

STUDENT SERVICES

ADMINISTRATIVE PROCEDURES - STUDENT DISCIPLINE

I. CORRECTIVE ACTIONS - GENERAL

The purpose of these procedures is to provide information concerning the due process rights of students served by any program or activity conducted by or on behalf of the District. The District may impose a range of disciplinary sanctions for the violation of school rules. Sanctions for offenses may vary depending on the severity of the misconduct, the nature and circumstances of the violation, the record of the student, and other relevant factors. In addition to any sanction imposed by the District, a student may be asked to provide restitution, be referred to a law enforcement or non-school agency and/or denied participation in District activities. Subject to the provisions of this policy, emergency expulsion may be imposed in appropriate circumstances. Students who are in violation of the rules outlined in this document may be denied the opportunity to publicly represent the District.

A. DEFINITION OF TERMS

1. School Discipline: Any form of correction or action other than suspension or expulsion. May include the exclusion of a student from a class not exceeding the balance of the immediate class or activity. [See page 4, Section E]
 - a. Detention: Detaining a student during or after school by a school employee. [See page 4, Section E-1]
 - b. Removal - Non Emergency: Excluding a student from a class or activity by a teacher or administrator for a period of time not to exceed the balance of the immediate class or activity. [See page 4, Section E-2]
 - c. Removal - Emergency: Excluding a student from the classroom if there is good and sufficient reason to believe that the student's presence in the immediate area poses an immediate or substantial 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. [See page 4, Section E-3]
 - d. Corporal Punishment: Striking a student as a disciplinary means. [See page 5, Section E-4]
 - e. School Service: Performing jobs around the school such as picking up litter, cleaning desks, working with a custodian, removing graffiti, etc. [See page 5, Section E- 5]
 - f. In-School Suspension: Quiet study time held on Wednesday under the supervision of a staff member.
2. Exceptional Misconduct: A violation of District rules other than absenteeism that is so serious in nature that short-term suspension, long-term suspension or expulsion may be imposed without prior alternative corrective action or consequences. [See page 5, Section F] (Attachment A)

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3. In-School Suspension/Time-out: Suspending a student from school but allowing the student to serve the suspension under supervision at school.
4. Short-Term Suspension: Suspending a student for any portion of a calendar day up to, but not exceeding, ten (10) consecutive school days. [See page 8, Section G]
5. Long-Term Suspension: Suspending a student for a period of time exceeding ten (10) consecutive school days up to or through the end of a semester (90 days). [See page 7 - 8, Section H]
6. Expulsion: Denying the right of attendance at any single class or full schedule of subjects for an indefinite time period. [See page 8 - 9, Section I]
7. Emergency Expulsion: Denying immediately the right of school attendance prior to the opportunity for a hearing if there is good and sufficient reason to believe that the student's presence poses an immediate and continuing danger to the student, other students, or school personnel or an immediate and continuing threat of substantial disruption of the educational process. [See page 10, Section J]
8. Grievance: An informal conference with the principal/designee and the student and/or parent(s) or guardian(s) involved. [See page 11, Section L]
9. Hearing: An informal meeting conducted by the Director of Student Services designated by the superintendent. [See page 11 - 12, Section L]
10. Appeal: Requesting that the results of the hearing imposing a long-term suspension, expulsion, or emergency expulsion be reviewed by the Board of Directors. [See page 13 - 14, Section L]
11. Readmission Conference: A meeting scheduled with the Director of Student Services for the purpose of discussing the conditions for a student reentering the District following a long-term suspension, expulsion or emergency expulsion.
12. School Days: Days which students are required to be in school as per the Board of Directors' adopted school calendar.
13. School Business Days: Days, which the District office is open to the public for conducting business.
14. Restitution: To give something back or "make right" that which has been damaged, lost or taken away; reimbursement.
15. Loss of Eligibility: To be denied eligibility or the right to participate in a school or District activity or represent the District on a team.
16. School Agency Referral: To be referred to a school agency such as a District Prevention Specialist, School Psychologist, DARE Officer, Counselor, etc.
17. Non-School Agency Referral: To be referred to a non-school agency such as Law Enforcement Agencies, Court of Law, Fire Marshall, etc.

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B. SCHOOL RESPONSIBILITIES

1. Rules:

It is the responsibility of each school in the District to establish, publish, and make available to all students, schools, parents and guardians, written rules which state with reasonable clarity the types of misconduct for which discipline, suspension, and expulsion may be imposed. School rules must comply with the rules, regulations and range of sanctions for the school district.

2. Records:

Copies of any suspension letters [including in-school suspension], expulsion letters and supportive documentation shall be placed in the student's discipline file. Copies of all records may be sent to another district.

3. Annual Discipline Review:

A committee of certificated staff, and the principal or designee shall meet annually for the purpose of reviewing school disciplinary rules and procedures in accordance with WAC 180-42-225. The review is to be conducted in the late spring for the following year.

By June 30 of each school year, the building principal will inform the superintendent's office, in writing, that the required annual review has been completed including the review date(s), process, individuals involved, etc.

