

~~A hand-held laser device is considered to be a dangerous weapon if the light is deliberately aimed at another person, whether or not there is intent to cause harm. The District recognizes that some low power laser devices have a~~

⁷⁰ “No tolerance for weapons” means that disciplinary action should be imposed for possession of weapons, but, with the exception of firearms, there is no specific sanction that must be imposed in every case. Rather, discipline should be imposed that is appropriate based on the circumstances.

⁷¹ See, RCW 9.41.250.

⁷² The application of the weapons policy to pepper gas/spray must be made in accordance with RCW 9.91.160. Parents must submit written permission to the school principal for a student who by statute can have pepper gas/spray in his/her possession.

~~legitimate use in the classroom, e.g., as instructional pointers, and would not be considered dangerous weapons if not deliberately aimed at another person. Additionally, such devices may not be used in a manner that is disruptive to the educational process.⁷³~~

~~The normal discipline for a first-time possession of a dangerous weapon is a long-term suspension. The administrator can elect to give a lesser corrective action because of the particular facts and circumstances. For example, if a student has a dangerous weapon in his or her backpack that has not been used in a threatening or intimidating manner, the administrator may elect to use a lesser discipline.~~

~~Mitigating circumstances may warrant no discipline. Examples of mitigating circumstances for secondary students include:~~

- ~~• The student is “in possession” of a weapon after disarming another student, and the weapon is promptly turned over to staff.~~
- ~~• The student is “in possession” of a weapon after having discovered it on school grounds or on the way to school and the weapon is promptly turned over to school staff. Students are urged to leave weapons where they are discovered and notify school staff of their location rather than take them into their possession.~~
- ~~• The student is “in possession” unknowingly after another person places the weapon among his/her possessions, and the weapon is promptly turned over to staff when the weapon is discovered. There should be reasonable evidence that the student was unaware of the weapon being among his/her possessions.~~
- ~~• The student on his/her own volition upon arrival at school or a school event turns in a weapon that was accidentally brought from home or is needed~~

⁷³ Refer to D-110 Disruptive Conduct for waving a laser pen or flashing it around a room for no reason except to amuse the person waving it or to disrupt the educational process.

~~for the student's out-of-school job (e.g., a box cutter for a student employed in a grocery store to stock shelves).~~

- ~~• An additional example of mitigating circumstances that may be considered for elementary students may include:~~
- ~~• The student is unable to clearly understand that the item is a weapon and therefore forbidden to be at school (e.g., the student innocently brought the weapon for "Show and Tell" or the student believes the weapon is a toy.)~~

~~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 corrective action would fail if employed. Good reason to believe that other forms of corrective action would fail if employed include:~~

- ~~• Seriously injuring a student or staff person, even unintentionally.~~
- ~~• Using the weapon in a dangerous and intimidating manner.~~
- ~~• Creating widespread fear or substantial disturbance by having the weapon on school district property.~~

~~E-330 Small Folding Knives⁷⁴~~

~~Carrying onto 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.~~

~~For purposes of this offense, a common knife is small and generally used for Scouting or camping. A large folding "buck knife", or large Swiss Army knife with multiple utensils including more than one knife blade, or a folding knife with a~~

⁷⁴ See, ~~D-410 Toy Guns and Toy Weapons~~ for toys that do not appear to be real knives.

~~blade of any length that locks open is not a small folding knife under this definition.~~

~~A student may be expelled or long term suspended until the end of the semester for the first offense without regard to progressive discipline when there is good reason to believe that other forms of corrective action would fail if employed. Good reason to believe that other forms of corrective action would fail if employed include:~~

- ~~• Bringing a folding knife to school that can do serious bodily harm. Knives with blades over 2 1/2 inches long or over 1/2 inch wide are presumed to be able to cause serious bodily harm. Expulsion for a first offense may be warranted.~~
- ~~• Using a folding knife of any size in a menacing and threatening manner, e.g., if the blade is exposed or the knife is shown in tandem with a verbal or non-verbal threat. Expulsion for a first offense may be warranted.~~
- ~~• Bringing a folding knife to school for the purpose of intimidating another, or for the expressed reason of self-protection because the student feels intimidated by another student. Self-defense is not a mitigating circumstance for carrying any knife in school. Students are expected to let an adult know if they feel intimidated or endangered at school or on school grounds, Long term suspension until the end of the semester may be warranted for a first offense.~~

~~See, E-320 Dangerous Weapons for mitigating circumstances that may be considered under this offense as well.~~

~~E-340 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.~~

~~These devices include, but are not limited to, firecrackers, sparklers, smoke bomb or stink bomb, cherry bomb, M80, bottle rocket, other explosive, incendiary or poison gas, or gas pen/gas pencil. Chemicals under this designation are those inherently dangerous in themselves, or capable of exploding or being ignited to cause an explosion, or causing harm to others if maliciously misused. This definition does not include chemicals when they are used appropriately in classroom activities under teacher supervision and direction.~~

~~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 corrective action would fail if employed. Good reason to believe that other forms of corrective action would fail if employed include:~~

- ~~• Seriously injuring a student or staff person, even unintentionally.~~
- ~~• Using the device in a dangerous and intimidating manner.~~
- ~~• Creating widespread fear or substantial disturbance by having the device on school district property.~~

~~E-350 Toys Used As Weapons⁷⁵~~

~~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.~~

~~Use E-320 Dangerous Weapons for possession of BB guns of any type, pellet guns of any type, and look-alikes of any type.~~

⁷⁵ See, ~~D-410 Toy Guns and Toy Weapons~~ for toys that do not appear to be real weapons.

~~E-400 Theft and Vandalism~~

~~E-410 Robbery⁷⁶~~

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

~~E-420 Theft~~

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

~~This includes theft of intellectual property, such as, but not limited to, looking at or taking a teacher's test or notes for a test, artwork, or any other teacher or student intellectual property.~~

~~E-430 Burglary~~

~~*Forced entry or remaining unlawfully in a district building or room in the building for the purpose of taking property.⁷⁷*~~

~~Property includes~~

- ~~• District, teacher, student, or visitor possessions~~
- ~~• Intellectual property, such as a teacher's test or notes for a test, artwork, or any other teacher or student document or object.~~

⁷⁶This offense requires enrollment in and satisfactory completion of a District-approved behavior modification program, primarily involving learning skills for anger and conflict management. Seattle Public Schools provides this instruction for secondary students in the Reentry Program.

⁷⁷See, ~~E-710 Trespass~~ for other purposes of being unlawfully present on District property or in District buildings.

~~E-440 Possession of Stolen Property~~

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

~~E-450 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 \$100.⁷⁸~~

~~This includes damage to intellectual property, such as, but not limited to, damaging or destroying a staff person's or student's work, whether artistic, written, or on the computer, and graffiti or other willful damage to public or private property while participating in a school-sponsored activity away from school grounds.~~

~~Malicious Property Damage⁷⁹ is a property damage offense, not an offense or attack against another person.~~

~~E-500 Intimidation and Interference with School Authorities~~

⁷⁸ See, School Board Policy No. D83.00 Fines, Restitution, and Damage Deposits for appeals regarding payments and working off fines.

⁷⁹ See, E-250 Assault or D-315 Bullying for offenses against persons.

~~E-510 Intimidation of School Authorities⁸⁰~~

~~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.~~

~~E-520 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;~~
- ~~• 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:~~
 - ~~○ Persistent⁸¹ use of abusive or foul language directed at a school District employee;~~
 - ~~○ 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~~
 - ~~○ 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.~~

⁸⁰This offense requires enrollment in and satisfactory completion of a District-approved behavior modification program, primarily involving learning skills for anger and conflict management. Seattle Public Schools provides this instruction for secondary students in the Reentry Program.

⁸¹See, D-340 Inappropriate Language for less than persistent use.

~~E-600 Harassment⁸²⁸³~~

~~E-610 Malicious Harassment⁸⁴~~

~~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.~~

⁸² Offenses in this category may require enrollment in and satisfactory completion of a District-approved behavior modification program, depending upon the facts and circumstances. Seattle Public Schools provides this instruction for secondary students in the Reentry Program.

⁸³ See Board Policy No. 3207—Prohibition of Harassment, Intimidation & Bullying, and Superintendent Procedure 3207SP.

⁸⁴ See ~~D-310 Bullying, Intimidation, and Harassment~~ when the harassment is not based on status or personal characteristics.

~~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.~~

~~E-620 Gang/Hate Group Activity⁸⁵~~

~~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.~~

~~Gang/Hate Group activity includes, but is not limited to, any of the following:~~

- ~~• Advocating discrimination, intimidating others, soliciting or recruiting members to the group or organization.~~
- ~~• Using graffiti, gestures, language, colors, or codes that provoke violence or seek to advocate the purpose and objective of such groups, including using electronic means for this purpose that affects school or educational processes.~~

~~A student may be expelled or long-term suspended until the end of the semester for the first offense without regard to progressive discipline when there is good reason to believe that other forms of corrective action would fail if employed or there is a significant risk of imminent violence without immediate and further interventions.~~

⁸⁵ The Safety and Security Department must be notified for violations of this offense. If appropriate, Seattle Police will be notified.

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

- ~~• Use by a gang member of direct, deliberate, or focused threats or intimidation, such that the student or staff member believes his or her safety or the well-being of his or her property is in danger.~~
- ~~• Use by a gang member of threats, force, assault, or violence to advocate the purposes of the gang such that school administrators believe students or the school community is endangered.~~
- ~~• Violent victimization by a gang member, including but not limited to, physical attacks or taking of property from the student or staff member directly by force, weapons or threats.~~

~~Good reason to believe that there is a significant risk of imminent violence without immediate and further interventions include:~~

- ~~• Ongoing violent retaliatory statements or gestures.~~
- ~~• Continued lack of remorse for violent activity.~~

~~A gang or hate group is defined as a group of three or more persons with identifiable leadership who regularly conspire and act in concert mainly for criminal purposes. Either suspension or expulsion is an appropriate sanction.⁸⁶~~

~~E-700 Trespass~~

⁸⁶ See, RCW 28A.600.455.

~~E 710 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.⁸⁷~~

~~This includes entering any school district property or attending any school activity at any location while suspended or expelled from school.~~

~~E 720 Computer Trespass, Tampering, and Misuse⁸⁸~~

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

~~This includes, but is not limited to, any of the following activities:~~

- ~~Stealing, hacking, deleting, interfering with, or copying software, systems, or programs.~~
- ~~Transmitting a virus or other material that is wholly inconsistent with the fundamental values of public school education.~~
- ~~Changing school, District, or student records without authorization.~~
- ~~Accessing a district or teacher's computer without authorization.~~
- ~~Using a proxy site or other Internet site from a District computer to deliberately evade District filters, or instructing others on how to deliberately evade District filters.~~

~~The use of computers belonging to Seattle Public Schools and access to Internet service from District-provided computers are privileges that may be revoked by~~

⁸⁷ See, ~~E 430 Burglary~~ for trespass related to theft of property.

⁸⁸ See, ~~D 110 Disruptive Conduct~~ for behavior with computers that is unintentional or otherwise does not rise to the level of Computer Trespass.

~~school or District administrators at any time for abusive conduct or violation of Seattle Public Schools policies. Administrators should use a reasonable standard based on the age and skill level of students to determine the ability and/or intent of students to deliberately or maliciously harm or destroy computers, computer systems, or computer data.~~

~~E-800 Fire and False Threats~~

~~E-810 Arson~~

~~Intentionally setting a fire or causing an explosion.~~

~~E-820 False Alarm~~

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

~~E-830 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.~~

~~E-900 Other Offenses~~

~~E-910 False Reporting⁸⁹~~

~~Knowingly 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.~~

~~For purposes of this offense, such false reporting has the likelihood of resulting in serious complications for the person falsely accused, including affecting their legal, financial, or job status, or reputation, health, or right to an education.~~

~~E-920 Lewd Conduct⁹⁰~~

~~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.~~

~~E-990 Other Exceptional Misconduct~~

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

~~Incidents must violate a specific State or Federal law or Municipal criminal code not currently contained within any offense in the Code of Conduct. Use of this offense may be inappropriate for elementary students.~~

~~Please contact the Discipline Appeals Office to verify the appropriateness of using this offense for specific student behavior.~~

⁸⁹ See, ~~D-420 False Reporting~~ for incidents without malice.

