



**2014-15 Statement of Responsibilities
and Rights of Students**

and

**Information on
Childfind Screening**

Shoreline School District

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STATEMENT OF RESPONSIBILITIES AND RIGHTS OF STUDENTS

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Shoreline School District

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(206) 393-6111/www.shorelineschools.org

This handbook is published pursuant to State and Federal laws and regulations which prescribe substantive and procedural rights of students. All provisions of this handbook should be interpreted in conformance with such laws and regulations. The material in this handbook is excerpted from more extensive board policies and district procedures which will control any given situation. It should be noted that policies and procedures are repeatedly under review and changes can be made at any time. All policies and procedures may be accessed in the main office of all school buildings and via the district's web page at www.shorelineschools.org.

Student Discipline

{Excerpt of Policy #3310, Student Discipline}

The methods employed in enforcing the rules of the school involve professional judgment. The following factors should be considered:

1. Consistency from day to day, student to student, and teacher to teacher;
2. Severity of the misconduct;
3. The student's nature and prior behavior;
4. Fairness to the student, parent, and others;
5. Effectiveness; and
6. Effect of misconduct on the educational environment.

Student Discipline

Definitions:

- 1) "Discipline" shall mean all forms of corrective action or punishment other than suspension and expulsion and shall include the exclusion of a student from a class by a teacher or administrator for a period of time not exceeding the balance of the immediate class period: Provided, That the student is in the custody of a school district employee for the balance of such period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or in behalf of a school district.
- 2) "Suspension" shall mean a denial of attendance (other than for the balance of the immediate class period for "discipline" purposes) at any single subject or class, or at any full schedule of subjects or classes for a stated period of time. A suspension also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by the school district.

- 3) "Short-term suspension" shall mean a suspension for any portion of a calendar day up to and not exceeding ten consecutive school days.
- 4) "Long-term suspension" shall mean a suspension which exceeds a "short-term suspension" as defined in subsection 3) of this section. All long-term suspensions must have an end date of not more than one calendar year from the time of corrective action.
- 5) "Expulsion" shall mean a denial of attendance at any single subject or class or at any full schedule of subjects or classes for a definite period of time. An expulsion also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by the school district. An expulsion must have an end date not more than one calendar year from the time of the corrective action.
- 6) "School business day" shall mean any calendar day, exclusive of Saturdays, Sundays, and any federal and school holidays, upon which the office of the superintendent of the school district is open to the public for the conduct of business.

Student Conduct and Corrective Actions for Misconduct

{Excerpt of Policy #3300, Student Conduct and Corrective Actions for Misconduct}

Rules of Student Conduct

Students shall comply with all rules of conduct adopted by the district in this or other policies. Failure to do so shall be sufficient cause for corrective action. The rules shall be enforced by school officials:

- on the school grounds during and immediately before or immediately after school hours;
- on the school grounds at any other time when the school is being used by a school group(s);
- off the school grounds at a school activity, function, or event; or
- off the school grounds if the actions of the student materially or substantially affect the educational process.

Conduct rules marked with an asterisk (*) are designated as exceptional misconduct and have been judged following consultation with an ad hoc citizens committee to be (a) of such frequent occurrence, notwithstanding past attempts to control such misconduct with other forms of corrective action, or (b) so serious in nature and/or so serious in terms of the disruptive effect upon the operation of the school that the certificated administrators may impose a short-term or long-term suspension for violation of these rules even if another form of corrective action has not previously been imposed upon the student for misconduct of the same nature. Such misconduct may also result in an expulsion or emergency expulsion subject to WAC 392-400-275 and WAC 392-400-295.

1. Alcohol/Chemical Substances* – Possession, use, distribution, showing evidence of having consumed, selling, soliciting or facilitating the sale of alcohol or illegal drugs is prohibited. Possession of drug paraphernalia or any item purported to be such is also prohibited. While in attendance at school or school-sponsored events, students must remove themselves immediately from any situation where such activities are occurring. Students understand that the community encourages them to report any

situation which poses a danger to the health or safety of themselves and fellow students or which represents a violation of state laws, district policy, and the code to which school leaders are committed.

2. Alteration of Records* – The falsification, altering or destroying a school record or any communication from home and school is prohibited.
3. Arson* – The intentional setting of fire or possession fire ignition devices is prohibited.
4. Assault/Threat/Battery* – Assault is defined as a physical or verbal threat and is prohibited. Battery is defined as violence to persons and also is prohibited.
5. Attendance –Daily attendance of all students who are enrolled is required in accordance with state law and district policy. To be counted as being in attendance, the student must be enrolled for at least 50% or the equivalent of three courses of the school day. Students will attend regularly scheduled classes and activities unless officially excused by the designated person(s) at the building level. Students and parents are cautioned that excessive and/or unexcused absenteeism, regardless of reason, may result in loss of credit and/or corrective actions even though a student completes average or above average work while in attendance.
6. Burglary* – Breaking in to a school with or without intent to steal is prohibited.
7. Cheating* - Cheating is prohibited. Any student who knowingly submits the work of others represented as his or her own shall be considered to have cheated. Cheating also includes the aiding and abetting of cheating by others by falsifying, altering, or destroying student records in any form.
8. Closed/Open Campus – Students in grades K through 8 are required to remain on school grounds from the time of arrival until officially excused. Secondary students are expected to follow the closed/open campus guidelines established at each site. Students who do not conduct themselves in a responsible manner or frequent designated restricted areas adjacent to the school while utilizing open campus privilege may lose this privilege. Students who leave the campus after having their open campus privilege revoked are subject to further disciplinary action including suspension or expulsion.
9. Cooperation with School Personnel, School Rules, or District Policies* – Students must obey the lawful instruction of school district personnel.
10. Criminal Behavior* – Students who involve themselves in criminal acts on school property, off school property at school-supervised events, or off school property when such acts have a detrimental effect upon the maintenance and operation of the schools or the district are subject to corrective action by the school as well as potential prosecution under the law.

11. Cumulative Violations – In the school community, the frequency with which students violate various school policies, rules, and regulations is often of equal or greater concern than individual violations. Discipline is based on the cumulative effects of these acts.
12. Dress and Appearance – Dress and appearance must not present health or safety problems or cause disruption in accordance with Policy #3224, Student Dress.
13. Disruptive Conduct* – Conduct which materially and substantially interferes with the educational process is prohibited.
14. Drugs (illegal)* – See definition under “Alcohol and Chemical Substances,” item #1.
15. Explosives* – Possession, use, or threat of explosives on school property or at school-sponsored events is prohibited.
16. Extortion, Blackmail, or Coercion* – Obtaining money or property by violence or threat of violence, or forcing someone to do something by force or threat of force, is prohibited.
17. False Accusations/Defamation* - Students shall not make untrue charges of wrongful conduct or other defamatory statements.
18. Fighting* – The act of quarrelling involving physical and/or verbal actions that may lead to violence, bodily contact, in or around school property, are subject to disciplinary action.
19. Forgery* – The act of fraudulently using in writing the name of another person or falsifying times, dates, grades, addresses, or other data on school forms is prohibited.
20. Gambling – The act of gambling or facilitating the gambling of others is prohibited.
21. Gang Affiliation/Symbols* – Gang activity or displaying the symbols of gang affiliation is prohibited. A “gang” consists of three or more persons, has identifiable leadership, and on an ongoing basis, regularly conspires and acts in concert mainly for criminal purposes. Gang symbols include the use of hand signals, hand writing and/or the presence of apparel, jewelry, accessories, graffiti, or manner of grooming which by virtue of its colors, arrangement, trademark, symbol alteration, or any other attribute denotes membership in a gang.
22. Harassment/Hazing/Bullying/Cyberbullying* – Students shall not participate in, conspire to participate in, or conspire for others to engage in harassing acts that injure, degrade or disgrace, or tend to injure degrade or disgrace other individuals. Harassment is an attack on another person that can be perpetrated by individuals or groups in verbal, written (including those that are electronically transmitted), or physical actions. Some of the prohibited behaviors include, but are not limited to: verbal taunts, name-calling and put-downs; physical violence, physical restraint, and attacks; threats and intimidation; extortion or stealing of money and possessions; or exclusion from the peer group. “Bullying” including cyberbullying is generally systematic or repeated acts of harassment used to

threaten, intimidate, or abuse another person or group. Protected classes include race, color, national origin, sex, sexual orientation including gender expression or identity, creed, religion, age, veteran or military status, disability, and use of the trained dog guide or service animal by a person with a disability. (See Policy #3308, Prohibition of Harassment, Intimidation, and Bullying/Cyberbullying)

23. Identifying Self – All persons must, upon request, identify themselves to proper school authorities in the school building, on school grounds, or at school-sponsored events.
24. Lasers & Similar Devices – Possession or use of lasers and similar devices which is not authorized in advance by school authorities is prohibited.
25. Littering – throwing, dropping, depositing, or discarding of litter is prohibited on public property.
26. Loitering – Students are expected to not arrive more than thirty minutes before school and to leave the school campus at the official close of the school day unless engaged in a school-related activity or unless permission to remain has been granted.
27. Malicious Mischief* – Inflicting property damage or the willful tampering with someone's property without his/her permission is prohibited.
28. Motor Vehicle Violations – Although driving of motor vehicles to school by students is permitted, it is not encouraged. Students who choose to drive motor vehicles to school must: (a) observe all rules of safe driving on and around school property; (b) park in the area so designated by building administrators; and (c) comply with any registration procedures that may be required by building administrators. Refusal to adhere to these conditions may result in the loss of the privilege of parking on school property and/or other disciplinary action.
29. Over-the-Counter /Controlled Substances/Prescription Drugs* – Abuse of over-the-counter and controlled substances is prohibited.
30. Robbery* – Stealing from an individual by force or threat of force is prohibited.
31. Sexual Harassment* – Harassment because of a person's gender, like other forms of harassment, is prohibited. Sexual harassment may include, but is not limited to: demands for sexual favors in exchange for preferential treatment or something of value; stating or implying that a person will lose something if he or she does not submit to a sexual request; penalizing a person for refusing to submit to a sexual advance or providing a benefit to someone who does; making unwelcome, offensive or inappropriate sexually suggestive remarks, comments, gestures, or jokes or remarks of a sexual nature about a person's appearance, gender, or conduct; using derogatory sexual terms for a person; standing too close, inappropriate touching, cornering, or stalking a person; sexting; or displaying offensive or inappropriate sexual illustrations on school property. Any student who believes that he or she has been subjected to

sexual harassment or intimidation by any person, including students and staff, should contact a building counselor or administrator immediately. (See Policy #3209, Sexual Harassment.)