C. GENERAL NATURE AND RANGE OF SANCTIONS

1. The Wenatchee School District will normally use one or more of the following forms of corrective action or punishment:

- a. Contact parents or guardian by phone or letter
- b. Conference/counseling session
- c. Restitution/school service work
- d. School discipline
- e. In-school suspension/time-out
- f. Wednesday School
- g. Short-term suspension
- h. Long-term suspension
- i. Expulsion
- j. Emergency expulsion
- k. Loss of eligibility
- l. School agency referral
- m. Non-school agency referral

2. The requirement of fairness in disciplinary actions necessitates some uniform application of sanctions. Attachment (B) is a list of sanctions for various infractions.

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- D. GENERAL RANGE OF SANCTIONS - Chart [see Attachment B]
- E. DISCIPLINE

Forms of corrective action or punishment other than suspension and expulsion. Discipline may include exclusion of a student from a classroom by a teacher or the principal's designee 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 the period. Discipline may also mean the exclusion of a student from other types of activities conducted by or in behalf of the District.

No form of discipline shall be administered in such a way as to prevent a student from accomplishing a specific academic grade, grade level, or graduation requirements, or adversely affect a student's academic grade or credit in a subject or course because of tardiness or absences, except to the extent that the student's attendance and/or participation has been identified by a teacher, based on District policy, as a basis for grading.

1. Detention

Teachers and other school employees have the authority to detain students under their supervision with prior parental notification or notification to a student's guardian.

2. Removal - Non-Emergency

A teacher or principal/designee may remove a student from a class or activity for a period of time not to exceed the balance of the immediate class or activity, provided that the student is in the custody of a District employee.

A teacher must have attempted one or more corrective actions before the student is removed from a class or activity except in cases of exceptional misconduct or serious disruption.

3. Removal - Emergency

A student may be removed immediately from a class, subject, or activity by a teacher or an administrator and sent to the building principal or designee, provided that the teacher or administrator has a 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. Removal will continue only until the danger or threat ceases or the principal or designee acts to impose a sanction. The principal or designee will 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 a meeting be delayed beyond the beginning of the next school day. The staff member will be informed of the disciplinary action taken.

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4. Corporal Punishment
Corporal punishment is not authorized as a means of disciplining students in the District. District staff may use reasonable force when deemed necessary to restrain a student.
5. School Service
School service is a means of discipline in which a student works around the school doing jobs such as picking up litter, washing desks, washing cafeteria tables, removing graffiti,
6. Grievances - Discipline [See page 11, Section L-1]

F. EXCEPTIONAL MISCONDUCT

If a violation of the District rules of student conduct constitutes "exceptional misconduct," short-term suspension, long-term suspension, expulsion, or emergency expulsion may be imposed without prior alternative corrective action or consequences.

Administrators and hearing officers may grant exceptions to the suspension, long-term suspension, expulsion, or emergency expulsion of students who are guilty of "exceptional misconduct" in cases involving extenuating and/or exceptional circumstances.

"Exceptional Misconduct" is a violation of District rules of student conduct which is so serious in nature and/or is serious in terms of the disruptive effect upon the operation of the school as to warrant an immediate short-term suspension, long-term suspension, expulsion, or emergency expulsion. Examples of "Exceptional Misconduct" are:

1. Fighting
2. Use, possession, or distribution of alcohol, controlled substances or any illegal drugs presence on school property or at a school sponsored activity following the use of alcohol, controlled substances or other illegal drugs.
3. Use, possession or distribution of tobacco.
4. Profane or vulgar language directed to or in the presence of a staff member.
5. Commission of any criminal act classified as a felony or gross misdemeanor under the laws of the State of Washington, including but not limited to, the following:

Arson, Assault, Harassment, Gross Intimidation, Possession of a Weapon or explosive and Theft.
6. Defiance of School Authority.

(See Attachment A for a full list)

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G. SHORT-TERM SUSPENSION

A short-term suspension occurs when a student is denied 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 any portion of a calendar day up to and not exceeding five consecutive school days. It shall also mean that the student shall be denied participation in, or attendance at, any school-sponsored activities, either in the District or activities hosted by another school district for students, from the time that the student is placed on suspension until his or her suspension has been completed. A short-term suspension shall also include denial of admission to, or entry upon, real and personal property that is owned, leased, rented, or controlled by the District. Each principal or designee shall have the authority to impose short-term suspension according to the following procedures.

1. Implementation Procedures:

- a. The principal/designee will determine whether a short-term suspension is warranted.
- b. Suspensions cannot exceed ten (10) days in a single trimester or semester. Grades 5-12 suspensions cannot exceed fifteen (15) days in a single trimester or semester.
- c. The principal/designee will take the following actions:
 - 1) Inform the student orally or by written notice of the alleged misconduct and rule violated, provide an explanation of the evidence, the number of days of the suspension which may be imposed, and
 - 2) Provide the student an opportunity to explain.
 - 3) If the suspension is to be for more than one day, provide for the student and his/her parent(s) or guardian(s), or an adult student; in writing, the reason for and the length of the suspension.
 - 4) Report the suspension in writing, including the reasons for the suspension to the Director of Student Services (or Superintendent), within twenty-four (24) hours.
 - 5) Provide the student with an opportunity to make up tests or assignments, if the missed tests or assignments may have a substantial effect on grade or course credit.