⁹⁰ See, ~~E-215 Sexual Assault~~, for behavior using force or physical harm. Also, see ~~D-320 Sexual Misconduct~~ for inappropriate sexualized behaviors.

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 in the commission of an offense~~ behavior requiring disciplinary action. ^[SP8] A student is an accomplice to another person if, with knowledge that it will promote or facilitate the offense need for disciplinary action, the student: (1) solicits, commands, encourages, or requests such other person to engage in the offense behavior, or (2) aids or agrees to aid such other person in planning or committing the offense behavior. A student may encourage the conduct of another through verbal or nonverbal acts.⁹¹

A student is not an accomplice if he or she is the victim of the offense behavior, or he or she terminates their complicity prior to the commission of the offense behavior and gives timely warning to school officials that the conduct may occur.⁹²

If a student engages in accomplice activity, the accomplice may be charged with the same behavior offense of the principal actor with a notation that the student committed the offense 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 ^[SP9]);

⁹¹ 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 perpetrator offender? 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.

⁹² 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.

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.)

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 ~~District Offenses and for Exceptional Misconduct~~ 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.

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[SP10].

Student Reengagement Conference, Reengagement Plan, and Reentry Program

For students who are long term suspended or expelled, the purpose of the reengagement 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. [SP11]

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

Re-engagement conference 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.

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 supportive interventions that will be in place when the student returns to school.

While developing a re-engagement plan, school districts should consider[SP12]:

1. Shortening the length of time that the student is suspended or expelled;
2. Exploring whether or not there are other forms of corrective disciplinary action that could 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 supportive interventions that support result in academic success, and keep the student engaged and on track to graduate

District practice at the secondary level is to provide free ~~student~~ access ~~to~~ ~~for~~ 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 ~~can~~may include academic instruction as well as courses that meet District expectations for behavior modification instruction. [SP13]

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 for the ~~2016-17~~2017-18 school year through Interagency Academy. For ~~2016-17~~2017-18, high school students referred to the Reentry Program will

be assigned to one of several *Interagency Academy* sites through the remainder of the semester in which they were suspended or expelled. This assignment may continue into the next semester if there is a requirement for behavior modification instruction and such instruction ~~cannot~~is unable to be completed satisfactorily in the time ~~left~~remaining in the current semester.

Suspended high school students with a requirement to complete behavior modification may return to their suspending school at the end of the semester in which behavior modification instruction is satisfactorily completed. ~~Students whose offense~~behavior does not have a behavior modification requirement may return to their suspending school 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 will be reassigned first to the Reentry Program 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 whose ~~offense~~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 their referring behaviors of concern (please see SPS Discipline Matrix for 2017-2018 school year for eligibility), may be short term suspended and the school administrator may request Discipline Case Management services through the Discipline Office.-

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 on Information (ROIs); coordination with community based providers; the development of a school success reentry plan based on the 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 also include time limited skill building instruction. Discipline Case Management Services will continue until stability is ~~regained~~[SP14].-

Middle School Students

~~Middle school students who are long-term suspended and required to take a behavior modification course are co-enrolled in the middle school reentry program. For 2016-17, this program is housed at~~

~~South Lake High School. Students should expect to participate in and satisfactorily complete the required course of instruction. Both the completed behavior modification instruction and number of days for the reentry program are required, so students who start late or do not attend all 15 days of the program or do not attend every day will remain in the program until they have satisfactorily completed 15 days of behavior modification instruction. Middle school students attending the reentry program will also receive academic instruction in literacy and math, and may work on assigned work from their suspending school where they remain co-enrolled. The middle school will forward the student's Notice of Disciplinary Action (NDA) and referral form to the registrar at South Lake High School. Reentry program staff will contact parents directly regarding the date the student starts the program.~~

~~Suspended middle school students who complete the reentry program satisfactorily will return to their suspending school, regardless whether the Notice of Disciplinary Action (NDA) shows that the student has been suspended to the end of the semester.~~

~~Expelled middle school students cannot return to their expelling school and will be assigned to another appropriate regular school as specified in Enrollment Procedures when they have satisfactorily completed the reentry program. Students returning to a regular school will be scheduled for a reengagement meeting prior to their return to help make their return to school a success. The new school will schedule a reengagement meeting immediately upon learning that the student will be assigned to their school after completing the reentry program.~~

Elementary School Students

Elementary school students ~~can~~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 so they do not miss academic instruction.

Adoption of Rules by Seattle School Board

The Seattle School Board adopted these rules in ~~September 2016~~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 ~~can~~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 will adopt and distribute to each student rules that will govern a student's conduct in a particular school. When a student 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 ~~or corrective~~ 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 ~~corrective~~ disciplinary action only after a thorough examination of the facts and the facts ~~may~~ ~~must~~ ^[SP15] always be reasonably related to the nature and circumstances of the violation. Students have the right to appeal ~~disciplinary~~ ~~corrective~~ ^[SP16] action 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 Suspensions⁹³

Principals, ~~and~~ assistant principals, ~~and~~ ~~house administrators~~ ~~their~~ ~~designees~~ may short-term suspend a student for engaging in behavior defined in the ~~violating Seattle Public Schools' discipline rules as stated in~~ Student Behavior section of the Student Rights & Responsibilities. ~~in the Code of Conduct~~ ^[SP17]. Before ~~Principals, and~~ assistant principals, ~~and~~ ~~house administrators can~~ ~~their~~ ~~designees may~~ short-term suspend a student they must follow certain general rules, which are listed below:

1. Principals, ~~and~~ assistant principals, ~~and~~ ~~house administrators can~~ ~~their~~ ~~designees~~ ~~must~~ ~~must~~ make a decision to suspend a student by considering mitigating and aggravating factors. ~~the nature and circumstances of the rule-breaking~~ ^[SP18]. Principals, ~~and~~ assistant principals, ~~and~~ ~~house administrators~~ ~~their~~ ~~designees~~ must reasonably believe that ~~a student deserves~~ 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. ~~of a certain number of days. For example, did the student physically hurt another student?~~
2. ~~So that discipline is applied fairly and uniformly, Seattle Public Schools has published on the Seattle Public Schools web site ~~standard discipline guidelines~~ ^[SP19] to schools on when a student should be short term suspended. These standard guidelines may be set aside under the following circumstances:~~
 - a. ~~When Principals and assistant principals believe there are ~~extenuating or exceptional circumstances~~ ^[SP20] or~~
 - b. ~~When progressive discipline has not been used for ~~District Offenses~~ ^[SP21].~~
3. ~~Principals and assistant principals may short-term suspend a student without using progressive discipline when a student engages in exceptional misconduct. E.g., currently, a student that~~

⁹³ WAC 392-400-245

~~fighters can be short-term suspended on the first offense without regard to progressive discipline (SP22) because Seattle Public Schools considers fighting to be exceptional misconduct.~~

- 4.2. In grades Pre-school through Grade 4, Principals, and assistant principals, and their designees ~~can~~ may not short-term suspend a student ~~in Kindergarten through Grade 4~~ for more than ten (10) consecutive or cumulative school days during a single semester or trimester, depending on the school.
- 5.3. In grade five or above, Principals, and assistant principals, and their designees ~~can~~ may not short-term suspend a student ~~in grade five or above~~ 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.
- 6.—No loss of grades or credit ~~can~~ may be imposed because of a short-term suspension. Any student who receives a short-term suspension ~~is~~ will be allowed to make up assignments and tests missed because of the short-term suspension if:
 - a.—The assignments or tests have a substantial effect on the student's grades, or
 - b.a. Failure to complete the assignments or tests will mean the student does not get credit for the class or multiple classes.
- 7.4. Any student who has been short-term suspended may request a lesser ~~corrective~~ disciplinary action, 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.
- 8.5. Mediation: If the disciplinary action is mediated at this time the student and/or parent/guardian agree that by signing the mediation agreement⁹⁴ all factual and legal issues related to a particular discipline are finally and fully resolved, and that the student and parent/guardian 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.
- 9.6. A short-term suspension starts immediately, regardless whether the parent or student appeals the action.

Notice to Student and Parents/Guardians ~~and Student~~ of Short-term Suspensions⁹⁵

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. ~~1.~~—An explanation of the alleged ~~misconduct~~ behavior or lists the school rule that was allegedly violated;
—
- ~~2.~~—A review of the evidence that supports the allegations;
2. —
3. ~~3.~~—An explanation of the ~~corrective~~ disciplinary action that will occur; and
—
4. ~~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.

⁹⁴ See, Appendix C for a discipline mediation form.

⁹⁵ WAC 392-400-250

A **parent/guardian** is entitled to verbal and written notice within twenty-four (24) hours of the proposed disciplinary action in the language spoken by the parent/guardian. 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 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 within twenty-four hours after the suspension starts.

Grievance (Appeal) Procedure: Short-Term Suspensions or Other Discipline Actions⁹⁶

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 and/or a short-term suspension. During a grievance hearing, the appealing party requests that the principal change a disciplinary action ~~sanction~~ 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 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 ~~can~~ may question the person appealing, and the person who is appealing ~~can~~ 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 grievance⁹⁷ to the Seattle Public Schools’ Disciplinary Appeals Office. This grievance must be received within three (3) school business days of receiving the decision at

⁹⁶ WAC 392-400-240

⁹⁷ Seattle Public Schools accepts either a written or oral request for a Step 2 Grievance.

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 hearing⁹⁸ to the Disciplinary Appeals Council (DAC). This written or oral grievance must be received within three (3) school business days after receiving the decision from Step Two. The written request is sent to the Student Discipline Appeals Office, Mail Stop 31-177, PO Box 34165, Seattle, WA 98124-1165.

The ~~Disciplinary Appeals Council~~ 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 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 ~~can~~ may not appeal this decision.⁹⁹

Long-Term Suspensions or Expulsions from School¹⁰⁰

Principals, ~~and~~ 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. ~~violating Seattle Public Schools' discipline rules, as written in the Code of Conduct~~^[SP23]. Before principals, ~~and~~ assistant principals, and their designees ~~can~~ may long-term suspend or expel a student they must follow certain general rules, which are listed below:

1. Principals, ~~and~~ 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.~~ that a student deserves a long-term suspension or expulsion. ~~Principals and assistant principals must make a decision to long-term suspend or expel a student by considering the nature and circumstances of the offense.~~^[SP24]
2. Principals, ~~and~~ assistant principals, and their designees may not long-term suspend or expel a student unless they have used progressive discipline. ~~or the offense is categorized as an exceptional misconduct.~~^[SP25]
3. Mediation: If the disciplinary action is mediated at this time the student and/or parent/guardian agree that by signing the mediation agreement¹⁰¹ all factual and legal issues related to a particular disciplinary action ~~are~~ is finally and fully resolved, and that the student and parent/guardian 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.

⁹⁸ The Disciplinary Appeals Council accepts only written requests for a Step 3 Grievance.

⁹⁹ WAC 392-400-255.

¹⁰⁰ WAC 392-400-260.

¹⁰¹ See, Appendix C for a discipline mediation form.

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 and to ~~give~~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 ~~can~~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.¹⁰²
6. A long-term suspension ~~can~~may be ~~for any length of time~~ from 11 days to 90 days (the length of an academic term) through the end of the semester~~[SP26]~~. 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 school, including the High School Reentry Program~~[SP27]~~ at Interagency Academy. With the exception of expulsion from the District for possession of a firearm¹⁰³, 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.¹⁰⁴
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~~~~[SP28] when a student may be long-term suspended or expelled.~~~~is applied fairly and uniformly across the district, Seattle Public Schools has published standard discipline guidelines for schools to use in determining when a student should be long-term suspended or expelled. These may be modified under the following circumstances:~~
 - a. ~~When Principals and assistant principals believe there are~~ extenuating or exceptional circumstances, or~~[SP29]~~
 - b. ~~8. When progressive discipline has not been used for a~~ District Offense~~[SP30]~~.
9. The Seattle School Board has directed that no student be suspended or expelled for non-attendance~~[SP31]~~.
10. In pre-kindergarten through grade four, Principals, and assistant principals, and their designees may ~~cannot~~ long-term suspend students in kindergarten through grade four, but they may expel students in pre-kindergarten through grade four.
11. In grade five and above, Principals, and assistant principals, and their designees may long-term or expel students, in grade five and above, but those students are entitled to educational services for the duration of the disciplinary action. ~~may not lose academic grades or credit as the result of a single long-term suspension or expulsion.~~
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 Reentry Program.
13. Students has~~ve~~ 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 given~~provided~~ to families. ~~Best practice is that t~~The reengagement

¹⁰² Long term suspensions may be imposed with an emergency expulsion.