32. Smoking/Chewing Tobacco/Nicotine Devices* – Students are not permitted to possess, use, or sell any form of tobacco or nicotine devices on or near school property. Near school property is defined as being within the line of sight from the school. Nicotine devices include e-cigarettes, vapor devices, and any other device which is capable of being used to consume tobacco or nicotine, regardless of whether the student is using the device for this purpose.
33. Student Expression Violation* – Freedom of student expression is part of the district’s instructional program. Freedom of speech may not be used to disrupt the educational process or interfere with the rights of others. Students’ rights extend to those things that are not offensive, illegal, or immoral. The compliance of the procedure related to freedom of student expression is expected of all students (see Policy #3220, Freedom of Expression).
34. Tardiness – Students are expected to be punctual in arriving at school and to each of their classes.
35. Telecommunication Network Violations*– Unauthorized, illegal or inappropriate use of the district’s telecommunication network system, electronic devices or personal student devices is prohibited.
36. Theft* – Stealing is prohibited.
37. Trespass – Being present in an unauthorized place or refusing to leave when ordered to do so is prohibited.
38. Unlawful Interference With School Authorities* – Interfering with administrators or teachers in the exercise of their lawfully assigned duties is prohibited.
39. Vandalism* – Destruction of school property is prohibited. (The student’s grades or diploma may be withheld in accordance with state law.)
40. Vulgar or Lewd Conduct* – Any lewd, indecent, profane, or obscene act or expression is prohibited.
41. Weapons and Other Dangerous Devices* - Students shall not possess, display, handle, or transmit weapons, other dangerous devices or any item which reasonably appears to be such, including but not limited to guns, knives, clubs, metal knuckles, daggers, chemical inhalants, or any other potentially dangerous implement on school property or at school-sponsored events. Any exception to the above will require explicit permission.

Permission may be granted for the purposes of dramatic productions and exhibitions. Permission will be determined on a case-by-case basis through approval of the District instructional Materials Committee (see Policy #2311, Selection and Adoption of Instructional Materials).

Persons over 18 years of age and persons between 14-18 years of age with written parental or guardian permission may possess personal protection spray devices on school property. No one may deliver a spray device to anyone under 14 or to anyone between 14-18 years of age who does not have parental permission. Spray devices may not be used other than in self-defense.

Procedures for Corrective Action

In order to ensure that all students subject to corrective action are afforded due process, the board adopts the procedures for administering corrective action described in WAC 392-400. This includes the procedures for discipline, short-term suspension, long-term suspension, expulsion, and emergency expulsion. Where such procedures provide options for a school district, the board makes the following choices:

- a. The board is responsible to hear and decide the grievance of discipline or a short-term suspension, or the appeal of a long-term suspension or expulsion.
- b. Requests for a hearing to appeal a long-term suspension or expulsion (including an emergency expulsion) must be received in writing within three school business days after receipt of the notice of the opportunity for a hearing. Oral requests for a hearing will not be accepted.

Detention

For minor infractions of school rules, regulations, or for minor misconduct, staff may detain students after school hours for not more than two hours without seeking prior parent permission. Detention shall not begin until the parent has been notified (except in the case of an adult student) for the purpose of informing the parent of the reason for the detention and to permit the parent to make arrangements for the necessary transportation of the student when he/she has been detained after school hours for corrective action.

Preceding the assignment of such corrective action, the staff member shall inform the student of the nature of the offense charged and of the specific conduct that allegedly constitutes the violation. The student shall be afforded an opportunity to explain or justify his/her actions to the staff member. Students detained for corrective action shall be under the direct supervision of the staff member or another member of the professional staff. The time which the student spends for corrective action shall be used constructively.

In-School Suspension

If a school chooses to offer in-school suspension, the principal shall establish guidelines for the operation of the in-school suspension program, consistent with other district policies and procedures.

Pre-established Corrective Actions

The following guidelines have been established to provide advance notice to students of the nature and extent of the corrective actions which, as a general rule, will be imposed as a consequence of certain types of misconduct. Disciplinary and hearing officers are allowed to grant exceptions involving extenuating and/or exceptional circumstances. Subsequent acts of exceptional misconduct, after one or more prior suspensions or expulsions, may result in stronger corrective action being taken than that indicated in these guidelines, up to and including expulsion.

Alcohol and/or Chemical Substances

Secondary Students, First Offense: (a) a suspension of 11 to 90 days; or (b) a three-day suspension if the student agrees to attend a drug assessment/education program at a state-approved agency and waive his or her right to appeal. Under the second option, the student will be returned to school on a probationary basis upon proof of enrollment and will be removed from probation upon completion of the program.

Secondary Students, Second Offense: Suspension for 11 to 90 days.

Secondary Students, Third or more Offense: Expulsion

Elementary Students, First Offense: (a) a suspension of up to 90 days (10 days maximum for grades K-4); or (b) a three day suspension if the student agrees to attend a drug assessment/education program at a state approved agency and waive his or her right to appeal. Under the second option, the student will be returned to school on a probationary basis upon proof of enrollment and will be removed from probation upon completion of the program.

Elementary Students, Second or more Offense: Suspension for the remainder of the grading period

Smoking/Chewing Tobacco/Nicotine Devices

First Offense: (a) conference with students and/or parents; notify Drug/Alcohol Specialist of offense; or (b) disciplinary action (non-suspension).

Second Offense in same school year: (a) long-term suspension; or (b) short term suspension if the student agrees to attend an approved tobacco awareness/education program and waive his or her right to appeal. Under the second option, the student will be returned to school on a probationary basis upon proof of enrollment and will be removed from probation upon completion of the program.

Third Offense in same school year: Suspension of 11 to 90 days.

Misconduct	Action That May Be Taken	
Weapons, Explosives	Minimum	Expulsion, notification to law enforcement.
Firearms	Minimum	Possession of firearms on school property will result in a one-year mandatory expulsion, subject to appeal, and notification to parents & law enforcement {RCW28A.600.420}
Assault, Fighting	Minimum	Short-term suspension
	Maximum	Long-term suspension 60 school days/middle school 90 school days/high school
Arson, Vandalism	Minimum	Short-term suspension
	Maximum	Long-term suspension 60 school days/middle school 90 school days/high school
Disruptive Conduct	Minimum	Short-term suspension
	Maximum	Long-term suspension 60 school days/middle school 90 school days/high school
Gang Affiliation or Symbols	Minimum	Short-term suspension
	Maximum	Long-term suspension 60 school days/middle school 90 school days/high school
Harassment/Bullying/ Cyberbullying/ Hazing	Minimum	Short-term suspension
	Maximum	Long-term suspension 60 school days/middle school 90 school days/high school
Cooperation with School Personnel	Minimum	Short-term suspension
	Maximum	Long-term suspension 60 school days/middle school 90 school days/high school

Readmission Application Process

Any student who has been suspended or expelled may apply to be readmitted at any time. The application shall be submitted to the principal of the school which the student wishes to attend.

The application shall include:

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

The principal shall consider the application, consult with the superintendent, and advise the parent and student of his or her decision in writing within five (5) school business days of receipt of such application. Readmission may be contingent upon any reasonable condition proposed by the principal.

Discipline

Definitions:

- 1) "Discipline" shall mean all forms of corrective action or punishment other than suspension and expulsion and shall include the exclusion of a student from a class by a teacher or administrator for a period of time not exceeding the balance of the immediate class period. Discipline shall also mean the exclusion of a student from any other type of activity conducted by or in behalf of a school district.
- 2) "Suspension" shall mean a denial of attendance (other than for the balance of the immediate class period for "discipline" purposes) at any single subject or class, or at any full schedule of subjects or classes for a stated period of time. A suspension also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by the school district.
- 3) "Short-term suspension" shall mean a suspension for any portion of a calendar day up to and not exceeding ten consecutive school days.
- 4) "Long-term suspension" shall mean a suspension which exceeds a "short-term suspension" as defined in subsection 3) of this section.
- 5) "Expulsion" shall mean a denial of attendance at any single subject or class or at any full schedule of subjects or classes for an indefinite period of time. An expulsion also may include a denial of admission to or entry upon real and personal property that is owned, leased, rented, or controlled by the school district.
- 6) "School business day" shall mean any calendar day, exclusive of Saturdays, Sundays, and any federal and school holidays, upon which the office of the superintendent of the school district is open to the public for the conduct of business. A school business day shall be concluded or terminated upon the closure of said office for the calendar day.

WAC 392-400-240 Discipline — Grievance procedure. Any student, parent, or guardian who is aggrieved by the imposition of discipline shall have the right to an informal conference with the building principal or his or her designee for the purpose of resolving the grievance. The employee whose action is being grieved shall be notified of the initiation of a grievance as soon as reasonably possible. During such conference the student, parent, or guardian shall be subject to questioning by the building principal or his or her designee and shall be entitled to question school personnel involved in the matter being grieved. Subsequent to the building level grievance meeting, the student, parent, or guardian, upon two school business days' prior notice, shall have the right to present a written and/or oral grievance to the superintendent of the district or his/her designee. If the grievance is not resolved, the student, parent, or guardian, upon two school business days' prior notice, shall have the right to present a written and/or oral grievance to the board of directors during the board's next regular meeting. The board shall notify the student, parent, or guardian of its response to the grievance within ten school business days after the date of the meeting. The discipline action shall continue notwithstanding the implementation of the grievance procedure set forth in this section unless the principal or his or her designee elects to postpone such action.

Short-term Suspension

WAC 392-400-245 Short-term suspension — Conditions and limitations. A short-term suspension may be imposed upon a student for violation of school district rules adopted pursuant to WAC 392-400-225, subject to the following limitations or conditions, the prior informal conference procedures set forth in WAC 392-400-250, and the grievance procedures set forth in WAC 392-400-255:

- 1) The nature and circumstances of the violation must be considered and must reasonably warrant a short-term suspension and the length of the suspension imposed. This requirement does not preclude school districts (that is, the boards of directors of school districts) from establishing the nature and extent of the corrective actions and/or punishments which, as a general rule, must be imposed as a consequence of proscribed misconduct. Such advance notice to students is advisable, and the imposition of such pre-established corrective action and/or punishment is permissible as long as (a) disciplinarians and hearing officers are allowed to grant exceptions in cases involving extenuating and/or exceptional circumstances, and (b) short-term suspension is not established as the corrective action or punishment for a student's first time offense other than for offenses involving exceptional misconduct as defined in subsection (2) of this section.
- 2) As a general rule, no student shall be suspended for a short term unless another form of corrective action or punishment reasonably calculated to modify his or her conduct has previously been imposed upon the student as a consequence of misconduct of the same nature. A school district may, however, elect to adopt rules providing for the immediate resort to short-term suspension in cases involving exceptional misconduct as long as disciplinarians and hearing officers may grant exceptions in cases involving extenuating and/or exceptional circumstances, notwithstanding the fact prior alternative corrective action or punishment has not been imposed upon the student(s) involved. For the purpose of this rule, "exceptional misconduct" means misconduct other than absenteeism which a school district has judged following consultation with an ad hoc citizens committee to (a) be of such frequent occurrence, notwithstanding past attempts of district personnel to control such misconduct through the use of other forms of corrective action and/or punishment, as to warrant an immediate resort to short-term suspension, and/or (b) be so serious in nature and/or so serious in terms of the disruptive effect upon the operation of the school(s) as to warrant an immediate resort to short-term suspension (for example, misconduct judged by a school district to be the same or of the same nature as a violation of the state's drug or controlled substances laws). The ad hoc citizens committee required by this section shall be composed of three or more persons chosen by the school district or the administrative designee(s) of the district, and shall be constituted with the intent and purpose of representing various socio-economic, minority and majority populations of the school district to the extent deemed practical.