2. Short-Term Suspension/Hearing

See page 11, Section L-1

H. LONG-TERM SUSPENSION

A long-term suspension occurs when a student is denied class attendance for a definite time in excess of ten (10), and up to or through the end of a semester. It shall also mean that the student shall be denied participation in, or attendance at, any school-sponsored

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activities, either in the District or activities hosted by another school district for District students, from the time that the student is placed on suspension until his or her suspension has been completed. A suspension shall also include denial of admission to, or entry upon, real and personal property that is owned, leased, rented, or controlled by the District. Each principal or designee shall have the authority to impose long-term suspension according to the following procedures.

A long-term suspension may not be imposed until the adult student or the student and his/her parent(s) or guardian(s) have had written notice of an opportunity for a hearing. The student, parent, or guardian must notify the school district, orally or in writing, of any request for a hearing within three (3) school business days from the receipt of the written notice of the long-term suspension from the District.

1. Implementation Procedures:

- a. The principal/designee will determine whether a long-term suspension is warranted.
- b. No student in grades kindergarten through grade 4 shall be subject to long-term suspension during any single semester or trimester.
- c. Suspensions cannot exceed ninety (90) days in any single semester and no loss of academic grades or credit shall be imposed by reason of the suspension of such a student. Grades 5-12 suspensions cannot be imposed in a manner which causes the student to lose academic grades or credit for in excess of one (1) semester during the same school year.
- d. The principal/designee will take the following actions:
 - 1) Inform the student orally or by written notice of the alleged misconduct and rule violated, an explanation of the evidence, the number of days of the suspension which may be imposed; and
 - 2) Give the student an opportunity to explain.
 - 3) Provide written notice that must:
 - a) Be hand delivered by designated messenger or mailed by certified mail to the adult student, or to the student and his/her parent(s) or guardian(s).
 - b) Be provided in the predominant language of the adult student or the student and his/her parent(s) or guardian(s) if they speak a language other than English, to the extent feasible.
 - c) Specify the alleged misconduct and the District rule(s) that have been violated.
 - d) Explain the corrective action or punishment proposed.

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- e) Explain the right of the adult student, or the student and his/her parent(s) or guardian(s), to a hearing for the purpose of contesting the allegation(s).
 - f) State that if a written request for a hearing is not received within three (3) school business days after the receipt of notice, the right to a hearing will be waived and the proposed sanction will be imposed by the school district without any further opportunities for the adult student or the student and his/her parent(s) or guardian(s) to contest the matter. A schedule of “school business days” must be included with the notice.
- 4) A copy of the letter shall be provided to the Director of Student Services within twenty-four (24) hours of imposition of the long-term suspension.
2. Special Education Students: See page 19, Section V - Corrective Actions - Special Education Students
 3. Hearing Procedures: See page 11-12, Section L-2
 4. Appeal Procedures: See page 13-15, Section L-4
 5. Readmission from Long-term Suspension

Any student who has been suspended for a period of greater than ten (10) days may apply for readmission at any time, either orally or by submitting a written application to the Director of Student Services.

The adult student or student and his/her parent(s) or guardian(s) will provide to the Director of Student Services, before or at the time of the readmission conference: 1) The reason the student wants to return and why the request should be considered; 2) Evidence which supports the request; [3.] Sign a re-entry behavior contract; and [4.] Evidence of restitution when applicable.

I. EXPULSION

Denial of attendance at any single subject or class or at any schedule of subjects or classes for an indefinite period of time. An expulsion also includes a denial of admission to, or entry upon, any real and personal property that is owned, leased, rented or controlled by the District.

1. Implementation Procedures:
 - a. The principal or designee will determine whether expulsion is warranted.
 - b. The principal or designee will take the following actions:
 - 1) Delivered written notice in person or by certified mail to the adult student or the student and his/her parent(s) or guardian(s)
 - 2) The written notice shall:

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- a) Be provided in the predominant language of the adult student or the student and his/her parent(s) or guardian(s), if they speak a language other than English, to the extent feasible.
 - b) Specify the alleged misconduct and the District rule(s) or policy that has been violated.
 - c) Explain the corrective action or punishment proposed.
 - d) Explain the right of the adult student or the student and his/her parent(s) or guardian(s) to a hearing for the purpose of contesting the allegations.
 - e) State that if a written request for a hearing is not received within three (3) school business days after the receipt of notice, the right to a hearing will be waived and the proposed sanction will be imposed by the school district without any further opportunities for the adult student or the student and his/her parent(s) or guardian(s) to contest the matter. A schedule of "school business days" must be included with the notice.
- 3) Notify, in writing, the Director of Student Services within twenty-four (24) hours after the imposition of the expulsion.

2. Special Education Students

See page 19, Section V - Corrective Actions - Special Education Students

3. Hearing Procedures

See page 11-12, Section L-2

4. Appeal Procedures

See page 13-15, Section L-4

5. Readmission from Expulsion

Any student who has been expelled may apply for readmission at any time, either orally or by submitting a written application to the Director of Student Services.

The adult student or student and his/her parent(s) or guardian(s) will provide to the Director of Student Services, before or at the time of the readmission conference:

- 1) The reason the student wants to return and why the request should be considered;
- 2) Evidence which supports the request.
- 3) Sign a re-entry behavior contract.
- 4) Evidence of restitution when applicable.