¹⁰³ See, Superintendent's Procedure No. 3248SP

¹⁰⁴ WAC 392-400-275

meeting will be scheduled and sent home. ~~+~~Notice of the meeting date will be included~~sent home~~ on the Notice of Disciplinary Action NDA letter.

Exception to progressive discipline rule

Seattle Public Schools will expel for the first offense without regard to progressive discipline when there aggravating factors warrant this disciplinary response. ~~is good reason to believe that other forms of corrective action would fail if employed. Good reason to believe that other forms of corrective action would fail if employed have been specifically included on certain serious offenses such as drugs and alcohol, assault, threats of violence, and dangerous weapons, but Seattle Public Schools reserves the right to expel for any other offense when it believes no lesser corrective action will change the student's behavior.~~

Notice to parents/guardians of long-term suspension or expulsion¹⁰⁵

Before a student ~~can~~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. The notice must:

- ~~1. Be in the parent/guardian's primary language, to the extent feasible;~~
 - ~~2. Explain the alleged misconduct and the school District rule(s) alleged to have been violated;~~
 - ~~3. Identify the corrective action or discipline being proposed;~~
 - ~~4. Explain the rights of the student and/or his/her parent(s) or guardian(s) to a hearing to appeal the allegation(s), and tell them how to make an appeal; and~~
 - ~~5. Explain the timeline by which the request for a hearing must be received.~~
1. The written notice will be in the language the parent/guardian 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 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.

Parents/guardians have certain decisions to make after their child has been long-term~~ed~~ 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 filing an appeal, starting from the day parents/guardians have been notified~~learn~~ their child has been long-term suspended or expelled.

Parents/guardians of high school students who decide not to appeal should contact *Interagency Academy*¹⁰⁶ 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. ~~In most cases, the normal educational assignment is to a Reentry Program for the remainder of the semester but this may not be appropriate in all cases, especially if the student's long-term~~

¹⁰⁵ WAC 392-400-265 and WAC 392-400-270.

¹⁰⁶ Interagency contact phone number is 206-743-3930.

~~suspension is less than 30 days. For shorter long-term suspensions the student may be able to have homework sent home during the suspension and may not need another educational placement. For long-term suspensions longer than 30 days the student should seek out another educational placement.~~

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

~~If the student has been long-term suspended or expelled for offenses involving violence, he or she may be required to participate in and satisfactorily complete a District-approved anger management^[SP32]/conflict resolution program before returning to a regular Seattle school. Please discuss this with an Enrollment Center or the Discipline Office at (206) 252-0820.~~

Once^[SP33] 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 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 ~~and is sent to that school~~. The student or parent/guardian 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 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, reverse, or modify the imposition of discipline, suspension, or expulsion upon a student the disciplinary action. 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 notice of the ~~corrective~~ disciplinary action 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 they ~~your~~ request for an appeal is not received within three (3) school business days after receiving notice of the ~~corrective~~ disciplinary action or discipline being proposed, the school will impose the proposed long-term suspension or expulsion, and the parent/guardian 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 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 ~~covered~~ removed to protect confidentiality.
2. The appealing party has the right to be represented by an attorney at private, not public, expense. ~~An attorney is not necessary for a fair resolution of the matter because of the trained hearing officers.~~ 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 ~~and confront~~ witnesses at the hearing. This right ~~is~~ 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 ~~would~~ 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 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/guardians must provide sufficient copies for the school administrator of any written documentation to be provided to the hearing officer.

D. At the ~~H~~Hearing^[SP34]_[SP35]

1. ~~The participants at the hearing will be limited to those with a relevant interest in the matter at hand, as determined by the hearing officer.~~ 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, 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. 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 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 administrator, student and parent/guardian agree to mediate the disciplinary action, a mediation agreement stating all particulars of the changes to be made is prepared and signed. The student and parent/guardian agree that by signing the mediation agreement all factual and legal issues related to a particular disciplinary action are finally and fully resolved, and that the student and parent/guardian 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?
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. 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. 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.

~~1.—~~

~~1.——~~

~~2.—— If the school administrator, student and parent/guardian agree to mediate the disciplinary action, they sign a mediation agreement⁴⁰⁷ stating all particulars of the changes to be made. 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/guardian 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.~~

~~3.—— Only the evidence presented at the hearing will be used to determine the resolution of the appeal. No information may be provided to the hearing officer outside of the hearing by either side.~~

~~⁴⁰⁷ See, Appendix C for a discipline mediation form.~~

~~4. The person hearing the case must be neutral. He or she cannot be a witness to the incident that resulted in discipline or testify in the hearing.~~

~~5. The hearing will be tape recorded.~~

~~A sign-in sheet will be provided and all persons present must sign in.~~

- ~~— 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.~~

~~If the school administrator, student and parent/guardian agree to mediate the disciplinary action, a mediation agreement⁴⁰⁸ stating all particulars of the changes to be made is prepared and signed. The student and parent/guardian agree that by signing the mediation agreement all factual and legal issues related to a particular disciplinary action are finally and fully resolved, and that the student and parent/guardian 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:~~

~~1. 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.~~

~~— 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.~~

~~— The hearing officer will make a decision based on the following due process criteria:~~

~~— Preponderance of the evidence: Did the alleged behavior occur?~~

~~— Student Behavior discipline: Did the school have the right to discipline the student in the manner chosen, based on the and school rules?~~

~~6. 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?~~

~~7. 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.~~

~~8. 9. The hearing will be audio recorded.~~

~~9. 10. The hearing officer may mediate, modify, reverse, or affirm the disciplinary action. 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.~~

~~10. 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

⁴⁰⁸ See, Appendix C for a discipline mediation form.

Emergency removal from a class, subject, or activity¹⁰⁹

A student ~~can~~ may be immediately removed from a class or subject or activity by a staff person and sent to the principal, ~~or other administrators in authority~~ 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 ~~is a corrective~~ disciplinary action ~~to assure~~ 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, ~~or designated school authority~~ assistant principal, or their designee acts to convert to another form of ~~corrective~~ disciplinary action. The emergency expulsion may not run concurrently with another ~~form of corrective~~ disciplinary action.

Emergency Expulsion¹¹⁰

A ~~school administrator~~ 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 ~~administrator~~ principal, assistant principal, or their designee or modified at an appeal hearing.

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

Notice to parent/guardian of an Emergency Expulsion¹¹¹

~~Parents or guardians will be notified of the emergency expulsion and their hearing rights. Generally, a certified letter is sent but every effort will be made to notify the appealing parties by telephone or in person as well as soon as possible. Below are general rules for notifying appealing parties of the emergency expulsion. The notice can be either written or verbal:~~

- ~~1. School officials will make sure that the written notice is hand-delivered within twenty-four hours of the emergency expulsion, or~~
- ~~2. School officials may send the appealing parties a certified letter mailed within twenty-four hours of the emergency expulsion.~~
- ~~3. The written notice will be in the language the parent/guardian and student speak and understand, to the extent feasible,~~
- ~~4. The written or verbal notice will explain the alleged misconduct and the school-District rule(s) alleged to have been violated,~~
- ~~5. The written notice will identify the corrective action being proposed,~~
- ~~6. 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~~
- ~~7. 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.~~

¹⁰⁹ WAC 392-400-290

¹¹⁰ WAC 392-400-295

¹¹¹ WAC 392-400-300 and WAC 392-400-310.

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 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 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^[SP37]

If the emergency expulsion is the only action 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.

~~If a request for an appeal is not received within ten school business days after receiving notice of the emergency expulsion, the emergency expulsion will continue and the student and parent(s) or guardian(s) will not have any further opportunity to appeal the matter. When the request for a hearing is received within the required timeline, the school District will schedule and give notice of a hearing to be held no later than the third school business day after the request is made.~~

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 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.

~~A. Parent/guardian 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. Your 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 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 Office as soon as possible if the student becomes represented. The student's right to a hearing within three days of request may be delayed upon request of the appealing party.~~
- ~~3. The appealing party may request that witnesses who saw or have knowledge of the incident in question be present to speak at the hearing.~~
- ~~4. The appealing party has the right to question and confront witnesses. This right is limited—if student witnesses are requested and Seattle Public Schools has made a reasonable effort to produce the student 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 would be retaliated against if she or he appears as a witness.~~
- ~~5. The appealing party has the right to present his or her explanation of the alleged misconduct, and~~
- ~~6. The appealing party may present any written or physical evidence that supports their case.~~
- ~~7. Neither party may badger, harass, diminish, or intimidate any person providing testimony. The hearing officer may limit questioning if a party is not respectful toward the witness.~~

B. Parent/guardian 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. -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 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.

B. School's rights before the hearing^[SP39]

~~The school 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/guardians must provide sufficient copies for the school administrator of any written documentation to be provided to the hearing officer.~~

C. School's rights before the hearing^[SP39]

The school 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/guardians must provide sufficient copies for the school administrator of any written documentation to be provided to the hearing officer.

~~C. — General rules for hearings^[SP40]~~

~~The following information will help you plan for the hearing and be informed about the rules for hearings:~~

- ~~2. The participants at the hearing will be limited to those with a relevant interest in the matter at hand, usually just the school administrator, the student and his/her parent or guardian, and eye witnesses to the incident. If the student is represented by an attorney, a District attorney also will be present to advise the school 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.~~
- ~~3. A sign in sheet will be provided and all persons present must sign in.~~
- ~~4. All persons present at a hearing must maintain polite and respectful behavior toward all others present. Shouting, name calling, cursing, badgering of witnesses, or other bullying, intimidating or disruptive behavior that is such that a fair hearing cannot be held will be cause for the hearing officer to end the hearing immediately. Based on the reason for ending the hearing, the hearing officer will 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.~~
- ~~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^[SP41] hearing officer will make a decision based on the following due process criteria:
 - ~~a. Preponderance of the evidence: Did the alleged behavior occur?~~
 - ~~b. Standard District discipline: Did the school have the right to discipline the student in the manner chosen, based on the Standard Discipline for Exceptional Misconduct or Standard Discipline for District Offenses^[SP42] and school rules?~~~~
- ~~8. Mitigating circumstances: Are there extenuating or mitigating circumstances 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?~~
- ~~9. The hearing officer is neutral. He or she cannot be a witness to the incident that resulted in discipline or testify in the hearing.~~
- ~~10. The hearing will be audio recorded.~~
- ~~11. The hearing officer may affirm, reverse, or modify the imposition of an emergency expulsion upon a student. The hearing officer will provide a written decision, which will be sent to the parent 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 parent request, at District expense.~~
- ~~12. When the emergency expulsion is the only action, a decision will be given within one school business day after the hearing and the student or parent(s)/guardian(s) will be notified by U.S. certified mail within one calendar week.~~

~~D. — At the Hearing^[SP43]~~

- ~~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, 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. 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 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 administrator, student and parent/guardian agree to mediate the disciplinary action, a mediation agreement¹¹² stating all particulars of the changes to be made is prepared and signed. The student and parent/guardian agree that by signing the mediation agreement all factual and legal issues related to a particular disciplinary action are finally and fully resolved, and that the student and parent/guardian 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^[SP44] 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 action?
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. 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, a decision will be given within one (1) school business day after the hearing and the student or parent(s)/guardian(s) will be notified by U.S. certified mail within one (1) calendar week.

ED. Length of Emergency expulsions

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

¹¹² See, Appendix C for a discipline mediation form.

Appeal to the School Board¹¹³

Parents/guardians have a right to request a review of ~~at the~~ hearing officer's decision if the Hearing Officer upholds the school's ~~corrective disciplinary~~ action for a suspension, expulsion, or emergency expulsion, and the parent/guardian 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).¹¹⁴ The DAC is appointed by the School Board, and consists of at least three persons who serve fixed terms.

Parents/guardians must ~~provide and oral or written request to the~~ ~~send a written notice 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 a statement about the basis of the appeal (explaining why they wish to have the hearing officer's decision reviewed) and a statement of what action they wish the DAC to take in the matter. Send this letter to the Student Discipline Appeals Office, 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 ~~period~~^[SP45].