- 3) No student subject to compulsory attendance pursuant to chapter 28A.225 RCW, as now or hereafter amended, shall be suspended by reason, in whole or part, of one or more unexcused absences unless the school district has first imposed an alternative corrective action or punishment reasonably calculated to modify his or her conduct and, in addition:
 - a) Provided notice to the student's parent(s) or guardian(s) or custodial parent(s) in writing in English or, if different, the primary language of the parent(s), guardian(s) or custodial parent(s) that the student has failed to attend school without valid justification, and by other means reasonably necessary to achieve notice of such fact;
 - b) Scheduled a conference or conferences with the parent(s) or guardian(s) or custodial parent(s) and the student at a time and place reasonably convenient to all persons included to analyze the causes for the student's absence, the analysis to determine by appropriate means whether the student should be made a focus of concern for placement in a special education or other special program designed for his/her educational success; and
 - c) Taken steps to reduce the student's absence which include, where appropriate in the judgment of local school officials and where possible, discussed with the student, parent(s), guardian(s) or custodial parent(s), adjustments of the student's school program or school or course assignment or assisting the student or parent to obtain supplementary services that might ameliorate the cause(s) for the student's absence from school.
- 4) Kindergarten through grade four — No student in grades kindergarten through four shall be subject to short-term suspensions for more than a total of ten school days during any single semester or trimester as the case may be, and no loss of academic grades or credit shall be imposed by reason of the suspension of such a student.
- 5) Grade five and above program — No student in the grade five and above program shall be subjected to short-term suspensions for more than a total of fifteen school days during any single semester or ten school days during any single trimester, as the case may be.
- 6) Any student subject to a short-term suspension shall be provided the opportunity upon his or her return to make up assignments and tests missed by reason of the short-term suspension if:
 - a) Such assignments or tests have a substantial effect upon the student's semester or trimester grade or grades, or
 - b) Failure to complete such assignments or tests would preclude the student from receiving credit for the course or courses.
- 7) Any student who has been suspended shall be allowed to make application for readmission at any time. Each school district board of directors shall adopt written rules which provide for such an application for readmission and set forth the procedures to be followed.

WAC 392-400-250 Short-term suspension — Prior conference required — Notice to parent.

- 1) Prior to the short-term suspension of any student a conference shall be conducted with the student as follows:
 - a) An oral or written notice of the alleged misconduct and violation(s) of school district rules shall be provided to the student,
 - b) An oral or written explanation of the evidence in support of the allegation(s) shall be provided to the student,
 - c) An oral or written explanation of the corrective action or punishment which may be imposed shall be provided to the student, and
 - d) The student shall be provided the opportunity to present his/her explanation.
- 2) In the event a short-term suspension is to exceed one calendar day the parent(s) or guardian(s) of the student shall be notified of the reason for the student's suspension and the duration of the suspension orally and/or by letter deposited in the United States mail as soon as reasonably possible. The notice shall also inform the parent or guardian of the right to an informal conference pursuant to WAC 392-400-255 and that the suspension may possibly be reduced as a result of such conference.
- 3) All short-term suspensions and the reasons therefore shall be reported in writing to the superintendent of the school district or his or her designee within twenty-four hours after the imposition of the suspension.

WAC 392-400-255 Short-term suspension — Grievance procedure. Any student, parent, or guardian who is aggrieved by the imposition of a short-term suspension shall have the right to an informal conference with the building principal or his or her designee for the purpose of resolving the grievance. The employee whose action is being grieved shall be notified of the initiation of a grievance as soon as reasonably possible. During such conference the student, parent, or guardian shall be subject to questioning by the building principal or his or her designee and shall be entitled to question school personnel involved in the matter being grieved. Subsequent to the building level grievance meeting, the student, parent, or guardian, upon two school business days' prior notice, shall have the right to present a written and/or oral grievance to the superintendent of the district or his/her designee. If the grievance is not resolved, the student, parent, or guardian, upon two school business days' prior notice, shall have the right to present a written and/or oral grievance to the board of directors during the board's next regular meeting. The board shall notify the student, parent, or guardian of its response to the grievance within ten school business days after the date of the meeting. The short-term suspension shall continue notwithstanding the implementation of the grievance procedure set forth in this section unless the principal or his or her designee elects to postpone such action.

Long-term Suspension

WAC 392-400-260 Long-term suspension — Conditions and limitations. A long-term suspension may be imposed upon a student for violation of school district rules adopted pursuant to WAC 392-400-225, subject to the following limitations or conditions and the notice requirements set forth in WAC 392-400-265 and the hearing requirements set forth in WAC 392-400-270:

- 1) The nature and circumstances of the violation must be considered and must reasonably warrant a long-term suspension and the length of the suspension imposed. This requirement does not preclude school districts (that is, the boards of directors of school districts) from establishing the nature and extent of the corrective actions and/or punishments which, as a general rule, must be imposed as a consequence of proscribed misconduct. Such advance notice to students is advisable, and the imposition of such pre-established corrective action and/or punishment is permissible as long as (a) disciplinarians and hearing officers are allowed to grant exceptions in cases involving extenuating and/or exceptional circumstances, and (b) long-term suspension is not established as the corrective action or punishment for a student's first time offense other than for offenses involving exceptional misconduct as defined in subsection (2) of this section.
- 2) As a general rule, no student shall be suspended for a long term unless another form of corrective action or punishment reasonably calculated to modify his or her conduct has previously been imposed upon the student as a consequence of misconduct of the same nature. A school district may, however, elect to adopt rules providing for the immediate resort to long-term suspension in cases involving exceptional misconduct as long as disciplinarians and hearing officers are allowed to grant exceptions in cases involving extenuating and/or exceptional circumstances, notwithstanding the fact prior alternative corrective action or punishment has not been imposed upon the student(s) involved. For the purpose of this rule, "exceptional misconduct" means misconduct other than absenteeism which a school district has judged following consultation with an ad hoc citizens committee to (a) be of such frequent occurrence, notwithstanding past attempts of district personnel to control such misconduct through the use of other forms of corrective action and/or punishment, as to warrant an immediate resort to long-term suspension, and/or (b) be so serious in nature and/or so serious in terms of the disruptive effect upon the operation of the school(s) as to warrant an immediate resort to long-term suspension (for example, misconduct judged by a school district to be the same or of the same nature as a violation of the state's drug or controlled substances laws). The ad hoc citizens committee required by this section shall be composed of three or more persons chosen by the school district or the administrative designee(s) of the district, and shall be constituted with the intent and purpose of representing various socio-economic, minority and majority populations of the school district to the extent deemed practical.

- 3) No student subject to compulsory attendance pursuant to chapter 28A.225 RCW, as now or hereafter amended, shall be suspended by reason, in whole or part, of one or more unexcused absences unless the school district has first imposed an alternative corrective action or punishment reasonably calculated to modify his or her conduct and, in addition:
 - a) Provided notice to the student's parent(s) or guardian(s) or custodial parent(s) in writing in English or, if different, the primary language of the parent(s), guardian(s) or custodial parent(s) that the student has failed to attend school without valid justification, and by other means reasonably necessary to achieve notice of such fact;
 - b) Scheduled a conference or conferences with the parent(s) or guardian(s) or custodial parent(s) and the student at a time and place reasonably convenient to all persons included to analyze the causes for the student's absence, the analysis to determine by appropriate means whether the student should be made a focus of concern for placement in a special education or other special program designed for his/her educational success; and
 - c) Taken steps to reduce the student's absence which include, where appropriate in the judgment of local school officials and, where possible, discussed with the student, parent(s), guardian(s) or custodial parent(s), adjustments of the student's school program or school or course assignment or assisting the student or parent to obtain supplementary services that might ameliorate the cause(s) for the student's absence from school.
- 4) Kindergarten through grade four — No student in grades kindergarten through four shall be subject to long-term suspension during any single semester or trimester, as the case may be, and no loss of academic grades or credit shall be imposed by reason of the suspension of such a student.
- 5) Grade five and above program — No single long-term suspension shall be imposed upon a student in the grade five and above program in a manner which causes the student to lose academic grades or credit for in excess of one semester or trimester, as the case may be, during the same school year.
- 6) Any student who has been suspended shall be allowed to make application for readmission at any time. Each school district board of directors shall adopt written rules which provide for such an application for readmission and set forth the procedures to be followed.
- 7) All long-term suspensions and the reasons therefor shall be reported in writing to the superintendent of the school district or his or her designee within twenty-four hours after the imposition of the suspension.

WAC 392-400-265 Long-term suspension — Notice of hearing — Waiver of hearing.

- 1) Prior to the long-term suspension of a student, written notice of an opportunity for a hearing shall be delivered in person or by certified mail to the student and to his or her parent(s) or guardian(s). The notice shall:
 - a) Be provided in the predominant language of a student and/or a parent(s) or guardian(s) who predominantly speak a language other than English, to the extent feasible,
 - b) Specify the alleged misconduct and the school district rule(s) alleged to have been violated,
 - c) Set forth the corrective action or punishment proposed,
 - d) Set forth the right of the student and/or his or her parent(s) or guardian(s) to a hearing for the purpose of contesting the allegation(s), and
 - e) Set forth the facts that:
 - i) A written request for a hearing must be received by the school district employee designated, or by his or her office, on or before the expiration of the third school business day after receipt of the notice of opportunity for a hearing, and
 - ii) If such a request is not received within the prescribed period of time, then the right to a hearing may be deemed to have been waived and the proposed long-term suspension may be imposed by the school district without any further opportunity for the student or his or her parent(s) or guardian(s) to contest the matter. A schedule of “school business days” potentially applicable to the exercise of such hearing right should be included with the notice.
- 2) The student and/or his or her parent(s) or guardian(s) shall reply to the notice of opportunity for a hearing and request a hearing within three school business days after the date of receipt of notice. A request for a hearing shall be provided to the school district employee specified in the notice of opportunity for a hearing, or to his or her office. A request for a hearing shall be accepted if in writing.
- 3) If a request for a hearing is not received within the required three school business day period, the school district may deem the student and his or her parent(s) or guardian(s) to have waived the right to a hearing and the proposed long-term suspension may be imposed.