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J. EMERGENCY EXPULSION

A student may be expelled immediately by the superintendent, building principal or other designee of the superintendent in emergency situations where the student is considered an immediate and continuing danger to his/herself, other students, or school personnel; or is causing an immediate and continuing threat of substantial disruption to the educational process.

1. Implementation Procedures

- a. The superintendent, principal, or superintendent's designee must determine that emergency expulsion is warranted.
- b. The superintendent, principal, or superintendent's designee principal will take the following action:

Within twenty-four (24) hours, the adult student or the student and his/her parent(s) or guardian(s) shall be notified of the emergency expulsion and of their opportunity for a hearing. The notice must be hand delivered or mailed by certified mail. Delivery must be documented by obtaining the adult student or the student's parent(s) or guardian(s) signature acknowledging receipt or by the written certification of the person making the delivery. If the notice is by certified mail, it must be deposited within twenty-four (24) hours and the mailing must be documented with the mailing receipt. Reasonable attempts shall be made to notify the adult student or the student and his/her parent(s) or guardian(s) by telephone or in person as soon as is reasonably possible.

- c. The written notice shall:
 - 1) Be provided in the predominant language of the adult student or the student and his/her parent(s) or guardian(s), if they speak a language other than English, to the extent feasible.
 - 2) Specify the alleged misconduct and the District rule(s) or policy that has been violated.
 - 3) Explain the corrective action or punishment proposed.
 - 4) Explain the right of the adult student or the student and his/her parent(s) or guardian(s) to a hearing.
 - 5) State that if a written request for a hearing is not received within ten (10) school business days after the receipt of notice, the right to a hearing will be waived and the proposed sanction will be imposed by the District without any further opportunities for the adult student or the student and his/her parent(s) to contest the matter. A schedule of "school business days" must be included with the notice.
- d. Notify, in writing, the Director of Student Services, within twenty-four (24) hours after the imposition of the emergency expulsion.

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K. OVERVIEW OF DISCIPLINE SANCTIONS - Chart (see Attachment B)

L. GRIEVANCES/HEARINGS/APPEALS

1. Discipline/Short-term Suspension

- a. Any adult student or student and parent, or guardian who disagrees with the imposition of discipline or short-term suspension has the right to an informal conference with the building principal or designee for the purpose of resolving the disagreement.
- b. During the informal conference, the student, parent(s) or guardian(s) are subject to questioning by the principal and building committee designee and are entitled to question school personnel involved in the matter being grieved. The grounds and scope of the grievance shall be fully explained to the students, parent(s) and/or guardian(s). The scope of the grievance will be confined to the imposition of discipline or short-term suspension.
- c. Subsequent to the informal conference, the student, parent(s) or guardian(s), upon two (2) school business days' prior notice, shall have the right to present a written and/or oral grievance to the Director of Student Services.
- d. If the grievance is not resolved, the student, parent(s) or guardian(s), upon two (2) 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 of Directors may establish and utilize such procedures, as it deems appropriate for the purpose of expediting the hearing of the grievance.
- e. The Board shall notify the student, parent(s) or guardian(s) of its response to the grievance within ten (10) school business days after the date of the meeting.
- f. The discipline/short-term suspension shall continue notwithstanding the implementation of the grievance procedure unless the principal or his/her designee elects to postpone the corrective action or punishment.
- g. Students who participate in co-curricular activities will also be subject to the co-curricular code.

2. Hearings - Long-Term Suspension and Expulsion

- a. The student and his/her parent(s) or guardian(s) shall reply to the notice of opportunity for a hearing and request a hearing within three (3) school business days after the date of receipt of notice. A request for a hearing shall be provided to the District employee specified in the notice of opportunity for a hearing, or to his/her office. A request for a hearing shall be in writing.
- b. If a request for a hearing is received within the required three (3) school business days, the District shall schedule a hearing to commence within three (3) school business days after the date upon which the request for a hearing was received.
- c. At the hearing, the student and his/her parent(s) or guardian(s) have the right to:

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- 1) Inspect, in advance of the hearing, any documentary and other physical evidence, which the District intends to introduce at the hearing;
 - 2) Be represented by legal counsel;
 - 3) Question and confront witnesses;
 - 4) Present his/her explanation of the alleged misconduct; and
 - 5) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he/she desires.
- d. The designee(s) of the District assigned to present the District's case shall have the right to inspect, in advance to the hearing, any documentary and other physical evidence that the student and his/her parent(s) or guardian(s) intend to introduce at the hearing.
 - e. The person(s) hearing the case shall not be witnesses and the guilt or innocence of the student shall be determined solely on the basis of the evidence presented at the hearing.
 - f. Either a tape-recorded or verbatim record of the hearing shall be made at the option of the District.
 - g. A written decision setting forth the findings of fact, conclusions, and the nature and duration of the long-term suspension, 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/her parent(s) or guardian(s).
3. Hearing - Emergency Expulsion
- a. The student and his/her parent(s) or guardian(s) shall reply to the notice of opportunity for a hearing and request a hearing within ten (10) school business days after the date of receipt of notice. A request for a hearing shall be provided to the District employee specified in the notice of opportunity for a hearing, or to his/her office. A request for a hearing must be made in writing.
 - b. If a request for a hearing is received within the required ten (10) school business days, the 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 the receipt of the request for a hearing.
 - c. The hearing process for emergency expulsion shall be the same as that provided for long-term suspension or expulsion.
 - d. Within one (1) school business day after the date upon which the hearing concludes, a decision as to whether or not the emergency expulsion shall be continued shall be given.
 - 1) The student's legal counsel or, if none, the student and his/her parent(s) or guardian(s) shall be notified by certified letter.