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;
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 Procedures¹¹⁵

The Seattle School Board has chosen to delegate all appeals at the School Board level to the Disciplinary Appeals Council (DAC).¹¹⁶ If the student or his or her parent/guardian requests, orally or in writing, ~~files a~~

¹¹³ WAC 392-400-310

¹¹⁴ Board Policy No. 3201

¹¹⁵ See, WAC 392-400-315 and WAC 392-400-320.

¹¹⁶ See, School Board Policy 3201.

~~written notice of an~~ appeal with the Discipline Appeals Office within the required three (3) school business days, the ~~DACouncil~~ 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 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. Special Education and ELL students have the right to have a person knowledgeable about their disability or language/cultural issues present to advise the DAC.

1. Prior to the meeting, members of the ~~DACouncil~~ will review the written decision of the hearing officer.
2. At the meeting with the ~~DACouncil~~, the student or his or her parent/guardian (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 ~~Disciplinary Appeals Council~~ may affirm, reverse, or modify the imposition of discipline, suspension, or expulsion upon a student. The ~~DACouncil~~ 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 ~~DACouncil~~ 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 ~~DACouncil~~ 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 is appealing to the courts will be a decision of the ~~Disciplinary Appeals Council~~, unless a court orders otherwise. The ~~Disciplinary Appeals Council~~ 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 Students¹¹⁷

The discipline of special education students is generally subject to the same rules under the *Seattle Public Schools' Student Rights and Responsibilities* as applied to nondisabled students with the modifications required by the federal Individuals with Disabilities in Education Act (IDEA) listed below.¹¹⁸

¹¹⁷ 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.

¹¹⁸ Discipline will be imposed in a manner consistent with the Individuals with Disabilities Education Act" 20 U.S.C. § 7151(c).

Short-term suspensions and emergency removals^[SP46]

The general procedures relating to school-based discipline, short-term suspension, and emergency removal apply to special education students when the action 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 ~~management~~improvement plan (BIP). If a ~~behavior plan~~BIP exists, the ~~steps~~actions in the plan should have been followed and have been found to be ineffective before resorting to a short-term suspension or emergency ~~removal~~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~~^[SP47]:

- 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 ~~can~~may be imposed. If there is a change in placement, the school must convene an ~~IEP, often called a~~ Manifestation Determination Team (MDT), meeting.
- Notify the parent/guardian of the need to convene an ~~IEP (MDT)~~ meeting and the procedural safeguards given by law, including the right to contest the disciplinary action in an administrative due process hearing.
- An ~~IEP (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, ~~if~~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 ~~team~~MDT determines that the conduct is 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 ~~behavior plan~~BIP).
- The discipline ~~can~~may not be imposed if the ~~team~~MDT determines that the conduct is a manifestation of the student's disability or a failure to implement the student's IEP (including a ~~behavior plan~~BIP). Instead, the IEP meeting should be used to consider what changes in the student's IEP, ~~Behavior Plan~~, 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 disciplinary action 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.

Positive Behavior Intervention Plans

A ~~behavior management plan or 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 ~~and supports~~, to address the behavior. When a special education student has a BIP Behavior Management Plan 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 premises or as part of school activities. Compliance with this rule is mandatory; students who disregard the prohibition 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 counseling, rehabilitation, 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 or corrective action that has been 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 corrective disciplinary action, whether school based or resulting in suspension or expulsion from school.

~~**District Offenses:** Behaviors that disrupt or interfere with the educational process. District Offenses are violations of rules that have been developed to support the educational process at schools, enabling teachers to teach and students to learn.~~

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. ~~If an emergency expulsion is invoked, it is maintained in place during an appeal. A student who is emergency expelled without an accompanying long term suspension or expulsion may request and return homework. Since students are not allowed to trespass on school grounds while suspended, arrangements must be made for someone else to pick up and return the homework. Emergency expulsions may last no longer than ten (10) school days.~~

~~**Exceptional Misconduct:** Behavior that warrants a suspension for the first offense. Many offenses considered to be exceptional misconduct are criminal offenses. Disciplinary actions for behavior considered to be exceptional misconduct are outlined in the Standard Discipline for Exceptional Misconduct chart attached to this document.~~

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.

~~Student has a right to a reengagement meeting under RCW 28A.600.022, to be scheduled within 20 days of the student's expulsion.~~

In-school Suspension: This is a state reportable action that the school uses as corrective disciplinary action to remove a student from instruction or school activities. This action 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.

~~**Jurisdiction:** Discipline may be imposed for an off-campus act of misconduct if the discipline 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.)~~
- ~~6. 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.~~

~~When off-campus jurisdiction is asserted and a crime has been committed, schools generally report the crime to the proper law enforcement agency. A school may, however, have jurisdiction over offenses that are not criminal in nature.~~

~~**Long-term suspension:** A suspension that is longer than ten (10) days and generally less than ninety (90) days. In Seattle Public Schools, a student subjected to a long-term suspension normally returns to the same school at the end of the suspension period. A student is entitled to educational services for the duration of the suspension. is not eligible for homework from their school unless the long-term suspension is less than 15 days. Since students are not allowed to trespass on school grounds while suspended, arrangements must be made for someone else to pick up and return the homework. Elementary students can may not be are not long-term suspended. High school Secondary students who are long-term suspended term suspended are encouraged to enroll in the Reentry Program to receive educational services. for their respective level to continue their education.~~

~~A long-term suspension may extend into or until the end of the subsequent semester if discipline warranting a long-term suspension occurs less than eleven (11) days before the end of the semester. A~~

~~student enrolled in a Reentry Program to satisfactorily complete a behavior modification class before returning to their school may need to stay for the entire subsequent semester to complete the program. Students have a right to a reengagement meeting under RCW 28A.600.022, to be scheduled within twenty (20) days of the student's long-term suspension. Best practice is that the reengagement meeting will be scheduled and sent home on the Notice of Disciplinary Action letter.~~

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. 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 ~~(or School)~~ Intervention Team (SIT) at the school. Parents/guardians are invited to be members of these teams when the behavior of their ~~child(ren)~~student is discussed.

Mediation: An agreement between the school and student or parent/guardian that a specific disciplinary action 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/guardian 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 about the student behavior resulting in disciplinary action.

~~Parent/guardian Notification: Parents and/or guardians will be notified by telephone and in writing whenever a student is disciplined with short term or long term suspension or expulsion.~~

Progressive Discipline: ~~Seattle Public Schools staff members are expected to~~ The use over time of successively more restrictive disciplinary actions needed to shape behavior. Progression may include classroom-based response(s), school-based action(s), in-school suspension, short-term, and long-term suspension. only that degree of correctivedisciplinary action that is reasonably calculated to modify inappropriate student behavior. If student behavior of the same type is repeated, staff may employ successively more severe actions or sanctions not previously imposed in order to correctaddress the behavior. 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.~~

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 ~~corrective~~disciplinary action.

Reengagement Meeting: A required meeting for Sstudents who are **long-term suspended or expelled** ~~from school are scheduled for a reengagement meeting prior to their return to supporthelp make their successful return to school a success.~~ Student, parents/guardians, and appropriate school staff will be part of this meeting. ~~Best practice for suspended students is that t~~The reengagement meeting is scheduled at the time of suspension/expulsion and ~~the proposed date is noted on the Notice of~~

Disciplinary Action: ~~The meeting should be scheduled within~~ must occur within 3 20 days of the suspension/expulsion. At the meeting, a written reengagement plan will be developed that ~~is tailored to~~ identifies the educational services the student will receive while the student is suspended or expelled. ~~The plan must also and should consider other forms of~~ identify ~~ies~~ supportive interventions such as counseling, positive discipline, and corrective actions, and ~~that will~~ aid the student in taking the necessary steps to remedy the situation and/or repair relationships that led to the suspension or expulsion.

Reentry Program: A District program for high school secondary students providing behavior modification instruction as well as academic courses for students who have been long-term suspended or expelled from their school ~~for violation of violent offenses, for behaviors~~ as noted in the Seattle Public Schools' Discipline Matrix for the 2017-2018 school year. Standard Disciplinary Action for Exceptional Misconduct chart. ~~Students returning to a regular [SP48] school will have a reentry meeting prior to returning to better support their success upon returning.~~

Sanction: ~~Any corrective disciplinary action intended to modify a student's behavior, including a school-based intervention, short- or long-term suspension, or expulsion from school or Seattle Public Schools. See, Discipline.~~

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 multi-disciplinary 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 corrective disciplinary action 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 ~~may get and return homework while absent. Since students are not allowed to trespass on school grounds while suspended, arrangements must be made for someone else to pick up and return the homework.~~

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 ~~Limited English Proficiency (ELL/ELP)~~.

Suspension: Formal ~~prohibition~~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. ~~A suspended student is not permitted to be on real property owned or controlled by the school or school district or to attend any school activities at any location, unless allowed by the school principal.~~ A student suspended from school has the right to educational services for the duration of the suspension. ~~for less than 15 days may request and return homework.~~ ~~Since students are not allowed to trespass on school grounds while suspended, arrangements must be made for someone else to pick up and return the homework.~~

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 e actions ~~sanctions~~. 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 in accordance to State law.

Appendix BA: Drug/Alcohol Mediation



Student Name: _____ ID: _____

School: _____

1. This mediation was reached at the conference held with student and parent/guardian as a result of the student being charged with ~~E-121~~ Distributing Illegal Drugs, Controlled Substances, Prescription or Over-the-Counter Drugs, ~~E-122~~ Distributing Alcoholic Beverages, ~~E-123~~ Distributing Marijuana, ~~E-131~~ Possessing or Using Illegal Drugs, Controlled Substances, Prescription or Over-the-Counter Drugs, ~~E-132~~ Possessing or Using Alcoholic Beverages, or ~~E-133~~ Possessing or Using -Marijuana. 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. ~~b.~~ To reduce the Long-term Suspension for violation of _____ ~~E-121, E-122, E-123, E-131, E-132, or E-133~~ 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.
 ~~↑~~ Long-term suspension of _____ days.

- c. ~~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 within 3 days.

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

~~↑~~ Obtain an assessment by a District-approved substance abuse professional, at parent expense.

- ~~↑~~ 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/guardian 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 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 Date

School Administrator Student

Date Parent/Guardian

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Appendix ~~C~~**B**: -MEDIATION FOR _____ [BF49]



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:¹¹⁹

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 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 will file no further appeal related to this discipline incident.

~~Assistant Principal~~Administrator

Student

Hearing Officer or other witness _____

Parent/Guardian

¹¹⁹ If the charges and/or comments section of the NDA will remain the same, state "No changes". Changes listed here must be reflected on PowerSchool incident information screens and an amended NDA must be provided to the parent/guardian within 3 days.

**Seattle Public Schools
2017-2018
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:

- there is racial disproportionately in disciplinary responses within the district;
- 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:

- knowing, caring for, and establishing positive relationships with students;
- supporting the whole child;
- 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;
- 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 a culturally responsive, trauma informed lens that utilizes verbal de-escalation skills in an effort to create conditions in our schools that allow students to be successful.