WAC 392-400-270 Long-term suspension — Prehearing and hearing process.

- 1) If a request for a hearing is received pursuant to WAC 392-400-265 within the required three school business days, the school district shall schedule a hearing to commence within three school business days after the date upon which the request for a hearing was received.
- 2) The student and his or her parent(s)/guardian(s) shall have the right to:
 - a) Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,

- b) Be represented by legal counsel,
 - c) Question and confront witnesses, unless a school district witness does not appear and the nonappearance of the witness is excused by the person(s) hearing the case based upon evidence of good reason for doing so submitted by the school district. The evidence submitted by the school district must at a minimum establish either:
 - i) That the district made a reasonable effort to produce the witness and is unable to do so; or,
 - ii) That it is not advisable for the student to appear due to an expectation and fear on the part of the responsible district official(s) or the student of retaliation against the student if he or she appears as a witness,
 - d) Present his or her explanation of the alleged misconduct, and
 - e) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he/she desires.
- 3) The designee(s) of the school district assigned to present the district's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence which the student and his or her parent(s) or guardian(s) intend to introduce at the hearing.
 - 4) The person(s) hearing the case shall not be a witness and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.
 - 5) Either a tape-recorded or verbatim record of the hearing shall be made.
 - 6) A written decision setting forth the findings of fact, conclusions, and the nature and duration of the long-term suspension or lesser form or corrective action or punishment to be imposed, if any, shall be provided to the student's legal counsel or, if none, to the student and his or her parent(s) or guardian(s).

Expulsion

WAC 392-400-275 Expulsion — Conditions and limitations. A student may be expelled for violation of school district rules adopted pursuant to WAC 392-400-225, subject to the following limitations or conditions, the notice requirements set forth in WAC 392-400-280, and the hearing requirements set forth in WAC 392-400-285:

- 1) The nature and circumstances of the violation must reasonably warrant the harshness of expulsion.
- 2) No student shall be expelled unless other forms of corrective action or punishment reasonably calculated to modify his or her conduct have failed or unless there is good reason to believe that other forms of corrective action or punishment would fail if employed.
- 3) In addition to the alternative corrective action requirement of subsection (2) of this section, no student subject to compulsory attendance pursuant to chapter 28A.225 RCW, as now or hereafter amended, shall be expelled by reason, in whole or part, of one or more unexcused absences unless the school district has also first:

- a) Provided notice to the student's parent(s) or guardian(s) or custodial parent(s) in writing in English or, if different, the primary language of the parent(s), guardian(s) or custodial parent(s) that the student has failed to attend school without valid justification, and by other means reasonably necessary to achieve notice of such fact;
 - b) Scheduled a conference or conferences with the parent(s) or guardian(s) or custodial parent(s) and the student at a time and place reasonably convenient to all persons included to analyze the causes for the student's absence, the analysis to determine by appropriate means whether the student should be made a focus of concern for placement in a special education or other special program designed for his/her educational success; and
 - c) Taken steps to reduce the student's absence which include, where appropriate in the judgment of local school officials and, where possible, discussed with the student, parent(s), guardian(s) or custodial parent(s), adjustments of the student's school program or school or course assignment or assisting the student or parent to obtain supplementary services that might ameliorate the cause(s) for the student's absence from school.
- 4) Once a student has been expelled in compliance with this chapter the expulsion shall be brought to the attention of appropriate local and state authorities including, but not limited to, juvenile authorities acting pursuant to chapter 13.04 RCW in order that such authorities may address the student's educational needs.
 - 5) Any student who has been expelled shall be allowed to make application for readmission at any time. Each school district board of directors shall adopt written rules which provide for such an application for readmission and set forth the procedures to be followed.
 - 6) All expulsions and the reasons therefore shall be reported in writing to the superintendent of the school district or his or her designee within twenty-four hours after the imposition of the expulsion.

WAC 392-400-280 Expulsion — Notice of hearing — Waiver of hearing.

- 1) Prior to the expulsion of a student, written notice of an opportunity for a hearing shall be delivered in person or by certified mail to the student and to his or her parent(s) or guardian(s). The notice shall:
 - a) Be provided in the predominant language of a student and/or a parent(s) or guardian(s) who predominantly speak a language other than English, to the extent feasible,
 - b) Specify the alleged misconduct and the school district rule(s) or policy alleged to have been violated,
 - c) Set forth the corrective action or punishment proposed,
 - d) Set forth the right of the student and/or his or her parent(s) or guardian(s) to a hearing for the purpose of contesting the allegation(s), and

- e) Set forth the facts that:
 - i) A written request for a hearing must be received by the school district employee designated, or by his or her office, on or before the expiration of the third school business day after receipt of the notice of opportunity for a hearing, and
 - ii) If such a request is not received within the prescribed period of time, then the right to a hearing may be deemed to have been waived and the proposed expulsion may be imposed by the school district without any further opportunity for the student or his or her parent(s) or guardian(s) to contest the matter. A schedule of “school business days” potentially applicable to the exercise of such hearing right should be included with the notice.
- 2) The student and/or his or her parent(s) or guardian(s) shall reply to the notice of opportunity for a hearing and request a hearing within three school business days after the date of receipt of the notice. A request for a hearing shall be provided to the school district employee specified in the notice of opportunity for a hearing, or to his or her office. A request for a hearing shall be accepted if in writing.
- 3) If a request for a hearing is not received within the required three school business day period, the school district may deem the student and his or her parent(s) or guardian(s) to have waived the right to a hearing and the proposed expulsion may be imposed.

WAC 392-400-285 Expulsion — Prehearing and hearing process.

- 1) If a request for a hearing is received pursuant to WAC 392-400-280 within the required three school business days, the school district shall schedule a hearing to commence within three school business days after the date upon which the request for a hearing was received.
- 2) The student and his or her parent(s) or guardian(s) shall have the right to:
 - a) Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,
 - b) Be represented by legal counsel,
 - c) Question and confront witnesses, unless a school district witness does not appear and the nonappearance of the witness is excused by the person(s) hearing the case based upon evidence of good reason for doing so submitted by the school district. The evidence submitted by the school district must at a minimum establish either:
 - i) That the district made a reasonable effort to produce the witness and is unable to do so; or,
 - ii) That it is not advisable for the student to appear due to an expectation and fear on the part of the responsible district official(s) or the student of retaliation against the student if he or she appears as a witness,
 - d) Present his or her explanation of the alleged misconduct, and

- e) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.
- 3) The designee(s) of the school district assigned to present the district's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence which the student and his or her parent(s) or guardian(s) intend to introduce at the hearing.
- 4) The person(s) hearing the case shall not be a witness and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.
- 5) Either a tape-recorded or verbatim record of the hearing shall be made.
- 6) A written decision setting forth the findings of fact, conclusions, and the expulsion or lesser form of corrective action or punishment to be imposed, if any, shall be provided to the student's legal counsel or, if none, to the student and his or her parent(s) or guardian(s).

Emergency Actions

WAC 392-400-290 Emergency removal from a class, subject, or activity.

- 1) Notwithstanding any other provision of this chapter, a student may be removed immediately from a class, subject, or activity by a certificated teacher or an administrator and sent to the building principal or a designated school authority: Provided, That the teacher or administrator has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the class, subject, activity, or educational process of the student's school. The removal from classes, subjects, or activities shall continue only until:
 - a) The danger or threat ceases, or
 - b) The principal or designated school authority acts to impose discipline, impose a short-term suspension, initiate a long-term suspension or an expulsion, or impose an emergency expulsion, pursuant to this chapter.
- 2) The principal or school authority shall meet with the student as soon as reasonably possible following the student's removal and take or initiate appropriate corrective action or punishment. In no case shall the student's opportunity for such meeting be delayed beyond the commencement of the next school day. Prior to or at the time any such student is returned to the class(es), subject(s), or activity(ies), the principal or school authority shall notify the teacher or administrator who removed the student therefrom of the action which has been taken or initiated.

Emergency expulsion — Limitations. Notwithstanding any other provision of this chapter, a student may be expelled immediately by a school district superintendent or a designee of the superintendent in emergency situations: Provided, That the superintendent or designee has good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process. Emergency expulsions must end or be converted to another form of corrective action within ten school days from the date of the emergency removal from school. Notice and due process rights must be provided when an emergency expulsion is converted to another form of corrective action.

WAC 392-400-300 Emergency expulsion — Notice of hearing — Waiver of hearing right.

- (1) The student and his or her parent(s) or guardian(s) shall be notified of the emergency expulsion of the student and of their opportunity for a hearing either (a) by hand delivering written notice to the student's parent(s) or guardian(s) within twenty-four hours of the expulsion and documenting delivery by obtaining his or her signature acknowledging receipt or the written certification of the person making the delivery, or (b) by certified letter(s) deposited in the United States mail, within twenty-four hours of the expulsion: Provided, That if the emergency expulsion is based upon a failure to comply with the state immunization law (see chapter 392-380 WAC), the notice must be received by the student's parent(s) or guardian(s) prior to the emergency expulsion of the student regardless of the method of delivery. In addition, if the notice is by certified letter, reasonable attempts shall be made to notify the student and his or her parent(s) or guardian(s) by telephone or in person as soon as reasonably possible. Such written notice shall:
- a) Be provided in the predominant language of a student and/or a parent(s) or guardian(s) who predominantly speak a language other than English, to the extent feasible,
 - b) Specify the alleged reason(s) for the emergency expulsion,
 - c) Set forth the corrective action or punishment taken and proposed,
 - d) Set forth the right of the student and/or his or her parent(s) or guardian(s) to a hearing for the purpose of contesting the allegation(s) as soon as reasonably possible, and
 - e) Set forth the facts that:
 - i) A written (or "oral" if provided for by school district policy) request for a hearing must be received by the school district employee designated, or by his or her office, on or before the expiration of the tenth school business day after receipt of the notice of opportunity for a hearing, and
 - ii) If such a request is not received within the prescribed period of time, then the right to a hearing may be deemed to have been waived and the emergency expulsion may be continued

as deemed necessary by the school district without any further opportunity for the student or his or her parent(s) or guardian(s) to contest the matter. A schedule of "school business days" potentially applicable to the exercise of such hearing right should be included with the notice.

- 2) The student and/or his or her parent(s) or guardian(s) shall reply to the notice of opportunity for a hearing and request a hearing within ten school business days after the date of receipt of the notice. A request for a hearing shall be provided to the school district employee specified in the notice of opportunity for a hearing, or to his or her office. A request for a hearing shall be accepted if in writing.
- 3) If a request for a hearing is not received within the required ten school business day period, the school district may deem the student and his or her parent(s) or guardian(s) to have waived the right to a hearing and the emergency expulsion may be continued as deemed necessary by the school district.

WAC 392-400-305 Emergency expulsion – Prehearing and hearing process.