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- 2) The decision shall give 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
 - e. 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 giving rise to the emergency expulsion in the first instance.
4. Appeals - Long-Term Suspension, Expulsion, and Emergency Expulsion
- a. The student and his or her parent(s) or guardian(s) shall have the right to appeal the decision of the Director of Student Services to the Board of Directors.
 - b. Notice indicating that the student or his or her parent(s) or guardian(s) desire to appeal the decision shall be provided to either the Director of Student Services or the District Superintendent within three (3) school business days after the date of receipt of the decision.
 - c. The notice of appeal must be made in writing.
 - d. If a timely appeal is taken to the Board of Directors, the suspension or expulsion will not be imposed until the appeal is decided. An emergency expulsion shall not be ~~interrupted or stayed pending~~ the appeal process.
 - e. If an appeal is not taken to the Board of Directors within the required three (3) school business day period, the suspension or expulsion decided upon may be imposed as of the calendar day following expiration of the three (3) school business day period.
 - f. If a written notice of appeal to the Board of Directors is received within the required three (3) school business days, the board shall schedule and hold an informal conference to review the matter within ten (10) school business days after the date of receipt of such appeal notice.
 - 1) 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.
 - 2) At that time, the student or the student's parent(s), 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.
 - 3) 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 (10) school business days after the informal conference; or

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- b) Schedule and hold a meeting to hear further arguments based on the record before the Board and render its decision within fifteen (15) school business days after date of the informal conference;
 - c) Schedule and hold a meeting within ten (10) school business days after the date of the informal conference for the purpose of hearing the case de novo.
- 4) In the event the board of directors elects to hear the appeal de novo, the following rights and procedures shall govern the proceedings:
- a) Appeals to the Board of Directors of disciplinary decisions should be closed meetings.
 - b) The student and his or her parent(s) or guardian(s) shall have the right to:
 - (1) Inspect, in advance of the hearing, any documentary and other physical evidence, which the school district intends to introduce at the hearing;
 - (2) Be represented by legal counsel;
 - (3) Question and confront the witnesses, unless the District is unable to produce the witness or the District deems that it is not advisable for the witness to appear due to fear of retaliation against the student;
 - (4) Present his/her explanation of the alleged misconduct; and
 - (5) Make such relevant showings by way of witnesses and the introduction of documentary and other physical evidence as he/she desires.
 - c) The designee(s) of the 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.
 - d) Either a tape-recorded or a verbatim record of the hearing shall be made at the option of the school district.

5) Board Decisions:

Any decision by the Board of Directors to impose or affirm, reverse, or modify the imposition of discipline, suspension, or expulsion upon a student shall be made:

- a) Only by those Board members who have heard or read the evidence;
- b) Only those Board members who have not acted as a witness in the matter; and
- c) Only at a meeting at which a quorum of the Board is present and by a majority vote.

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- d) An appeal from any decision of the 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 the Board shall be postponed pending appeal to Superior Court shall be discretionary with the Board, except as otherwise ordered by a court.

II. SEARCHES OF STUDENTS AND THEIR PROPERTY

A. GENERAL

A student, a student's personal possessions, and a student's locker is subject to search by District staff if reasonable grounds exist to suspect that evidence of a violation of the law or school rules will be uncovered. School staff shall report a student's suspicious activity to the principal or designee prior to initiating a search, except in emergency situations.

B. ESTABLISHING REASONABLE GROUNDS

The following review of the basis for the search should occur before conducting a search:

1. Identify:
 - a) The student's suspicious conduct, behavior, or activity;
 - b) The source of the information;
 - c) The reliability of the source of such information.
2. If the suspicion could be confirmed, would such conduct, behavior, or activity be a violation of the law, or district, or school rules?
3. Is the student likely to possess or have concealed any item, material, or substance which is itself prohibited or which would be evidence of a violation of the law or District or school rule?

C. CONDUCTING THE SEARCH

If the principal, or his/her designee, determines that reasonable grounds exist to search a student's clothing, personal effects, desk, locker, or assigned storage area, or other possessions, the search shall be conducted as follows:

1. If evidence of a criminal activity is suspected to be present, and the necessity of a referral to a law enforcement agency is confirmed by the search (e.g., illegal substances, stolen property, weapons, etc.), consult law enforcement officials regarding the appropriateness of a search by a law enforcement officer.
2. If evidence of violation of a District or school rule is suspected, and if confirmed by the search will be handled solely as a student disciplinary action, proceed to search by asking the student to remove all items from pockets, purses, handbags, backpacks, gym bags, etc.
3. If the student refuses to cooperate in a search, the student should be held until the student's parent or guardian is available to consent to the search. If a parent or guardian cannot be reached in a reasonable time, the principal may conduct the

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search without the student's consent. Students must be kept under direct supervision while the principal or designee is waiting for the parent or guardian.