When considering disciplinary actions:

1. Determine the goal of the disciplinary action. 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
D/A Assessment - 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. Coming to school or a school event with a substance on your breath or in your body is not allowed. Assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense, secure Release of Information (ROI) for provider
D/A Assessment - Possession	Long term suspension, may reduce to short term suspension with assessment agreement
D/A Assessment - Distribution	Long term suspension, may reduce to short term suspension with assessment agreement
D/A Assessment - Selling	Long term suspension, with assessment agreement
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, can only be used in consultation with the Ed Director of the region, school leaders must coordinate the transition from the expelling school to the reassignment school. Steps to take: <ol style="list-style-type: none"> 1. Notify the Enrollment Office 2. Notify the Discipline Office 3. Notify the Reassignment School 4. Participate in the development of a success reentry plan and have a representative at the reentry meeting at the reassignment school

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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	
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	✓	✓	✓	✓			

Behavior Code	Disciplinary Response							Additional Information
		Classroom Response	School Based Response	In School Suspension	Short Term Suspension	Long Term Suspension	Expulsion	
Disruptive Conduct	Elementary	✓	✓					Pre K -5 Not Eligible for Suspension
	Middle School	✓	✓	✓	✓			
	High School	✓	✓	✓	✓			
Distributing Alcoholic Beverages	Elementary			✓	✓		✓	Drug and Alcohol Assessment, Mediation Eligible
	Middle School			✓	✓	✓	✓	
	High School			✓	✓	✓	✓	
Distributing Illegal Drugs, Controlled Substances, Prescription or Over the Counter Drugs	Elementary			✓	✓		✓	Drug and Alcohol Assessment, Mediation Eligible
	Middle School			✓	✓	✓	✓	
	High School			✓	✓	✓	✓	
Distributing Marijuana	Elementary			✓	✓		✓	Drug and Alcohol Assessment, 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		✓	✓	✓			

Behavior Code	Disciplinary Response							Additional Information
		Classroom Response	School Based Response	In School Suspension	Short Term Suspension	Long Term Suspension	Expulsion	
Fighting	Elementary		✓	✓	✓	✓		Behavior Modification Eligible
	Middle School		✓	✓	✓	✓		
	High School		✓	✓	✓	✓		
Firearms	Elementary						✓	Mandatory Expulsion from SPS for One Year, Behavior Modification Eligible
	Middle School						✓	
	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	✓	✓	✓	✓			

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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	
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 Authorities	Elementary		✓	✓	✓		✓	Behavior Modification Eligible
	Middle School		✓	✓	✓	✓	✓	
	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		✓	✓	✓			

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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	
Plagiarism	Elementary	✓	✓					
	Middle School	✓	✓					
	High School	✓	✓					
Possession of Stolen Property	Elementary		✓	✓	✓			
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Possessing or Using Alcoholic Beverages	Elementary			✓	✓			Drug and Alcohol Assessment, Mediation Eligible
	Middle School			✓	✓	✓		
	High School			✓	✓	✓		
Possessing or Using Illegal Drugs, Controlled Substances, Prescription or Over the Counter Drugs	Elementary			✓	✓			Drug and Alcohol Assessment, Mediation Eligible
	Middle School			✓	✓			
	High School			✓	✓	✓		
Possession or Using Marijuana	Elementary			✓	✓			Drug and Alcohol Assessment, 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	✓	✓	✓	✓			

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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	
Selling Alcoholic Beverages	Elementary				✓		✓	Drug and Alcohol Assessment
	Middle School					✓	✓	
	High School					✓	✓	
Selling Illegal Drugs, Controlled Substances, Prescription or Over the Counter Drugs	Elementary				✓		✓	Drug and Alcohol Assessment
	Middle School					✓	✓	
	High School					✓	✓	
Selling Marijuana	Elementary				✓		✓	Drug and Alcohol Assessment
	Middle School					✓	✓	
	High School					✓	✓	
Sexual Assault	Elementary				✓		✓	Consult with OSCR/Title IX (206-252-0367)
	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		✓	✓	✓	✓	✓	

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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	
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	✓	✓	✓				
Trespass	Elementary		✓	✓				
	Middle School		✓	✓	✓			
	High School		✓	✓	✓			
Using/Possession of Tobacco	Elementary		✓					Provide with tobacco fact sheet
	Middle School		✓					
	High School		✓					

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Key	
B Mod	Behavior Modification can be considered, can be concurrent or completion
OCR/HIB	Office of Student Civil Rights, 206-262-0306
D/A Assessment - General	Assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense, secure Release of Information for provider
D/A Assessment - Possession	Long term suspension, may reduce to short term suspension with assessment agreement
D/A Assessment - Distribution	Long term suspension, may reduce to short term suspension with assessment agreement
D/A Assessment - Selling	Long term suspension, with assessment agreement
OCR/Title IX	Office of Student Civil Rights, 206-252-0367
STAT/Security	Student Threat Assessment Team, 206-252-0707
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 presences is dangerous and/or would cause substantial disruption within the school

Expulsion from School	Expulsion from school, can only be used in consultation with the Ed Director of the region
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Seattle Public Schools
Standard Practices for District Offenses
Seattle Public Schools
Practices and Procedures for District Offenses
Within a Positive School Climate

School safety is built on consistent and effective classroom leadership and is supported by a school climate that promotes dignity for everyone. The foundation of school discipline policy is one of prevention, establishing a positive school climate that includes shared behavioral expectations and a common language for talking about expected behavior, including students, families, teachers, administrators, volunteers and other staff. Seattle Schools discipline procedures and intervention strategies aim to reduce or eliminate the use of out of classroom and out of school consequences for behavior.

These practices and procedures are to be used for increasing a positive climate at each school:

1. School staff, students, and community will develop, communicate, and teach shared behavioral expectations and a common language for talking about expected behavior.
2. School staff will develop a building-wide agreement that identifies behavior that will be handled in classrooms versus that which results in office discipline referrals.
3. School staff will agree and share with one another strategies for proactively addressing challenging behavior within the classroom that will be attempted prior to removing the student from the learning environment. School staff will receive ongoing training in a variety of methods and tools for proactively addressing challenging behavior.
4. A student's challenging behavior signals the need to assess a student's individual needs, including academic, social/emotional, and family/cultural.
5. Disciplinary interventions should support the social/emotional development of the student, address the underlying causes of the challenging behavior, and teach the skills needed to be able to meet the agreed upon expectations.
6. Families will be engaged early in the process of prevention/intervention to support students and establish the home-school connection.
7. A pattern of similar challenging behavior by a student should result in completion of a *Positive Behavior Intervention Plan (PBIP)* to support the student's behavior.
8. Behavior Intervention Plans (BIP) in existence for students with Section 504 plans or IEPs must be reviewed for appropriateness for the student's behavior in each instance and implemented or revisited when appropriate. If a BIP does not exist, the student's team must review the pattern of behavior to determine whether one should be developed.
9. Sanctions that result in missed classroom or school time will be imposed in a progressive manner, both in terms of the level of discipline as well as the number of days. To address missed classroom or school time, a learning plan will be provided to the student. Attention should be paid to student reentry processes whether to school and/or classroom.
10. An incident resulting in a suspension should prompt a reentry conference with administration, staff, student, and family. However, difficulty in scheduling a reentry conference should not preclude a student from returning to school, and the reentry meeting may be scheduled when necessary after the student has returned to school.

If a student's behavior fails to meet shared behavioral expectations and disciplinary actions are being considered:

1. Before using any type of corrective action for a first incident of challenging behavior, make a good-faith effort to learn why the student has behaved in the unwanted manner.
2. If the same behavior persists a second time, engage the student's family and other school staff in the analysis of why the student's behavior continues and what additional supports or interventions are necessary.
3. If there is a third incident involving the same behavior, use the least form of corrective action reasonably calculated to keep the student in school and engaged in learning.
4. An out-of-school sanction should not be imposed for any student until the school has had an opportunity to conference with the student and his/her family to assess the following:
 - a. Has the school adequately provided clear expectations about this behavior to the student, family, and school community?
 - b. Has the school attempted positive intervention supports to teach and encourage the expected behavior?
 - c. Has the family received information on the expected behavior and been involved in planning supports for the student?
 - d. Has the school attempted at least one school-based intervention with the student regarding this behavior?

Seattle Public Schools Standard Practices for District Offenses

Standard practice is designed to teach expected behavior and encourage positive behavior and learning. Schools will routinely use data to determine effectiveness of practices to improve school climate, minimize loss of instructional time, and reduce out-of-school suspensions/expulsions. Executive Directors will collect and analyze behavioral and current disciplinary practices data from classrooms and school sites to monitor disproportionate practices in school discipline based on race, disability, and other factors. *Practices and Procedures for Student Discipline within a Positive School Climate* has been created as a reference for administrators.

Families will be engaged early in the process of prevention and intervention requiring disciplinary action to support students and establish the home-school connection in learning expected behaviors.

The following conditions must be observed:

1. Use school-based disciplinary actions best suited to the age and development of the student and that are appropriate to the student’s challenging behavior.
2. PBIPs in existence for students with Section number 504 plans or Special Education IEPs must be reviewed for appropriateness for the student’s behavior in each instance and implemented or revisited when appropriate. If a PBIP does not exist, the student’s team must review the pattern of behavior to determine whether one should be developed.
3. If extenuating circumstances warrant, a lesser or greater discipline may be used if appropriate. Check definitions in the *Student Rights and Responsibilities* of offenses to identify exceptional situations when an appropriate discipline for a first offense may be more or less severe than the recommended sanctions below.
4. Some offenses are cross-referenced to Exceptional Misconduct. Consider whether the challenging behavior would be better described and disciplined as Exceptional Misconduct.
5. Identify only one offense per incident. If more than one offense occurred in the incident, select the primary offense. Situations should be rare where the incident can truly be said to have equally involved more than one serious offense.
6. School district procedure requires that before suspension can be used for a District Offense, there must be evidence that a school-based discipline was given for the same offense and the school has had an in-person or telephone conference with the student and his/her family regarding that prior school-based action.
7. A student may not be disciplined for a second or third offense unless the student has been disciplined for a prior violation of the same offense and the sanction was entered into the student’s record.
8. Appeal of discipline imposed by a school, including school-based discipline and short-term suspensions, must be made to the principal within 3 business days of when the discipline notice is received by the student and family. Families must be verbally told about their right to appeal and must receive written documentation, preferably in the primary language the family speaks at home, whenever possible.
9. Family conference is an in-person or telephone conversation. An e-mail exchange would not be considered a conference.
10. Administrators should discuss unusual situations with their Executive Director of Schools, the Discipline Appeals Office, and/or the General Counsel’s Office.

The following chart of interventions are recommendations to establish consistency and continuity across the District for similar offenses. Discipline should be progressive, both in terms of the level of discipline as well as the number of days.

NOTE: In using the matrix, please remember for students with Section 504 Plans or IEPs administrators should follow proper procedures for developing or modifying BIPs (instead of using a PBIP). For students without Section 504 Plans or IEPs, administrators should implement a PBIP.

Offenses	High School	Middle School	Elementary
D-110 - Disruptive Conduct	1 st –Family conference & consider modifications to the student’s environment. 2 nd - Family conference & create a PBIP. 3 rd – Short-term Suspension, Family conference, & modify PBIP	1 st –Family conference & consider modifications to the student’s environment. 2 nd - Family conference & create a PBIP. 3 rd – Short-term Suspension, Family conference & modify PBIP	1 st –Family conference and/or letter home 2 nd –Family conference & consider modifications to the student’s environment. 3 rd –Family conference & create a PBIP; use it in the future. NOT ELIGIBLE FOR SUSPENSION

Seattle Public Schools Standard Practices for District Offenses

Offenses	High School	Middle School	Elementary
D-120 - Rule-Breaking	1 st –Family conference & consider modifications to the student’s environment. 2 nd - Family conference & create a PBIP. 3 rd – Short-term Suspension, Family conference, & modify PBIP	1 st –Family conference & consider modifications to the student’s environment. 2 nd - Family conference & create a PBIP. 3 rd – Short-term Suspension, Family conference, & modify PBIP	1 st – Family conference and/or letter home 2 nd –Family conference & consider modifications to the student’s environment. 3 rd –Family conference & create a PBIP; use it in the future. NOT ELIGIBLE FOR SUSPENSION
D-130 – Disobedience	1 st –Family conference & consider modifications to the student’s environment. 2 nd - Family conference & create a PBIP. 3 rd – Short-term Suspension, Family conference, & modify PBIP	1 st –Family conference & consider modifications to the student’s environment. 2 nd - Family conference & create a PBIP. 3 rd – Short-term Suspension, Family conference, & modify PBIP	1 st – Family conference and/or letter home 2 nd – Family conference & consider modifications to the student’s environment. 3 rd – Family conference & create a PBIP; use it in the future. NOT ELIGIBLE FOR SUSPENSION
D-230 – Gambling	1 st – Education provided about risks of gambling & Family contact 2 nd – Referral for further education and counseling on risks of gambling 3 rd - Short-term suspension	1 st –Education provided about risks of gambling & Family contact 2 nd – Review of education about risks of gambling & Family contact 3 rd – Referral for further education and counseling on risks of gambling	1 st – Education provided about risks of gambling & Family contact 2 nd – Review of education about risks of gambling & Family contact 3 rd – Review of education about risks of gambling & Family contact
D-240 – Misrepresentation	1 st – Family conference & teaching about expected behavior 2 nd – Family conference & school-based consequence 3 rd – Short-term suspension	1 st – Family conference & teaching about expected behavior 2 nd – Family conference & school-based consequence 3 rd – Short-term suspension	1 st – Family conference & teaching about expected behavior 2 nd – Family conference & teaching about expected behavior 3 rd – Family conference and loss of privileges at school
D-245 – Plagiarism	1 st –Re-write paper or make up test 2 nd –Lose credit for paper or test. 3 rd –Lose credit for paper or test & school based	1 st – Teach expected behavior & re-write paper or make up test. 2 nd –Lose credit for paper or test. 3 rd –Lose credit for paper or test & school based	1 st –Teach expected behavior & re-write paper or make up test. 2 nd –Re-write paper or make up test & Family conference. 3 rd –Re-write paper or make up test & Family conference.
D-250 – Using or Possessing Tobacco (Fact sheet and information about essay topics and resources are on the Discipline website)	1 st –Inform Family & provide Fact Sheet 2 nd –Family conference & 2-page essay 3 rd –Family conference & participate in cessation counseling	1 st –Inform Family & provide Fact Sheet 2 nd –Family conference & 1-page essay 3 rd –Family conference & participate in cessation counseling	1 st –Family conference & provide Fact Sheet 2 nd –Family conference 3 rd –Family conference & participate in cessation counseling