- 1) If a request for a hearing within the required ten school business days is received pursuant to WAC 392-400-300, the school district shall immediately schedule and give notice of a hearing to commence as soon as reasonably possible and in no case later than the third school business day after receipt of the request for hearing.
- 2) The student and his or her parent(s)/guardian(s) shall have the right to:
 - a) Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,
 - b) Be represented by legal counsel,
 - c) Question and confront witnesses, unless a school district witness does not appear and the nonappearance of the witness is excused by the person(s) hearing the case based upon evidence of good reason for doing so submitted by the school district. The evidence submitted by the school district must at a minimum establish either:
 - i) That the district made a reasonable effort to produce the witness and is unable to do so; or,
 - ii) That it is not advisable for the student to appear due to an expectation and fear on the part of the responsible district official(s) or the student of retaliation against the student if he or she appears as a witness,
 - d) Present his or her explanation of the alleged misconduct, and
 - e) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires.
- 3) The designee(s) of the school district assigned to present the district's case shall have the right to inspect in advance of the hearing any

documentary and other physical evidence that the student and his or her parent(s) or guardian(s) intend to introduce at the hearing.

- 4) The person(s) hearing the case shall not be a witness and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.
- 5) Either a tape-recorded or verbatim record of the hearing shall be made.
- 6) Within one school business day after the date upon which the hearing concludes, a decision as to whether or not the expulsion shall be continued shall be rendered, and the student's legal counsel or, if none, the student and his or her parent(s) or guardian(s) shall be notified thereof by depositing a certified letter in the United States mail. The decision shall set forth the findings of fact, the conclusions (including a conclusion as to whether or not the emergency situation giving rise to the emergency expulsion continues), and whether or not the emergency expulsion shall be continued or a lesser form of corrective action or punishment is to be imposed.
- 7) An emergency expulsion may be continued following the hearing on the basis that the emergency situation continues and/or as corrective action or punishment for the action(s) giving rise to the emergency expulsion in the first instance.

Appeals

WAC 392-400-310 Appeals — Long-term suspension and expulsion.

Appeals from decisions rendered pursuant to WAC 392-400-270, 392-400-285 and 392-400-305 which impose either a long-term suspension or an expulsion upon a student shall be governed as follows:

- 1) If a timely appeal is taken to the board of directors, the suspension or expulsion may be imposed during the appeal period subject to the following conditions and limitations:
 - a) A long-term suspension or non-emergency expulsion may be imposed during the appeal period for no more than ten consecutive school days or until the appeal is decided, whichever is the shortest period;
 - b) An emergency expulsion may be continued during the appeal period for so long as the student continues to pose an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process of the student's school;
 - c) Any days that a student is temporarily suspended or expelled before the appeal is decided shall be applied to the term of the student's suspension or expulsion and shall not limit or extend the term of the student's suspension or expulsion; and
 - d) Any student subjected to a temporary suspension who returns to school before the appeal is decided shall be provided the opportunity upon his or her return to make up assignments and tests missed by reason of the suspension if:

- (i) Such assignments or tests have a substantial effect upon the student's semester or trimester grade or grades; or
 - (ii) Failure to complete such assignments or tests would preclude the student from receiving credit for the course or courses.
- 2) An appeal from any decision of a school board to impose or to affirm the imposition of a long-term suspension or an expulsion shall be to the courts. Whether or not the decision of a school board shall be postponed pending an appeal to superior court shall be discretionary with the school board except as ordered otherwise by a court.

WAC 392-400-315 Appeals — Hearing before school board — Procedures.

- 1) If a notice of appeal to the school board of directors is received pursuant to WAC 392-400-310(2) within the required three school business days, the board shall schedule and hold an informal conference to review the matter within ten school business days after the date of receipt of such appeal notice. The purpose of the meeting shall be to meet and confer with the parties in order to decide upon the most appropriate means of disposing of the appeal as provided for in this section. At that time the student or the student's parent(s) or guardian(s) or legal counsel shall be given the right to be heard and shall be granted the opportunity to present such witnesses and testimony as the board deems reasonable. The board shall agree to one of the following procedures prior to adjournment or recess:
- a) Study the hearing record or other material submitted and render its decision within ten school business days after the date of the informal conference, or
 - b) Schedule and hold a meeting to hear further arguments based on the record before the board and render its decision within fifteen school business days after the date of the informal conference, or
 - c) Schedule and hold a meeting within ten school business days after the date of the informal conference for the purpose of hearing the case de novo.
- 2) In the event the school board of directors elects to hear the appeal de novo, the following rights and procedures shall govern the proceedings:
- a) The student and his or her parent(s) or guardian(s) shall have the right to:
 - i) Inspect in advance of the hearing any documentary and other physical evidence which the school district intends to introduce at the hearing,
 - ii) Question and confront witnesses, unless a school district witness does not appear and the nonappearance of the witness is excused by the person(s) hearing the case based upon evidence of good reason for doing so submitted by the school district. The evidence submitted by the school district must at a minimum establish either:

- A) that the district made a reasonable effort to produce the witness and is unable to do so; or,
- B) that it is not advisable for the student to appear due to an expectation and fear on the part of the responsible district official(s) or the student of retaliation against the student if he or she appears as a witness,
- iii) Present his or her explanation of the alleged misconduct, and
- iv) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he or she desires,
- b) The designee(s) of the school district assigned to present the district's case shall have the right to inspect in advance of the hearing any documentary and other physical evidence that the student and his or her parent(s) or guardian(s) intend to introduce at the hearing, and
- c) Either a tape-recorded or verbatim record of the hearing shall be made.

WAC 392-400-320 School board decisions. Any decision by a school board of directors pursuant to this chapter to impose or to affirm, reverse, or modify the imposition of discipline, suspension, or expulsion upon a student shall be made:

- 1) Only by those board members who have heard or read the evidence.
- 2) Only by those board members who have not acted as a witness in the matter.
- 3) Only at a meeting at which a quorum of the board is present and by majority vote.

Other Policies

Child Custody

{Excerpt of Policy #3610, Child Custody}

The Board of Directors presumes that the person who enrolls a student in school is the residential parent of the student. Unless the court specifies otherwise, the residential parent will be presumed to be responsible for decisions regarding the day-to-day care and control of the student. Parents, guardians, or de facto parents have the two-fold right to receive information contained in the school records concerning their child and to forbid or permit the disclosure of such information to others subject to the authority granted to the residential parent.

The board, unless informed otherwise, assumes that there are no restrictions regarding the non-residential parent's right to act as the student's parent and/or be kept informed of the student's school progress and activities. Unless there are court-imposed restrictions, the non-residential parent, upon request, will be given grade reports, notices of school activities, reports of disciplinary actions, or notices of teacher/principal conferences or summaries. If restrictions are made relative to these or any other parent rights, the residential parent will be requested to submit a certified copy of the court order that curtails these rights. If these rights are questioned by the non-residential parent, the issue will be referred to judicial or law enforcement authorities for resolution.

Student Records

{Excerpt of Policy and Procedures #3600, Student Records}

The district shall maintain those student records necessary for the educational guidance and/or welfare of students, for the orderly and efficient operation of schools as required by law. All information related to individual students shall be treated in a confidential and professional manner. When information is released in compliance with State and federal laws, the district and district employees are immune from civil liability unless they acted with gross negligence or in bad faith. Student records are the property of the district but shall be available in an orderly and timely manner to students and parents. A parent or adult student may challenge any information in a student record believed inaccurate, misleading, or in violation of the privacy or other rights of the student. Student records shall be forwarded to other school agencies upon request. A high school student may grant authority to the district which permits prospective employers to review the student's transcript. Parental consent shall be required before the district may release student records other than to a school agency or organization, except as otherwise provided by law. When an adult student receives less than half support from the parent, the rights accorded to and the consent required of the parent under this policy shall only be accorded to and required of the student.

A report card, transcript, or diploma shall not be released until a student has made restitution for damages assessed as a result of losing or damaging school materials or equipment. Only records pertaining to the student's academic performance, special placement, and discipline actions shall be sent to the enrolling school. The content of those records shall be communicated to the enrolling district within two school days and copies of the records shall be sent as soon as possible. The official transcript shall not be released until the outstanding fee or fine is discharged. The enrolling school shall be notified that the official transcript is being withheld due to the unpaid fee or fine.

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. They are:

- 1) The right to inspect and review the student's education records within 45 days of the day the district receives a request for access.
- 2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading.
- 3) The right to consent to disclosure of personally identifiable information contained in the students' education records, except to the extent that FERPA authorizes disclosure without consent.

Upon request, the district discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

- 4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA.

Nondiscrimination

{Excerpt of Policy #3210, Nondiscrimination}

All students have the right to learn and interact in the school environment (or at school-related activities) in an atmosphere that is respectful, free from bias, and safe.

The district shall provide equal educational opportunity and treatment for all students in all aspects of the academic and activities program without regard to race, color, creed, national origin, sex, sexual orientation including gender expression or identity, religion, age, veteran or military status, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability. District programs shall be free from all unlawful harassment, including sexual.

The district will not tolerate discrimination in the form of demeaning slurs, name calling, gestures, graffiti, or other words and actions relating to race, color, national origin, religion, sexual orientation, gender expression/identity, or handicap. Such offensive behaviors toward individuals or groups of students will result in disciplinary action.

Sexual Harassment

{Excerpt of Policy #3209, Sexual Harassment}

This district is committed to a positive and productive education and working environment free from discrimination, including sexual harassment. The district prohibits sexual harassment of students, employees, and others involved in school district activities.

Sexual harassment occurs when:

1. submitting to the harasser's sexual demands is a stated or implied condition of obtaining an education or work opportunity or other benefit;
2. submission to or rejection of sexual demands is a factor in an academic, work, or other school-related decision affecting an individual; or
3. unwelcome sexual or gender-directed conduct or communication interferes with an individual's performance or creates an intimidating, hostile, or offensive environment.

Sexual harassment can occur adult to student, student to adult, student to student, adult to adult, male to female, female to male, male to male, and female to female.

The district will take prompt, equitable, and remedial action within its authority on reports, complaints, and grievances alleging sexual harassment that come to the attention of the district, either formally or informally. Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. Persons found to have been subjected to sexual harassment will have appropriate school district services made reasonably available to them and adverse consequences of the harassment shall be reviewed and remedied, as appropriate.

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending students. Anyone else who engages in sexual harassment on school property or at school activities will have their access to school property and activities restricted, as appropriate.