D. LOCKER SEARCHES

Students may be assigned lockers for storing and securing their books, school supplies, and personal effects. Lockers, desks, and storage areas are the property of the school district. Neither right nor expectation of privacy exists for any student as to the use of any locker issued or assigned to a student by the school.

No student may use a locker, desk, or storage area as a depository for any substance or object which is prohibited by law, school rules, or District rules or which pose a threat to the health, safety, or welfare of the occupants of the school building or the building itself.

Any student's locker, desk, or other storage area shall be subject to search if reasonable grounds exist to suspect that the search will yield evidence of the student's violation of the law or school rules.

All student lockers may be searched at any time without prior notice and without reasonable suspicion that the search will yield evidence of any particular student's violation of the law or school rules. If the District official conducting such a search develops a reasonable suspicion that any container inside the locker, including but not limited to a purse, backpack, gym bag, or an article of clothing, contains evidence of a student's violation of the law, District rules, or school rules, the container may be searched.

III. STUDENT PUBLICATIONS/MEDIA PRODUCTIONS

A. GENERAL

Student publications and media productions produced as part of the school's curriculum or with the support of the Associated Student Body fund are intended to serve both as vehicles for instruction and student communication. They are operated and substantively financed by the District.

Material appearing in such publications or media productions should reflect all areas of student interest, including topics about which there may be controversy and dissent. Controversial issues may be presented provided that they are treated in depth and represent a variety of viewpoints. Such material may not be libelous, obscene, or profane; cause a substantial disruption of the school, or District; invade the privacy of others; demean any race, religion, sex, or ethnic group; advocate the violation of the law; advertise tobacco products, liquor, illicit drugs, or drug paraphernalia; or violate any other limitation imposed by law.

B. REVIEW GUIDELINES

1. The building principal has the authority to regulate expression in keeping with a school's instructional mission and values.
2. Disputes over regulation by the building principal may be taken to the superintendent for further consideration. If the complaint cannot be resolved at the

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superintendent's level, the Board, upon request, shall consider the complaint at its next regular meeting. Publication of such material will be delayed until disputes are reviewed and settled.

IV. CORRECTIVE ACTION – ILLEGAL DRUGS/ALCOHOL/TOBACCO

A. DEFINITIONS

1. Illegal Substance: Any drug, alcohol, controlled or mood altering substance, inhalant, or medication which is not prescribed for the student's use by a licensed practitioner according to the District's medication policy.
2. Drug Paraphernalia: Any item, implement, object, or material employed in the use, possession, transport, or sale of any controlled or mood-altering substance as defined by law and District policy.
3. School Property: Any school site, facility, building, vehicle, conveyance, or accommodation, which is owned, leased, rented, or borrowed in connection with any District activity, event, or function. This includes any location or property over which the District exercises authority or control and specifically includes facilities, activities, or events at which district students are performers, competitors, or spectators, and any location, public or private, in which district students are attending as representatives of the District.

B. CONDITIONS AND LIMITATIONS

1. General

- a. A violation exists when a District student, while on school property, or in reasonable proximity to, or at school-sponsored activities or events:
 - 1) Illegally uses, possesses, sells, or is under the influence of drugs, alcohol, controlled or mood altering substances;
 - 2) Illegally uses, possesses, sells, delivers, or is under the influence of medication which is not prescribed for his or her use by a licensed doctor;
 - 3) Possesses any illegal substance (including tobacco), its container, or drug paraphernalia on his/her person, in his/her locker, vehicle, or other property.
 - 4) Attempts to sell, or give to another person, any illegal substance, tobacco, or drug paraphernalia.
 - 5) Attempts to possess, or attempts to persuade another student to possess, use or seek out a source of purchase of any illegal substance, tobacco, or drug paraphernalia.

b. Conduct at Off-Campus, School-Sponsored Events:

Students are subject to the policies governing the use/abuse of alcohol, drugs, tobacco, controlled or mood altering substance while in attendance at, or participating in off-campus, evening, and weekend school-sponsored events.

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c. Investigation

In any case where a District employee has reasonable suspicion that a violation has occurred, the school administrator and/or other appropriate authority will be involved in consultative and investigative roles.

2. Implementation Procedures:

- a. The principal or his/her designee will determine to the best of his/her ability that a student is, or is believed to be, in violation of the rules pertaining to illegal substances.
- b. The principal will take the following action:
 - 1) Remove the student from further contact with other students and place him/her under the continuous supervision of a responsible adult staff member.
 - 2) Notify the parents/guardians prior to providing the required written notice and request that they provide necessary medical attention for the student. If the parent is not available, or staff feels that it is advisable, appropriate medical procedures will be followed.
 - 3) Follow the procedures as outlined in Procedure 3240 (alcohol, controlled substances, tobacco, etc.) for disciplinary sanctions.
 - 4) Report the violation to the appropriate law enforcement agencies.