Seattle Public Schools Standard Practices for District Offenses

Offenses	High School	Middle School	Elementary
D-270 – Misuse of Computers <i>See, E-720</i>	1 st – Remove privileges for using district computers for 10 days. 2 nd – Family conference. Remove privileges for using district computers for semester. 3 rd – Family conference. Remove privileges for using district computers for remainder of school year.	1 st – Remove privileges for using district computers for 5 days. 2 nd –Family conference. Remove privileges for using district computers for quarter. 3 rd – Family conference. Remove privileges for using district computers for semester.	1 st – Remind student about computer use agreement that was signed. 2 nd – Contact Family. Remove privileges for using district computers for quarter. 3 rd – Family conference. Remove privileges for using district computers for semester.
D-280 – Graffiti <i>See, E-450</i>	1 st –Student is required to help remove graffiti or pay for it to be removed. 2 nd –Notify Family & student is required to help remove graffiti or pay for it to be removed. 3 rd – Short-term suspension & student is required to pay for graffiti to be removed	1 st –Student is required to help remove graffiti or pay for it to be removed. 2 nd –Notify Family & student is required to help remove graffiti or pay for it to be removed. 3 rd – Short-term suspension & student is required to pay for graffiti to be removed	1 st –Family conference. 2 nd – Family conference & student is required to help remove graffiti or pay for it to be removed. 3 rd – Family conference & student is required to help remove graffiti or pay for it to be removed.
D-310 – Bullying, Intimidation, and Harassment <i>See, E-610</i> <i>See, E-620</i>	1 st – Ensure that student understands his/her behavior is bullying and that it is not allowed, & family conference & skills training ¹ 2 nd – Family conference & PBIP ² 3 rd – Family conference & Short-term suspension	1 st – Ensure that student understands his/her behavior is bullying and that it is not allowed, & family conference & assess need for additional skills training ¹ 2 nd – Family conference & PBIP ² 3 rd – Family conference & Short-term suspension	1 st – Teach students that their behavior is bullying and is not allowed & family conference. 2 nd –Assess need for additional student skills training ¹ & family conference 3 rd – Additional skills training & family conference & PBIP ²
D-315 – Sexual Harassment <i>See, E-610</i>	1 st – Ensure that student understands his/her behavior is harassment and that it is not allowed, & family conference & skills training ¹ 2 nd – Family conference & PBIP ² 3 rd – Family conference & Short-term suspension	1 st – Ensure that student understands his/her behavior is harassment and that it is not allowed, & family conference & skills training ¹ 2 nd – Family conference & PBIP ² 3 rd – Family conference & Short-term suspension	1 st – Teach students that their behavior is not allowed & family conference. 2 nd –Assess need for additional student skills training ¹ & family conference 3 rd – Additional skills training ¹ & family conference & PBIP ²
D-320 – Inappropriate Sexual Conduct	1 st – Ensure that student understands why his/her behavior is inappropriate and that it is not allowed, & family conference & skills training ¹ 2 nd – Family conference & PBIP ² 3 rd – Family conference & Short-term suspension	1 st – Ensure that student understands his/her behavior is harassment and that it is not allowed, & family conference & skills training ¹ 2 nd – Family conference & PBIP ² 3 rd – Family conference & Short-term suspension	1 st – Teach students that their behavior is not allowed & family conference. 2 nd –Assess need for additional student skills ¹ training & family conference 3 rd – Additional skills training ¹ & family conference & PBIP ²

¹ Skills training may be any one of several curricula intended to improve student social and empathy skills, such as Ripple Effects, Second Step, *Skillstreaming the Adolescent* by Goldstein & McGinnis (1997: Research Press), *Skillstreaming the Elementary School Child* by McGinnis & Goldstein (1997: Research Press), etc.

² A PBIP should also consider whether additional skill training and school-based counseling or outside counseling at parent expense would be useful.

Seattle Public Schools Standard Practices for District Offenses

Offenses	High School	Middle School	Elementary
D-330 – Inappropriate Touching <i>See, E-210</i>	1 st – Ensure that student understands his/her behavior is inappropriate and that it is not allowed, & family conference & skills training ¹ 2 nd – Family conference & PBIP ² 3 rd – Family conference & Short-term suspension	1 st – Ensure that student understands his/her behavior is harassment and that it is not allowed, & family conference & skills training ¹ 2 nd – Family conference & PBIP ² 3 rd – Family conference & Short-term suspension	1 st – Teach students that their behavior is inappropriate and is not allowed & family conference. 2 nd – Assess need for additional student skills training ¹ & family conference 3 rd – Additional skills training ¹ & family conference & PBIP ²
D-340 – Inappropriate Language <i>See, E-250</i> <i>See, E-520</i>	1 st – Ensure student understands that name calling, cursing, and verbal assault are not allowed, & family conference & school-based consequence. 2 nd – Family conference & school-based consequence 3 rd – Family conference & Short-term suspension	1 st – Ensure student understands that name calling, cursing, and verbal assault are not allowed & family conference & school-based consequence. 2 nd – Family conference & school-based consequence 3 rd – Family conference & Short-term suspension	1 st – Teach students how to deal with their anger and that cursing at or name calling others is not allowed & family conference. 2 nd – Assess need for additional student skills training ¹ & family conference 3 rd – Additional skill training ¹ & family conference & PBIP ²
D-410 – Toy Guns and Toy Weapons <i>See, E-350</i>	1 st – Hold toy until end of day & contact Family 2 nd – Short-term suspension & Family conference 3 rd – Short-term suspension & Family conference	1 st – Hold toy until end of day & contact Family 2 nd – Confiscate toy & contact Family 3 rd – Short-term suspension & Family conference	1 st – Hold toy until end of day & contact Family 2 nd – Hold toy until end of week & contact Family 3 rd – Family conference & confiscate toy until end of year
D-420 – False Reporting <i>See, E-910</i>	1 st – Ensure student understands what false reporting is and that lying about others is not allowed; family conference & school-based consequence 2 nd – School-based & Family conference 3 rd – School-based consequence & family conference	1 st – Ensure student understands what false reporting is and that lying about others is not allowed; family conference & school-based consequence 2 nd – School-based consequence & family conference 3 rd – School-based consequence & family conference	1 st – Ensure student understands what false reporting is and that lying about others is not allowed 2 nd – Assess need for additional student skills & Family conference 3 rd – School-based consequence & Family conference

Seattle Public Schools

Standard Discipline for Exceptional Misconduct

The following sanctions are **recommendations** to establish consistency and continuity across the District for similar offenses. Discipline should be progressive, both in terms of the level of discipline as well as the number of days. The following conditions should be observed:

1. The maximum length a student can be long term suspended for is 90 days.
2. When considering an expulsion for a student, a consultation with the Executive Director of Schools must occur.
3. Identify only one offense per incident. If more than one offense occurred in the incident, select the primary offense. Situations should be rare where the incident can truly be said to have equally involved more than one serious offense.
4. If extenuating circumstances warrant, a lesser or greater discipline may be used if appropriate. Administrators should use common sense in considering extenuating and/or exceptional circumstances.
5. Parent/Guardian must be told about their right to appeal and that an appeal must be initiated within three days of when the parent/guardian received notice of the misconduct.
6. Check definitions of offenses to identify exceptional situations when an appropriate discipline for a first offense may be more or less severe than the recommended sanctions below.
7. Some offenses are cross-referenced to District Offenses. Consider whether the misbehavior would be better described and disciplined as a District Offense.
8. Prior misbehavior must have been disciplined and the sanction entered into the computer record for an incident to be considered a second or third offense; otherwise, the current incident must be disciplined as a first offense. In most cases, to consider an incident a second or third offense, prior misbehavior must have occurred no earlier than during the school year prior to the current incident. Any offense in the E-100 Controlled Substances category or in the E-200 Violence category may be considered a prior offense when the current charge also falls within that category.
9. Administrators may discuss situations with their Executive Director of Schools (EDS), the Discipline Appeals' Office, the-General Counsel's Office, or the Supervisor of Special Education for their region.
10. As a reminder, prior to corrective action, plans for students qualified under Section 504 or Special Education IEPs should be reviewed and behavior intervention plans in existence should be implemented. If a behavior intervention plan does not exist, the student's team must review the pattern of behavior to determine whether one should be developed.
11. If a disciplinary action is mediated, a mediation form must be completed explaining the mediated points. The mediation form must include a statement that the student and parent/guardian agree that all issues have been addressed and no appeal is possible.
12. The Safety and Security Department and the Seattle Police may be notified for violations of offenses in this section.

Offenses	High School	Middle School	Elementary K-5
E-100 Controlled Substances			
E-111 Selling Illegal Drugs, Controlled Substances, Prescription or Over-the-Counter Drugs OSPI requires separate reporting for marijuana from other drugs. Use E-113 Selling Marijuana when the drug is Marijuana.	1 st - Long-term suspension to end of semester or trimester <u>and</u> obtain an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. (no shortened sanction) 2 nd – Expulsion and obtain an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense.	1 st –Long-term suspension for 15 days <u>and</u> obtain an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. (no shortened sanction) 2 nd – Expulsion and obtain an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense.	1 st – Short-term suspension, family conference and obtain an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. 2 nd –Short-term suspension, family conference, obtain an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. 3 rd –Expulsion and obtain an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the

Seattle Public Schools
Standard Discipline for Exceptional Misconduct

Offenses	High School	Middle School	Elementary K-5
E-112 Selling Alcoholic Beverages	1 st - Long-term suspension to end of semester or trimester <u>and</u> obtain an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. (no shortened sanction.) 2 nd – Expulsion and obtain an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense.	1 st - Long-term suspension for 15 days <u>and</u> obtain an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. (no shortened sanction.) 2 nd – Expulsion and obtain an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense.	assessor, at parent/guardian expense. 1 st – Short-term suspension, family conference, & substance abuse assessment. 2 nd –Short-term Suspension, Family Conference, and obtain an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. 3 rd –Expulsion obtain an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense.
E-113 Selling Marijuana	1 st - Long-term suspension to end of semester or trimester <u>and</u> obtain an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. (no shortened sanction.) 2 nd – Expulsion and obtain an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense.	1 st - Long-term suspension for 15 days <u>and</u> obtain an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. (no shortened sanction.) 2 nd – Expulsion and obtain an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense.	1 st – Short-term Suspension, Family Conference, & substance abuse assessment. 2 nd –Short-term Suspension, Family Conference, & concurrent enrollment in substance abuse program. 3 rd –Expulsion and completion of substance abuse program
E-121 Distributing Illegal Drugs, Controlled Substances, Prescription or Over-the-Counter Drugs	1 st – Long-term Suspension to end of semester (May reduce to 11-day LTS with an assessment by a district approved substance abuse professional and maintain	1 st –Long-term suspension for 15 days. (May reduce to 5 day STS with an assessment by a district approved substance abuse professional and maintain	1 st – Short-term suspension & family conference 2 nd –Short-term suspension, family conference, and an assessment by a district approved substance abuse