Retaliation against any person who makes or is a witness in a sexual harassment complaint is prohibited and will result in appropriate discipline. The district will take appropriate actions to protect involved persons from retaliation. It is a violation of this policy to knowingly report false allegations of sexual harassment. Persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

Prohibition of Harassment, Intimidation, and Bullying/Cyberbullying

{Excerpt of Policy #3308, Prohibition of Harassment, Intimidation, and Bullying/Cyberbullying}

The Shoreline School District is committed to a safe, civil learning environment where all students, employees, volunteers, and patrons work, learn, and participate in an environment free from harassment, intimidation and bullying/cyberbullying. “Harassment, intimidation or bullying” means any intentionally written message or image, including those that are electronically transmitted (sexting), a verbal, or physical act, including but not limited to one shown to be motivated by any characteristic in RCW 9A.36.080(3), (race, color, national origin (including language), sex, sexual orientation including gender expression or identity, creed, religion, age, veteran or military status, disability, or the use of a trained dog guide or service animal by a person with a disability), or other distinguishing characteristics, when the act:

- physically harms a student or damages the student’s property; or
- has the effect of substantially interfering with a student’s education; or
- as so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
- has the effect of substantially disrupting the orderly operation of the school.

Nothing in this section requires the affected student to actually possess a characteristic that is a basis for the harassment, intimidation, or bullying/cyberbullying. “Other distinguishing characteristics” can include but are not limited to: physical appearance, clothing or other apparel, socio-economic status, gender identity, and marital status. Harassment, intimidation or bullying/cyberbullying can take many forms including: slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, gesture, physical, attacks, threats, or other written oral or physical actions. “Intentional acts” refers to the individual’s choice to engage in the act rather than the ultimate impact of the action(s).

Depending on the frequency and severity of the conduct, intervention, counseling, correction, discipline and/or referral to law enforcement may occur. No school employee, student, or volunteer may engage in reprisal, retaliation, or false accusation against a victim, witness, or one with reliable information about an act of harassment,

intimidation, or bullying/cyberbullying. Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting harassment, intimidation, or bullying/cyberbullying. It is also a violation of district policy to knowingly report false allegations of harassment, intimidation, and bullying. Students or employees will not be disciplined for making a report in good faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline. Any school employee, student, or volunteer who has witnessed or has reliable information that a student has been subjected to, harassment, intimidation, or bullying/cyberbullying, whether verbal or physical, is encouraged to report such incident to an appropriate school official. Any reporting is immune from a cause of action for damages arising from any failure to remedy the reported incident.

The compliance officer is: Brian Schultz, Executive Director of Schools, 18560 1st Ave. NE, Shoreline, WA 98155, 206.393.4365

Notice of Non-Discrimination and Grievance/Complaint Process

Shoreline Public Schools provides Equal Educational and Employment Opportunity without regard to race, creed, color, national origin, sex, disability, sexual orientation including gender expression or identity, religion, age, veteran or military status, use of a trained dog to guide or service animal by a person with a disability, and provides equal access to the Boy Scouts and other designated youth groups.

The District complies with all applicable state and federal laws and regulations in all district programs, courses, activities, including extra-curricular activities, services, access to facilities, etc.

The Shoreline School District offers classes in many Career and Technical Education (CTE) program areas under its open admissions policy. Specifically, the Shoreline School District offers admissions based on selective criteria (such as Advanced Placement CTE programs that require a prerequisite) through a separate application process that is non-discriminatory. For more information about the application process and particular course offerings, contact the admissions office at Shorecrest High School (206.393.4286) or Shorewood High School (206.393.4372). English language proficiency is not an element of the admissions and participation requirements for career and technical education classes. This notification can be provided in the appropriate language for communities of national origin by contacting 206.393.4365. The following people have been designated to handle inquiries regarding the nondiscrimination policies:

The Title IX Officer and Compliance Coordinator for State Law (RCW 28A.640/28A.642) with overall responsibility for monitoring and ensuring compliance is:

Brian Schultz

Executive Director

18560 1st Avenue NE, Shoreline, WA 98155

206.393.4365

ADA Compliance Officer and Section 504 Compliance Officer

Amy Vujovich

Director of Student Services

18560 1st Avenue NE, Shoreline, WA 98155

206.393.4117

Individuals who believe they have been discriminated against in any of the District's educational programs, activities, services, etc., can file a discrimination complaint at the address listed on the previous page.

Excused and Unexcused Absences

{Excerpt of Policy and Procedures #3122, Excused and Unexcused Absences}

NOTE: Refer to your individual school publications regarding specific building-based attendance policies

Regular school attendance is necessary for mastery of the educational program provided to students of the district. Students at times may appropriately be absent from class. The following principles shall govern the development and administration of attendance procedures within the district:

1. Absences due to illness or a health condition; a religious observance; school-approved activities; family emergencies; and, as required by law, disciplinary actions or short-term suspensions shall be excused. In addition, the principal may, upon request by a parent, grant permission in advance for a student's absence providing such absence does not adversely affect the student's educational progress;
2. If an absence is excused, the student shall be permitted to make-up all missed assignments outside of class under reasonable conditions and time limits established by the appropriate teacher except that in participation-type classes, every effort will be made by the teacher to provide make-up assignments for the work missed during the absence;
3. An excused absence shall be verified by the parent, adult student (those over eighteen) or emancipated student (those over sixteen who have been emancipated by court action), or school authority responsible for the absence. (Students fourteen years or older who need to leave school for testing or treatment for a sexually transmitted disease shall verify their own absence and the reason for their absence shall be kept confidential.);
4. As a means of instilling values of responsibility and personal accountability, a student whose absence is not excused shall experience the natural consequences of his/her absence. A student's grade may be affected if a graded activity or assignment occurs during the period of time when the student is absent and it is not made-up by the student;
5. The school shall notify a student's parent/guardian in writing or by telephone whenever the student has failed to attend school after one unexcused absence within any month during the current school year. The notification shall include the potential consequences of additional unexcused absences. A conference with the parent/guardian shall be held after two unexcused absences within any month during the current school year.

A conference shall be scheduled to determine what corrective measures should be taken to address the reasons which are causing the

student's absences from school. If the parent does not attend the conference, the parent shall be notified of the steps the district has decided to take to reduce the student's absences.

No later than the student's fifth unexcused absence in a month, the district shall enter into an agreement with the student and parents that establishes school attendance requirements, refer the student to a community truancy board, or file a petition and affidavit with the juvenile court alleging a violation of RCW 28A.225.010.

If such action is not successful, the district shall file a petition and affidavit with the juvenile court alleging a violation of RCW 28A.225.010 by the parent, student, or parent and student no later than the seventh unexcused absence with any month during the current school year or upon the tenth unexcused absence during the current school year.

Students are expected to attend all assigned classes each day. Teachers shall keep a record of absences and tardiness. The following are valid excuses for absences and tardiness. Missed work assignments and activities may be made-up in the manner provided by the teacher.

1. Participation in school-approved activity. To be excused, this absence must be authorized by a staff member and the affected teacher must be notified prior to the absence unless it is clearly impossible to do so;
2. Absence due to illness, health condition, family emergency, or religious purposes. When possible, the parent or adult/emancipated student is expected to notify the school office on the morning of the absence and send a signed note of explanation with the student upon his/her return to school. Adult students (those over eighteen) and emancipated students (those over sixteen who have been emancipated by court action) shall notify the school office of their absences with a signed note of explanation. Students fourteen years or older who are absent from school due to testing or treatment of a sexually transmitted disease shall notify the school of their absence with a signed note of explanation which will be kept confidential. Students thirteen years and older may do the same for mental health, drug, or alcohol treatment; and all students have that right for family planning and abortion. A parent may request that a student be excused from attending school in observance of a religious holiday. In addition, a student, upon the request of his/her parent, may be excused for a portion of a school day to participate in religious instruction provided such is not conducted on school property.
3. Absence for parental-approved activities. This category of absence

shall be counted as excused for purposes agreed upon by the principal and the parent. An absence may not be approved if it causes a serious adverse effect on the student's educational progress. In participation-type classes (e.g., certain music, science lab, and physical education classes), the student may not be able to achieve the objective of the unit of instruction as a result of absence from class. In such a case, a parent-approved absence would have an adverse effect on the student's educational progress which would ultimately be reflected in the grade for such a course.

Ethics and Honesty

{Excerpt of Policy #3302, Ethics and Honesty}

The Shoreline School District has established a clear philosophical foundation for the expectation of integrity and authenticity for all student work. The district expects all students to represent their own work honestly and accurately at all times. This expectation is tied to the district's academic mission and serves as a prerequisite for the fair and accurate assessment of student proficiency by teachers.

Conduct which violates this policy may take many forms, but in most cases will involve an attempt by a student to deceive others or demonstrate a level of knowledge or skill that he or she does not possess. Academic dishonesty includes, but is not limited to, the following types of misconduct:

Plagiarism:

1. using the writings, passages, or ideas of others, and passing them off as one's own (including, but not limited to, faxing, duplicating, file sharing, or transmittal using any technology);
2. using an outside source (any work, published or unpublished, by a person other than the student) without proper acknowledgment; or
3. submitting or using falsified data or records.

Cheating:

1. acting dishonestly and practicing fraud (deliberate deception in order to secure unfair or unlawful gain);
2. assisting, encouraging, inciting, helping, or participating in misrepresenting someone's work as your own;
3. "wandering eyes" (allowing one's eyes to stray to another person's work on quizzes or tests); or
4. using unauthorized material including textbooks, notes, calculators, or computer programs during an examination or other assignment.

Forgery/Stealing:

1. unauthorized access to an exam or answers to exam;
2. using an alternate, stand-in, or proxy during an examination;
3. altering computer and/or gradebook records or forgery of signatures for the purpose of academic advantage; or
4. sabotaging or destroying the work of others

This policy covers all school-related tests, quizzes, reports, class assignments, and projects, and other academic activities (both in and out of class).

The superintendent shall establish procedures for implementing and responding to violations of this policy.

Students who commit a violation of Policy #3302, Ethics & Honesty, shall be subject to corrective action and punishment under Policy #3300, Student Conduct and Corrective Actions for Misconduct, as well as a negative assessment by the teacher of the student's effort and performance on the assignment. The consequences assigned in a particular case may vary, depending on the severity of the offense and the student's previous record, and may include discipline or suspension. Any student who cheats will receive progressive discipline appropriate for the student's age and behavior. Secondary students will be disciplined as follows:

- 1st Offense:** Student is referred to a principal/designee, student's performance on the assignment (or other academic activity) shall receive a zero. Parents shall be notified by the administrator.
- 2nd Offense:** Student is long-term suspended from the class, not to exceed ninety days. Student is suspended from the class for the remainder of the semester. (Note: This may be the same or a different class from the first offense.) Administrators shall use the established suspension process with the due process notification.
- 3rd Offense:** Student is long-term suspended from all classes, not to exceed ninety days. Student is suspended from all classes for the remainder of the semester. Parents shall be contacted and due process rights shall be given.