V. CORRECTIVE ACTION - SPECIAL EDUCATION STUDENTS

A. OVERVIEW OF CORRECTIVE ACTIONS

Students with disabilities in the Wenatchee School District are subject to the same treatment under the District's rules as the non-disabled student except when the behaviors in question are a manifestation of the student's qualifying disability. If the behaviors are a manifestation of the qualifying disability then the discipline process must be modified to procedures outlined in the following sections.

B. EMERGENCY REMOVAL AND SHORT-TERM SUSPENSION

The procedures for emergency removal from a classroom and short-term suspension are generally the same for special education students that they are for regular education students. No special procedures need to be followed unless: a) the action taken, when added to the previous suspensions, exceeds ten (10) days total for the year, or, b) the behavior in question is a manifestation of the student's qualifying disability. If the ten (10) day limit is exceeded, the procedures for long-term suspension/expulsion must be followed. If the behavior in question is determined by the IEP special education teacher or the school psychologist assigned to the building, and the principal or designee, to be a manifestation of the student's qualifying disability, then refer the matter to the IEP team.

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C. LONG-TERM SUSPENSION/EXPULSION

The imposition of a long-term suspension or expulsion of a student with a disability would constitute a change in placement and a Multidisciplinary Team (MDT) meeting must be held prior to imposing the action unless provision for the discipline has been included in the Individualized Education Program (IEP).

1. Implementation of long-term suspension/expulsion

- a. Convene the Multidisciplinary Team (MDT) within three (3) school days of the misconduct.

- 1) Persons in attendance:

- a) Principal/designee
- b) Student's primary teacher
- c) District special education personnel knowledgeable about placement options and evaluation data regarding the particular student who is being disciplined.

- 2) Purpose of the meeting:

- a) Determine whether the student's behavior is a manifestation of, or related to, the student's qualifying disability;
- b) Determine whether the student's behavior indicates a need for a change of placement;
- c) Determine whether there is a need for reassessment;
- d) Consider the sanction or action to be taken;
- e) Consider whether the sanction will deny the student a free and appropriate public education.

- 3) Procedures at the meeting:

- a) The meeting must be fully documented.
- b) If the conclusion of the MDT is that the behavior is not a manifestation of, or related to, the qualifying disability, and the student is not in need of a change of placement, or reassessment, the sanction can be imposed.
- c) If the conclusion of the MDT is that the behavior is a manifestation of, or related to, the qualifying disability, or the student is in need of a change of placement or reassessment then a different placement, revised program or reassessment should be considered and may be offered. If necessary, an interim placement for evaluation purposes may be offered

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during the period of time the new placement or program is being developed.

- d) Following the MDT meeting, a written statement of the results of the meeting must be provided for the student and his/her parent(s) or guardian(s) that includes.
 - (1) Date, time and place of the MDT
 - (2) Participants in the MDT meeting
 - (3) Conclusions reached at the MDT meeting
 - (4) Sources of information used in reaching the decision(s)
 - (5) Notice of the right to an IDEA hearing in cases where there is a change in placement recommended.
 - (6) Notice of the right to a hearing following regular District procedures in cases where the student's behavior has been determined not to be manifestation of, or related to, his or her qualifying disability.

D. EMERGENCY EXPULSION

If the behavior of a student with a disability is such that his/her presence creates an immediate or continuing danger to the student, other students, or school personnel, or an immediate and continuing threat of substantial disruption of the educational process, the student may be sent home for periods not to exceed ten (10) cumulative school days. If a student is sent home for more than ten (10) cumulative school days, this action may constitute a change in placement and requires the convening of the MDT pursuant to Section III - C. When a student with a disability is emergency expelled, the Director of Special Education must be notified within twenty four (24) hours. If the situation involving a student is of sufficient severity, the District may seek injunctive relief through a court of law.

E. OBLIGATIONS TO STUDENTS PENDING HEARING FOR DISCIPLINARY ACTION

During the time period from the initiation of a request for a due process hearing through the appeal process, the District is required to continue providing educational services to a student with a disability. However, depending upon the circumstances, these services may not have to be provided within the school setting.

F. IEP DISCIPLINE PLANS

Within the IEP process, a plan may be agreed upon for the discipline of a specific behavior in order to reach behavior goals. This plan may include removal from school for a specified amount of time as part of the IEP. The Student Rights and Responsibilities Rules are not to be used when following the IEP, as the IEP itself will prescribe the disciplinary procedures. Either school personnel or the parent may request an IEP meeting if either finds that the plan is not satisfactory or in need of revision.

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VI. DISTRICT DRESS CODE

A. GENERAL ATTIRE GUIDELINES

Students' choice in matters of dress should be made in consultation with their parents. Student dress shall only be regulated when, in the judgment of school administrators, there is reasonable expectation that:

1. A health or safety hazard shall be presented by the student's dress or appearance;
2. Damage to school property shall result from the student's dress; or
3. A material and substantial disruption of the educational process will result from the student's dress or appearance.

For the purpose of these procedures, a material and substantial disruption of the educational process may be found to exist when a student's conduct is inconsistent with any part of the educational mission of the school district. Prohibited conduct includes, but is not limited to the use of attire that has references to sex, drugs, alcohol, violence, -- racism, sexism, tobacco, or the use of profanity.