Seattle Public Schools
Standard Discipline for Exceptional Misconduct

Offenses	High School	Middle School	Elementary K-5
<p>OSPI requires separate reporting for marijuana from other drugs. Use E-123 Distributing Marijuana when the drug is Marijuana.</p>	<p>compliance with recommendations of the assessor, at parent/guardian expense. If reduced, mediation form must be signed and no appeal is possible.) 2nd – Long-term Suspension until end of semester and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. 3rd – Expulsion and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense</p>	<p>compliance with recommendations of the assessor, at parent/guardian expense. If reduced, mediation form must be signed and no appeal is possible.) 2nd –Long-term suspension for 15 days & an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense 3rd – Expulsion and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense</p>	<p>professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. 3rd –Expulsion and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense.</p>
<p>E-122 Distributing Alcoholic Beverages</p>	<p>1st – Long-term Suspension to end of semester (May reduce to 11-day LTS with an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. If reduced, mediation form must be signed and no appeal is possible.) 2nd – Long-term Suspension until end of semester and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. 3rd – Expulsion and an assessment by a district approved substance abuse professional and maintain compliance with</p>	<p>1st –Long-term suspension for 15 days (May reduce to 5 day STS with an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. If reduced, mediation form must be signed and no appeal is possible.) 2nd –Long-term suspension for 15 days and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. 3rd – Expulsion and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the</p>	<p>1st – Short-term suspension & family conference 2nd –Short-term suspension, family conference, and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. 3rd –Expulsion and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense.</p>

Seattle Public Schools
Standard Discipline for Exceptional Misconduct

Offenses	High School	Middle School	Elementary K-5
	recommendations of the assessor, at parent/guardian expense	assessor, at parent/guardian expense	
E-123 Distributing Marijuana	<p>1st – Long-term Suspension to end of semester (May reduce to 11-day LTS with an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. If reduced, mediation form must be signed and no appeal is possible.)</p> <p>2nd – Long-term Suspension until end of semester and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense</p> <p>3rd – Expulsion and assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense</p>	<p>1st –Long-term suspension for 15 days. (May reduce to 5-day STS with an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. If reduced, mediation form must be signed and no appeal is possible.)</p> <p>2nd – Long-term Suspension until end of semester and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense</p> <p>3rd – Expulsion and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense</p>	<p>1st – Short-term suspension & family conference</p> <p>2nd –Short-term suspension, family conference, and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense.</p> <p>3rd –Expulsion and assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. .</p>
<p>E-131 Possessing or Using Illegal Drugs, -Controlled Substances, Prescription or Over-the Counter Drugs (Includes possession of drug paraphernalia.)</p> <p>OSPI requires separate reporting for marijuana from other drugs. Use E-133 Possessing or Using Marijuana when the drug is Marijuana.</p>	<p>1st – Long-term Suspension to end of semester. (May reduce to 3-day STS with an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. If reduced, mediation form must be signed and no appeal is possible.)</p> <p>2nd – Long-term Suspension to end of semester (May</p>	<p>1st –Long-term suspension for 15 days. (May reduce to 3-day STS with an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. If reduced, mediation form must be signed and no appeal is possible.)</p> <p>2nd –Long-term suspension for 15 days. (May reduce to</p>	<p>1st – School-based & family conference.</p> <p>2nd – Short-term suspension, family conference, and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense</p> <p>3rd – Short-term Suspension and an assessment by a district approved substance abuse professional and maintain</p>

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Offenses	High School	Middle School	Elementary K-5
	<p>reduce to 11-day LTS with an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. If reduced, mediation form must be signed and no appeal is possible).</p> <p>3rd – Long-term Suspension to end of semester and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense.</p>	<p>5-day STS with an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. If reduced, mediation form must be signed and no appeal is possible).</p> <p>3rd – Long-term Suspension for 15 days and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense.</p>	<p>compliance with recommendations of the assessor, at parent/guardian expense.</p>
E-132 Possessing or Using Alcoholic Beverages	<p>1st – Long-term Suspension to end of semester. (May reduce to 3-day STS with an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. If reduced, mediation form must be signed and no appeal is possible.)</p> <p>2nd – Long-term Suspension to end of semester (May reduce to 11-day LTS with an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. If reduced, mediation form must be signed and no appeal is possible).</p> <p>3rd – Long-term Suspension to end of semester and an assessment by a district</p>	<p>1st –Long-term suspension for 15 days. (May reduce to 3-day STS with an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. If reduced, mediation form must be signed and no appeal is possible.)</p> <p>2nd –Long-term suspension for 15 days. (May reduce to 5-day STS with an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. If reduced, mediation form must be signed and no appeal is possible).</p> <p>3rd –Long-term suspension for 15 days and an assessment by a district</p>	<p>1st – School-based & family conference.</p> <p>2nd – Short-term suspension, family conference, and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense</p> <p>3rd – Short-term suspension and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense.</p>

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Offenses	High School	Middle School	Elementary K-5
	approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense.	approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense.	
E-133 Possessing or Using Marijuana (Includes possessing drug paraphernalia.)	<p>1st – Long-term Suspension to end of semester. (May reduce to 3-day STS with an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. If reduced, mediation form must be signed and no appeal is possible.)</p> <p>2nd – Long-term Suspension to end of semester (May reduce to 11-day LTS with an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense. If reduced, mediation form must be signed and no appeal is possible).</p> <p>3rd – Long-term Suspension to end of semester and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense.</p>	<p>1st –Long-term suspension for 15 days. (May reduce to 3-day STS with substance abuse assessment & follow recommendations of assessor. If reduced, mediation form must be signed and no appeal is possible.)</p> <p>2nd –Long-term suspension for 15 days. (May reduce to 5 day STS with substance abuse assessment & concurrent enrollment in recommended treatment. If reduced, mediation form must be signed and no appeal is possible).</p> <p>3rd –Long-term suspension for 15 days & completion of district-approved substance abuse program before return.</p>	<p>1st – School-based & family conference.</p> <p>2nd – Short-term suspension, family conference and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense.</p> <p>3rd – Short-term suspension and an assessment by a district approved substance abuse professional and maintain compliance with recommendations of the assessor, at parent/guardian expense</p>
E-200 Violence			
E-210 Assault <i>See, D-320</i> <i>See, D-330</i>	<p>1st – Long-term Suspension & concurrent enrollment in Behavior Mod class</p> <p>2nd – Long-term Suspension & completed Behavior Mod class</p>	<p>1st –Long-term Suspension for 15 days & concurrent enrollment in Behavior Mod class</p>	<p>1st – Family conference and consider modifications to the student’s environment</p> <p>2nd – Short-term suspension and create a PBIP</p>

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Offenses	High School	Middle School	Elementary K-5
	3 rd – Expulsion & completed Behavior Mod class	2 nd – Long-term Suspension for 15 days & completed Behavior Mod class	3 rd – Short-term suspension and reevaluate PBIP
E-211 Physical Aggression Appropriate for any student in circumstances when emotional regulation or maturity is insufficient to understand the consequences of the behavior.	1 st – Family conference and consider modifications to the student’s environment. 2 nd – Short-term suspension and create a PBIP. 3 rd – Short-term suspension and reevaluate PBIP.	3 rd – Expulsion & completed Behavior Mod class 1 st – Family conference and consider modifications to the student’s environment. 2 nd – Short-term suspension and create a PBIP. 3 rd – Short-term suspension and reevaluate PBIP.	1 st – Family conference 2 nd – Family conference and consider modifications to the student’s environment 3 rd – Short-term suspension and create a PBIP
E-215 Sexual Assault	1 st – Long-term suspension & concurrent attendance at appropriate counseling* for sex offenses 2 nd – Long-term Suspension & completed appropriate counseling* for sex offenses 3 rd – Expulsion & completed appropriate counseling* for sex offenses * At parent/guardian expense	1 st – Long-term Suspension for 15 days & concurrent attendance at appropriate counseling* for sex offenses 2 nd – Long-term Suspension for 15 days & completed appropriate counseling* for sex offenses 3 rd – Expulsion & appropriate counseling* for sex offenses * At parent/guardian expense	1 st – Short-term Suspension & family conference 2 nd – Short-term Suspension & Family conference 3 rd – Expulsion & concurrent attendance at appropriate counseling* for sex offenses *At parent/guardian expense
E-220 – Extortion, Black-mail, Coercion	1 st – Long-term Suspension 2 nd – Long-term Suspension & completion of Behavior Mod class 3 rd – Expulsion & completion of Behavior Mod class	1 st – Long-term Suspension for 15 days 2 nd – Long-term Suspension for 15 days & completion of Behavior Mod class 3 rd – Expulsion & completion of Behavior Mod class	1 st – Short-term Suspension & family conference 2 nd – Short-term suspension & family conference 3 rd – Expulsion & concurrent enrollment in counseling at parent/guardian expense.
E-240 – Fighting	1 st – Short-term suspension & mediation 2 nd – Short-term suspension & mediation 3 rd – Long-term suspension & Behavior Mod class	1 st – Short-term suspension & mediation 2 nd – Short-term suspension & mediation 3 rd – Long-term suspension for 15 days & completion of Behavior Mod class	1 st – Short-term suspension & mediation 2 nd – Short-term suspension & mediation 3 rd – Short-term suspension & mediation
E-250 – Threats of Violence Contact the Safety & Security Office/Student Threat Assessment Team	1 st – Long-term suspension & Behavior Mod class 2 nd – Long-term suspension & Behavior Mod class 3 rd – Expulsion (must have requested STAT services before implementing an	1 st – Long-term Suspension for 15 days & completion of Behavior Mod class 2 nd – Long-term suspension for 15 days & completion of Behavior Mod class	1 st – Short-term suspension & family conference 2 nd – Short-term suspension & family conference 3 rd – Expulsion (must have requested STAT services before implementing an

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Offenses	High School	Middle School	Elementary K-5
(STAT) for threat assessment, if appropriate. <i>See, D-340</i>	expulsion) & Behavior Mod class	3 rd – Expulsion (must have requested STAT services before implementing an expulsion)& completion of Behavior Mod class	expulsion) & enrollment in concurrent counseling at parent/guardian expense.
E-260 Hazing	1 st – Long-term suspension & concurrent enrollment in Behavior Mod class 2 nd – Long-term suspension & completed Behavior Mod class 3 rd – Expulsion & completed Behavior Mod class	1 st –Long-term suspension for 15 days & concurrent enrollment in Behavior Mod class 2 nd –Long-term suspension for 15 days & completed Behavior Mod class 3 rd – Expulsion & completed Behavior Mod class	1 st – Short-term suspension & family conference 2 nd –Short-term Suspension & family conference 3 rd –Expulsion & concurrent counseling at parent/guardian expense.
E-300 Weapons			
E-310 –Firearms	Mandatory one-year expulsion ^{1*} & completion of Behavior Mod class	Mandatory one-year expulsion* & completion of Behavior Mod class	Mandatory one-year expulsion* & completion of Behavior Mod class
E-320 –Dangerous Weapons	1 st – Long-term Suspension & Behavior Mod class 2 nd – Expulsion & completion of Behavior Mod class	1 st –Long-term suspension for 15 days & Behavior Mod class 2 nd – Expulsion & completion of Behavior Mod class	1 st – Short-term suspension & family conference 2 nd – Expulsion & concurrent participation in counseling at parent/guardian expense
E-330 – Small Folding Knives	1 st – Short-term suspension 2 nd – Long-term suspension 3 rd – Expulsion & completion of Behavior Mod class	1 st – Short-term suspension 2 nd –Long-term suspension for 15 days 3 rd – Expulsion & completion of Behavior Mod class	1 st – Short-term suspension & family conference 2 nd –Short-term suspension & family conference 3 rd –Expulsion & concurrent participation in counseling at parent/guardian expense.
E-340 – Fireworks, Explosives, Chemicals, and Incendiary Devices	1 st – Long-term suspension 2 nd – Long-term suspension & completion of Behavior Mod class 3 rd – Expulsion & completion of Behavior Mod class	1 st –Long-term suspension for 15 days 2 nd –Long-term suspension for 15 days & completion of Behavior Mod class 3 rd – Expulsion & completion of Behavior Mod class	1 st – Short-term suspension & family conference 2 nd –Short-term suspension & family conference 3 rd –Expulsion & concurrent participation in counseling at parent/guardian expense.
E-350 – Toys Used as Weapons <i>See, D-410</i>	1 st – Long-term suspension 2 nd – Long-term suspension & Behavior Mod class 3 rd – Expulsion & Behavior Mod class	1 st –Long-term suspension for 15 days 2 nd –Long-term suspension for 15 days & Behavior Mod class	1 st – Short-term suspension & family conference 2 nd –Short-term suspension & family conference

^{1*} The mandatory one-year expulsion will be imposed in a manner consistent with the Individuals with Disabilities Education Act, 20 U.S.C. § 7151(c) and with procedures established in Superintendent Procedure 3248SP.