Students at all levels must be taught, age-appropriately, to do their original work and each year staff must provide advance notice to students of the nature and extent of corrective actions which, as a general rule, will be imposed as a consequence for violations of this policy. Elementary students, when they have been taught the importance of original work, documenting sources, etc., may be disciplined progressively, up to and including the secondary guidelines. Administrators and hearing officers are allowed to grant exceptions involving extenuating or exceptional circumstances.

In cases where teachers have a reasonable suspicion that one or more students have violated the Ethics and Honesty Policy, teachers may opt to re-test the student(s) under different conditions or expect additional work. Students must cooperate with the reasonable requests of teachers and administrators investigating violations of this policy, including requests to turn over evidence related to academic dishonesty.

Internet Use

(Excerpt of policy #2314P, Student Access and Use of Networked Information Resources and Communications)

Acceptable Network Use

The network shall be used only for educational or professional purposes. Acceptable network use by users includes:

- Creation of files, projects, videos, web pages and podcasts using network resources for educational and administrative purposes.
- Participation in blogs, wikis, bulletin boards, social networking sites and groups and the creation of content for podcasts, e-mail and webpages that support education and research;
- With parental permission, the online publication of original educational material, curriculum-related materials, and student work. Sources outside the classroom or school must be cited appropriately.
- Staff may use the Internet for personal use only if such use is incidental, occurs during duty-free time, and is in accordance with all District policies and guidelines.

Unacceptable Network Use

Unacceptable network use or access by users includes, but is not limited to:

- Personal gain, commercial solicitation and compensation of any kind;
- Liability or cost incurred by the district;
- Downloading, installation and use of games, audio files video files or other applications (including shareware or freeware) without permission or approval from an IT Department representative;
- Support or opposition for ballot measures, candidates and any other political activity;
- Hacking, cracking, vandalizing, the introduction of viruses, worms, Trojan horses, time bombs and changes to hardware, software, and monitoring tools;
- Unauthorized access to other district computers, networks and information systems;
- Cyberbullying, hate mail, defamation, harassment of any kind, discriminatory jokes and remarks;
- Information posted, sent or stored online that could endanger others (e.g., bomb construction, drug manufacture);
- Accessing, uploading, downloading, storage and distribution of obscene, pornographic or sexually explicit material; and
- Attaching unauthorized equipment to the district network. Any such equipment will be confiscated and destroyed.

This Appropriate Use Policy is applicable to all users of the District's network and refers to all information resources whether individually controlled, shared, standalone, or networked. Violations may constitute cause for revocation of access privileges, suspension of access to District computers, other school disciplinary action, and/or appropriate legal action. Specific disciplinary measures will be determined on a case-by-case basis.

Student Conduct on Buses

(Excerpt of policy #8123P, Student Conduct on Buses)

Any misconduct by a student, which in the opinion of the bus driver or bus supervisor, is detrimental to the safe operation of the bus shall be sufficient cause for the principal to suspend the transportation privilege.

Rules of conduct for students riding buses are:

1. Students shall obey the driver and any aides assigned to the bus by the district. The driver is in full charge of the bus and passengers and shall be obeyed. If an paraprofessional is assigned to the bus by the district, he/she shall be responsible for the conduct of the passengers. When transporting classes or teams, the teacher or coach shall be primarily responsible for the behavior of the students. Students shall obey both the driver, the teacher, coach, or other staff member. The bus driver shall have the final authority and responsibility.
2. K-8 students shall ride only their assigned bus unless written permission to do otherwise has been received by school officials.
3. K-8 students shall not be permitted to leave the bus except at their regular stop unless written permission to do otherwise is received by school officials.
4. Students assigned seats shall use only that seat unless permission to change is authorized by the driver.
5. Students shall observe rules of classroom conduct while riding on buses. Noise shall be kept down to avoid distracting the driver. Students shall refrain from the use of obscene or demeaning language or gestures.
6. Students shall not smoke or ignite lighters, matches, or other pyrotechnics on buses.
7. Students shall not eat on buses, except when specifically authorized and supervised by an accompanying teacher, coach, or other staff member. Buses shall be kept clean.
8. Students shall not open bus windows without the driver's permission.
9. Students shall not extend any part of their body out of bus windows at any time.
10. Students shall not carry or have in their possession items that can cause injury to passengers on the bus. Such items include, but are not limited to sticks; glass or other breakable containers; weapons or firearms, straps or pins protruding from clothing; large, bulky items which cannot be held or placed between legs, etc. Books or personal belongings shall be kept out of the aisles.
11. Students shall not have animals on buses, except guide dogs.
12. Students shall not sit in the driver's seat or to the immediate right or left of the driver.
13. Students shall refrain from talking to the driver unless necessary.

14. Students shall go directly to a seat once inside the bus and remain seated at all times unless the driver instructs otherwise.
15. Students shall get on/off the bus in an orderly manner and shall obey the instructions of the driver or school safety patrol on duty. There shall be no pushing and shoving when boarding or leaving the bus. Once off the bus, students shall adhere to rules for pedestrians.
16. Students shall never cross the roadway behind a bus unless they use pedestrian crosswalks or traffic lights.
17. Students shall stand away from the roadway curb when any bus is approaching or leaving a stop.
18. Students going to and from their bus stops where there are not sidewalks shall walk on the left-hand side of the roadway facing oncoming traffic. Students shall go directly to their home after leaving the bus.
19. Students shall use seat belts on buses when available.
20. Students shall follow emergency exit drill procedures as prescribed by the driver.
21. Students shall not tamper with emergency doors or equipment.
22. Parents of students identified as causing damage to buses shall be charged with the cost of the incurred damage. Students causing the damage may be suspended from transportation and possibly school.
23. Student misconduct shall constitute sufficient reason for suspending transportation privileges.

When waiting for a bus or going to and from a bus stop, students are responsible for conducting themselves according to the social and legal mores that apply to adults in public. That is, they must not abuse or cause damage to private or public property; they must not use obscene language or gestures; they must not engage in criminal activity. Failure to adhere to these mores which result in formal complaints by citizens shall be forwarded to principals for possible corrective action.

Corrective action, if necessary, should be consistent throughout the district as follows:

1. Warning: When a student's misconduct is of a minor nature which does not jeopardize the safety or welfare of other students or the operation of the bus.
2. Suspension: When a student's misconduct is deemed to jeopardize the safety of bus passengers and operation, when repeated warning notices fail to correct undesirable behavior, or when a student damages the bus.
3. Expulsion: When a student's misconduct is of such a nature that the safety of the bus operation and/or of the occupants was willfully or seriously threatened (e.g., student assaulting the driver).
The parent/guardian or the student may appeal the suspension by submitting a written statement to the superintendent.

Use of Restraint and Isolation

(Policy #3317, Use of Restraint and Isolation)

This policy applies to special education students with individualized education programs (IEPs) or Section 504 plans while the students are participating in school-sponsored instruction or activities. As required by WAC 392-172A-03120 through -03135, District staff may use restraint or isolation to discourage undesirable student behaviors by special education students only in conjunction with an aversive intervention plan, or to control unpredicted spontaneous behavior that poses a clear and present danger of serious harm to the student, to another person, to property, or of disrupting the educational process. District staff will comply with all limitations and conditions on the use of restraint, isolation, and aversive interventions as required by law and District policy and procedure.

Aversive interventions shall only be used as a last resort when a special education student's IEP team determines that use of positive behavioral supports and interventions consistent with that student's IEP is insufficient and that use of aversive interventions in addition to positive behavioral supports and interventions is needed.

The District will provide a copy of this policy to parents or guardians of students with IEPs or Section 504 plans when the programs or plans are created. All IEPs must include procedures for notifying parents or guardians regarding the use of restraint or isolation.

The District shall take steps to assure that each employee, volunteer, contractor, and other agent of the District responsible for the education of special education students is aware of the requirements of state statutes and regulations governing use of aversive interventions and the conditions under which they may be used.

The superintendent or a designee will develop procedures to implement this policy.

Use of Restraint and Isolation **(Procedure 3317P)**

I. Definitions

The following definitions apply to Policy 3317 and Procedure 3317P. These definitions are based upon the definitions set forth in RCW 28A.600.485 and Chapter 392-172A of the Washington Administrative Code (WAC).

A. **Restraint**: Physical intervention or force used to control a student, including the use of a restraint device as defined in RCW 28A.600.485.

B. **Isolation**: Excluding a student from his or her regular instructional area and restricting the student alone within a room or any other form of enclosure, from which the student may not leave.

C. **Aversive Intervention**: The use of isolation or restraint practices for the purpose of discouraging undesirable behavior on the part of the student. The term does not include the use of reasonable force, restraint, or other treatment to control unpredicted spontaneous behavior, which poses one of the following dangers:

1. A clear and present danger of serious harm to the student or another person.
2. A clear and present danger of serious harm to property.
3. A clear and present danger of seriously disrupting the educational process.

II. Limitations on Use of Isolation and Restraint as Aversive Interventions

The District will follow all state regulations regarding the use of aversive interventions with each student who has an individualized education program (“IEP”) or Section 504 plan, as set forth in WAC 392-172A-03120 through -03135. Consistent with state regulations, use of aversive interventions is subject to the following limitations:

A. **Bodily Contact**: The use of any form of aversive interventions that involves contacting the body of a student shall be addressed in the student’s aversive intervention plan that meets the requirements of this Procedure and WAC 392-172A-03135.

B. Isolation

1. **General Requirements**. The use of aversive interventions that involve excluding a student from his or her regular instructional area and isolation of the student within a room or any other form of enclosure is subject to each of the following conditions:

II. Limitations on Use of Isolation and Restraint as Aversive Interventions

1. (a) The isolation, including the duration of its use, shall be addressed in the student’s aversive intervention plan that meets the requirements of this Procedure and WAC 392-172A-03135.

- (b) The enclosure shall be ventilated, lighted, and temperature controlled from inside or outside for purposes of human occupancy.
- (c) The enclosure shall permit continuous visual monitoring of the student from outside the enclosure.
- (d) An adult responsible for supervising the student shall remain in visual or auditory range of the student.
- (e) Either the student shall be capable of releasing himself or herself from the enclosure or the student shall continuously remain within view of an adult responsible for supervising the student.

C. Physical Restraint: A student must not be physically restrained or immobilized except when it is subject to each of the following conditions as specified in WAC 392-172A-03130:

- 1. The restraint shall only be used when and to the extent it is reasonably necessary to protect the student, other persons, or property from serious harm.
- 2. The restraint, including the duration of its use, shall be addressed in the student's aversive intervention plan that meets the requirements of this Procedure and WAC 392-172A-03135.
- 3. The restraint shall not interfere with the student's breathing.
- 4. An adult responsible for supervising the student shall remain in visual or auditory range of the student.
- 5. Either the student shall be capable of releasing himself or herself from the restraint or the student shall continuously remain within view of an adult responsible for supervising the student.