B. RECOMMENDED GUIDELINES FOR SANCTIONS

The following sanctions are often appropriately imposed for violations of the District's dress code:

1. First Offense

The student will be asked to change clothes (get clothes from home, change into other clothes they might have at school that are appropriate, turn their shirt inside out, etc.).

2. Subsequent Offense(s)

Follow sanctions for "Defiance of School Authority" or "Willful disobedience."

VII. TRANSPORTATION RULES AND SANCTIONS

A. TRANSPORTATION RULES

1. The bus driver is in full charge of the bus and students.
2. Students crossing roads must do so under the direction of the bus driver and cross only in front of the bus.
3. Students must observe classroom conduct, be courteous, not use profanity, teasing, name-calling or physical abuse.
4. Students must keep the bus clean; no eating or chewing gum.
5. Students must remain seated at all times; keep head, hands and feet inside the bus.

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6. Students are not allowed to take pets, animals or hazardous objects on the bus.

B. TRANSPORTATION SANCTIONS

The following sanctions are often appropriately imposed for violations of the District's transportation rules:

1. Verbal Warning

The bus driver reviews behavior expectations for the student and identifies the bus rule that is being violated.

2. First Written Offense

The bus driver assigns seats for one (1) week and writes the first discipline report. The transportation director or designee contacts parents by phone or mail.

3. Second Written Offense

The bus driver writes the second discipline report; the student is denied riding privileges for three (3) days; a conference is held with the parent(s) or guardian(s), and transportation director as needed.

4. Third Written Offense

The bus driver writes the third discipline report; the student is denied riding privileges from five (5) days to remainder of the semester.

When a discipline action has been taken, the transportation director will return the completed pink copy of the conduct report and send it to transportation within three (3) days. In the case of a suspension, transportation must be notified on the day of the suspension.

Transportation director, and/or the Director of Student Services may modify or grant exceptions to these sanctions in cases involving extenuating or exceptional circumstances, after considering the background of the individual students, or after considering the nature and circumstances of the violation.

C. GRIEVANCES AND APPEALS

Grievances concerning transportation sanctions may be made to the Transportation Director. The director will arrange an informal meeting in a timely manner between the parent(s) or guardian(s), the bus driver, the principal, and the student to resolve the grievance. Parent(s) or guardian(s) may appeal the findings of this meeting to the Director of Student Services.

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***Behaviors Resulting in an Immediate
Referral to Administration***

RCW 28A.600.040

School Board Policy Procedure 3241P

I. EXCEPTIONAL MISCONDUCT

- Defiance- refusal to identify self or follow directives
- Fighting
- Gambling
- Harassment- sexual or other
- Lewd or indecent conduct
- Malicious Mischief (property damage)
- Theft
- Trespass
- * Alcohol, Drugs, tobacco—sale, use or delivery
- * Arson
- * Assault
- * Burglary / Robbery
- * Explosives
- * Extortion or Coercion
- * Firearms
- * Gang Intimidation or Behavior
- * Illegal Fire Alarm Use
- * Profanity Directed at School Staff
- * Threats to Bomb or Injure Property (including false reports)
- * Weapons

(*) These behaviors require emergency expulsions

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Corrective Actions or Punishments: As a general rule the Wenatchee School District expects that each educational site works to improve student behavior prior to removal from school. The following guidelines are in effect for students to establish a range of corrective actions which may be imposed as a consequence of exceptional misconduct on the first offense. The appeal process for short and long term suspensions shall remain in effect for short and long term range suspensions imposed as a result of this procedure. These are guidelines and certain incidents may require advancing the discipline to align with the severity of the behavior.

EXCEPTIONAL MISCONDUCT	RANGE OF CORRECTIVE ACTION	ACTION THAT MAY BE TAKEN
Arson, Assault, Burglary, Extortion, Coercion, Robbery, Threats to Injure	Minimum	Emergency Expulsion
	Maximum	Expulsion
Cheating, Plagiarism, Forgery	Minimum	School discipline
	Maximum	Long Term Suspension
Defiance, Failure to Complete Disciplinary Action	Minimum	School discipline
	Maximum	Long Term Suspension
Driving/Parking Violations, Off Campus without Permission	Minimum	School discipline
	Maximum	Long Term Suspension
Explosives, Firearms and Weapons	Minimum	Emergency Expulsion
	Maximum	Expulsion
Fighting	Minimum	School discipline
	Maximum	Expulsion
Gambling, Theft	Minimum	School discipline
	Maximum	Expulsion
Gang Intimidation/ Behavior	Minimum	Emergency Expulsion
	Maximum	Expulsion
Harrassment, Disruptive Behavior, Malicious Mischief	Minimum	School discipline
	Maximum	Expulsion
Illegal Fire Alarm, Bomb Threat	Minimum	Emergency Expulsion
	Maximum	Expulsion
Inappropriate Display of Affection, Inappropriate Dress	Minimum	School discipline
	Maximum	Expulsion
Profanity, Lewd or Indecent Conduct	Minimum	School discipline
	Maximum	Expulsion
Sale, delivery, possession or use of alcohol or any controlled substance to another person	Minimum	Emergency Expulsion
	Maximum	Expulsion
Tobacco	Minimum	Short Term Suspension
	Maximum	Long Term Suspension
Trespass, Truancy	Minimum	School Discipline
	Maximum	Long Term Suspension