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Offenses	High School	Middle School	Elementary K-5
		3 rd – Expulsion & Behavior Mod class	3 rd –Expulsion & concurrent participation in counseling at parent/guardian expense.
E-400 Theft and Vandalism			
E-410 – Robbery	1 st – Long-term suspension, completion of Behavior Mod class, & restitution of stolen property 2 nd – Long-term suspension, completion of Behavior Mod class, & restitution of stolen property 3 rd – Expulsion, completion of Behavior Mod class, & restitution of stolen property	1 st –Long-term suspension for 15 days, completion of Behavior Mod class, and restitution of stolen property 2 nd –Long-term suspension for 15 days, completion of Behavior Mod class, & restitution of stolen property 3 rd – Expulsion, completion of Behavior Mod class, & restitution of stolen property	1 st – Short-term suspension, family conference, & restitution of stolen property 2 nd –Short-term suspension, family conference, & restitution of stolen property 3 rd –Expulsion, concurrent participation in counseling at parent/guardian expense, & restitution of stolen property
E-420 – Theft	1 st - School based action, family conference, & restitution of stolen property 2 nd - Short-term suspension (1-3 days), develop a PBIP, & restitution of stolen property 3 rd – Short-term suspension (4-10 days), review PBIP, & restitution of stolen property	1 st - School based action, family conference, & restitution of stolen property 2 nd - Short-term suspension (1-3 days), develop a PBIP, & restitution of stolen property 3 rd – Short-term suspension (4-10 days), review PBIP, and restitution of stolen property	1 st – School-based action family conference, & restitution of stolen property 2 nd –School-based action, develop a PBIP, & restitution of stolen property 3 rd – Short-term suspension, review PBIP, & restitution of stolen property
E-430 – Burglary	1 st - School based action, family conference, & restitution of stolen property 2 nd - Short-term suspension (1-3 days), develop a PBIP, & restitution of stolen property 3 rd – Short-term suspension (4-10 days), review PBIP, & restitution of stolen property	1 st - School based action, family conference, & restitution of stolen property 2 nd - Short-term suspension (1-3 days), develop a PBIP, & restitution of stolen property 3 rd – Short-term suspension (4-10 days), review PBIP, and restitution of stolen property	1 st – School-based action, family conference, & restitution of stolen property 2 nd –School-based action, develop a PBIP, & restitution of stolen property 3 rd – Short-term suspension, review PBIP, & restitution of stolen property
E-440 – Possession of Stolen Property	1 st - School based action, family conference, & restitution of stolen property 2 nd - Short-term suspension (1-3 days), develop a PBIP, & restitution of stolen property	1 st - School based action, family conference, & restitution of stolen property 2 nd - Short-term suspension (1-3 days), develop a PBIP, & restitution of stolen property	1 st – School-based action, family conference, & restitution of stolen property 2 nd –School-based action, develop a PBIP, & restitution of stolen property

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Offenses	High School	Middle School	Elementary K-5
	3 rd – Short-term suspension (4-10 days), review PBIP, & restitution of stolen property	3 rd – Short-term suspension (4-10 days), review PBIP, & restitution of stolen property	3 rd – Short-term suspension, review PBIP, & restitution of stolen property
E-450 – Malicious Property Damage	1 st - School based action, family conference, & restitution of damaged property 2 nd - Short-term suspension (1-3 days), develop a PBIP, & restitution of damaged property 3 rd – Short-term suspension (4-10 days), review PBIP, & restitution of damaged property	1 st - School based action, family conference, & restitution of damaged property 2 nd - Short-term suspension (1-3 days), develop a PBIP, & restitution of damaged property 3 rd – Short-term suspension (4-10 days), review PBIP, & restitution of damaged property	1 st – School-based action, family conference, & restitution of damaged property 2 nd –School-based action, develop a PBIP, & restitution of damaged property 3 rd – Short-term suspension, review PBIP, & restitution of damaged property
E-500 Intimidation and Interference With School Authorities			
E-510 – Intimidation of School Authorities	1 st – Long-term Suspension & completion of Behavior Mod class 2 nd – Long-term Suspension & completion of Behavior Mod class 3 rd – Expulsion & completion of Behavior Mod class	1 st –Long-term Suspension for 15 days & completion of Behavior Mod class 2 nd –Long-term Suspension for 15 days & completion of Behavior Mod class 3 rd – Expulsion & completion of Behavior Mod class	1 st – Short-term Suspension & Family Conference 2 nd –Short-term Suspension & Family Conference 3 rd –Expulsion and concurrent enrollment in counseling at parent/guardian expense.
E-520 – Interference with School Authorities	1 st – School based action & Family Conference 2 nd – Short-term suspension & develop a PBIP 3 rd – Long-term suspension & completion of Behavior Mod class	1 st – School based action & Family Conference 2 nd – Short-term suspension & develop a PBIP 3 rd – Long-term suspension & Completion of Behavior Mod class	1 st – School-based action & Family Conference 2 nd – Develop a PBIP & Family Conference 3 rd –Short-term suspension, review PBIP & concurrent enrollment in counseling at parent /guardian expense.
E-600 Harassment			
E-610 – Malicious Harassment <i>See, D-310</i>	1 st – Short-term Suspension & Family Conference 2 nd – Long-term Suspension & completion of Behavior Mod class 3 rd – Expulsion & completion of Behavior Mod class	1 st – Short-term Suspension & Family Conference 2 nd – Long-term Suspension for 15 days & completion of Behavior Mod class 3 rd – Expulsion & completion of Behavior Mod class	1 st – Short-term Suspension & Family Conference 2 nd –Short-term Suspension & Family Conference 3 rd – Short-term Suspension & Family Conference

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Offenses	High School	Middle School	Elementary K-5
E-620 – Gang/Hate Group Activity	1 st – Short-term Suspension 2 nd – Long-term Suspension & completion of Behavior Mod class 3 rd – Expulsion & completion of Behavior Mod class	1 st – Short-term Suspension & Family Conference 2 nd – Long-term Suspension for 15 days & completion of Behavior Mod class 3 rd – Expulsion & completion of Behavior Mod class	1 st – School-based & Family Conference 2 nd – Short-term Suspension & Family Conference 3 rd – Short-term Suspension & Family Conference
E-700 Trespass			
E-710 –Trespass	1 st - School based action & Family Conference 2 nd - Short-term suspension (1-3 days) & develop a PBIP 3 rd – Short-term suspension (4-10 days) & review PBIP	1 st - School based action & Family Conference 2 nd - Short-term suspension (1-3 days) & develop a PBIP 3 rd – Short-term suspension (4-10 days) & review PBIP	1 st – School-based & Family Conference 2 nd – Develop a PBIP, Family Conference, & Short-term Suspension (1-3 days) 3 rd –Review PBIP, Family Conference, & Short-term Suspension (1-10 days),
E-720 – Computer Trespass, Tampering, and Misuse <i>See, D-270</i>	1 st - School based action, family conference, & restitution of damaged property 2 nd - Short-term suspension (1-3 days), develop a PBIP, & restitution of damaged property 3 rd – Short-term suspension (4-10 days), review PBIP, & restitution of damaged property	1 st - School based action, family conference, & restitution of damaged property 2 nd - Short-term suspension (1-3 days), develop a PBIP, & restitution of damaged property 3 rd – Short-term suspension (4-10 days), review PBIP, & restitution of damaged property	1 st – School-based action, family conference, & restitution of damaged property 2 nd –School-based action, develop a PBIP, & restitution of damaged property 3 rd – Short-term suspension, review PBIP, loss of computer privileges, & restitution of damaged property
E-800 Fire and False Threats			
E-810 – Arson <i>-Refer to Fire Department, Fire Stoppers Program 206-386-1338.</i>	1 st – Long-term Suspension, restitution of damaged property, & completion of Fire-stoppers class 2 nd – Long-term Suspension, restitution of damaged property, completion of Behavior Mod class, & completion of Fire-stoppers class 3 rd – Expulsion, restitution of damaged property, completion of Behavior Mod class, & completion of Fire-stoppers class	1 st –Long-term Suspension for 15 days, restitution of damaged property, & completion of Fire Stoppers program 2 nd –Long-term Suspension for 15 days, restitution of damaged property, & completion of Fire Stoppers program 3 rd – Expulsion, restitution of damaged property, & completion of Behavior Mod class	1 st – Short-term Suspension, restitution of damaged property, & Family Conference 2 nd –Short-term Suspension, restitution of damaged property, Family Conference & completion of Fire Stoppers program 3 rd –Expulsion, restitution of damaged property, completion of Fire Stoppers program and other appropriate counseling at parent/guardian expense

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Offenses	High School	Middle School	Elementary K-5
E-820 – False Alarm	1 st - School based action & Family Conference 2 nd - Short-term suspension (1-3 days) & develop a PBIP 3 rd – Short-term suspension (4-10 days) & review PBIP	1 st - School based action & Family Conference 2 nd - Short-term suspension (1-3 days) & develop a PBIP 3 rd – Short-term suspension (4-10 days) & review PBIP	1 st – School-based & Family Conference 2 nd – Develop a PBIP, Family Conference, & Short-term Suspension (1-3 days) 3 rd –Review PBIP, Family Conference, & Short-term Suspension (1-10 days),
E-830 – False Threats	1 st - School based action & Family Conference 2 nd - Short-term suspension (1-3 days) & develop a PBIP 3 rd – Short-term suspension (4-10 days) & review PBIP	1 st - School based action & Family Conference 2 nd - Short-term suspension (1-3 days) & develop a PBIP 3 rd – Short-term suspension (4-10 days) & review PBIP	1 st – School-based & Family Conference 2 nd – Develop a PBIP, Family Conference, & Short-term Suspension (1-3 days) 3 rd –Review PBIP, Family Conference, & Short-term Suspension (1-10 days),
E-900 Other Offenses			
E-910 – False Reporting <i>See, D-420</i>	1 st - School based action & Family Conference 2 nd - Short-term suspension (1-3 days) & develop a PBIP 3 rd – Short-term suspension (4-10 days) & review PBIP	1 st - School based action & Family Conference 2 nd - Short-term suspension (1-3 days) & develop a PBIP 3 rd – Short-term suspension (4-10 days) & review PBIP	1 st – School-based & Family Conference 2 nd – Develop a PBIP, Family Conference, & Short-term Suspension (1-3 days) 3 rd –Review PBIP, Family Conference, & Short-term Suspension (1-10 days),
E-920 – Lewd Conduct	1 st - School based action & Family Conference 2 nd - Short-term suspension (1-3 days) & develop a PBIP 3 rd – Short-term suspension (4-10 days) & review PBIP	1 st - School based action & Family Conference 2 nd - Short-term suspension (1-3 days) & develop a PBIP 3 rd – Short-term suspension (4-10 days) & review PBIP	1 st – School-based & Family Conference 2 nd – Develop a PBIP, Family Conference, & Short-term Suspension (1-3 days) 3 rd –Review PBIP, Family Conference, & Short-term Suspension (1-10 days),
E-990 – Other Exceptional Misconduct	1 st - School based action & Family Conference 2 nd - Short-term suspension (1-3 days) & develop a PBIP 3 rd – Short-term suspension (4-10 days) & review PBIP	1 st - School based action & Family Conference 2 nd - Short-term suspension (1-3 days) & develop a PBIP 3 rd – Short-term suspension (4-10 days) & review PBIP	1 st – School-based & Family Conference 2 nd – Develop a PBIP, Family Conference, & Short-term Suspension (1-3 days) 3 rd –Review PBIP, Family Conference, & Short-term Suspension (1-10 days),

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?