III. Aversive Intervention Plan Requirements

Prior to a determination by a special education student's IEP team that an aversive intervention plan is a necessary part of the student's IEP and/or any use of aversive interventions with that student, school staff shall use and describe in the student's IEP positive behavioral supports and interventions. If the IEP team later determines after use of such positive behavioral supports and interventions that an aversive intervention plan is a necessary part of the student's IEP in addition to use of positive behavioral supports and interventions, the IEP team may draft an aversive intervention plan. The plan must:

A. Be consistent with the recommendations of the IEP team, which must include: (1) a school psychologist and/or other certificated employee who understands the appropriate use of the aversive interventions and who concurs with the recommended use of the aversive interventions; and (2) a person who works directly with the student.

B. Specify the aversive interventions that may be used.

- C. State the reason(s) the aversive interventions are judged to be appropriate and the behavioral objective sought to be achieved by their use. The plan also shall describe the positive interventions attempted and the reasons they failed, if known.
- D. Describe the circumstances under which the aversive interventions may be used.
- E. Describe or specify the maximum duration of each isolation or restraint.
- F. Specify any special precautions that must be taken in connection with the use of the aversive interventions technique.
- G. Specify the person or persons permitted to use the aversive interventions and the current qualifications and required training of the personnel permitted to use the aversive interventions.
- H. Establish a means of evaluating the effects of the use of the aversive interventions and a schedule for periodically conducting the evaluation at least every three months when school is in session.
- I. Include procedures for notifying the parent regarding the use of restraint or isolation.

IV. Reporting Requirements

The following reporting requirements will apply when any student with an IEP or a Section 504 plan is subjected to any restraint or isolation.

A. Processing the Incident

Following the release of a student from the use of restraint or isolation, the school will implement these follow-up procedures. These procedures will include reviewing the incident with the student and the parent or guardian to address the behavior that precipitated the use of restraint or isolation, and reviewing the incident with the staff member(s) who administered the restraint or isolation to discuss whether proper procedures were followed.

B. Incident Report

Any school employee, school resource officer, or school security officer who uses any chemical spray, restraint (including restraint device), physical force, or isolation on a student during school-sponsored instruction or activities will inform the building administrator or a designee as soon as possible, and within two business days submit a written report of the incident to the district office. The report will include:

1. The date and time of the incident;
2. The name and job title of the individual(s) who administered the restraint or isolation;
3. A description of the activity that led to the restraint or isolation;
4. The type of restraint or isolation used, including the duration; and
5. Whether the student or staff was physically injured during the restraint or isolation and what medical care, if any, was provided.

C. Informing Parent or Guardian of Incident

The principal or a designee will make a reasonable effort to verbally inform the student's parent or guardian of the incident within 24 hours of the incident, and will send written notification as soon as practical but postmarked no later than five business days after the restraint or isolation occurred. If the school customarily provides the parent or guardian with school-related information in a language other than English, the written report will be provided to the parent in that language.

V. Notification of Policy and Procedure

All IEPs will include notice of the above procedures for notifying parents or guardians regarding the use of restraint or isolation. The District will provide a copy of Policy #3317 and Procedure #3317P to parents or guardians of students with IEPs or Section 504 plans at the time that the program or plan is created. Upon request, the District will also make available to parents a copy of this Procedure or information on where to access the laws and regulations set forth above.

POLICIES AND PROCEDURES REFERENCED

- #2314 - Student Access and Use of Networked Information Resources and Communications
- #3209 - Students: Sexual Harassment
- #3210 - Nondiscrimination
- #3122 - Excused and Unexcused Absences
- #3300 - Student Conduct and Corrective Actions for Misconduct
- #3302 - Ethics and Honesty
- #3308 - Prohibition of Harassment, Intimidation, and Bullying/Cyberbullying
- #3310 - Student Discipline
- #3600 - Student Records
- #3610 - Child Custody
- #8123 - Student Conduct on Buses

Also see: Policy #2151, Interscholastic Athletics {Student Athletic Contract}; Policy #3301, Discipline of Students with Disabilities; and Policy #3316, Discipline of School Student Officers/Leaders



NOTICES

Gun Free Zones

- Every school is designated as a “Gun Free Zone” per RCW 9.41.28, which prohibits the possession of firearms and any other dangerous weapon as defined by RCW 9.41.250 while on a school campus or in a school building. Violations are grounds for expulsion and reportable to law enforcement.
- Possession of firearms on school property will result in a mandatory one-year expulsion, subject to appeal, with notification to parents and law enforcement agencies. {RCW 28A.600.420}

Canine Searches

- As allowed or limited by law, trained dogs may be used to detect drugs or other contraband on students, in their belongings, or on or in district property {including lockers}.

Childfind

{for residents of Shoreline School District}

Are you concerned about your child’s development in speech and language, vision and hearing, motor skills, cognitive abilities, and social-emotional?

Childfind screenings are scheduled once a month, September through May, at Meridian Park Elementary School, located at 17077 Meridian Ave. N, Shoreline. Childfind screenings are conducted by school specialists (Speech and Language Pathologists, Occupational and Physical Therapists, and Psychologists.)

Call Early Childhood Education, (206) 393-4250 for further information.

Pesticide Use

This notification is to advise you of the occasional need of the District to apply pesticides, such as for weed control, to certain areas of its facilities. While we have over the past several years significantly reduced our pesticide application program, we do have some need. In no case do we regularly apply pesticide for weed control, but rather on an as-needed basis on grounds/facilities (fence lines, cracks in concrete, etc.). Pesticides are applied according to Shoreline's established district procedures for such pest control measures. Only Washington State licensed District employees, or commercial applicators apply pesticides. Information regarding pesticide use including an annual summary is available at the conclusion of each school year, in the District Maintenance office at the Shoreline Center.

Reprinted below is a portion of the law, specifically, Washington State RCW (17.21.415) which describes school districts' processes for notification of pesticide use. Please note that the term "school" as indicated, implies "school district", not a specific school to carry out this legal responsibility.

Finally, it is the practice of our District that if pesticide use is necessary, such application occurs during summer and other school vacation periods during the year, except for occasional applications required as soon as possible.

RCW 17.21.415 requires a school to:

1. Establish a notification system that, as a minimum, notifies interested parents or guardians of students and employees at least forty-eight hours before a pesticide application to a school facility.
2. The notification system shall include posting of the notification in a prominent place in the main office of the school.
3. All notifications to parents, guardians, and employees shall include the heading "Notice: Pesticide Application" and, at a minimum, shall state:
 - (a) The product name of the pesticide to be applied;
 - (b) The intended date and time of application;
 - (c) The location to which the pesticide is to be applied;
 - (d) The pest to be controlled; and
 - (e) The name and phone number of a contact person at the school.
4. A school facility application must be made within forty-eight hours following the intended date and time stated in the notification or the notification process shall be repeated.
5. A school shall, at the time of application, post notification signs for all pesticide applications made to school facilities unless the application is otherwise required to be posted by a certified applicator under the provisions of RCW17.21.410 (l) (d).
 - (a) Notification signs for applications made to school grounds by school employees shall be placed at the location of the application and at each primary point of entry to the school grounds. The signs shall be a minimum of four inches by five inches and shall include the words: "THIS LANDSCAPE HAS BEEN RECENTLY SPRAYED OR TREATED WITH PESTICIDES BY YOUR

SCHOOL” as the headline and “FOR MORE INFORMATION PLEASE CALL” (all capital letters) as the footer. The footer shall provide the name and telephone number of a contact person at the school.

Please Note: primary points of entry are defined as the most common pathway or driveway to school grounds.

(b) Notification signs for applications made to school facilities other than school grounds shall be posted at the location of the application. The signs shall be a minimum of 8.5 X 11 inches in size and shall include the heading “Notice: Pesticide Application” and, at a minimum, shall state:

- (i) The product name of the pesticide applied;
- (ii) The date and time of application;
- (iii) The location to which the pesticide was applied;
- (iv) The pest to be controlled; and
- (v) The name and phone number of a contact person at the school.

(c) Notification signs shall be printed in colors contrasting to the background.

(d) Notification signs shall remain in place for at least twenty-four hours from the time the application is completed.

In the event the pesticide label requires a restricted entry interval greater than twenty-four hours, the notification sign shall remain in place consistent with the restricted entry interval time as required by the label.

Schools are not liable for posters that are removed by unauthorized persons.

6. A school facility application does not include the application of antimicrobial pesticides or the placement of insect or rodent baits that are not accessible to children.

7. The pre-notification requirements of this section do not apply if the school facility application is made when the school is not occupied by students for at least two consecutive days after the application.

8. The pre-notification requirements of this section do not apply to any emergency school facility application for control of any pest that poses an immediate human health or safety threat, such as an application to control stinging insects. When an emergency school facility application is made, notification consistent with the school’s notification system shall occur as soon as possible after the application. The notification shall include information consistent with the normal pre-notification requirements.

9. A school shall make the records of all pesticide applications to school facilities required under this chapter, including an annual summary of the records, readily accessible to interested persons.

10. A school is not liable for the removal of signs by unauthorized persons. A school that complies with this section may not be held liable to personal property damage or bodily injury resulting from signs that are placed as required.

Asbestos Management Plan

The Environmental Protection Agency, as part of its regulation of asbestos in schools, ask that school districts notify parent, teacher and employee organizations that an asbestos management plan has developed for their school district.

The Shoreline School District developed an asbestos management plan for each of its facilities in 1988. These plans record locations of asbestos containing materials in each of its facilities. Records of all trainings, notifications, inspections, re-inspections as well as summaries of asbestos work or asbestos abatement activities are maintained at the Shoreline School District Maintenance Department at 18560 1st Ave. N.E., Shoreline, Washington. Each of the Shoreline School District asbestos management plans have been filed with the Superintendent of Public Instruction and is available at each school site administrative office and at the Shoreline School District Maintenance Department. One regulatory requirement includes school district notification for all short-term workers who work in a school building, of the availability of the asbestos management plan. Office staff at each site will make available the asbestos management plan for their building available to all short term workers such as who perform construction or maintenance in their building. The cover sheet on the asbestos management plan will state what building materials contain asbestos and Tab V will give more detail on each material and its location.

Shoreline School District

Report it!

FOR
EMERGENCIES,
PLEASE CALL
911!

SafeSchools Alert is our district's tip reporting service. If you have information about a threat to our safety, do your part and report it! And remember, you can remain anonymous.

REPORT TIPS ON:

- Bullying
- Intimidation
- Harassment
- Weapons
- Drugs
- Other

4 EASY WAYS

 <http://1261.alert1.us>

 1261@alert1.us

 206.317.5768

 Text your tip
to 206.317.5768



 safeschools
ALERT



For emergencies, always call 911. All tips submitted to our SafeSchools Alert system are taken seriously and will be acted upon. Please be responsible with your submissions.